



CITY OF LEON VALLEY
CITY COUNCIL SPECIAL MEETING
Leon Valley City Council Chambers
6400 El Verde Road, Leon Valley, TX 78238
Tuesday, August 4, 2020

MINUTES

5:15 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	Present

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."

BUDGET WORKSHOP

Presentation, Discussion and Workshop on an Ordinance Approving and Adopting Fiscal Year 2020-2021 Budgets and Associated Capital Acquisition Plans and Ratifying Fiscal Year 2020-2021 General Fund Budget. (1st Reading as Required by City Charter) (Kelly Kuenstler, City Manager)

City Manager Kelly Kuenstler and Finance Director Vickie Wallace presented the Proposed Fiscal Year 2021 Budget.

Those who spoke on this item were: Evan Bohl; Johnnie Garrett; Alex Jenicek; Evan Bohl again; Benny Martinez; Phillip Campos; William Johnson; Alex Jenicek again; and Erick Matta.

RESULT: PRESENTED

CITIZENS TO BE HEARD

Those who spoke on this item were: Johnnie Garrett; Kimberly Bohl; Benny Martinez; William Johnson; Rey Orozco; Evan Bohl; Alex Jenicek; Richard Blackmore; and Erick Matta.

Councilor Will Bradshaw read e-mails submitted by: an anonymous Leon Valley resident; and Paul Meffert

Mayor Chris Riley read an e-mail submitted by: Justin Pulliam

City Secretary Sandra Passailaigue read e-mails submitted by: Cindy Henley; Cathy Nelson; Steve Smith; and Tina Chasan

Councilor Catherine Rodriguez asked to remove Consent Agenda Item 4.4 for discussion.

CONSENT AGENDA

A motion was made by Councilor Matthew Hodde and seconded by Councilor Catherine Rodriguez to adopt Consent Agenda Items 4.1, 4.2, 4.3 and 4.5 as presented.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Matthew Hodde, Council Place 4
SECONDER:	Catherine Rodriguez, Council Place 2
AYES:	Monica Alcocer, Donna Charles, Catherine Rodriguez, Matthew Hodde, Will Bradshaw

Consideration of the Following City Council Minutes:**a. Regular Meeting- December 17, 2019 6:00 PM****Acceptance of Committee Minutes:**

Authorizing the City Manager to Enter into an Interlocal Agreement with Bexar County for the Purpose of Allowing the Library to Participate in a CARES Act Grant Agreement to Receive and Circulate 100 CoolPad Surf Wi-Fi Hotspots with Unlimited Data to our Community for a Period of One Year (M&C # 2020-08-04-01 C. Caldera)

Presentation, Discussion and Possible Action on Hiring a Computer Forensic Investigator to Investigate a breach of the GoToMeeting online platform at the Council Meeting on April 7, 2020 - *Item Removed from Consent* (M&C # 2020-08-04-02 J. Salvaggio)

A motion was made by Councilor Catherine Rodriguez and seconded by Councilor Will Bradshaw to approve as presented.

ITEM PULLED FROM CONSENT AGENDA

Discussion and Possible Action to Approve a Resolution Rejecting All Bids for the Community Center Upgrade Project - *Item Removed from Consent* (M&C # 2020-08-04-03 M. Moritz)

Public Works Director Melinda Moritz presented the item which is a resolution rejecting all bids submitted for the Community Center Upgrade Project.

Director Moritz informed members of City Council that this project was designed by LNV Engineering. A bid package was developed and advertised for 30 days. The bid advertisement was placed in the Express News on two consecutive Sundays, and the bid document and plans were placed on the City's web site, the Public Purchase website, and numerous plan rooms. The bid opening was held on July 14, 2020 at 10:00 am, with a total of four companies submitting timely bids. One bid was determined to have been calculated incorrectly and the contractor withdrew that bid.

The City Council had approved a budget adjustment for this project in the amount of \$179,000, with the understanding that, if the project costs were higher, Staff would bring the item back to City Council for a budget adjustment, but this was prior to the fiscal concerns now being raised by the COVID-19 pandemic. Staff would like to reduce the scope of work to include just the kitchen and restrooms and rebid the project. It is

suggested that funds for the work needed on the exterior of the building be included in the Public Works budget for next fiscal year, as this is a maintenance issue and not a Capital Project.

Those who spoke on this item were: Benny Martinez; Richard Blackmore; and Evan Bohl.

A motion was made by Councilor Catherine Rodriguez to approve as presented. The motion was seconded by Councilor Will Bradshaw.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Catherine Rodriguez, Council Place 2
SECONDER:	Will Bradshaw, Council Place 5
AYES:	Monica Alcocer, Donna Charles, Catherine Rodriguez, Matthew Hodde, Will Bradshaw

ORDINANCES

Discussion and Possible Action on an Ordinance for a Specific Use Permit by Jaime Castaneda, 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 was Held on 07-21-2020) (M&C # 2020-08-04-04 B. Melland)

Brandon Melland, Planning & Zoning Director presented this item saying there were no changes from the first reading to now.

Mayor Riley opened the Public Hearing at 7:55 PM

Those who spoke on this item were: Evan Bohl

There being no further public comment; Mayor Riley closed the Public Hearing at 7:59 PM

A motion was made by Councilor Monica Alcocer and seconded by Councilor Catherine Rodriguez to adopt as presented.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Monica Alcocer, Mayor Pro-Tem, Council Place 3
SECONDER:	Catherine Rodriguez, Council Place 2
AYES:	Monica Alcocer, Donna Charles, Catherine Rodriguez, Matthew Hodde, Will Bradshaw

Presentation, Discussion and Possible Action on an Ordinance Amending the Emergency Disaster Ordinance Local Emergency Declaration 2020-37 (M&C # 2020-08-04-05 J. Salvaggio)

Joseph Salvaggio, Police Chief presented this item.

A motion was made by Councilor Matthew Hodde to approve as discussed but to hold off until the next City Council meeting to decide on the Soap Box Derby, 5' bandit signs, keep City Hall, the Library, and other city facilities closed. The motion was seconded by Councilor Will Bradshaw.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Matthew Hodde, Council Place 4
SECONDER:	Will Bradshaw, Council Place 5
AYES:	Monica Alcocer, Donna Charles, Catherine Rodriguez, Matthew Hodde, Will Bradshaw

REGULAR AGENDA

Presentation of Paid Attorney Fees as Requested by Mayor Chris Riley (Vickie Wallace, Finance Director)

Finance Director Vickie Wallace presented this item.

Those who spoke on this item were: Benny Martinez; and Evan Bohl

No action was taken.

RESULT:	PRESENTED
----------------	------------------

Presentation and Discussion on City Manager Duties in a Council Manager Form of Government (Home Rule City vs. Type A General Law City Under Council Manager Form of Government) (Kelly Kuenstler, City Manager)

City Manager Kelly Kuenstler presented this item to show a comparison and contrast in the duties of the City Manager pre and post charter. Several assertions have been made that the City Manager position changed considerable with the Charter implementation.

Those who spoke on this item were: Evan Bohl; and Benny Martinez

Councilor Will Bradshaw urged citizens to "vote NO on the Charter Amendments".

RESULT:	PRESENTED
----------------	------------------

CARES Act Budget Update (Vickie Wallace, Finance Director)

Business Relations Specialist William Cox and Finance Director Vickie Wallace presented an update on the CARES Act Budget.

RESULT: PRESENTED

Discussion and Possible Action on Request for 2020 Candidate Forum (M&C # 2020-08-04-06 K. Kuenstler)

City Manager Kelly Kuenstler presented the item saying that during the July 21st, 2020, City Council Meeting, resident Evan Bohl requested that he and a group of citizens be allowed to conduct a candidate forum. The Council was not able to act on the request as this was not an action item. Mayor Riley expressed her opposition to this because this is typically done by the League of Women Voters; however, the citizen was never given an answer by the City Council. This item is simply being put on the agenda so that the Council is able to discuss and provide an adequate answer to the requester.

Those who spoke on this item were: Evan Bohl; Rey Orozco; Benny Martinez; Kimberly Bohl; Erick Matta; and William Johnson

Mayor Riley read an e-mail submitted by: Rita Burnside

Councilor Will Bradshaw read an e-mail submitted by: Josh Stevens

A motion was made by Councilor Will Bradshaw to co-sponsor the debate with the League of Women Voters. The motion was seconded by Councilor Matthew Hodde.

RESULT:	APPROVED [4 TO 0]
MOVER:	Will Bradshaw, Council Place 5
SECONDER:	Matthew Hodde, Council Place 4
AYES:	Alcocer, Charles, Hodde, Bradshaw
ABSTAIN:	Rodriguez

Discussion and Possible Action Regarding the Conduct of Councilman Will Bradshaw (M&C # 2020-08-04-07 K. Kuenstler)

City Manager Kelly Kuenstler presented this item as requested by Councilor Rodriguez and seconded by Councilor Donna Charles. No presentation was prepared; however, the previous PowerPoint was slightly updated based on the motion at the July 21, 2020, City Council Meeting and the applicable videos were shown during the presentation.

Those who spoke on this item were: William Johnson; Evan Bohl; Norma Shirotori; Erick Matta; Pat Martinez; and Johnnie Garrett

City Secretary Sandra Passailaigue read e-mail submitted by: Sarah Smart; and Justin Pulliam

A motion was made by Councilor Donna Charles to conduct a 3.12 Hearing against Councilor Will Bradshaw with the guidance of an outside attorney; not an investigation but guidance to go straight to a hearing. Councilor Catherine Rodriguez seconded the motion.

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 - Aye; Councilor Monica Alcocer - Aye; Councilor Matthew Hodde - Aye; and Councilor Will Bradshaw - Nay.

Upon a vote of four (4) for and one (1) opposed, Mayor Riley announced the motion carried.

Mayor Riley asked City Attorney Zech about the two remaining items and how they should be handled since time had run out to address them.

Councilor Will Bradshaw motioned to suspend the Rules of Procedure and continue the last two agenda items.

Mayor Riley asked for a second to Councilor Bradshaw's motion. There being no second, the motion died.

Councilor Matthew Hodde motioned to continue tomorrow as originally discussed at 5:15 PM. There being no second, the motion died.

Councilor Donna Charles said she believed that the Council agreed to move unfinished items to the next Council meeting. Councilor Monica Alcocer and Councilor Will Bradshaw said they agreed with Councilor Charles.

Mayor Riley said that the two remaining items will go to the August 18, 2021 agenda.

RESULT:	APPROVED [4 TO 1]
MOVER:	Donna Charles, Council Place 1
SECONDER:	Catherine Rodriguez, Council Place 2
AYES:	Alcocer, Charles, Rodriguez, Hodde
NAYS:	Bradshaw

Discussion and Possible Action on Investigating Potential Fraud, Abuse, and Waste of City Funds and Resources by the Leon Valley Police Chief and City Manager as well as an Investigation Regarding Use of Official Capacity to Oppress Citizens and Business Owners of Leon Valley, in Violation of the Texas Penal Code and Other Federal Laws, as Requested by Councilman Will Bradshaw (Mayor Chris Riley)

Discussion and Possible Action Concerning Using Mediation as a Pre-3.12 Hearing Process with Respect to Complaints Against Elected Officials (Mayor Chris Riley)

CITY MANAGER'S REPORT

Upcoming Important Events:

- **Special City Council Meeting, Monday, August 10, 2020, at 5:30 p.m. in Council Chambers - This is a Workshop to discuss the Proposed Sign Code Amendments**
- **Next Regular City Council Meeting Tuesday, August 18, 2020, at 5:15 p.m. in Council Chambers**
- **Miscellaneous other events and announcements**

ANNOUNCEMENTS BY THE MAYOR AND COUNCIL MEMBERS


CITIZENS TO BE HEARD

ADJOURNMENT


Mayor Riley announced that the meeting adjourned at 10:49 PM.

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 August 04, 2020 Leon Valley City Council Meeting Minutes by Mayor Chris Riley.

JOSH STEVENS

FOR THE PEOPLE

CONTACT

6819 Forest Haven Street
San Antonio, TX 78240

August 4, 2020

This letter is for the "Citizens to Be Heard" portion at the beginning of the City Council meeting on June 16, 2020, and to be continued during Regular Agenda Item 6.4.

Good evening City Council,

As one of the four candidates who have an opponent in the upcoming election, I firmly believe that the citizens of Leon Valley deserve to get to know the candidates, understand their positions and stances on issues, and have the opportunity to have questions answered.

I have received communication informing me that the League of Women's Voters has the City of Leon Valley scheduled on their calendar for the Wednesday before early voting starts, which is October 7, 2020 from 6-8 PM (this is the predicted time). This is the only impartial and nonpartisan debate that I have been informed about thus far, and I would strongly encourage the city council to follow the tradition of co-sponsoring this candidate's forum. This forum has traditionally given all Leon Valley citizens the opportunity to come out, get to know the candidates, and get questions answered of the candidates. As the League of Women publishes in their mandatory 990 IRS form, which is required to maintain compliance with their exempt 501(c)(4) status, they are a "nonpartisan organization" that "encourages the informed and active participation of citizens in government, works to increase the understanding of major public policy issues, and influences public policy through education and advocacy". They are the perfect organization to hold an impartial debate, especially at such a contentious and divisive time in Leon Valley's history.

