

**Written Minutes for the
Regular City Council Meeting
Held on September 21, 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 September 21, 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	Hipolito "Polo" Maldonado		Absent
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, Officer Eduardo Corona, Officer Richard Scarborough, Sergeant David Reyes, Elmendorf Community Library President Darlene Hicks, Chaplain James Stirnemann and Chaplain David Kirk.

Citizens Participation

- Claudia Ramirez** Received a storage container violation for her property. Ms. Ramirez doesn't have a garage so she uses it as storage and claims it was there before she moved in. Roxanne De Leon advised the city can confirm that with satellite images and will have Code Compliance Clerk Janie Cantu contact her.
- Clayton Redmond** Requests justification for the city having a police department before passing the budget. Mayor Gonzales states he supports the police department. Mr. Redmond requests facts. City Attorney Mike Guevara says it's a subjective answer but can say the police department has actively worked cases where they have stopped human trafficking, solved murders and they protect the community. Mayor Gonzales advises Mr. Redmond his three minutes are up.
- Julia Moreno** Says she is here to speak for seniors. Ms. Moreno presents a hand-made map and asks City Council what area has "100% Elmendorf Water." City Council responds that all of the City receives water from Elmendorf. Councilmember Ortiz specifies

it's a blend with SAWS water. Ms. Moreno wants to know when the water rates will go down and when she will only be charged for water she uses. City Attorney Mike Guevara says there's a study that's done on the water rates. Water rates may go down after more growth.

Police Chief Marco Pena promotes Sergeant David Reyes to Lieutenant of the Elmendorf Police Department. Chief Pena states he has been a blessing to the department. Lieutenant Reyes thanks everyone.

II. Mayor and City Council Comments

Councilmember Hicks	Take care of yourselves and your neighbors in this heat. Also mentions to be careful with COVID being on the rise again.
Councilmember Dziuk	Presents a check from the St. Anthony's Knights of Columbus to Darlene Hicks for the Elmendorf Community Library. Darlene Hicks is the President of the Elmendorf Community Library and accepts the donation in appreciation. Ms. Hicks says Claudia Ramirez's son is learning English at the library.

III. Open Public Budget Hearing

1. Conduct public hearing to receive input from citizens regarding the proposed 2023-2024 City Budget.

Open Time: 7:16 pm

No comments.

IV. Adjourn Public Budget Hearing

Adjournment Time: 7:16 pm

V. Open Public Tax Rate Hearing

2. Conduct public hearing to adopt a tax rate of .390168 and levy taxes for the 2023-2024 fiscal year.

Open Time: 7:17 pm

No comments.

VI. Adjourn Public Tax Rate Hearing

Adjournment Time: 7:17 pm

VII. General Business – Consent Agenda

3. Adoption and approval of the city council minutes from August 17, 2023.
4. Adoption and approval of the city council minutes from August 29, 2023.
5. Approval of the previous month's bills paid and financial reports.

6. Adoption and approval of Resolution number 9-21-2023-1R, adopting the City of Elmendorf Investment Policy.
7. Adoption and approval of Resolution number 9-21-2023-2R, adopting the Elmendorf Economic Development Corporation budget for fiscal year 2023-2024.
8. Adoption and approval of Ordinance 9-21-2023-3, regarding the City of Elmendorf's Texas Municipal Retirement System Benefits authorizing (1) and increase to the employee contribution rate; and (2) a change in city contributions to the current service annuity reserve on the retirement of system members who were city employees.
9. Discuss and possible action regarding Ordinance 9-21-2023-4, amending the city official zoning map; changing the zoning designation from R-1 and C-1 to Planned Development District as it pertains to a 89.75 acre tract of land located at the southern intersection of Loop 1604 and Highway 181 known as Lot 2, Block 1; Lot 3, Block 1; 16001 Hwy 181, Elmendorf, Bexar County, Texas.

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

Yay	Nay	Abstain
Councilmember Hicks		
Councilmember Dziuk		
Councilmember Ortiz		

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

VIII. General Business – Individual Consideration

10. Discussion and appropriate action regarding Ordinance number 9-21-2023-1, adopting the annual budget for fiscal year 2023-2024.

City Administrator Cody Dailey just received a last-minute update about the AMI meter project. Core & Main unintentionally left an item off the original invoice which is important part of the project. It is the software that allows customers to view usage and create alerts. The cost would bring the water department's capital acquisition cost up to \$114,500.

Councilmember Ortiz motions to approve Ordinance number 9-21-2023-1, adopting the annual budget for fiscal year 2023-2024, and revising the water department's capital acquisition cost to \$114,500 for the AMI module. Councilmember Hicks seconds and a vote is called.

Yay	Nay	Abstain
Councilmember Hicks		
Councilmember Dziuk		
Councilmember Ortiz		

The motion to approve Ordinance number 9-21-2023-1, adopting the annual budget for fiscal year 2023-2024, and revising the water department's capital acquisition cost to \$114,500 for the AMI module is passed on a unanimous vote with all three (3)

11. Discuss and possible action to ratify the property tax revenue increase reflected in the 2023-2024 fiscal year budget.

