

MINUTES  
REGULAR MEETING  
HELOTES CITY COUNCIL  
March 10, 2022

The City of Helotes City Council met for a regular meeting on Thursday, March 10, 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  
Joshua Mair, Public Works Director  
Donnie Palacios, Police Sergeant  
Eric Noble, Police Officer

**1. Call to Order.**

Mayor Whitehead called the meeting to order at 7:00 p.m. Council Member Massey led the invocation. Mayor Whitehead led the pledge to the U.S. flag and the Texas flag.

OPEN SESSION:

**2. Citizens to be Heard.**

Johnathan McCord acknowledged the City's efforts thus far, in trying to keep the streets of Beverly Hills Subdivision as light, neighborhood traffic and not a main thoroughfare. Most recently, the the developer of Bricewood Subdivision, Unit-6, agreed to install an emergency access gate on Paloma Drive. Moving forward, Davis Ranch Subdivision would like to use the streets in Beverly Hills Subdivision as ingress/egress. The residents of Beverly Hills understand this matter is outside of the City's jurisdiction, but appreciate everything Council is doing.

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 Salazar, 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 February 24, 2022. (Staff)**

**4.\* Approval of the Fiscal Year Ending (FYE) 2022 City of Helotes Revenue and Expense, Balance Sheet, and Encumbrance Reports dated March 3, 2022. (Staff)**

MAYOR'S REPORT:

**5. Updates on the following: (Mayor Whitehead)**

- **Update on the revised Joint Use Agreement regarding *MarketPlace at Old Town Helotes*.**
- **Registration for the 55<sup>th</sup> Annual Helotes Cornyval Parade being held on Saturday, April 30, 2022; and**
- **Recognition of Helotes Police Department Sgt. Donnie Palacios and Officer Eric Noble.**

Mayor Whitehead reported the Joint Use Agreement for the production of *MarketPlace* was executed by both parties (the City and managing members Kenneth and Mary Sue Dempsey). As approved by Council on February 24, 2022, a use fee of \$1,500.00 will be paid monthly to the managing members. Next, registration is open for the 55<sup>th</sup> Annual Cornyval Parade being held on Saturday, April 30, 2022. Help with parade registration is available at City Hall and registration can be done on the City website. In closing, Mayor Whitehead recognized Helotes Police Department Sergeant Donnie Palacios and Officer Eric Noble for performing life saving measures (human and animal) in response to a house fire on February 19, 2022. Both officers were presented with an *Award of Valor* for going above and beyond to protect and serve the Helotes community.

ITEMS FOR INDIVIDUAL CONSIDERATION:

**6. Discussion of and action on the Fiscal Year Ending (FYE) 2021 Annual Comprehensive Financial Report (ACFR) for the City of Helotes and the City of Helotes Economic Development Corporation. (Armstrong, Vaughan, & Associates, P.C., City Auditor)**

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

Kim Roach, CPA with Armstrong, Vaughan, & Associates, P.C., presented a financial report summary on the audit for fiscal year ended September 30, 2021. Kim reported on required audit communications and provided financial data on the general fund balance. It was pointed out that the FYE 2020 Audit was submitted to the Government Finance Officers Association (GFOA) and received, for the first time, an award for Certificate of Achievement for Excellence in Financial Reporting. City management intends to submit the FYE 2021 Audit to the GFOA as well. Another highlight was the City's unrestricted general fund balance increase from 3.2 months to 5.6 months, or a fund balance increase of \$1.3 million. The GFOA recommends maintaining a 2 to 5 month level of unrestricted fund balance to mitigate against future risks. Kim concluded by stating the audit received an unmodified opinion, which is the best opinion an audit can receive. An unmodified opinion states that the financial statements are presented fairly and in conformity with the Governmental Accounting Standards Board (GASB). There were also no findings/suggestions for improvement.

Motion to accept the Fiscal Year Ending (FYE) 2021 Annual Comprehensive Financial Report (ACFR) for the City of Helotes and the City of Helotes Economic Development Corporation as presented carried unanimously.

**7. Discussion of and action on a Resolution of the City Council of the City of Helotes, Texas approving a Solid Waste and Recycle Services Contract between the City of Helotes and C6 Disposal Systems, Inc., for a primary term of five (5) years, with an option to extend for one (1) additional year term; and authorizing the Mayor to negotiate and execute a Contract for said services. (Staff)**

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

Mayor Whitehead provided background information on this item. The City's current contract for solid waste services is set to expire on May 24, 2022. On January 3, 2022, a Request for Proposal (RFP) Notice was issued, seeking offers from qualified contractors to provide municipal solid waste and recycling services exclusively to the City of Helotes. Specifically, the RFP required the contractor to provide residential, commercial, roll-off, bulk/brush, recycling, and city services. The RFP submission deadline was on Monday, February 7, 2022 at 2:00 p.m. The City received proposals from Tiger Sanitation, Texas Disposal, C6 Disposal Systems, Inc., Frontier Waste Solutions, and Central Waste & Recycling, LLC. An Evaluation Committee consisting of the Mayor, City Administrator, City Secretary, and Public Works Director scored the proposals. The two highest rated proposers were interviewed by the Evaluation Committee and then re-scored. The Evaluation Committee recommends award of contract to C6 Disposal Systems, Inc. with the service selection of Alternate #2 - Residential Bulk Trash and Brush Collection. This service selection provides the following:

- Residential solid waste collection of a 96 gallon cart, plus up to 4 additional items (bags, boxes, or bundles of brush) twice a week;
- Residential recycling collection of a 96 gallon cart once a week;
- Residential bulk collection, alternating months, six times a year per household;
- Residential brush collection, alternating months, six times a year per household;
- Residential Household Hazardous Waste and Electronics collection annually by City; and
- Commercial and Roll-Off services as indicated on the Rate Schedule included in the Agenda Packet.

