



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

MINUTES

4:00 PM Call to Order; Determine a Quorum is Present, Pledge of Allegiance.

Attendee Name	Organization	Title	Status	Arrived
Chris Riley	City of Leon Valley	Mayor	Present	
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, Assistant Finance Director Floyd Messick, LVPD Chief Joseph Salvaggio, LVPD Assistant Chief David Gonzalez, LVFD Fire Chief Michael Naughton, LVFD Assistant Chief Erik Burnside, Planning & Zoning Director Brandon Melland, Associate Planner Erick del Angel, Public Works Director Melinda Moritz, and various LVPD staff.

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

The City Council Shall Meet in Executive Session to Discuss the Following:

Pursuant to Section 550.071 of the Texas Government Code (Consultation with Attorney) and Section 3.12 of the City Charter: Regarding Allegations of Violations of the City Charter by City Council Member Bradshaw and to Receive Legal Advice from Special Counsel Regarding Allegations and Hearing (Councilor Catherine Rodriguez and Councilor Donna Charles)

Mayor Riley read the agenda caption into the record.

Councilor Will Bradshaw asked to be recognized by Mayor Riley and he was.

Councilor Bradshaw said that he had questions regarding the agenda item.

Councilor Bradshaw wanted to know why the meeting was not posted as a Special meeting instead of a Regular meeting; and also, why the meeting began at 4:00 PM. Councilor

Bradshaw also said he wanted to know what the Executive Session is about. Councilor Bradshaw said that if it is to discuss allegations against him, he voted against that he said "I will request it publicly that I do not want the allegations about me talked about in Executive Session. I want them talked about in public. So, I am requesting a public meeting to discuss these allegations, not to discuss them in Executive Session. That is a violation of Texas Government Code Section 551.074 (b)."

City Manager Kelly Kuenstler pointed out that the city attorney had sent Councilor Bradshaw two responses via email, one which he recalled seeing and the other he had not but City Manager Kuenstler copied for him.

Investigating Attorney Keith Sieczkowski was also present to respond.

Councilor Bradshaw said he wanted to know who authorized a start time of 4:00 PM because it was not mentioned at the last meeting which is why he and everyone else (pointing to citizens and guests in Chambers) was surprised to find out that we were starting over an hour early.

Councilor Monica Alcocer called a Point of Order. Mayor Riley recognized Councilor Alcocer and asked what her Point of Order was. Councilor Alcocer replied that Councilor Bradshaw was presenting incorrect facts and that if he had read his packet, he would have read that it is clearly stated in the minutes of the last meeting that we had a vote of 4-1 to start at 4:00 PM today and everyone was noticed by the city secretary of the start time."

City Secretary Passailaigue showed Councilor Bradshaw the minutes to which he replied to everyone that that was not a vote, the Executive Session is about me and I said No, I didn't want an Executive Session to discuss the allegations against me but you did it anyway. This is a violation of State law. Then you came out of Executive Session and you took action. You decided to do an investigation into me and you just decided to schedule another meeting. Neither of those were motions in open session. They were actions that happened behind closed doors. That is not open and transparent government. That is the exact opposite. This is blatant violation of Texas law and in effort to conceal the acts that are going on in Leon Valley. You can write in the notes all you want but there was not a vote to begin at 4:00 PM and there was not a vote to do an investigation."

Councilor Bradshaw said he wants to know what the legal advice is that would be discussed. Attorney Sieczkowski replied that the legal advice would be that they "would discuss the results of his opinion which is attorney-client privilege. That is not covered by the Texas Open Record Statute that you cited." Attorney Sieczkowski explained the procedures and timelines of the 3.12 procedures and all of that is done in the open.

Councilor Bradshaw firmly stated when Attorney Sieczkowski was hired, it was specifically to hire an attorney and the motion was NOT to do an investigation. Not to do an investigation. Only to oversee the 3.12 hearing. This body has given you direction, in Closed Session, Executive Session, because it came out of Executive Session, and the Mayor read the action but it was not agreed upon by the body."

