



CITY OF LEON VALLEY
CITY COUNCIL REGULAR MEETING
Leon Valley City Council Chambers
6400 El Verde Road, Leon Valley, TX 78238
Tuesday, August 1, 2017

MINUTES

1. **6:00 PM** Call to Order, Determine a Quorum is Present, Pledge of Allegiance.

| Attendee Name | Title | Status | Arrived |
|----------------|-----------------|---------|---------|
| Chris Riley | Mayor | Present | |
| Benny Martinez | Mayor Pro Tem | Present | |
| David Edwards | Council Place 1 | Present | |
| Belinda Ealy | Council Place 2 | Present | |
| Monica Alcocer | Council Place 3 | Present | |
| David Jordan | Council Place 5 | Present | |

Also in attendance were:

City Manager Kelly Kuentler, ACM/HR Director Crystal Caldera, City Secretary Sandra Passailaigue, City Attorney Denise Frederick, Finance Director Vickie Wallace, Finance Clerk Ashley Wayman, Interim Community Development Director Melinda Moritz, Interim Public Works Director David Dimaline, LVFD Chief Luis Valdez, LVPD Chief Joe Salvaggio, LVPD Captain Ruben Saucedo, LV Public Library Director Sandy Underwood, and LVFD Captain Todd Morgan.

Mayor Chris Riley asked Richard Blackmore, Zoning Commissioner to lead the Pledge of Allegiance.

Citizens to Be Heard

None

City Manager's Report

City Manager Kuentler reminded everyone that the City Manager's Report is posted on the website as well as placed on the table in the foyer for all interested. City Manager Kuentler then supplemented that report with new information such as: a) Animal Control/Code Enforcement Officer Andy Garcia will begin working 8am - 6pm, Sunday - Wednesdays (off Thursday, Friday and Saturday). As a result of this, the City will now have Code Enforcement and Animal Control seven (7) days a week. In addition, as soon as Heather Rodriguez completes her studies and gets certified, she will take over Saturdays and do four (4) ten (10) hour days as well. So this department has just expanded to seven (7), ten

(10) hours a day operation. b) The City of Leon Valley is participating in the N.I.S.D. supply drive. This effort is spear headed by Leon Valley Public Library Director Sandy Underwood. Blue barrels have been placed at City Hall, the Library and the Fire Department for collection. Collection ends August 18th for Oak Hills Terrace and Leon Valley Elementary Schools. c) Congratulations to LVFD Chief Luis Valdez who was invited to speak on floodplain management at the University of North Texas next week and he will also have an opportunity to speak to FEMA representatives about floodplain concerns right here in Leon Valley. d) Read aloud a very nice voice mail received complementing the Public Works staff on conducting an audit and locating a water leak at a resident's home. e) Special thanks to ACM/HR Director Crystal Caldera who worked with the Mayor and City Manager to get a USPS mailbox installed at the Leon Valley Public Library. f) Lastly, Ms. Kuenstler reminded everyone that the Leon Valley Public Library will be hosting a weather program with KSAT12 Meteorologist. on August 2nd at 4:30 p.m. There will be a live broadcast from 5-7:00 p.m. and all are welcome to attend.

Approved Minutes From Various City Boards, Committees, and Commissions

Upcoming Important Events

- Next City Council Meeting, August 15, 2017, at 6:00 p.m.
- Movies in the Park, "A Dog's Purpose", Raymond Rimkus Park, August 04, 2017, at 8:30 p.m.
- Miscellaneous other events and announcements

Announcements by the Mayor and Council Members

Council Member David Jordan announced that on Saturday, August 12th from 10am - 2pm at Raymond Rimkus Park, the Creation of Christian Fellowship will be holding a back to school drive and giving out backpacks and school supplies. Please contact them if you would like to donate or come out and join the fun.

Council Member Belinda Ealy announced that there would be a special meeting Saturday, August 12th from 1:30pm - 4:30pm at the LVFD for the Leon Valley Raw/Vegan Society.

Mayor Riley expressed her excitement about the mailbox at the Library and stressed that folks need to have their mail in it by 3:45pm Monday through Friday for pickup. Mayor Riley also announced that Sela will begin water aerobics classes at the Forest Oaks Pool Tuesdays, Wednesdays and Thursdays in August.

