

**Written Minutes for the
Regular City Council Meeting
Held on November 9, 2017
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 November 9, 2017.

Call to Order

The meeting is called to order at **7:00 PM** by Mayor Gonzales.

Pledge of Allegiance

Invocation

by Chaplain David Kirk.

Roll Call

Mayor	Michael J. Gonzales	Present
Alderman Place 1	Tracy Riojas	Present
Alderman Place 2	R.M. "Andy" Anderson	Present
Alderman Place 3	Hipolito "Polo" Maldonado	Present
Alderman Place 4	Richard B. Rodriguez	Absent
Alderman Place 5	Linda Pena Ortiz	Present

Also, present City Administrator Cody Dailey, City Secretary Roxanne De Leon, City Attorney Mike Guevara, and Police Chief Marco Pena. Chaplain David Kirk, Officer Corona, Officer Moreno, and Officer Subramaniam were also present.

Citizens Participation

No comments for participation.

II. Mayor and City Council Comments.

Mayor Gonzales Comments on the tragedy that occurred in Sutherland Springs, Texas on November 5th, stating that everyone should watch out for their fellow neighbor.

III. Departmental Updates – Suspended until further notice. Copies of each department's monthly reports are available on the table near the door for anyone interested.

Bobby Hogan, Fire Chief of the Emergency Service District (ESD) #10, informs everyone that all four propositions passed the election. Harmony Volunteer Fire Department will join ESD #10 beginning December 3rd.

IV. General Business – Consent Agenda

The items under the consent agenda are deemed by the City to be routine in nature and will be approved by one motion adopting the staff findings and recommendation as part of the approval. The items on the consent agenda will not be

discussed. Any member of the City Council desiring to discuss an item on the consent agenda may request that it be removed and placed on the individual consideration agenda to be heard at the beginning of that section of the agenda. Similarly, members of the public may also request that any item on the consent agenda be discussed in the individual consideration section by noting the item they want moved on the public comments sign-up sheet located at the front of the hall.

1. Adoption and approval of the city council minutes from October 12, 2017.
2. Adoption and approval of the city council minutes from October 13, 2017.
3. Adoption and approval of the city council minutes from October 26, 2017.
4. Approval of the previous month's bills paid and financial reports.
5. Adoption and approval of the 2017 Tax Roll as provided by the Bexar County Office of the Tax Assessor-Collector.

Alderman Ortiz motions to approve all five (5) items of the General Business – Consent Agenda. Alderman Riojas seconds and a vote is called.

Yay	Nay	Abstain
Alderman Riojas		
Alderman Anderson		
Alderman Maldonado		
Alderman Ortiz		

The motion to approve all five (5) items of the General Business – Consent Agenda is passed on a unanimous vote with all four (4) councilmembers in favor.

V. General Business – Individual Consideration

6. Receive briefing from Mark McLiney of SAMCO Capital regarding financing being sought from the Texas Water Development Board for the city's upcoming water project.

Mark McLiney of SAMCO Capital explains capital interest and the benefits of suspending two years of debt payments in order for the City to pay the SAWS water bill while it is constructing the new water well.

7. Discuss and possible action regarding Ordinance 11-9-2017-1, an ordinance of the City of Elmendorf, Texas, annexing the hereinafter described territory within its extraterritorial jurisdiction to the City of Elmendorf; extending the boundary limits of said City so as to include the hereinafter described property with the city limits; granting to the territory and to all future inhabitants all of the rights and privileges of other citizens and binding future inhabitants by all of the acts and ordinances of said city; and providing for an effective date. The properties making up the described territory are as follows:

Property ID	Site Address	Legal Description
1254490	15386 Cassiano Road	CB 4008-2 P-120A ABS 4
1252841	15635 Cassiano Road	CB 4008-1 P-125D ABS 4 REFER TO: 81300-004-1252
1263364	Cassiano Road	CB 4008-1 P-125E ABS 4
159347	15142 Kilowatt Road	CB 4008-3 P-130A ABS 4
159351	14952 S. US Highway 181	CB 4008-3 P-130E ABS 4
1231810	S. Loop 1604 E	CB 4008-5 P-8G ABS 4
159512	7274 FM 327	CB 4008-5 P-8B ABS 4
1201857	7264 FM 327	CB 4008-5 P-8E ABS 4