Councilor Donna Charles asked to be recognized. Mayor Riley recognized Councilor Charles who stated that the attorney is doing what he was asked to do and asked to move forward to the Executive Session.

Councilor Bradshaw once again, asked that the Council not go into Executive Session but to discuss the item in Open Session.

Attorney Sieczkowski informed the Mayor and members of City Council that as Section 551.074 is interpreted by law, they are allowed to go into Executive Session on this item.

Mayor Riley informed Councilor Will Bradshaw that it is so noted in the record that he is opposed to this.

Members of City Council, with the exception of Councilor Will Bradshaw and Councilor Catherine Rodriguez, went into Executive Session at 4:28 PM

Adjourn Executive Session

The City Council again reconvened into Open Session at 5:22 PM

Recess

Mayor Riley announced a 5-minute recess at 5:22 PM

Reconvene Into Regular Session At 5:15 Pm And Take Action On Issues Discussed In Executive Session If Necessary

Mayor Riley reconvened the meeting at 5:29 PM

Councilor Monica Alcocer motioned to follow the suggestion of the attorney and have one (1) item forwarded to the Ethics Review Board for consideration as soon as possible; and to tentatively schedule a 3.12 hearing for the other matters; and then to include the other matter if the Ethics Review Board decides that that should be done.

Mayor Riley asked for a Point of Clarification asking if Councilor Alcocer was wanting the Ethics Review Board referral first with their decision before coming back with the 3.12?

Councilor Monica Alcocer responded to have them simultaneously because time needs to run on both things so they should be able to go simultaneously but the one that is going to the Ethics needs to go as soon as possible.

Councilor Will Bradshaw called a Point of Order. Mayor Riley responded with "Excuse me. What is your Point of Order? Councilor Bradshaw responded that "the motion is very vague. That the one item be sent to the Ethics Board and the other items be scheduled for a 3.12. I would like to know what these items are. I think the public deserves to know what

the issues are.”

Mayor Riley asked Councilor Alcocer if she could be a little more specific on her motion.

Councilor Alcocer responded that she was following the recommendation that the attorney gave and all of that would be provided and everything will be made clearer but that she did not think it was necessary to put it in this motion. The motion has been made as per the recommendation of the attorney. Mr. Bradshaw will get all of the notification that is required in the 3.12 procedures.

Mayor Riley wanted to ask the attorney for his opinion. Councilor Will Bradshaw added that there were also a lot of people present that wanted to speak on this.

City Manager Kuenstler consulted with the attorney and reported back that the attorney would like Councilor Alcocer to be specific on each of the three 3.12 items as well as the item going to the Texas Ethics Commission and the Ethics Review Board. As for citizens to be heard on this item, the attorney’s ruling is that there are no citizens to be heard on attorney-client advice.

Mayor Riley asked City Manager Kuenstler to double check with the attorney because she wanted it to be his words entered into the record. City Manager Kuenstler returned and reported that Attorney Sieczkowski replied that his answer remains the same as it was in the other room in that there are no citizens to be heard as it was an Executive Session and is attorney-client privileged information.

Councilor Will Bradshaw motioned to allow citizens to be heard on this agenda item.

Councilor Matthew Hodde seconded the motion.

Mayor Riley asked for a roll call vote.

Councilor Matthew Hodde asked to have discussion prior to the vote to which Mayor Riley replied, “Certainly.”

Councilor Hodde said, “So, the attorney said attorney-client privileged during the Executive Session? Is that correct?” Mayor Riley responded, “Correct. Right. Yes”. Councilor Hodde replied, “Ok. I just wanted to clarify that all. Thanks.”

Councilor Will Bradshaw replied, “Even though I understand the things that were discussed were attorney-client privileged, but the agenda item is regarding allegations of violations of the City Charter so citizens may want to speak about the alleged allegations, maybe for or against or one way or another but either way, I would like to hear their input.”

