

MINUTES
REGULAR MEETING
HELOTES CITY COUNCIL

The City of Helotes City Council met for a regular meeting on Thursday, August 14, 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
Frank Garza, 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 request from Duke and Susan Daniel to re-plat a 3.197 acre tract of land by removing a lot line between two platted lots and establishing Lot 2A on property located at 10716 Los Reyes Canyons, Helotes, Texas 78023, more particularly described CB 4522A Blk 1, Lot 2 & 3 (Los Reyes Canyons UT-1 PUD).**

Mayor Schoolcraft opened the public hearing at 7:03 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 Villanueva, second by Council Member Buys, 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 July 24, 2014. (Staff)**
- 5.** Approval of the City of Helotes Revenue and Expense Report dated August 8, 2014. (Staff)**

- 6.** Approval of the Quarterly Investment Reports for the City of Helotes and the City of Helotes Economic Development Corporation for the quarter ending June 30, 2014. (Staff)
- 7.** Approval of a final re-plat for a 3.197 acre tract of land removing a lot line between two platted lots and establishing Lot 2A on property located at 10716 Los Reyes Canyons, Helotes, Texas 78023, more particularly described CB 4522A Blk 1, Lot 2 & 3 (Los Reyes Canyons UT-1 PUD). (Applicant)
- 8.** Approval of setting Public Hearings on the proposed Municipal Fiscal Year Ending (FYE) 2015 Budget(s), including the City of Helotes Economic Development Corporation's (EDC) FYE 2015 Budget(s), on August 28, 2014 at 7:00 p.m. CST and September 11, 2014 at 7:00 p.m. CST in the City Hall Council Chamber, 12951 Bandera Road, Helotes, Texas 78023. (Staff)
- 9.** Ratification of the following interdepartmental budget adjustments transferring Forty-One Thousand Dollars (\$41,000.00) from General Fund Acct. No. 01-530-5330 *Court Fees* to the following accounts:
 - \$1,000.00 to 01-500-5326 *Expense Reimbursement*;
 - \$30,000.00 to 01-510-5229 *City Engineer*;
 - \$5,000.00 to 01-540-5227 *Plat Filings*; and
 - \$5,000.00 to 06-570-5500 *Mach. & Equip. Purchase / Mntnc.*

ITEMS FOR INDIVIDUAL CONSIDERATION:

10. Presentation by the Texas Department of Transportation and discussion of and action on the realignment of F.M. 1560 located, generally, near the intersections of F.M. 1560 and Riggs Road and S.H. 16 (Bandera Rd.) and Circle A Trail and a Super Street Concept on S.H. 16 from Loop 1604 to Triana Parkway. (TxDOT)

TxDOT representatives, Jonathan Bean, Director of Transportation and Planning and Clayton Ripps, Planner, spoke on this item. TxDOT held an open house at City Hall today from 5 to 7 p.m. and displayed renderings and video regarding the FM 1560 realignment and a conceptual plan to convert Bandera Road into a "super street." The project to realign FM 1560 is funded and this project should be ready to bid in 2015. The conceptual "super street" project is not funded. Public comments to TxDOT are due by Aug. 24, 2014.

No action was taken on this item.

11. Discussion of and action on an application for a sign variance from Chapter 66 Signs of the Municipal Code of Ordinances for two (2) wall signs for Marco's Pizza located within Helotes Town Centre at 9708 Business Parkway, Ste. No. 100, Helotes, Texas 78023. (Applicant)

Motion was made by Council Member Buys, second by Council Member Friedrichs, to approve this item as written.

Concerns included setting a precedent by allowing larger signs so that they may be seen from a long distance, by allowing changes to a Master Sign Plan for one tenant, and by allowing a 60% to 80% increase to the maximum sign size allowed by Code.

Motion to approve failed: 0 Ayes; 5 Nays – Council Member Villanueva, Council Member Blue, Council Member Buys, Mayor Pro Tem Massey, Council Member Friedrichs; 0 Abstain.

