

**Written Minutes for the
Regular City Council Meeting
Held on March 19, 2020
7:00 PM
Elmendorf City Hall
8304 FM 327
Elmendorf, Texas 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 City Council Meeting at the Elmendorf City Hall at 7:00 pm March 19, 2020.

Call to Order			
	The meeting is called to order at	7:00 PM	by Mayor Michael J. Gonzales
Pledge of Allegiance			
Invocation			by Chaplain Stirneman.
Roll Call			
Mayor	Michael J. Gonzales		Present
Councilmember Place 1	Tracy Riojas		Present
Councilmember Place 2	Tommy Hicks		Present
Councilmember Place 3	Hipolito "Polo" Maldonado		Present
Councilmember Place 4	Manuel Decena		Present
Councilmember Place 5	Linda Pena Ortiz		Present

Also, present City Administrator Cody Dailey, City Secretary Roxanne De Leon, City Attorney Mike Guevara, Police Chief Marco Pena, Court Clerk Angie Mojica, Water Clerk David Flores, Water Supervisor Stephen Mayfield, City Engineer Garry Montgomery, Officer Eduardo Corona, and Chaplain Jim Stirneman.

Citizens Participation

Kelly Brooks A letter was sent to Ms. Brooks regarding a backflow inspection being required at her property. Water Supervisor Stephen Mayfield advised her that if she were to remove her sprinkler system, the annual inspections would not be required. The confirmation of removal would then to be scheduled with the city.

II. Police Department Update

Chief of Police Marco Pena advises City Council the stats are provided.

III. Mayor and City Council Comments

Councilmember Riojas The city is attempting to do their part. East Central ISD is offering free breakfast and lunches to students and their families. ECISD recently announced school closure until April 6th. Advises everyone to protect themselves and others around you; keep distance and quarantine; call the city if you need information.

- Councilmember Hicks** Just keep praying.
- Councilmember Decena** Appreciates the people who have attended under the circumstances.
- Councilmember Ortiz** Hopes and prays the pandemic passes over and prays for a cure. God bless everyone.
- Mayor Gonzales** Advises people in attendance that the Council can answer a few questions on business items but wants to get right to the issue of COVID-19. Praying for everyone.

IV. General Business – Consent Agenda

1. Adoption and approval of the city council minutes from February 20, 2020.
2. Approval of the previous month’s bills paid and financial reports.

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

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

The motion to approve all two (2) items on the General Business – Consent Agenda is passed on a unanimous vote with all five (5) councilmembers in favor.

City Administrator Cody Dailey states Governor Abbot has relaxed rules and regulations to the Public Meetings Act by allowing video and phone conference meetings. The city will get this running if necessary and update the council if meetings will need to be conducted in this manner.

V. General Business – Individual Consideration

3. Discuss and possible action regarding Ordinance 3-13-2020-1, declaring the unopposed candidates for the Mayor and three Alderman positions in the May 2, 2020 City election elected to office; canceling the election as it pertains to the Mayor and Alderman positions; providing a severability clause and providing an effective date.

Councilmember Ortiz motions to approve Ordinance 3-13-2020-1, declaring the unopposed candidates for the Mayor and three Alderman positions in the May 2, 2020 City election elected to office; canceling the election as it pertains to the Mayor and Alderman positions; providing a severability clause and providing an effective date. Councilmember Maldonado seconds and a vote is called.

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

The motion to approve Ordinance 3-13-2020-1, declaring the unopposed candidates for the Mayor and three Alderman positions in the May 2, 2020 City election elected to office; canceling the election as it pertains to the Mayor and Alderman positions; providing a severability clause and providing an effective date passed on a unanimous vote with all five (5) councilmembers in favor.

- Discuss and possible action regarding water project and planned design.

City Engineer Garry Montgomery advises City Council that bids received were over the city's budget. Mr. Montgomery feels the city can forgo the reverse osmosis system as a cost that can be eliminated from the project.

Councilmember Decena motions to approve eliminating the reverse osmosis system from the city's water plant and prepare a revised budget. Councilmember Hicks seconds and a vote is called.

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

The motion to approve eliminating the reverse osmosis system from the city's water plant and prepare a revised budget is passed on a unanimous vote with all five (5) councilmembers in favor.

- Discuss and possible action regarding the acceptance of a bid for construction of the elevated water tank.

Councilmember Ortiz motions to accept the bid from Landmark Structures at \$2.16 million dollars. Councilmember Decena seconds and a vote is called.

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

The motion to accept the bid from Landmark Structures at \$2.16 million dollars is passed on a unanimous vote with all five (5) councilmembers in favor.

- Discuss and possible action regarding the acceptance of a bid for construction of the ground water storage tanks.

Councilmember Riojas motions to authorize staff to negotiate with bidder, if unable to agree upon a number, then rebid, pull road project out to run a separate bid. Councilmember Decena seconds and a vote is called.

Yay	Nay	Abstain
Councilmember Riojas		
Councilmember Hicks		
Councilmember Maldonado		

Councilmember Decena		
Councilmember Ortiz		

The motion to authorize staff to negotiate with bidder, if unable to agree upon a number, then rebid, pull road project out to run a separate bid is passed on a unanimous vote with all five (5) councilmembers in favor.

