

**Written Minutes for the
Regular City Council Meeting
Held on June 15, 2023
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 June 15, 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		Present
Councilmember Place 2	Tommy Hicks		Present
Councilmember Place 3	George Dziuk		Present
Councilmember Place 4	Manuel Decena		Absent
Councilmember Place 5	Linda Pena Ortiz		Present

Also, present City Administrator Cody Dailey, City Attorney Mike Guevara, City Secretary Roxanne De Leon, Chief Marco Pena, Water Supervisor Shawn Cooper, Court Clerk David Flores, Officer Eduardo Corona, Chaplain James Stirnemann, and Councilmember-elect Hipolito “Polo” Maldonado.

Citizens Participation

No citizens for participation.

II. Swearing In Ceremony – swearing in of Alderman elected May 6th 2023 to wit:

- **Alderman Place 1 – Hipolito “Polo” Maldonado**
- **Alderman Place 2 – Thomas Hicks**
- **Alderman Place 4 – Manuel Decena**

Mayor Gonzales swears in Hipolito “Polo” Maldonado for Alderman Place 1 and Tommy Hicks for Place 2. Councilmember Decena is absent and will swear in later with the City Secretary.

Councilmember Maldonado takes the seat of exiting Councilmember Riojas as Place 1 on City Council.

III. Mayor and City Council Comments

Councilmember Maldonado Glad to be back after one year away from City Council.
Grateful to Tracy Riojas for giving him the opportunity to come back.

Councilmember Hicks	Thanks to Tracy Riojas for helping the serving on City Council and helping the city move forward.
Councilmember Dziuk	Wishes Tracy Riojas the best and glad to have Councilmember Maldonado back.
Councilmember Ortiz	It is hard to get citizens to run for City Council and appreciates Tracy Riojas for coming along and hanging in there.
Mayor Gonzales	Thankful to Tracy for serving her community, good and bad. Holds no grudges for what she has planned next. If she wishes to come back, the City Council will welcome her back.
Councilmember Riojas	Thanks City Council and especially Mayor Gonzales for appointing her to serve in July 2016. Mayor Gonzales was hesitant at first to elect her when he had to break a tie vote. The city staff has been amazing. They have helped her grow and educated her how a city runs. She is proud for how far we have come from where we started. She knows the city will continue to do great things and she will be here in support. Don't hesitate to call.

IV. General Business – Consent Agenda

1. Adoption and approval of the city council minutes from May 18, 2023.
2. Approval of the previous month's bills paid and financial reports.

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

Yay	Nay	Abstain
Councilmember Maldonado		
Councilmember Hicks		
Councilmember Dziuk		
Councilmember Ortiz		

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

V. General Business – Individual Consideration

3. Recognition of former council member Tracy Riojas.

Mayor Gonzales presents Tracy Riojas with a plaque, thanking her for her service on City Council.

4. Discuss and possible action regarding the selection of a Mayor Pro-Tem for the next 12 months.

Councilmember Ortiz motions to select Councilmember Hicks as Mayor Pro-Tem for the next 12 months. Councilmember Maldonado seconds and a vote is called.

Yay	Nay	Abstain
Councilmember Maldonado		
Councilmember Hicks		
Councilmember Dziuk		
Councilmember Ortiz		

The motion to select Councilmember Hicks as Mayor Pro-Tem for the next 12 months is passed on a unanimous vote with all four (4) councilmembers in favor.

- Discuss and possible action regarding Ordinance 06-15-2023-1, restricting sex offenders from going in, on or near places where children commonly gather; establishing an offense; establishing a penalty; providing for procedures to apply for exemption of this Ordinance; providing for an affirmative defense; providing repealing and severability clauses; providing an open meetings clause; providing for publication; and providing an effective date.

Mayor Gonzales would like the council to consider this item as it was brought to his attention by a potential future citizen, that the city does not have any ordinances regarding sex offenders. Police Chief Marco Pena believes it can be enforced and does not see any issues.

Councilmember Hicks motions to approve Ordinance 06-15-2023-1, restricting sex offenders from going in, on or near places where children commonly gather; establishing an offense; establishing a penalty; providing for procedures to apply for exemption of this Ordinance; providing for an affirmative defense; providing repealing and severability clauses; providing an open meetings clause; providing for publication; and providing an effective date. Councilmember Maldonado seconds and a vote is called.

Yay	Nay	Abstain
Councilmember Maldonado		
Councilmember Hicks		
Councilmember Dziuk		
Councilmember Ortiz		

The motion to approve Ordinance 06-15-2023-1, restricting sex offenders from going in, on or near places where children commonly gather; establishing an offense; establishing a penalty; providing for procedures to apply for exemption of this Ordinance; providing for an affirmative defense; providing repealing and severability clauses; providing an open meetings clause; providing for publication; and providing an effective date is passed on a unanimous vote with all four (4) councilmembers in favor.

- Discuss and possible action regarding the possibility of soliciting bids for a tree trimming project in right of ways of all numbered streets and avenues in the City of Elmendorf (commonly referred to as the 4 sections of Old Elmendorf) and utilizing our City Engineer to facilitate the bidding process and final contract.

Mayor Gonzales brought this forward to review again. It was previously considered but the city had too many projects going on at the time. School buses and recreational vehicles run into branches and the trees are blocking the street lights.

Councilmember Hicks motions to solicit bids for a tree trimming project in right of ways of all numbered streets and avenues in the City of Elmendorf and utilizing the City Engineer to facilitate the bidding process and final contract. Councilmember Dziuk seconds and a vote is called.

Yay	Nay	Abstain
Councilmember Maldonado		
Councilmember Hicks		
Councilmember Dziuk		
Councilmember Ortiz		

The motion to solicit bids for a tree trimming project in right of ways of all numbered streets and avenues in the City of Elmendorf and utilizing the City Engineer to facilitate the bidding process and final contract is passed on a unanimous vote with all four (4) councilmembers in favor.

Councilmember Ortiz motions to go into closed session for Item #7. Councilmember Hicks seconds and a vote is called.

City Council adjourns for closed session at 7:23 PM.
City Council reconvenes for open session at 8:19 PM.

- Discuss and possible action regarding possible litigation and settlement thereof pertaining to the High Service Pump Station and Watermain Project under Contract CID-06. The foregoing agenda item (#7) is specifically identified for a potential closed session in accordance with TOMA section 551.071 (consultation with attorney).

Councilmember Ortiz motions to authorize staff to accept settlement proposed by mediator. Councilmember Maldonado seconds and a vote is called.

Yay	Nay	Abstain
Councilmember Maldonado		
Councilmember Hicks		
Councilmember Dziuk		
Councilmember Ortiz		

The motion to authorize staff to accept settlement proposed by mediator is passed on a unanimous vote with all four (4) councilmembers in favor.

VI. Adjournment

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

Yay	Nay	Abstain
Councilmember Maldonado		
Councilmember Hicks		
Councilmember Dziuk		
Councilmember Ortiz		

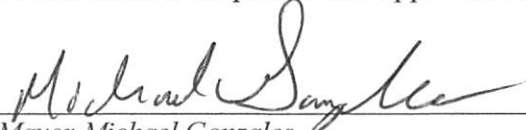
The motion to adjourn the Regular City Council Meeting passed on a unanimous vote with all four (4) councilmembers in favor.

Regular City Council Meeting is adjourned at:

8:20 pm

The minutes were passed and approved on:

July 20, 2023



Mayor Michael Gonzales



Attest: City Secretary Roxanne De Leon