Council discussed the above-mentioned service selection in detail. The bulk and brush collection services will require residents to call in and pre-schedule pick up. Staff will take the lead in educating and sending reminders to residents regarding this new on-call process. An estimated cost of the new residential services, including tax/franchise fees, will total approximately \$30.07 per month (\$25.26 per month base price for residential services and \$1.20 per month for household hazardous waste collection). Residents over the age of 65 will still receive a five percent (5%) senior citizen discount, so long as the customer is the verified property owner per Bexar County Appraisal District. It was pointed out that having an exclusive contract and one type of service plan provides lower rates for the residential community at large. Final comments were on service rate increases. Fuel surcharges are automatic, and can fluctuate, depending on global situations. Service rates exceeding the percentage stipulated in the new Agreement will need to come before Council for approval.

Motion to approve authorizing the Mayor to negotiate a new contract with C6 Disposal Systems, Inc., for a primary term of five (5) years, with an option to extend for one (1) additional year term, carried unanimously.

- 8. Discussion of and action on a Resolution of the City Council of the City of Helotes, Texas authorizing the closure of portions of Bandera (S.H. 16), Old Bandera, and Scenic Loop Roads during certain hours for the pass through of L'Étape San Antonio by Tour De France, a ride and race cycling event scheduled to be held on April 10, 2022. (Staff)**

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

Discussion included the L'Étape San Antonio cycling event is scheduled to pass through the *Old Town Helotes District* on Sunday, April 10, 2022. Before seeking approval from Texas Department of Transportation (TxDOT) for temporary closure of a state owned road (S.H. 16), the event organizer must first receive authorization from the City through resolution. The event organizer will be responsible for all event costs, including traffic control. It was noted that the cycling event is contingent on TxDOT's approval.

Motion to approve the item as presented carried unanimously.

- 9. Discussion of and action on an Ordinance of the City Council of the City of Helotes, Texas amending portions of Municipal Code of Ordinances Chapter 34 *Environment*, Article III *Outdoor Lighting* and Chapter 66 *Signs* to reinstate the Planning & Zoning Commission as the final authority body on exterior lighting and signage for commercial development. (Staff)**

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

Council was in unified agreement to reinstate the Planning & Zoning Commission as the final authority body on commercial exterior lighting and signs that meet Code. The Commission will continue to provide recommendations on all variance requests, conceptual design plans, and subdivision plats. Such recommendations will then go to Council for final action.

Motion to approve the item as presented carried unanimously.

Mayor Whitehead read the caption below and adjourned into closed session at 8:09 p.m.

CLOSED SESSION:

- 10. Closed Session in accordance with Texas Government Code §551.074 *Personnel Matters*. In addition to the matters listed below, any matter scheduled for Open Session may be discussed in Closed Session, as appropriate and authorized by law:**
- **§551.074 *Personnel Matters* – Discuss the candidate qualifications for the position of City of Helotes Economic Development Corporation Executive Director.**

Mayor Whitehead convened the meeting into open session at 8:37 p.m. and announced no action had been taken in closed session.

ITEMS FOR INDIVIDUAL CONSIDERATION:

11. Discussion of and action on two (2) Resolutions of the City Council of the City of Helotes, Texas amending the City of Helotes Economic Development Corporation Bylaws and the Articles of Incorporation as follows:
- a. A Resolution authorizing Amendment No. 3 to the City of Helotes Economic Development Corporation Bylaws, Article Three *Officers and Corporate Officials* by revising Section 3.6 *Ex Officio Representative of the Board* and adding Section 3.6.1 *Executive Director*, to establish the City Administrator as an Ex Officio Representative of the EDC Board of Directors; and
  - b. A Resolution authorizing an amendment to the City of Helotes Economic Development Corporation Articles of Incorporation, Article Ten *Board of Directors*, Subparagraph (d), by removing the City Administrator as Executive Director of the EDC. (City of Helotes EDC Board of Directors)

**Item No. 11a** - Motion was made by Council Member McCrossen, second by Council Member Sanders, to discuss and act on Item 11a as written.

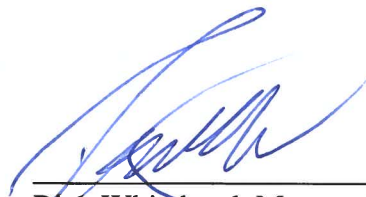
Motion to approve Item 11a as presented carried unanimously.

**Item No. 11b** - Motion was made by Council Member McCrossen, second by Council Member Sanders, to discuss and act on Item 11b as written.

Motion to approve Item 11b as presented carried unanimously.

**Adjourn**

With no more business to come before Council, Mayor Whitehead adjourned the meeting at 8:40 p.m.

  
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Rich Whitehead, Mayor

ATTEST:

  
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Celina Perez, City Secretary

