

**Written Minutes for the
Regular City Council Meeting
Held on March 17, 2022
7:00 PM
Elmendorf City Hall
8304 FM 327
Elmendorf, TX 78112**

At any time during the City Council Meeting, the City Council may meet in executive session for consultation concerning attorney-client matters (real estate, litigation, contracts, personnel, and security).

I. City Council will convene for a Regular Meeting at the Elmendorf City Hall at 7:00 pm March 17, 2022.

Call to Order			
	The meeting is called to order at	7:00 PM	by Mayor Michael Gonzales
Pledge of Allegiance			
Invocation			By Chaplain James Stirnemann.
Roll Call			
Mayor	Michael J. Gonzales		Present
Councilmember Place 1	Tracy Riojas		Present
Councilmember Place 2	Tommy Hicks		Present
Councilmember Place 3	Hipolito "Polo" Maldonado		Absent
Councilmember Place 4	Manuel Decena		Present
Councilmember Place 5	Linda Pena Ortiz		Present

Also, present City Administrator Cody Dailey, City Secretary Roxanne De Leon, City Attorney Mike Guevara, Chief Marco Pena, Water Supervisor Shawn Cooper, and Sergeant D.A. Reyes.

Citizens Participation

No comments.

II. Mayor and City Council Comments

Councilmember Hicks Things are getting better as the weather is getting warmer.

III. General Business – Consent Agenda

1. Adoption and approval of the city council minutes from January 20, 2022.
2. Adoption and approval of the city council minutes from February 17, 2022
3. Approval of the previous month's bills paid and financial reports.
4. Approval of Resolution 3-17-2022-1R, appointing Dr. Chichi Junda Woo, the San Antonio Metropolitan Health District Director and Health Authority, as the City of Elmendorf Health Authority.

Councilmember Ortiz motions to approve all four (4) items of the General Business – Consent Agenda. Councilmember Riojas seconds and a vote is called.

Yay	Nay	Abstain
Councilmember Riojas		
Councilmember Hicks		
Councilmember Maldonado		
Councilmember Decena		

The motion to approve all four (4) items of the General Business – Consent Agenda is passed on a unanimous vote with all four (4) councilmembers in favor.

IV. General Business – Individual Consideration

5. Receive audit results presentation from Wayne Beyer of Beyer and Company for fiscal year ending September 30, 2021. Discussion and possible action to follow regarding the audit results.

Wayne Beyer is present by zoom to provide his presentation to City Council.

Councilmember Decena motions to accept the audit results from Wayne Beyer of Beyer and Company. Councilmember Hicks seconds and a vote is called.

Yay	Nay	Abstain
Councilmember Riojas		
Councilmember Hicks		
Councilmember Maldonado		
Councilmember Decena		

The motion to accept the audit results from Beyer and Company is passed on a unanimous vote with all four (4) councilmembers in favor.

6. Receive annual presentation from Elmendorf Police Department regarding racial profiling statistics.

Chief Marco Pena presents the racial profiling statistics and extends appreciation to Sergeant D.A. Reyes and all others who helped produce the report.

7. Discuss and possible action regarding a variance request from Hector Vazquez who is requesting a variance to the city's age limitation on manufactured homes currently requiring that manufactured homes be at least 5 years old or newer that are to be brought into the City of Elmendorf. Mr. Vazquez's manufactured home that he wishes to bring into the City on Norris West Drive is 22 years old.

Hector Alvarez and his family are moving from Illinois to a property located in the Ranchview Estates subdivision. Mr. Alvarez found out about the age requirement after purchasing the home and property. The pictures of the home were provided to City Council. Councilmember Hicks would be more comfortable with a conditional variance. The City Council's interest would be to improve the exterior.

Councilmember Hicks motions for a conditional variance with a 9-month time frame to make improvements of the exterior; property owner must return to City Council if conditions are not met. Councilmember Ortiz seconds and a vote is called.

Yay	Nay	Abstain
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Councilmember Riojas		
Councilmember Hicks		
Councilmember Maldonado		
Councilmember Decena		

The motion to approve a conditional variance with a 9-month time frame to make improvements of the exterior; property owner must return to City Council if conditions are not met is approved on a unanimous vote with all four (4) councilmembers in favor.