I was aware that a single rogue citizen of the community, who has demonstrated strong bias in multiple council meetings and has been observed colluding with city staff and my opponent, has been trying to organize a debate for many weeks. Not only does this single member from our community have no debate or moderating experience, but he has publicly spoke negatively about my campaign, shamed and slandered my character in public posts, and intentionally sent messages to followers of mine on social media with defamatory and untruthful comments. I have emailed screenshots and evidence of these comments to all of you, for the records. Though I firmly support this person's right to speak their opinion and express themselves, I don't support them being the lead organizer of an event or moderator of an event, which is orchestrated most likely to smear my reputation.

When this individual approached me about the debate, I told him that I would be more than eager to participate in any debate, so long as the moderators are proven to be fair and

impartial. I even offered to pay for external moderators that have expertise in holding of debates. He has expressed to me that he is unwilling to open himself up to the possibility of having unbiased, external individuals to come moderate at his debate.

Allowing a rogue member of the community, who has demonstrated bias and his extreme negative opinion of me, to participate in an event that is sponsored, co-sponsored, advertised, promoted, endorsed, or supported by the tax dollars of Leon Valley citizens is against the Texas Election Law. If the city allows my opponent's close friend and confidant to carry out a partisan debate with moderators that have such a strong bias, not only will I refuse to participate, but I will engage local media regarding the formal complaint my campaign will be forced to file with the Texas Ethics Commission.

I encourage the city council to approve a resolution with the League of Women Voters to co-sponsor the upcoming debate, and assign a staff liaison that can work with them to ensure they will be able to successfully roll out a forum that will likely be conducted mostly online. Unlike the member of the community seeking to hold his own debate to satisfy his personal political agenda, the League of Women Voters must prove annually that they are a non-partisan organization to keep their federal exempt 501(c)(4) status. They do this in their 990 form they file with the IRS, in addition to maintaining transparency in their day-to-day operations. Thank you, City Council.

Sincerely,

A handwritten signature in black ink, appearing to read 'Josh Stevens', with a stylized star or 'A' shape at the end of the signature.

Joshua Stevens

CC:

Leon Valley City Council
Leon Valley City Manager
Leon Valley City Secretary



Evan Bohl

June 3 at 9:29 AM · 🌐

This candidate (Josh Stevens) and his associates have been playing a dangerous divisive game in Leon Valley to achieve their agenda for over a year pitting Council members and Citizens against each other with baseless accusations and lies without providing full context to what is occurring. This candidate has admitted to falsifying information to get an Appeals Court to force City Council to make the decisions he and his associates want and have blocked out all dissenting and logical arguments. They would rather encourage belligerent and emotional responses over truly getting to the truth and seeking real justice for any perceived grievances. If he is elected, he will only continue to employ unethical tactics to affect his agenda which is not in the best interest of Leon Valley, its businesses or its residents.

Currently they are using the author of this article as he has been of so many others to paint Leon Valley in the worst light possible and it is a tragedy that they are manipulating the Council and those who truly care to create a narrative of seemingly unfettered corruption where none has ever existed.



EXPRESSNEWS.COM

**Hearing that could lead to forfeiting office
launched for Leon Valley mayor, opposition...**

[Learn More](#)



1



Like



Comment



Share



Write a comment...





Matt Biles Evan-please do not send me any more unsolicited PMs bad-mouthing Josh Stevens.

Like · Reply · 55m

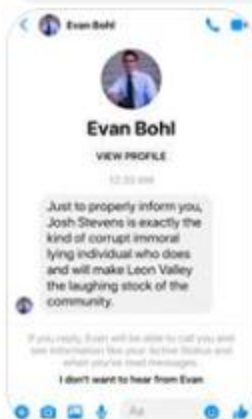


Evan Bohl Matt Biles i would never send you messages bad mouthing Josh Stevens. The truth often is unsolicited and discomforting. I will no longer send you messages though. Such a shame.

Like · Reply · 41m



Matt Biles Cut the BS Evan. You're full of shit.



Like · Reply · 27m



Matt Biles You didn't recall the message fast enough, fraud.

Like · Reply · 25m



Evan Bohl And in now way is there a lie in that message. I didn't recall it, because I am not afraid to say the truth. I am not afraid who hears it.

Like · Reply · 1m



Write a reply...



August 4, 2020

Citizens to Be Heard Ethics Complaint

Dear Mayor Riley:

Justin and I submit the following Ethics Violation Complaint to the City of Leon Valley, as well as to be read during citizens to be heard this evening.

Justin and I allege that Councilors Donna Charles and Catherine Rodriguez both violated Section 3.09(E) of the Leon Valley City Charter when they released attorney-client privileged communications and the attorney-client privilege had not been waived by an affirmative vote of two-thirds of the City Council.

Ms. Charles released multiple attorney-client privileged communications to the public on March 9, 2020 at the Ethics Review Board meeting, which is a public meeting held pursuant to the Open Meetings Act. See Exhibit A. The video of this meeting was later posted on the Leon Valley YouTube Channel. Ms. Charles knew or should have known that the released information was privileged, especially since she herself was asserting that it was privileged while accusing the Mayor of unlawfully releasing the very same information.

On or about September 3, 2019, Dr. Rodriguez, in her official capacity as Councilor, Place 2, requested copies of email communications sent or received by current and former city councilors. See Exhibit B. According to the City Secretary, Dr. Rodriguez obtained a copy of the requested information on a USB drive. However, it appears that Dr. Rodriguez failed to maintain the confidentiality of the information requested in her official capacity, either directly or indirectly releasing the privileged information. As the custodian of the information, Dr. Rodriguez failed to maintain confidentiality of the information.

On March 12, 2020, the Ethics Review Board issued a determination that Mayor Riley violated the city charter when she released the same pages also released by Ms. Charles and Dr. Rodriguez. The Ethics Review Board concluded that the invoices “did in fact contain privileged and confidential information.” See Exhibit C.

On June 23, 2020, the city requested a decision from the Attorney General of Texas on whether it had to release the attorney billing invoices released by Ms. Charles and Dr. Rodriguez. The city said the documents “contain attorney-client privileged information such as attorney and client negotiations, attorney-city manager communications, and attorney billing invoices.” See Exhibit D.

On July 14, 2020, the Attorney General of Texas found that the city had “demonstrated the applicability of the attorney-client privilege to some of the information at issue.” See Exhibit E. On August 3, 2020, the city released redacted versions of the privileged invoices released by Ms. Charles and Dr. Rodriguez. Each of nine pages unlawfully disclosed by Ms. Charles and Dr. Rodriguez contained privileged information that was redacted. See Exhibit F, which contains the redacted versions of the pages in Exhibit A.

Justin and I note that although Ms. Charles’ violation may seem similar to the violation committed by the mayor, there are very important distinctions that make Ms. Charles’ violation much more serious. When the Mayor released the pages also released by Ms. Charles, the Mayor claimed she did not know there might be privileged information within the invoices; however, **when Ms. Charles released the privileged information, she was simultaneously asserting that it was privileged information. Therefore, Justin and I believe the only just outcome would be that a more severe action be taken against Ms. Charles than that taken against the Mayor.**

Sincerely,

Michelle Rawls

Justin Pulliam

Complaint Documents Ethics Committee.pdf - Adobe Acrobat Professional

File Edit View Document Comments Forms Tools Advanced Window Help

Create PDF Combine Files Export Start Meeting Secure Sign Forms Review & Comment

33 / 200 150%

The Law Offices of Ryan Henry, PLLC

1380 Pantheon Way, Suite 110
San Antonio, TX 78232
210-257-6357
ryan.henry@ethicsaffirm.com

Customer
City of Leon Valley

Statement

Date: 6/14/2019 Invoice #: 1545
Due Date: 7/15/2019

		Description	Hours	Amount
5/9/2019	EN	E-mail correspondence with 'Kuenstler, Kelly' (k.kuenstler@leonvalley.texas.gov); Sent Kelly the filed subpoena for her records.	0.1	8.50
5/9/2019	EN	E-mail correspondence with 'Kuenstler, Kelly' (k.kuenstler@leonvalley.texas.gov); Sent our answer to Plaintiff's petition to ms. Kuenstler.	0.1	8.50
5/9/2019	EN	Organized the hearing binders with Jessica to use for the hearing on Friday, May 10, 2019.	0.2	17.00
5/9/2019	EN	Printed e-mail correspondence between Ryan and Ed Cano for the hearing notebook; prepared notebook cover pages for all the notebooks for the hearing; printed multiple statutes, rules, and cases to accompany the legal authority and bench brief notebook for the hearing.	0.7	59.50
5/9/2019	EN	Reviewed Texas rules to see if the subpoenas need to be filed with the court; confirmed to file.	0.1	8.50
5/9/2019	JJ	E-mail correspondence with j.salvaggio@leonvalley.texas.gov	0.1	8.50
5/9/2019	JJ	E-mail correspondence with Kelly Kuenstler (k.kuenstler@leonvalley.texas.gov)	0.1	8.50
5/9/2019	JJ	Finalize witness contact list for hearing; Meeting with Ryan to review notebook	0.5	42.50
5/9/2019	JJ	proof & print for court binder.	0.9	76.50
5/9/2019	EN	Organized the hearing binders with Jessica to use for the hearing on Friday, May 10, 2019.	0.2	17.00
5/9/2019	EN	Printed e-mail correspondence between Ryan and Ed Cano for the hearing notebook; prepared notebook cover pages for all the notebooks for the hearing; printed multiple statutes, rules, and cases to accompany the legal authority and bench brief notebook for the hearing.	0.7	59.50
5/9/2019	EN	Reviewed Texas rules to see if the subpoenas need to be filed with the court; confirmed to file.	0.1	8.50
5/9/2019	JJ	E-mail correspondence with j.salvaggio@leonvalley.texas.gov	0.1	8.50
5/9/2019	JJ	E-mail correspondence with Kelly Kuenstler (k.kuenstler@leonvalley.texas.gov)	0.1	8.50
5/9/2019	JJ	Finalize witness contact list for hearing; Meeting with Ryan to review notebook	0.5	42.50
5/9/2019	JJ	proof & print for court binder.	0.9	76.50
5/9/2019	MIN	Review all documents exhibits, evidence, case law, and briefs, including general preparation for the temporary injunction hearing, including discussion with RSH concerning presentation of arguments; including preparation for hearing.	7.2	1,332.00
5/9/2019	RH	Work on preparation for injunction hearing tomorrow; work on various bench briefs if necessary; work on outline for witnesses subpoenaed if necessary; work on exhibits; work on next steps after hearing depending on how the judge rules; work on orders to present	6.9	1,335.50
5/9/2019	RH	E-mail correspondence with Ed and Cano (edcanoattorney@sbcglobal.net)	0.1	19.50
5/9/2019	RH	E-mail correspondence with Kelly Kuenstler (k.kuenstler@leonvalley.texas.gov)	0.1	19.50
5/10/2019	BCJ	Attended the injunction hearing; had a post-injunction hearing meeting with the firm; began drafting memos needed	4.6	437.00
Total				

Page 6

C-2 pg 7

44

6:26 PM 6/19/2020

Voluntarily Disclosed at March 9, 2020 Ethics Review Board Public Meeting

Page 43

Complaint Documents Ethics Committee.pdf - Adobe Acrobat Professional

File Edit View Document Comments Forms Tools Advanced Window Help

Create PDF Combine Files Export Start Meeting Secure Sign Forms Review & Comment

32 / 200 100% Find

The Law Offices of Ryan Henry, PLLC

1380 Pantheon Way, Suite 110
San Antonio, TX 78232
210-257-6357
ryan.henry@rshlawfirm.com

Customer:
City of Leon Valley

Statement

Date: 6/13/2019 Invoice #: 1895
Due Date: 7/15/2019

		Description	Hours	Amount
5/8/2019	EN	Saved the Answer signed and notarized by Kelly Kaensler to the case file. Had Atty. Michael sign the answer and e-filed with the court.	0.4	34.00
5/8/2019	JJ	Work on notebook items. Request 4/16/19 Spec. Meeting approved minutes from last night's meeting. Emailed answer to KK.	1.1	93.50
5/8/2019	MM	Work on briefs and begin preparing hearing packet containing responsive arguments to be used for temporary injunction hearing.	4.3	295.50
5/8/2019	SH	Drafted Order Denying Plaintiff's Application for Temporary Injunction.	0.3	55.50
5/8/2019	SH	Performed legal research on elements for temporary injunction relief.	0.3	55.50
5/9/2019	BG	E-mail correspondence from office manager@thornlawrenters.com; downloaded and saved the file stamped copy of the answer for case management purposes.	0.1	9.50
5/9/2019	BG	Phone call to Krenstler, Kelly; called to make sure she was getting the emails that I needed reviewed. She stated she was and was reviewing them. I clarified the need for the affidavit and she stated she would send me the emails I requested.	0.1	9.50
5/9/2019	BG	went through the emails Kelly gave; discerned which ones needed to be included in the Business Records Affidavit, updated and sent to Kelly with instructions; reviewed the ordinance for the binder; assembled binders; created indexes; created electronic binder for attorney Henry.	3.1	209.50
5/9/2019	CW	conference with Ryan regarding status of pleadings and preparation for tomorrow's hearing.	0.3	58.50
5/9/2019	BG	downloaded and saved the file stamped copy of the answer for case management purposes.	0.1	9.50
5/9/2019	BG	Phone call to Krenstler, Kelly; called to make sure she was getting the emails that I needed reviewed. She stated she was and was reviewing them. I clarified the need for the affidavit and she stated she would send me the emails I requested.	0.1	9.50
5/9/2019	BG	went through the emails Kelly gave; discerned which ones needed to be included in the Business Records Affidavit, updated and sent to Kelly with instructions; reviewed the ordinance for the binder; assembled binders; created indexes; created electronic binder for attorney Henry.	3.1	209.50
5/9/2019	CW	conference with Ryan regarding status of pleadings and preparation for tomorrow's hearing.	0.3	58.50
5/9/2019	EN	Updated pro do; e-file website for the file stamped copies of the subpoenas for the hearing. Opened and saved each file stamped subpoena to the case file for firm use.	0.1	8.50
5/9/2019	EN	Emailed the subpoenas for the following: Brandon Molland, Denise Frederick, Officer Jo Ann Azar, Officer Jorge Brown, Chief Joe Salvaggio, and Yvonne Acuna.	0.4	34.00
5/9/2019	EN	E-mail correspondence with "Cano, Edward P." (edcano@attorney@sbcglobal.net). Sent Mr. Cano the file stamped subpoena.	0.1	8.50
5/9/2019	EN	E-mail correspondence with "Cano, Edward P." (edcano@attorney@sbcglobal.net). Sent the file stamped copy of the answer to Mr. Cano for his records.	0.1	8.50
Total				

