

MINUTES
REGULAR MEETING
HELOTES CITY COUNCIL

The City of Helotes City Council met for a regular meeting Thursday, September 22, 2016 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.

Council

Present: Thomas A. Schoolcraft, Mayor
Alex Blue, Mayor Pro Tem
Edward Villanueva
Bert Buys
Cynthia Massey
Paul Friedrichs

Staff Present: Rick Schroder, City Administrator
L. Gaines Griffin, City Attorney
Grace Tamez, City Secretary

1. Call to Order.

Mayor Schoolcraft called the meeting to order at 7:00 p.m. Council Member Villanueva led the invocation. Mayor Schoolcraft led the pledge to the U.S. flag and the Texas flag. Mayor Schoolcraft welcomed Cub Scouts from Troop 152.

RECOGNITION:

2. Proclamation presented by Mayor Thomas A. Schoolcraft to the City of Helotes Fire Department in observance of *National Fire Prevention Week* dated October 9 – 15, 2016.

Mayor Schoolcraft presented the proclamation to Fire Chief Walton Daugherty and Assistant Fire Chief Rick Wall.

3. Recognition of *2016 National Night Out: Police - Community Partnerships* dated October 4, 2016 and an invitation to the community to participate and register events with the City of Helotes.

Mayor Schoolcraft invited citizens to participate in National Night Out and register their subdivision's event with the City.

4. Citizens to be Heard.

No one signed up to speak on this item.

CONSENT AGENDA: All items marked with an asterisk (**) on the consent agenda were voted on at the beginning of the meeting. Motion was made by Council Member Friedrichs, second by

Council Member Villanueva, to approve items 5, 6, 7, 8, 9, and 10 on the consent agenda. Motion to approve carried unanimously.

- 5.** Approval of the minutes of the Regular Meeting dated September 8, 2016. (Staff)
- 6.** Approval of the City of Helotes Revenue and Expense and Encumbrance Reports dated September 14, 2016. (Staff)
- 7.** Ratification of the following interdepartmental budget adjustments:
 - \$5,545.78 from 01-520-5211 to 01-515-5101;
 - \$5,000.00 from 01-550-5525 to 01-515-5101;
 - \$5,000.00 from 01-550-5525 to 01-545-5101;
 - \$10,000.00 from 01-550-5525 to 01-560-5101;
 - \$10,000.00 from 01-550-5525 to 01-580-5101;
 - \$5,000.00 from 01-550-5525 to 01-585-5101;
 - \$4,778.83 from 01-520-5210 to 01-510-5214;
 - \$5,221.17 from 01-530-5330 to 01-510-5214;
 - \$5,000.00 from 01-530-5330 to 01-545-5501;
 - \$16,330.20 from 01-530-5330 to 01-510-5302; and
 - \$3,837.32 from 01-510-5101 to 01-520-5331. (Staff)
- 8.** Approval of a request, pursuant to Code of Ordinances Chapter 78 *Subdivisions*, Article II *Subdivision Regulations*, Division 2 *Plat Procedures*, Section 78-73 *Vacating a Plat*, by Slim Texas, L.L.C. to vacate the previously-platted *Helotes Professional Park Subdivision* consisting of a 4.333 acre tract of land and recorded in Volume 9602, Pages 19-20, of the Deed and Plat Records of Bexar County, Texas and approve a re-subdivision plat for *Helotes Slim Addition Subdivision* consisting of a 4.359 acre tract of land out of the William Alexander Survey No. 416, Abstract No. 33, of record in Volume 12590, Page 2372, of the Official Public Records of Bexar County, Texas, more particularly described by BCAD Property ID Nos. 1135073 - 1135087. (Applicant)
- 9.** Approval of Resolution No. 340 of the City Council of the City of Helotes, Texas approving appropriations for the City of Helotes Economic Development Corporation's (EDC) Fiscal Year Ending (FYE) 2017 Operating and Capital Budgets beginning October 1, 2016 and ending September 30, 2017 to support the EDC's programs, "Projects," as defined by Article 5190.6 of the Development Corporation Act of 1979, Secs. 2 and 4(B) of Vernon's Texas Civil Statutes, and cooperatives; authorizing the City Administrator and EDC Executive Director to take all necessary steps to implement the provisions of this Resolution; incorporating recitals; providing for severability; and adopting an effective date. (Staff)
- 10.** Approval of Resolution No. 341 of the City Council of the City of Helotes, Texas approving an Agreement for Management Services between the City of Helotes and the City of Helotes Economic Development Corporation; authorizing the City Administrator to take all necessary steps to implement the provisions of this Resolution; incorporating recitals; providing for severability; and adopting an effective date. (Staff)