1174607	7274 FM 327	CB 4008-5 P-8C ABS 4 REFER TO: 80200-005-0084
159511	7735 Schultz Road	CB: 4008-5 P-8 ABS 4 LABEL# TEX0271166
159487	7698 E. Loop 1604	CB 4008-5 P-3D ABS 4
159486	7704 E. Loop 1604 S	CB 4008-5 P-3B ABS 4
159366	7325 Old Corpus Christi Hwy	CBV 4008-4 ABS 4 P-1
159375	17143 S. Loop 1604	CB 4008-4 P-2 & P-33 ABS 4
159314	8338 E. Loop 1604	CB 4008-3 P-89A ABS 4 LABEL: HWC0291051
159317	17830 Old Corpus Christi Hwy 4	CB 4008-3 P-89D ABS 4 REF: 82200-004-8900
159308	8380 S. Loop 1604 E	CB 4008-3 P-87 ABS 4
159303	17830 Old Corpus Christi Hwy	CB 4008-3 P-85 ABS 4
159306	8420 S. Loop 1604 E	CB 4008-3 P-86 ABS 4
159302	8460 S. Loop 1604 E	CB 4008-3 P-84C ABS 4
159295	8486 Elmendorf Lavernia	CB 4008-3 P-83 ABS 4
159294	17830 Old Corpus Christi Hwy	CB 4008-3 P-82 ABS 4
159292	8530 W. Loop 1604	CB 4008-3 P-81 ABS 4 REFER TO: 80300-004-0810
159289	18150 Old Corpus Christi Hwy	CB 4008-3 P-80 & P-81B ABS 4 REFER TO: 80200-003-0801

Alderman Ortiz motions to approve Ordinance 11-9-2017-1, an ordinance of the City of Elmendorf, Texas, annexing the hereinafter described territory within its extraterritorial jurisdiction to the City of Elmendorf; extending the boundary limits of said City so as to include the hereinafter described property with the city limits; granting to the territory and to all future inhabitants all of the rights and privileges of other citizens and binding future inhabitants by all of the acts and ordinances of said city; and providing for an effective date. Alderman Maldonado seconds and a vote is called.

Yay	Nay	Abstain
<hr/>		
Alderman Riojas		
Alderman Anderson		
Alderman Maldonado		
Alderman Ortiz		

The motion to approve Ordinance 11-9-2017-1, an ordinance of the City of Elmendorf, Texas, annexing the hereinafter described territory within its extraterritorial jurisdiction to the City of Elmendorf; extending the boundary limits of said City so as to include the hereinafter described property with the city limits; granting to the territory and to all future inhabitants all of the rights and privileges of other citizens and binding future inhabitants by all of the acts and ordinances of said city; and providing for an effective date is passed on a unanimous vote with all four (4) councilmembers in favor.

8. Discuss and possible action regarding a recommendation from the Planning and Zoning Commission for the approval of a map amendment to Ordinance 12-12-2013-1, the City of Elmendorf's Zoning ordinance; property owner Joe Keller Family Trust; property location 8530 W. Loop 1604, Elmendorf, Texas 78112; from R-1 (residential) to C3 (commercial) and M2 (industrial).

Patrick Christensen represents the buyers of the Keller property and expresses their interest of rezoning sections of the area to commercial and industrial.

Alderman Anderson motions to approve the recommendation from the Planning and Zoning Commission for the approval of a map amendment to Ordinance 12-12-2013-, the City of Elmendorf's Zoning ordinance; property owner of Joe Keller Family Trust; property location 8530 W. Loop 1604, Elmendorf, Texas 78112; from R-1 (residential) to C3 (commercial) and M2 (industrial). Alderman Riojas seconds and a vote is called.

Yay	Nay	Abstain
Alderman Riojas		
Alderman Anderson		
Alderman Maldonado		
Alderman Ortiz		

The motion to approve the recommendation from the Planning and Zoning Commission for the approval of a map amendment to Ordinance 12-12-2013-, the City of Elmendorf's Zoning ordinance; property owner of Joe Keller Family Trust; property location 8530 W. Loop 1604, Elmendorf, Texas 78112; from R-1 (residential) to C3 (commercial) and M2 (industrial) is passed on a unanimous vote with all four (4) councilmembers in favor.