CONSENT AGENDA

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Benny Martinez, Mayor Pro Tem |
| SECONDER: | Monica Alcocer, Council Place 3 |
| AYES: | Riley, Martinez, Edwards, Ealy, Alcocer, Jordan |

1. Consideration of the Following City Council Minutes:
 - a. Special Meeting- July 17, 2017 5:30 PM

- b. Special Meeting for Executive Session- July 18, 2017 5:30 PM
- c. Regular Meeting- July 18, 2017 6:00 PM

Approval of Quarterly Investment Report for the quarter ended June 30, 2017. (M&C # 2017-08-01-01 V. Wallace)

6. REGULAR AGENDA

Discuss and Consider Possible Action on a Letter of Support or a Letter of No Objection to the 296 Unit Apartment Community, Trails at Leon Creek, located at 7615 Bandera Road through the San Antonio Housing Trust Finance Corporation, Funded by the Texas Department of Housing and Community Affairs (Presenters Ruben Lizalde, Chief of Staff, Councilor Ana Sandoval & Jean Marie Latsha, Land Acquisition Manager with Pedcor Investments (M&C # 2017-08-01-01 K. Kuenstler)

The purpose of this item is for San Antonio City Councilor Ana Sandoval's Chief of Staff, Ruben Lizalde, to educate and solicit either a letter of support or a letter of no objection for the construction of a 296 unit apartment community at 7615 Bandera Road currently known as Trails at Leon Creek.

The fiscal impact of this project on the City of Leon Valley has not been identified; however, it is believed that this may cause additional public safety calls as this will put an additional strain on Bandera Road travel. Because of the increase in population, the utilization of city services will be increased.

Council Member Benny Martinez made a motion to give the City of San Antonio a letter of support with the hope of this being the beginning of an open door to future negotiations and working better with the City of Leon Valley and the City of San Antonio with a few conditions one being that we are brought in initially on the discussions on the improvements to Bandera Road and possible improvements to the sidewalks and consideration of more impervious paving in the project. The motion died due to the lack of a second.

A motion was made by Council Member David Edwards and seconded by Council Member Monica Alcocer to provide a letter of no objection contingent on the City of Leon Valley and the City of San Antonio through the offices of Councilor Sandoval and taking into consideration concerns about flooding issues, connectivity and other pertinent matters as reflected by the City Manager, Kelly Kuenstler.

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| RESULT: | APPROVED [4 TO 1] |
| MOVER: | David Edwards, Council Place 1 |
| SECONDER: | Monica Alcocer, Council Place 3 |
| AYES: | Edwards, Ealy, Alcocer, Jordan |
| NAYS: | Martinez |

Presentation, Discussion and Possible Action to Approve a Request for a Variance to Chapter 10 Subdivision, Division 6. Subdivision Standards, Section 10.02.251 Applicable standards and specifications, (2) Streets, (O) Curbs and sidewalks, by David and Susan Smith, Applicants and Property Owners, to Not Construct a Sidewalk Along the Front Property Boundary of the Property Generally Located at 7477 Linkwood Street (M&C # 2017-08-01-02 M. Moritz)

Interim Community Development Director, Melinda Moritz presented the item for consideration of a request by David and Susan Smith, applicants and property owners, to grant a variance to the sidewalk requirement of the Subdivision Code, so that they do not have to construct a complete sidewalk along the front property boundary of the property located at 7477 Linkwood Street. The property was replatted in 2016 and the requirement for sidewalk construction was deferred until the Building Permit stage. The applicant has constructed a portion of the sidewalk at the front property boundary but does not want to construct the remaining portion, stating that there are two mature Mesquite trees in direct conflict with the sidewalk alignment, and the concrete used for the sidewalk would cause the trees to die. They further state that the reason the circular driveway was constructed at a 12' width is to accommodate persons wishing to walk on a sidewalk. They further note that the slope in their front yard and in the right of way at the curb is too great to accommodate ADA regulations.

