

**Written Minutes for the  
Regular City Council Meeting  
Held on April 15, 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 April 15, 2021.**

<b>Call to Order</b>			
	The meeting is called to order at	<b>7:14 PM</b>	by Mayor Michael J. Gonzales.
<b>Pledge of Allegiance</b>			
<b>Invocation</b>			by Chaplain Cheryl Kirk.
<b>Roll Call</b>			
Mayor	Michael J. Gonzales		Present
Councilmember Place 1	Tracy Riojas		Absent
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, Officer Ricardo Vasquez and Chaplain David Kirk and Chaplain Cheryl Kirk.

**Citizens Participation**

- Cesar & Heather Silva** Will wait to speak for an item on the agenda.
- Oscar Gonzales** Will wait to speak for an item on the agenda.
- Alva Becerra** Beau King, a seller of a property on CR 350, advised Ms. Becerra she can live in a recreational vehicle while her home was being built. She purchased the property before finding out from the city that the property is not zoned to allow RVs as a temporary dwelling.
- Jorge Galeazzi** States he has been out of work since July 2020 and it is very hard for him to get the house completed. Paying a rental for an RV spot will set him further behind. Chief Pena gave him an extension but he needs more time.
- Alma Nevaez** States her home's foundation when up soon after she obtained her building permit in January 2020 but also affected by COVID. Building has been slow and just put up her frame recently.

Chief Marco Pena advises the mayor he has been trying to work with the residents on this road and given most of them over a year to come into compliance. City Attorney Mike Guevara states the current violations are breeding more violators. If there is progress to their

building permits, the chief is willing to work with them.

**II. Mayor and City Council Comments**

- Councilmember Hicks**                      Wishes everyone better luck with COVID. Friends and family have been affected. There’s help out there with vaccinations and encourages everyone to get vaccinated. We don’t need to lose anyone else.
- Councilmember Maldonado**              Concurs with Councilmember Hicks. Wishes everyone good health.
- Councilmember Decena**                      Wishes everyone health and luck.
- Councilmember Ortiz**                      Advises everyone to not let their guard down and stay safe.
- Mayor Gonzales**                              God bless everyone and their family.

Police Chief Marco Pena presents a certificate of appreciation to Officer Anthony Vain and K-9 Rocko.

**III. General Business – Consent Agenda**

1. Adoption and approval of the city council minutes from March 11, 2021.
2. Approval of the previous month’s bills paid and financial reports.

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

Yay	Nay	Abstain
Councilmember Hicks		
Councilmember Maldonado		
Councilmember Decena		
Councilmember Ortiz		

The motion to approve all two (2) Consent Agenda items is passed on a unanimous vote with all four (4) councilmembers in favor.

**IV. Public Hearing**

3. Conduct public hearing to receive public input as to the amendment of the City Code of Ordinances and the zoning regulation of flag lots.

Public Hearing begins at 7:45 PM.

City Attorney Mike Guevara explains this will omit language in the frontage requirement of a residential lot. The ordinance currently states a lot must have a frontage of 50 feet on a dedicated public or private street. This item will amend the definition to state a parcel of land a majority of chick is situated behind another lot or lots fronting on a street.

Public Hearing adjourns at 7:49 PM.

**V. General Business – Individual Consideration**

4. Discuss and possible action regarding Ordinance 4-15-2021-1, amending the Code of Ordinances by amending Chapter 38 Zoning by amending regulation of flag lots; providing a severability clause; providing for the repeal of ordinances in conflict herewith; and providing an effective date.

City Attorney Mike Guevara advises City Council this item ties to the public hearing. This deals with the definition of what a flag lot is. The amendment strives to clarify the definition of a flag lot in order to avoid any confusion moving forward. It is a form a protection for a potential property owner in the case they come to

Councilmember Hicks motions to approve Ordinance 4-15-2021-1, amending the Code of Ordinances by amending Chapter 38 Zoning by amending regulation of flag lots; providing a severability clause; providing for the repeal of ordinances in conflict herewith; and providing an effective date. Councilmember Maldonado seconds and a vote is called.

Yay	Nay	Abstain
Councilmember Hicks		
Councilmember Maldonado		
Councilmember Decena		
Councilmember Ortiz		

The motion to approve Ordinance 4-15-2021-1, amending the Code of Ordinances by amending Chapter 38 Zoning by amending regulation of flag lots; providing a severability clause; providing for the repeal of ordinances in conflict herewith; and providing an effective date is passed on a unanimous vote with all four (4) councilmembers in favor.

5. Discuss and possible action regarding the selection of a PID Administrator for the Hickory Ridge Public Improvement District.

City Administrator Cody Dailey states this item would allow the day-to-day handling proceed by selecting a PID administrator. The position of PID Administrator has a variety of duties including: coordination with Bexar County Appraisal District to determine assessments and ownerships for billing, collections, State reporting, handling paperwork regarding reimbursable expenses of the developer, determining reimbursements to the developer and tracking those expenses and reimbursements on an ongoing basis among other things. The two firms to choose from come highly recommended by the financial team, bond counsel and the major underwriter of PID bonds in Texas.

Councilmember Decena motions to select P3 as PID Administrator for the Hickory Ridge Public Improvement District. Councilmember Hicks seconds and a vote is called.

Yay	Nay	Abstain
Councilmember Hicks		
Councilmember Maldonado		
Councilmember Decena		
Councilmember Ortiz		

The motion to select P3 as PID Administrator for the Hickory Ridge Public Improvement District is passed on a unanimous vote with all four (4) councilmembers in favor.