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

City Secretary Passailaigue proceeded with a roll call vote to which the City Council replied: Councilor Donna Charles - Nay; Councilor Catherine Rodriguez - Nay; Councilor Monica

Alcocer - Nay; Councilor Matthew Hodde - Nay; and Councilor Will Bradshaw - Aye.
Upon a vote of one (1) for and four (4) opposed, Mayor Riley announced the motion failed.

Mayor Riley informed Councilor Alcocer that she was now waiting for her motion and to just go when she was ready.

RESULT:	DEFEATED [1 TO 4]
MOVER:	Will Bradshaw, Council Place 5
SECONDER:	Matthew Hodde, Council Place 4
AYES:	Will Bradshaw
NAYS:	Monica Alcocer, Donna Charles, Catherine Rodriguez, Matthew Hodde

Councilor Monica Alcocer motioned that per the recommendation of the attorney that the wearing of the political apparel at meetings be referred immediately to the Ethics Review Board and if necessary, to the Texas Ethics Commission; and that the violation of 3.09 C. and 3.09 D. of the City Ordinance that relates to conduct addressing criticizing officers and violation of City Ordinance 1.12.011 and 1.12.007 be referred for a 3.12 hearing and to include the political apparel if the Ethics Review Board so decides; and that Councilor Bradshaw get notice of everything at the time as required by our Charter or in ordinances.

Mayor Riley asked Councilor Alcocer if she could give a reference to what 1.12.011 and 1.12.003. Councilor Alcocer replied that it will become clearer when he is provided the notice.

Councilor Donna Charles asked to amend the motion to include for the Ethics Review Board, using City facilities for political purposes by campaigning from the dais to go along with 1.12.007.

Councilor Monica Alcocer accepted Councilor Donna Charles amendment as long as it is per the attorney's recommendation.

Councilor Monica Alcocer continued by saying that under the 1.12.011, 1.12.007 has to do with employees being entitled to a workplace free of unlawful harassment by city officials and that goes with criticizing the officers.

Mayor Riley asked again about 1.12.003 to which Councilor Alcocer replied that she "never said that one."

Councilor Catherine Rodriguez seconded the amendment.

Councilor Will Bradshaw asked City Attorney Charles Zech about Texas Government Code Section 551.007 B regarding citizens to be heard.

Councilor Monica Alcocer interrupted with a Point of Order to which Mayor Riley replied, "Let him finish, let him finish." Councilor Alcocer called a Point of Order again.

All three members of City Council were speaking over one another and Mayor Riley told Councilor Alcocer to let Councilor Bradshaw ask his question. Councilor Bradshaw continued without further interruption.

Councilor Bradshaw's question to Attorney Zech was, "We are about to vote on something out of Executive Session and we are not allowing citizens to speak. How is this not a violation of the Texas Government Code?"

Mayor Riley added that Attorney Sieczkowski had already said citizens could not speak on this item.

Being that the question had already been asked and answered by Special Investigating Attorney Sieczkowski, Attorney Zech said he would defer to him.

Councilor Bradshaw said Attorney Sieczkowski said "citizens could not speak on items that were discussed on in Executive Session but we are getting ready to take action on it so I want to know why we aren't allowing citizens to speak before the action."

Attorney Zech asked if that specific question was addressed with Special Counsel. City Manager Kelly Kuenstler replied that she asked Attorney Sieczkowski and he said "yes because legal advice was given on the subject in Executive Session."

Councilor Bradshaw responded, "Mayor I would like to hear from him instead of playing the telephone game."

Councilor Monica Alcocer announced that the issue of allowing citizens to speak had already been voted on to which they Mayor responded that she knew that.

City Secretary Passailaigue took a moment while everyone waited for Attorney Sieczkowski to remind Mayor Riley of the pending motion and second on the floor.

