

CITY OF CONVERSE  
CITY COUNCIL MEETING  
April 6, 2010  
7:00 PM

The City Council of the City of Converse met in a regular meeting at the Converse Municipal Complex on Tuesday, April 6, 2010 at 7:00 PM to discuss various items on the agenda. The following were present:

Mayor Al Suarez  
Councilwoman Renee Paschall, Place 1  
Councilman John Shadron, Place 3  
Councilwoman Mary Riley, Place 6  
Mr. John Quintanilla, Assistant City Manager  
Mr. Richard Wendt, Fire/EMS Chief  
Mr. Karl Hoppes, Director of Facilities  
Mr. Mark Luft, EDC Executive Director  
Mr. Ray Ortiz, City Attorney

Mayor Pro Tem Carlton Degenhardt, Place 4  
Councilman Bruce Cannon, Place 2  
Councilman Jon Lindgren, Place 5  
Mr. Sam Hughes, City Manager  
Mr. Rick Jamison, Police Chief  
Mr. Jerry Wilson, Finance Director  
Mr. Jon Smith, Asst. Director of Utilities  
Mr. Carlos Licea, Code Compliance Officer  
Ms. Penny Hieronymus, City Secretary

1. CALL TO ORDER

At approximately 7:00 PM, Mayor Suarez called the meeting to order.

2. INVOCATION – Pastor Chuck Lewis, New Life Baptist Church

Pastor Lewis gave the invocation.

3. PLEDGE OF ALLEGIANCE: To the U.S. Flag led by Mayor Suarez  
To the Texas Flag led by Mayor Pro Tem Degenhardt

Mayor Suarez led all those present in the Pledge of Allegiance to the U.S. Flag.

MPT Degenhardt led all those present in the Pledge of Allegiance to the Texas Flag.

4. ROLL CALL AND RECOGNITION OF VISITORS

Mayor Suarez stated all Council members are present.

Mayor Suarez recognized JISD Board Member, Mr. Arnold Salinas.

5. CONSENT AGENDA. All Of The Following Items May Be Acted Upon By One Motion. No Separate Discussion Or Action On Any Of The Items Is Necessary Unless Desired By A Council Member.

- A. Approval of City Council Minutes Conducted on March 2, 2010
- B. Approval of City Council Minutes Conducted on March 16, 2010
- C. Receive Planning Commission Minutes for Meeting Conducted February 23, 2010
- D. Action to Approve City of Converse Resolution #632; a Resolution of Support by the City of Converse for the Partnership of the Office of Economic Adjustment and Bexar County in the 2010 Randolph Air Force Base Joint Land Use Study (JLUS) (Assistant City Manager and EDC Executive Director)
- E. Action to Approve City of Converse Resolution #633; a Resolution of City Council Supporting the Grant Application to the Office of the Governor, Criminal Justice Division, for Police Regional CADSE System (Police Chief)
- F. Action to Approve the Financial Statements for January 2010
- G. Action to Approve the Investment Report as of January 31, 2010
- H. Action to Appoint Mr. Robert Kneupper, 302 Castle Court, as Member of the Planning Commission (Councilman Lindgren)
- I. Action to Appoint Mr. Leroy Rouse, 301 Jeanette Drive, as a Member of the Planning Commission (Councilman Lindgren)
- J. Action to Appoint Ms. Becky Johnson, 707 S. Seguin, as a Member of the Park & Recreation Commission (Councilman Shadron)
- K. Action to Appoint Mr. Daren Walker, 10227 Red Iron Creek, as a Member of the Park & Recreation Commission (Councilman Shadron)
- L. Action to Approve City of Converse Proclamation #259; A Proclamation Supporting U.S. House of Representatives Resolution 269 designating May as Motorcycle Safety Awareness Month (Mayor Suarez)

Councilman Lindgren asked to pull items #5 H, I, J & K.

Councilwoman Paschall asked to pull item #5 L.

Councilman Shadron asked to pull item #5 C.

MPT Degenhardt made a motion to approve agenda items #5 A, B, D, E, F & G. Councilwoman Paschall seconded the motion. It passed unanimously.

Councilman Shadron stated on agenda item #5 C, the Planning Commission minutes on page 2, item 7 B, was incomplete.

Mayor Suarez pulled agenda item #5 C.

