

CITY OF CONVERSE  
CITY COUNCIL MEETING  
MINUTES OF AUGUST 3, 2010  
7:00 PM

The City Council of the City of Converse met in a regular meeting at the Converse Municipal Complex on Tuesday, August 3, 2010 at 7:00 PM to discuss various items on the agenda. The following were present:

Mayor Al Suarez	MPT John Shadron, Place 3
Council Member Renee Paschall, Place 1	Council Member Grant Lopez, Place 2
Council Member Randy Pannell, Place 4	Council Member Robin Benbrook, Place 5
Council Member Steve Brown, Place 6	Mr. John Quintanilla, Assist. City Manager
Mr. Rick Jamison, Chief of Police	Mr. Richard Wendt, Chief of Fire/EMS
Mr. Karl Hoppes, Director of Facilities	Mr. Lupe Perez, Director of Utilities
Mr. Mark Luft, EDC Executive Director	Ms. Jackie Gaines, Project Manager
Ms. Judy Gutierrez, Administrative Secretary	Ray Ortiz, City Attorney (Arrived @ 8:30 PM)
Ms. Penny Hieronymus, City Secretary	

1. Call to Order

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

2. Invocation

Mayor Suarez 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 Shadron

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

MPT Shadron 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. The Mayor introduced the Council, Assistant City Manager, Administrative Secretary, City Secretary, JISD Superintendent Dr. Mackey & Board member Richard LaFoilie.

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

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- A. Action to Approve City Council Minutes for Meeting Conducted on July 20, 2010
- B. Action to Approve City Council Minutes for Meeting Conducted on July 14, 2010
- C. Receive Economic Development Corporation Minutes for Meeting Conducted on June 8, 2010
- D. Received Revised Budget for Fiscal Year 2010-2011
- E. Action to Approve the Financial Reports for May 2010
- F. Action to Approve the Investment Report as of May 31, 2010

Council member Lopez pulled agenda item #5 A.

MPT Shadron made a motion to approve agenda items #5 B – F. Council member Brown seconded the motion. It passed unanimously.

Council member Lopez had a correction on agenda item # 5 A, page 2, “C”.

It states: “Action to Discussion and Appropriate Action on a Request to Approve City of Converse Ordinance #630; etc.”

Should read: “Discussion and Appropriate Action on a Request to Approve City of Converse Ordinance #630; etc.”

Council member Paschall made a motion to amend & approve agenda item #5 A, with the above correction. Council member Lopez seconded the motion. It passed unanimously.

Mayor Suarez recognized JISD Board members Johnny Harris.

6. Special Consideration Items

- A. Announcement and Presentation of the City of Converse Scholarships (Mayor Suarez)

City Council, staff & Dr. Mackey presented COC Scholarships/certificates to JHS graduates Ms. Marissa Martinez & Ms. Kimani Mitchell & Wagner HS graduate Mr. Shawn Wilson. Judson Learning Academy Graduate Mr. Samuel Cobos was out of town & also received a scholarship.

Ms. Martinez, Ms. Mitchell & Mr. Wilson thanked the City & Judson.

The City & JISD continue to work together.

- B. Recognition of Harold and Cathy Bellamy for Their Efforts in Raising Funds for the Fischer House (Mayor Suarez)

Mayor Suarez stated Mr. & Mrs. Bellamy got involved with the Fischer House fund raising, which benefits the wounded warriors at Fort Sam & their families; they were able to raise over \$30,000.

Mayor Suarez read the letter presented to the Bellamy’s.

City Council & staff presented Mr. Bellamy with a plaque & City coin.

Mr. Bellamy thanked everyone, this is their 3<sup>rd</sup> year in the fund raising, they had a lot of support from the community & surrounding communities.

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” signed up.

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 Approve City of Converse Ordinance #321; an Ordinance Establishing a Storm Water to be Collected from Each Utility Account within the City of Converse for the Purpose of Promoting Health, Safety, Morals, and the General Welfare of the City of Converse, Texas and Superseding Other Ordinances in Conflict (Second Reading) (Assistant City Manager)

Mr. Quintanilla stated this is the 2<sup>nd</sup> reading of Ord. 321. Recommend approval.

Council member Benbrook made a motion to approve agenda item #9 A. Council member Paschall seconded the motion. It passed unanimously.

