

**Written Minutes for the
Regular City Council Meeting
Held on September 17, 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 September 17, 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 James Stirnemann
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, City Engineer Garry Montgomery, Police Chief Marco Pena, Water Operators Shawn Cooper and Matthew Sontag, Court Clerk Angie Mojica, Officer Eduardo Corona, and Chaplain James Stirnemann.

Citizens Participation

No participation from citizens.

II. Mayor and City Council Comments

Councilmember Riojas	Grateful to see everyone again and thanks staff.
Councilmember Hicks	Thanks staff for doing what they can with what they got.
Councilmember Maldonado	Feels good to see everyone.
Councilmember Decena	Good to see everyone and stay safe. Thanks staff for all the work.
Councilmember Ortiz	Nice to see everyone here and thanks staff for working during these difficult times.
Mike Guevara	Introduces Arthur Bryan as new city prosecutor.
Mayor Gonzales	Thanks people for getting out of their home to attend.

III. Open Public Budget Hearing

Time: 7:05 PM

1. Discussion regarding proposed city budget and tax rate for fiscal year 2020-2021.

City Administrator Cody Dailey explains the effective tax rate is set at a no-new-revenue tax rate that will raise the same amount of property tax revenue for the City from the same properties in both the 2019 tax year and the 2020 tax year.

2. Citizens' comments regarding proposed budget.

IV. Adjourn Public Budget Hearing

Adjournment Time: 7:07 PM

V. General Business – Consent Agenda

1. Adoption and approval of the city council minutes from August 20, 2020.
2. Adoption and approval of the city council minutes from August 27, 2020.
3. Approval of the previous month's bills paid and financial reports.
4. Adoption and approval of Resolution number 9-17-2020-1R, adopting the City of Elmhendorf Investment Policy.
5. Approve the Elmhendorf Economic Development Corporation budget for fiscal year 2020-2021.

City Administrator Cody Dailey points out a correction needed on August 27, 2020 minutes where it states road maintenance amount of \$80,000.00 should be \$50,000.00.

Councilmember Decena motions to approve all five (5) Consent Agenda items with corrections to August 27, 2020 minutes. 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 all five (5) Consent Agenda items with corrections to August 27, 2020 minutes is passed on a unanimous vote with all five (5) councilmembers in favor.

VI. General Business – Individual Consideration

6. Discuss and possible action regarding repairs at CID-04 Elevated storage Tank, presented by Garry Montgomery and representatives of Landmark Structures. The foregoing agenda item (#6) is specifically identified for a potential closed session in accordance with TOMA section 551.071 (litigation and certain consultation with attorney).

Mayor adjourns for closed session at 7:39 PM.
City Council reconvenes at 8:18 PM.

Councilmember Riojas motions to direct city engineer to create a plan for the two foot concrete apron on each side of the door opening and submit to Landmark; city engineer and water operators are to be

present on location before construction begins; communication is vital moving forward.
Councilmember Hicks seconds and a vote is called.

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

The motion to direct city engineer to create a plan for the two foot concrete apron on each side of the door opening and submit to Landmark; city engineer and water operators are to be present on location before construction begins; communication is vital moving forward is passed on a unanimous vote with all five (5) councilmembers in favor.

Mayor Gonzales announces they will move down to Item #14.

7. Discussion and appropriate action regarding Ordinance number 9-17-2020-1 adopting the annual budget for fiscal year 2020-2021.

Councilmember Maldonado motions to approve Ordinance number 9-17-2020-1, adopting the annual budget for fiscal year 2020-2021. Councilmember Riojas seconds and a vote is called.

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

The motion to approve Ordinance number 9-17-2020-2, adopting the annual budget for fiscal year 2020-2021 is passed on a unanimous vote with five (5) councilmembers in favor.

8. Discussion and appropriate action regarding Ordinance number 9-17-2020-2 adopting and setting the tax rate for 2020.

City Attorney Mike Guevara explains two separate motions are necessary for this item.

Councilmember Decena motions to ratify the tax rate of \$0.461289. Councilmember Maldonado seconds and a vote is called.

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

The motion to ratify the tax rate of \$0.461289 is passed on a unanimous vote with all five (5) councilmembers in favor.

Councilmember Riojas motions to approve Ordinance number 9-17-2020-2, adopting and setting the tax rate for 2020. 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 Ordinance number 9-17-2020-2, adopting and setting the tax rate for 2020 is passed on a unanimous vote with all five (5) councilmembers in favor.