Councilman Lindgren stated he pulled item #5 H, I, J & K to give the CC the function as part of their duties as they appoint people to Commissions. He stated Mr. Kneupper has been a part of the Planning Commission for years, his current appointment has expired & he would like to be reappointed. Councilman Lindgren stated Mr. Rouse has been an Alternate member & with the resignation of Mr. Mark Key; and they are appointing Mr. Rouse as a full member. He disagrees with Ms. Becky Johnson on the P&R from her past experience. He also disagrees with Mr. Daren Walker on the P&R because that would put 2 Board of Dir. of the JYSF on the P&R.

Agenda item #5 H:

Councilman Lindgren made a motion to approve agenda #5 H (Mr. Kneupper-Planning Commission). MPT Degenhardt seconded the motion. It passed unanimously.

Agenda item #5 I:

Councilman Lindgren made a motion to approve agenda #5 I (Mr. Rouse-Regular Member to Planning Commission). MPT Degenhardt seconded the motion. It passed unanimously.

Agenda item #5 J:

Councilman Shadron made a motion to approve agenda item #5 J (Ms. Johnson-P&R Commission). Councilwoman Paschall seconded the motion. It passed with 5 members (Suarez, Degenhardt, Cannon, Paschall & Shadron) voting to approve & 2 members (Lindgren & Riley) opposed.

Agenda item #5 K:

Councilman Shadron made a motion to approve agenda item #5 K (Mr. Walker-P&R Commission). Councilwoman Paschall seconded the motion. It failed with 4 members (Cannon, Degenhardt, Lindgren & Riley) voting to disapprove & 3 members (Suarez, Paschall & Shadron) approving.

Agenda item #5 L:

MPT Degenhardt made a motion to approve agenda item #5 L - Proclamation #258 {not #259}. Councilwoman Paschall seconded the motion. It passed unanimously.

## 6. SPECIAL CONSIDERATION ITEMS

- A. Recognition of Mr. Carlos Licea, Code Compliance Officer, for More Than 10 Years Service to the City of Converse (Mayor Suarez)

Mayor Suarez, CC & staff presented Mr. Licea with a Certificate of Appreciation & a City coin.

Officer Licea thanked Mr. Hughes, Chief Jamison, CC & the citizens. He has seen & learned a lot.

- B. Presentation of Proclamation #258 (Not #259) to American Legion Riders Post 593, Converse Texas, a Proclamation Supporting U.S. House of Representatives Resolution 269 Designating May as Motorcycle Safety Awareness Month (Mayor Suarez)

Mayor Suarez, CC & staff presented Proclamation 258 to members of the American Legion Riders Post 593 in Converse.

Members of the American Legion Riders Post 593 thanked CC.

- 7. CITIZENS TO BE HEARD. This time is provided for Citizens to address City Council on any issues and concerns. No City Council discussion or action can be taken if the item is not on the Agenda. Please limit your remarks to three (3) minutes and state your name and address for the record. No personal attacks shall be allowed.

Mayor Suarez stated there were no Citizens to be Heard.

#### 8. PUBLIC HEARINGS

- A. None

Mayor Suarez stated there were no Public Hearings.

#### 9. OLD BUSINESS

- A. Discussion and Appropriate Action on a Request to Amend the Economic Development Corporation Articles of Incorporation (to include Article Ten) and By Laws (to include Articles II & III) (Mayor Suarez, Councilman Shadron, Councilwoman Paschall)

Councilwoman Paschall referred to the new documents (provided tonight); Art. of Inc., Page 5, Art. 10, beginning on line 11 & would like to see a change in the number of directors/employees.

It reads: “No more than **four (4)** of the directors may be employees or officers of the City, or members of the Council. At least **three (3)** directors must not be employees or officers of the City, or members of the Council.”

Councilman Shadron stated he recommended a change to the Art. of Inc., Art 10 and Bylaws, Art. II & III.

City Attorney Mr. Ortiz stated the discretion as to who is Pres., Sec., & other officers of the Corp. is given to the Board of Directors (BOD) of the Corp. & not to the CC. He explained that an employee of the COC is hired to do a certain job & if they are wearing a different hat on the

EDC – you cannot discipline them as an employee in the same way. But, they can be accountable to Mr. Hughes.

Councilwoman Paschall made a motion to the Art. of Inc., Page 5, Art. 10, beginning on line 11, to read: “No more than **two (2)** of the directors may be employees or officers of the City, or members of the Council. At least **five (5)** directors must not be employees or officers of the City, or members of the Council.” Councilman Shadron seconded the motion. It passed with 4 members (Suarez, Cannon, Paschall & Shadron) voting for the change & 3 members (Degenhardt, Lindgren & Riley) opposed.

Mr. Ortiz stated on the change to the By Laws, Page 1, Article II B. Number & CC does not have to vote on it again because the Arts. of Inc. dictates the By Laws.

