

MINUTES
REGULAR MEETING
HELOTES CITY COUNCIL
September 23, 2021

The City of Helotes City Council met for a regular meeting on Thursday, September 23, 2021, 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
Linda Salazar
Matthew McCrossen
Cynthia Massey
Matthew Merchant

Staff Present: Marian Mendoza, City Administrator
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 Sanders led the invocation. Mayor Whitehead led the pledge to the U.S. flag and the Texas flag.

OPEN SESSION:

2. Citizens to be Heard.

No one signed up to speak on this item.

CONSENT AGENDA (ITEM NOS. 3 - 11): All items marked with an asterisk (**) on the consent agenda were voted on by one motion. Motion was made by Council Member Merchant, second by Council Member Sanders, to approve items 3 through 11 on the consent agenda. Motion to approve carried unanimously by those present.

- 3.** Approval of the minutes of the Regular Meeting dated September 9, 2021. (Staff)**
- 4.** Approval of an Ordinance of the City Council of the City of Helotes, Texas approving an Investment Policy and Strategy for Fiscal Year Ending (FYE) 2022. (Staff)**
- 5.** Approval of a Resolution of the City Council of the City of Helotes, Texas designating Marian V. Mendoza, City Administrator, and Tabitha Durr, Finance Director, as the Investment Officers for the City of Helotes for Fiscal Year Ending (FYE) 2022. (Staff)**
- 6.** Approval of a Resolution of the City Council of the City of Helotes, Texas approving a list of approved brokers/dealers for public investment purposes for the City of Helotes for Fiscal Year Ending (FYE) 2022. (Staff)**

- 7.** **Approval of a Resolution of the City Council of the City of Helotes, Texas designating the San Antonio Express News as the official newspaper for the City of Helotes for Fiscal Year Ending (FYE) 2022. (Staff)**
- 8.** **Approval of a Resolution 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 (HEDC) for Fiscal Year Ending (FYE) 2022. (Staff)**
- 9.** **Approval of a Resolution of the City Council of the City of Helotes, Texas approving the designation of the City Administrator as the updated Authorized Official of the Coronavirus Emergency Supplemental Funding Grant No. 4165001 through the Office of the Governor – Justice Assistance Grant Program. (Staff)**
- 10.** **Approval of cancelling the regular City Council Meeting on Thursday, October 28, 2021, due to City Hall Council Chambers being used as an early voting center for the November 2, 2021 Election. (Staff)**
- 11.** **Approval of an Ordinance of the City Council of the City of Helotes, Texas authorizing certain budget amendments pertaining to the adopted Fiscal Year Ending (FYE) 2021 Budget. (Staff)**

MAYOR'S REPORT:

12. **Updates on the following: (Mayor Whitehead)**
 - **Building maintenance at City Hall.**

Mayor Whitehead advised due to past heavy rainfall, water entered into the Development Services area inside City Hall. As a result, the flooring was ruined. To hopefully prevent flooding issues going forward, an awning was installed over the Development Services entrance. Additionally, Public Works is in the process of replacing the flooring.

ITEMS FOR INDIVIDUAL CONSIDERATION:

13. **Discussion of and action on a Resolution of the City Council of the City of Helotes, Texas approving certain amendments to the City of Helotes Personnel Policy and Procedures Manual. (Staff)**

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

The city's personnel policy is being updated to reflect changes to employee programs. A notable change is renaming the *Grade & Step Policy* to *Compensation Policy*. This will provide the city with a program to assess current market conditions for compensation across local municipalities and ensure an employee's compensation is in line with the position they hold.

Motion to approve the item as written carried unanimously.

14. **Discussion of and action on a Resolution of the City Council of the City of Helotes, Texas approving the issuance of a Letter of Approval, as required by Texas Health and Safety Code, Chapter 773 *Emergency Medical Services*, Section 773.0573, to Western-Star Hospital Authority, Inc., doing business as Metro Health EMS, who is applying with the Texas Department of State Health Services to provide emergency medical services to veterans; and authorizing the Mayor to execute said Letter of Approval. (Staff)**

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

Motion to approve the item as written carried unanimously.

15. **First Reading and discussion on an Ordinance of the City Council of the City of Helotes, Texas amending Municipal Code of Ordinances Chapter 34 *Environment* by adding Article VII *Noise and Sound Level Regulation* to set forth permissible sound levels and establish the enforcement thereof in order to protect the citizens against unreasonable noise within the corporate limits of the City of Helotes. (Staff)**

Presently, the city does not have a noise ordinance in place. The purpose of the ordinance is to clearly identify permissible sound levels and establish regulations concerning loud, excessive noise. The general consensus of Council was to include under Section 34-91 *Definitions*, the terms daytime hours, nighttime hours, weekdays, and weekends. Additionally, under Section 34-93 *Prohibited Noises Enumerated*, subparagraph (i), and under Section 34-96 *Exemptions*, subparagraph (5), Council agreed to set the general construction/repair hours to 7:00 am through 8:30 p.m. (presented as 7:00 a.m. through 7:00 p.m.). Staff noted the changes needed for the final reading of the ordinance taking place at the next regular Council meeting on October 14.

