

**Written Minutes for the
Regular City Council Meeting
Held on July 8, 2021
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 July 8, 2021.

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, Chaplain James Stirnemann and Sergeant David Reyes.

Citizens Participation

Minnie Slaughter will wait for Item #10.

II. Mayor and City Council Comments

No comments.	
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III. General Business – Consent Agenda

1. Adoption and approval of the city council minutes June 17, 2021.
2. Approval of the previous month's bills paid and financial reports.

Councilmember Hicks motions to accept all two (2) General Business – Consent Agenda items. Councilmember Riojas seconds and a vote is called.

Yay	Nay	Abstain
Councilmember Riojas		
Councilmember Hicks		
Councilmember Maldonado		

Councilmember Decena		
Councilmember Ortiz		

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

IV. General Business – Individual Consideration

- Discuss and possible action regarding Resolution 07-08-2021-1R, Determining the Costs of Certain Authorized Improvements to be financed by the Hickory Ridge Public Improvement District; approving a Preliminary Service Plan and Assessment Plan, including proposed assessment roll; calling a special meeting and noticing a public hearing for August 5, 2021 to consider an ordinance levying assessments on the property located within the Hickory Ridge Public Improvement District; directing the filing of the proposed assessment roll with the City Secretary to make available for public inspection; directing city staff to publish and mail notice of said public hearing and resolving other matters incident and related thereto.

Councilmember Hicks motions to adopt Resolution 07-08-2021-1R, determining the costs of certain authorized improvements to be financed by the Hickory Ridge Public Improvement District. Councilmember Ortiz seconds and a vote is called.

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

The motion to accept Resolution 07-08-2021-1R, Determining the Costs of Certain Authorized Improvements to be financed by the Hickory Ridge Public Improvement District is passed on a unanimous vote with all five (5) councilmembers in favor.

- Discuss and possible action regarding a Reimbursement Agreement between Tax Increment Reinvestment Zone Number Three, 181, and 1604 Land Development Partners, Ltd., Elmendorf Land Partnership, L.P., and the City of Elmendorf, Texas.

City Administrator Cody Dailey advised Council that the TIRZ board approved this item before this meeting. City Attorney confirms the money

Councilmember Ortiz motions to accept a Reimbursement Agreement between Tax Increment Reinvestment Zone Number Three, 181, and 1604 Land Development Partners, Ltd., Elmendorf Land Partnership, L.P., and the City of Elmendorf, Texas. Councilmember Decena seconds and a vote is called.

Yay	Nay	Abstain
Councilmember Riojas		
Councilmember Hicks		
Councilmember Maldonado		
Councilmember Decena		

Councilmember Ortiz		
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The motion to accept a Reimbursement Agreement between Tax Increment Reinvestment Zone Number Three, 181, and 1604 Land Development Partners, Ltd., Elmendorf Land Partnership, L.P., and the City of Elmendorf, Texas is passed on a unanimous vote with all five (5) councilmembers in favor.

- Discuss and possible action regarding Resolution 07-08-2021-2R, approving proceedings to authorize bonds, including the engagement of professionals in connection with the issuance and sale of such bonds and preparation of financing documents and a preliminary limited offering memorandum, and making other provisions regarding such bonds and matters incident and related thereto.

Councilmember Hicks motions to adopt Resolution 07-08-2021-2R, to authorize bonds, including the engagement of professionals in connection with the issuance and sale of such bonds and preparation of financing documents. Councilmember Riojas seconds and a vote is called.

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

The motion to accept Resolution 07-08-2021-2R, approving proceedings to authorize bonds, including the engagement of professionals in connection with the issuance and sale of such bonds and preparation of financing documents is approved on a unanimous vote with all five (5) councilmembers in favor.

- Discuss and possible action regarding the approval the First Amendment to the Hickory Ridge Development Agreement.

Councilmember Ortiz motions to approve the First Amendment to the Hickory Ridge Development Agreement for the Hickory Ridge Public Improvement District. Councilmember Maldonado seconds and a vote is called.

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

The motion to accept the First Amendment to the Hickory Ridge Development Agreement for the Hickory Ridge Public Improvement District is approved on a unanimous vote with all five (5) councilmembers in favor.

- Discuss and possible action regarding brush pile burning complaints and possible alternatives.

City Administrator Cody Dailey recommends not accepting the wood chips as they take too long to burn out and cannot properly be picked up with Tiger's equipment.

Councilmember Riojas motions to direct staff to draft a resolution to charge \$250.00 for commercial brush services; suspension of accepting commercial drop off effective immediately; draft an ordinance to exclude acceptance of mulch and wood chips. Councilmember Decena seconds and a vote is called.

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

The motion to direct staff to draft a resolution to charge \$250.00 for commercial brush services; suspension of accepting commercial drop off effective immediately; draft an ordinance to exclude acceptance of mulch and wood chips is passed on a unanimous vote with all five (5) councilmembers in favor.