It reads: “No more than **four (4)** of the seven (7) directors may be employees or officers of the City, or members of the City Council.”

Should read: “No more than **two (2)** of the seven (7) directors may be employees or officers of the City, or members of the City Council.”

## 10. NEW BUSINESS

### A. City Council Workshop to Discuss Water Supply, Demand, and Policy (City Manager)

Mr. Hughes gave a briefing on our water, including a summary of our supply of water; we were given a permit by the Edwards Aquifer Authority (EAA) for 1,067.878 acre ft., we have made purchases to increase our supply, total we have 1,950.878 acre ft., have leased 600 acre ft., on an annual basis we are entitled to pump 2,550.878, water available depends on what Stage we are in, he explained the water available with the residential & commercial water, the average household in Normal Stage could provide 11,099 gal. per month with no constraints, we do a report to SA River Authority (SARA) every yr. & report the water consumption by our residential households during the winter months, we have 5,507 households, went over the calculation of Domestic Water Demand/Need, population about 18,000 people & can predict given a household each member of that household would consume 1,500-2,000 per person per month, clearly the 2,550 acre ft. is more than enough to maintain health & safety. Mr. Hughes went over his summary of the SA weather & what the average rainfall does. He briefed on the Residential Irrigation Demand, Total Normal Requirements, Drought Irrigation Demand, Total Normal Requirements...Converse residents cannot afford green lawns during drought. Mr. Hughes stated we went back to Ord. 339 & previously only had 2 rate structures (Normal & Stage 1). He explained the Stage Restriction Surcharge Costs, persons with large families, in Stage 4 – green lawn is not affordable & that is what Ord. 339, submitted for CC consideration tonight is designed to do.

About 15% of the residents (600-650) were in the 20,000 gal. per month rate, the community supported the program. EAA could cut pumping, they need to protect the water source of the EAA Region, they could impose civil penalties. We could fulfill the shortage with expansion of non-potable lines & we may want to put restrictions or limit the non-potable. Mr. Hughes

explained we are looking to taking the purple main & extending it, between Miramar & Shadow Creek, continue to Ingram Ready Mix on-line & pick up irrigation demands from those areas. We will have to do expansion of our pump station, every acre ft. we buy back with non-potable e are saving, economically it makes sense. We need to dedicate a team/crew & add Utility people, equipment so they can function without disrupting the potable support of our town. Mr. Hughes thinks we need to invest in 500-acre ft. of Carrizo Aquifer pumping rights & work with Seguin & Schertz to get it transported here.

- B. Discussion and Appropriate Action on a Request to Approve Ordinance #339; an Ordinance Establishing Water Rates for Residential Customers; Establishing Water Rates for Commercial Customers; Establishing Fees Charged for Water Service and Impact Fees; Providing Penalties for Violations; and Superseding Previous Ordinances Regulating the Above Issues (First Reading) (City Manager)

Mr. Hughes believes this is necessary. Recommends approval.

MPT Degenhardt stated we need to address the supply side with the non-potable water.

CC will give Mr. Hughes 60 days to do research & bring back something to CC at the June mtg.

MPT Degenhardt made a motion to approve agenda item #10 B. Councilwoman Riley seconded the motion. It passed unanimously.

- C. Briefing by the City Manager on the City's Organizational Chart (Councilwoman Paschall)

Mr. Hughes gave a briefing on the City's organizational chart, all on 1 page, chart reflects all employees (have 158 full-time employees & 3 part-time employees)-compensated positions. The Commissions are an advisory group to the CC. We will add 2 more blocks: 1-Boards/Commission and 1-EDC. We can put on web site.

- D. City Council Workshop to Discuss City Master Plan Goals and Objectives, and the Citizens Survey Questionnaire (City Manager)

Mr. Hughes stated the source of this information is 2 Planning Commission workshops in which citizens were invited & he went through the Mayor's State of the City's Address & extracted out those things that were project related & broke it into categories: Annexation, Business, Infrastructure, Regulation, Services, Zoning & Not Within Jurisdiction, it becomes achievable if you know what the objectives are. The challenge is to determine what we want to pursue & not. He asked CC to take about 5-min. & look at the list & rate them. Then, he will put that into a paper for the next mtg. & bring back to CC; if CC is comfortable with it then he will take it back to the Planning Commission. We need to restructure the questions to ask it in a manner that is useful. We can do a second survey, it will cost a little more, but the results will be useful.

CC asked if they could take their time & return them to Mr. Hughes by Friday.

