

**Written Minutes for the
Regular City Council Meeting
Held on June 20, 2019
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 June 20, 2019.

Call to Order

The meeting is called to order at **7:01 PM** by Mayor Michael J. Gonzales.

Pledge of Allegiance

Invocation

by Chaplain David Kirk.

Roll Call

Mayor	Michael J. Gonzales	Present
Councilmember Place 1	Tracy Riojas	Present
Councilmember Place 2	R.M. "Andy" Anderson	Present
Councilmember Place 3	Hipolito "Polo" Maldonado	Present
Councilmember Place 4	Richard B. Rodriguez	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, City Engineer Garry Montgomery, Municipal Court Clerk Angie Mojica, Water Supervisor Stephen Mayfield, Chaplain David Kirk, and Reserve Officer Fernando Palomo.

Citizens Participation

Minnie Slaughter	Will wait for Item #8 for comment.
George Dziuk	Will wait for Item #4 for comment.

II. Mayor and City Council Comments

No comments

III. General Business – Consent Agenda

1. Adoption and approval of the city council minutes from May 16, 2019.
2. Approval of the previous month's bills paid and financial reports.

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

Yay	Nay	Abstain
Councilmember Riojas		

Councilmember Guerra		
Councilmember Maldonado		
Councilmember Decena		
Councilmember Ortiz		

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

IV. General Business – Individual Consideration

3. Recognition of former council members, R.M. (Andy) Anderson and Richard B. Rodriguez.

Mayor presents plaques of appreciation to former councilmembers R.M. (Andy) Anderson and Richard B. Rodriguez.

4. Discuss and possible action regarding a rezone request from Ronald Hansen for a map amendment to Ordinance 12-12-2013-1, the City of Elmendorf’s Zoning Ordinance; property location 9047 E Loop 1604 (Property ID# 159226) Elmendorf, Texas 78112; from R-1 (Residential) to M-2 (Heavy Industrial and Manufacturing) along with recommendations from the Planning and Zoning Commission.

Councilmember Decena motioned to deny a request from Ronald Hansen for a map amendment to Ordinance 12-12-2013-1, the City of Elmendorf’s Zoning Ordinance; property location 9047 E Loop 1604 (Property ID# 159226) Elmendorf, Texas 78112. Councilmember Ortiz seconds and a vote is called.

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

The motion to deny a request from Ronald Hansen for a map amendment to Ordinance 12-12-2013-1, the City of Elmendorf’s Zoning Ordinance; property location 9047 E Loop 1604 (Property ID# 159226) Elmendorf, Texas 78112 is passed on a unanimous vote with all five (5) councilmembers in favor.

5. Discuss and possible action regarding the approval of the final plat and plans for Hickory Ridge, Unit 1.

Garry Montgomery recommends approval of the final plat and plans for Hickory Ridge, Unit 1; expects development agreement to be presented in July.

Councilmember Decena motions to table this item #5 until the next council meeting when the development agreement is received. Councilmember Guerra seconds and a vote is called.

Yay	Nay	Abstain
Councilmember Riojas		
Councilmember Guerra		

Councilmember Maldonado		
Councilmember Decena		
Councilmember Ortiz		

The motion to table this item #5 until the next council meeting when the development agreement is received is passed on a unanimous vote with all five (5) councilmembers in favor.

- Discuss and possible action regarding Resolution 06-20-2019-1R, establishing fees for Municipal Services.

City Administrator Cody Dailey advises City Council that on May 21st, the Governor signed into law, HB 852, with no grace period, which outlawed the pricing of 1 and 2 family residential building permits based on value. In the couple of weeks since that time, we have been working with our 3rd party building inspector and plan reviewer to come up with recommended fees based on square footage rather than value. These fees will cover the fees charged to us by Bureau Veritas and is in compliance with HB 852. Building permits on all other structures (commercial, industrial, residential out-buildings) will all be on the current fee scheduled based on value as those were not affected by HB 852.

Councilmember Ortiz motions to approve Resolution 06-20-2019-1R, establishing fees for Municipal Services. Councilmember Maldonado seconds and a vote is called.

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

The motion to approve Resolution 06-20-2019-1R, establishing fees for Municipal Services is passed on a unanimous vote with all five (5) councilmembers in favor.

- Discuss and possible action regarding the acquisition of the 181 wastewater treatment plant owned by the San Antonio River Authority and approval of an Interlocal Agreement between the San Antonio River Authority and the City of Elmendorf for Technical assistance and support for City of Elmendorf Sanitary sewer treatment and collections.

