



**CITY OF LEON VALLEY
CITY COUNCIL REGULAR MEETING**
Leon Valley City Council Chambers
6400 El Verde Road, Leon Valley, TX 78238
Tuesday, November 07, 2023 at 6:00 PM

MINUTES

The City of Leon Valley City Council Shall Hold an In-Person Meeting with A Quorum of Members of City Council to Be Physically Present in The Leon Valley City Council Chambers, 6400 El Verde Road, Leon Valley, Texas 78238. Some Members of City Council May Appear and Participate in The Meeting by Videoconference Pursuant to The Requirements Set Forth in The Texas Open Meetings Act.

Citizens May E-Mail Public Comments To citizenstobeheard@leonvalleytexas.gov. All Other Citizen Participation May Be Provided In-Person at City Council Chambers.

1. Call to Order; Determine a Quorum is Present, Pledge of Allegiance

PRESENT

Mayor Chris Riley
Council Place 1 Benny Martinez
Mayor Pro Tem, Council Place 2 Josh Stevens
Council Place 3 Philip Campos
Council Place 4 Rey Orozco
Council Place 5 Will Bradshaw

Mayor Chris Riley called the meeting to order at 6:00 PM and announced that a quorum of City Council was present in Council Chambers.

Mayor Riley introduced Troop 911 and asked them to lead the Pledge of Allegiance.

2. Citizens to be Heard

Those who spoke at this time was Forest Campbell, Troop 911

3. Presentations

1. Presentation, Discussion and Direction to Staff on the Rules of Decorum and City Council Meeting Guidelines/Procedures - Dr. Caldera, City Manager

Dr. Crystal Caldera, City Manager presented this item as a follow-up to the recent TML Annual Conference that she and members of City Council attended.

There was a consensus among members of City Council to leave the first Citizens to be Heard (three minutes); allow citizens to speak on agenda items (three minutes); and to remove the last Citizens to be Heard from future agendas.

Those who spoke at this time: Erick Matta (Leon Valley); Melanie Hefner (Leon Valley); Jed Hefner (Leon Valley)

There was a lengthy discussion on the amount of time to allow each member of City Council to speak on each item.

There was a consensus to follow the "7 x 7 Rule" with respect to PowerPoint presentation, and to remove the S.E.E. statement.

2. Presentation of a Proclamation by Mayor Chris Riley, Proclaiming November 18, 2023, America Recycles Day

Mayor Chris Riley presented Elaine Valdez, Earthwise Living Member, with a proclamation proclaiming November 18, 2023, America Recycles Day.

4. Regular Agenda

1. Presentation and Discussion Authorizing the City Council to Amend the Leon Valley Code of Ordinance, Chapter 11- Taxation, by Adding 11.05 – Short Term Rentals- Occupancy Tax -Article 11.05 – Short Term-Rentals- Occupancy Tax (1st Read as Required by the City Charter) - R. Salinas, Director Of Economic Development

Roque Salinas, Economic Development Director presented an ordinance amending the Leon Valley Code of Ordinance, Chapter 11- Taxation, by Adding 11.05 – Short Term Rentals- Occupancy Tax -Article 11.05 – Short Term-Rentals- Occupancy Tax. This is a first read.

There was a consensus to remove Section 11.05.004 Required Records entirely and place this item on the November 21, 2023 Consent Agenda.

2. Presentation, Discussion, and Possible Action on an Ordinance Amending Leon Valley Code Of Ordinances, Chapter 4 Business Regulations; Adding Article 4.13 Short Term Rental, Sections 4.13.001 – 4.13.011; Providing For Regulations for the Registration and Use of Short Term Rentals; Providing for Definitions Providing for Brochure and Safety Requirements; Providing a Penalty Not to Exceed Five Hundred and No/100 Dollars (\$500.00); Amending Chapter 11 - Taxation of the Code of Ordinances By Amending the Definition of a Hotel to Include Short Term Rental Units; Amending Appendix A Fee Schedule, Adding Article A17.011 Short-Term Rental Registration Fee (First Reading was Held 09-05-2023) - Councilor Josh Stevens and Councilor Rey Orozco

Dr. Crystal Caldera, City Manager presented an ordinance amending the Leon Valley Code of Ordinances, Chapter 4 Business Regulations; adding Article 4.13 Short Term Rental, Sections 4.13.001 – 4.13.011; providing for regulations for the registration and

use of short-term rentals; providing for definitions providing for brochure and safety requirements; providing a penalty not to exceed five hundred and no/100 dollars (\$500.00); amending Chapter 11 - taxation of the Code of Ordinances by amending the definition of a hotel to include short-term rental units; amending Appendix A Fee Schedule and adding Article a17.011 Short-Term Rental Registration Fee. This ordinance was first discussed on the September 05, 2023, City Council Agenda.