10. New Business
  - A. Discussion and Appropriate Action on a Request to Approve Release of a Request for Qualifications (RFQ) for Professional Services to Audit the Financial Accounts for the City and the Economic Development Corporation (Councilwoman Paschall)

Council member Paschall asked for this to be placed back on the agenda & to be re-opened in the Herald & on the web site for more bids; only one firm responded & it is the same one we have now. Recommends approval.

Council member Paschall made a motion to approve agenda item #10 A with the closing date of September 1, 2010. Council member Brown seconded the motion. It passed unanimously.

- B. Discussion of the Tax Rate for Fiscal Year 2010-2011, and Appropriate Action on a Request to Approve a Proposal to Consider Adoption of an Ad Valorem Tax Rate of \$0.53 Per \$100 Assessed Evaluation, and to Place on the City Council Agenda for September 7, 2010 as an Action Item (City Manager)

Mr. Quintanilla stated in the Council packets there are Mr. Hughes “Briefing Notes” & “Cover Letter”. There are no changes from the last mtg. Tonight we take the vote to formalize this action of setting the tax rate of \$0.53.

Council member Paschall made a motion to approve agenda item #10 B. Council member Pannell seconded the motion. It passed unanimously.

C. Discussion and Appropriate Action on a Request to Select an Information Technology Consultant for Development of the City of Converse Website (Mayor Pro Tem Shadron and Councilman Lopez)

Council member Lopez stated they had 5 proposals: American Eagle, Civic Plus, Gov Office, Qscend & Vision Internet. His opinion for the best of the City is Civic Plus, followed by Vision Internet. He stated MPT Shadron, Council member Brown & Mr. Richard Weers participated in the assistance & research. Council member Lopez briefed: on-line paying of the water bills, other cities use an IT person on their own or one of these companies, Kie is doing a good job – but has a lot on his plate, do we know how many hits we get on our web site, 1 or 2 of the companies are government web sites, due to the amount of paperwork these proposals were sent through PDF on-line to Council, briefed on the different pricing options of the companies (launch, design, set-up, some have an annual cost, training & hosting, etc.), can bring Kie in if he has any questions, this is like a word document feature, can use Webinars & some upgrades roll over, can buy updates, etc.

CC was very pleased with Council member Lopez's research. CC thanked MPT Shadron, Council members Lopez & Brown & Mr. Weers for their research. We have a good web site, but just need to go to the next level. Council can do further research with Civic Plus & Vision Internet. We can bring in our Web Master & do a detail of what CC specifically wants. We want to know what we are getting & paying for.

Council member Paschall made a motion that we ask Council member Lopez to give CC a comparison of Civic Plus & Vision Internet for CC to look at more closely & in detail for the next mtg. Also, invite our Web Master to the mtg. MPT Shadron seconded the motion. It passed unanimously.

11. REPORTS: In consideration of Texas Attorney General Opinion AG-0668, information provided on subjects not on the agenda shall be limited to statements of specific factual information; or recitation of existing policy. Any deliberation of or decision about a subject not on the agenda shall be limited to a proposal to place the subject on the agenda for a subsequent meeting.

A. Mayor's Report/Items of Interest

-FEMA maps are coming out; are the residents on Flatland Trail aware that we were unable to litigate some of the flood areas? We want to make sure that anyone that is affected in Converse that they may need to get flood insurance

-Had a mtg. with JISD Dr. Mackey, SA Council member Ivy Taylor & Commissioner Adkisson regarding the possibility of putting a central Library together & also the possibility of putting an Auditorium together in the COC; we are trying to have another joint partnership project with the County, City of SA & JISD – more information to follow

-Mr. Luft is in the process of assisting in getting Senator Zaffirini briefed on the situation on Loop 1604 & the FM 78 exits to possibly provide some assistance to get us one step closer to get those ramps re-accomplished; his understanding is that JISD is going to probably put a school bond out & encourages everyone to attend the mtg. tomorrow at 6:30 PM in the Board room; he is going to try to propose in Oct. before the ballot comes out in Nov. is to educate our residents & our community & probably hold a Town Mtg. sometime in Oct. before the Election

B. Councilmember's Report/Items of Interest

Council member Paschall reported:

-Attended a great governmental seminar at AACOG, she learned a lot & encourages anyone that has not done it yet to do the training; other surrounding cities were there & they talked about some of the issues that we are having problems with (animal control, etc.) & maybe we can come up with some solutions

Council member Brown reported:

-Agreed with Council member Paschall-good AACOG mtg. & in speaking with the other surrounding cities we can also reach out & they were on board with us

-Thanked Mr. Quintanilla, who has made him look good on several occasions & has helped him with some issues in his neighborhood; we should thank the City staff more often

Mr. Quintanilla complimented & thanked his staff: Hoppes, Mr. Perez, Police Chief Jamison & Fire/EMS Chief Wendt. He explained we all get together every Mon. & if there are any issues – we address them & try to resolve them. Staff really cares about the citizens of Converse.

Council member Lopez reported:

-At the last mtg. when we were going over the 30% summary of Toepperwein Rd., he was puzzled when it was said that there was not a center lane running through Live Oak; when he drove to work the next morning there is a center lane running down Toepperwein through Live Oak

Mayor Suarez thanked Project Manager, Ms. Jackie Gaines for the scholarship fund-raiser. She coordinated with JISD & put it altogether. She was given a round of applause.

C. Boards/Commission Reports

(1) None

Mayor Suarez stated there were no “Boards/Commission Reports”.

D. City Manager

(1) Report and Discussion of Future Agenda Items

Mr. Quintanilla reported:

-Aug. 17 - Will bring back the IT info. to be finalized

-Move forward with the budget process

(2) Report and Discussion of Items of Interest

Mr. Quintanilla reported:

-Thurs. at 10:30 AM have a walk through with JISD

-Issued a change order on the Schaefer Rd. project to construct a sidewalk parallel to part of Judson side of Schaefer Rd.; we have advised the contractor they need to be off-site before Aug. 23 & weather permitting they can make that schedule; Mr. Hoppes, Mr. Smith & Mr. Quintanilla will be walking the project the entire length tomorrow morning at 8:30 AM, if there are any obstacles we will meet with the engineer & get them corrected.

Mayor Suarez stated we need to monitor the Schaefer Rd. really closely because we are still fighting whether or not the school will be ready. He is optimistic that it is going to be ready & we need to do our part. We need to keep on the contractor because it has to be done, there are no options on this. The last time CC got a report it

was supposed to have already been done the last couple of wks. in July....weather permitting is unsatisfactory. He does not want to have no road & the school is done.

#### E. City Staff Reports

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

Fire/EMS Chief Wendt reported:

- About 3 wks. ago, we responded to a call for a major motor vehicle accident on Loop 1604 somewhere around FM 78 (turned out it was in City limits of Universal City); vehicle had a blow out, pulled off to the side of the road, the people that were in the vehicle stepped to the rear & were hit by another vehicle, ended up transporting 5 people – luckily they are all doing better-the guys worked extremely hard in the hot weather
- Continue to strive to upgrade their cardiac care, the hospitals are changing their technology on how we report transports of the EKG to the hospital & we don't want to buy something that they are going to quit using
- Next Thurs. at 10 AM at Station #2, we will be hosing the Area Fire/EMS Chief's mtg.-if CC would like to attend give him a call
- Staying busy
- Looking forward to a new budget year

MPT Shadron stated about a month ago, he ran into a resident who needed our services; the resident was very impressed & gave a good report.

##### (2) Report and Discussion of Significant Police Events

Police Chief Jamison reported:

- Briefed on the drive-by shooting in the City at 2 houses, no one injured; Detective Lowder was called out, talked to witnesses, came up with a suspect, located the suspect out in the County, when they conducted the drive by shooting, the suspects expanded the rounds on the roof of the car & that is where we found them, in less than a week the individual was arrested, search warrant was conducted, a weapon was recovered, which had been stolen out of SA last yr. – Detective Lowder did an outstanding job & the Investigators worked quickly to get this resolved
- Getting geared up for school to start, our Crime Prevention Officer Molder contacted the school notifying them that we have an Ord. in place for jaywalking along FM78 & FM 1516 & the law in the Traffic Code Book that if a sidewalk is provided & you don't walk on the sidewalk you can receive a citation
- Busy summer

##### (3) Report and Discussion of Significant Public Works Events

Director of Facilities - Mr. Hoppes reported:

- Very far along with our chip seal program; pretty much finished all of Autumn Run with some touch ups to do; all of Copperfield has been completed; did more touch up work in Cimarron Trails with a little more to do, little more touch up in Silverton Valley; plan to move next week into the Quail Subdivision – before they do the chip seal they will have about 100 tons of asphalt to do on level ups
- Placid Park – Contractor Ramming Paving is working on Phase 3; started the mix & mill on Slumber& Tranquil – by this time next wk. should be finished & completed
- Painting of the school cross walks throughout the City will be done before school starts; will have some new signs installed on Rocket Lane by Boysville for that cross walk

Mayor Suarez stated he asked a question last time Mr. Hoppes was here about the weeds on Kitty Hawk Rd., they are still there.

Mr. Hoppes stated the reason he did not send a crew to weed eat the weeds is because the weeds need to be killed with weed killer. Ms. Tracy Campos of the Utility Dept. has gone & sprayed the weeds with weed killer. Now that the weeds have started to die we are going to let the nutrient go into the soil & kill them better. Then, when we weed eat them this next time they will be gone for good & we won't have to go back. He understands it is a concern & doesn't look great. It is also a hardship for our crews to go out there & weed eat on top of the curb, bottom of the curb, the right hand side of the sidewalk & times everywhere in town. She has sprayed & you can visibly see them dying out there. We have more than just 1 area like this to maintain.

Mayor Suarez asked Mr. Hoppes to expand on "hardship", isn't that what they get paid to do? We get a lot of complaints. He makes his requests to Mr. Hughes & Mr. Quintanilla & it is not being done. So, either we have a personnel problem that is not understanding what he/we want done; they need to get done right away.

Mr. Hoppes stated the weeds will be cut tomorrow morning.

Director of Utilities - Mr. Perez reported:

-FM 1516 water line extension – have less than 300' left & should be finishing up in about 1 ½ to 2 wks. & make the final connections

-Spraying weeds – Ms. Campos started last wk. & finished up this morning, she also did another area on Schaefer Rd. – she has completed the areas that were asked of her to do; we need to set up a schedule, she will keep track of this; she would be the contact person for spraying the weeds, you can e-mail Ms. Campos or Mr. Perez if anything else needs to be done

-Last wk., Thurs., we had a 16" main break on Loop 1604 & were able to isolate the break within about 40 min., did lose over ½ a million gallons of water on the break & had water back on about 3 PM last Fri.

-We have a sewer line that we are going to have to schedule/plan of replacing the sewer line, which is about 200' to be replaced between Ave. B & Gibbs Sprawl – he will keep the Fire/EMS Chief updated due to having equipment out in the area

-Have a lot of leaks on the repair list (11 to 15), hope to get to them this wk.; it is dry right now & citizens call if they see water – we try to get out there as soon as possible

Council member Pannell commented to all of the Dept. Heads, they are not here to make your lives miserable, but some CC works 15-16 hrs. a day like staff does; the subject of the weeds – he has listened to the same subject for 6 wks. now & thanked them for their efforts; we might need to look at a plan of attack – he lives on Meadow Peak & the weeds are awful, Meadow Forge is awful – we might need to look at & take care of everybody.

At approximately 8:20 PM, Mayor Suarez called for a recess to go into Executive Session.

At approximately 8:36 PM, Mayor Suarez opened #12, Executive Session.

12. Executive Session in Accordance with Section 551.071, Texas Open Meetings Act, to Consult with the City Attorney and Discuss Settlement Terms and Conditions and Potential Litigation Against Edwards Aquifer Authority (City Manager)

Present: Mayor Suarez, MPT Shadron, Council members Benbrook, Brown, Lopez, Pannell & Paschall, Mr. Quintanilla, Mr. Ortiz, Ms. Gutierrez & Ms. Hieronymus.

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At approximately 8:56 PM, Mayor Suarez closed #12, Executive Session.

At approximately 9 PM, Mayor Suarez called the meeting back to order.

13. Adjournment

At approximately 9:01 PM, Mayor Suarez adjourned the meeting.

PASSED AND APPROVED THIS 17<sup>th</sup> DAY OF AUGUST, 2010.

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Al Suarez, Mayor

ATTEST:

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Adriana I. Hieronymus, City Secretary