

**Written Minutes for the  
Regular City Council Meeting  
Held on March 23, 2023  
7:00 PM  
Elmendorf City Hall  
8304 FM 327  
Elmendorf, TX 78112**

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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 23, 2023.**

**Call to Order**

The meeting is called to order at 7:00 PM by Mayor Pro-Tem Tommy Hicks.

**Pledge of Allegiance**

**Invocation**

By Chaplain Cheryl Kirk.

**Roll Call**

Mayor	Michael J. Gonzales	Absent
Councilmember Place 1	Tracy Riojas	Present
Councilmember Place 2	Tommy Hicks	Present
Councilmember Place 3	George Dziuk	Present
Councilmember Place 4	Manuel Decena	Present
Councilmember Place 5	Linda Pena Ortiz	Present

Also, present City Administrator Cody Dailey, City Attorney Raika Rowe, City Secretary Roxanne De Leon, Chief Marco Pena, Court Clerk David Flores, and Chaplains James Stirnemann, David Kirk, Cheryl Kirk, and Officer Richard Scarborough.

**Citizens Participation**

**There are not any participants.**

**II. Mayor and City Council Comments**

**Councilmember Decena** Congratulates City Secretary Roxanne De Leon and states it is good to have her back.

**III. General Business – Consent Agenda**

1. Adoption and approval of the city council minutes from February 16, 2023.
2. Approval of the previous month's bills paid and financial reports.

Councilmember Decena motions to approve all General Business – Consent Agenda Items.  
Councilmember Dziuk seconds and a vote is called.

Councilmember Ortiz requests the consent agenda items to be broken up individually so she can vote separately on the minutes for a meeting she did not attend.

Councilmember Decena motions to approve Item #1 of the Consent Agenda. Councilmember Dziuk seconds and a vote is called.

Yay	Nay	Abstain
Councilmember Riojas		
Councilmember Hicks		
Councilmember Dziuk		
Councilmember Decena		
		Councilmember Ortiz

The motion to approve Item #1 of the Consent Agenda is passed on a majority vote with four (4) councilmembers in favor and one (1) abstained.

Councilmember Decena motions to approve Item #2 of the Consent Agenda. Councilmember Dziuk seconds and a vote is called.

Yay	Nay	Abstain
Councilmember Riojas		
Councilmember Hicks		
Councilmember Dziuk		
Councilmember Decena		
Councilmember Ortiz		

The motion to approve Item #2 of the Consent Agenda is passed on a unanimous vote with all five (5) councilmembers in favor.

#### **IV. General Business – Individual Consideration**

3. Receive presentation, discuss and possible action regarding the City's fiscal year 2021-2022 financial audit. Item presented by Phil Vaughan of Armstrong, Vaughan & Associates.

Philip Vaughan of Armstrong, Vaughan, & Associates is in attendant to present the audit results.

Councilmember Dziuk motions to accept the audit results. Councilmember Ortiz seconds and a vote is called.

Yay	Nay	Abstain
Councilmember Riojas		
Councilmember Hicks		
Councilmember Dziuk		
Councilmember Decena		
Councilmember Ortiz		

The motion to accept the audit results is passed on a unanimous vote with all five (5) councilmembers in favor.

4. Discuss and possible action regarding a variance request from Baldemar Garcia, who is in process of subdividing his land into two lots. The variance requested would be to allow a flag lot and an exception to the 50' of deeded frontage required under the Municipal Code.

Councilmember Ortiz motions to approve the variance requested from Baldemar Garcia.  
Councilmember Decena seconds and a vote is called.

Yay	Nay	Abstain
Councilmember Riojas		
Councilmember Hicks		
Councilmember Dziuk		
Councilmember Decena		
Councilmember Ortiz		

The motion to approve the variance requested from Baldemar Garcia is passed on a unanimous vote with all five (5) councilmembers in favor.

- Discuss and possible action regarding a subdivision plat for Baldemar Garcia for the purpose to create two lots at his property located at 7274 FM 327.

Councilmember Decena motions to approve the plat for Baldemar Garcia for the purpose to create two lots at his property located at 7274 FM 327 provided all requirements are met. Councilmember Ortiz seconds and a vote is called.

Yay	Nay	Abstain
Councilmember Riojas		
Councilmember Hicks		
Councilmember Dziuk		
Councilmember Decena		
Councilmember Ortiz		

The motion to approve the plat for Baldemar Garcia for the purpose to create two lots at his property located at 7274 FM 327 provided all requirements are met is passed on a unanimous vote with all five (5) councilmembers in favor.