Councilman Lindgren stated Mr. Hughes has asked the Planning Commission to do the same exercise, then they can figure out how to do a plan. We will take CC & Planning recommendations & come up with an initial plan for CC to approve. He stated we should go forward with the P&R survey. Councilman Lindgren & Mr. Hughes will continue to work on getting the Planning Commission to understand.

- E. Discussion and Appropriate Action on a Request to Approve the Citizens Survey Questionnaire and to Set Suspense Date for the Return of the Questionnaire (City Manager)

Councilman Lindgren made a motion to approve agenda item #10 E (P&R survey). Councilman Shadron seconded the motion. It passed unanimously.

## 11. REPORTS

### A. Councilmember's Report/Items of Interest

Councilman Shadron reported:

-This Sat. will be the 2<sup>nd</sup> Art Show on S. Seguin, come out & visit

MPT Degenhardt stated this is post on the EDC web site

Councilwoman Paschall reported:

-Status of the RFQ for auditing firm; she has met with Mr. Hughes & they discussed the roles & responsibilities & put together some questions she would like to see asked – will probably have something to share with CC at the next mtg. (draft for CC to review & release)

Mr. Hughes stated an RFQ is Request for Qualifications & is a part of the process for recruiting professional services. He explained the process, it comes to CC to score & come up with a preferred candidate & then negotiate a price. The important aspect is to keep Mr. Hughes & Mr. Wilson honest. Mr. Hughes would like CC to give him 1 question as to what they think is an important attribute of the audit firm. He would like CC to do the selection to make it clear to the public that Mr. Hughes & Mr. Wilson did not pick that firm. He would like the questions by Fri. he will do his best to get an RFQ for CC's consideration on April 20. They did not pick the auditing firm we have now.

Councilwoman Paschall reported:

-On Council Call, she evaluated the reason Council Call was established to begin with, but she has noticed now that there are not a lot of citizens that show up. She would like to know how many of the other CC members have citizens show up, could the CC submit their rosters (if they use one) to evaluate this, she was on Council Call this past Sat. & zero people showed up (was Easter weekend), is Council Call still necessary/viable to have?

### B. Mayor's Report/Items of Interest

Mayor Suarez reported:

- April 15: NEP – if anyone would like to attend they need to make reservations, Rep. Joe Strauss will be a speaker
- Met with the new Judson HS Principal, Ms. Christina Vadarry – will open in Aug. of this year
- JISD will be celebrating their 50<sup>th</sup> Anniversary next year & suggested maybe some joint celebrations, as we will be celebrating our 50<sup>th</sup> Anniversary next year
- This Sat. – Art Show on S. Seguin 11 AM –6 PM
- At the last JISD Board mtg. they thanked the CC, City Mgr. & staff for the part of doing the sidewalks at Miramar
- April 15 – TML Region 7 at the Schertz Civic Center – if you want to attend contact Ms. Gutierrez to RSVP
- Spoke with TXDOT District Engineer, Mr. Mario Medina, who indicated that FM 1604 had some contract issues & due to start the end of April
- Last week, had an open house by the Mid Bearing Co. on Converse Business Lane – they were very appreciative
- JYSF had their baseball open ceremonies

### C. City Manager/Secretary Report

#### (2) Report and Discussion of Items of Interest

Mr. Hughes reported:

- Codification – CC has the new code book, it requires an Ord. to adopt the book, he has prepared the Ord.; 1<sup>st</sup> reading – April 20, 2<sup>nd</sup> reading – May 4; then put in newspaper & 10 days after the printing; official law of Converse around May 20; ended up with about 200 more pages & the contract went from \$11,000+ to added another \$3,500; we have 25 copies, each CC member & Dept. Heads & a few others will have a copy; as positions change we want your book back; we will be getting an electronic file & we anticipate uploading it when it is passed by CC; they will maintain the changes for the 1<sup>st</sup> year at no charge
- Flood control – in Sept. 2007 FEMA came out with a new flood map – there have been changes & they will publish a map & it will be official on Sept. 20, 2010 & we have to have an Ord. adopting those maps prior to that; he has prepared an Ord. & if we get actual map, number & date to enclose with it, it will come before the CC at the next mtg. for 1<sup>st</sup> reading
- Yesterday (April 5, 1961), was the 49<sup>th</sup> Anniversary of the City; our 50<sup>th</sup> Anniversary is April 5, 2011 – Tues. night (CC mtg.), we need to select a day, weekend to celebrate & put together a budget (ideas: festival Sat., band, dance, fireworks, ceremonies in between, no fee, some history of Converse, etc.) – we will come up with a proposal & cost estimates, he would like to have some of these things nailed out at least 6 months out for reservations, budget, etc.