Page 5

C-2 pg 6

43

6:26 PM 6/19/2020

Voluntarily Disclosed at March 9, 2020 Ethics Review Board Public Meeting

Page 42

Complaint Documents Ethics Committee.pdf - Adobe Acrobat Professional

File Edit View Document Comments Forms Tools Advanced Window Help

Create PDF Combine Files Export Start Meeting Secure Sign Forms Review & Comment

31 / 200 100% Find

The Law Offices of Ryan Henry, PLLC

1380 Pantheon Way, Suite 110
San Antonio, TX 78232
212-257-6757
ryan.henry@rshlawfirm.com

Customer: _____
City of Leon Valley

Statement

Date: 6/13/2019 Invoice #: 1645
Due Date: 7/15/2019

		Description	Hours	Amount
5/8/2019	BKJ	E-mail correspondence with 'Kuenstler, Kelly' (ckuenstler@leonvalleytexas.gov). sent the answer to Kelly for her to sign the verification of facts	0.1	9.50
5/8/2019	BKJ	Phone call to Kuenstler, Kelly; called Kelly to follow up on the e-mail; sent left message	0.1	9.50
5/8/2019	BKJ	Went through the emails that need to be certified and compiled a list of emails Kelly sent that we need, drafted the business records affidavit for Kelly to review and sign, sent to RSH for review; reviewed the answer and made changes, sent to Kelly for her to sign the verification as to the facts	1.5	142.50
5/8/2019	CV*	Preparation for meeting today including reading proposed Ordinance in question and making my comments to it and e-mail Ryan same (1); attending meeting with associates working on preparing briefs, documents and arguments for Temporary Injunction hearing, including additions to Answer (3)	5	975.00
5/8/2019	EN	E-mail correspondence with 'Cano, Edward P.' (edcanootorney@shglobal.net); Sent Mr. Cano our answer that we crafted.	0.1	8.50
5/8/2019	CV*	Kelly to review and sign, sent to RSH for review; reviewed the answer and made changes, sent to Kelly for her to sign the verification as to the facts	5	975.00
5/8/2019	EN	Kelly to review and sign, sent to RSH for review; reviewed the answer and made changes, sent to Kelly for her to sign the verification as to the facts	0.1	8.50
5/8/2019	EN	Intook the signed and executed subpoenas from Kelly, saved each officer return to their designated Subpoena front page. Saved all executed subpoenas to the case file.	0.3	25.50
5/8/2019	EN	Work on Order denying the application for injunction. Made formatting changes, changed the wording on the order a little for flow, edited footer, saved to case file.	0.3	25.50
5/8/2019	EN	Reviewed the answer to plaintiff's original petition	0.5	42.50
5/8/2019	EN	Reviewed the minute briefs regarding deferential approach courts shall take when dealing with decisions of a legislative body	0.5	42.50
5/8/2019	EN	Reviewed the minute brief regarding due process	0.3	25.50
5/8/2019	EN	Reviewed the minute brief regarding the mayor's testimony.	0.4	34.00
5/8/2019	EN	Reviewed the minute brief regarding judicial notice of ordinances	0.4	34.00
5/8/2019	EN	Reviewed the minute brief regarding statutory construction and municipal ordinances	0.4	34.00
5/8/2019	EN	Reviewed the minute brief regarding the standard for temporary injunctive relief	0.2	17.00
Total				

Page 4

42

6:26 PM 6/10/2020

Voluntarily Disclosed at March 9, 2020 Ethics Review Board Public Meeting

Page 41

Complaint Documents Ethics Committee.pdf - Adobe Acrobat Professional

File Edit View Document Comments Forms Tools Advanced Window Help

Create PDF Combine Files Export Start Meeting Secure Sign Forms Review & Comment

30 / 200 150% Find

The Law Offices of Ryan Henry, PLLC

1389 Pantheon Way, Suite 110
San Antonio, TX 78232
210-257-0357
ryan.henry@rsolawfirm.com

Customer
City of Leavitt Valley

Statement

Date: 6/14/2019 Invoice #: 1672

Due Date: 7/15/2019

		Description	Hours	Amount
5/7/2019	BG	Made a change to the subpoenas adding the suite number of presiding court on all 5 subpoenas; finalized for EMN to send out.	0.1	9.50
5/7/2019	CW	Travel to the office to meet with associates; Continued preparation for and meeting with associate attorneys to discuss pending case preparation; conference with Ryan about meeting today including what was covered and what is left to do.	4	780.00
5/7/2019	EN	Call with Kelly Kuenstler, informed her ends is fine to give with the subpoenas, need to send over receipt as well.	0.1	8.50
5/7/2019	EN	Discussion with Atty. Ryan about the execution of the subpoenas and his signature.	0.1	8.50
5/7/2019	JJ	Work on injunction hearing notebook handouts compiled; emails regarding 3-12 phone numbers of witnesses for court.	0.9	76.50
5/7/2019	NM	Discussion with CW concerning litigation strategy and plan presentation of arguments concerning limitations of a court's authority for a legislative body, such as city council; including discussion of case law regarding the same.	1.3	240.50
5/7/2019	NM	Work on multiple briefs concerning courts authority over city council, city council member testimony; due process standards; and discussion	3.8	763.00
5/7/2019	EN	and what is left to do.	0.1	8.50
5/7/2019	EN	Call with Kelly Kuenstler, informed her ends is fine to give with the subpoenas, need to send over receipt as well.	0.1	8.50
5/7/2019	JJ	Discussion with Atty. Ryan about the execution of the subpoenas and his signature.	0.1	8.50
5/7/2019	JJ	Work on injunction hearing notebook handouts compiled; emails regarding 3-12 phone numbers of witnesses for court.	0.9	76.50
5/7/2019	NM	Discussion with CW concerning litigation strategy and plan presentation of arguments concerning limitations of a court's authority for a legislative body, such as city council; including discussion of case law regarding the same.	1.3	240.50
5/7/2019	NM	Work on multiple briefs concerning courts authority over city council, city council member testimony; due process standards; and discussion	3.8	763.00
5/7/2019	RH	Call with Brandon Meland regarding testimony on Friday.	0.3	58.50
5/7/2019	RH	E-mail correspondence from Edward Cano.	0.1	19.50
5/7/2019	RH	E-mail correspondence from Kelly Kuenstler.	0.1	19.50
5/7/2019	SH	Completed analysis for Minute Brief 2 on issues of ethics and mayor's testimony, and private interest in elected position. SMH.	0.7	129.50
5/7/2019	SH	Revised previous draft of Minute Brief 2.	0.9	166.50
5/8/2019	BG	E-mail correspondence from effie-manager@thomson Reuters.com; filed the answer to the suit.	0.1	9.50
5/8/2019	BG	E-mail correspondence with Kelly Kuenstler (k.kuenstler@leavittvalleytx.gov); sent the pdf's of the emails I need her to certify when I get her the business records affidavit; requested copies of the emails she sent to the council on March 15 and April 1.	0.1	9.50
Total				

Page 3 41

6:26 PM 03/09/2020

Complaint Documents Ethics Committee.pdf - Adobe Acrobat Professional

File Edit View Document Comments Forms Tools Advanced Window Help

Create PDF Combine Files Export Start Meeting Secure Sign Forms Review & Comment

20 / 200 100% Find

The Law Offices of Ryan Henry, PLLC

1380 Pantheon Way, Suite 110
San Antonio, TX 78232
210-257-6357
ryan.henry@rshlawfirm.com

Customer
City of Leon Valley

Statement

Date: 6-14-2019 Invoice #: 1595
Due Date: 7-15-2019

Date	Initials	Description	Hours	Amount
5-3-2019	RH	E-mail correspondence from Charles Willette regarding strategic discussion regarding	0.3	58.50
5-3-2019	SH	Drafted and revised minute brief on issue of statutory construction regarding Leon Valley ordinance for injunctive hearing	2.5	462.50
5-4-2019	CW	E-mails back and forth with Ryan regarding more issues to be addressed in meetings next week, review of proposed Answer & my comments & suggestions set out in an e-mail	1	195.00
5-4-2019	MM	Review case law and prepare brief concerning the court's ability in reviewing the legislative body's action or decision	1.3	249.50
5-4-2019	MM	Revise Answer to plaintiff's petition for injunctive relief	0.9	166.50
5-4-2019	RH	E-mail correspondence from Charles Willette	0.1	19.50
5-4-2019	RH	Work on answer, verified defenses, and brief in opposition to injunctive request	1.1	214.50
5-4-2019	SH	Performed legal research related to drafting an order denying an injunction, reviewed pleadings filed by plaintiff in TRO matter	0.4	74.00
5-4-2019	SH	Revised drafts of Minute Brief I regarding statutory construction	0.6	111.00
5-5-2019	RH	Pull election results and information	0.1	19.50
5-5-2019	SH	Continued drafting bench briefs	1.1	203.50
5-6-2019	CW	Conference with Ryan regarding recent election results and possible challenges & how this may affect continued preparation for hearing on	0.8	156.00
5-6-2019	SH	Discussion with MM regarding assigned bench briefs and issues regarding statutory construction	0.3	0.00
5-6-2019	SH	Discussion with MM regarding assigned bench briefs and issues regarding statutory construction	0.3	0.00
5-6-2019	SH	Work on revised bench briefs on statutory construction	1	185.00
5-7-2019	BG	Work on agreed order for this matter; reviewed changes by RSH and made changes to format, spelling, sent to him for signature	0.6	57.00
Total				40

Page 2

A-2 pg 3

The Law Offices of Ryan Henry, PLLC

1380 Pantheon Way, Suite 110
San Antonio, TX 78232
210-257-6357
ryan.henry@rshlawfirm.com

Customer
City of Leon Valley

Statement

Date: 6-14-2019 Invoice #: 1695
Due Date: 7-15-2019

Voluntarily Disclosed at March 9, 2020 Ethics Review Board Public Meeting

Page 39

Complaint Documents Ethics Committee.pdf - Adobe Acrobat Professional

File Edit View Document Comments Forms Tools Advanced Window Help

Create PDF Combine Files Export Start Meeting Secure Sign Forms Review & Comment

28 / 200 150%

The Law Offices of Ryan Henry, PLLC

1389 Pantheon Way, Suite 110
San Antonio, TX 78232
210-257-6357
ryan.henry@rshlawfirm.com

Customer
City of Leon Valley

Statement

Date: 6/14/2019 Invoice #: 1695
Due Date: 7/12/2019

Description	Hours	Amount
Martinez v Leon Valley		
5/10/2019 Parking at the Courthouse for injunction hearing		\$ 0.00
5/22/2019 Hearing transcript for Martinez v Leon Valley May 19, 2019		357.00
5/23/2019 Documents for TRO and Injunction Hearing (1327 pages)		132.70
Total Reimbursable Expenses		494.70
5/1/2019 BG worked on the answer to Martinez Petition	1	95.00
5/1/2019 MM Continue preparing Answer, and brief arguments in response to Plaintiff's Original Petition for Declaratory Judgment and Application for Injunction Relief.	1.1	203.50
5/1/2019 MM Discussion with RSH concerning case strategy and points of legal research over the next week, including discussion of legal and advocacy arguments to assert in both Answer and the Brief in response to plaintiff's allegations.	1	0.00
5/1/2019 RH E-mail correspondence with Kelly Kuenstler regarding place holder for city council meeting on the 7th.	0.1	19.50
5/1/2019 RH Work on preparation for next injunction hearing	3.3	643.50
5/1/2019 SH Meeting with RSH and MM regarding injunction matter and the preparation/re-filing of our formal answer	0.2	0.00
5/1/2019 SH Meeting with RSH, MM, and JJ to prepare for injunction hearing on May 9. Discussed strategy and theme of litigation. RSH assigned tasks to	0.6	0.00
5/1/2019 MM Plaintiff's Original Petition for Declaratory Judgment and Application for Injunction Relief.	1	0.00
5/1/2019 RH Discussion with RSH concerning case strategy and points of legal research over the next week, including discussion of legal and advocacy arguments to assert in both Answer and the Brief in response to plaintiff's allegations.	1	0.00
5/1/2019 RH E-mail correspondence with Kelly Kuenstler regarding place holder for city council meeting on the 7th.	0.1	19.50
5/1/2019 RH Work on preparation for next injunction hearing	3.3	643.50
5/1/2019 SH Meeting with RSH and MM regarding injunction matter and the preparation/re-filing of our formal answer	0.2	0.00
5/1/2019 SH Meeting with RSH, MM, and JJ to prepare for injunction hearing on May 9. Discussed strategy and theme of litigation. RSH assigned tasks to myself, MM, and JJ.	0.6	0.00
5/2/2019 CW Conference with Ryan including review of numerous documents and discussing pending case issues in preparation for meetings next week.	1.5	292.50
5/2/2019 EP Review files for memo on exec sessions rules	0.5	42.50
5/2/2019 EN Reviewed efile of the notice to move the injunction hearing for matter to May 10, saved to pleadings file in case file.	0.1	8.50
5/2/2019 RH E-mail correspondence with Kelly Kuenstler (k.kuenstler@leonvalleytexas.gov)	0.1	19.50
5/2/2019 SH Performed analysis on issue of statutory construction and language revised a new retention agreement drafted by JJ for the lawsuit	2.1	388.50
5/3/2019 BG preparation of proposed issues to be addressed in May 7th meeting & e-mail Ryan on same	0.1	9.50
5/3/2019 CW Draft letter to Leon Valley. Prep. work on quorum issues	0.8	156.00
5/3/2019 JJ	1.1	93.50
Total		