Attorney Sieczkowski stepped up to the podium to respond to Councilor Bradshaw.

Councilor Bradshaw asked the Attorney if he was familiar with HB 2840 passed September 2019.

Attorney Sieczkowski said he is familiar with it and that Executive Sessions were an exception to open meetings and that it is for attorney-client privilege.

City Attorney Zech suggested that since the item at hand had not been voted on yet, to go ahead and allow the public to speak on this item at this time.

- Evan Bohl - spoke about TOMA and being opposed to allowing citizens to speak; and wasting time.

- Erick Matta - spoke about the “bullies and thugs that have taken over this council and staff”; and about legacy and the “consequences they will see at the polls and their reputations.”
- Sarah Smart - quoted TOMA on open meetings; and once again, told the members of City Council to “grow up”.

Councilor Monica Alcocer asked to be recognized. Mayor Riley recognized her.

Councilor Alcocer asked Attorney Zech about a vote previously take by the Council about allowing citizens to speak. She asked that they speak on all four (4) of the items and not just one at a time or else nothing is going to get done. Attorney Zech said that would be ok. Councilor Alcocer ask if a consensus to do so could be taken.

Mayor Riley asked for a consensus. Councilor Charles agreed that it should be about all of them and at one time. Councilor Bradshaw said this item is separate from the other three so it should be separate.

Mayor Riley made an executive decision to finish discussion on this item and then vote and then we will go into Executive Session on 6.1, 6.2 and 6.3 and then have comments before that.

Attorney Zech informed the Mayor and Council that the statute only requires the public to address the governing body on an open meeting issue. So, if an item is discussed in closed session and no action is taken in open session, the public has no right to comment on that item. If there is action taken, the public has the right to comment.

- Justin Pulliam - spoke about multiple opinions he has on the City
- Dan Parker - asked what “triggers it going to the Texas Ethics Commission”.
- Josh Stevens - spoke about the US Constitution.

Councilor Donna Charles called a Point of Order. Mayor Riley asked what her point was to which Councilor Charles said Mr. Stevens was not on the topic. Mayor Riley asked Mr. Stevens to keep it on the agenda.

- Josh Stevens continued speaking about Councilor Bradshaw wearing “Josh Stevens for Leon Valley” mask; and said the members of Council were “un-American”.

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 - Abstained.

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

RESULT:	APPROVED [4 TO 0]
MOVER:	Monica Alcocer, Mayor Pro-Tem, Council Place 3
SECONDER:	Catherine Rodriguez, Council Place 2
AYES:	Monica Alcocer, Donna Charles, Catherine Rodriguez, Matthew Hodde
ABSTAIN:	Will Bradshaw

The City Council Shall Meet in Executive Session to Discuss the Following:

Mayor Riley read the agenda caption into the record.

Members of City Council went into Executive Session at 6:24 PM

Pursuant to Section 551.074 of the Texas Government Code (Personnel Matters): The Employment of the Current City Manager and Employment of Future City Manager

Pursuant to Section 551.074 of the Texas Government Code (Personnel Matters): The Factual Investigation Report Presented to the City Council by the Investigating/Designated Officer Regarding a Complaint or Allegation Made Against Councilor Donna Charles by Erick Matta and/or Mayor Chris Riley - Attorney Ian Steusloff

Pursuant to Section 551.074 of the Texas Government Code (Personnel Matters): The Factual Investigation Report Presented to the City Council by the Investigating/Designated Officer Regarding a Complaint Filed against Mayor Chris Riley by Councilor Donna Charles - Attorney Ian Steusloff

Reconvene Into Regular Session And Take Action On Issues Discussed In Executive Session If Necessary

Mayor Riley reconvened the meeting at 7:20 PM

Councilor Matthew Hodde motion to accept Ms. Kelly Kuenstler's rescinding of her resignation and that as individual councilors, we evaluate her by the end of September and send those evaluations directly to her; that there will be no change in compensation per her request except for her deferred compensation which will be reduced by approximately \$7,000 so that Public Works employees will get a 3% instead of a 2% merit increase.