- Discuss and possible action regarding the selection of a Supervisory Control and Data Acquisition (SCADA) integrator subcontractor for the Elmendorf water project in response to a request for qualification.

Councilmember Ortiz motions to select Hierholzer Engineering as a SCADA integrator subcontractor. Councilmember Riojas seconds and a vote is called.

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

The motion to select Hierholzer Engineering as a SCADA integrator subcontractor is passed on a unanimous vote with all five (5) councilmembers in favor.

Mayor Gonzales announces we will now move on to Item #11.

- Discuss and possible action regarding the setting of an order for the chip sealing of roads by city staff in the next fiscal year.

Councilmember Decena motions for the order of roads to be chip sealed to be: Elmendorf-La Vernia Road, Bexar Avenue & East Street, 1st Street at 1st Avenue by Ruby Hyatt's house, across FM 327, off FM 327 and Old Corpus Christi Road. Councilmember Hicks seconds and a vote is called.

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

The motion for the order of roads to be chip sealed to be: Elmendorf-La Vernia Road, Bexar Avenue & East Street, 1st Street at 1st Avenue by Ruby Hyatt’s house, across FM 327, off FM 327 and Old Corpus Christi Road is passed on a unanimous vote with all five (5) councilmembers in favor.

11. Discuss and possible action regarding Resolution 9-17-2020-2R, authorizing the execution of a contingent fee contract with Linebarger Goggan Blair & Sampson, LLP for fines and fees collection services. This is a renewal agreement for five years.

Councilmember Maldonado motions to approve Resolution 9-17-2020-2R, authorizing the execution of a contingent fee contract with Linebarger Goggan Blair & Sampson, LLP for fines and fees collection services. 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 9-17-2020-2R, authorizing the execution of a contingent fee contract with Linebarger Goggan Blair & Sampson, LLP for fines and fees collection services is passed on a unanimous vote with all five (5) councilmembers in favor.

12. Discuss and possible action regarding Resolution 9-17-2020-3R, authorizing the execution of a contingent fee contract with Linebarger Goggan Blair & Sampson, LLP for delinquent tax collection services. This is a renewal agreement for five years.

Councilmember Ortiz motions to approve Resolution 9-17-2020-3R, authorizing the execution of a contingent fee contract with Linebarger Goggan Blair & Sampson, LLP for delinquent tax collection services. 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 Resolution 9-17-2020-3R, authorizing the execution of a contingent fee contract with Linebarger Goggan Blair & Sampson, LLP for delinquent tax collection services is passed on a unanimous vote with all five (5) councilmembers in favor.

13. Discuss and possible action regarding the appointment of a department head selection committee in the search for a Water Supervisor.

Councilmember Ortiz motions to appoint Councilmember Ortiz, Mayor Gonzales, Councilmember Hicks, Cody Dailey, Chief Marco Pena, and Roxanne De Leon as committee in the search for a Water Supervisor. Councilmember Maldonado seconds and a vote is called.

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

The motion to appoint Councilmember Ortiz, Mayor Gonzales, Councilmember Hicks, Cody Dailey, Chief Marco Pena, and Roxanne De Leon as committee in the search for a Water Supervisor is passed on a unanimous vote with all five (5) councilmembers in favor.

14. Discuss and possible action regarding a potential contract with Enriched Organics for contract operating services of the Elmendorf Wastewater plant.

Jason Breithaupt of Enriched Organics was specifically recommended by the San Antonio River Authority. Mr. Breithaupt currently operates seven wastewater plants and all references made positive remarks. Enriched Organics will perform quarterly audits of our operations, treatment and paperwork to ensure full compliance with state regulations on a flat fee basis of \$4,000.00 per month until current staff obtains the proper licenses.

Councilmember Ortiz motions to approve a contract with Enriched Organics for operating services of the Elmendorf Wastewater Plant. 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 a contract with Enriched Organics for operating services of the Elmendorf Wastewater Plant is passed on a unanimous vote with all five (5) councilmembers in favor.

VII. Adjournment

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

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

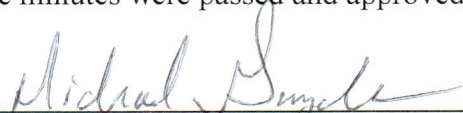
The motion to adjourn the Regular City Council Meeting is passed on a unanimous vote with all three (3) councilmembers in favor.

Regular City Council Meeting is adjourned at:

8:46 PM

The minutes were passed and approved on:

October 15, 2020



Mayor Mike Gonzales



Attest: City Secretary Roxanne De Leon

