

**Written Minutes for the  
Regular City Council Meeting  
Held on August 20, 2020  
7:00 PM**

**IN THE INTEREST OF PUBLIC HEALTH & SAFETY, PLEASE DO NOT COME TO THE CITY HALL. IT IS CLOSED. THIS IS A REMOTE MEETING.**

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 via free of charge video/audio conferencing at 7:00 pm August 20, 2020.**

<b>Call to Order</b>			
	The meeting is called to order at	<b>7:03 PM</b>	by Mayor Michael J. Gonzales
<b>Pledge of Allegiance</b>			
<b>Invocation</b>			by Chaplain David Kirk.
<b>Roll Call</b>			
Mayor	Michael J. Gonzales		Present by Video
Councilmember Place 1	Tracy Riojas		Absent
Councilmember Place 2	Tommy Hicks		Present by Video
Councilmember Place 3	Hipolito "Polo" Maldonado		Present by Video
Councilmember Place 4	Manuel Decena		Absent
Councilmember Place 5	Linda Pena Ortiz		Present by Video

Also, present City Administrator Cody Dailey, City Secretary Roxanne De Leon, City Attorney Mike Guevara, City Engineer Garry Montgomery, Police Chief Marco Pena and Chaplain David Kirk.

**Citizens Participation**

No participation from citizens. Mayor Gonzales announces to the public in attendance of the Zoom meeting, to use the "raise hand" feature to comment on items throughout the meeting.

**II. Mayor and City Council Comments**

- Councilmember Maldonado** Very grateful for the way we're functioning and wished we were all in a better situation. Hopes the good Lord will take care of everything.
- Councilmember Hicks** Sympathizes with the pressures staff is under dealing with this but they are holding up pretty well. Appreciates the staff and prays for everyone in the community.
- Councilmember Ortiz** Thanks city staff and police department for running the city during these difficult times. Very glad the city has not had to let anyone go. The staff schedules have adjusted due to the pandemic. Thanks to Police Chief Marco Pena for keeping City Council up to date. The citizens are still receiving full service as staff is still fulfilling their forty-hour work week. The administration is in full operation while taking precaution by practicing social distancing, wearing masks and sanitizing the building throughout the day.

Written Minutes for the  
Regular City Council Meeting  
Held on August 26, 2020  
7:00 PM

IN THE INTEREST OF PUBLIC HEALTH & SAFETY, PLEASE DO NOT COME TO THE CITY  
HALL. IT IS CLOSED. THIS IS A REMOTE MEETING.

At a time during the City Council Meeting, the City Council may meet in a virtual session for confidential or sensitive information. For more information, contact the City Clerk at (907) 586-2222.

1. City Council will convene for a Regular Meeting via video at 7:00 PM on August 26, 2020.

Call to Order			
Pledge of Allegiance			
Invocation			
Roll Call			
Mayor	Michael J. Gunder		
Councilmember Place 1	Tracy Wilson		
Councilmember Place 2	Johnny Hines		
Councilmember Place 3	Hibano "Bob" Jaramila Jr.		
Councilmember Place 4	Manuel Torres		
Councilmember Place 5	Johna Torres		

Also present: City Administrator Cody Dabbs, City Secretary, Kassandra Kanan, City Attorney Mike Guzman, City Engineer Gary Montgomery, Police Chief Martin Ponce and Captain David Kim.

Citizen Participation

No participation from citizens. City employees announced in the public to attendance of the Xpoint meeting to use the raised hand feature to comment on items brought to the meeting.

Mayor and City Council Comments

**Councilmember Higuera**  
 Very grateful for the staff we're having and wished we were all in a better situation. Hopes the food food will take care of everyone.

**Councilmember Hicks**  
 Sympathetic with the business staff is under duress with this but they are holding up pretty well. Appreciates the staff and prays for everyone in the community.

**Councilmember Ortiz**  
 Thanks to the staff and police department for running the city during these difficult times. City said the city has not had to let anyone go. I hope all schedules have adjusted due to the pandemic. Thank you Police Chief Mike Ponce for keeping City Council up to date. The citizens are still receiving full service as staff is still holding their feet about work week. The administration is in full operation while taking precaution by practicing social distancing. We're taking and sanitizing the building throughout the day.

### III. General Business – Consent Agenda

1. Adoption and approval of the city council minutes from July 16, 2020.
2. Approval of the previous month's bills paid and financial reports.
3. Acceptance of engagement letter for auditor Wayne Beyer for the audit of 2019-2020 fiscal year financials.