- Discuss and possible action regarding Ordinance 3-23-2023-1, declaring the unopposed candidates for three alderman positions in the May 6, 2023 city election elected to office; cancelling the election as it pertains to the Aldermen positions; providing a severability clause, and providing an effective date.

Councilmember Ortiz motions to approve Ordinance 3-23-2023-1, declaring the unopposed candidates for three alderman positions in the May 6, 2023 city election elected to office; cancelling the election as it pertains to the Aldermen 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 Dziuk		
Councilmember Decena		
Councilmember Ortiz		

The motion to approve Ordinance 3-23-2023-1, declaring the unopposed candidates for three alderman positions in the May 6, 2023 city election elected to office; cancelling the election as it pertains to the

Aldermen positions; providing a severability clause, and providing an effective date is passed on a unanimous vote with all five (5) councilmembers in favor.

7. Discuss and possible action regarding filling a vacancy to Place #4 of the Planning and Zoning Commission. Tracy Riojas has agreed to step in.

Councilmember Ortiz motions to select Tracy Riojas to fill the vacancy of Place #4 on the Planning and Zoning Commission. Councilmember Decena seconds and a vote is called.

Yay	Nay	Abstain
		Councilmember Riojas
Councilmember Hicks		
Councilmember Dziuk		
Councilmember Decena		
Councilmember Ortiz		

The motion to select Tracy Riojas to fill the vacancy of Place #4 on the Planning and Zoning Commission is passed on a majority vote with four (4) councilmembers in favor and one (1) abstained.

8. Discuss and possible action regarding a contract with Axon Enterprise Inc. for the purchase of dash cams for the police department that would be due next fiscal year.

Councilmember Decena motions to approve a contract with Axon Enterprise, Inc for the purchase of dash cams for the police department. Councilmember Dziuk seconds and a vote is called.

Yay	Nay	Abstain
Councilmember Riojas		
Councilmember Hicks		
Councilmember Dziuk		
Councilmember Decena		
Councilmember Ortiz		

The motion to approve a contract with Axon Enterprise, Inc for the purchase of dash cams for the police department is passed on a unanimous vote with all five (5) councilmembers in favor.

Councilmember Ortiz motions to proceed with Items #9 and #10 in closed session. Councilmember Decena seconds and a vote is called.

Yay	Nay	Abstain
Councilmember Riojas		
Councilmember Hicks		
Councilmember Dziuk		
Councilmember Decena		
Councilmember Ortiz		

The motion to proceed with Items #9 and #10 in closed session is passed on a unanimous vote with all five (5) councilmembers in favor.

The City Council adjourns for closed session at 7:36 pm.

The City Council reconvenes at 8:19 pm.

9. Discuss and possible action regarding the selection of a managed network IT provider.

Councilmember Ortiz motions to select Tech Sage as the City's managed network IT provider at \$4,353.00 a month and \$4,353.00 to start. Councilmember Riojas seconds and a vote is called.

Yay	Nay	Abstain
Councilmember Riojas		
Councilmember Hicks		
Councilmember Dziuk		
Councilmember Decena		
Councilmember Ortiz		

The motion to select Tech Sage as the City's managed network IT provider at \$4,353.00 a month and \$4,353.00 to start is passed on a unanimous vote with all five (5) councilmembers in favor.

10. Discuss and possible action regarding future Planned Development Districts. The foregoing agenda item (#10) is specifically identified for a potential closed session in accordance with TOMA section 551.071 (consultation with attorney).

No action taken.

## V. Adjournment

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

Yay	Nay	Abstain
Councilmember Riojas		
Councilmember Hicks		
Councilmember Dziuk		
Councilmember Decena		
Councilmember Ortiz		

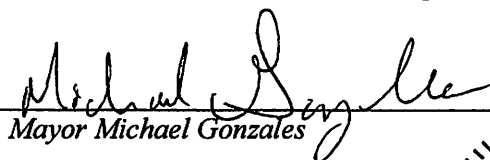
The motion to adjourn the Regular City Council Meeting passed on a unanimous vote with all five (5) councilmembers in favor.

Regular City Council Meeting is adjourned at:

8:21 pm

The minutes were passed and approved on:

April 20, 2023

  
Mayor Michael Gonzalez

  
Guest: City Secretary Roxanne De Leon