Page 1

C-2 pg 2

39

6:27 PM 6/19/2020

Voluntarily Disclosed at March 9, 2020 Ethics Review Board Public Meeting

Page 45

Complaint Documents Ethics Committee.pdf - Adobe Acrobat Professional

File Edit View Document Comments Forms Tools Advanced Window Help

Create PDF Combine Files Export Start Meeting Secure Sign Forms Review & Comment

34 / 200 150% Find

The Law Offices of Ryan Henry, PLLC

1330 Pantheon Way, Suite 110
San Antonio, TX 78232
210-257-9357
ryan.henry@rshlawfirm.com

Customer
City of Leon Valley

Statement

Date: 6/14/2019 Invoice #: 1095
Due Date: 7/15/2019

		Description	Hours	Amount
5/10/2019	CW	preparation for and attending Temporary Injunction Hearing and meeting afterward to go over issues developed at hearing and what steps need to be taken between now and next action taken on this case	5.2	0.00
5/10/2019	EN	Dubbed with Amy, Charlie, Ryan, Michael, Para, Beema and Jessica about hearing discussed our thoughts on the hearing, moving forward.	0.3	25.50
5/10/2019	MM	Attend hearing on temporary injunction.	3.5	617.50
5/10/2019	MM	Discuss on with RSH, CW, and BG following hearing cornering strategy moving forward, future assignments, and recent developments at the city occurring immediately after hearing	1.3	241.50
5/10/2019	RH	E-mail correspondence from d.jordan@leonvalleytx.gov regarding ordinance reading for 2nd reading on 14th	0.1	19.50
5/10/2019	RH	E-mail correspondence from Monica Alcocer regarding meeting for ordinance 2nd reading	0.1	19.50
5/10/2019	RH	Finish preparing for and attending Injunction hearing; conference with City Manager after hearing; conference with Rodriguez; work on issue possible 2nd injunction depending on notice time period provided	3.5	682.50
5/11/2019	RH	Analysis of cross-examination right in legislative process to determine if issue raised in hearing needs to be changed in the ordinance	1.3	253.50
5/13/2019	RH	E-mail correspondence with Mayer Riley (mayer.riley@leonvalleytx.gov); Kelly Kuenstler	0.1	19.50
5/10/2019	MM	Attend hearing on temporary injunction.	3.5	617.50
5/10/2019	MM	Discuss on with RSH, CW, and BG following hearing cornering strategy moving forward, future assignments, and recent developments at the city occurring immediately after hearing	1.3	241.50
5/10/2019	RH	E-mail correspondence from d.jordan@leonvalleytx.gov regarding ordinance reading for 2nd reading on 14th	0.1	19.50
5/10/2019	RH	E-mail correspondence from Monica Alcocer regarding meeting for ordinance 2nd reading	0.1	19.50
5/10/2019	RH	Finish preparing for and attending Injunction hearing; conference with City Manager after hearing; conference with Rodriguez; work on issue possible 2nd injunction depending on notice time period provided	3.5	682.50
5/11/2019	RH	Analysis of cross-examination right in legislative process to determine if issue raised in hearing needs to be changed in the ordinance	1.3	253.50
5/13/2019	RH	E-mail correspondence with Mayer Riley (mayer.riley@leonvalleytx.gov); Kelly Kuenstler (k.kuenstler@leonvalleytx.gov); Jordan, David (d.jordan@leonvalleytx.gov); Monica Alcocer (m.alcocer@leonvalleytx.gov)	0.1	19.50
5/14/2019	RH	E-mail correspondence with Kelly Kuenstler (k.kuenstler@leonvalleytx.gov)	0.1	19.50
5/15/2019	EP	Began reviewing legal sources for statutory construction regarding the need to accomplish something means any action needed to directly accomplish that is permissible.	1.1	93.50
5/16/2019	BG	Phone call to 497 District Court of Bexar County; called the court reporter to request an estimate for the transcript of the injunction hearing and to get a price on what it would be to expedite the process; an ailing call back	0.1	9.50
5/20/2019	EP	Cont review of legal sources for application of equitable tolling in this case... can't reviewing other sources through search engine for examples	1.8	153.00
Total				45

Page 7

Voluntarily Disclosed at March 9, 2020 Ethics Review Board Public Meeting

Page 46

Complaint Documents Ethics Committee.pdf - Adobe Acrobat Professional

File Edit View Document Comments Forms Tools Advanced Window Help

Create PDF Combine Files Export Start Meeting Secure Sign Forms Review & Comment

35 / 200 150% Find

The Law Offices of Ryan Henry, PLLC

1380 Pantheon Way, Suite 110
San Antonio, TX 78232
210-257-6357
ryan.henry@rshlawfirm.com

Customer
City of Leon Valley

Statement

Date: 6/14/2019 Invoice #: 1892
Due Date: 7/15/2019

Date	Initials	Description	Hours	Amount
5/21/2019	EP	Review legal sources for application of equitable tolling in this case; can't reviewing other sources through search engine for examples made sure that the order was filed by the court denying the injunction; it was filed according to court records	1.1	93.50
5/23/2019	BG	Sorted sources and typed up a description of the sources and what each one states about equitable tolling	0.1	9.50
5/23/2019	EP	Sorted sources and typed up a description of the sources and what each one states about equitable tolling	1.6	136.00
5/24/2019	RH	Email correspondence with Helotes Echo (helotesecho@gmail.com) Rates RH=attorney Ryan Henry (\$195/hr) AD=attorney Ardia Derohanian (\$185/hr) MV=attorney Michael McGinn (\$185/hr) SH=attorney Sonya Herrera (\$185/hr) BG=paralegal Brenna Green (\$95/hr) EN=paralegal Erin Noah (\$85/hr) JJ=paralegal Jessica Johnson (\$85/hr) EP=law clerk Elizabeth Pena (\$85/hr)	0.1	19.50
5/23/2019	EP	Sorted sources and typed up a description of the sources and what each one states about equitable tolling	1.6	136.00
5/24/2019	RH	Email correspondence with Helotes Echo (helotesecho@gmail.com) Rates RH=attorney Ryan Henry (\$195/hr) AD=attorney Ardia Derohanian (\$185/hr) MV=attorney Michael McGinn (\$185/hr) SH=attorney Sonya Herrera (\$185/hr) BG=paralegal Brenna Green (\$95/hr) EN=paralegal Erin Noah (\$85/hr) JJ=paralegal Jessica Johnson (\$85/hr) EP=law clerk Elizabeth Pena (\$85/hr)	0.1	19.50
Total				\$16,303.20

Page 8

46

6:28 PM 6/19/2020

Voluntarily Disclosed at March 9, 2020 Ethics Review Board Public Meeting

Page 35

Complaint Documents Ethics Committee.pdf - Adobe Acrobat Professional				
<div> <div> 1380 Pantheon Way, Suite 110 San Antonio, TX 78232 210-257-6357 ryan.leary@islawfirm.com </div> <div> Date: 6-15-2019 Invoice #: 16-06 Due Date: 7-15-2019 </div> </div>				
Customer: City of Leon Valley				
		Description	Hours	Amount
5/1/2019	BG	Leon Valley - Harassment Matter. E-mail correspondence with Kelly Kuenstler (k.kuenstler@leonvalleytexas.gov), Sandra Passafiume (s.passafiume@leonvalleytexas.gov), sent client notice of seminars and absence for their records	0.1	9.50
5/1/2019	RH	Phone call to Yvonne Acuna	0.1	19.50
5/2/2019	RH	Call with Acuna	0.3	58.50
5/3/2019	SH	Reviewed and discussed the two open records requests received from Sandra Passafiume with BG	0.2	35.00
5/6/2019	SH	Performed legal research on issue of whether an elected official has a private interest in his position, performed research on portions of Leon Valley's charter, including ethics ordinance.	1.2	210.00
5/7/2019	RH	Call with Brandon Meland regarding testimony on Friday	0.3	58.50
5/7/2019	RH	Prep work for executive session; work on briefing to council	2.1	409.50
5/7/2019	RH	Attend City Council meeting for first reading of ordinance	.3	58.50
5/9/2019	RH	E-mail correspondence with Denise Frederick (d.frederick@leonvalleytexas.gov)	0.1	19.50
5/10/2019	JJ	City Sec requested redline comparison of ord for meeting.	0.1	8.50
5/10/2019	JJ	Sent draft of 3.12 with council changes	0.1	8.50
5/10/2019	RH	Work on posting issue and 2nd reading; forwarding ordinance draft to City Secretary; call with City Manager regarding hearing and presence of council members	1.1	214.50
5/12/2019	RH	E-mail correspondence from Mayor Riley	0.1	19.50
5/13/2019	BG	for their records Phone call to Yvonne Acuna	0.1	19.50
5/13/2019	RH	Call with Acuna	0.3	58.50
5/13/2019	SH	Reviewed and discussed the two open records requests received from Sandra Passafiume with BG	0.2	35.00
5/13/2019	SH	Performed legal research on issue of whether an elected official has a private interest in his position, performed research on portions of Leon Valley's charter, including ethics ordinance.	1.2	210.00
5/13/2019	RH	Call with Brandon Meland regarding testimony on Friday	0.3	58.50
5/13/2019	RH	Prep work for executive session; work on briefing to council	2.1	409.50
5/13/2019	RH	Attend City Council meeting for first reading of ordinance	.3	58.50
5/13/2019	RH	E-mail correspondence with Denise Frederick (d.frederick@leonvalleytexas.gov)	0.1	19.50
5/13/2019	JJ	City Sec requested redline comparison of ord for meeting.	0.1	8.50
5/13/2019	JJ	Sent draft of 3.12 with council changes	0.1	8.50
5/13/2019	RH	Work on posting issue and 2nd reading; forwarding ordinance draft to City Secretary; call with City Manager regarding hearing and presence of council members	1.1	214.50
5/13/2019	RH	E-mail correspondence from Mayor Riley	0.1	19.50
5/13/2019	BG	Went through analysis's December 2018 - April 2019 and drafted a table on harassment investigation, amount billed just per Mayor Riley requests for work	0.7	66.50
5/13/2019	RH	Work on ordinance adjustments based on 1st reading	2.1	409.50
5/13/2019	RH	Call with Yvonne Acuna regarding desire to set the record straight at the 3.12 hearing and statement she did not recant.	0.1	19.50
5/13/2019	RH	E-mail correspondence from d.jordan@leonvalleytexas.gov	0.1	19.50
5/13/2019	RH	E-mail correspondence from Kelly Kuenstler with Dr. Edwards request to postpone	0.1	19.50
5/13/2019	RH	E-mail correspondence from Mayor Riley regarding Dr. Edwards expected inability to attend meeting	0.1	19.50
Total				

September 2, 2019

Ms. Saundra Passailaique
City Secretary
6400 El Verde Road
Leon Valley, TX 78238

Received by
CITY SECRETARY
Date: 09-03-2019
Time: 6:00 p.m. SP

RE: Open Records Request

Dear Saundra:

On May 21, 2019 I requested any emails or correspondence between LV city councilors and board members and then condensed my request on June 4, 2019. I am still shocked that no one responded (with the exception of one individual). Upon receiving my request, I noticed that there is a group of people communicating about city business and making city decisions on their personal e mails. I am now requesting all personal e mails of all seated city councilors (plus former Councilor Martinez & Councilor Edwards) that deal with city business in any way from December 1, 2018 to current.

I thank you for your hard work and effort on my requests. Councilors not responding to open records requests or simply stating that they don't exist is unacceptable and against the law. I assure you and the citizenry that I will always be transparent in my delivering of e mails, correspondence and will always comply with the open records act.