Mayor Schoolcraft, with City Council consensus, suspended Robert's Rules and moved item #12 to be discussed after item #29 to allow Council the opportunity to consult with the City Attorney.

Council discussed item #13 after item #11.

- 12. Discussion of and action on Resolution No. 311 of the City Council of the City of Helotes, Texas approving an Interlocal Agreement for the Regulation of Subdivisions and Construction in the City's Extraterritorial Jurisdiction between the City of Helotes and Bexar County, Texas; approving the form of the Interlocal Agreement; authorizing the City Administrator to take all steps necessary to implement the provisions of this Resolution; providing for severability; incorporating recitals; and setting an effective date.**

Council discussed item #12 after item #29.

Motion was made by Mayor Pro Tem Massey, second by Council Member Friedrichs, to approve this item as written. Motion to approve carried unanimously.

Council discussed item #13 after item #11.

- 13. Discussion of and action on Ordinance No. 535 of the City Council of the City of Helotes, Texas repealing Ordinance No. 02A; granting a twenty (20) year electric and natural gas franchise within the City of Helotes, Bexar County, Texas to the City of San Antonio, acting by and through the City Public Service Board (CPS Energy), for the transmission, distribution, and sale of electricity and natural gas within CPS Energy's certificated service area and within the City of Helotes; 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)**

Council Member Buys thanked Mayor Schoolcraft for successfully negotiating franchise payments retroactive to February 2014.

Motion was made by Council Member Blue, second by Council Member Villanueva, to approve this item as written. Motion to approve carried unanimously.

- 14. Discussion of and action on Ordinance No. 536 of the City Council of the City of Helotes, Texas amending Chapter 66 Signs and Chapter 30 Elections of the Municipal Code of Ordinances; declaring a public purpose; authorizing the City Administrator to take all necessary steps to implement the provisions of this**

Ordinance; incorporating recitals; providing for severability; and adopting an effective date. (Staff)

Motion was made by Council Member Friedrichs, second by Council Member Villanueva, to approve this item as written. Motion to approve carried unanimously.

Farm to Market 1560

15. **Discussion of and action on Ordinance No. 524 of the City Council of the City of Helotes, Texas providing for the extension of the Helotes City Limits by the annexation of 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; incorporating recitals; authorizing the City Administrator to take all necessary steps to implement the provisions of this Ordinance; providing for severability; repealing all ordinances in conflict herewith; setting an effective date; and approving a Municipal Service Plan for such area. (Staff)**

Motion was made by Council Member Buys, second by Mayor Pro Tem Massey, to approve this item as written. Motion to approve carried unanimously.

16. **Discussion of and action on Ordinance No. 525 of the City Council of the City of Helotes, Texas providing for the extension of the Helotes City Limits by the annexation of 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; incorporating recitals; authorizing the City Administrator to take all necessary steps to implement the provisions of this Ordinance; providing for severability; repealing all ordinances in conflict herewith; setting an effective date; and approving a Municipal Service Plan for such area. (Staff)**

Motion was made by Council Member Friedrichs, second by Council Member Villanueva, to approve this item as written. Motion to approve carried unanimously.

State Highway 16 (Bandera Rd.)

17. **Discussion of and action on Ordinance No. 526 of the City Council of the City of Helotes, Texas providing for the extension of the Helotes City Limits by the annexation of 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; incorporating recitals; authorizing the City Administrator to take all necessary steps to implement the provisions of this Ordinance; providing for severability; repealing all ordinances in conflict herewith; setting an effective date; and approving a Municipal Service Plan for such area. (Staff)

Motion was made by Council Member Villanueva, second by Council Member Buys, to approve this item as written. Motion to approve carried unanimously.

- 18. Discussion of and action on Ordinance No. 527 of the City Council of the City of Helotes, Texas providing for the extension of the Helotes City Limits by the annexation of 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; incorporating recitals; authorizing the City Administrator to take all necessary steps to implement the provisions of this Ordinance; providing for severability; repealing all ordinances in conflict herewith; setting an effective date; and approving a Municipal Service Plan for such area. (Staff)**

Motion was made by Mayor Pro Tem Massey, second by Council Member Friedrichs, to approve this item as written. Motion to approve carried unanimously.

