

MINUTES
REGULAR MEETING
HELOTES CITY COUNCIL

The City of Helotes City Council met for a regular meeting on Thursday, June 12, 2014 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
Cynthia Massey, Mayor Pro Tem
Edward Villanueva
Bert Buys
Alex Blue
Paul Friedrichs

Staff Present: Rick Schroder, City Administrator
William "Cody" Faulk, City Attorney
Grace Tamez, City Secretary

1. Call to Order.

Mayor Schoolcraft called the meeting to order at 7:00 p.m. Council Member Friedrichs led the invocation. Mayor Schoolcraft led the pledge 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 proposed Ordinance(s) of the City Council of the City of Helotes, Texas annexing the following streets, highways, and/or public rights-of-way:**
- a) **An approximate 10 acre tract of land being a 1 (one) mile (more or less) portion of Farm to Market 1560 from a point approximately 358 feet south of the centerline of Hunter's Way right-of-way, south to a point 1 (one) mile south of the Corporate Limits of the City of Helotes, all out of the Manuel Martinez y Musquiz Survey No. 87, Abstract 467, Bexar County, Texas;**
 - b) **An approximate 7 acre tract of land being that 3/4 mile (more or less) portion of Farm to Market 1560 from a point lying on the southeast right-of-way of said 1560, approximately 110 feet from the west corner of a called 5.000 acre tract, described by instrument recorded in Volume 13917, Pages 485-488 of the Official Public Records of Bexar County, Texas to the south right-of-way line of Shaenfield/Galm Road, out of the Manuel Martinez y Musquiz Survey No. 87, Abstract 467, Bexar County, Texas;**
 - c) **An approximate 27 acre tract of land being that 1 (one) mile (more or less) portion of State Highway 16 from a point on the northerly line of the Corporate Limits of the City of Helotes to a point approximately 1 (one) mile northwest of the Corporate Limits of the City of Helotes, out of the George**

- W. Tindall Survey No. 283, Abstract 872, the Rafael Diaz Survey No. 229A, the J.A. Torris Survey No. 238.25, Abstract 768, and the John M. Ross Survey No. 228, Abstract 644, Bexar County, Texas;
- d) An approximate 25 acre tract of land being that 1 (one) mile (more or less) portion of State Highway 16 from Los Reyes Creek, at a point one mile past the current Corporate Limits of the City of Helotes, to a point approximately 2 (two) miles past the current Corporate Limits of the City of Helotes, out of the George W. Tindall Survey No. 283, Abstract 872, the John Hardburger Survey No. 282A, Abstract 363, the Frank Madla Survey No. 2, Abstract 1211, the Antonio Valdez Survey No. 222, Abstract 1124, and the Santos Blanca Survey No. 182.5, Abstract 882, Bexar County, Texas;
- e) An approximate 31 acre tract of land being that 1 (one) mile (more or less) portion of State Highway 16 from a point approximately 2 (two) miles past the current Corporate Limits of the City of Helotes, to a point approximately 3 (three) miles past the current Corporate Limits of the City of Helotes, out of the Frank Madla Survey No. 2, Abstract 1211, the Antonio Valdez Survey No. 222, Abstract 1124, the Natividad Dolson Survey, Abstract 842, the Robert V. Smith Survey, Abstract 1271, the Pedro Hernandez Survey No. 181.75, the M.A. Sharp Survey No. 8, Abstract 1143, and the Desidero Hernandez Survey No. 181.5, Abstract 361, Bexar County, Texas;
- f) An approximate 5½ acre tract of land being that 0.2 mile (more or less) portion of State Highway 16 from a point 3 (three) miles past the current Corporate Limits of the City of Helotes, to a point approximately 3.2 miles past the current Corporate Limits of the City of Helotes, out of the M.A. Sharp Survey No. 8, Abstract 1143, and the Desidero Hernandez Survey No. 181.5, Abstract 361, Bexar County, Texas;
- g) An approximate 11½ acre tract of land being that 1 (one) mile (more or less) portion of Braun Road from the intersection of the southeast right-of-way of Mustang Ranch, westerly to Farm to Market 1560, out of the Thomas S. Tatum Survey No. 219, Abstract 756, and the John P. Miller Survey 221 ½, Abstract 861, Bexar County, Texas;
- h) An approximate 3½ acre tract of land being that 0.4 mile (more or less) portion of Braun Road from the intersection of Leslie Road, as it departs in a northerly direction from said Braun Road, westerly to the intersection of the southeast right-of-way line of Mustang Ranch, out of the Thomas S. Tatum Survey No. 219, Abstract 756, Bexar County, Texas;
- i) An approximate 14½ acre tract of land being that 1 (one) mile (more or less) portion of Shaenfield Road from the east right-of-way line of the intersection of Farm to Market 1560, easterly to the centerline of a transmission line easement as it crosses said Shaenfield Road, out of the Candelario Villanoeva Survey No. 80, Abstract 774, and the Manuel Martinez y Musquiz Survey No. 87, Abstract 467, Bexar County, Texas;
- j) An approximate 4 acre tract of land being that 0.4 mile (more or less) portion of Shaenfield Road from the centerline of a transmission line easement as it crosses said Shaenfield Road, east approximately 0.4 of a mile to a northwest line of the Corporate Limits of the City of San Antonio, out of the Candelario