16. **First Reading and discussion on an Ordinance of the City Council of the City of Helotes, Texas amending Municipal Code of Ordinances Chapter 46 *Health and Sanitation*, Article II *Food Establishments* for the purpose of establishing permit requirements and regulations on the operation of mobile food establishments within the corporate limits of the City of Helotes. (Staff)**

The purpose of the ordinance is to clearly identify the process to obtain a mobile food establishment permit and set forth regulations. Council's discussion centered largely on whether mobile food establishments should be allowed on private property in a residential area. Council Member Massey expressed disagreement with allowing food trucks in residential zoned areas.

Frank Garza, City Attorney, advised the draft ordinance as written, allows for a property owner to have a mobile food establishment at their private residence (i.e. gathering for a birthday party), regardless of property size, so long as the property owner and mobile food establishment obtain the necessary permits and follow the required regulations. This allowance is outlined specifically under Section 46-19 *Mobile Food Establishments*, subparagraph (d)(3) *Mobile Food Establishments associated with Special Event Permit*. After some debate on this topic, the majority of Council were amenable to allowing food trucks in residential areas, so long as the code was followed.

Mayor Whitehead asked for any other comments. Council Member Sanders added the ordinance should identify the number of special event permits allowed per property owner in residential zoned areas. For example, one special event permit per quarter. Staff noted the change needed for the final reading of the ordinance taking place at the next regular Council meeting on October 14.

- 17. Discussion of and action on a Resolution of the City Council of the City of Helotes, Texas approving appropriations for the City of Helotes Economic Development Corporation's (HEDC) FYE 2022 Maintenance & Operating, Interest & Sinking, and Capital Budgets beginning October 1, 2021, and ending September 30, 2022, to support the HEDC's programs, "Projects," as defined by Texas Local Government Code Chapter 505 Type B Corporations. (Staff)**

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

Motion to approve the item as written carried unanimously.

- 18. Discussion of and action on an Ordinance 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, 2021, and ending September 30, 2022; appropriating money to a sinking fund to pay the interest and principal of the City's indebtedness; adopting the annual Budget of the City of Helotes for Fiscal Year 2021 – 2022; authorizing personnel positions and salaries; setting the 2021 – 2022 holiday schedule for City employees; and authorizing the City Administrator to expend monies and sign documents in accordance with said Budget. (Staff)**

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

Motion to adopt the FY 2022 Budget carried by the following recorded vote: 5 Ayes – Council Member Sanders, Council Member Salazar, Council Member McCrossen, Council Member Merchant, and Council Member Massey.

- 19. Discussion of and action on an Ordinance of the City Council of the City of Helotes, Texas levying an ad valorem (property) tax rate for the Tax Year 2021 in the amount of \$0.343979 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:**

- a. Adopt the ad valorem (property) tax rate for the Maintenance and Operations expenditures of the City of Helotes at \$0.281232 cents per \$100 valuation for the Tax Year beginning January 1, 2021, and ending December 31, 2021; 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 \$0.062747 cents per \$100 valuation for the Tax Year beginning January 1, 2021, and ending December 31, 2021. (Staff)**

The proposed property tax rate for Tax Year 2021 decreased to \$0.343979 per \$100 valuation and does not exceed the no-new revenue rate of \$0.344348, or the voter-approval rate of \$0.343979.

Item No. 19a - Motion was made by Council Member Sanders, second by Council Member Salazar, to adopt the ad valorem (property) tax rate for the Maintenance and Operations expenditures of the City of Helotes at \$0.281232 cents per \$100 valuation for the 2021 Tax Year. Motion to approve carried unanimously.

Item No. 19b - Motion was made by Council Member Salazar, second by Council Member Sanders, to 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 \$0.062747 cents per \$100 valuation for the 2021 Tax Year. Motion to approve carried unanimously.

20. Discussion of and action on an Ordinance of the City Council of the City of Helotes, Texas ratifying the adoption of the Fiscal Year Ending (FYE) 2022 Municipal Budget 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 FYE 2021 Municipal Budget. (Staff)

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

Motion to approve the item as written carried unanimously.

21. Discussion of and action on an Ordinance of the City Council of the City of Helotes, Texas establishing the Municipal Fee Schedule for Fiscal Year Ending (FYE) 2022. (Staff)

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

Motion to approve the item as written carried unanimously.

STAFF REPORT:

22. Report by City of Helotes Economic Development Corporation (HEDC) for Fiscal Year Ending (FYE) 2021. (Staff)

Glenn Goolsby, EDC Assistant Director, presented an annual progress report that highlighted program accomplishments by the HEDC Board of Directors. Glenn also provided a property report that identified current available lease spaces/land for sale in Helotes.

Adjourn

With no more business to come before Council, Mayor Whitehead adjourned the meeting at 8:34 p.m.



Rich Whitehead, Mayor

ATTEST:



Celina Perez, City Secretary

