

**Written Minutes for the
Regular City Council Meeting
Held October 19, 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 October 19, 2023.

Call to Order			
	The meeting is called to order at	7:05 PM	by Mayor Pro-Tem Tommy Hicks.
Pledge of Allegiance			
Invocation			by Chaplain James Stirnemann.
Roll Call			
Mayor	Michael J. Gonzales		Absent
Councilmember Place 1	Hipolito "Polo" Maldonado		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 Mike Guevara, City Secretary Roxanne De Leon, Chief Marco Pena, Water Supervisor Shawn Cooper, Lieutenant David Reyes, Chaplain James Stirnemann, David Page, Laura Wright-Wallace, Minnie Slaughter, Emilia Kirtner, Samantha Angel Ramos and her mother. Citizen Gabriel Chincarini and a representative from P3 Works, LLC.

Citizens Participation

Jerry Parker Mr. Parker states he has received a notice of code compliance violation for having two storage containers on his property located in a residential zone. He says brought the containers in around 2015 and wants to keep them.

II. Mayor and City Council Comments

There are no comments.

III. General Business – Consent Agenda

1. Adoption and approval of the city council minutes from September 21, 2023.
2. Approval of the previous month's bills paid and financial reports.
3. Approval of the Investment Report for the prior quarter.

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

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

The motion to approve all the General Business – Consent Agenda items is passed on a majority vote with four (4) councilmembers in favor and one (1) abstained. Councilmember Decena abstained from the vote because he wasn't present at the previous meeting to approve the minutes.

IV. General Business – Individual Consideration

- Discussion and possible action regarding Ordinance 10-19-2023-1, approving the 2023 Annual Service Plan update to the Service and Assessment Plan, including the assessment roll, for the Hickory Ridge Public Improvement District in accordance with Chapter 372, Texas Local Government Code.

Decena motions to approve Ordinance 10-19-2023-1, approving the 2023 Annual Service Plan update to the Service and Assessment Plan, including the assessment roll, for the Hickory Ridge Public Improvement District in accordance with Chapter 372, Texas Local Government Code. Councilmember Maldonado seconds and a vote is called.

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

The motion to approve Ordinance 10-19-2023-1, approving the 2023 Annual Service Plan update to the Service and Assessment Plan, including the assessment roll, for the Hickory Ridge Public Improvement District in accordance with Chapter 372, Texas Local Government Code is passed on a unanimous vote with all five (5) councilmembers in favor.

- Discuss and possible action regarding Resolution 10-19-2023-1, approving a 2023 Tax Increment Reinvestment Zone report for Reinvestment Zone number three, City of Elmendorf, Texas; making certain findings; providing a severability clause; and providing for an effective date.

Councilmember Ortiz notes this was approved by the TIRZ Board of Directors in their meeting earlier today.

Councilmember Decena motions to approve Resolution 10-19-2023-1, approving a 2023 Tax Increment Reinvestment Zone report for Reinvestment Zone number three, City of Elmendorf, Texas; making certain findings; providing a severability clause; and providing for an effective date. Councilmember Maldonado seconds and a vote is called.

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

The motion to approve Resolution 10-19-2023-1, approving a 2023 Tax Increment Reinvestment Zone report for Reinvestment Zone number three, City of Elmendorf, Texas; making certain findings; providing a severability clause; and providing for an effective date is passed on a unanimous vote with all five (5) councilmembers in favor.

- Discuss and possible action regarding a request by Samantha Angel Ramos for a conditional use review of a property located in the Single-Family Residential District (R-1). The legal description is: 16656 Borregas Road in the City of Elmendorf, Texas (property ID# 1349852).

Planning and Zoning Commissioner Laura Wright-Wallace confirms this item was approved by the commission earlier today.

Councilmember Ortiz motions to approve Samantha Angel Ramos' request for a conditional use preview of a property located in the Single-Family Residential District (R-1), legal description: 16656 Borregas Road in the City of Elmendorf, Texas (property ID# 1349852) to allow a manufactured home. Councilmember Decena seconds and a vote is called.

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

The motion to approve Samantha Angel Ramos' request for a conditional use preview of a property located in the Single-Family Residential District (R-1), legal description: 16656 Borregas Road in the City of Elmendorf, Texas (property ID# 1349852) to allow a manufactured home is passed on a unanimous vote with all five (5) councilmembers in favor.

- Discuss and possible action regarding a request by Hayat Family Investment, LLC for a conditional use review of properties located in the Heavy Industrial and Manufacturing District (M-2). The legal descriptions are as follows: 7704 E Loop 1604 S (Property ID# 159486), and 7698 E Loop 1604 (Property ID# 159487) in the City of Elmendorf, Bexar County, Texas.

A representative for this item is not in attendance. Planning and Zoning Commissioner Laura Wright-Wallace confirms the request was approved by majority with one objection at the Commission's meeting today. Councilmember Decena concerned if the facility follows state regulations and wished they were present to answer some questions.

Councilmember Decena motions to table this item until representation of the facility is present. Councilmember Maldonado seconds and a vote is called.

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

The motion to table this item until representation of the facility is present is passed on a unanimous vote with all five (5) councilmembers in favor.

8. Discuss and possible action regarding a proposed Texas Pollutant Discharge Elimination System Permit No. WQ0005436000. (This item is specifically reserved for closed session Texas Government Code Sec. 551.071 – consultation with attorney).

Councilmember Ortiz motions to adjourn to closed session. Councilmember Decena seconds and a vote is called.

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

The motion to adjourn to closed session is passed on a unanimous vote with all five (5) councilmembers in favor.

Closed Session Time: 7:39 pm

Reconvene Time: 8:12 pm

Councilmember Decena motions to direct staff to send letter and request representation at the next City Council Meeting. Councilmember Ortiz seconds and a vote is called.

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

The motion to direct staff to send letter and request representation at the next City Council Meeting is passed on a unanimous vote with all five (5) councilmembers in favor.

9. Discussion and possible action regarding compensation of City employees, including the administrative staff. (This item is specifically reserved for closed session under Texas Government Code Sec. 551.074 for the discussion of the employment, evaluation, and duties of City employees.)

This item will be tabled until Mayor Gonzales is present.

V. Adjournment

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

Yay	Nay	Abstain
Councilmember Maldonado		
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:

8:14 pm

The minutes were passed and approved on:

November 16, 2023



Mayor Michael Gonzales



Attest: City Secretary Roxanne De Leon