6. Discuss and possible action regarding acceptance and approval of the Tovar Estate Subdivision Plat along with consideration of variance request related to the Code of Ordinances, Chapter 38 zoning with respect to the layout of the lots.

Councilmember Maldonado motions to approve the Tovar Estate Subdivision Plat along with consideration of variance request related to the Code of Ordinances, Chapter 38 zoning with respect to the layout of the lots. Councilmember Hicks seconds and a vote is called.

Yay	Nay	Abstain
Councilmember Hicks		
Councilmember Maldonado		
Councilmember Decena		
Councilmember Ortiz		

The motion to approve the Tovar Estate Subdivision Plat along with consideration of variance request related to the Code of Ordinances, Chapter 38 zoning with respect to the layout of the lots is passed on a unanimous vote with all four (4) councilmembers in favor.

7. Discuss and possible action regarding an amended and restated development agreement regarding the Tax Increment Reinvestment Zone Number Three, City of Elmendorf, Texas between the following parties: 181 and 1604 Land Development Partners, LTD.; Elmendorf Land Partnership, LP; Reinvestment Zone number three, City of Elmendorf, Texas; and the City of Elmendorf, Texas.

City Attorney Mike Guevara states this was a holdover from the previous meeting. The city continues to negotiate with the developer on this item. The commercial properties will be held by Elmendorf Land Partnership and the residential will be held by the 181 and 1604 Land Development Partners, LTD.

Councilmember Hicks motions to approve an amended and restated development agreement regarding the Tax Increment Reinvestment Zone Number Three, City of Elmendorf, Texas between the following parties: 181 and 1604 Land Development Partners, LTD.; Elmendorf Land Partnership, LP; Reinvestment Zone number three, City of Elmendorf, Texas; and the City of Elmendorf, Texas. Councilmember Ortiz seconds and a vote is called.

Yay	Nay	Abstain
Councilmember Hicks		
Councilmember Maldonado		
Councilmember Decena		
Councilmember Ortiz		

The motion to approve an amended and restated development agreement regarding the Tax Increment Reinvestment Zone Number Three, City of Elmendorf, Texas between the following parties: 181 and 1604 Land Development Partners, LTD.; Elmendorf Land Partnership, LP; Reinvestment Zone number three, City of Elmendorf, Texas; and the City of Elmendorf, Texas is passed on a unanimous vote with all four (4) councilmembers in favor.

8. Discuss and possible action regarding a first amendment to Interlocal Agreement for Bexar County participation in Reinvestment Zone Number Three, City of Elmendorf, Texas between the City of Elmendorf and Bexar County.

The original ILA had to be amended to accommodate the plans of the new developer. Mr. Dailey asks the council approve the ILA on the condition that it is also approved by Bexar County Commissioner Court.

Councilmember Decena motions to amend an Interlocal Agreement for Bexar County participation in Reinvestment Zone Number Three, City of Elmendorf, Texas between the City of Elmendorf and Bexar County with the changes discuss and county approval. Councilmember Hicks seconds and a vote is called.

Yay	Nay	Abstain
Councilmember Hicks		
Councilmember Maldonado		
Councilmember Decena		
Councilmember Ortiz		

The motion to approve an Interlocal Agreement for Bexar County participation in Reinvestment Zone Number Three, City of Elmendorf, Texas between the City of Elmendorf and Bexar County is passed on a unanimous vote with all four (4) councilmembers in favor.

- Discuss and possible action regarding Resolution 4-15-2021-1R, a Public Improvement District Policy for the City of Elmendorf.

City Administrator Cody Dailey states another potential developer has approached the city. The city should have some guidelines that would allow a PID. Value of the land needs to be 3x the debt and such. Roadmap, checklist, requirements to apply.

Councilmember Ortiz motions to approve Resolution 4-15-2021-1R, a Public Improvement District Policy for the City of Elmendorf. Councilmember Decena seconds and a vote is called.

Yay	Nay	Abstain
Councilmember Hicks		
Councilmember Maldonado		
Councilmember Decena		
Councilmember Ortiz		

The motion to approve Resolution 4-15-2021-1R, a Public Improvement District Policy for the City of Elmendorf is passed on a unanimous vote with all four (4) councilmembers in favor.

Councilmember Ortiz motions to adjourn for closed session. Councilmember Decena seconds and a vote is called.

Yay	Nay	Abstain
Councilmember Hicks		
Councilmember Maldonado		
Councilmember Decena		
Councilmember Ortiz		

The motion to adjourn for closed session is passed on a unanimous vote with all four (4) councilmembers in favor.

City Council adjourns for closed session at 8:33 PM.  
 City Council reconvenes for open session at 9:07 PM.

10. Discuss and possible action regarding future users of and possible expansion of the Elmendorf Wastewater Treatment Plant. The foregoing agenda item (#10) is specifically identified for a potential closed session in accordance with TOMA section 551.071 (litigation and certain consultation with attorney).

No action taken.


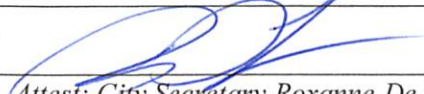
**VI. Adjournment**

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

Yay	Nay	Abstain
Councilmember Hicks		
Councilmember Maldonado		
Councilmember Decena		
Councilmember Ortiz		

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

Regular City Council Meeting is adjourned at:	<b>9:09 PM</b>
The minutes were passed and approved on:	<b>May 20, 2021</b>

	
Mayor Michael Gonzales	Attest: City Secretary Roxanne De Leon