Leon Valley City Code, Chapter 10 Subdivision, Division 6. Subdivision Standards, Section 10.02.251 Applicable standards and specifications, (2) Streets, (O) Curbs and sidewalks states: "Curbs and sidewalks shall be installed by the subdivider on both sides of all interior streets, and on the subdivision side of all streets forming part of the boundary of the subdivision. The street frontage on all sides of all lots must be provided with concrete sidewalks of at least four (4) feet in width and four (4) inches in thickness. All sidewalks and driveways shall be designed and constructed in accordance with the requirements of the city and the Americans with Disabilities Act. Utility meter boxes or fire hydrants shall not be incorporated into the sidewalk area. (i) Sidewalk deferred construction. A developer may petition the city to defer construction of sidewalk along the frontage of lots in residential developments and if approved, sidewalks would be constructed as a building permit requirement (developer remains responsible for construction of the rear sidewalks on lots having double street frontage and over drainageways). (ii) Sidewalks shall, in general, be placed near the property line. Where the city permits the sidewalk to abut the curb on collector streets, the sidewalk width will be six (6) feet."

The City Engineer and Building Inspector have been to the site and are of the opinion that a sidewalk can be constructed around the trees and parallel to the driveway, in the public

right of way, and that it could be constructed to be ADA accessible. The City will not allow a sidewalk to be constructed on private property, nor use a driveway as a sidewalk, as sidewalks become the property of the City. The City cannot force persons to trespass on private property. New sidewalk construction is the responsibility of the property owner for a period of one year. After the year, the sidewalks are inspected and, if found to be in good condition, become property of the City and are maintained as such.

Interim Community Development Director, Moritz concluded the presentation saying staff recommends that the City Council not grant the requested variance to the sidewalk requirements of Chapter 10 Subdivisions.

- Olen Yarnell, 7230 Sulky Lane, asked if the sidewalk requirements were known to the property owner prior to this.

A motion was made by Council Member David Jordan and seconded by Council Member Monica Alcocer to deny the variance request to Chapter 10 Subdivision, Division 6. Subdivision Standards, Section 10.02.251 Applicable standards and specifications, (2) Streets, (O) Curbs and sidewalks, by David and Susan Smith, Applicants and Property Owners, to Not Construct a Sidewalk Along the Front Property Boundary of the Property Generally Located at 7477 Linkwood Street.

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| RESULT: | DENIED [UNANIMOUS] |
| MOVER: | David Jordan, Council Place 5 |
| SECONDER: | Monica Alcocer, Council Place 3 |
| AYES: | Martinez, Edwards, Ealy, Alcocer, Jordan |

Presentation, Discussion and Possible Action of the Proposed Fiscal Year 2018 Budget (K. Kuenstler)

City Manager Kelly Kuenstler presented the proposed Fiscal Year 2018 Budget which she began by saying that we are projecting a fund balance in the General Fund of approximately \$1,472,227 in the Capital Reserve Fund and \$1,000,000 in the Emergency Fund for an estimated total of \$2,472,227. The Emergency Fund alone represents 4.5 weeks of operating income. The combined fund balance represents approximately 2.5 months of operating income. City Manager Kuenstler stated that the budget presented today is not balanced by \$135,143 and presented options to balance the General Fund. The options included cutting the dispatch contract (\$141,000); cut police, fire and public works overtime (\$21,000); cut the slurry seal of the Community Center Complex (\$30,000); cut the moving of the Library Annex (\$15,000); cut the City Council streaming services (\$9,640); cut Kelly Day funding (\$69,392); or reduce the Cost of Living (COLA) Adjustment from the proposed 2.5% by .5% (\$27,644) or by 1.0% (\$55,288). Revenue highlights were the operating revenue \$10,236,632; to fund the Fiscal Year 2018, we are proposing a tax rate of \$0.556599 cents per \$100 valuation which is the same tax rate as Fiscal Year 2017. The tax components are \$0.478752 for Maintenance and Operations; and \$0.077847 for

Interest and Sinking (I&S) Fund Debt Service. Expenditure highlights include operating expenditures of \$9,084,025 which is an increase of \$548,675 (Impound Lot); and Capital Expenditures of \$2,210,015 which is an increase of \$1,114,387 (Evers Road Bridge).

Council Member Benny Martinez asked that "upgrade to Mac" be changed to read "update laptops/notebooks". This was agreed too.

