

MINUTES  
REGULAR MEETING  
HELOTES CITY COUNCIL  
August 8, 2024

The City of Helotes City Council met for a regular meeting on Thursday, August 8, 2024, 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  
Dave Cato  
Sabrina McGowan  
Matthew Merchant

Staff Present: Celina Perez, City Secretary  
Frank Garza, City Attorney

**1. Call to Order.**

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

**PUBLIC HEARING:**

- 2. Public Hearing to give all interested persons the right to appear and be heard on a request by Las Palapas Mexican Restaurant for a specific use permit to authorize a drive-thru facility service located at 14924 Scenic Loop Road, Helotes, Texas 78023, near its intersection with Bandera Road, on property zoned Neighborhood Service District (B2), and identified as BCAD Property ID No. 1395816.**

Mayor Whitehead opened the public hearing at 7:02 p.m.

No one signed up to speak.

Mayor Whitehead closed the public hearing at 7:02 p.m.

**OPEN SESSION:**

**3. Citizens to be Heard.**

Tammy Pointon, Helotes Country Club, spoke on various topics. The first was receiving an email for a violation for charging parking at her establishment; however, she stated they do not charge customers for parking and would not appear in court because she had not received a certified letter. She inquired about the poll done by Helotes News that supported extending MarketPlace to the area located north of the bridge. Next, she believed the Code Compliance Officer working after hours at a competitor bar was a conflict of interest. Finally, she inquired about City employees texting and driving.

CONSENT AGENDA: 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 Cato, to approve Items 4 and 5 on the consent agenda. Motion to approve carried unanimously by those present.

- 4.\* Approval of the minutes of the Budget Workshop dated July 10, 2024 and the Regular Meeting dated July 11, 2024. (Staff)**
  
- 5.\* Approval of a Resolution of the City Council of the City of Helotes, Texas designating Marian V. Mendoza, City Administrator, and Daniel Rodriguez, Finance Director, as the Investment Officers for the City of Helotes for Fiscal Year Ending (FYE) 2024. (Staff)**

MAYOR'S REPORT:

- 6. Updates on the following:**
  - **TxDOT improvements; and**
  - **Household Hazardous Waste Collection Event on Saturday, September 7, 2024, from 8 AM – 4 PM (or until capacity is met), for Helotes residents; and**
  - **Helotes Music Night on Friday, September 20, 2024, from 7 – 9 PM, featuring the Helotes Area Community Band.**

Mayor Whitehead reported pavement work will happen on S.H. 16 (Bandera Road) with the goal of being done by August 19, 2024. Again, punch list items will continue until the end of the month. Lastly, Mayor Whitehead announced the abovementioned events hosted by the City.

ITEMS FOR INDIVIDUAL CONSIDERATION:

- 7. Discussion of and action on a request by Las Palapas Mexican Restaurant for a specific use permit authorizing a drive-thru facility service located at 14924 Scenic Loop Road, Helotes, Texas 78023, near its intersection with Bandera Road, on property zoned Neighborhood Service District (B2), and identified as BCAD Property ID No. 1395816. (Applicant)**

(Note: On August 6, 2024, the Planning & Zoning Commission recommended denial of the specific use permit for the drive-thru service at Las Palapas Mexican Restaurant.)

Motion was made by Council Member Merchant to table this item until the next City Council Meeting so that he could have an opportunity to speak to the individuals that spoke about this item at the Planning & Zoning Commission (on August 6, 2024) and he believed it was unfair to hold both public hearings in the same week. Hearing no second, Mayor Whitehead announced the motion died.

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

Speaking on this item were Boots Field, the General Contractor, and Alvin Peters, AP Architects. A revised site plan has been created that reduces the parking spaces to about 86, from what was initially presented (on July 11, 2024). An 8-foot opaque fence will be installed to mitigate noise. The Helotes site is owned by a different franchisee and will not operate for 24 hours. Peak periods are expected between 6:30 – 7:30 a.m., at lunch, and between 6:30 – 7:30 p.m., with about 50 to 60 cars per period. In closing, Alvin stated he had an opportunity to chat with the individuals who spoke at the Planning & Zoning Commission.

Motion to approve the item as written carried unanimously.