Councilman Maldonado voices concern over Item #3 and asks how long the city has contracted Wayne Beyer. City Administrator responds the city has worked with Wayne Beyer for about fourteen years. Councilmember Maldonado asks if they have been charging the city more and more each year. Mr. Dailey states it has been \$18,000.00 for a number of years but this year it is \$25,000.00 only because the additional \$7,000.00 is accounting a separate audit item necessary for the water well project. Councilmember Maldonado says he spoke with a family member who is a certified public accountant and they advised him it is good practice to change accountants from time to time as the accountant may become too lax. Councilmember Maldonado feels the city should send a message to the accountants by withholding signature of the engagement letter so they may provide a more reasonable quote for service. Councilmember Ortiz comments that a lot of businesses increase their costs every year. Councilmember Ortiz supports staying with Wayne Beyer as she knows they are very thorough and put the staff through a lot to complete the audit. Councilmember Hicks states in years past, the city had paid thousands of dollars to different auditors but they were coming back incomplete. When the city found Wayne Beyer, they have completed the city's audit year after year, making deadlines for the city to apply for grants and meet state law. Councilmember Hicks can confirm Wayne Beyer always kept the city in line by remaining critical and toeing the line. Mr. Dailey states Wayne Beyer specializes in government audits and is the top auditor in our area. While the city has had very good audits, there is always something they find that the city can do better, which are implemented. Councilmember Hicks suggests moving Item #3 to General Business – Individual Consideration.

Councilmember Ortiz motions to approve all three (3) items on the General Business – Consent Agenda and a vote is called. Motion dies for lack of second.

Councilmember Maldonado motions to approve two (2) items on the General Business – Consent Agenda. Councilmember Ortiz seconds and a vote is called.

Yay	Nay	Abstain
Councilmember Hicks		
Councilmember Maldonado		
Councilmember Ortiz		

The motion to approve all two (2) items on the General Business – Consent Agenda is passed on a unanimous vote with all three (3) councilmembers in favor.

### IV. General Business – Individual Consideration

3. Acceptance of engagement letter for auditor Wayne Beyer for the audit of 2019-2020 fiscal year financials.

Councilmember Maldonado motions to hold off until next month to renegotiate the cost with Wayne Beyer and bring forth costs from other cities for comparison. Councilmember Hicks seconds and a vote is called.

Yay	Nay	Abstain
Councilmember Hicks		
Councilmember Maldonado		
Councilmember Ortiz		

The motion to hold off until next month to renegotiate the cost with Wayne Beyer and bring forth costs from other cities for comparison is passed on a unanimous vote with all three (3) councilmembers in favor.

- Discuss and possible action regarding Ordinance 8-20-2020-1, amending the Code of Ordinances by amending Chapter 6 Buildings and Building Regulations by amending Article II. Building Permits and Fees; adding regulations for the repeal of ordinances in conflict herewith; and providing an effective date.

City Attorney Mike Guevara explains this ordinance necessary as the ban on flag lots was approved last month. This ordinance outlines a control as to whether or not a lot is exempted from subdivision regulations. Cases where subdividing may be exempted is when a parcel of land can be divided in such a way to not require infrastructure to be constructed and is accessible by a state or county road.

Councilmember Hicks motions to approve Ordinance 8-20-2020-1, amending the Code of Ordinances by amending Chapter 6 Buildings and Building Regulations by amending Article II. Building Permits and Fees; adding regulations for the repeal of ordinances in conflict herewith; and providing an effective date. Councilmember Maldonado seconds and a vote is called.

Yay	Nay	Abstain
Councilmember Hicks		
Councilmember Maldonado		
Councilmember Ortiz		

The motion to approve Ordinance 8-20-2020-1, amending the Code of Ordinances by amending Chapter 6 Buildings and Building Regulations by amending Article II. Building Permits and Fees; adding regulations for the repeal of ordinances in conflict herewith; and providing an effective date is passed on a unanimous vote with all three (3) councilmembers in favor.

- Discuss and possible action regarding ideas for purchases specifically eligible for reimbursement under the federal CARES Act.

City Administrator Cody Dailey states Bexar County has allocated the city \$112,695.00 in CARES funding that can be used on COVID related expenses. Items like PPE, hand sanitizer, and disinfectants are all legitimate expenses. In addition to UV filters for the city hall air conditioning system, hand sanitizing stations, and reimbursement of the 80 hours for COVID leave is acceptable. The city has spent a little over \$10,000.00 so any ideas from City Council are welcome. The deadline to submit purchases for reimbursement is the end of October. Councilmember Ortiz recommends the Plexiglas shields for council chambers and new computers.

Councilmember Hicks motions to grant Mayor Gonzales the authority to approve items for purchase not to exceed the amount allotted by Bexar County. Councilmember Maldonado seconds and a vote is called.

Yay	Nay	Abstain
Councilmember Hicks		
Councilmember Maldonado		
Councilmember Ortiz		

The motion to grant Mayor Gonzales the authority to approve items for purchase not to exceed the amount allotted by Bexar County is passed on a unanimous vote with all three (3) councilmembers in favor.

- Discuss and possible action regarding timing of putting Elmendorf wells into service and offsetting SAWS purchases in 2021.

City Engineer Garry Montgomery announces approval from Texas Commission Environmental Quality has approved the quality of water pumping from the wells. The SAWS contract comes up again at the end of this year so planning the acre feet to purchase can be reduced if the City Council wishes to blend SAWS supply with water wells.