Mayor Riley suggested that the City begin getting the word out regarding the Evers Road Bridge construction. City Manager Kuenstler said that was a great idea and that staff would get the information out in ENews, the Lions Roar, social media and the water bill. Construction is scheduled to begin October 1st.

Council Member Belinda Ealy asked for better lighting for pedestrians and recycling stations at the July 4th event.

City Manager Kuenstler continued with the presentation saying that major items in this budget are \$75,000 for salary market adjustments; \$10,600 for cameras in the Council Chambers; \$6,500 for software to stream Council meetings; and \$6,165 to replace the postage meter. Major items for the Police Department include: \$36,715 for a part-time position for the Impound Lot; \$102,000 for portable hand-held radios (Forfeiture Fund); \$29,950 for in-car camera systems (Forfeiture Fund); \$68,056 for a traffic pre-emption control system (Forfeiture Fund); \$61,955 to eliminate holiday time off and pay for worked holidays at double time; 466,265 for a new patrol officer position approved by Council in February 2017 (Forfeiture Fund). Major items for the Fire Department include: \$32,000 for five self-contained breathing apparatuses; \$204,000 for an ambulance and power stretcher system; \$42,270 to eliminate holiday time off and pay for worked holidays at double time; and \$69,392 for Kelly Day and 19-day pay cycle elimination. Major items for Public Works Department include: \$92,000 for the pool management contract; \$120,000 for sidewalks; \$45,000 for a flatbed water truck; \$15,000 for a concrete mixer; \$75,000 for a backhoe; \$25,000 for a pick-up truck for the Construction Crew; \$35,000 for a dump truck; \$15,000 for a utility vehicle; \$150,000 to replace the traffic signal at Wurzbach and Exchange Parkway; \$1,287,750 for the construction of the Evers Road Bridge; and \$20,000 (\$10,000 Water/Sewer and \$10,000 Public Works) for trenching and fungicide for a Tree Replacement Fund. Major items in Community Development Department included the deletion of the Community Development Director position and replaced with a Planning and Zoning Director position. Special Events - \$65,757 to support the July 4th Celebration (\$46,000 for the event and \$19,757 for overtime) and \$15,000 for the Ciclovía Event. The Park Department - \$60,000 for the Silo Park pavilion and playscape; \$95,000 for the Old Mill park pavilion, playscape and fencing; and \$12,000 for the Ridge Park fitness equipment.

Major items for the Leon Valley Public Library include \$10,000 to purchase new books; and

\$24,670 to eliminate the summer hires and replace with two part-time positions which will also allow for the Library to remain open seven (7) days a week. Communication Department - this department is eliminated in the Fiscal Year 2018 budget and expenses have been allocated as appropriate. Major items in the Water and Sewer Fund include \$150,000 to replace water mains; \$20,000 for a utility pick-up; and \$130,000 to purchase water rights. Major Sewer expenditures are \$150,000 to replace sewer lines. Storm Water - \$30,000 for a mower tractor and shredder; and \$90,000 to purchase land. Major items for the Community Center include operating expenditures of \$165,042; and Capital of \$13,244 to remodel the Community Center kitchen.

Crime Control and Prevention Budget is also balanced with operating expenditures of \$375,389. This funds the salaries and benefits for the police captain, two (2) patrol officers, investigation sergeant, overtime and certification pay.

Special Revenue Funds include a Grant Fund of \$2,924 for law enforcement training; Building Security Fund of \$7,284 for the Municipal Court Bailiff; Child Safety Fund of \$14,530 for the School Crossing Guard Program; Municipal Court Technology of \$13,283; Debt Services of \$784,926; Police Forfeiture of \$420,366. Major items include: \$102,000 for portable hand held radios; \$28,950 for in-car camera system; and \$68,056 for a traffic pre-emption control system.

City Manager Kuenstler added that this budget would provide the following for Personnel: funds the Merit Pay System which allows each employee a 2% merit increase on their date of hire, if they qualify; funds the continuation of longevity pay (\$4.00 per month for each year of service); funds the retirement system (increase of .29%); funds a 2.5% COLA; Health Insurance (as of this meeting date those numbers have not been received by the City); provides the City Manager discretionary funds of \$75,000 for market salary adjustments. City Manager Kuenstler also included a proposed work week of 7:30 am - 6:00 pm Monday through Thursday for most staff with a proposed City Hall hour's plan of 7:30 am - 6:00 pm Monday through Thursday; and 8:00 am - 5:00 pm on Fridays. This plan would increase City Hall hours by 7.5 hours per week.