- Discuss and possible action regarding a rezone request from Jaime A. & Elida L. Garcia for a map amendment to Ordinance 12-12-2013-1, the City of Elmendorf's Zoning Ordinance; property location 706 5th Avenue, Elmendorf, Texas 78112 (Property ID# 173778); from a Residential District (R-1) to a Commercial District (C-3).

Elida L. Garcia moved to Elmendorf in 2000 and her family is in the hair industry. Ms. Garcia would like to operate her salon in the home she owns next door to her residence. Councilmember Decena is familiar with her business and his wife is waiting for the business to open up. City Attorney Mike Guevara advises council that C-1 would be a preferable zone than a C-3. That zone would allow her to operate her business but a C-3 is for more heavy commercial. Mr. Guevara reminds council that if they approve the rezone request, anything that classifies for C-1 can operate there and to be aware of spot zoning where it would be illegal.

Decena motions to approve to a rezone request from Jaime A. & Elida L. Garcia for a map amendment to Ordinance 12-12-2013-1, the City of Elmendorf's Zoning Ordinance; property location 706 5th Avenue, Elmendorf, Texas 78112 (Property ID# 173778); from a Residential District (R-1) to a Commercial District (C-1). Councilmember Maldonado seconds and a vote is called.

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

The motion to approve to a rezone request from Jaime A. & Elida L. Garcia for a map amendment to Ordinance 12-12-2013-1, the City of Elmendorf's Zoning Ordinance; property location 706 5th Avenue, Elmendorf, Texas 78112 (Property ID# 173778); from a Residential District (R-1) to a Commercial District (C-1) is passed on a unanimous vote with all five (5) councilmembers in favor.

Councilmember Ortiz says the business services the community. Commissioner Wright-Wallace as a zoning member would like to encourage businesses in Elmendorf.

- Discuss and possible action regarding the appointment of a new member to the Elmendorf Economic Development Corporation to replace Tracy Riojas who has resigned that position.

Now that Councilmember Hicks serves on City Council, there are three councilmembers serving on the EEDC Board of Directors. Councilmember Riojas resigns from her position on the board, leaving Councilmember Hicks and Decena to continue serving. Citizen Laura Wright-Wallace has agreed to volunteer on the Board.

Councilmember Ortiz motions to appoint Laura Wright-Wallace as a member of the Elmendorf Economic Development Corporation. Councilmember Riojas seconds and a vote is called.

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

The motion to appoint Laura Wright-Wallace as a member of the Elmendorf Economic Development Corporation is passed on a unanimous vote with all five (5) councilmembers in favor.

- Discuss and possible action regarding COVID-19 response by city council and staff including a potential resolution to temporarily suspend water service disconnections for non-payment during this crisis, also discussion of potential ideas to create recommended social distancing including work from home in certain instances, staff separation, closing the lobby, postponing future traffic courts and paid sick leave for ill or quarantined employees.

City Administrator Cody Dailey goes over the warnings and updates from governor, the white house, and the emergency management district. Mr. Dailey suggests suspending shutoffs and penalties for services and authorizing payment plans to customers in need. There will be citizens affected by the pandemic from losing jobs and we will need to be there for the people.

Councilmember Decena motions to approve Resolution 3-19-2020-1R, suspending the disconnection of water service for late and missed payments for water, wastewater, and trash service and waiving related fees. Councilmember Ortiz seconds and a vote is called.

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

The motion to approve Resolution 3-19-2020-1R, suspending the disconnection of water service for late and missed payments for water, wastewater, and trash service and waiving related fees is passed on a unanimous vote with all five (5) councilmembers in favor.

The number of COVID-19 cases has gone up to 29. Due to lack of testing, it is predicted that there's at least a thousand people infected. The community spread has caused the infected number to double every one to two days. Mr. Dailey recommends closure of the lobby and slowing down traffic tickets. In the case where a full-time officer falls ill, a reserve officer can take their place at the pay rate of \$15.00 an hour until the officer returns.

Councilmember Hicks motions to support the mayor in taking control of the situation on the city's behalf to do the best we can. Councilmember Decena seconds and a vote is called.

Yay	Nay	Abstain

Councilmember Riojas		
Councilmember Hicks		
Councilmember Maldonado		
Councilmember Decena		
Councilmember Ortiz		

The motion to support the mayor in taking control of the situation on the city's behalf to do the best we can is passed on a unanimous vote with all five (5) councilmembers in favor.

Mr. Dailey states everything will be fluid but reminds City Council that the staff has never worked from home before and they may make mistakes. Mr. Dailey asks the Council bear with us and to please advise him if calls are not getting through.

10. Discuss and possible action regarding Declaration Declaring Disaster by City Council.

Councilmember Ortiz motions to approve the Declaration Declaring Disaster 2020-02 by City Council through April 16, 2020. Councilmember Hicks seconds and a vote is called.

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

The motion to approve the Declaration Declaring Disaster 2020-02 by City Council through April 16, 2020 is passed on a unanimous vote with all five (5) councilmembers in favor.

Mayor asks Chaplain Stirneman to say prayer before we adjourn.

VI. Adjournment

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

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

The motion to adjourn the Regular City Council Meeting is passed on a unanimous vote with all five (5) councilmembers in favor.

Regular City Council Meeting is adjourned at: 8: 40 PM

The minutes were passed and approved on: April 16, 2020



Mayor Mike Gonzales

Attest:



City Secretary Roxanne De Leon