City Attorney Mike Guevara explains this is a requirement from the Texas Local Government Code. The city has to ratify the tax rate in the budget, acknowledging that you are adopting the tax rate in the budget.

Councilmember Ortiz motions to ratify the property tax revenue increase reflected in the 2023-2024 fiscal year budget. Councilmember Hicks seconds and a vote is called.

Yay	Nay	Abstain
Councilmember Hicks		
Councilmember Dziuk		
Councilmember Ortiz		

The motion to ratify the property tax revenue increase reflected in the 2023-2024 fiscal year budget is passed on a unanimous vote with all three (3) councilmembers in favor.

12. Discussion and appropriate action regarding Ordinance number 9-21-2023-2, adopting and setting the tax rate for 2023 at .390168 per \$100 valuation.

Councilmember Hicks motions to approve Ordinance number 9-21-2023-2, adopting and setting the tax rate for 2023 at .390168 per \$100 valuation. Councilmember Dziuk seconds and a vote is called.

Yay	Nay	Abstain
Councilmember Hicks		
Councilmember Dziuk		
Councilmember Ortiz		

The motion to approve Ordinance number 9-21-2023-2, adopting and setting the tax rate for 2023 at \$0.390168 per \$100 valuation is passed on a unanimous vote with all three (3) councilmembers in favor.

Councilmember Hicks motions to move that the property tax rate be increased by the adoption of a tax rate of \$0.390168, which is effectively a 9.93 percent increase in the tax rate. Councilmember Dziuk seconds and a vote is called.

Yay	Nay	Abstain
Councilmember Hicks		
Councilmember Dziuk		
Councilmember Ortiz		

The motion to move that the property tax rate be increased by the adoption of a tax rate of \$0.390168, which is effectively a 9.93 percent increase in the tax rate is passed on a unanimous vote with all three (3) councilmembers in favor.

13. Discuss and possible action regarding a request from the Elmendorf Economic Development Corporation to have a second logo placed on the elevated water tower.

You can only see the Elmendorf logo from Elmendorf and part of 1604. Highway 181 has a blank view. A completely different logo can be considered. A new design would be more expensive so we can pay a graphic designer.

Councilmember Hicks motions to allow the Elmendorf Economic Development Committee to proceed on second logo and bring back to council. Councilmember Ortiz seconds and a vote is called.

Yay	Nay	Abstain
Councilmember Hicks		
Councilmember Dziuk		
Councilmember Ortiz		

The motion to allow the Elmendorf Economic Development Committee to proceed on second logo and bring back to council is passed on a unanimous vote with all three (3) councilmembers in favor.

14. Discuss and possible action regarding the selection of a contractor for the old Elmendorf chip seal project.

Brandon of Utility Engineering Group recommends rejecting all bids and pursuing in March 2024.

Councilmember Hicks motions to reject the bids at this time until March 2024. Councilmember Dziuk seconds and a vote is called.

Yay	Nay	Abstain
Councilmember Hicks		
Councilmember Dziuk		
Councilmember Ortiz		

The motion to reject the bids at this time until March 2024 is passed on a unanimous vote with all three (3) councilmembers in favor.

15. Discuss and possible action regarding an agreement between the City of Elmendorf and Assessments of the Southwest, Inc. for special assessment collector services to be provided to and for the Hickory Ridge Public Improvement District.

The Bexar County Appraisal District ended up agreeing to collect for the Hickory Ridge Public Improvement District (PID) but they cannot start collecting until the 2024 tax year. Contracting with Southwest, Inc. is a temporary solution to collect for 2023. P3 Works has brought forward this contract with assessments of Southwest, Inc. Mike Guevara and Cody Dailey met with them today. The rate of \$400.00 per month will be billed quarterly. There are so few property owners out there right now, if they collect 100% by February, they won't bill for that quarter. The cost comes directly from assessments of the PID, not city funds. They feel comfortable with the contract language and recommend approval.

Councilmember Hicks motions to accept an agreement between the City of Elmendorf and Assessments of the Southwest, Inc. for special assessment collector services to be provided to and for the Hickory Ridge Public Improvement District. Councilmember Ortiz seconds and a vote is called.

Yay	Nay	Abstain
Councilmember Hicks		
Councilmember Dziuk		
Councilmember Ortiz		

The motion to accept an agreement between the City of Elmdorf and Assessments of the Southwest, Inc. for special assessment collector services to be provided to and for the Hickory Ridge Public Improvement District is passed on a unanimous vote with all three (3) councilmembers in favor.

IX. Adjournment

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

Yay	Nay	Abstain
Councilmember Hicks		
Councilmember Dziuk		
Councilmember Ortiz		

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:

7:46 pm

The minutes were passed and approved on:

October 19, 2023


Mayor Michael Gonzales


Attest: City Secretary Roxanne De Leon