Councilor Catherine Rodriguez seconded the motion.

- Justin Pulliam - encouraged members of City Council not to renew but to begin a search for a new city manager.

Councilor Will Bradshaw spoke in opposition of this action and urged the Council to not accept her rescinding of her resignation but to write a new contract that is "more fair" for the citizens.

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.

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

Councilor Catherine Rodriguez motioned that Item 6.2 and Item 6.3 be tabled for a later date. Councilor Will Bradshaw seconded the motion.

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

CITIZENS TO BE HEARD

- Jed Hefner - read a letter submitted by Abigail Hefner asking that City Council consider re-opening the City parks.
- Evan Bohl - spoke about wasted time and money.
- Justin Pulliam - spoke about open record requests.
- Sarah Smart - spoke about optics vs. legalities; and told City Manager Kuenstler to "grow a back bone and find another town to torment."
- Dan Parker - spoke about recent brush pick up but asked that the City let the public know what to do with items such as televisions, paints, oils, etc. via ENews, Lions Roar and social media; where is the money for street repair going; and said he was glad that Public Works staff will get a 3% increase.
- Benny Martinez - spoke about him being a "sexual predator" and "bold face lies".
- Erick Matta - spoke about the 3.12 hearing on Councilor Donna Charles saying he never requested this on her but only pointed it out the hypocrisy; and three (3) registered voters using 6400 El Verde as their address - "Election Fraud"
- Josh Stevens - claimed he had the same info on the three (3) El Verde voters; and about brush he said is still left from recent brush pick up.

Councilor Will Bradshaw read a letter emailed to him from Tina Chasan about meeting start time.

REGULAR AGENDA

Presentation and Discussion on An Ordinance on A Request by John Flores, For A Specific Use Permit for Automotive Lubrication Services, at 6712 Bandera Road; Generally Located on The West Side of Bandera Road, Between Poss Road and Grissom Road; And A Public Hearing on Said Request (1st Reading as Required by City Charter) (M&C # 2020-09-15-01 B. Melland)

Planning & Zoning Director Brandon Melland presented the item saying that this was a complicated item and that the applicant was not present this evening.

Director Melland's recommendation was that City Council table the item to a later date.

A motion was made by Councilor Will Bradshaw and seconded by Councilor Matthew Hodde to table the item until October 06, 2020.

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

Presentation and Discussion on An Ordinance Amending Ordinance 2020-34 And Repealing Ordinance 10-019 Regarding the Specific Use Permit Of 999 Shadow Mist; Generally Located on The East Side of Shadow Mist Road at The Intersection of Shadow Mist Road and Avedisian Drive for Entertainment-Outdoor Purposes; And A Public Hearing on Said Request (1st Reading as Required by City Charter) (M&C # 2020-09-15-02 B. Melland)

Planning & Zoning Director Brandon Melland presented this item as well with no new changes. The applicant was not present this evening but the item called for a Public Hearing.

Councilor Donna Charles spoke about the court hearing placing limits on the noise and lighting.

Mayor Riley opened the Public Hearing at 8:13 PM

There being no public comment; Mayor Riley Closed the Public Hearing at 8:13 PM

RESULT:	FIRST READ
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Discussion and Possible Action to Approve a Resolution Accepting a Bid, in the Amount of \$279,500.00, with 15% for Contingency, and Authorizing the City Manager to Enter into a Contract with A&M Construction & Utilities for the Grass Hill Elevated Tank Rehabilitation Project (M&C # 2020-09-15-05 M. Moritz)

Public Works Director Melinda Moritz presented the item for City Council consideration.

- Evan Bohl - asked if there was a potential of harm to the public if left undone; and what were the factors that were considered when reviewing the bids.