- 9. Discuss and possible action regarding the appointment/reappointment of members to the Citizens Complaint Review Board or CCRB.

Police Chief Marco Pena has confirmed the current members of the CCRB has agreed to continue to serve on the board. Chief Pena has also recruited volunteers, James Briggs and Belinda Duquette, to serve as alternate residents and Officer Moreno to serve as an alternate officer of the department.

Alderman Ortiz motions to reappoint members Tommy Hicks, Minnie Slaughter, and Laura Wright-Wallace to serve as residents, Roxanne De Leon to serve as a staff member, Tony Trevino to serve as an officer of the department, and Linda Pena Ortiz as a councilmember; and alternates James Briggs and Belinda Duquette as residents and Officer Moreno for the police department.

Yay	Nay	Abstain
Alderman Riojas		
Alderman Anderson		
Alderman Maldonado		
Alderman Ortiz		

The motion to reappoint members Tommy Hicks, Minnie Slaughter, and Laura Wright-Wallace to serve as residents, Roxanne De Leon to serve as a staff member, Tony Trevino to serve as an officer of the department, and Linda Pena Ortiz as a councilmember; and alternates James Briggs and Belinda Duquette as residents and Officer Moreno for the police department is passed on a unanimous vote with all four (4) councilmembers in favor.

- 10. Discuss and possible action regarding a variance request from Gilbert and Evelyn Sanchez to construct more than one dwelling on a single lot.

Alderman Ortiz motions to credit Gilbert and Evelyn Sanchez the variance fee payment towards permitting fees on the workshop, which must be used as such; the permit must be obtained by the next city council meeting. Alderman Maldonado seconds and a vote is called.

Yay	Nay	Abstain

Alderman Riojas
Alderman Anderson
Alderman Maldonado
Alderman Ortiz

The motion to credit Gilbert and Evelyn Sanchez the variance fee payment towards permitting fees on the workshop, which must be used as such; the permit must be obtained by the next city council meeting is passed on a unanimous vote with all four (4) councilmembers in favor.

11. Discuss and possible action regarding execution of a location release agreement and Confidentiality agreement with Tri-Goodwyn Productions for filming at the Elmendorf Police Department.

Alderman Ortiz motions to approve the execution of a location release agreement and Confidentiality agreement with Tri-Goodwyn Productions for filming at the Elmendorf Police Department. Alderman Anderson seconds and a vote is called.

Yay	Nay	Abstain
Alderman Riojas		
Alderman Anderson		
Alderman Maldonado		
Alderman Ortiz		

The motion to approve the execution of a location release agreement and Confidentiality agreement with Tri-Goodwyn Productions for filming at the Elmendorf Police Department is passed on a unanimous vote with all four (4) councilmembers in favor.

12. Discuss and possible action regarding an appeal by the Elmendorf Heritage and Railroad Museum to a decision by city council regarding the location of the placement of the rail car known as the "Alamo."

Alderman Maldonado motions to approve the appeal by the Elmendorf Heritage and Railroad Museum to a decision by the city council regarding the location of the placement of the rail known as the "Alamo" to place the rail car behind the building at 203 Bexar Avenue Elmendorf, Texas 78112. Alderman Anderson seconds and a vote is called.

Yay	Nay	Abstain
		Alderman Riojas
Alderman Anderson		
Alderman Maldonado		
		Alderman Ortiz

The vote is tied with Alderman Anderson and Alderman Maldonado voting to approve; and Alderman Riojas and Alderman Ortiz voting against. The Mayor is called to break the tie.

Yay	Nay	Abstain
		Alderman Riojas
Alderman Anderson		
Alderman Maldonado		
		Alderman Ortiz
Mayor Gonzales		

The motion to approve the appeal by the Elmendorf Heritage and Railroad Museum to a decision by the city council regarding the location of the placement of the rail known as the “Alamo” to place the rail car behind the building at 203 Bexar Avenue Elmendorf, Texas 78112 is passed on a majority vote with three (3) councilmembers in favor and two (2) against. Alderman Riojas and Alderman Ortiz voted against this motion.