City Manager Kuenstler concluded the presentation by informing everyone that there will be a budget public hearing and formal adoption on August 15, 2017; first public hearing on proposed tax rate on September 5, 2017; second public hearing on proposed tax rate on September 12, 2017; and formal adoption of the tax rate on September 19, 2017.

Mayor Riley asked for a summary of all water leases to be provided to Council.

A motion was made by Council Member Monica Alcocer and seconded by Council Member David Edwards to direct the City Manager to give notice to Helotes on their dispatch

contract; and to adjust the proposed Fiscal Year 2018 COLA from 2.5% to 2%.

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| RESULT: | APPROVED [UNANIMOUS] |
| MOVER: | Monica Alcocer, Council Place 3 |
| SECONDER: | David Edwards, Council Place 1 |
| AYES: | Martinez, Edwards, Ealy, Alcocer, Jordan |

Discuss and Consider Possible Action on an Amendment to City Of Leon Valley Code of Ordinances, Chapter 1, General Provisions, Article 1.06 BOARDS, COMMISSIONS, AND COMMITTEES, Section 1.06.003 Police Department Police Advisory Committee to Delete and Replace Language in the Current Ordinance and Code, and Add Additional Language to the Same Ordinance and Code (M&C # 2017-08-01-04 J. Salvaggio)

Leon Valley Police Chief Joseph Salvaggio presented this item seeking City Council approval to amend the City of Leon Valley Code of Ordinances, Chapter 1, General Provisions, Article 1.06 BOARDS, COMMISSIONS, AND COMMITTEES, Section 1.06.003, Police Department Citizens Advisory Committee name to the Leon Valley Police Department Citizens Police Advisory Committee, or Citizens Police Advisory Committee for short. In addition, our purpose is to amend the same ordinance and code to add language to include additional committee members to ensure all neighborhoods are represented on the Committee, as well as language to further explain the nomination process for adding future members by neighborhood in which they reside.

The City Manager and Chief of Police Recommend the City Council Approve the Recommended Changes to City Ordinance No. 16-019 and to the Codified Code of Ordinances of the City of Leon Valley, Texas, Chapter 1, General Provisions, Article 1.06 BOARDS, COMMISSIONS, AND COMMITTEES, Section 1.06.003 Police Department Police Advisory Committee.

Council Member Monica Alcocer said that all of the neighborhoods within Leon Valley should be addressed and that they are not at this time.

- Olen Yarnell 7230 Sulky Lane voiced his concerns and questioned how this would fit into the Master Plan.

City Attorney Denise Frederick called for a point of order and asked the Mr. Yarnell to allow the presenter to finish and to wait to address the Council until he is recognized by the Mayor.

Council Member David Jordan said that this should have been done when the committee was first created.

Council Member David Edwards suggested that the changes be made now and worry about the Master Plan later.

Council Member Belinda Ealy said that the Earthwise and Beautification Committees do consider all of the neighborhoods in Leon Valley.

- Olen Yarnell was recognized by Mayor Riley and spoke again saying that the Zoning Commission has approved the Master Plan and has plans to bring it to City Council for approval very soon. Mr. Yarnell added that there are sixteen (16) neighborhoods identified in the Master Plan.

Council Member Benny Martinez asked about the apartment complexes and wanted Council to consider at least one (1) business owner to be part of the committee.

Council Member Belinda Ealy suggested adding a Chamber of Commerce person.

Mayor Riley asked City Attorney Frederick if there was a legal concern if the Council did not follow what is in the Master Plan. City Attorney Frederick responded that she would have to look that up to see how the Master Plan affects everything as far as the committees are concerned and that she would get back to her tomorrow.

Council Member Alcocer said she could tell Ms. Frederick that she was told that the Master Plan was “just a plan”.

City Attorney Frederick said that what will control it is what is in the Code and that the City Council may amend that Code as long as it stays within State regulations.

