

MINUTES
REGULAR MEETING
HELOTES CITY COUNCIL
July 28, 2022

The City of Helotes City Council met for a regular meeting on Thursday, July 28, 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
Jen Sones
Matthew McCrossen
Cynthia Massey
Matthew Merchant

Staff Present: Marian Mendoza, City Administrator
Celina Perez, City Secretary
Frank Garza, City Attorney
Dustin Blaschke, Animal Control
Glenn Goolsby, HEDC Interim Executive Director

1. Call to Order.

Mayor Whitehead called the meeting to order at 7:05 p.m. Council Member Merchant led the invocation. Mayor Whitehead led the pledge to the U.S. flag and the Texas flag.

OPEN SESSION:

2. Citizens to be Heard.

Eduardo Rizo spoke about noise (music) issues with a neighbor and had questions on the noise ordinance.

Terry Gray and Rachel Pine expressed concerns on the plat for Bricewood Subdivision Unit-5. Concerns included tree preservation and having adequate privacy fencing between Bricewood Subdivision Unit-5 and Beverly Hills Subdivision.

CONSENT AGENDA (ITEM NOS. 3 - 10): 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 Merchant, to approve items 3 through 10 on the consent agenda. Motion to approve carried unanimously by those present.

3.* Approval of the minutes of the Regular Meeting dated July 14, 2022. (Staff)

4.* Approval of the Quarterly Investment Reports for the City of Helotes and the City of Helotes Economic Development Corporation (HEDC) for the quarter ending June 2022. (Staff)

- 5.* **Approval of a final plat pursuant to Municipal Code of Ordinances Chapter 78 *Subdivisions*, establishing Leslie AP, being a 2.4653-acre tract out of the S.A. & M.G.R.R. Survey No. 415, Abstract 716, County Block 4478 and also being out of the JNR Enterprises, Inc. 7.946-acres described in Document No. 20190014929, of the Official Public Records of Bexar County, Texas. (Applicant)**
- 6.* **Approval of a final plat pursuant to Municipal Code of Ordinances Chapter 78 *Subdivisions*, establishing QT 4022 Subdivision Plat, being a total of a 5.28-acre tract out of the John M. Ross Survey No. 223, Abstract 645, County Block 45242 and recorded in Volume 15756, Page 1094, of the Official Public Records of Bexar County, Texas. (Applicant)**
- 7.* **Approval of a Stormwater Management Plan pursuant to Municipal Code of Ordinances Chapter 34 *Environment*, Article IV *Stormwater Detention and Drainage*, for QuikTrip No. 4022, a convenience store and automobile filling station, located on a 1.65 acre site identified as QT 4022 Subdivision, Lot 1. (Applicant)**
- 8.* **Approval of a Traffic Impact Analysis pursuant to Municipal Code of Ordinances Chapter 78 *Subdivisions*, Article II *Subdivision Regulations*, for QuikTrip No. 4022, a convenience store and automobile filling station, located on a 1.65 acre site identified as QT 4022 Subdivision, Lot 1. (Applicant)**
- 9.* **Approval of a final plat pursuant to Municipal Code of Ordinances Chapter 78 *Subdivisions*, establishing Rocking Umlaut, being a 1.000-acre tract of land and a 1.992-acre tract of land out of the Comanche Creek Irrigation Company Survey No. 355, Abstract 172, County Block 4525, and recorded in a deed as Document No. 20180207562, of the Official Public Records of Bexar County, Texas. (Applicant)**
- 10.* **Approval of a Stormwater Management Plan pursuant to Municipal Code of Ordinances Chapter 34 *Environment*, Article IV *Stormwater Detention and Drainage*, for Rocking Umlaut Subdivision, being a 1.000-acre tract of land and a 1.992-acre tract of land out of the Comanche Creek Irrigation Company Survey No. 355, Abstract 172, County Block 4525, and recorded in a deed as Document No. 20180207562, of the Official Public Records of Bexar County, Texas. (Applicant)**

MAYOR'S REPORT:

11. **Updates on the following: (Mayor)**
 - **Recognition of Helotes Municipal Court, recipient of the 2022 Municipal Traffic Safety Initiative Award; and**
 - **Update of Solid Waste Services with C6 Disposal Systems, Inc.**

Mayor Whitehead congratulated Helotes Municipal Court for receiving the 2022 Municipal Traffic Safety Initiative Award in the low volume court category. Marian Mendoza, City Administrator, explained Helotes Municipal Court received the award for demonstrating excellence in impaired driving prevention. Next, Mayor Whitehead gave an update on the new solid waste services

City Council Regular Meeting
July 28, 2022

contract with C6 Disposal Systems, Inc. Major changes are to bulk and brush collection for residents. Pick up will be six times a year for each, on an alternating month schedule. Pick ups are to be scheduled at the request of the resident. Pick up schedules and FAQ's about the new solid waste services are on the city website. A special edition of *Message from the Mayor* with Jorge Cantu, President of C6 Disposal Systems, Inc, will also be published soon. The video message will address how the City arrived at a new solid waste contract through competitive bidding, fuel cost increases, and general service changes, including the household hazardous waste collection to be hosted by the City.

ITEMS FOR INDIVIDUAL CONSIDERATION:

- 12. Discussion of and action on the nomination of City Administrator Marian V. Mendoza to the Texas Municipal League (TML) Intergovernmental Risk Pool Board of Trustees, Place 8. (Staff)**

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

Motion to approve the item as written carried unanimously.