**8. Presentation of and discussion on the proposed FYE 2025 Municipal Operating Budget and the proposed Tax Year 2024 ad valorem (property) tax rate. (Mayor and Finance Director)**

Daniel Rodriguez, Finance Director, presented the proposed FYE 2025 Municipal Budget. The largest revenue source for the City is property tax, which is about 40% of the FYE 2025 General Fund Revenue. The proposed rate for Tax Year 2024 decreased to \$0.310000 per \$100 valuation. The Maintenance & Operations Rate (M&O) is \$0.270805, and the Interest & Sinking Rate (I&S) is \$0.039195. Helotes has one of the lowest property tax rates compared to neighboring cities. The second largest revenue source for the City is sales tax, which is about 35% of the FYE 2025 General Fund Revenue. Major changes in the budget are increased health care premiums and the absorption of the five employees hired through the American Rescue Plan Act (ARPA). Funding from ARPA was only available for fiscal years 2022, 2023, and 2024. Highlights of the budget are a 1% Cost of Living Adjustment (COLA), a 2% merit increase, continued city contribution of \$200 towards employees participating in family and child plans, continued employee program incentives for tuition reimbursement towards higher education classes in the employee's field of work, bilingual pay differential, and certification pay. General fund operational costs are upgrades to the City's IT system, equipment replacement for police, increased uniform allowance for police, City Hall building repairs, radio upgrades for public works, inflationary increases for fleet fuel and maintenance, and compensation increases for the municipal judges and prosecutor due to increased court volume. The FYE 2025 Municipal Budget proposes a revenue total of \$10,307,575, an expenditure total of \$10,180,697, working capital of \$126,878, a transfer to capital replacement of \$190,000, leaving an estimated fund balance of \$9,191,020. The proposed budget will be posted on the City website and available at City Hall for public viewing.

Mayor Whitehead provided further explanation. The City is waiting on open enrollment to determine how many employees will participate in health insurance. Currently, 72 of the 87 full-time employees participate in the City's health insurance. If this trend continues, Mayor Whitehead requested to allocate the surplus money from employees who don't sign up for health insurance to Cost of Living Adjustment (COLA), increasing it from 1% to 3%. This would be a new combined raise of 5% (3% COLA and 2% merit). There were no objections from the Council to this direction. The last item was on the months of reserve. In FYE 2025 the months of reserve are expected to fall to 10.83 months. Mayor Whitehead expressed the need to be diligent about monitoring the months of reserve for a city our size, not letting it fall to 2 months, but leveling off at 8 months.

**9. Discussion of and action on setting the proposed Tax Year 2024 ad valorem (property) tax rate by record vote for the notice and calling for a tax rate public hearing to be held, if necessary. (City Council)**

The proposed property tax rate for Tax Year 2024 decreased to \$0.310000 per \$100 valuation; however, the rate exceeds the no-new revenue rate of \$0.307683. As a result, the City is required to hold a public hearing. The official tax rate will be adopted at the regular City Council Meeting on September 26, 2024, at 7 p.m.

Motion was made by Council Member Merchant to set the proposed 2024 Property Tax Rate at \$0.310000 per \$100 valuation and call a public hearing to be held on September 12, 2024, at 7:00 p.m. Second by Council Member Cato.

There being no further discussion, Mayor Whitehead took a recorded vote. Recorded vote as follows:

AYES - Council Members Merchant, McGowan, Cato, Sones and Sanders;  
NAY - None;  
ABSTAIN - None; and  
ABSENT – None.

Motion to approve carried unanimously.

**10. Discussion of and action on calling for a public hearing to be held on Thursday, September 12, 2024, at 7:00 p.m. in the City Hall Council Chambers for the proposed FYE 2025 Municipal Operating Budget and the FYE 2025 City of Helotes Economic Development Corporation (HEDC) Operating Budget. (City Council)**

Motion was made by Council Member Sanders to set a public hearing on the proposed FYE 2025 Operating Budgets on September 12, 2024, at 7 p.m. Said budgets will be adopted at the regular City Council Meeting on September 26, 2024, at 7 p.m. Second by Council Member Sones.

Motion to approve carried unanimously.

**11. Discussion on the proposed FYE 2025 Municipal Fee Schedule. (Staff)**

Staff presented the FYE 2025 Municipal Fee Schedule. Proposed changes are due to inflation and housekeeping. The changes are in Section B *Animal Control* – 5% annual increase to boarding fees associated with De-Zavala Shavano Vet Clinic and in Section E *Municipal Court* – incorporating Municipal Code of Ordinances Section 70-42 *Duty of Tree Contractors*.

