

MINUTES
REGULAR MEETING
HELOTES CITY COUNCIL

The City of Helotes City Council met for a regular meeting Thursday, September 8, 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
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.

PROCLAMATION:

2. Proclamation presented by Mayor Thomas A. Schoolcraft to Purchasing Agent / Accounting Officer Taby Durr in support of National Payroll Week 2016 dated September 5 – 9, 2016. (Mayor Schoolcraft)

Mayor Schoolcraft presented the proclamation to Taby Durr.

PUBLIC HEARINGS:

3. Public hearing to give all interested persons the right to appear and be heard on the proposed annexation of property generally located near the intersection of Lago Vista and Wildlake, Helotes, Texas 78023, and being more particularly described as BCAD Prop. ID No. 241715 and being a 14.649 acre tract of land located in the J.A. Torres Abstract No. 768 and the T.C.R.R. Co. Survey, Abstract No. 1026, Bexar County, Texas. (Staff)

Mayor Schoolcraft opened the public hearing at 7:07. No. one signed up to speak on this item. Mayor Schoolcraft closed the public hearing 7:08 p.m.

4. Public hearing to give all interested persons the right to appear and be heard on a Resolution 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)

Mayor Schoolcraft opened the public hearing at 7:08. No. one signed up to speak on this item.
Mayor Schoolcraft closed the public hearing 7:09 p.m.

- 5. Public hearing to give all interested persons the right to appear and be heard on proposed City of Helotes FYE 2017 Budget(s), including, but not limited to, the General Fund, Debt Service Fund, Capital Replacement Fund, Municipal Court Security and Technology Funds, Police Training and Education Fund, School Safety Fund, PEG (Public Access Channel) Fund, Police State and Federal Forfeiture Funds, Police Explorer Post Fund, and Street Maintenance Fund budgets. (Staff)**

Mayor Schoolcraft opened the public hearing at 7:09. No. one signed up to speak on this item.
Mayor Schoolcraft closed the public hearing 7:10 p.m.

- 6. Public hearing to give all interested persons the right to appear and be heard on the adoption of the proposed Tax Year 2016 ad valorem (property) tax rate. (Staff)**

Mayor Schoolcraft opened the public hearing at 7:10. No. one signed up to speak on this item.
Mayor Schoolcraft closed the public hearing at 7:10 p.m.

Mayor Schoolcraft announced that the Council will vote to adopt the 2016 ad valorem tax rate at its regular meeting at City Hall Council Chamber on September 22, 2013, 7:00 p.m. at City Hall Council Chambers, 12951 Bandera Road.

Mayor Schoolcraft also announced that City Council will vote to adopt the City of Helotes FYE 2017 Budget(s) on September 22, 2016, that the EDC will meet to take action on the EDC Budget on September 21 while City Council will vote to take action on the EDC Budget on September 22, 2016. City Council will vote and take action on the proposed annexation at its regular meeting on October 13, 2016. All meetings will be held at City Hall Council Chamber, at 7:00 p.m., 12951 Bandera Road.

Adjourn Regular Meeting and Convene Joint Meeting. The City Council will meet in a Joint Special Meeting with the Board of Directors of the City of Helotes Economic Development Corporation (EDC) in the Police Department Training Room for Item No. 8(a) only. In the event that a quorum of the EDC Board of Directors is not present, the City Council will continue with its Regular Meeting.

Following Item No. 8(a), the EDC will adjourn the Closed Session and reconvene into a Special Meeting in the City Hall Executive Conference Room for a Public Hearing and further deliberation / action. The City Council will remain in Closed Session following Item No. 8(a) for deliberation on Item Nos. 8(b)-(e).

Mayor Schoolcraft adjourned the meeting into closed session at 7:15 p.m. after reading the captions 8 (a – e) below.

OPEN SESSION:

Item #7 was discussed after item #8

7. Citizens to be Heard.

No one signed up to speak on this item.

CLOSED SESSION:

- 8. Closed Session in accordance with Texas Government Code §551.087 *Deliberation Regarding Economic Development Negotiations* and §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) **§551.087 *Deliberation Regarding Economic Development Negotiations* on a proposed Chapter 380 Economic Development Agreement between the City of Helotes, the EDC, and Texas Developers, LLC, who represents a publicly-traded company located within the corporate City limits and desiring to amend its operating structure and consolidate operations within the City of Helotes;**
 - b) **§551.071 *Consultations with Attorney* regarding City Council deliberations in Closed Session and disclosure of the same to the public outside of Closed Session;**
 - c) **§551.071 *Consultations with Attorney* regarding Continental Homes of Texas L.P. vs. the City of Helotes Et. Al.;**
 - d) **§551.071 *Consultations with Attorney* regarding Texas Association of Builders Et. Al. vs. the City of Helotes Et. Al.; and**
 - e) **§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 8:50 p.m. and announced that no action had been taken in closed session.