#### (1) Report and Discussion of Future Agenda Items

Ms. Hieronymus reported:

- Approval of April 6 CC minutes
- Receive Zoning minutes
- Recognize Mr. Craig Ramon for 5 yrs. service with City
- Rezoning issue request by Mr. Berlanga at 9175 FM 78
- Possible Zoning variance & Special Use Permit

- Ord. 112 – 1<sup>st</sup> reading adopting new Code for COC
- Master Plan Objectives
- Draft RFQ – auditing firm
- Ord. - 1<sup>st</sup> reading for the FEMA Flood Map
- Ord. – Adopting EDC Art. of Inc. & Bylaws
- Would like items by next Tues.
- Special CC Agenda for Thurs., April 22 at 6:30 PM for “Meet the Candidates”

D. Boards/Commission Reports

(1) Report and Discussion of Planning Commission

Councilman Lindgren reported:

- Every thing was covered tonight

E. City Staff Reports:

(1) Report and Discussion of Significant Fire and EMS Events

Chief Wendt reported:

- Have 5 personnel who have improved their certification level
- Had a rash of serious motor vehicle collisions
- Had several structure fires
- Guys are working hard
- It’s been busy

(2) Report and Discussion of Significant Police Events

Chief Jamison reported:

- Fri., 19<sup>th</sup> – had a fatality involving a 16 yr. female student from JHS
- Sat. 20<sup>th</sup> – had a murder/suicide
- Citizens Academy Class – had graduation for them
- Officer Molder, Crime Prevention Officer – is putting together a Jr. Citizens Police Academy, students between 12 to 16 yrs. old, will be taking applications, start a class in June, Tues. – Fri., 8:30 AM-12:30 PM for 2 wks.
- This is their 22<sup>nd</sup> Project Graduation – will be having their golf tournament – 100% of the money raised goes to the Sr. Class for their drug/alcohol free party
- Our Communications Ctr. has been open about 3 yrs., had to go through a security process through Dept. of Public Safety (DPS), had 1<sup>st</sup> audit with DPS & passed, a month later FBI came down & did an audit; Communications Supervisor Ms. Niemietz had put together a Policy & Procedure Book- they were impressed & asked for a copy because that is what they want the rest of the cities to do, Ms. Niemietz did an outstanding job putting the packet together; we have been pulled for the next 12 yrs. so we won’t be audited by the FBI
- Every thing is going good

(3) Report and Discussion of Significant Public Works Events

Mr. Hoppes reported:

- Ralston Road – Basically completed this project with the exception of the upper end on the radius to finish, by next week this should be accomplished
- Rocket Lane & Thornton Lane – Basically completed, has seen a lot of kids using the sidewalk
- North Park – Contractor has about 700’ complete with the 1<sup>st</sup> lift of road base, which we will be tested tomorrow; had complications with the rest of the road with moisture – have had to rip it open & are in the process of re-compacting that
- Had a pre-bid mtg. today on Placid Park Phase 3, will open bids on April 21 at 10 AM & go to construction on May 14
- Norris Dr. East – Road rebuild, Contractor Dean Word is still offering a bid proposal for that project
- Toepperwein Road – Has failures & we are working with the engineer & contractor to resolve those issues
- Avenue B from S. Seguin to Mesquite Street - Working with Mr. Luft to get revamped, rebuilt & hopefully some curbs
- We have reflectors on hand for Thornton Lane/Rocket Lane

Mr. Smith reported:

- About to begin Phase 3 of the Placid Park waterline rehabilitation, there are 3 intersections in this scope of work: Tranquil/Peaceful, Slumber/Tranquil & Slumber/Sleepy; project to take about 2 wks.
- Installed the plumbing rough in for North Park restrooms, Inspector inspected today & were notified of 1 repair to make & hope to have done by the end of the wk. so the Street Dept. can pour the slab
- Currently working with Vickery & Assoc. in the design phase of the re-location of the force main on 1604 that is in conflict with TXDOT ROW, we hope to have a profile & plan in the next 2 wks. to get a contractor to do the road bore
- Month of March: made 3 sewer repairs, 4 water main breaks repairs & 24 water service leaks

12. ADJOURNMENT

At approximately 9:33 PM, Mayor Suarez adjourned the meeting.

PASSED AND APPROVED THIS 20<sup>th</sup> DAY OF APRIL, 2010.

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Al Suarez, Mayor

ATTEST:

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Adriana I. Hieronymus, City Secretary