Villanueva Survey No. 80, Abstract 774, and the Manuel Martinez y Musquiz Survey No. 87, Abstract 467, Bexar County, Texas; and

- k) An approximate 9 acre tract of land being that approximate 1 (one) mile (more or less) portion of Galm Road from Farm to Market 1560 to Silver Bells Road, out of the Manuel Martinez y Musquiz Survey No. 87, Bexar County, Texas, Abstract 467.**

Mayor Schoolcraft opened the public hearing at 7:02 p.m. No one signed up to speak on this item. Mayor Schoolcraft closed the public hearing at 7:04 p.m.

OPEN SESSION:

3. 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 Buys, second by Council Member Villanueva, to approve items 4, 5, 6, 7, 8, and 9 on the consent agenda. Motion to approve carried unanimously.

- 4.** Approval of the minutes of the regular meeting of May 22, 2014. (Staff)**
- 5.** Approval of the City of Helotes Revenue and Expense Report dated June 6, 2014. (Staff)**
- 6.** Approval of a final plat for Locasio Properties, L.L.C. establishing Helotes Oak Ridge Subdivision on property located at 11978 Leslie Road, Helotes, Texas 78023, more particularly described as CB 4478 P-7 ABS 716 SERIAL #K7310H. (Staff)**
- 7.** Approval of the Bexar Metro 9-1-1 Network District's Proposed Fiscal Year 2015 Budget. (Staff)**
- 8.** Approval of the Bexar Appraisal District's Proposed Fiscal Year 2015 Budget. (Staff)**
- 9.** Approval of the Storm Water Management Plan and a Fee-in-Lieu of On-site Detention, as recommended by the City Engineer, for Helotes Oak Ridge Subdivision on property located at 11978 Leslie Road, Helotes, Texas 78023, more particularly described as CB 4478 P-7 ABS 716 SERIAL #K7310H. (Staff)**

ITEMS FOR INDIVIDUAL CONSIDERATION:

- 10. Presentation by City Engineer, LNV, Inc., and discussion of and action on the design and construction of sanitary water and sewer utilities located along S.H. 16 (Bandera Rd.) from, generally, Circle A Trail to Scenic Loop Rd. (Staff)**

Julian Bielawski, P.E. gave a brief presentation. The project is at the 50% design stage. The drawings and supporting information will be submitted to SAWS for their review and comments. The environmental surveys of the proposed alignments will begin after SAWS' approval of the 50% design. The cost estimate at this stage is \$1.7 million for the sewer line and \$1.9 million for the water project.

Mr. Bielawski will meet with City Staff after SAWS completes the review. Another presentation will be made at the 95% design stage. No action was taken on this item.