13. Discuss and possible action regarding the appointment of members to the board of Reinvestment Zone Number Three, City of Elmendorf, Texas.

Alderman Ortiz motions to appoint Angie Mojica, Laura Wright-Wallace, and George Dziuk as members to the board of Reinvestment Zone Number Three, City of Elmendorf, Texas. Alderman Riojas seconds and a vote is called.

Yay	Nay	Abstain
Alderman Riojas		
Alderman Anderson		
Alderman Maldonado		
Alderman Ortiz		

The motion to appoint Angie Mojica, Laura Wright-Wallace, and George Dziuk as members to the board of Reinvestment Zone Number Three, City of Elmendorf, Texas is passed on a unanimous vote with all four (4) councilmembers in favor.

14. Discussion and possible action regarding funding options for the purchase of property including a possible anticipation note of which the caption for such ordinance would be as follows: Ordinance of the city council of the City of Elmendorf authorizing the issuance of City of Elmendorf, Texas, tax and revenue anticipation notes; prescribing the terms and form thereof; approving the delegation of authority to the mayor to effect the issuance, sale and delivery of such notes; providing for the payment of principal and interest thereon; approving and authorizing the execution of a purchase agreement and other agreements related to the issuance and delivery of such notes; and making other findings and provisions relating to such notes and matters incident thereto. The foregoing agenda item (#14) is specifically identified for a potential closed session in accordance with TOMA section 551.071 (litigation and certain consultation with attorney) and/or section 551.072 (deliberations about real property).

Alderman Ortiz motions to proceed with Item #14 in closed session. Alderman Anderson seconds and a vote is called.

Yay	Nay	Abstain
Alderman Riojas		
Alderman Anderson		
Alderman Maldonado		
Alderman Ortiz		

The motion to proceed with Item #14 in closed session is passed on a unanimous vote with all four (4) councilmembers in favor.

The City Council adjourns for closed session at 8:23 PM.
 The City Council reconvenes for open session at 8:35 PM.

Alderman Riojas motions to authorize funding options for the purchase of property including a possible anticipation note of which the caption for such ordinance would be as follows: Ordinance of the city council of the City of Elmendorf authorizing the issuance of City of Elmendorf, Texas, tax and revenue anticipation notes; prescribing the terms and form thereof; approving the delegation of authority to the mayor to effect the issuance, sale and delivery of such notes; providing for the payment of principal and interest thereon; approving and authorizing the execution of a purchase agreement and other agreements related to the issuance and delivery of such notes; and making other findings and provisions relating to such notes and matters incident thereto. Alderman Ortiz seconds and a vote is called.

<u>Yay</u>	<u>Nay</u>	<u>Abstain</u>
<hr/>		
Alderman Riojas		
Alderman Anderson		
Alderman Maldonado		
Alderman Ortiz		

The motion to authorize funding options for the purchase of property including a possible anticipation note of which the caption for such ordinance would be as follows: Ordinance of the city council of the City of Elmendorf authorizing the issuance of City of Elmendorf, Texas, tax and revenue anticipation notes; prescribing the terms and form thereof; approving the delegation of authority to the mayor to effect the issuance, sale and delivery of such notes; providing for the payment of principal and interest thereon; approving and authorizing the execution of a purchase agreement and other agreements related to the issuance and delivery of such notes; and making other findings and provisions relating to such notes and matters incident thereto is passed on a unanimous vote with all four (4) councilmembers in favor.

VI. Adjournment

Alderman Ortiz motions for adjournment of the City Council Meeting. Alderman Anderson seconds, and a vote is called.

<u>Yay</u>	<u>Nay</u>	<u>Abstain</u>
<hr/>		
Alderman Riojas		
Alderman Anderson		
Alderman Maldonado		
Alderman Ortiz		

The motion to adjourn the City Council Meeting is passed on a unanimous vote with all four (4) alderpersons in favor.

Regular City Council Meeting is adjourned at: **8:35 PM**

The minutes were passed and approved on: December 14, 2017



 Mayor Mike Gonzales

Attest: 

 City Secretary Roxanne De Leon