8. Discuss and possible action regarding Resolution 3-17-3022-2R, setting a public hearing under Section 372.011 of the Texas Local Government Code for the dissolution of the Public Improvement District No. 2 within the Corporate limits of the City of Elmendorf, Texas; and authorizing the issuance of notice by the City Secretary of Elmendorf, Texas regarding the public hearing.

Tabled until next regular city council meeting. No action taken.

9. Discuss and possible action regarding Ordinance 3-17-2022-1, declaring the unopposed candidates from the Mayor and two Alderman positions in the May 7, 2022 city election elected to office; canceling the election as it pertains to the Mayor and Alderman positions; providing a severability clause and providing an effective date.

City Administrator Cody Dailey states the deadline to place a name on the general ballot and write-in ballots have passed and no candidate for the office has opposition. Recommends the election for May 2022 be cancelled for the City of Elmendorf and the candidates in each position be declared elected to office. Those candidates would be Michael Gonazales for Mayor, George Dziuk for Place 3, and Linda Pena Ortiz for Place 5.

Councilmember Hicks motions to approve Ordinance 3-17-2022-1, declaring the unopposed candidates from the Mayor and two Alderman positions in the May 7, 2022 city election elected to office; canceling the election as it pertains to the Mayor and Alderman positions; providing a severability clause and providing an effective date. Councilmember Decena seconds and a vote is called.

Yay	Nay	Abstain
Councilmember Riojas		
Councilmember Hicks		
Councilmember Maldonado		
Councilmember Decena		

The motion to approve Ordinance 3-17-2022-1, declaring the unopposed candidates from the Mayor and two Alderman positions in the May 7, 2022 city election elected to office; canceling the election as it pertains to the Mayor and Alderman positions; providing a severability clause and providing an effective date is passed on a unanimous vote with all four (4) councilmembers in favor.

10. Discuss and possible action regarding the acceptance or rejection of a proposal from Advanced Groundwater Solutions, Inc. for \$9,500.00 for the study and identification of potential sites in the vicinity of the Hickory Ridge Development for possible additional Wilcox water wells.

City Administrator Cody Dailey advises City Council this item would prepare for the growth. R.W. McDonald plans on expanding the Hickory Ridge subdivision to neighboring properties and is willing to

donate land for two or three potential sites for future water wells. Wells would not be drilled until a future project loan is approved by City Council.

Councilmember Ortiz motions to approve a proposal from Advanced Groundwater Solutions, Inc. for \$9,500.00 for the study and identification of potential sites in the vicinity of the Hickory Ridge Development for possible additional Wilcox water wells. Councilmember Hicks seconds and a vote is called.

Yay	Nay	Abstain
Councilmember Riojas		
Councilmember Hicks		
Councilmember Maldonado		
Councilmember Decena		

The motion to approve a proposal from Advanced Groundwater Solutions, Inc. for \$9,500.00 for the study and identification of potential sites in the vicinity of the Hickory Ridge Development for possible additional Wilcox water wells is passed on a unanimous vote with all four (4) councilmembers in favor.

11. Discuss and possible action regarding the condition of the rail car “Alamo” and progress of its restoration as outlined under the Performance Agreement between the Elmendorf Economic Development Corporation for incentives to the San Antonio Railroad Heritage Museum, Inc. to enhance the museum facilities in Elmendorf, Texas.

Councilmember Decena believes they have not met with any of the EEDC’s expectations in the last four (4) years. Councilmember Ortiz says she would see them there every weekend but no progress was ever made. Further comments, so much work and money was spent to bring the train in. Councilmember Hicks points out that they affected the security of the building by tearing down the back fence and they did not have permission to do that. Then they started bringing old rails to the yard.

Councilmember Hicks motions to state the opinion of the City Council of the City of Elmendorf that the “Alamo” is of such condition of disrepair that it is no longer an asset to the City and orders notice to the EEDC of such opinion. Councilmember Ortiz seconds and a vote is called.

Yay	Nay	Abstain
Councilmember Riojas		
Councilmember Hicks		
Councilmember Maldonado		
Councilmember Decena		

The motion to state the opinion of the City Council of the City of Elmendorf that the “Alamo” is of such condition of disrepair that it is no longer an asset to the City and orders notice to the EEDC of such opinion is passed on a unanimous vote with all four (4) councilmembers in favor.