- 19. Discussion of and action on Ordinance No. 528 of the City Council of the City of Helotes, Texas providing for the extension of the Helotes City Limits by the annexation of 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; incorporating recitals; authorizing the City Administrator to take all necessary steps to implement the provisions of this Ordinance; providing for severability; repealing all ordinances in conflict herewith; setting an effective date; and approving a Municipal Service Plan for such area. (Staff)**

Motion was made by Mayor Pro Tem Massey, second by Council Member Villanueva, to approve this item as written. Motion to approve carried unanimously.

- 20. Discussion of and action on Ordinance No. 529 of the City Council of the City of Helotes, Texas providing for the extension of the Helotes City Limits by the annexation of 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; incorporating recitals; authorizing the City Administrator to take all necessary steps to implement the provisions of this Ordinance; providing for severability; repealing all ordinances in conflict herewith; setting an effective date; and approving a Municipal Service Plan for such area. (Staff)

Motion was made by Mayor Pro Tem Massey, second by Council Member Villanueva, to approve this item as written. Motion to approve carried unanimously.

Braun Road

21. Discussion of and action on Ordinance No. 530 of the City Council of the City of Helotes, Texas providing for the extension of the Helotes City Limits by the annexation of 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 221½, Abstract 861, Bexar County, Texas; incorporating recitals; authorizing the City Administrator to take all necessary steps to implement the provisions of this Ordinance; providing for severability; repealing all ordinances in conflict herewith; setting an effective date; and approving a Municipal Service Plan for such area. (Staff)

Motion was made by Council Member Buys, second by Council Member Friedrichs, to approve this item as written. Motion to approve carried unanimously.

22. Discussion of and action on Ordinance No. 531 of the City Council of the City of Helotes, Texas providing for the extension of the Helotes City Limits by the annexation of 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; incorporating recitals; authorizing the City Administrator to take all necessary steps to implement the provisions of this Ordinance; providing for severability; repealing all ordinances in conflict herewith; setting an effective date; and approving a Municipal Service Plan for such area. (Staff)

Motion was made by Council Member Villanueva, second by Mayor Pro Tem Massey, to approve this item as written. Motion to approve carried unanimously.

Shaenfield Road

23. Discussion of and action on Ordinance No. 532 of the City Council of the City of Helotes, Texas providing for the extension of the Helotes City Limits by the annexation of 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; incorporating recitals; authorizing the City Administrator to take all necessary steps to implement the provisions of this Ordinance; providing for severability; repealing all ordinances in conflict herewith; setting an effective date; and approving a Municipal Service Plan for such area. (Staff)

Motion was made by Mayor Pro Tem Massey, second by Council Member Buys, to approve this item as written. Motion to approve carried unanimously.

- 24. Discussion of and action on Ordinance No. 533 of the City Council of the City of Helotes, Texas providing for the extension of the Helotes City Limits by the annexation of 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 Villanoeva Survey No. 80, Abstract 774, and the Manuel Martinez y Musquiz Survey No. 87, Abstract 467, Bexar County, Texas; incorporating recitals; authorizing the City Administrator to take all necessary steps to implement the provisions of this Ordinance; providing for severability; repealing all ordinances in conflict herewith; setting an effective date; and approving a Municipal Service Plan for such area. (Staff)**

Motion was made by Council Member Friedrichs, second by Council Member Villanueva, to approve this item as written. Motion to approve carried unanimously.

Galm Road

- 25. Discussion of and action on Ordinance No. 534 of the City Council of the City of Helotes, Texas providing for the extension of the Helotes City Limits by the annexation of 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; incorporating recitals; authorizing the City Administrator to take all necessary steps to implement the provisions of this Ordinance; providing for severability; repealing all ordinances in conflict herewith; setting an effective date; and approving a Municipal Service Plan for such area. (Staff)**

Motion was made by Mayor Pro Tem Massey, second by Council Member Buys, to approve this item as written. Motion to approve carried unanimously.