Councilmember Hicks motions to table Item #6 until the August 27, 2020 special meeting. Councilmember Maldonado seconds and a vote is called.

Yay	Nay	Abstain
Councilmember Hicks		
Councilmember Maldonado		
Councilmember Ortiz		

The motion to table Item #6 until the August 27, 2020 special meeting is passed on a unanimous vote with all three (3) councilmembers in favor.

- Discuss and possible action regarding Unit 3 Roads in the Homewood subdivision.

Councilmember Ortiz motions to accept Unit 3 Roads in the Homewood subdivision. Councilmember Hicks seconds and a vote is called.

Yay	Nay	Abstain
Councilmember Hicks		
Councilmember Maldonado		
Councilmember Ortiz		

The motion to accept Unit 3 Roads in the Homewood subdivisions is passed on a unanimous vote with all three (3) councilmembers in favor.

- Discuss and possible action regarding Unit 1 Roads and recent repairs in the Homewood subdivision. The foregoing agenda item (#8) is specifically identified for a potential closed session in accordance with TOMA section 551.071 (litigation and certain consultation with attorney).

Citizen Kelly Brooks states her public information request for a recent inspection but got records back from an inspection in 2016. City Engineer Garry Montgomery states there have been a number of inspections over the last few years but more recent ones have taken place in March 2020. Citizen Peggy

Stephens asks if there was anything additional going to be done as her street floods and is now draining through her driveway. She has sent several pictures to councilmembers and the city administrator of the drainage. Ms. Stephens comments the roads are a hundred times worse than they were ten years ago. Citizen Amber requests City Council consider a contractor other than Yantis to do the roads again if that is what is decided.

Councilmember Ortiz motions convene in closed session. Councilmember Hicks seconds and a vote is called.

Yay	Nay	Abstain
Councilmember Hicks		
Councilmember Maldonado		
Councilmember Ortiz		

The motion to convene in closed session is passed on a unanimous vote with all three (3) councilmembers in favor.

The City Council adjourns for closed session at 8:33 PM.  
The City Council reconvenes for open session at 9:23 PM.

Councilmember Ortiz motions to approve Unit 1 roads with recent repairs in the Homewood subdivision as public streets. Councilmember Maldonado seconds and a vote is called.

City Engineer Garry Montgomery recalls the agreement made between the city and developer was to bring the streets up to code back in March. It is of his opinion that the contractor has completed the work identified in the contract. It is not 100% perfect as it would be if the streets were torn out but the streets had to be completed within the budget.

Citizen Peggy Stephens asks if her sidewalks would be repaired since it has been noted several times that it is damaged. City Attorney advises the roads have been accepted, this item did not include the sidewalks. Citizen Kelly Brooks asks if the city is prepared for the expenses. Mr. Dailey confirms if she is referring to repairs of potholes and such, the city is prepared.

Yay	Nay	Abstain
Councilmember Hicks		
Councilmember Maldonado		
Councilmember Ortiz		

The motion to approve Unit 1 roads with recent repairs in the Homewood subdivision as public streets is passed on a unanimous vote with all three (3) councilmembers in favor.

- Discuss and possible action regarding Ordinance 8-20-2020-2, authorizing and directing the installation and erection of stop signs within the Homewood Place Subdivision in the city limits of Elmendorf; providing a repealing clause, providing a severability clause; providing an open meetings clause; and providing an effective date.

Councilmember Ortiz motions to approve Ordinance 8-20-2020-2, authorizing and directing the installation and erection of stop signs within the Homewood Place Subdivision in the city limits of

Elmendorf; providing a repealing clause, providing a severability clause; providing an open meetings clause; and providing an effective date. Councilmember Hicks seconds and a vote is called.

Yay	Nay	Abstain
Councilmember Hicks		
Councilmember Maldonado		
Councilmember Ortiz		

The motion to approve Ordinance 8-20-2020-2, authorizing and directing the installation and erection of stop signs within the Homewood Place Subdivision in the city limits of Elmendorf; providing a repealing clause, providing a severability clause; providing an open meetings clause; and providing an effective date is passed on a unanimous vote with all three (3) councilmembers in favor.

Citizen Peggy Stephens thanks City Council for bringing her property value down and it is great to know she will have a stop sign she can swim to.

**V. Adjournment**

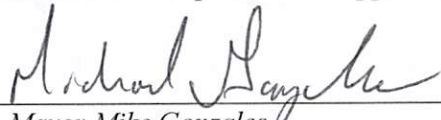
Councilmember Ortiz motions to adjourn the Regular City Council Meeting. Councilmember Hicks seconds and a vote is called.

Yay	Nay	Abstain
Councilmember Hicks		
Councilmember Maldonado		
Councilmember Ortiz		

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

Regular City Council Meeting is adjourned at: 9:34 PM

The minutes were passed and approved on: September 17, 2020

  
 \_\_\_\_\_  
 Mayor Mike Gonzales

  
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 Attest: City Secretary Roxanne De Leon