Those who spoke at this time were: Melanie Hefner (Leon Valley); Lane Fisher (Leon Valley); Jed Hefner (Leon Valley)

Councilor Will Bradshaw made a motion to adopt the ordinance with the following amendments: that the property must be used as a short-term rental (STR); registration every 2-years; change to three violations with a rollover of those violations every 2-years; and to change from "each violation" to "each occurrence". Councilor Rey Orozco seconded the motion.

Councilor Will Bradshaw amended his motion adding that the local emergency contact be within two hundred miles. Councilor Rey Orozco seconded the amendment.

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

City Secretary Passailaigue proceeded with a roll call vote to which the City Council replied:

Voting Yea: Council Place 1 Martinez, Mayor Pro Tem, Council Place 2 Stevens, Council Place 3 Campos, Council Place 4 Orozco, Council Place 5 Bradshaw

Mayor Riley announced the motion unanimously passed.

3. Discussion and Possible Action on a Request for Approval of an Appeal to the 2021 International Fire Code, Appendix D Fire Apparatus Access Roads, Section D107 One or Two-Family Residential Developments, D107.1 One or Two-Family Dwelling Residential Developments, to Allow Non-Fire Sprinklered Housing Units, at the Poss Landing Subdivision, Located at 7213 Huebner Road - M. Teague, Planning and Zoning Director

Mindy Teague, Planning and Zoning Director, presented the item in response to a request for an appeal by the developer.

Chris Chaffee, Cude Engineering was present to answer questions.

Michael Naughton, LVFD Chief was also present to respond to questions and concerns.

There was a lengthy discussion and those who spoke were: Erick Matta (Leon Valley); Victor Bernal, developer.

Councilor Benny Martinez made a motion to deny the appeal. Councilor Philip Campos seconded the motion.

Voting Yea: Council Place 1 Martinez, Mayor Pro Tem, Council Place 2 Stevens, Council Place 3 Campos, Council Place 4 Orozco, Council Place 5 Bradshaw

The motion passed unanimously.

- 5. Announcements by the Mayor and Council Members.** At this time, reports about items of community interest, which no action will be taken may be given to the public as per Chapter 551.0415 of the Government Code, such as: expressions of thanks, congratulations or condolence, information regarding holiday schedules, reminders of social, ceremonial, or community events organized or sponsored by the governing body or that was or will be attended by a member of the Leon Valley City Council or a City official.

Mayor Riley and members of City Council made announcements.

6. City Manager's Report

Dr. Crystal Caldera, City Manager reminded everyone that the City Manager's Report was printed and available on the table in the foyer, as well as posted on the website.

1. Upcoming Important Events:

Regular City Council Meeting, Tuesday, November 21, 2023, at 6:30 PM, in City Council Chambers.

City Offices and Municipal Court will be closed Friday, November 10, 2023 in observance of Veterans Day.

City Offices and Municipal Court will be closed Thursday, November 23, 2023 and Friday, November 24, 2023 in observance of the Thanksgiving Holiday.

Breakfast with Santa, Saturday, December 02, 2023, from 8:00 AM to 10:30 AM, at the Leon Valley Public Library.

Lighting of the Christmas Tree and Celebration, Monday, December 04, 2023, at 6:00 PM, in the grassy area outside of the Leon Valley Conference Center.

Miscellaneous other events and announcements.

7. Consent Agenda

Councilor Benny Martinez requested to pull Consent Agenda Items 5 and 6.

Councilor Josh Stevens made a motion to approve Consent Agenda Items 1, 2,3, and 4. Councilor Rey Orozco seconded the motion.

Voting Yea: Council Place 1 Martinez, Mayor Pro Tem, Council Place 2 Stevens, Council Place 3 Campos, Council Place 4 Orozco, Council Place 5 Bradshaw

The motion passed unanimously.

1. **Discussion and Possible Action Approving of the Following City Council Minutes:**
 - a. **10-17-2023 Regular City Council Meeting Minutes**
 - b. **10-28-2023 Coffee with the Mayor & City Council Minutes**
2. **Discussion and Possible Action Accepting of the Following Board/Commission Minutes:**
 - a. **09-14-2023 Library Advisory Board Meeting Minutes**
 - b. **09-14-2023 Park Commission Meeting Minutes**
 - c. **09-26-2023 Planning & Zoning Commission Meeting Minutes**
3. **Discussion and Possible Action on a Resolution of the City of Leon Valley, Tx., City Council Appointing David Perry as Commissioner to the Leon Valley Planning & Zoning Commission - S. Passailaigue, City Secretary**
4. **Discussion and Possible Action on Amending Ordinance Chapter 3 Building Regulations; Article 3.02 - Technical and Construction Codes and Standards; Sec. 3.02.054 - Property Maintenance Code and Sec. 3.02.055 - Appeals and Variances to Technical and Construction Codes (1st Read was Held on 09-18-2023) – Dr. Caldera, City Manager**
5. **Discussion and Possible Action on and Ordinance Amending the City Of Leon Valley Code Of Ordinances, Chapter 1, Article 1.04 City Council, Sec. 1.04.001 Rules Of Meeting Decorum and Conduct, Adding Executive Session Meeting Time of 6:00 p.m. and Prohibiting Outside Presentations (1st Read was Held 09-05-2023) - Dr. Caldera, City Manager**

Dr. Crystal Caldera, City Manager presented the item and answered Councilor Benny Martinez' question.