Thank you again,

Dr. Catherine Rodriguez
Dr. Catherine Rodriguez
Leon Valley City Councilor

Saundra,

*I am asking for this information in/as
counselor. I will be bringing my own
jump drives*

COMPLETED

10-24-19 SP



City of Leon Valley

Ethics Review Board

DISPOSITION OF COMPLAINT

- A. Complainant:** Donna J. Charles
- B. Person Charged:** Chris Riley
- C. Date Filed:** September 9, 2019 (as amended and/or supplemented on October 3, 2019, and October 18, 2019)
- D. Author of Opinion:** Ethics Review Board Chairman David Smith
- E. Joining in Opinion:** Ethics Review Board Members Liz Maloy, Jessica Moffett, and Karen Seiffert
- F. Date of Public Hearing:** March 9, 2020
- G. Location of Public Hearing:** City Hall, 6400 El Verde Road, Leon Valley, Texas
- H. Evidentiary Standard:** Preponderance of the Evidence
- I. Allegation #1: *Disclosure of Confidential Information***

Nature of Accusation: Riley disclosed information that was confidential and/or privileged. In particular, Riley is accused of having publicly disclosed one or more invoices for legal services rendered to the City of Leon Valley from the Law Offices of Ryan Henry, PLLC, which contained confidential / privileged information.

Applicable Rule: Charter §3.09.E [Prohibitions]
It shall be unlawful for the Mayor or a Council Member to release any attorney-client privileged communication. The City Council as the governing body of the City solely holds and is entitled to the attorney client-privilege and it may only be waived by an affirmative vote of two-thirds (2/3) of the City Council.

**Findings of Fact &
Conclusions of Law:**

As Mayor of this city, Chris Riley is entitled to see unredacted documents of the city. As a steward of that information it is also her responsibility to safeguard it. We have heard a lot of testimony about what is and what is not privileged information. We heard Ryan Henry say some would be privileged information. We have heard testimony that the Attorney General has said all the information is public. At the root of both sides of the argument is this core fact: There is a review process in place to ensure that the release of all information is done so in accordance with the law.

By the Mayor's own admission, she stated that she did in fact provide the invoices in question to the public. She has also stated that she did not know that there might be privileged and confidential information in the invoices. Because the proper process for the release of the invoices in question was not followed, the board has no choice but to accept the testimony of the author of the invoices, attorney Ryan Henry, that they did in fact contain privileged and confidential information.

Motion: A motion was made finding that Riley *had* violated the applicable rule. The Ethics Review Board voted 4-0-0 in favor of the motion (thus it passed).

Disposition: The rule was violated.

Remedial Action: None recommended. The Ethics Review Board determined that its opinion constituted a sufficient reprimand.

J. Allegation #2: *Failure to abide by procedural rules*

Nature of Accusation: Riley did not follow the procedural rules adopted for the 3.12 hearing.

Applicable Rule: Code of Ordinances, No. 2019-29 [3.12 Procedures]

A. Definitions: ... §4. Presiding Officer shall mean the officer charged with presiding over the §3.12 hearing. Unless disqualified by the Charter or other law from acting as the presiding officer, the Mayor shall be the presiding officer at all §3.12 hearings. If the Mayor is unwilling or unable to act as presiding officer, the Mayor Pro Tempore shall act as the presiding officer. If no Mayor Pro Tempore is appointed or if the appointed Mayor Pro Tempore is unable or unwilling to act as presiding officer, then the council member with the most seniority on the City Council who is able to deliberate and vote, shall be the presiding officer.

**Findings of Fact &
Conclusions of Law:**

Our elected city officials hold a public trust to act in the best interest of the city as a whole, not their own personal interests. In the case of the 3.12 hearing, it was plainly evident that all parties had a side. Our question then becomes this: Does having an opinion constitute a violation of the rules of procedure? We heard much testimony and saw many emails discussing what happened outside the 3.12 hearing. Whether one agrees with the 3.12 rules or not, they were still the adopted rules.

While the board feels that the Mayor undermined public confidence in the process by not leading the hearing in a 100% impartial way, she did in fact still follow the procedures outlined for her to follow.

Motion:

A motion was made finding that Riley had *not* violated the applicable rule. The Ethics Review Board voted 4-0-0 in favor of the motion (thus it passed).

Disposition:

The rule was not violated. The allegation is dismissed.


Remedial Action:

Not Applicable

Remaining Allegations:

All other accusations raised in the Complaint that have not been specifically addressed herein were disregarded by the Ethics Review Board as either not having been clearly articulated or not having been substantiated by the evidence presented, and are therefore deemed to have been dismissed.

HEREBY EXECUTED:

by: 
David Smith, Chairman
Ethics Review Board
City of Leon Valley, TX

March 12, 2020

CITY OF LEON VALLEY
Office of the City Secretary

June 23, 2020

Office of the Attorney General
Open Records Division
P.O. Box 12548
Austin, Texas 78711-2548

CMRRR # 7018 1830 0001 4615 1565

Re: Open Record Request from Justin Pulliam to the City of Leon Valley, TX.
ORR # 041320-A

Dear Texas Attorney General's Office:

Please be advised that the City of Leon Valley observes skeleton crew days every Friday of the month, not to be counted as business days for the purpose of calculating its deadlines under the Public Information Act.

In addition, **due to the COVID-19 Pandemic, the Leon Valley City Council Closed City Hall effective Friday, March 27, 2020 and it remained closed until June 01, 2020.**

On April 13, 2020, the City of Leon Valley (City) received the attached request which has been assigned ORR # 041320-A:

"I request an electronic copy of request 090319-B, the released responsive information to 090319-B, and any cost estimates or invoices for 090319-B." **Exhibit A**

Pursuant to section 552.301 of the Government Code, the City hereby requests a decision from the Attorney General about whether the requested information is excepted from disclosure under the Public Information Act (the "Act").

The City claims that the requested information is not information that is collected, assembled, or maintained under a law or ordinance or in connection with the transaction of official business by a governmental body or for a governmental body or is excepted from disclosure as:

Exhibit B: Contains eighteen (18) pages from the one-hundred-eight (108) pages of documents turned over from the mayor in response to this request. Ninety (90) pages have already been released at no charge to the requestor. The documents the City seeks to withhold contain attorney-client privileged information such as attorney and client negotiations, attorney – city manager communication, and attorney billing invoices. The City asserts the time entry descriptions contained within the invoices are protected under Section 552.101 Confidential Information; Section 552.107: Certain Legal Matters; Section 552.111: Agency Memoranda; and Section 552.108 Certain Law Enforcement, Corrections, and Prosecutorial Information, (a) (1) **In addition, the City submitted a request for a ruling on these same invoices on May 21, 2020 and is currently waiting on a ruling.**

Exhibit C: Contains four (4) pages from the forty-two (42) pages of documents turned over from Councilor Donna Charles. Thirty-eight (38) pages have already been released at no charge to the requestor. The documents the City seeks to withhold contain attorney-client privileged information such as attorney and client negotiations, attorney – city manager communication, and attorney billing invoices. The City asserts the time entry descriptions contained within the invoices are protected under Section 552.101 Confidential Information; Section 552.107: Certain Legal Matters; Section 552.111: Agency Memoranda; and Section 552.108 Certain Law Enforcement, Corrections, and Prosecutorial Information, (a) (1).

Exhibit D and E: Contains twenty-one (21) of two-hundred-sixty-seven (267) pages of documents turned over by Councilor Will Bradshaw. Two-hundred-forty-six (246) pages have already been released at no charged to the requestor. Exhibit D contains the home addresses, telephone numbers, and e-mail addresses of members of the community who have volunteered to serve on a committee. On their application form, they have checked off on a box asking that the City keep this information confidential and “not allow public access”. I have attached copies of their application to the Exhibit for your viewing. Note, there are two (2) members that have approved the release of their information and we will be sure to release theirs.

Exhibit E is the exact same as above in **Exhibit B**.

I would like to point out once again, that the City **has** provided a total of three-hundred-eighty-two (382) pages of releasable documents at no charge to the requestor in response to this request.

For the above reasons, the City of Leon Valley respectfully requests an opinion as to whether Exhibits B, C, D and E as attached hereto for all purposes, are exempt from public disclosure.

Thanking you in advance for your immediate attention to this matter.

Sincerely,



Sandra Passailaigue, TRMC
City Secretary
City of Leon Valley

Attachment: Exhibit A
Exhibit B
Exhibit C
Exhibit D
Exhibit E

cc: Justin Pulliam
By and without attachments to [REDACTED]



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

July 14, 2020

Ms. Sandra Passailaigue
City Secretary
City of Leon Valley
6400 El Verde Road
Leon Valley, Texas 78238-2399

OR2020-17399

Dear Ms. Passailaigue:

You ask whether certain information is subject to required public disclosure under the Public Information Act (the "Act"), chapter 552 of the Government Code. Your request was assigned ID# 836463 (ORR# 042420-B).

The City of Leon Valley (the "city") received a request for billing statements pertaining to a specified law firm during a defined period of time. You claim the submitted information is excepted from disclosure under sections 552.107 and 552.108 of the Government Code.¹ We have considered the exceptions you claim and reviewed the submitted information. We have also received and considered comments from the requestor. *See* Gov't Code § 552.304 (interested party may submit comments stating why information should or should not be released).

Initially, you inform us there was an unauthorized release of some of the submitted information. Section 552.007 of the Government Code provides that if a governmental body voluntarily released information to any member of the public, the governmental body may not withhold such information from further disclosure unless its public release is expressly prohibited by law or the information is confidential under law. *See id.* § 552.007; Open Records Decision No. 518 at 3 (1989). However, we note a governmental body is not precluded from invoking an exception to further public disclosure of information that has been released through no official action and against the wishes and policy of the

¹ Although you also raise sections 552.101 and 552.111 of the Government Code, you make no arguments to support these exceptions. Therefore, we assume you have withdrawn your claim that these sections apply to the submitted information. *See* Gov't Code §§ 552.301, .302.

governmental body. *See* Open Records Decision No. 376 at 2 (1983); *see also* Open Records Decision No. 387 at 3 (1983) (information that is not voluntarily released by a governmental body, but nevertheless comes into another party's possession, is not henceforth automatically available to everyone). You state the release of the information at issue was unauthorized and against the wishes of the city. Because you state you did not voluntarily release the information at issue, we conclude the city did not waive its claim under section 552.107 of the Government Code.

Next, we note some of the submitted information may have been the subject of a previous request for information, in response to which this office issued Open Records Letter No. 2019-23231 (2019). There is no indication the law, facts, and circumstances on which the prior ruling was based have changed. Accordingly, for the submitted information that is identical to the information previously requested and ruled upon by this office, we conclude the city must continue to rely on Open Records Letter No. 2019-23231 as a previous determination and withhold or release the identical information in accordance with that ruling. *See* Open Records Decision No. 673 (2001) (so long as law, facts, and circumstances on which prior ruling was based have not changed, first type of previous determination exists where requested information is precisely same information as was addressed in prior attorney general ruling, ruling is addressed to same governmental body, and ruling concludes information is or is not excepted from disclosure). To the extent the submitted information is not subject to the prior ruling, we will address your arguments.

We note the submitted information is subject to section 552.022 of the Government Code. Section 552.022 provides, in relevant part, as follows:

(a) Without limiting the amount or kind of information that is public information under this chapter, the following categories of information are public information and not excepted from required disclosure unless made confidential under this chapter or other law:

...

(16) information that is in a bill for attorney's fees and that is not privileged under the attorney-client privilege[.]

Gov't Code § 552.022(a)(16). The submitted information consists of attorney fee bills subject to section 552.022(a)(16) of the Government Code. This information must be released unless it is made confidential under the Act or other law. *Id.* Although you seek to withhold this information at issue under sections 552.107 and 552.108 of the Government Code, these sections are discretionary exceptions to disclosure that protect a governmental body's interests and may be waived. *See* Open Records Decision Nos. 676 at 6 (2002), 665 at 2 n.5 (2000) (discretionary exceptions generally), 663 at 5 (1999), 177 (1977) (governmental body may waive statutory predecessor to section 552.108). Therefore, the city may not withhold the information at issue under section 552.107 or section 552.108 of the Government Code. However, the Texas Supreme Court has held the Texas Rules of Evidence are "other law" that make information expressly confidential for the purposes of section 552.022. *See In re City of Georgetown*, 53 S.W.3d 328, 336 (Tex. 2001).

Therefore, we will consider your assertion of the attorney-client privilege under Texas Rule of Evidence 503 for the information subject to section 552.022 of the Government Code. Further, as section 552.137 of the Government Code can make information confidential under the Act, we will address the applicability of this section to the submitted information.²

Texas Rule of Evidence 503(b)(1) provides:

A client has a privilege to refuse to disclose and to prevent any other person from disclosing confidential communications made to facilitate the rendition of professional legal services to the client:

- (A) between the client or the client's representative and the client's lawyer or the lawyer's representative;
- (B) between the client's lawyer and the lawyer's representative;
- (C) by the client, the client's representative, the client's lawyer, or the lawyer's representative to a lawyer representing another party in a pending action or that lawyer's representative, if the communications concern a matter of common interest in the pending action;
- (D) between the client's representatives or between the client and the client's representative; or
- (E) among lawyers and their representatives representing the same client.