Council Members Sones requested to add a note in Section C5 *Food & Beverage Fees, e. Special Health Permit*, explaining that Helotes Market Place vendors in the farmers market who pre-package samples are not required to obtain a permit for sampling from the City of Helotes. This note will clear up any confusion.

Council Member Merchant requested to eliminate the requirement for citizens to register their pet in Section B *Animal Control Fees* and instead enforce micro-chipping. Staff informed the Council this would require an ordinance amendment, to which the Council was in support of.

Council Member Sanders mentioned some of the feedback he has received is about a senior citizen discount, but stated he would pin point some fees to Staff.

Council Member Cato requested a review of the municipal court costs.

**12. Discussion of and action on a Resolution of the City Council of the City of Helotes, Texas, authorizing the Helotes Economic Development Corporation to enter into a Professional Services Agreement with Burditt Consultants, LLC. to develop a Parks and Recreation Master Plan for the Helotes Fitness Park and Disc Golf Course in an amount not to exceed \$30,000.00. (HEDC Board of Directors)**

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

Speaking on this item was Blaine Lopez, HEDC Board of Directors President. Over the years, there has been discussion on what to do and what can be done at the Helotes Fitness Park and Disc Golf Course. Over time there has been deterioration of the equipment and walking paths, and feedback about the small parking lot and accessibility for the disabled. A year ago, the EDC committed to investing in park improvements, which enhance the quality of life in the City. A Community Enhancement Committee was formed, and they quickly recognized they were not park planners and the best option was to hire a professional consultant. This led to soliciting Request for Qualifications (RFQs) from park planners. An RFQ was published on April 3, 2024, and the EDC received 11 submissions. The EDC selected Burditt Consultants, LLC to create a master plan for the Helotes Fitness Park and Disc Golf Course. Using a professional consultant provides expertise and innovation, it ensures the master plan is developed with a deep understanding of the community that will maximize the use of available space, and it will enhance grant funding opportunities. The cost for the master plan is in the EDC budget, but since the agreement is over \$10,000.00 it has to receive final approval from the City Council.

All of the City Council agreed there should be a plan; however, some of the Council struggled with the cost of \$30,000.00. The remainder of the Council believed a professional was needed, as the Council and EDC Board were not experts in park planning or ADA compliance.

Motion to approve carried: 3 Ayes – Council Members Sones, Cato and Merchant; 2 Nays – Council Members Sanders and McGowan.

**STAFF REPORT:**

**13. Presentation by Glenn Goolsby, Executive Director of the Helotes Economic Development Corporation (HEDC), on the 2<sup>nd</sup> Quarter and 3<sup>rd</sup> Quarter Activity for Fiscal Year Ending 2024. (HEDC Board of Directors)**

Glenn Goolsby, HEDC Executive Director, summarized the activity of programs and projects by the Helotes Economic Development Corporation (HEDC) covering the period January through June 2024. Glenn also touched on challenges that prospects have shared and prospects by the industry sector. The City Council appreciated the report. Council Member McGowan requested to include a little more information in future presentations, for example, including what the EDC is doing to address the challenges indicated by prospects.

With no further discussion, Mayor Whitehead read the caption below and adjourned into closed session at 9:19 p.m.

CLOSED SESSION:

**14. Closed Session in accordance with Texas Government Code §551.071 *Consultations with Attorney* and §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:**

- **§551.071 *Consultations with Attorney* and §551.074 *Personnel Matters* - City Council will meet in Closed Session to discuss the qualifications of candidates for the position of Interim City Administrator.**

Mayor Whitehead convened the meeting into open session at 9:34 p.m. and announced no action had been taken in closed session.

ITEMS FOR INDIVIDUAL CONSIDERATION:

**15. Discussion of and action on matters discussed in Closed Session regarding the qualifications of candidates for the position of Interim City Administrator; authorizing the Mayor and City Attorney to negotiate and execute a contract per the terms discussed in Closed Session. (City Council)**

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

Motion to approve the item as written carried unanimously.

**Adjourn.**

With no more business to come before the City Council, Mayor Whitehead adjourned the meeting at 9:35 p.m.



Rich Whitehead, Mayor

ATTEST:



Celina Perez, City Secretary