11. Discussion of and action on a creative sign application by Flour Blooms Bakery for monument, wall, window, and hanging signage, made pursuant to Chapter 98, Sec. 98-72(g) *Old Town Helotes Special District Sign Regulations* of the City of Helotes Code of Ordinances, on property located at 14436 E. Bandera Road., Helotes, Texas 78023, more particularly described as CB 4524 P-28A ABS 645. (Applicant)

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

The applicant proposes to use the existing monument sign structure and not build a new pole sign as depicted in the submittal.

Motion to approve carried unanimously.

12. Discussion of and action on the amendment of a Commercial Contract for Unimproved Property dated June 19, 2008 between Kenneth and Mary Sue Dempsey and the City of Helotes, Texas by rededicating Twelve Thousand Five Hundred Dollars (\$12,500) from the construction of a public staircase to the construction of a public restroom within the Old Town Helotes Special District. (Staff)

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

Speaking on this item was Rick Schroder, City Administrator. In 2008, the Dempseys sold a piece of property to the City. The contract agreement included a provision that the sellers would construct a public staircase within eighteen months of the signed date on the contract and that the City could not enforce a construction cost for the staircase greater than \$12,500.00. The public staircase has not been constructed.

Discussion included ownership of the restroom, forgiveness of the \$12,500.00 owed to the City, length of time the restrooms would be open to the public, location of the restrooms, and requiring a lease agreement.

Motion was made by Council Member Friedrichs, second by Council Member Buys, to amend the motion and stipulate that the Commercial Contract is not being amended at this time and that

the \$12,500.00 may be used for a restroom instead of a staircase pending submittal of the plans for the restrooms and approval from City Council.

Motion to approve as amended carried unanimously.

This item will be placed on a future City Council agenda.

13. Discussion of and action on the Texas Certified Public Manager (CPM) Program and the City Administrator's attendance at said Program for a cost of approximately Four Thousand One Hundred Sixty-five Dollars (\$4,165.00), plus lodging and per diem expenses. (Staff)

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

Rick Schroder, City Administrator, noted that lodging and per diem expenses were not going to be needed because he would be attending class from 9 a.m. to 4 p.m. one day per month for three months.

Motion to approve carried unanimously.

14. Discussion of House Bill 259, passed during the 2013 Texas Legislative Session, regarding the regulation of electioneering activities on public property and its potential impact on Chapter 66 Signs, Article V, Sec. 66-47 Political signs of the Municipal Code of Ordinances. (Staff)

Discussion included allowing political expression while keeping the number of signs at a reasonable number.

This item will be placed on the next Planning and Zoning Commission agenda.

Mayor Schoolcraft adjourned the meeting into closed session at 7:49 p.m. after reading the caption below. Mayor Schoolcraft noted that Council would not be discussing the item regarding §551.074 *Personnel Matters*.

CLOSED SESSION:

15. 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* regarding *Continental Homes of Texas L.P. vs. the City of Helotes Et. Al.* and the *Texas Association of Builders Et. Al. vs. the City of Helotes Et. Al.*; and**

- **§551.074 Personnel Matters regarding Helotes Police Department management, personnel, policies, and procedures.**

Mayor Schoolcraft reconvened the meeting into open session at 9:11 p.m. and announced that no action had been taken in closed session.

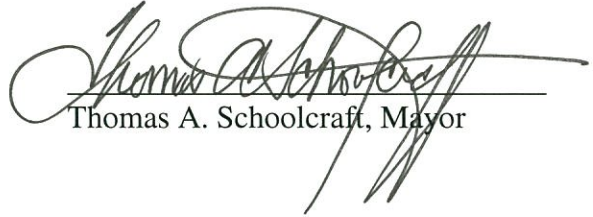
ITEMS FOR INDIVIDUAL CONSIDERATION (Cont.):

- 16. Discussion of and action on matters discussed in Closed Session, in accordance with Texas Government Code §551.074 Personnel Matters regarding Helotes Police Department management, personnel, policies, and procedures.**

No discussion or action on this item.

Adjourn.

With no more business to come before Council, Mayor Schoolcraft adjourned the meeting at 9:12 p.m.


Thomas A. Schoolcraft, Mayor

ATTEST:


Grace Tamez, City Secretary

