

**Written Minutes for the  
Regular City Council Meeting  
Held on February 16, 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 February 16, 2023.**

**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	Absent
Councilmember Place 2	Tommy Hicks	Present
Councilmember Place 3	George Dziuk	Present
Councilmember Place 4	Manuel Decena	Present
Councilmember Place 5	Linda Pena Ortiz	Absent

Also, present City Administrator Cody Dailey, City Attorney Mike Guevara, City Secretary Roxanne De Leon by Zoom, Chief Marco Pena, Court Clerk David Flores, and Chaplain James Stirnemann.

**Citizens Participation**

**There are not any participants.**

**II. Mayor and City Council Comments**

<b>Councilmember Hicks</b>	Glad to see roads being cleaned up and progress being made.
<b>Councilmember Dziuk</b>	Thanks Chief Pena for coming to church during Sunday school.
<b>Councilmember Decena</b>	Thanks everyone for being here and wishes everyone to be safe.

Chief Pena introduces Ms. Ledesma of Mothers Against Drunk Driving. Presents Officer Matthew Redd with a certificate of appreciation for making many DWI stops and catching narcotics.

**III. General Business – Consent Agenda**

1. Adoption and approval of the city council minutes from January 19, 2023.
2. Approval of the previous month's bills paid and financial reports.

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

Yay	Nay	Abstain
Councilmember Hicks		
Councilmember Dziuk		
Councilmember Decena		

The motion to approve all General Business – Consent Agenda Items is passed on a unanimous vote with all three (3) councilmembers in favor.

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

- Discuss and possible action regarding a request by Jesse Palomo to amend the zoning classification of a property located in the R-1 (Single Family Residential) District. The legal description is: 12<sup>th</sup> Street in the City of Elmendorf, Texas (Property ID# 173688).

Commissioner Laura Wright-Wallace advises City Council of the Planning and Zoning's recommendation to approve for the C-2 (General Commercial) District. They have stipulated that the City Council may want to review if that is the proper classification for the type of business he wants to operate on the property.

Commissioner Hicks motions to send notice of the M-2 status, waiving fees for the next application. Commissioner Decena seconds and a vote is called.

Yay	Nay	Abstain
Councilmember Hicks		
Councilmember Dziuk		
Councilmember Decena		

The motion to send notice of the M-2 status, waiving fees for the next application is passed on a unanimous vote with all three (3) councilmembers in favor.

- Discuss and possible action regarding Resolution 2-16-2023-1R, establishing fees for municipal services.

City Administrator Cody Dailey states this is a resolution to correct the water rates. The rates listed in the resolution were at a 5% increase rather than the 4% increase that was approved from the last time they were adjusted in December 2019. The error may have occurred due to an unsaved template.

Councilmember Hicks motions to approve Resolution 2-16-2023-1R, establishing fees for municipal services. Councilmember Decena seconds and a vote is called.

Yay	Nay	Abstain
Councilmember Hicks		
Councilmember Dziuk		
Councilmember Decena		

The motion to approve Resolution 2-16-2023-1R, establishing fees for municipal services is passed on a unanimous vote with all three (3) councilmembers in favor.

5. Discuss and possible action regarding a contract with Axon Enterprises Inc. for the purchase of a dash cam for the police department.

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

Yay	Nay	Abstain
Councilmember Hicks		
Councilmember Dziuk		
Councilmember Decena		

The motion to approve a contract with Axon Enterprises, Inc. for the purchase of dash cameras for the police department is passed on a unanimous vote with all three (3) councilmembers in favor.

6. Discuss and possible action regarding Ordinance 2-16-2023-1, amending the fiscal year 2022-23 official budget, adopted by Ordinance 9-15-2022-1, providing a cumulative clause; providing a severability clause; and providing an effective date.

CLFRF expenditures need to be broken down to different council projects per the new auditor. The Cassiano line upgrade, wastewater upgrade, coding projects, road projects are now specified separately.

Councilmember Hicks motions to approve Ordinance 2-16-2023-1, amending the fiscal year 2022-23 official budget, adopted by Ordinance 9-15-2022-1, providing a cumulative clause; providing a severability clause; and providing an effective date. Councilmember Dziuk seconds and a vote is called.

Yay	Nay	Abstain
Councilmember Hicks		
Councilmember Dziuk		
Councilmember Decena		

The motion to approve Ordinance 2-16-2023-1, amending the fiscal year 2022-23 official budget, adopted by Ordinance 9-15-2022-1, providing a cumulative clause; providing a severability clause; and providing an effective date is passed on a unanimous vote with all three (3) councilmembers in favor.

7. Discuss and possible action regarding Ordinance 2-16-2023-2, adopting the sewer utility tariff of the Hickory Ridge Subdivision which will be exclusively served by the Hickory Ridge Wastewater Treatment Plant; and providing an effective date.

City Attorney Mike Guevara explains the city transferred a portion of its CCN over to Aqua for sewer services. There are concerns about the rates being worked out by Aqua as they are more than double of what the city rates are.

Councilmember Hicks motions to table until we get more information. Councilmember Dziuk seconds and a vote is called.

Yay	Nay	Abstain
Councilmember Hicks		
Councilmember Dziuk		
Councilmember Decena		

The motion to table until staff gathers more information is passed on a unanimous vote with all three (3) councilmembers in favor.

**V. Adjournment**

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

Yay	Nay	Abstain
Councilmember Hicks		
Councilmember Dziuk		
Councilmember Decena		

The motion to adjourn the Regular City Council Meeting passed on a unanimous vote with all three (3) councilmembers in favor.

Regular City Council Meeting is adjourned at:

8:19 pm

The minutes were passed and approved on:

March 23, 2023

  
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Mayor Michael Gonzales

  
\_\_\_\_\_  
Attest: City Secretary Roxanne De Leon