- 26. Presentation of and discussion on proposed City of Helotes FYE 2015 Budget(s), including, but not limited to, the following (Mayor Schoolcraft and Staff):**
- a) General Fund;**
 - b) Debt Service Fund;**
 - c) Capital Replacement Fund;**
 - d) Dispatch Proprietary Fund;**

- e) **Emergency Medical Service Proprietary Fund;**
- f) **Municipal Court Security and Technology Funds;**
- g) **PEG (Public Access Channel) Fund;**
- h) **Police Training and Education Fund;**
- i) **School Safety Fund;**
- j) **Proposed ad valorem tax rate;**
- k) **Proposed personnel position, salary, benefit, and holiday schedule amendments; and**
- l) **Proposed Municipal FYE 2015 Fee Schedule amendments.**

Mayor Schoolcraft presented Council with the Budget. Mayor Schoolcraft noted the City's major accomplishments in 2014; achieved a clean audit report for the seventh consecutive year, continued its street pothole repair for the third consecutive year, installed GPS units in PD automobiles, completed the third Dispatch console, purchased public safety equipment with grant funds, began broadcasting live meetings and recorded events on the City's public access channel, and added the B-B-Q cook-off to the City's events. Mayor Schoolcraft acknowledged and thanked Rick Schroder, City Administrator, for his efforts in preparing the budget. The budget being presented is balanced.

Rick Schroder, City Administrator, reviewed the budget in detail. The budget as presented maintains the current tax rate of \$0.350000 and includes the addition of one new position in the Police Department and one new position in the Public Works Department. Mr. Schroder also proposed a \$1.50 fee increase to resident's solid waste quarterly bill to fund an annual hazardous waste collection event. Two previous waste collection events have been grant funded. Staff will revise budget numbers and present them to Council through September 24, 2014.

27. Discussion of and action on placing a proposal to adopt an ad valorem tax rate for Tax Year 2014 on the September 25, 2014 Regular Meeting Agenda of the City Council of the City of Helotes, Texas. (Staff)

Motion was made by Council Member Buys, second by Council Member Villanueva, to place a proposal to adopt an ad valorem tax rate of \$0.368033 / \$100 valuation (the rollback rate) for Tax Year 2014 on the September 25, 2014 Regular Meeting Agenda. Motion to approve carried unanimously.

28. Discussion of and action on setting Public Hearings on the proposed Tax Year 2014 ad valorem tax rate on the August 28, 2014, September 11, 2014, and September 25, 2014 Regular Meeting Agenda of the City Council of the City of Helotes, Texas to be held at 7:00 p.m. CST in the City Hall Council Chamber, 12951 Bandera Road, Helotes, Texas 78023. (Staff)

Motion was made by Council Member Friedrichs, second by Council Member Villanueva, to set public hearings as written. Motion to approve carried unanimously.

Mayor Schoolcraft adjourned the meeting into closed session at 9:42 p.m. after reading the caption below.

CLOSED SESSION:

29. 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:

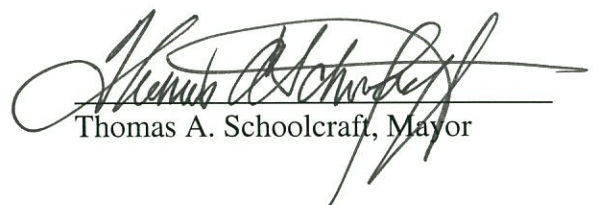
- **§551.071 *Consultations with Attorney* regarding *Continental Homes of Texas L.P. vs. the City of Helotes Et. Al.* and *the Texas Association of Builders Et. Al. vs. the City of Helotes Et. Al.***

Mayor Schoolcraft reconvened the meeting into open session at 9:58 p.m. and announced that no action had been taken in closed session.

Council discussed item #12 after item #29.

Adjourn.

With no more business to come before Council, Mayor Schoolcraft adjourned the meeting at 10:00 p.m.


Thomas A. Schoolcraft, Mayor

ATTEST:


Grace Tamez, City Secretary