Council Member Monica Alcocer that Section 3 should read “The Committee will geographically represent the City of Leon Valley with an individual representative from the following neighborhoods: Forest Oaks, Forest Oaks Estates, Seneca I, Seneca II, Seneca West, The Ridge, Monte Robles, the Althea area, Hodges area, Old Mill, Linkwood, Shadow Mist, Pavona Place, the El Verde Road area, Bandera Pass, Canterfield I, Canterfield II, Grass Valley, Leon Valley Ranches, Sun Valley, and Castle Estates neighborhoods. Remove the following sentence and then say that the apartment communities in Leon Valley will be represented by two citizens who live or work in an apartment complex in the City.”

Council Member Ealy asked to amend the motion to include a correction to the “horse related named streets” to which Council Member Alcocer suggested adding Canterfield II in parenthesis following Forest Oaks Estates.

City Attorney Frederick informed the Council that they could vote on this contingent upon whether or not it’s allowable under State law.

A motion was made by Council Member Monica Alcocer and seconded by Council Member David Edwards that Section 3 read: “The Committee will geographically represent the City of Leon Valley with an individual representative from the following neighborhoods: Forest Oaks, Forest Oaks Estates (Canterfield II), Seneca I, Seneca II, Seneca West, The Ridge, Monte Robles, the Althea area, Hodges area, Old Mill, Linkwood, Shadow Mist, Pavona Place, the El Verde Road area, Bandera Pass, Canterfield I, Canterfield II, Grass Valley, Leon Valley Ranches, Sun Valley, and Castle Estates neighborhoods. The apartment communities in Leon Valley will be represented by two citizens who live or work in an apartment complex in the City”; and changing the committee member number to twenty-three (23) to not include the two (2) Leon Valley City Council liaisons; and with a minor change to paragraph 15 where it states “If a Committee member moves out of the neighborhood they currently represent, they will be required to resign from the Committee, unless there is a current vacancy in the neighborhood to which they have moved in the City of Leon Valley.”.

Council Member Alcocer asked Council Member Edwards if he would allow an amendment to which he replied “yes”. Council Member Alcocer then amended her previous motion to include “contingent upon whether or not it’s allowable under State law of Texas.”

City Attorney Frederick asked that Council Member Alcocer reword her amendment to say “to differ from the Master Plan.”

Council Member Alcocer replied that there is no State Law but City Attorney Frederick said that since she just told the Mayor she would look it up she would like it in the motion to be on the safe side.

Mayor Riley repeated the motion as a motion was made by Council Member Monica Alcocer and seconded by Council Member David Edwards to change the name to the Citizens Policy Advisory Committee; and that Section 3 read: “The Committee will geographically represent the City of Leon Valley with an individual representative from the following neighborhoods: Forest Oaks, Forest Oaks Estates (Canterfield II), Seneca I, Seneca II, Seneca West, The Ridge, Monte Robles, the Althea area, Hodges area, Old Mill, Linkwood, Shadow Mist, Pavona Place, the El Verde Road area, Bandera Pass, Canterfield I, Canterfield II, Grass Valley, Leon Valley Ranches, Sun Valley, and Castle Estates neighborhoods. The apartment communities in Leon Valley will be represented by two citizens who live or work in an apartment complex in the City”; and changing the committee

member number to twenty-three (23) to not include the two (2) Leon Valley City Council liaisons; and with a minor change to paragraph 15 where it states “If a Committee member moves out of the neighborhood they currently represent, they will be required to resign from the Committee, unless there is a current vacancy in the neighborhood to which they have moved in the City of Leon Valley; contingent upon whether or not it’s allowable under State law of Texas.

Council Member Benny Martinez asked if he could suggest amending the motion to include a member of the Leon Valley Chamber of Commerce. This was followed by a very brief discussion but no motion was made to amend.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Monica Alcocer, Council Place 3 |
| SECONDER: | David Edwards, Council Place 1 |
| AYES: | Martinez, Edwards, Ealy, Alcocer, Jordan |

Discuss and Consider Possible Action Amending the City of Leon Valley Code of Ordinances, Article 4.05 and Section 1.02.003 to Remove All References to Handbill Distribution, Create a Separate Regulatory Code for Handbill Distribution Regulating the Time, Place and Manner for the Distribution of Handbills on Private and Public Property to Prevent Littering and Amend Appendix “A” Fee Schedule. (M&C # 2017-08-01-05 K. Kuenstler)

City Attorney Denise Frederick presented the item to amend the current regulation on the distribution of handbills and provide more comprehensive and stringent regulations. The new regulations shall prevent the unsightly distribution of newspapers, flyers and other types of commercial handbills onto private property without the property owners' permission, causing litter to be strewn throughout the neighborhood and surrounding areas.

