



**CITY OF LEON VALLEY
CITY COUNCIL SPECIAL MEETING**
Leon Valley City Council Chambers
6400 El Verde Road, Leon Valley, TX 78238
Tuesday, July 2, 2019

MINUTES

5:30 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	Present	
Donna Charles	City of Leon Valley	Council Place 1	Present	
Catherine Rodriguez	City of Leon Valley	Council Place 2	Present	
Benny Martinez	City of Leon Valley	Council Place 4	Present	
Will Bradshaw	City of Leon Valley	Council Place 5	Present	

Mayor Chris Riley welcomed everyone and went over rules of decorum.

Mayor Riley called the Leon Valley 3.12 Hearing against Benny Martinez to order at 5:39 PM

Attorney Ryan Henry suggested to Mayor Riley that she should consider recusing herself due to her husband's involvement with Mr. Martinez' case. Mayor Riley stated that she would continue.

SECTION 3.12 COUNCIL INVESTIGATIONS; HEARINGS; PROCESS

The City Council Will Investigate, Consider and May Take Action Regarding All Complaints Against Benny Martinez That He Improperly Interfered With, Gave Orders To, or Undermined the Authority of the Legal Department (i.e., City Attorney's Office), the Community Development Department, the City Manager, and the Police Department. It Also Includes the Complaints Filed Against Benny Martinez by Councilor Catherine Rodriguez.

City Secretary Sandra Passailaigue was asked to do a roll call to which the City Council replied: Councilor Donna Charles - Present; Councilor Catherine Rodriguez - Present; Councilor Monica Alcocer - Present; Councilor Benny Martinez - Present; Councilor Will Bradshaw - Present; and Mayor Chris Riley - Present.

Mayor Chris Riley explained that Councilor Catherine Rodriguez and Councilor Benny Martinez were prohibited from sitting on the dais during the hearing.

A motion was made by Councilor Will Bradshaw to allow citizens to speak after all of the complaints and statements. The motion died for lack of a second.

Mayor Riley asked City Secretary Sandra Passailaigue to read aloud agenda item 2.

Mayor Riley gave a summary of events.

Attorney Ryan Henry listed all of the charges against Mr. Benny Martinez.

A motion was made by Councilor Monica Alcocer order of complainants and corroborating witnesses be 1. Complainant Kelly Kuenstler; 2. Complainant Catherine Rodriguez; 3. Complainant Yvonne Acuna; 4. Melinda Moritz; 5. Brandon Melland; 6. Xavier Antu; 7. Complainant Denise Frederick; 8. Joann Azar; 9. Jorge Breton; and 10. Chief Joseph Salvaggio. The motion was seconded by Councilor Donna Charles

Councilor Monica Alcocer asked for an Executive Session to consult with the attorney.

City Council entered into Executive Session under Chapter 551, Section 551.071 at 6:22 PM

The City Council reconvened into Open Session at 6:38 PM

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Monica Alcocer, Mayor Pro Tem
SECONDER:	Donna Charles, Council Place 1
AYES:	Monica Alcocer, Donna Charles, Will Bradshaw

A motion was made by Councilor Will Bradshaw to amend the order of complainants and corroborating witnesses to 1. Complainant Kelly Kuenstler; 2 Complainant Catherine Rodriguez; 3 Complainant Yvonne Acuna; 4 Response - Benny Martinez; 5. remaining complaints. The motion was seconded by Councilor Donna Charles.

Councilor Monica Alcocer asked that the motion be amended to include that Benny Martinez not have an opening statement until he calls his own witnesses. Councilor Will Bradshaw said that was correct. Councilor Donna Charles added that he was only to respond at item number 13.

Then the Mayor called the vote which was unanimous.

City Secretary Passailaigue swore in all complainants and witnesses.

Testimonies were given by the following: Kelly Kuenstler, Catherine Rodriguez, Yvonne Acuna, and Melinda Moritz.

Two other witnesses were called. LVPD David Gonzalez and ACM/HR Director Crystal Caldera. Both were sworn in before giving their testimony.

Mayor Riley called a recess at 8:27 PM

The meeting reconvened at 9:07 PM

Benny Martinez stepped to the podium for his rebuttal.

Mr. Martinez called his wife, Pat Martinez, as a witness. Mrs. Martinez was sworn in before giving her statement.

Catherine Rodriguez gave her rebuttal to Benny Martinez' statement.

Lt. David Gonzalez was called back to the stand.

Brandon Melland was called to testify next.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Will Bradshaw, Council Place 5
SECONDER:	Donna Charles, Council Place 1
AYES:	Monica Alcocer, Donna Charles, Will Bradshaw

A motion was made by Councilor Donna Charles to reconvene on July 03, 2019 at 5:30 PM. The motion was seconded by Councilor Monica Alcocer.

Mayor Riley recessed the hearing at 10:22 PM

Mayor Riley reconvened the meeting on July 03, 2019 at 5:30 PM and reviewed the guidelines.

Benny Martinez spoke about witnesses being turned away.

Mayor Riley was called out of order by Attorney Ryan Henry.

Councilor Will Bradshaw told Mayor Riley that he thought she should continue.

Xavier Antu was called to testify.

A motion was made by Councilor Will Bradshaw to listen to response from Mr. Melland. The motion died for lack of a second.

Denise Frederick was called to testify.

Councilor Will Bradshaw asked Denise Frederick to read the letter of intervention.

Joann Azar was called to testify.

Jorge Breton was called to testify.

ACM/Police Chief Salvaggio was called to testify and was sworn in by City Secretary Passailaigue.

City Manager Kelly Kuenstler gave her testimony.

Council informed everyone that ACM/Chief Salvaggio and City Manager Kuenstler were both subject to recall.

Attorney Henry suggested the next hearing date be set for July 17th or 18th at 5:30 PM

RESULT:	APPROVED [2 TO 1]
MOVER:	Donna Charles, Council Place 1
SECONDER:	Monica Alcocer, Mayor Pro Tem
AYES:	Monica Alcocer, Donna Charles
NAYS:	Will Bradshaw

A motion was made by Councilor Will Bradshaw to reconvene the hearing on July 18, 2019 at 5:30 PM. The motion was seconded by Councilor Donna Charles.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Will Bradshaw, Council Place 5
SECONDER:	Donna Charles, Council Place 1
AYES:	Monica Alcocer, Donna Charles, Will Bradshaw

ADJOURNMENT

Mayor Riley announced that the meeting adjourned at 10:42 PM.

These minutes approved by the Leon Valley City Council on the 6th of April, 2021.



APPROVED

Chris Riley

CHRIS RILEY
 MAYOR

ATTEST: *Sandra Passailaigue*
SAUNDRA PASSAILAIGUE, TRMC
 CITY SECRETARY