12. Discuss and possible action regarding request by National Property Holdings to release a portion of the City’s certificate of convenience and necessity for wastewater at a portion of the Alamo Junction Rail Park.

City Attorney Mike Guevara recommends having a meeting with the property owner to gather more information on the development.

Councilmember Decena motions to table this item for the next meeting. Councilmember Hicks seconds and a vote is called.

Yay	Nay	Abstain
Councilmember Riojas		
Councilmember Hicks		
Councilmember Maldonado		
Councilmember Decena		

The motion to table this item for the next meeting is passed on a unanimous vote with all four (4) councilmembers is passed on a unanimous vote with all four (4) councilmembers in favor.

13. Discuss and possible action regarding the addition of two new streetlights in the City of Elmendorf. The first would be on FM 327, near the St. Anthony's Church on existing pole number 274082. The second would be on an existing pole near the entrance of the ESD #10 fire station on pole number 243007.

Councilmember Decena motions to approve the addition of two new streetlights in the City of Elmendorf. The first would be on FM 327, near the St. Anthony's Church on existing pole number 274082. The second would be on an existing pole near the entrance of the ESD #10 fire station on pole number 243007. Councilmember Hicks seconds and a vote is called.

Yay	Nay	Abstain
Councilmember Riojas		
Councilmember Hicks		
Councilmember Maldonado		
Councilmember Decena		

The motion to approve the addition of two new streetlights in the City of Elmendorf. The first would be on FM 327, near the St. Anthony's Church on existing pole number 274082. The second would be on an existing pole near the entrance of the ESD #10 fire station on pole number 243007 is passed on a unanimous vote with all four (4) councilmembers in favor.

14. Discuss and possible action regarding Ordinance 03-17-2022-2, amending Chapter 2 – Administration, Article II. City Council' by adding 2-24; establishing a stipend of the Mayor and City Council; providing a severability clause providing for the repeal of conflicting ordinances; and providing an effective date.

Councilmember Decena feels everyone is here to serve the community and not interested in a paycheck. Councilmember Riojas feels this is not the time for a stipend. Councilmember Hicks says if it was passed, he would turn it back over to the city. Councilmember Ortiz is against receiving a stipend. When she filed to run for office, she did it to serve the community as a volunteer. Does not want people to come to the meeting because they will be paid or to file for office because they know they will get paid.

No action taken.

Councilmember Ortiz motions to proceed with Item #15 in closed session. Councilmember Riojas seconds and a vote is called.

Yay	Nay	Abstain
Councilmember Riojas		
Councilmember Hicks		
Councilmember Maldonado		
Councilmember Decena		

The motion to proceed with Item #15 in closed session is passed on a unanimous vote with all four (4) councilmembers in favor.

The City Council adjourns at 9:04 pm.

The City Council reconvenes at 9:21 pm.

15. Discuss and possible action regarding a citizen of the City that is keeping a pig on their property within the city limits of Elmendorf in violation of Sec. 4-221 of the Municipal Code. The foregoing agenda item (#15) is specifically identified for potential closed session in accordance with TOMA section 551.071 (litigation and certain consultation with attorney).

No action taken.

V. Adjournment

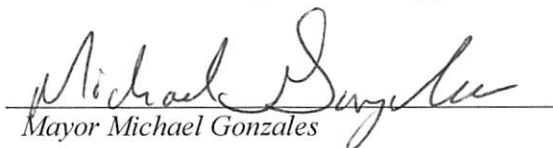
Councilmember Ortiz motions to adjourn the Regular City Council Meeting. Councilmember Decena seconds and a vote is called.

Yay	Nay	Abstain
Councilmember Riojas		
Councilmember Hicks		
Councilmember Maldonado		
Councilmember Decena		

The motion to adjourn the Regular City Council Meeting passed on a unanimous vote with all four (4) councilmembers in favor.

Regular City Council Meeting is adjourned at: 9:21 PM

The minutes were passed and approved on: April 27, 2022


Mayor Michael Gonzales


Attest: City Secretary Roxanne De Leon