TEX. R. EVID. 503(b)(1). A communication is "confidential" if not intended to be disclosed to third persons other than those to whom disclosure is made to further the rendition of professional legal services to the client or reasonably necessary to transmit the communication. *Id.* 503(a)(5). Accordingly, in order to withhold attorney-client privileged information from disclosure under rule 503, a governmental body must (1) show that the document is a communication transmitted between privileged parties or reveals a confidential communication, (2) identify the parties involved in the communication, and (3) show that the communication is confidential by explaining that it was not intended to be disclosed to third persons and that it was made in furtherance of the rendition of professional legal services to the client. *See* ORD 676 at 6-7. Upon a demonstration of all three factors, the entire communication is confidential under rule 503, provided the client has not waived the privilege or the communication does not fall within the purview of the exceptions to the privilege enumerated in rule 503(d). *Huie v. DeShazo*, 922 S.W.2d 920, 922 (Tex. 1996) (privilege extends to entire communication, including facts contained therein); *In re Valero Energy Corp.*, 973 S.W.2d 453, 457 (Tex. App.—Houston [14th

² The Office of the Attorney General will raise a mandatory exception on behalf of a governmental body, but ordinarily will not raise other exceptions. *See* Open Records Decision Nos. 481 (1987), 480 (1987), 470 (1987).

Dist.] 1998, orig. proceeding) (privilege attaches to complete communication, including factual information).

You seek to withhold the submitted attorney fee bills in their entirety under rule 503. However, section 552.022(a)(16) of the Government Code provides information “that is *in a bill for attorney’s fees*” is not excepted from required disclosure unless it is confidential under other law or privileged under the attorney-client privilege. *See* Gov’t Code § 552.022(a)(16) (emphasis added). This provision, by its express language, does not permit the entirety of an attorney fee bill to be withheld. *See also* Open Records Decision Nos. 676 (attorney fee bill cannot be withheld in entirety on basis it contains or is attorney-client communication pursuant to language in section 552.022(a)(16)), 589 (1991) (information in attorney fee bill excepted only to extent information reveals client confidences or attorney’s legal advice). Accordingly, the city may not withhold the submitted fee bills in their entirety under Texas Rule of Evidence 503.

You represent the information at issue consists of communications between outside counsel for the city, city employees, and city officials that were made for the purpose of facilitating the rendition of professional legal services to the city. Further, you state the communications at issue were intended to be and have remained confidential. Based upon your representations and our review, we find you have demonstrated the applicability of the attorney-client privilege to some of the information at issue. Accordingly, the city may withhold the information we marked within the attorney fee bills under rule 503 of the Texas Rules of Evidence. However, the remaining information in the attorney fee bills either does not document communications for purposes of rule 503 or documents communications with non-privileged parties. We note an entry stating a memorandum or e-mail was prepared, drafted, or reviewed does not demonstrate the document was communicated to the client. Thus, we find you failed to demonstrate the remaining information in the attorney fee bills consists of privilege attorney-client communications. Accordingly, the city may not withhold the remaining information in the attorney fee bills under Texas Rule of Evidence 503.

Section 552.137 of the Government Code excepts from disclosure “an e-mail address of a member of the public that is provided for the purpose of communicating electronically with a governmental body” unless the member of the public consents to its release or the e-mail address is of a type specifically excluded by subsection (c). Gov’t Code § 552.137(a)-(c). The e-mail addresses at issue do not appear to be the type specifically excluded by subsection (c). Therefore, the city must withhold the personal e-mail addresses we marked under section 552.137 of the Government Code, unless the owner affirmatively consents to their public disclosure.

In summary, for the submitted information that is identical to the information previously requested and ruled upon by this office, we conclude the city must continue to rely on Open Records Letter No. 2019-23231 as a previous determination and withhold or release the identical information in accordance with that ruling. The city may withhold the information we marked in the attorney fee bills under rule 503 of the Texas Rules of Evidence. The city must withhold the personal e-mail addresses we marked under section 552.137 of the

Government Code, unless the owner affirmatively consents to their public disclosure. The city must release the remaining information.

This letter ruling is limited to the particular information at issue in this request and limited to the facts as presented to us; therefore, this ruling must not be relied upon as a previous determination regarding any other information or any other circumstances.

This ruling triggers important deadlines regarding the rights and responsibilities of the governmental body and of the requestor. For more information concerning those rights and responsibilities, please visit our website at <https://www.texasattorneygeneral.gov/open-government/members-public/what-expect-after-ruling-issued> or call the OAG's Open Government Hotline, toll free, at (877) 673-6839. Questions concerning the allowable charges for providing public information under the Public Information Act may be directed to the Cost Rules Administrator of the OAG, toll free, at (888) 672-6787.

Sincerely,

Kimbell Kesling
Assistant Attorney General
Open Records Division

KK/rm

Ref: ID# 836463

Enc. Submitted documents

c: Requestor
(w/o enclosures)

The Law Offices of Ryan Henry, PLLC

1380 Pantheon Way, Suite 110
San Antonio, TX 78232

210-257-6357

ryan.henry@rshlawfirm.com

Statement

Date	Invoice #
6/14/2019	1695
Due Date	
7/15/2019	

Customer
City of Leon Valley

		Description	Hours	Amount
5/9/2019	EN	E-mail correspondence with [REDACTED] [REDACTED]; [REDACTED] [REDACTED]	0.1	8.50
5/9/2019	EN	E-mail correspondence with [REDACTED] [REDACTED]	0.1	8.50
5/9/2019	EN	Organized the hearing binders with Jessica to use for the hearing on Friday, May 10, 2019.	0.2	17.00
5/9/2019	EN	Printed e-mail correspondence between Ryan and Ed Cano for the hearing notebooks, prepared notebook cover pages for all the notebooks for the, hearing, printed multiple statutes, rules, and cases to accompany the legal authority and bench brief notebook for the hearing.	0.7	59.50
5/9/2019	EN	Reviewed Texas rules to see if the subpoenas need to be efiled with the court. confirmed to efile.	0.1	8.50
5/9/2019	JJ	E-mail correspondence with [REDACTED]	0.1	8.50
5/9/2019	JJ	E-mail correspondence with [REDACTED] [REDACTED]	0.1	8.50
5/9/2019	JJ	[REDACTED] ring. Meeting with [REDACTED] [REDACTED]	0.5	42.50
5/9/2019	JJ	proof & print for court binder.	0.9	76.50
5/9/2019	MM	Review all documents exhibits, evidence, case law, and briefs, including general preparation for the temporary injunction hearing; including discussion with [REDACTED] [REDACTED]	7.2	1,332.00
5/9/2019	RH	Work on preparation for injunction hearing tomorrow; work on various bench briefs if necessary; work on outline for witnesses subpoenaed if necessary; work on exhibits; work on next steps after hearing depending on how the judge rules; work on orders to present	6.9	1,345.50
5/9/2019	RH	E-mail correspondence with Edward Cano [REDACTED]	0.1	19.50
5/9/2019	RH	E-mail correspondence with [REDACTED] [REDACTED]	0.1	19.50
5/10/2019	BG	[REDACTED] njunction hearing; had a [REDACTED] [REDACTED] began drafting memos needed	4.6	437.00

Total

The Law Offices of Ryan Henry, PLLC

1380 Pantheon Way, Suite 110
San Antonio, TX 78232

210-257-6357

ryan.henry@rshlawfirm.com

Statement

Date	Invoice #
6/14/2019	1695
Due Date	
7/15/2019	

Customer
City of Leon Valley

		Description	Hours	Amount
5/8/2019	EN	Saved the Answer signed and notarized by [REDACTED] to the case file. Had Atty. Michael sign the answer and e-filed with the court.	0.4	34.00
5/8/2019	JJ	Work on notebook items. Request 4.16.19 Spec. Meeting approved minutes from last nights meeting. Emailed [REDACTED] to [REDACTED]	1.1	93.50
5/8/2019	MM	Work on; briefs and begin preparing hearing packet containing responsive arguments to be used for temporary injunction hearing.	4.3	795.50
5/8/2019	SH	Drafted Order Denying Plaintiffs Application for Temporary Injunction.	0.3	55.50
5/8/2019	SH	Performed legal research on elements for temporary injunctive relief.	0.3	55.50
5/9/2019	BG	E-mail correspondence from efile-manager@thomsonreuters.com; downloaded and saved the file stamped copy of the answer for case management purposes	0.1	9.50
5/9/2019	BG	Phone call to [REDACTED]; called to [REDACTED] [REDACTED] [REDACTED]	0.1	9.50
5/9/2019	BG	went through the emails Kelly gave; discerned which ones needed to be included in the [REDACTED] [REDACTED]; reviewed the ordinance for the binder; assembled binders; created indexes, created electronic binder for attorney Henry	8.1	769.50
5/9/2019	CW	conference with [REDACTED] [REDACTED]	0.3	58.50
5/9/2019	EN	Updated pro doc efile website for the file stamped copies of the subpoenas for the hearing. Opened and saved each file stamped subpoena to the case file for firm use.	0.1	8.50
5/9/2019	EN	Efiled the subpoenas for the following: [REDACTED] [REDACTED], [REDACTED] [REDACTED]	0.4	34.00
5/9/2019	EN	E-mail correspondence with 'Cano, Edward P.' [REDACTED]: Sent Mr. Cano the file stamped subpoenas	0.1	8.50
5/9/2019	EN	E-mail correspondence with 'Cano, Edward P.' [REDACTED]: Sent the file stamped copy of the answer to Mr. Cano for his records.	0.1	8.50

	Total
--	--------------

The Law Offices of Ryan Henry, PLLC

1380 Pantheon Way, Suite 110
San Antonio, TX 78232

210-257-6357

ryan.henry@rshlawfirm.com

Statement

Date	Invoice #
6/14/2019	1695
	Due Date
	7/15/2019

Customer
City of Leon Valley

		Description	Hours	Amount
5/8/2019	BG	E-mail correspondence with [REDACTED] [REDACTED]	0.1	9.50
5/8/2019	BG	Phone call to [REDACTED]; called [REDACTED] [REDACTED] left message	0.1	9.50
5/8/2019	BG	Went through the emails that need to be certified and compiled a list of emails Kelly sent that we need; drafted the [REDACTED] [REDACTED], sent to [REDACTED] for review; reviewed the [REDACTED] and made changes, sent to [REDACTED] as to the facts	1.5	142.50
5/8/2019	CW	Preparation for meeting today including reading [REDACTED] [REDACTED] and making my comments to it and e-mail [REDACTED] (1); attending meeting with associates working on preparing briefs, documents and arguments for Temporary Injunction hearing, including additions to Answer (3).	5	975.00
5/8/2019	EN	E-mail correspondence with 'Cano, Edward P.' [REDACTED]; Sent Mr. Cano our answer that we efiled.	0.1	8.50
5/8/2019	EN	Intook the signed and executed subpoenas from [REDACTED], saved each officer return to their designated Subpoena front page. Saved all executed subpoenas to the case file.	0.3	25.50
5/8/2019	EN	Work on Order denying the application for injunction. Made formatting changes, changed the wording on the order a little for flow. edited footer, saved to case file.	0.3	25.50
5/8/2019	EN	Reviewed the answer to plaintiff's original petition	0.5	42.50
5/8/2019	EN	Reviewed the minute briefs regarding deferential approach courts shall take when dealing with decisions of a legislative body	0.5	42.50
5/8/2019	EN	Reviewed the minute brief regarding due process	0.3	25.50
5/8/2019	EN	Reviewed the minute brief regarding the mayor's testimony,	0.4	34.00
5/8/2019	EN	Reviewed the minute brief regarding judicial notice of ordinances	0.4	34.00
5/8/2019	EN	Reviewed the minute brief regarding statutory construction and municipal ordinances	0.4	34.00
5/8/2019	EN	Reviewed the minute brief regarding the standard for temporary injunctive relief	0.2	17.00

Total

The Law Offices of Ryan Henry, PLLC

1380 Pantheon Way, Suite 110
San Antonio, TX 78232

210-257-6357
ryan.henry@rshlawfirm.com

Statement

Date	Invoice #
6/14/2019	1695
	Due Date
	7/15/2019

Customer
City of Leon Valley

		Description	Hours	Amount
5/7/2019	BG	Made a change to the subpoena adding the suite number of presiding court on all 5 subpoenas; finalized for [REDACTED] to send out	0.1	9.50
5/7/2019	CW	Travel to the office to meet with associates; Continued preparation for and meeting with [REDACTED] conference with [REDACTED] about meeting today including what was covered and what is left to do.	4	780.00
5/7/2019	EN	Call with [REDACTED]	0.1	8.50
5/7/2019	EN	Discussion with [REDACTED]	0.1	8.50
5/7/2019	JJ	Work on Injunction hearing notebook handouts compiled; emails regarding 3.12 phone numbers of witnesses for court	0.9	76.50
5/7/2019	MM	Discussion with [REDACTED]	1.3	240.50
5/7/2019	MM	Work on multiple briefs concerning courts authority over city council, city council member testimony; due process standards; and discussion with [REDACTED]	3.8	703.00
5/7/2019	RH	Call with [REDACTED]	0.3	58.50
5/7/2019	RH	E-mail correspondence from Edward Cano	0.1	19.50
5/7/2019	RH	E-mail correspondence [REDACTED]	0.1	19.50
5/7/2019	SH	Completed analysis for Minute Brief 2 on issues of ethics and mayor's testimony, and private interest in elected position. [REDACTED]	0.7	129.50
5/7/2019	SH	Revised previous draft of Minute Brief 2.	0.9	166.50
5/8/2019	BG	E-mail correspondence from efile-manager@thomsonreuters.com; filed the answer to the suit	0.1	9.50
5/8/2019	BG	E-mail correspondence with [REDACTED]	0.1	9.50