Item #7 was discussed at this point.

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 Friedrichs, to approve items 7 and 8 on the consent agenda. Motion to approve carried unanimously.

9. Approval of the minutes of the Regular Meeting dated August 25, 2016. (Staff)**

10. Approval of the City of Helotes Revenue and Expense and Encumbrance Reports dated August 31, 2016. (Staff)**

ITEMS FOR INDIVIDUAL CONSIDERATION:

11. Discussion of and action on Ordinance No. 592 of the City Council of the City of Helotes, Texas approving a Chapter 380 Economic Development Agreement between the City, the EDC, and Texas Developers, LLC for the purpose of setting forth the terms and obligations between the City, EDC, and the Developer with respect to the provision of sales tax grants for a publicly-traded company located within the corporate City limits and desiring to amend its operating structure and consolidate operations within the City of Helotes; authorizing Mayor Thomas A. Schoolcraft to negotiate and execute said Development Agreement on behalf of the City Council; 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 adopting an effective date. (Staff)

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

Motion to approve carried unanimously.

Mayor Schoolcraft pulled item #12 off the agenda pending further information.

12. 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)

13. Pursuant to Code of Ordinance Chapter 98 Zoning, Article XII Amendments, Rezoning, and Variances, Section 98-401 Limitation on Amendments; Initiation of Amendments, discussion of and direction on proposed amendments to Chapter 98, Article VI Planned Residential Unit Development. (Staff)

Discussion included the restrictions placed on smaller tracts of property to plan residential developments with the minimum acreage requirements. Council directed Staff to begin the process and send this item to the Planning and Zoning Commission.

14. Discussion of and direction on proposed City of Helotes FYE 2017 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) **Municipal Court Security and Technology Funds;**
- e) **Police Training and Education Fund;**
- f) **School Safety Fund;**
- g) **PEG (Public Access Channel) Fund;**
- h) **Police State and Federal Forfeiture Funds;**
- i) **Police Explorer Post Fund;**
- j) **Street Maintenance Fund;**
- k) **Proposed ad valorem tax rate;**
- l) **Proposed personnel position, salary, benefit, and holiday schedule amendments;
and**
- m) **Proposed Fee Schedule amendments.**

Rick Schroder, City Administration, presented significant changes to the budget including:

- Addition of 2 full time positions, for a total of 3 positions, one each in Public Works, Municipal Court, and Police Department;
- total line item salaries were raised accordingly in the above noted departments;
- General fund. \$338,880 transferred-in from reserves for litigation costs. Miscellaneous revenue increased with the TxDOT right of way payment of \$519,514 plus insurance claims due to the hail damage;
- \$85,000 from Court Security fund will be used to pay some bailiff costs;
- Debt service fund. \$274,000 transferred from Administration to debt service for litigation costs;
- Capital replacement fund. Due to the cancelled linear park project, \$241,183.33 will be returned to EDC and will be used for the pedestrian bridge. TxDot owes the City a refund of approximately \$71,455.67.

15. Discussion of and direction on 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. (Staff)

There was no discussion on this item.

16. Discussion of and direction on the proposed Tax Year 2016 ad valorem (property) tax rate to be adopted at the Regular Meeting of the City Council on September 22, 2016. (Staff)

There was no discussion on this item.

Mayor Schoolcraft announced that Council will vote to adopt the 2016 ad valorem tax rate at the regular Council meeting in the City Hall Council Chambers on September 22, 2016, 7 p.m. at 12951 Bandera Road.

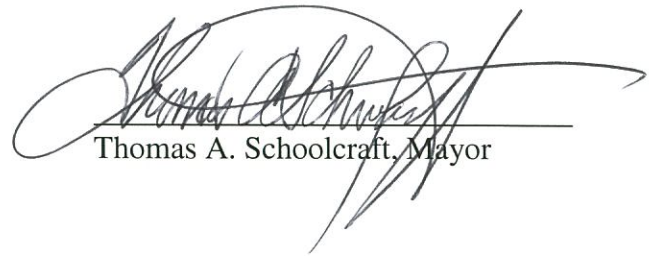
Adjourn.

With no more business to come before Council, Mayor Schoolcraft adjourned the meeting at 9:22 p.m.

ATTEST:



Grace Tamez, City Secretary



Thomas A. Schoolcraft, Mayor