A motion was made by Councilor Catherine Rodriguez and a second by Councilor Donna Charles as presented.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Catherine Rodriguez, Council Place 2
SECONDER:	Donna Charles, Council Place 1
AYES:	Alcocer, Charles, Rodriguez, Hodde, Bradshaw

CONSENT AGENDA

A motion was made by Councilor Matthew Hodde and Councilor Catherine Rodriguez to adopt Consent Agenda 12.1 and 12.2 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- September 1, 2020 5:15 PM

Acceptance of Committee Minutes:

a. 03-04-2020 Earthwise Living Committee Minutes

REGULAR AGENDA CONTINUED

Discussion and Possible Action on A Resolution Appointing Marsha Blackmore As Member of The Leon Valley Ethics Review Board - *Item Removed from Consent* (M&C # 2020-09-15-08 S. Passailaigue)

Councilor Will Bradshaw pulled this item from the Consent Agenda for discussion asking for more information on this item.

City Secretary Sandra Passailaigue replied that Ethics Review Board (ERB) Member Karen Weidlich recently sold her home here in Leon Valley and at the end of the last ERB meeting, mentioned it would be her last as she was moving.

Ms. Weidlich was the appointment of Council Place 1, Donna Charles and therefore, Council Place 1 Donna Charles has submitted Mrs. Marsha Blackmore as her new appointment to fill the vacancy.

The following citizens spoke on the item:

- Evan Bohl - spoke in favor of the appointment
- Josh Stevens - spoke in opposition of the appointment
- Justin Pulliam - spoke in opposition of the appointment

A motion was made by Councilor Catherine Rodriguez and seconded by Councilor Monica Alcocer to accept the nomination of Marsha Blackmore and to welcome her to the Ethics Review Board as presented.

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

Discussion and Possible Action Through Resolution or Revision of Ordinance of The Rules of Decorum for Citizen Comments and The Use of Video Recording Devices at City Meetings (Councilor Matthew Hodde and Councilor Monica Alcocer)

Councilor Matthew Hodde presented the item to consider amending Ordinance No. 2020-33 regarding the Rules of Decorum. Specifically, how citizens may participate; when citizens may speak; recognition by the presiding officer; disruptive behavior; and the enforcement of rules by the presiding officer.

- Evan Bohl - congratulated Councilor Hodde on a great presentation; spoke of the difference between CoSA and CoLV being limits on citizens to be heard being in place; and lastly, stated he was in favor of the amendment.
- Benny Martinez - spoke about wanting to hear from citizens as members of Council; told the Council to "Stop the nonsense. Get some common sense."
- Justin Pulliam - spoke again about viewpoint discretion.
- Lyn Joseph - said she agreed with Justin Pulliam; said this was "frivolous" and asked "why we keep going over the same thing" adding that it was "really embarrassing."
- Josh Stevens - spoke about CoSA's rules on citizens to be heard; said that he hopes that any laws the Council implements need to be thought out, logical and realistic.

There was a brief discussion among the members of City Council.

Councilor Monica Alcocer asked to go into Executive Session so that City Council could get legal advice.

Councilor Will Bradshaw asked that the item be tabled to the next agenda.

Councilor Monica Alcocer motion to have a resolution for our Rules of Decorum regarding video recording being only allowed from the lobby, or in Council Chambers only allowed from along the wall just inside the second door; with only one recording device or camera per person; the equipment used should never interfere with meetings, or with those attending meetings, and should not to be left unattended; City staff conducting City business and the meeting being LIVE streamed and things such as that are exempt.

Councilor Donna Charles seconded the motion.

Councilor Matthew Hodde amended the motion to include no flash photography, no continuous or multi-shoot photography. Councilor Monica Alcocer accepted the amendment and Councilor Donna Charles seconded the amendment.

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.