Total

The Law Offices of Ryan Henry, PLLC

1380 Pantheon Way, Suite 110
San Antonio, TX 78232

210-257-6357
ryan.henry@rshlawfirm.com

Statement

Date	Invoice #
6/14/2019	1695
Due Date	
7/15/2019	

Customer
City of Leon Valley

		Description	Hours	Amount
5/3/2019	RH	E-mail correspondence from [REDACTED]	0.3	58.50
5/3/2019	SH	Drafted and revised minute brief on issue of statutory construction regarding Leon Valley ordinance for injunction hearing	2.5	462.50
5/4/2019	CW	Emails back and forth with [REDACTED]	1	195.00
5/4/2019	MM	Review case law and prepare brief concerning the courts ability in reviewing the legislative body's action or decision.	1.3	240.50
5/4/2019	MM	Revise Answer to plaintiff's petition for injunctive relief.	0.9	166.50
5/4/2019	RH	E-mail correspondence from [REDACTED]	0.1	19.50
5/4/2019	RH	Work on answer, verified defenses, and brief in opposition to injunction request	1.1	214.50
5/4/2019	SH	Performed legal research related to drafting an order denying an injunction, reviewed pleadings filed by plaintiff in TRO matter.	0.4	74.00
5/4/2019	SH	Revised drafts of Minute Brief 1 regarding statutory construction.	0.6	111.00
5/5/2019	RH	Pull election results and information	0.1	19.50
5/5/2019	SH	Continued drafting bench briefs.	1.1	203.50
5/6/2019	CW	Conference with [REDACTED]	0.8	156.00
5/6/2019	EN	Phone conference with [REDACTED]	0.1	8.50
5/6/2019	EN	Work on subpoenas for the hearing, quick call with [REDACTED] about subpoenas	0.8	68.00
5/6/2019	RH	Phone call to Cano, Edward P.; Conference with [REDACTED] regarding upcoming hearing and agreed judgment	0.3	58.50
5/6/2019	SH	Additional research on issue of statutory construction.	1	0.00
5/6/2019	SH	Discussion with [REDACTED]	0.3	0.00
5/6/2019	SH	Work on revised bench briefs on statutory construction.	1	185.00
5/7/2019	BG	Work on agreed order for this matter; reviewed changes by [REDACTED] and made changes to format, spelling, sent to him for signature	0.6	57.00

Total

The Law Offices of Ryan Henry, PLLC

1380 Pantheon Way, Suite 110
San Antonio, TX 78232

210-257-6357

ryan.henry@rshlawfirm.com

Statement

Date	Invoice #
6/14/2019	1695
Due Date	
7/15/2019	

Customer
City of Leon Valley

		Description	Hours	Amount
		Martinez v Leon Valley		
5/10/2019		Parking at the Courthouse for injunction Hearing		5.00
5/22/2019		Hearing transcript for Martinez v Leon Valley May 10, 2019		357.00
5/23/2019		Documents for TRO and Injunction Hearing (1327 pages)		132.70
		Total Reimbursable Expenses		494.70
5/1/2019	BG	worked on the answer to Martinez Petition	1	95.00
5/1/2019	MM	Continue preparing Answer, and brief (arguments) in response, to Plaintiff's Original Petition for Declaratory Judgment and Application for Injunction Relief.	1.1	203.50
5/1/2019	MM	Discussion with [REDACTED]	1	0.00
		[REDACTED]		
		[REDACTED]		
5/1/2019	RH	E-mail correspondence with [REDACTED]	0.1	19.50
		[REDACTED]		
5/1/2019	RH	Work on preparation for next injunction hearing	3.3	643.50
5/1/2019	SH	Meeting with [REDACTED]	0.2	0.00
		[REDACTED]		
5/1/2019	SH	Meeting with [REDACTED]	0.6	0.00
		[REDACTED]		
		[REDACTED]		
5/2/2019	CW	Conference with [REDACTED] including review of numerous documents and discussing pending case issues in preparation for meetings next week.	1.5	292.50
5/2/2019	EP	Review files for memo on exec sessions/ rules	0.5	42.50
5/2/2019	EN	Reviewed efile of the notice to move the injunction hearing for matter to May 10, saved to pleadings file in case file.	0.1	8.50
5/2/2019	RH	E-mail correspondence with [REDACTED]	0.1	19.50
		[REDACTED]		
5/2/2019	SH	[REDACTED] ory construction and language	2.1	388.50
5/3/2019	BG	revised a new retention agreement drafted by JJ for the lawsuit	0.1	9.50
5/3/2019	CW	[REDACTED]	0.8	156.00
		e-mail [REDACTED]		
5/3/2019	JJ	Draft ltr to Leon Valley. Prep. work on quorum issues	1.1	93.50

Total

The Law Offices of Ryan Henry, PLLC

1380 Pantheon Way, Suite 110
San Antonio, TX 78232

210-257-6357
ryan.henry@rshlawfirm.com

Statement

Date	Invoice #
6/14/2019	1695
	Due Date
	7/15/2019

Customer
City of Leon Valley

		Description	Hours	Amount
5/10/2019	CW	preparation for and attending Temporary Injunction Hearing and meeting afterward [REDACTED]	5.2	0.00
5/10/2019	EN	Debriefed with [REDACTED]	0.3	25.50
5/10/2019	MM	Attend hearing on temporary injunction.	3.5	647.50
5/10/2019	MM	Discussion with [REDACTED]	1.3	240.50
5/10/2019	RH	E-mail correspondence from [REDACTED]	0.1	19.50
5/10/2019	RH	E-mail correspondence from [REDACTED]	0.1	19.50
5/10/2019	RH	Finish preparing for and attending Injunction hearing; conference with [REDACTED] after hearing; conference with [REDACTED]; work on issue possible 2nd injunction depending on notice time period provided	3.5	682.50
5/11/2019	RH	Analysis of cross-examination right in legislative process to determine if issue raised in hearing needs to be changed in the ordinance	1.3	253.50
5/13/2019	RH	E-mail correspondence with [REDACTED]	0.1	19.50
5/14/2019	RH	E-mail correspondence with [REDACTED]	0.1	19.50
5/15/2019	EP	Began reviewing legal sources for statutory construction regarding the need to accomplish something means any action needed to directly accomplish that is permissible.	1.1	93.50
5/16/2019	BG	Phone call to 407 District Court of Bexar County; called the court reporter to request an estimate for the transcript of the injunction hearing and to get a price on what it would be to expedite the process; awaiting call back	0.1	9.50
5/20/2019	EP	Con't review of legal sources for application of equitable tolling in this case... con't reviewing other sources through search engine for examples	1.8	153.00

Total

The Law Offices of Ryan Henry, PLLC

1380 Pantheon Way, Suite 110
San Antonio, TX 78232

210-257-6357

ryan.henry@rshlawfirm.com

Statement

Date	Invoice #
6/14/2019	1695
Due Date	
7/15/2019	

Customer
City of Leon Valley

		Description	Hours	Amount
5/21/2019	EP	Review legal sources for application of equitable tolling in this case..	1.1	93.50
5/22/2019	BG	con't reviewing other sources through search engine for examples	0.1	9.50
5/23/2019	EP	made sure that the order was filed by the court denying the injunction; it was filed according to court records	1.6	136.00
5/24/2019	EP	Sorted sources and typed up a description of the sources and what each one states about equitable tolling		
	RH	E-mail correspondence with [REDACTED]	0.1	19.50
		Rates		
		RH=attorney Ryan Henry (\$195/hr)		
		AD=attorney Artin Derohanian (\$185/hr)		
		MM=attorney Michael McCann (\$185/hr)		
		SH=attorney Sonya Herrera (\$185/hr)		
		BG=paralegal Brenna Green (\$95/hr)		
		EN=paralegal Erin Noah (\$85/hr)		
		JJ=paralegal Jessica Johnson (\$85/hr)		
		EP=law clerk Elizabeth Pena (\$85/hr)		

	Total	\$16,203.20
--	--------------	-------------

The Law Offices of Ryan Henry, PLLC

1380 Pantheon Way, Suite 110
San Antonio, TX 78232

210-257-6357

ryan.henry@rshlawfirm.com

Statement

Date	Invoice #
6/15/2019	1696
Due Date	
7/15/2019	

Customer
City of Leon Valley

		Description	Hours	Amount
5/1/2019	BG	Leon Valley - Harassment Matter. E-mail correspondence with [REDACTED] [REDACTED] sent client [REDACTED] [REDACTED]	0.1	9.50
5/1/2019	RH	Phone call to [REDACTED]	0.1	19.50
5/2/2019	RH	Call with [REDACTED]	0.3	58.50
5/3/2019	SH	Reviewed and discussed [REDACTED] [REDACTED]	0.2	35.00
5/6/2019	SH	Performed legal research on issue of whether an elected official has a private interest in his position; performed research on portions of Leon Valley's charter, including ethics ordinance.	1.2	210.00
5/7/2019	RH	Call with [REDACTED]	0.3	58.50
5/7/2019	RH	Prepare for executive session; work on briefing to council	2.1	409.50
5/7/2019	RH	Attend City Council meeting for first reading of ordinance	3	585.00
5/9/2019	RH	E-mail correspondence with [REDACTED] [REDACTED]	0.1	19.50
5/10/2019	JJ	City Sec requested redline comparison of ord for meeting.	0.1	8.50
5/10/2019	JJ	Sent draft of 3.12 with council changes	0.1	8.50
5/10/2019	RH	Work on posting issue and 2nd reading; forwarding ordinance draft to City Secretary; call with [REDACTED] [REDACTED]	1.1	214.50
5/12/2019	RH	E-mail correspondence from [REDACTED]	0.1	19.50
5/13/2019	BG	Went through analysis December 2018 - April 2019 and drafted a table on harassment investigation, amount billed just per [REDACTED] requests for work	0.7	66.50
5/13/2019	RH	Work on ordinance adjustments based on 1st reading	2.1	409.50
5/13/2019	RH	Call with [REDACTED] [REDACTED]	0.1	19.50
5/13/2019	RH	E-mail correspondence from [REDACTED]	0.1	19.50
5/13/2019	RH	E-mail correspondence from [REDACTED] [REDACTED]	0.1	19.50
5/13/2019	RH	E-mail correspondence from [REDACTED] [REDACTED]	0.1	19.50

Total

From: [Michelle Vallejo](#)
To: [Mayor Riley](#); [Donna Charles](#); [Dr. Catherine Rodriguez](#); [Monica Alcocer](#); [Matthew Hodde](#); [Will Bradshaw](#); [Saundra Passailaigue](#); [Kelly Kuenstler](#); [Joe Salvaggio](#)
Subject: Fw: Ethics Complaint
Date: Tuesday, August 4, 2020 5:18:06 PM
Attachments: [Ethics Complaint August 2020 Charles Rodriguez.pdf](#)

----- Forwarded Message -----

From: Michelle Vallejo <[REDACTED]>
To: s.pass@leonvalleytexas.gov <s.pass@leonvalleytexas.gov>
Sent: Tuesday, August 4, 2020, 5:12:09 PM CDT
Subject: Ethics Complaint

I'd like to have this read this evening when the first citizens to be heard are allowed.

Regards,

Michelle Vallejo Rawls

August 4, 2020

To: Mayor, City Manager, Council Members

From: Rita Burnside, Forest Oaks

TO BE READ AT TONIGHT'S COUNCIL MEETING

Agenda Item: **6.4 Candidates Forum**

Good Evening,

This is to remind you that the San Antonio League of Women Voters, not individual citizens, have been carrying out the Leon Valley "Meet the Candidates" Forum in the past and will, undoubtedly, do so for years to come. This nonprofit, non-partisan 501©4 national voter education organization is working diligently to present to the public information about candidates for all regional, state, and national offices. The 'Voter's Guide' and Candidates Forums are such services. Candidates and citizens alike have always been grateful and very satisfied for their unbiased participation.

To have anybody else other than one of their volunteers as moderator of a Leon Valley candidates' forum would not be acceptable to THIS voter and should not be acceptable to all candidates. The young man who has stepped into city council chamber limelight offering to take over the League's place, has demonstrated again and again his partiality toward a certain council member who is also candidate for reelection. He never checked with the League if they were committed to participate.

In February of this year, the League was contacted concerning the Leon Valley forum for the May election by a Leon Valley League (board) member. They would have accepted the idea but...you know what happened with the May election. Not having it in May, one should not presume that they would not do it at all.

The decision how citizens can get a chance to see, hear the candidates and ask questions of them – that's applicable to all forums this fall - will not be an easy task, whether to choose virtual or an outdoor location. I am sure that this is the reason for the delay in firming up their commitment to our city.

If you have not heard from a League of Women Voters Board member by this evening, the City Manager should contact them about their decision. They probably have us on their calendar already.

Let's keep our forum unbiased!

From: [REDACTED]
To: [Saundra Passailaigue; MayorChrisRileymayor@leonvalleytexas.gov](mailto:Saundra.Passailaigue; MayorChrisRileymayor@leonvalleytexas.gov)
Subject: Tonight's council meeting
Date: Tuesday, August 4, 2020 2:05:45 PM
Attachments: [council Meeting agenda candidate forum.docx](#)

Mayor,
Please read during Agenda Item 6.4. Candidates Forum.
Thank you.