ITEMS FOR INDIVIDUAL CONSIDERATION:

11. **Discussion of and action on Ordinance No. 593 of the City Council of the City of Helotes, Texas making appropriations for the support of the City of Helotes for the fiscal year beginning October 1, 2016 and ending September 30, 2017; appropriating money to a sinking fund to pay the interest and principal of the City's indebtedness; adopting the annual Budget(s) of the City of Helotes for the 2016 – 2017 fiscal year; authorizing personnel positions and salaries; setting the 2016 – 2017 holiday schedule for City employees; authorizing the City Administrator to expend monies and sign documents in accordance with said Budget(s); incorporating recitals; providing for severability; repealing any other Code provisions, ordinances, or parts of ordinances, and other provisions in conflict herewith; and setting an effective date. (Staff)**

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

Motion to approve carried unanimously.

12. **Discussion of and action on Ordinance No. 594 of the City Council of the City of Helotes, Texas ratifying the adoption of the fiscal year (FY) 2016 – 2017 Municipal Budget(s) raising more revenue from ad valorem (property) taxes due to increased property valuations and the addition of real property to the tax roll than in the FY 2015 – 2016 Municipal Budget(s); authorizing the City Administrator to take all necessary steps to implement the provisions of this Ordinance; incorporating recitals; providing for severability; repealing any other Code provisions, ordinances, or parts of ordinances, and other provisions in conflict herewith; and setting an effective date. (Staff)**

Motion was made by Council Member Buys, second by Mayor Pro Tem Blue, to discuss and act on this item as written.

Mayor Schoolcraft explained the State Law requires the acknowledgement that, due to increased property valuations and addition of new property to the tax roll, the property tax roll will raise more revenue than last year's budget. The tax rate is not changing.

Motion to approve carried unanimously.

13. **Discussion of and action on Ordinance No. 595 of the City Council of the City of Helotes, Texas levying an ad valorem (property) tax rate for the Tax Year 2016 in the amount of \$0.350000 cents per \$100 valuation and directing the Bexar County Tax Assessor-Collector to assess, account for, and distribute the ad valorem (property) taxes as herein levied; authorizing the City Administrator to take all necessary steps to implement the provisions of this Ordinance; incorporating recitals; providing for severability; repealing any other Code provisions, ordinances, or parts of ordinances, and other provisions in conflict herewith; and setting an effective date:**

- a. Adopt the ad valorem (property) tax rate for the Maintenance and Operations expenditures of the City of Helotes at \$0.278268 cents per \$100 valuation for the Tax Year beginning January 1, 2016 and ending December 31, 2016; and**
- b. Adopt the ad valorem (property) tax rate for the principal and interest payable on the Interest and Sinking (debt service) expenditures of the City of Helotes at \$0.071732 cents per \$100 valuation for the Tax Year beginning January 1, 2016 and ending December 31, 2016. (Staff)**

Mayor Schoolcraft explained that the Tax Code requires specific wording in the motion when setting a tax rate that exceeds the effective tax rate. The Tax Code also requires that the maintenance and operations tax rate be adopted separately from the interest and sinking tax rate. Mayor Schoolcraft explained that the tax rate is not being increased; the tax rate will remain at the same rate as last year's tax rate.

Mayor Schoolcraft noted that the adoption of a total tax rate of \$0.35 cents per \$100 valuation includes the two parts of the tax rate as noted above. Each part of the tax rate will be voted on separately.

Council Member Buys stated, I move that the property tax rate be increased by the adoption of a tax rate of \$0.35 cents per \$100 valuation, which is effectively a 4.31% percent increase in the tax rate and to:

- a. Adopt the ad valorem (property) for the Tax Year beginning January 1, 2016 and ending December 31, 2016; and to
- b. Adopt the ad valorem (property) tax rate for the principal and interest payable on the Interest and Sinking (debt service) expenditures of the City of Helotes at \$0.071732 cents per \$100 valuation for the Tax Year beginning January 1, 2016 and ending December 31, 2016.

Council Member Friedrichs made the second.

Mayor Schoolcraft asked for a roll call vote to approve the property tax rate for the Maintenance and Operations expenditures of the City of Helotes at \$0.278268 cents per \$100 valuation

Motion to approve carried: 5 Ayes – Council Member Villanueva, Council Member Blue, Council Member Buys, Council Member Massey, and Council Member Friedrichs: 0 Nays; 0 Abstain; Present and not voting: Mayor Schoolcraft.