- 13. Discussion of and action on approving an Animal Care Services Agreement extension between the City of Helotes and De Zavala – Shavano Veterinary Clinic for a successive one (1) year extension term commencing on September 1, 2022, and terminating on August 31, 2023, pursuant to Resolution No. 21-016, Exhibit A, Section II *Term*; and authorizing the Mayor to execute said extension. (Staff)**

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

Council Member Massey was uneasy about the clinic's increased schedule of fees. Dustin Blaschke, Animal Control, reported animal control activity had increased in the City, most recently with what he believed to be pet abandonments. He further added that Staff had looked at other clinic's in the past and De Zavala – Shavano was, and still is, the best selection.

Motion to approve the item as written carried: 4 Ayes – Council Member Sanders, Council Member Sones, Council Member McCrossen, and Council Member Merchant; 1 Nay – Council Member Massey.

- 14. 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 Massey, second by Council Member Sanders, to discuss and act on this item as written.

Motion to approve the item as written carried unanimously.

- 15. Discussion of and action on a Resolution of the City Council of the City of Helotes, Texas, approving an Agreement between the City of Helotes and Helotes Economic Development Corporation (HEDC) to assist with the repayment of debt services related to projects associated with the 2015 Certificate of Obligation; and authorizing the Mayor to negotiate and execute said agreement. (HEDC)**

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

Glenn Goolsby, HEDC Interim Executive Director, presented a debt reduction proposal. The HEDC understands the financial strain the City faces with a growing community and determined the best way to assist was to transfer funds to the City to pay the debt service balance of the 2015 Certificate of Obligation. The remaining balance of the debt service is approximately \$3.9 million, thru 2035. The HEDC proposes to remit \$325,000.00 to the City each year in October, for 12 years. In return, the City would transfer future sewer pro-rata refund fees associated with the State Highway 16 (Bandera Road) sewer line extension to the HEDC, which would be used to assist with business development. The sewer line extension project was roughly from Circle A Trail to Scenic Loop Road. There is a 10 year limit to use the sewer pro-rata refund fees. The City is already 3 years in, leaving 7 years to use the sewer fees. The estimated amount of sewer pro-rata refund fees to be transferred to HEDC is \$700,000.000. If this proposal is approved by Council, it would allow for the Mayor to negotiate the terms and conditions of an agreement. The agreement would then be presented to the HEDC Board for approval. Once approved, the HEDC would need to hold a public hearing on the debt reduction project. Glenn concluded by stating this proposed agreement would not affect the HEDC's ability to pay the City for continued management services, nor would it affect their economic support of the *Cornyval Parade*, *Christmas Parade*, and *MarketPlace*.

Council agreed this proposal was in the best interest of the City and applauded the HEDC Board for "thinking outside the box".

Motion to approve the item as written carried unanimously.

- 16. Second and Final Reading, and action on an Ordinance of the City Council of the City of Helotes, Texas amending Municipal Code of Ordinances Chapter 18 *Buildings and Building Regulations* by adding Article VI *Substandard Buildings* to enact regulations for substandard, unsecured, or dangerous buildings or structures. (Staff)**

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

Motion to approve the item as written carried unanimously.

- 17. Discussion of and action on an Ordinance of the City Council of the City of Helotes, Texas ordering a Special Election to be held on Tuesday, November 8, 2022, on a proposition to increase the City's general purpose sales and use tax rate from 1.00% to 1.25% to continue providing revenue for the City's general sales and use tax revenue fund, as imposed under sections 321.101(a) and 321.103(a) of the Texas Tax Code; and authorizing the Mayor to execute and agreement for election services with Bexar County Elections Department. (Mayor)**

City Council Regular Meeting
July 28, 2022

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

Council Member McCrossen believed the ballot proposition to increase the sales and use tax rate would not pass again. Council Member Massey echoed the same, adding it was the wrong time to call this special election. The remainder of Council were steadfast in holding a special election. They maintained the additional sales tax funding into the general fund was needed for the betterment of the City, including, but not limited to, the hiring of additional police officers.

Motion to approve the item as written carried: 3 Ayes – Council Member Sanders, Council Member Sones, and Council Member Merchant; 2 Nays – Council Member McCrossen and Council Member Massey.

Mayor Whitehead read the caption below and adjourned into closed session at 9:03 p.m.

CLOSED SESSION:

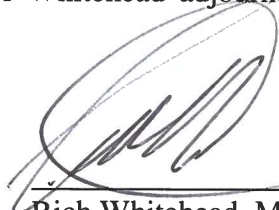
18. Closed Session in accordance with Texas Government Code §551.074 *Personnel Matters*. In addition to the matters listed below, any matter scheduled for Open Session may be discussed in Closed Session, as appropriate and authorized by law:

- **§551.074 *Personnel Matters* - To discuss the appointment of public officers on City of Helotes Municipal Boards and Commissions.**

Mayor Whitehead convened the meeting into open session at 9:23 p.m. and announced no action had been taken in closed session.

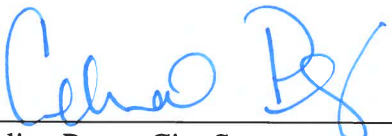
Adjourn

With no more business to come before Council, Mayor Whitehead adjourned the meeting at 9:23 p.m.



Rich Whitehead, Mayor

ATTEST:



Celina Perez, City Secretary