City Attorney Frederick stated that staff recommends regulating the time, place and manner for the distribution of handbills on private and public property to prevent littering and authorizing the amendment of Appendix "A" Fee schedule to include the Permit Application Fee.

A motion was made by Council Member Monica Alcocer and seconded by Council Member Belinda Ealy to adopt the ordinance as presented.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Monica Alcocer, Council Place 3 |
| SECONDER: | Belinda Ealy, Council Place 2 |
| AYES: | Martinez, Edwards, Ealy, Alcocer, Jordan |

Discuss and Consider Possible Action on an Ordinance of the City of Leon Valley, Bexar County, Texas, establishing a photographic traffic enforcement system (red light camera system) program and providing for: preamble, purpose, applicability, and findings; definitions; offense for a motor vehicle to proceed into an intersection when the traffic control signal is emitting a steady red signal; administering the system through the Leon Valley Police Department; establishing certain affirmative defenses; penalties including a civil penalty not to exceed \$75.00 and a late fee of \$25.00; providing a non-judicial administrative hearing process to contest a violation; appeal to Municipal Court; severability; repeal of conflicting ordinances; effective date; and proper notice and meeting. (M&C # 2017-08-01-06 J. Salvaggio)

Leon Valley Police Chief Joseph Salvaggio presented this evening's final item reminding all present that the City of Leon Valley City Council adopted the Photographic Traffic Enforcement System and approved entering into a contract with a vendor at the March 7, 2017, City Council Meeting. A contract with a vendor was subsequently signed by the City Manager. The purpose of this ordinance is to establish a Photographic Traffic Enforcement System Program in the City of Leon Valley, Bexar County, Texas. This ordinance provides for the creation of the program, preamble, purpose, applicability, and findings of the program. It defines words specific to the use of this program, and creates an offense for a motor vehicle to proceed into an intersection when the traffic control signal is emitting a steady red signal. The ordinance assigns administration of the system and program through the Leon Valley Police Department, establishes certain affirmative defenses, and sets fines and fees in accordance with applicable Texas laws. The ordinance provides for a non-judicial administrative hearing process to contest a violation, and the process to appeal to the City of Leon Valley Municipal Court. The language in this ordinance repeals conflicting ordinances, sets an effective date, and provides for proper notice and meeting as required by State law.

Chief Joseph Salvaggio said the Leon Valley City Manager, Fire Chief, and Chief of Police all recommend adopting the Photographic Traffic Enforcement System Program ordinance as written.

This was followed by a discussion.

Council Member Martinez questioned the locations previously identified by City Council of where these cameras would be placed. City Manager Kuentler stated that the engineering study is not complete and that is what will make the final determination of camera locations. Chief Salvaggio did pass on the requested locations to the engineer so those locations are on the list. One of those locations is Bandera and Grissom.

Council Member Alcocer asked that paragraph “A” on page 139 be deleted and that the paragraph that was “D” but now would be “C” is amended to change “less accidents” to “fewer accidents”.

A motion was made by Council Member Monica Alcocer and seconded by Council Member Belinda Ealy to adopt the ordinance as amended.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Monica Alcocer, Council Place 3 |
| SECONDER: | Belinda Ealy, Council Place 2 |
| AYES: | Martinez, Edwards, Ealy, Alcocer, Jordan |

Citizens to be Heard

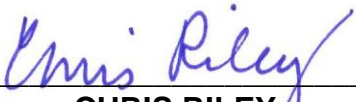
None

Adjournment


Mayor Riley announced that the meeting adjourned at 12:18 AM.

These minutes approved by the Leon Valley City Council on the 15th of August, 2017.

APPROVED



CHRIS RILEY
 MAYOR

ATTEST: 
SAUNDRA PASSAILAIGUE, TRMC
 CITY SECRETARY