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

ORDINANCE

Discussion and Possible Action on An Ordinance of The City of Leon Valley, TX, City Council Amending The General Fund Budget of The City of Leon Valley, Texas Municipal Budget For The Fiscal Year 2019-2020 in the Amount of \$403,040 to Provide Funding for The Leon Valley General Fund for Contractual Fees, The Purchase of Land, and Unemployment; Providing for Repealer, Severability And Saving Clauses; and Providing For an Effective Date (1st Reading Was Held 09-01-2020) (M&C # 2020-09-15-06 S. Passailaigue)

A motion was made by Councilor Monica Alcocer and seconded by Councilor Catherine Rodriguez to approve the ordinance 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 2020-40 (M&C # 2020-09-15-07 J. Salvaggio)

LVPD Chief Joseph Salvaggio reported that nothing has changed per the Governor's order as well as Judge Wolf's order with the exception of the declaration was extended.

- Evan Bohl - very pleased with the way this meeting has gone; but to continuously bring up sore subjects and dark time in the City and how the City has behaved...

Councilor Will Bradshaw interrupted Mr. Bohl calling for a Point of Order saying this was not citizens to be heard on just anything but on the agenda item regarding opening up public areas.

Mayor Riley responded, "Oh that's right, that is true. We have to keep it to the ordinance, the emergency ordinance."

- Evan Bohl - continued to say that he thinks that the City should continue with the closures until we see the 1% and not the 5% mark.
- Jose Saldana - spoke about opening the park and the "use of ultra violet light to kill the COVID virus within ten (10) minutes".
- Bret McCain - asked about the crime rate with kids having nothing to do.

City Secretary Sandra Passailaigue read an email that was submitted regarding opening the tennis courts from Emily Koch.

Councilor Monica Alcocer asked to be recognized by the Mayor who did recognize her.

A motion was made by Councilor Monica Alcocer and seconded by Councilor Catherine Rodriguez to leave things as they are and reconsider the phased in way if warranted.

Councilor Matthew Hodde offered an amendment to the motion to open the tennis courts in the ten (10) days.

Councilor Will Bradshaw offered another amendment to the motion to open up the tennis courts and fields as long as the Monday report shows a decrease in the positivity rates from the current level of 6% cases; with the report coming in on September 28th moving to open these up on September 29th.

Councilor Matthew Hodde withdrew his amendment.

Councilor Monica Alcocer accepted Councilor Will Bradshaw's amendment and Councilor Catherine Rodriguez seconded the amendment.

The consensus was that the pools would remain closed for the 2020 Season.

RESULT:	MOTION CARRIED [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

Councilor Catherine Rodriguez motion to carry over Agenda Item 11.1, 11.2, 13, and 14 to the October 6, 2020 Agenda. Councilor Will Bradshaw second the motion.

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

PRESENTATIONS

Presentation and Discussion of the Monthly Financial Report Ending August 31, 2020 (Floyd Messick, Assistant Finance Director)

Presentation and Discussion of The Difference Between Leon Valley Government Under General Law and Under the Current Home Rule Charter (Mayor Chris Riley)

CITY MANAGER'S REPORT

Upcoming Important Events:

- Next Special City Council Meeting, Tuesday, October 06, 2020, at 5:15 p.m. in Council Chambers.
- Last day to register to vote in the November 03, 2020 Election, Monday October 05, 2020.
- Early voting, Tuesday, October 13, 2020 through Friday, October 30, 2020.
- Election Day, Tuesday, November 03, 2020.
- Miscellaneous other events and announcements.

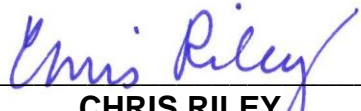
ANNOUNCEMENTS BY THE MAYOR AND COUNCIL MEMBERS

ADJOURNMENT


Mayor Riley announced that the meeting adjourned at 10:16 PM

These minutes approved by the Leon Valley City Council on the 20th of October, 2020.

APPROVED



CHRIS RILEY
MAYOR

ATTEST: 
SAUNDRA PASSAILAIGUE, TRMC
CITY SECRETARY