City Administrator Cody Dailey explains that the city has been working with DR Horton to fund and build a wastewater treatment facility on the Dickie Clay property. That facility would then be turned over to the City to operate and maintain. In the interim, while that facility is being constructed, the wastewater for the first phase of DR Horton development would be sent to the San Antonio River Authority (SARA) facility currently in operation off Cassiano Road. SARA refers to this plant as the 181 Wastewater Plant. It currently services the Homewood Place subdivision as well as the TexBest Travel Center. After many meetings with SARA over the past number of months, it became clear that SARA's plan was to shut down their 181 Wastewater Plant as soon as the plant that we will operate on Dickie Clay comes online. They intended to build a lift station and pump the wastewater back down 181 to the new plant. Initially, there was no issue with this but it became apparent that SARA would be requiring connection/impact fees up front for all lots being platted. The estimated cost of \$810,000.00 for just the installation of sewer put this development in jeopardy. Mr. Dailey approached SARA about turning the existing system over to the City and having our Class B Wastewater operator on staff to

oversee the maintenance of the facility. SARA is open to the idea and presented the city with an Interlocal Agreement. They will want an up-front payment in the amount of \$150,000.00. Mr. Dailey recommends agreeing to the bullet points listed in the agreement but delaying closing on the treatment plant until DR Horton closes on their first phase of on the Dickie Clay property.

Councilmember Riojas motions to approve the acquisition of the 181 wastewater treatment plant owned by the San Antonio River Authority and approval of an Interlocal Agreement between the San Antonio River Authority and the City of Elmendorf for Technical assistance and support for City of Elmendorf Sanitary sewer treatment and collections. Councilmember Decena seconds and a vote is called.

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

The motion to approve the acquisition of the 181 wastewater treatment plant owned by the San Antonio River Authority and approval of an Interlocal Agreement between the San Antonio River Authority and the City of Elmendorf for Technical assistance and support for City of Elmendorf Sanitary sewer treatment and collections is passed on a unanimous vote with all five (5) councilmembers in favor.

- Discuss and possible action regarding an Interlocal Agreement with Bexar County for the provision of a High Water Detection System on Schultz Road.

Bexar County has agreed to install automatic traffic control arms when the road begins to flood. This helps ensure that public is protected and that flooding threats to vehicles are mitigated with a much quicker response. The county will pay for the install of the equipment. Once installed, it then becomes the burden of the city to maintain this equipment. The county anticipates installation to being by September 2019. Citizen Minnie Slaughter agrees with this as she lives near the area and tires are always being swept in with the flood.

Councilmember Ortiz motions to approve an Interlocal Agreement with Bexar County for the provision of a High Water Detection System on Schultz Road. Councilmember Guerra seconds and a vote is called.

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

The motion to approve an Interlocal Agreement with Bexar County for the provision of a High Water Detection System on Schultz Road is passed on a unanimous vote with all five (5) councilmembers in favor.

- Discuss and possible action regarding City Ordinances regulating the placement of signs.

City Attorney Mike Guevara states the last changes to the sign ordinance dealt with bandit signs but recommendations on the enforcement of political signs was not implemented. This had not been an issue in the past as most local election signs were posted on private property. The city staff now recommends that political signs be allowed in the right-of-ways during the May general election each year. This would not apply to the county or TXDOT roads. A final ordinance would be presented at the July meeting.

Councilmember Decena motions to approve city staff draft changes to ordinances regulating the placement of signs. Councilmember Ortiz seconds and a vote is called.

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

The motion to approve city staff draft changes to ordinances regulating the placement of signs is passed on a unanimous vote with all five (5) councilmembers in favor.

10. Discuss and possible action regarding the potential auction of unneeded or nonoperational assets including the motor grader, 2006 Crown Vic and 1990 GMC dog truck.

Three pieces of equipment are either no longer operational or the cost of continued maintenance outweighs the current need. An auction is the best method to sell the items fairly. All-Tex Towing can conduct the auction for the city but the towing cost and percentage of the sale would be a loss. The other option would be for the city to conduct its own silent auction and keep all funds. Water Supervisor Stephen Mayfield recommends the minimum bid for the 1990 GMC dog truck at \$200.00, the 2006 Ford Crown Victoria at \$600.00, and the motor grader at \$1,500.00.

Councilmember Ortiz motions to have the city conduct a silent auction at Elmendorf City Hall for the nonoperational/unneeded equipment; the minimum bid for the 1990 GMC dog truck at \$200.00, the 2006 Ford Crown Victoria at \$600.00, and the motor grader at \$1,500.00. Councilmember Decena seconds and a vote is called.

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

The motion to have the city conduct a silent auction at Elmendorf City Hall for the nonoperational/unneeded equipment; the minimum bid for the 1990 GMC dog truck at \$200.00, the 2006 Ford Crown Victoria at \$600.00, and the motor grader at \$1,500.00 is passed on a unanimous vote with all five (5) councilmembers in favor.

V. Adjournment

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

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

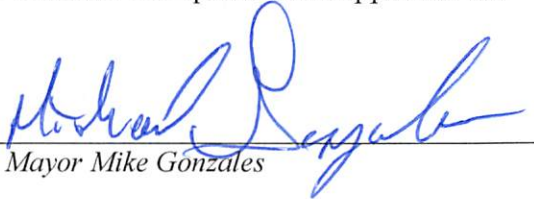
The motion to adjourn the Regular City Council Meeting is passed on a unanimous vote with all five (5) councilmembers in favor.

Regular City Council Meeting is adjourned at:

8:43 PM

The minutes were passed and approved on:

July 18, 2019



Mayor Mike Gonzales

Attest: 

City Secretary Roxanne De Leon