

CITY OF CONVERSE
CITY COUNCIL MEETING
MINUTES OF AUGUST 2, 2011
7:00 PM

The City Council of the City of Converse met in a regular meeting at the Converse Municipal Complex on Tuesday, August 2, 2011 at 7:00 PM to discuss various items on the agenda. The following were present:

Mayor Al Suarez	MPT Grant Lopez, Place 2
Council Member Kathy Richel, Place 1	Council Member Andy Selko, Place 3
Council Member Randy Pannell, Place 4	Council Member Laura Beehler, Place 5
Council Member Steve Brown, Place 6	Ms. Shawna Dowell, City Manager
Mr. John Quintanilla, Assistant City Manager	Mr. Rick Jamison, Chief of Police
Mr. Richard Wendt, Chief of Fire/EMS	Mr. Jerry Wilson, Finance Director
Mr. Karl Hoppes, Director of Facilities	Mr. Lupe Perez, Director of Utilities
Mr. Ray Christian, Assistant Fire/EMS Chief	Mr. Robert Ayala, Librarian
Ms. Dawn Brennan, Library Assistant	Ms. Kate Silvas, EDC Executive Director
Ms. Michelle Burns, EDC Executive Secretary	Ms. Debra Malone, Police Sergeant
Ms. Penny Hieronymus, City Secretary	

1. Call to Order

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

2. Invocation

Council member Pannell 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 Lopez

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

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

4. Roll Call and Recognition of Visitors

Mayor Suarez stated all CC members are present. He introduced the Council & staff.

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. Action to Approve City Council Minutes for Meeting Conducted on June 21, 2011

Council member Brown made a motion to approve agenda item #5 A. Council member Selko seconded the motion. Passed unanimously.

6. Special Consideration Items
 - A. None

Mayor Suarez stated there were no Special Consideration Items.

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.

-Mr. Anthony Guastella of 8522 Cheyenne Bluff was present on behalf of Post 593 to remind everyone of the Sept. 11 Committee, everything is functioning as intended & thanked everyone; Ms. Dowell will be at their next meeting.

8. Public Hearings
 - A. None

Mayor Suarez stated there were no Public Hearings.

9. Old Business
 - A. Discussion and Appropriate Action to Approve the Budget Amendment #V – Ord. 108 D for General Fund and Utility Fund (Second Reading) (City Manager)

Ms. Dowell stated this was on the last agenda, but we did not have the attachment to support it.

GENERAL FUND:

Reflects the appropriation of \$1,000 for Library collection development.
Increase Revenues - \$1,000 Donations
Increase Expenditures - \$1,000 Book Purchases

UTILITY FUND:

Reflect the appropriation of \$25,000 for funding a Water/Sewer Utility Rate Study
Increase Revenues - \$25,000 Utility Fund Fund Balance
Increase Expenditures - \$25,000 Utility Rate Study

Council member Pannell made a motion to approve agenda item #9 A. Council member Richel seconded the motion. Passed unanimously.

- B. Discussion and Appropriate Action on a Request to Approve the City Public Service Energy Franchise Agreement, as Defined in “Appendix “A”-Franchises-Article 1 Gas Franchise-Division I City Public Service Board” (Second Reading) (City Manager)

Ms. Dowell stated we reviewed this at the last CC mtg. City Public Service (CPS) Energy shall make a payment for street rental to the City in the amount of 3% of CPS Energy’s gross receipts from the sale of electricity & gas within the City. Ms. Dowell, Mr. Ortiz & staff recommend approval.

Council member Pannell made a motion to approve agenda item #9 B. Council member Selko seconded the motion. Passed unanimously.

10. New Business

- A. Discussion and Appropriate Action to Approve the Acceptance of the Infrastructure at the Meadows of Copperfield Unit #6 (Assistant City Manager)

Mr. Quintanilla stated Vickrey & Associates (V&R) provided a punch list which occurred on June 21, 2011. Staff went out with the engineer to re-inspect this & all items on the punch list have been corrected. Staff recommends approval.

MPT Lopez stated from his real estate experience, most neighborhoods do have a different legal name (for platting purposes).

MPT Lopez made a motion to approve agenda item #10 A. Council member Beehler seconded the motion. Passed unanimously.

- B. Discussion of the Tax Rate for Fiscal Year 2011-2012, and Appropriate Action on a Request to Approve a Proposal to Consider the Adoption of an Ad Valorem Tax Rate of \$0.58 Per \$100 Assessed Evaluation and to Place on the City Council Agenda for the September 6, 2011 as an Action Item (City Manager)

Ms. