

MINUTES
REGULAR MEETING
HELOTES CITY COUNCIL
January 13, 2022

The City of Helotes City Council met for a regular meeting on Thursday, January 13, 2022, at 7:00 p.m. in the City Hall Council Chamber, 12951 Bandera Road, Helotes, Texas. This was an open meeting, subject to the open meeting laws of the State of Texas.

Present: Rich Whitehead, Mayor
Craig Sanders
Linda Salazar
Matthew McCrossen
Cynthia Massey
Matthew Merchant

Staff Present: Marian Mendoza, City Administrator
Celina Perez, City Secretary
Michael Gallardo, DS Coordinator

1. Call to Order.

Mayor Whitehead called the meeting to order at 7:00 p.m. Dale Whitehead (Mayor Whitehead's father) led the invocation. Mayor Whitehead led the pledge to the U.S. flag and the Texas flag.

OPEN SESSION:

2. Citizens to be Heard.

No one signed up to speak.

CONSENT AGENDA (ITEM NOS. 3 - 4): All items marked with an asterisk (**) on the consent agenda were voted on by one motion. Motion was made by Council Member Sanders, second by Council Member Massey, to approve items 3 and 4 on the consent agenda. Motion to approve carried unanimously.

3.* Approval of the minutes of the Regular Meeting dated December 9, 2021. (Staff)

4.* Acceptance of the resignation of Richard Hawk from the City of Helotes Planning & Zoning Commission, Place Two. (Commissioner Hawk)

PRESENTATION:

5. Update on the Helotes Creek Gravity Main and Lift Station #246 Elimination Project by San Antonio Water System (SAWS).

Providing an update on this item was Steven Thai, representative of BGE Inc., the engineering consultant on this project. The purpose of the Helotes Creek Gravity Main and Lift Station #246 Elimination Project by San Antonio Water System (SAWS) is to rebuild sewer infrastructure. The first segment of the project will eliminate Lift Station #246 (the San Antonio Ranch Lift Station),

near Jericho Road, and gravity sewer will be installed. The second segment of the project will allow waste water flows to bypass Lift Station #233 (the Iron Horse Lift Station), which will alleviate capacity concerns. The third segment of the project will reroute an existing gravity main to ensure the Church of Latter Day Saints maintains service. Currently, BGE and SAWS are finalizing construction plans. The bid process is slated to occur January 2022 - June 2022. Project construction is scheduled for June 2022 – January 2024. (*Note - A copy of the project presentation is available for public viewing on the city website, under Item No. 5 of this Agenda.)

ITEMS FOR INDIVIDUAL CONSIDERATION:

6. **Discussion of and action on a request by Dr. Laurie A. Hightower, PHD, for approval of a wall sign pursuant to Municipal Code of Ordinances Chapter 98 Zoning, Section 98-72 Old Town Helotes Special District, subparagraph (g)(6) (b)(2) Commercial Signs: Projecting, Wall, Hanging, or In/On Windows for TorreAlta Behavioral Health, LLC, located at 14893 Bandera Road, Suite 5A, Helotes, Texas 78023, more particularly described as BCAD Property ID No. 242125. (Applicant)**

(Note: On January 4, 2022, the Planning & Zoning Commission recommended approval of the above wall sign for TorreAlta Behavioral Health, LLC.)

Motion was made by Council Member Merchant, second by Council Member Salazar, to discuss and act on this item as written.

Motion to approve the item as presented carried unanimously.

7. **Discussion of and action on an Ordinance of the City Council of the City of Helotes, Texas amending FYE 2022 Municipal Fee Schedule, Section C Building Fees, by adding Generator Permit as a permit type and setting the permit fee at \$200.00. (Staff)**

Motion was made by Council Member Massey, second by Council Member Sanders, to discuss and act on this item as written.

Speaking on this item was Michael Gallardo, Development Services Coordinator. Since Winter Storm Uri in February 2021, Development Services has received an increase of requests from residents wanting to install a standby home generator. Adding the home generator permit to the fee schedule will allow Development Services to streamline the permit application and trigger a thorough plan review of the generator specifications. The proposed permit fee is a flat rate of \$200.00 and includes the electrical trade, plumbing trade, building official review, administrative support, and one inspection. Staff did not locate any cities in the general vicinity that have a standby home generator permit in place, but did locate Texas cities further north, whereas the permit fee starts roughly at \$400.00.

Council Member Massey noted it was important to be specific and suggested rewording the permit name on the fee schedule to read Standby Home Generator Permit, instead of Generator Permit. Although identified in the ordinance as Standby Home Generator, someone may not access the ordinance, and instead go straight to the fee schedule.

Motion to amend was made by Council Member Massey to approve this item, with the condition of rewording the permit name on the FYE 2022 Municipal Fee Schedule to read Item L *Standby Home Generator Permit*. The amended motion was seconded by Council Member Sanders.

Amended motion carried unanimously.

8. Discussion of and action on a Resolution of the City Council of the City of Helotes, Texas approving the allocation of emergency funding from the 2021 American Rescue Plan Act, a federal stimulus bill to aid public health and economic recovery from the novel coronavirus (COVID-19) pandemic. (Staff)

Motion was made by Council Member McCrossen, second by Council Member Sanders, to discuss and act on this item as written.

Mayor Whitehead advised the federal government passed an economic stimulus bill called the American Rescue Plan Act ("ARPA"). The purpose of this rescue plan is to aid state, local, territorial, and tribal governments with public health and economic recovery from the coronavirus (COVID-19) pandemic. The City of Helotes will receive a total funding of \$2,468,196.00. This amount will be delivered in two equal disbursements, or tranches, of \$1,234,098.00 per tranche. There are seven categories outlined in the ARPA where funds can be spent. The projects must meet category eligibility requirements. Staff recommends allocating the funds of the First Tranche Disbursement amongst the six categories identified in Addendum A, attached hereto.

Marian Mendoza, City Administrator, added, the projects listed in Addendum A were verified for eligibility. In developing the project list, Staff had to take into account the census track of Helotes and utilize a revenue loss formula, as prescribed by the federal government. Due to these requirements, some of the initial proposed projects did not qualify. It is important to note that the project amounts are estimates and not exact amounts (Staff will have to acquire quotes/bids). Any other projects to be proposed under the first disbursement will be brought back to Council for approval. Projects for the Second Tranche Disbursement have not been identified at this time. Funding release for the second disbursement will happen April – July 2022.

During discussion, Council Member McCrossen and Merchant both expressed reluctance to move forward with this item and felt more time was needed for review. Additionally, they voiced that the project listing should be publicly accessible. On the contrary, Council Member Massey had no objections in taking action on this item, citing that Staff had done their due diligence and knew the needs of the city.

Mayor Whitehead reiterated the ARPA has seven specific categories with strict eligibility requirements. The projects brought forth by Staff for the First Tranche Disbursement meet the category funding requirements. The same projects being discussed were included on the city website, under Item No. 8 of this Agenda. Again, the funding being discussed is federal grant money, and not money from the city's local tax base. Mayor Whitehead concluded by stating a Council workshop could be held to discuss projects for the Second Tranche Disbursement.

The majority of Council were in favor of holding a workshop, in which they could provide Staff with more input on projects for the Second Tranche Disbursement. There being no further comments, Mayor Whitehead called the question.

Motion to approve the item as presented carried unanimously.

MAYORS REPORT:

- 9. Update on the Joint Use Agreement between Kenneth and Mary Sue Dempsey and the City of Helotes for the setup, production, and teardown of the *MarketPlace at Old Town Helotes*; and whereas, on June 24, 2021, Council authorized the Mayor to negotiate and execute said Agreement. (Mayor)**

Mayor Whitehead reported the amended Joint Use Agreement with Kenneth and Mary Sue Dempsey for the setup, production, and teardown of the *MarketPlace at Old Town Helotes* had not been signed by the Dempsey's. The amended agreement was approved by Council on June 24, 2021. Mayor Whitehead did not understand why the Dempsey's had not signed and explained their lack of execution prevented the city from issuing monthly payment of \$1,000.00 for use of the property. The agreement can not remain open and has been revoked. The previous agreement remains in place and *MarketPlace* will not be affected. Mayor Whitehead recognized the amicable relationship between the city and the Dempsey's, and looks forward to renegotiations.

Adjourn

With no more business to come before Council, Mayor Whitehead adjourned the meeting at 8:17 p.m.



Rich Whitehead, Mayor

ATTEST:



Celina Perez, City Secretary



**AMERICAN RESCUE PLAN ACT
FIRST TRANCHE DISBURSEMENT**

- **Category No. 1: Support Public Health Expenditures - \$220,000.00**
 - All qualified shift personnel overtime from March 3, 2021 - \$65,000.00
 - This is an estimate of overtime already expended and amount to be expended for 2022.
 - Improve building ventilation for Fire/EMS Station and City Hall. These are the only two buildings that qualify under these funds - \$70,000
 - Fire/EMS qualifies as a public safety facility and City Hall qualifies being a public gathering facility.
 - Amount is an estimate of assessment and improvements needed in both buildings.
 - COVID supplies for employees – this includes testing kits, mask, gloves, medical supplies, etc. - \$20,000
 - The City was able to purchase supplies last year through a COVID grant and received free supplies from STRAC but with high-demand STRAC is no longer providing supplies. This is a cost estimate to provide supplies through 2022.
 - Public Safety data/radio system - \$66,000
 - Completion of radio system upgrade needed/required to become in compliance with P25 requirements
 - Firehouse data software upgrade required due to change in software – going to cloud-base
 - Installation of Mobile Device Terminals (MDTs) in all 4 Fire/EMS units
- **Category No. 2: Address Negative Economic Impact Caused by Public Health Emergency - \$350,000.00**
 - Park improvements (both parks) to include equipment, fencing, mulch, and landscaping - \$100,000.00
 - Installation of permanent Restrooms at both parks - \$250,000
 - Currently have port-o-potties at each location
 - Cost estimate of pre-fabricated restrooms, sewer and waterline installation.
- **Category No. 4: Provide Premium Pay for Essential Workers - \$45,000.00**
 - Compensation for all shift personnel and three to four administration employees. The final amount has not been determined. Staff is recommending a two-tier approach. For Police, Fire/EMS and Dispatch – Tier 1 at \$2,000 and for PW – Tier 2 at \$1,000. During the month of May City Hall was closed and staff was given two weeks off to “slow down the curve”.

- All of Admin staff, Court and Development Services with the exception of the Finance Director and City Administrator were sent home for two weeks.
 - Public Works staff split their shift – so half were sent home for a week and the other the next working as skeleton crew each week.
 - Animal Control/Code Enforcement came back after one-week due to the demand/need of services.
 - Police, Dispatch and Fire worked full shift as all times.
 - During the last two weeks of May – Admin staff worked remotely except Finance Director and City Administrator, Court and Development Services split staff due to close working space and worked on a skeleton crew. PW came back fully staffed.
 - Administration staff is the admin staff of the depts. listed for recommendation for premium pay. We will need to see who qualifies due to the regulations put in place for this funding.
- **Category No. 5: Invest in Broadband Infrastructure - This is just a cost estimate - Could be significantly lower. Need to get pricing from Texas Department of Information Services (DIR) - \$250,000.00**
 - Bring dedicated fiber into facility D-Marc located in the Police Dept. Building (this is where the main fiber enters into the City Complex and then is distributed out to the other building within the complex) and Wi-Fi for public usage at the Park on the City campus.
 - Being able to provide a public wi-fi to the park located next to the police dept allows us to also bring in this dedicated fiber that can be utilized by the city complex. The City does not have a dedicated fiber line coming into its complex and with the growth of software, cloud-base programs and computers we have outgrown the current business shared bandwidth causing us to loss internet and server connection several times a day. This causes disruption to city services to our citizens and public safety.
- **Category No. 6: Revenue Loss Replacement - \$364,098.00**
 - All items below qualify under the revenue loss category
 - Wood Chipper - \$20,000.00
 - This was on the budget “wish list” but was not placed in the capital budget at the time. This would be beneficial to both the City and community to prevent excess accumulation of tree trimming debris in the rear of City Hall allowing for PW to be able to assist in collecting more brush during emergency storm situations. Equipment will also help save on disposal fees from C6 by eliminating the possible of exceeding square yardage limit.
 - Install fence around the dumpster area - \$25,000.00
 - This was on the budget “wish list” but was not placed in the capital budget at time. It would assist in preventing illegal dumping at City Hall.
 - Purchase two Police Department Vehicles - \$70,000.00
 - Replacement of 2 Patrol Vehicles to include install of equipment and graphics

- Public Safety body worn and Patrol camera system - \$90,000
 - The Police Dept just received notification that the current system that was approved and purchased in 2019 will no longer be serviced once the warranty expires in 2 years. They are downsizing their business. We will need to start looking and planning for another system. Staff is recommending to earmark the funds as we do the research to purchase and transition to another camera system. Having this system is a requirement.
- Cybersecurity - \$68,000.00
 - Replacement of the City Backup System – we have hit capacity and need to increase size and update system that is over 10 years old – amount includes hardware/software and 3 years of service maintenance and offsite backup - \$36,000
 - Replacement of 3 networks switches – all reaching end of life this year which causes vulnerabilities in our Firewall - \$14,000
 - Wi-Fi Access Point -\$18,000
 - Secure access point allowing control over City Wi-Fi – currently we have several vulnerabilities for hackers – using mix-match routers with no hidden ports. This will allow a hidden secure Wi-Fi and limited/timed Guest Access.
 - Replacement Fire/EMS water heater – this item just came up this week. One water heater completely went out and the other one is leaking. Currently getting quotes for replacement.
- Other items to be determined – rest of the funds
- **Category No. 7: Administrative Costs - \$5,000.00**
 - Bank Fees
 - Attorney Fees