Rita Burnside, Forest Oaks

From: [Smith Chapel](#)
To: [Saundra Passailaigue](#); [Will Bradshaw](#)
Subject: PLEASE READ - Citizen Comments - just now
Date: Tuesday, August 4, 2020 6:21:53 PM

Assistant Chief Gonzales you just now put his hands on a Blind man (Mike) in the lobby who already spoke with Crystal (your ADA coordinator) today and had accommodations made. Escorted him forcefully out the door without explanation due to his not wearing a mask. He can't wear one due to needing full amount of oxygen to his brain from his brain injury (which Mike explained).

Steve

From: [Sarah Smart](#)
To: [Saundra Passailaigue](#)
Subject: Re: Regular Agenda item 5- Citizens be heard
Date: Tuesday, August 4, 2020 7:12:17 PM

Thank you! Point of clarification: I would like this to be read around the time of the agenda item rather than "citizens be heard" I should have said this is for public comment

Pardon my brevity. This message was sent from my iPhone.

> On Aug 4, 2020, at 5:44 PM, Saundra Passailaigue <s.pass@leonvalleytexas.gov> wrote:
>

From: [Sarah Smart](#)
To: [Saundra Passailaigue](#); [Will Bradshaw](#); [Mayor Riley](#)
Subject: Regular Agenda item 5- Citizens be heard
Date: Tuesday, August 4, 2020 5:43:50 PM

We cannot stand for such blissful ignorance of our constitution and the freedoms granted to us. Specifically, the first amendment. You see, a council person, just like any other person on the or off the dais, has a right to express his or her disgust, just as you Ms. Kuenstler are attempting to express your disgust with another by way of this agenda item. It is egotistical and erroneous to think that your disgust is valid but Mr. Bradshaw's or anyone else's is out of line. Further, an attempt to silent "outsiders" is just as outrageous. A federal district court in Pennsylvania explained in the 1993 decision *Wilkinson v. Bensalem Township*: "Allowing the state to restrict a person's right to speak based on their identity could quickly lead to the censorship of particular points of view." Time and time again Mr. Bradshaw has stood fast in his morals and faced every type of roadblock imaginable, yet he continues to honor his pledge to be the voice of the citizens. His and his constituents point of view is being attacked here today, and that notion spits in the face of our founding fathers and lawmakers over the decades. We honestly don't even understand how this is a topic of conversation. The arrest that outraged Mr. Bradshaw was after a meeting concluded, after the gavel struck when there was no rules of decorum in effect. If a council person could be put in the cross hairs for things they do and say outside of a public meeting, then let's talk about Ms. Rodriguez. You see, she filed a frivolous grievance with the State Bar against Sarah Smart as a feeble attempt to harm her income and reputation. Ms. Rodriguez INTENDED to harm her. The basis of her complaint was that Mrs. Smart was "defending a sexual harasser," "unprofessional" and "rude" in her comments and posts on NextDoor. Yet another example of our leadership attempting to silence anyone who dares to speak their truth to power. Mr. Bradshaw has neither expressed such intent nor taken action to harm anyone, yet he is somehow forced to defend his words because those words are disagreeable with the woman who runs our city. Mr. Bradshaw will not stop channeling the will of his constituents and putting other's needs and injustices above his own. Sticks and stones Ms. Kuenstler... please, for all our sake, grow a back bone or kindly find another town to torment.

Signed, Sarah Smart and Justin Pulliam

From: [Tina Chasan](#)
To: [Saundra Passailaigue](#)
Subject: Mih
Date: Tuesday, August 4, 2020 7:07:10 PM

Will the MIH person be licensed? Will they be a paramedic and also a firefighter so the position could be one of a flex position to where they could go back and forth as needed?

From: [C. Henley](#)
To: [Saundra Passailaigue](#)
Subject: Please read at Citizens to be heard
Date: Tuesday, August 4, 2020 4:16:22 PM

My name is Cindy Henley, I live in Leon Valley Ranches. I have lived on the same street my entire life.

I attended the last meeting (I would be there today but I have injured my back)

I can't believe Mayor Riley and the way she has handled matters after Mr. Yarnells arrest. She had a long list of questions that she wanted answered by the Police Chief but REFUSED to meet with him along with a city Council Member. Her reasoning she stated at the last meetI got was "she was AFRAID" of him! Really afraid? What was she afraid of? Police aren't in the business of arresting people unless they have just cause. Parts of 2 council meetings were used to answer these questions and air Mr. Yarnells dirty laundry. The mayor acted put out with the time spent to answer these questions. On top of that she had emailed the City Attorney to see if these questions were even legal to read out loud. It wasn't till during the meeting and after nearly every question was answered she decided to read her mails and see that the attorney said "NO"they shouldn't be read at a council meeting. This all shows how incompetent she is.

She's an embarrassment to this city along with some city council members.

My suggestion is to release the Mayor from her duties effective immediately and put in all new city council members at the November election.

My other issue is what is going to be done about the high weeds along the drainage Of Leon Creek (across street from me) and all the high weeds behind me? If my grass/weeds were that high I would receive a citation and fines.

Cindy Henley

Sent from my iPad

From: [James Brummett](#)
To: [Saundra Passailaigue](#)
Cc: [Saundra Passailaigue](#); [Will Bradshaw](#)
Subject: Deplorable Action equal Civil Rights Lawsuits
Date: Tuesday, August 4, 2020 8:59:06 PM

To whom it may concern;

The actions I just witnessed onlone outside your August 4th City Council meeting displayed by your Assistant Police Chief Gonzales were deplorable and a violation of basic human rights and in violation of American's with Disabilities Act (ADA). The onus is on you to provide reasonable accommodations for persons with disabilities to participate, or demonstrate in writing why such accommodations would create an undue burden to the city.

Instead of tolerance and understanding your Assistant Police Chief committed battery and failed in basic common decency and violated the civil rights of a Veteran with a disability. It's clear from actions seen in this video why your city in currently involved in litigation for civil rights violations.

Please put a stop to these and other violations of civil rights. It unconstitutional and un-American. You can do better.

Sincerely.

James Brummett
Northridge CA.

Justin Pulliam

PO Box 132 • Old Ocean, Texas 77463



August 4, 2020

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

Re: Public Comments for August 4, 2020 City Council Meeting

Dear Mayor Riley:

I request you to read for consideration before the council my public comments for the applicable agenda items at the August 4, 2020 City Council Special Meeting.

It's outrageous that the city administration and certain council members make so many comments and accusations about me, yet I am not allowed to state the truth for the record. It's very unfair.

Each item begins on a new page.

3. Citizens to Be Heard

It's outrageous that the city administration and certain council members make so many comments and accusations about me, yet I am not allowed to state the truth for the record. It's very unfair.

Salvaggio never made an attempt to talk with me or ask me questions to find out the truth. Instead, his tip top investigative skills are that "Justin wore a shirt" so "those are the facts."

Salvaggio and Kuesntler continue to lie about the arrest of Mr. Yarnell. This is so sad to watch. They should be compelled to provide backup documentation for each and every statement they make: The city administrators cannot be trusted.

Hopefully, the complaint I submitted with Michelle Rawls will help bring fairness to the city council. I yield the remainder of my time for the reading of our letter.

6. 1. Attorney Fee Presentation

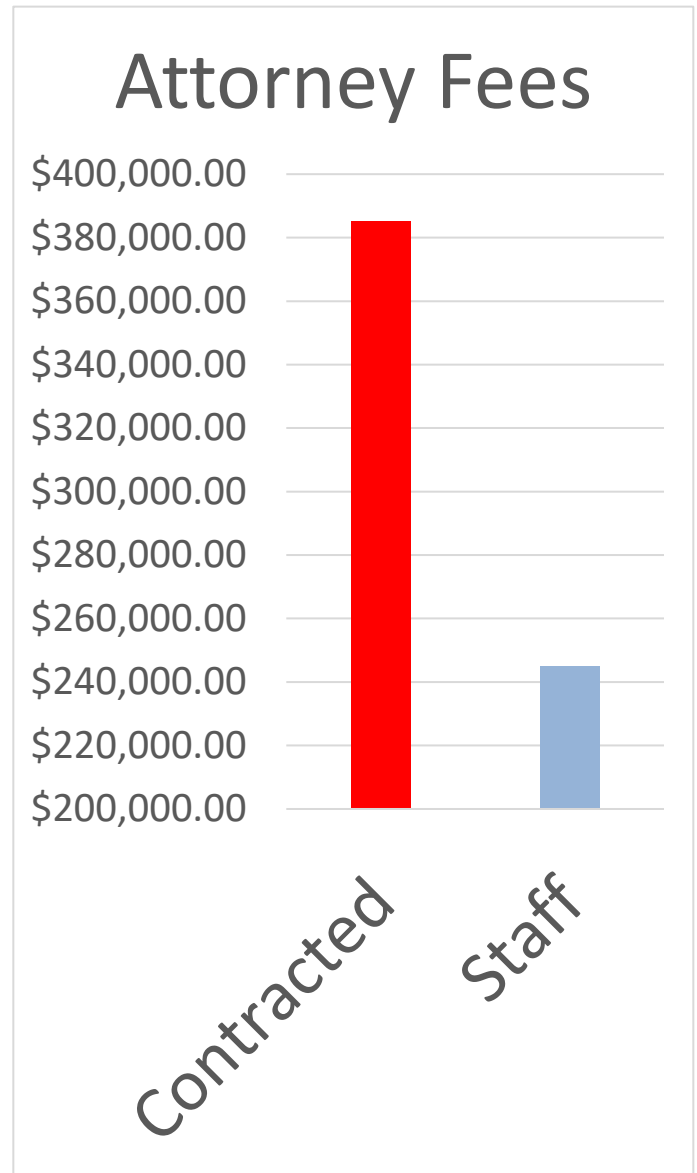
I reached out to the finance director for comment; however, the city administration failed to respond to my inquiry.

I assert the data is being presented in a misleading format to make it look like the city administration's litigious posture is not very costly compared to the staff attorney. However, numerous attorney fees were excluded from the presentation. The city spends thousands of dollars for the services of Lawrence G. Morales, E. Phillips Legal, and Leslie C. Kassahn. These wasteful expenditures include items like the \$225.00 spent to get a signature on Salvaggio's oppressive City Hall cell phone and recording ban.

I estimate that amounts over \$10,000 per fiscal year were excluded. Unfortunately, due to the city administrators' hostile and obstructionist environment when it comes to accessing public information, it's impossible to find out what really happens at Leon Valley and how public funds are spent.

I've created a more accurate graph that demonstrates that the city spent much more money on external attorneys than the staff attorney over the past 3 years. I've included the extra contracted attorney fees that I am aware of; however, I know that many more exist based upon a glance at the check register every month (I don't have all of those billing statements).

Asking the city administrators questions is basically useless. Everything is manipulated and there are always half-truths.



6. 2. City Manager Duties

The city administrators are once again abusing the city council business agenda as a pulpit to manipulate reality and attack their political opponents. This item doesn't belong in the regular agenda and should be tabled.

One of Kuesntler's and Salvaggio's latest lies to hide behind is that the city council does not serve any other function other than policymaking. That's preposterous. The city council members have many other duties, including as administrative, oversight, parliamentary, emergency management, and budgetary roles.

Yet Kuesntler and Salvaggio constantly whine that council member questions and acts are not "policy" related, using it as an excuse to hide.

Unfortunately, rather than communicating authoritative sources such as the actual laws, Kuesntler spews politically-biased propaganda from the activism handouts of a lobbying organization.

The city charter is perfectly clear that "the City Council shall have the power to inquire into the official conduct of any department, agency, appointed boards, office, officers, employees or appointed board members of the City." In fact, that's a direct quote from Section 3.12(A) of the Leon Valley Home Rule Charter.

Council members' authority extends far beyond only policymaking.

Why are the city administrators so strenuously purporting that the city council members cannot perform oversight functions? What do Salvaggio and Kuenstler have to hide?

6. 6. Investigation of City Administration

I support this item.

The city administrators routinely violate my rights. In many instances, the Texas Attorney General determined that the city administrators broke the law. The oppression and abuse must end.

Numerous contracts and expenditures are concerning to the public.

Blatant disregard of civil rights must end.

Please launch a legitimate external investigation—and make sure the investigators do not know and have never communicated with Salvaggio and Kuenstler.

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

From: [Justin Pulliam](#)
To: [Mayor Riley](#)
Cc: [Donna Charles](#); [Dr. Catherine Rodriguez](#); [Monica Alcocer](#); [Matthew Hodde](#); [Will Bradshaw](#); [Saundra Passailaigue](#); [Kelly Kuenstler](#); [Joe Salvaggio](#)
Subject: Public Comments for August 4, 2020 Meeting
Date: Tuesday, August 4, 2020 3:56:34 PM
Attachments: [2020-08-04 Justin Pulliam Public Comments Leon Valley.pdf](#)

Dear Mayor Riley:

I request you to read for consideration before the council the attached comments for the applicable agenda items at the August 4, 2020 City Council Special Meeting.

It's outrageous that the city administration and certain council members make so many comments and accusations about me, yet I am not allowed to state the truth for the record. It's very unfair.

Sincerely,

Justin Pulliam



Evan Bohl



Evan Bohl

VIEW PROFILE

12:33 AM

Just to properly inform you, Josh Stevens is exactly the kind of corrupt immoral lying individual who does and will make Leon Valley the laughing stock of the community.



If you reply, Evan will be able to call you and see information like your Active Status and when you've read messages.

I don't want to hear from Evan



Aa