Councilor Benny Martinez made a motion to approve as presented. Councilor Philip Campos seconded the motion.

Voting Yea: Council Place 1 Martinez, Mayor Pro Tem, Council Place 2 Stevens, Council Place 3 Campos, Council Place 4 Orozco, Council Place 5 Bradshaw

The motion passed unanimously.

6. **Presentation, Discussion, Possible Action of a Resolution Granting a Fence Variance for 6406 Royalty Pt, CB 4429A BLK 1Lot 25, Seneca Estates - M. Teague, Planning and Zoning Director**

Mindy Teague, Planning and Zoning Director presented.

Councilor Rey Orozco made a motion to approve as presented. Councilor Will Bradshaw seconded the motion.

Voting Yea: Mayor Pro Tem, Council Place 2 Stevens, Council Place 3 Campos, Council Place 4 Orozco, Council Place 5 Bradshaw

Voting Nay: Council Place 1 Martinez

The motion passed.

8. Regular Agenda

1. **Presentation, Public Hearing, and Discussion to Consider an Ordinance Revising Chapter 15 Zoning, Division 3 Administration, Section 15.02.103 Certificate of Occupancy, to Require a Complete and Accurate Application and Owner Affidavit for a Certificate of Occupancy (C of O) - R. Salinas, Economic Development Director (1st Read as Required by City Charter)**

Dr. Crystal Caldera, City Manager, and Roque Salinas, Economic Development Director presented this item.

Mayor Chris Riley opened the Public Hearing at 8:46 PM. There being no comments, Mayor Riley closed the Public Hearing at 8:46 PM.

The Council agreed to remove the revocation of the Certificate of Occupancy and instead add a fine, for those who violated the ordinance.

2. **Presentation, Discussion and Possible Action Adding Topics to the January 27, 2024, Annual Town Hall Meeting - Mayor Chris Riley**

Mayor Chris Riley and members of City Council discussed potential items and whether or not to place them on the next Annual Town Hall Meeting Agenda, a future Coffee with the Mayor and City Council, or to hold a workshop.

9. Citizens to be Heard

Those who spoke at this time were: Arthur Renteria (Leon Valley)

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

Mayor Riley read aloud the agenda caption for Item 10.1.

The City Council went into Executive Session at 9:20 PM

1. Pursuant to Texas Government Code, Chapter 551, Section 551.072, Deliberations on Real Property: 6503 Samaritan Drive, Leon Valley, Texas, 78238, (CB 4430 P-15: 2.137 acres, P-16: 6.391 acres & P-16A: 1.0 acre, ABS432), Various Parcels located William Rancher, Grass Hill, Samaritan, and Aids Drive BCAD Parcel Identification No.'s 217816, 217817, 217818, 217819, 217820, 217281, 217838, 217840, 217843 (21 Acres)

11. Reconvene into Regular Session

The City Council reconvened into Open Session at 10:01 PM

12. Possible Action on Issues Discussed in Executive Session If Necessary

Councilor Will Bradshaw made a motion to have the City Manager enter into further discussions with the two proposals. Councilor Rey Orozco seconded the motion.

Voting Yea: Council Place 1 Martinez, Mayor Pro Tem, Council Place 2 Stevens, Council Place 3 Campos, Council Place 4 Orozco, Council Place 5 Bradshaw

The motion passed unanimously.

13. Requests from Members of City Council to Add Items to Future Agendas – Per Section 3.10 (A) of the City of Leon Valley’s Code of Ordinances, at a meeting of City Council, a member of City Council may place an item on an agenda by making a motion to place the item on a future agenda and receiving a second. No discussion shall occur at the meeting regarding the placement of the item on a future agenda.

Mayor Chris Riley requested an itemized Seneca West Drainage Project report be added to the next City Manager Report.

14. Adjournment

Mayor Riley announced that the meeting adjourned at 10:03 PM

These minutes approved by the Leon Valley City Council on the 21st of November, 2023.

APPROVED

CHRIS RILEY
MAYOR

ATTEST:

SAUNDRA PASSAILAIGUE, TRMC
CITY SECRETARY