



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

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

MINUTES

5:30 PM Call to Order and Determine a Quorum is Present.

Attendee Name	Organization	Title	Status	Arrived
Chris Riley	City of Leon Valley	Mayor	Remote	
Monica Alcocer	City of Leon Valley	Mayor Pro-Tem, Council Place 3	Remote	
Donna Charles	City of Leon Valley	Council Place 1	Remote	
Catherine Rodriguez	City of Leon Valley	Council Place 2	Present	
Matthew Hodde	City of Leon Valley	Council Place 4	Present	
Will Bradshaw	City of Leon Valley	Council Place 5	Remote	

Also present was City Manager Kelly Kuenstler, Interim City Manager Joseph Salvaggio, ACM/HR Director Crystal Caldera, and City Secretary Sandra Passailaigue. City Attorney Charles E. Zech remoted into the meeting.

Citizen Leslie Bacon announced that she had a question for the City Manager to which ACM/HR Director Crystal Caldera responded that the agenda did not allow for citizen comments at this time and informed Ms. Bacon that she would be muted until the meeting was called to order.

There was a technical difficulty picking up audio from Councilor Matthew Hodde who was at the Fire Station but after confirming that Councilor Hodde could hear everyone else, Mayor Riley proceeded while Chief Michael Naughton worked with Councilor Hodde.

THE CITY COUNCIL SHALL MEET IN EXECUTIVE SESSION TO DISCUSS THE FOLLOWING:

a. Pursuant to Texas Government Code Section 551.074 (entitled “Personnel Matters”) to deliberate the resignation of the City Manager and pursuant to Texas Government Code; Section 551.071 (entitled “Consultation with Attorney”) to receive legal advice on the resignation of the City Manager; and

b. Pursuant to Texas Government Code Section 551.074 (entitled “Personnel Matters”) deliberate the employment of the interim City Manager, and pursuant to Texas Government Code Section 551.071 (entitled “Consultation with Attorney”) to receive legal advice regarding the Interim City Manager’s contract.

Mayor Riley read aloud the item caption.

City Attorney Zech questioned what was to be done with the caller that was on the line still. ACM/HR Director Caldera responded that there is no Citizens to be Heard section on this agenda but since this is an open meeting citizen must be allowed to call into the meeting up to the point when Council goes into Executive Session. Then there is a Citizens to be Heard on the 6:00 p.m. agenda this evening where citizens will be allowed to call in and speak.

Councilor Will Bradshaw asked if the Council would be hearing from citizens before going into Executive Session to which ACM/HR Director Caldera replied, "there is no citizens to be heard on your Executive Session agenda". Councilor Bradshaw replied, "There has to be." ACM/HR Director Caldera replied back that this is "an attorney call."

Attorney Zech informed everyone that this was one of the statutory provisions that Governor Greg Abbott suspended about a month ago along with the emergency declarations related to COVID-19.

The City Council went into Executive Session at 5:44 p.m.

RECONVENE INTO REGULAR SESSION AND TAKE ACTION ON ISSUES DISCUSSED IN EXECUTIVE SESSION IF NECESSARY.

The City Council again reconvened into Open Session at 6:20 p.m.

Councilor Monica Alcocer stated that she had two motions to make. Mayor Riley asked her to go ahead.

Councilor Monica Alcocer stated that due to the extenuating circumstances caused by COVID-19 I move that we allow the City Manager to extend her resignation date to September 30th to ensure that either the budget or draft budget is finalized before she resigns. Councilor Catherine Rodriguez seconded the motion.

Councilor William Bradshaw pointed out that a resident indicated that he or she would like to speak.

ACM/HR Director Crystal Caldera reminded everyone that there was no Citizens to be Heard on this agenda and that they would need to wait to speak during Citizens to be Heard during the Regular Agenda.

Councilor Bradshaw replied that "just because the city attorney gave his legal opinion that this has been suspended doesn't mean we can't have citizen input and I would like citizen input on things like this."

City Attorney Charlie Zech said the Governor did suspend all requirements to have citizen input but it was up to the governing body if they want to allow input.

Mayor Chris Riley asked Attorney Zech if that would require a motion to which Attorney Zech replied, "Probably if the entire body is not in approval."

There was a consensus among members of City Council to allow citizen input on this item.

- Evan Bohl - spoke in favor of the extension of the city manager's resignation; and moving forward with the Assistant Police Chief taking over in the police department.

Councilor Will Bradshaw spoke in opposition of the extension of City Manager Kuenstler's resignation and about his concerns with making "rushed decisions" on things like contracts.

Councilor Monica Alcocer responded to Councilor Bradshaw said she felt that the combination of City Manager Kuenstler and LVPD Chief Joseph Salvaggio working together and training until September is a benefit to the City.

There was a discussion about City Manager Kuenstler's major medical leave.

Councilor Bradshaw concluded his comments saying that his concerns are with what he is calling a "flawed contract".

- Leslie Bacon - asked City Manager Kelly Kuenstler a question regarding her resignation and asked her how she planned to help the City heal; and why is she deciding to stay.

Councilor Donna Charles called for a Point of Order.

Mayor Riley reminded Leslie Bacon to stay on the agenda topic which is the extension of the City Manager's resignation extension.

Mayor Riley asked City Manager Kuenstler if she wanted to respond to which City Manager Kuenstler responded that previous Counsel had advised that should not be done during Citizens to be Heard but that she would leave it up to City Attorney Zech who then said it was up to City Manager Kuenstler as to what she wanted to say.

City Manager Kuenstler referred Ms. Bacon to one of her elected officials to explain why she and Chief Salvaggio felt it was in the best interest of the city that this decision was made.

There was a brief discussion between the two.

Mayor Riley interrupted and informed Ms. Bacon that she would be happy to get with her and discuss as Ms. Kuenstler had suggested. Mayor Riley then asked if there were any other citizens to be heard.

There being none, 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.

Mayor Riley announced the motion carried.

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

Mayor Riley asked Councilor Alcocer for her second motion.

Councilor Monica Alcocer made a motion to terminate the Acting City Manager Contract with Chief Salvaggio and that he return to his role as Police Chief and that at the end of Ms. Kuenstler’s contract, we consider having the same agreement with Chief Salvaggio as we are presently terminating. Councilor Donna Charles seconded the motion.

- Evan Bohl - stated that this is the most logical motion but cautioned that the City should conduct a thorough search for a city manager replacement.

Councilor Matthew Hodde stated that he has high expectations out of both City Manager Kelly Kuenstler and LVPD Chief Joseph Salvaggio.

Mayor Riley stated that there being no further comment she would like to move on to the vote.

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 - Aye.

Upon a unanimous vote, Mayor Riley announced the motion carried.


RESULT:	APPROVED [UNANIMOUS]
MOVER:	Monica Alcocer, Mayor Pro-Tem, Council Place 3
SECONDER:	Donna Charles, Council Place 1
AYES:	Monica Alcocer, Donna Charles, Catherine Rodriguez, Matthew Hodde, Will Bradshaw

ADJOURNMENT

Mayor Riley announced that the meeting adjourned at 6:43 PM

These minutes approved by the Leon Valley City Council on the 5th of May, 2020.

APPROVED



CHRIS RILEY
MAYOR

ATTEST: 
SAUNDRA PASSAILAIGUE, TRMC
CITY SECRETARY