- Discuss and possible action regarding the addition of Juneteenth to our list of official holidays observed and to close the office for that holiday in accordance with our personnel policies. This is in response to the recent addition of Juneteenth as an official Federal holiday by the Federal Government and as well as the State of Texas adopting it as well.

Councilmember Ortiz motions to accept the addition of Juneteenth as a holiday. Councilmember Hicks seconds and a vote is called.

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

Councilmember Maldonado asks if the city is required to accept this holiday or give employees the day off. Mayor Gonzales states it was federally mandated. Councilmember Maldonado is concerned if the city can afford to give employees the day off and how it would affect the community to pay employees for a day off with their tax money. Councilmember Maldonado doesn't recommend approval. Councilmember Ortiz would prefer to go along with the federally recognized holidays.

Councilmember Maldonado asks how many holidays the city currently recognizes. City Administrator Cody Dailey states there are twelve (12) full days and two (2) half days. Councilmember Riojas asks when was the last time a new federal holiday was added. Councilmember Hicks states the last time was twenty (20) years ago.

The motion to accept the addition of Juneteenth as a holiday is passed on a majority vote with four (4) councilmembers in favor and (1) abstained. Councilmember Maldonado abstains.

Councilmember Maldonado requests the City Council to reopen this item for discussion.

Councilmember Decena motions to reopen Item #8 for discussion. Councilmember Maldonado seconds and a vote is called.

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

The motion to reopen Item #8 for discussion is passed on a unanimous vote with all five (5) councilmembers in favor.

Councilmember Maldonado does not have a problem with the holiday but with the cost of paying everyone. Councilmember Decena states the city would still be federally mandated to pay the employees for the holiday whether they had the day off or not. Councilmember Maldonado would like to hear from the public their thoughts on the holiday.

Councilmember Ortiz asks citizen Minnie Slaughter how she feels about Juneteenth. Ms. Slaughter is in support of the holiday and considers all that the employees do for the government. If a member of council worked for the government, they would like to accept this holiday. Citizen Laura Wright-Wallace is in support of the holiday. All other holidays that are recognized are appreciated and are a benefit to an employee. If the city wanted to pick and choose just a handful of holidays, employees may feel unappreciated and look elsewhere. Employees should be retained. Emilia Clarke is in support of the holiday as people work too much. Chaplain Stirnemann believes we should follow the federal holidays particularly in the current environment. Ms. Wright-Wallace also points out that if one more day is going to break the city, there is a bigger problem that the city needs to worry about.

City Attorney Mike Guevara advises City Council they do not have to take action if they want to stick to original motion. No further action was taken.

- Discuss and possible action on appointing a Chairperson for the Christmas in the Park event for December 4, 2021.

Councilmember Decena motions to select Councilmember Ortiz as chairperson for the Christmas in the Park event for December 4, 2021. Councilmember Hicks seconds and a vote is called.

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

The motion to select Councilmember Ortiz as chairperson for the Christmas in the Park event for December 4, 2021 is passed on a unanimous vote with all five (5) councilmembers in favor.

- Discuss and possible action on the acceptance of a bid for chip sealing Elmendorf-Lavernia Road.

Citizen Minnie Slaughter asks how this road was selected to repair when Schultz Road is in such bad condition. School buses have to go through there and it easily overflows. City Administrator Cody

Dailey states City Council decides each budget cycle on which roads they would like to work on. City Council was mainly focused on unpaved roads last year but Mr. Dailey points out that Ms. Slaughter is right stating that Schultz is in bad shape and should be considered in the near future.

Councilmember Decena motions to accept bid from General Asphalt at \$42,400.00. Councilmember Hicks seconds and a vote is called.

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

The motion to accept bid from General Asphalt at \$42,400.00 is passed on a unanimous vote with all five (5) councilmembers in favor.

11. Discuss and possible action regarding the recent vandalism at the City Park restroom.

Councilmember Hicks motions to put a reward out for catching vandalizers, and put notice that if vandalism continues, park restrooms will be closed; also signs stating audio and video surveillance is in place. Councilmember Decena seconds and a vote is called.

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

The motion to put a reward out for catching vandalizers, and put notice that if vandalism continues, park restrooms will be closed; also, signs stating there is audio and video surveillance is passed on a unanimous vote with all five (5) councilmembers in favor.

VI. Adjournment

Councilmember Ortiz motions to adjourn the Regular City Council Meeting. Councilmember Hicks 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 passed on a unanimous vote with all five (5) councilmembers in favor.

Regular City Council Meeting is adjourned at:	8:36 PM
The minutes were passed and approved on:	August 19, 2021



Mayor Michael Gonzales



Attest: City Secretary Roxanne De Leon