

**Written Minutes for the
Regular City Council Meeting
Held on August 10, 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 August 10, 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	Present
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 Tiffany Trevino, Officer Zepeda and Officer Moreno are also present.

Citizens Participation

Bill Lloyd

Mr. Lloyd reads newspaper clippings he has collected that reports on an embezzlement scandal within multiple Emergency Services Districts (ESD's). It is in Mr. Lloyd's opinion that the way ESD's operate is criminal. Mayor Gonzales says in November, the citizens will have the opportunity to vote against the ESD if they feel like Mr. Lloyd.

II. Mayor and City Council Comments.

Alderman Ortiz

Movie Night was last week and the kids really enjoyed it. Alderman Ortiz hopes to continue the event next year.

III. Police Chief Update

Police Chief Marco Pena provides the statistics for the month of July 2017. There were 277 citations, 192 traffic stops, 11 ordinance violations, 432.31 hours worked by reserve officers, 1,077 cases year-to-date, \$13,044.78 collected in warrant revenue, 0 animal control citations, 5 animal control warnings, and 6 animals collected. The Harmony Fire Department had 21 calls with an average response time of 9.6 minutes. The amount of calls covered by mutual aid was 21 for medical and 0 for fire.

Chief Pena states he is working on a policy to implement Senate Bill 4 which will be effect September 1st. He plans to host a town hall meeting on August 31st at 6:00 PM. Chief Pena presents a certificate of appreciation to Jeff Briggs for barbequing for the police officers to express his gratitude for the police department.

IV. Water Supervisor Update

Water Department Supervisor Stephen Mayfield presents the activity report for the month of July 2017. There were 3 water leaks, -3.83% in water loss, and 67 work orders completed.

V. 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 July 13, 2017.
2. Adoption and approval of the city council minutes from July 27, 2017.
3. Approval of the previous month's bills paid and financial reports.

Alderman Ortiz motions to approve all items of the General Business – Consent Agenda. Alderman Maldonado seconds and a vote is called.

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

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

VI. General Business – Individual Consideration

4. Discuss and possible action with regards to pursuing a railroad Quiet Zone within the city limits of Elmendorf.

Mayor Gonzales asks if any citizens present are annoyed with the train horn when it passes through. Citizen William Lloyd raises his hand. Alderman Rodriguez states Citizen Sherry Pena has complained to him. City Administrator Cody Dailey states most complaints have come through Facebook. Mr. Dailey has researched the requirements for a quiet zone and found that traffic controls, which are the stop bars, would need to be installed at the 9th street railroad crossing. The amount TXDOT spent on the FM 327 crossing was \$200,000.00 but it may cost closer to half a million dollars for the city as the city is not a strong buyer compared to the state. Another alternative is to close out the 9th Street crossover and tear out the road. The problem with that would be emergency services would have difficulty reaching citizens that live in that area and an estimated 100 to 150 cars traffic through that road each day. Alderman Ortiz says the noise doesn't bother her much due to a lot of house noise blocking it out. Alderman Ortiz plays a recorded sound of the train going by her home. Citizen Laura Wallace asks if they're blowing the horn for no reason. Mr. Dailey responds that trains are federally required to blow

the horn at each intersection crossing as a safety precaution. Citizen Jeff Briggs states that the railroad has been in Elmendorf for many years and people need to deal with the noise because they knew the tracks were there when they moved to the area. Also, why spend all that money towards railroad traffic controls when that money could go towards a fire station.

Alderman Anderson motions to take no action on item (#4). Alderman Maldonado seconds and a vote is called.

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

The motion to take no action on item (#4) is passed on a unanimous vote with all five (5) councilmembers in favor.

5. Discuss and possible action regarding Ordinance 8-10-2017-1, amending the fiscal year 2016-2017 official budget, adopted by ordinance 9-8-2016-1 and subsequently amended by ordinance 10-13-2016-2, again by ordinance 10-25-2016-1, again by ordinance 1-12-2017-2, and again by ordinance 4-9-2017-1.

City Administrator Cody Dailey states this budget amendment would take care of previously approved items such as the Cassiano & Kilowatt maintenance and water well projects.

Alderman Ortiz motions to approve Ordinance 8-10-2017-1, amending the fiscal year 2016-2017 official budget. Alderman Rodriguez seconds and a vote is called.

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

The motion to approve Ordinance 8-10-2017-1, amending the fiscal year 2016-2017 official budget is passed on a unanimous vote with all five (5) councilmembers in favor.

6. Discuss and possible action regarding Resolution No. 8-20-2017-1R, a resolution of the City Council of the City of Elmendorf, Texas, approving and adopted an amendment to the Elmendorf Police Department Policy manual regarding enforcement of immigration laws.

Police Chief Marco Pena states he is still working on this resolution with the city attorney and should have it completed by the end of the month. Chief Pena requests City Council to table this item.

Alderman Anderson motions to table item (#6). Alderman Rodriguez seconds and a vote is called.

Yay	Nay	Abstain
<hr/>		
Alderman Riojas		
Alderman Anderson		

Alderman Maldonado
Alderman Rodriguez
Alderman Ortiz

The motion to table item (#6) is passed on a unanimous vote with all five (5) councilmembers in favor.

7. Discuss and possible action regarding land acquisition for the Elmendorf Water Well Project and funding alternatives. The foregoing agenda item (#7) is specifically identified for a potential closed session in accordance with TOMA section 551.071 (litigation and certain consultation with attorney) and/or section 551.071 (deliberations about real property).

Alderman Ortiz motions to proceed with item (#7) in closed session. Alderman Anderson seconds and a vote is called.

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

The motion to proceed with item (#7) in closed session is passed on a unanimous vote with all five (5) councilmembers in favor.

The City Council adjourns to closed session at 7:46 PM.

The City Council reconvenes at 8:32 PM.

Alderman Riojas motions to proceed as discussed regarding land acquisition for the Elmendorf Water Well Project in closed session. Alderman Ortiz seconds and a vote is called.

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

The motion to proceed as discussed regarding land acquisition for the Elmendorf Water Well Project in closed session is passed on unanimous vote with all five (5) councilmembers in favor.

VII. Adjournment

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

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

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

Regular City Council Meeting is adjourned at: **8:34 PM**

The minutes were passed and approved on:

September 14, 2017



Mayor Mike Gonzales

Attest:



City Secretary Roxanne De Leon