Mayor Schoolcraft called for a roll call vote to approve the property tax rate for the principal and interest payable on the Interest and Sinking (debt service) expenditures of the City of Helotes at \$0.071732 cents per \$100 valuation .

Motion to approve carried: 5 Ayes – Council Member Villanueva, Council Member Blue, Council Member Buys, Council Member Massey, and Council Member Friedrichs: 0 Nays; 0 Abstain; Present and not voting: Mayor Schoolcraft.

- 14. Discussion of and action on Ordinance No. 596 of the City Council of the City of Helotes, Texas establishing and amending fees, costs, and fines charged by the City of Helotes; adopting penalty rates established by the State of Texas; adopting savings, repealer, and penalty clauses; and adopting an effective date. (Staff)**

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

Motion to approve carried unanimously.

- 15. Discussion of and action on amending the City of Helotes Comprehensive Grade and Step System by increasing the number of fiscal years between System amendments, including, but not limited to, alterations to position Estimated Market Values (EMV), the Grade and Step Chart, and incremental dollar values assigned between Grades and / or Steps. (Staff)**

Motion was made by Council Member Friedrichs, second by Mayor Pro Tem Blue, to discuss and act on this item as written.

Motion to approve carried unanimously.

- 16. Discussion of and action on Ordinance No. 597 of the City Council of the City of Helotes, Texas amending Code of Ordinances Chapter 26 Courts, Article I Municipal Court, Section 26-2 Officers, Subsection (F) Warrant Officers / Bailiffs by incorporating a hierarchical structure within the Municipal Court; declaring a public purpose; incorporating recitals; providing for severability; providing a repealer; and setting an effective date. (Staff)**

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

Motion to approve carried unanimously.

- 17. Discussion of and action on an Interlocal Contract for Licensing South Central Planning and Development Commission (SCPDC) Software for the implementation of MyPermitNow Software, including building permit management, plan review, inspections, alerts, and associated functionality, within the City of Helotes Development Services Department. (Staff)**

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

Motion to approve carried unanimously.

Mayor Schoolcraft adjourned the meeting into closed session at 7:32 after reading the caption below.

18. Closed Session in accordance with Texas Government Code §551.071 Consultations with Attorney. 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:

- a) §551.071 Consultations with Attorney regarding Continental Homes of Texas L.P. vs. the City of Helotes Et. Al.;
- b) §551.071 Consultations with Attorney regarding Texas Association of Builders Et. Al. vs. the City of Helotes Et. Al.; and
- c) §551.071 Consultations with Attorney regarding Ashton San Antonio Residential, LLC; Pulte Homes of Texas, LP; MHI Central Texas, LLC; and Weekley Homes, LLC vs. the City of Helotes, Et. Al. (Staff)

Mayor Schoolcraft convened the meeting into open session at 7:46 p.m. and announced that no action had been taken in closed session.

19. Discussion of and action on matters discussed in Closed Session regarding Continental Homes of Texas L.P. vs. the City of Helotes Et. Al.; Texas Association of Builders Et. Al. vs. the City of Helotes Et. Al.; and Ashton San Antonio Residential, LLC; Pulte Homes of Texas, LP; MHI Central Texas, LLC; and Weekley Homes, LLC vs. the City of Helotes, Et. Al. (Staff)

Motion was made by Council Member Friedrichs, second by Council Member Buys, to approve the schedule of payments to Continental Homes of Texas L.P. vs. the City of Helotes Et. Al.; and to approve the schedule of payments to Ashton San Antonio Residential, LLC; Pulte Homes of Texas, LP; MHI Central Texas, LLC; and Weekley Homes, LLC vs. the City of Helotes, Et. Al. Ashton San Antonio Residential, LLC, Et. Al as presented in closed session.

Motion to approve carried unanimously.

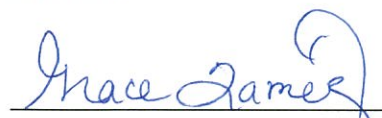
Adjourn.

Council Member Buys thanked the Mayor and City Administrator Rick Schroder for their time and work devoted to the budget.


Mayor Schoolcraft thanked Council Members for their diligence during the budget season.

With no more business to come before Council, Mayor Schoolcraft adjourned the meeting at 7:51 p.m.

ATTEST:


Grace Tamez, City Secretary




Thomas A. Schoolcraft, Mayor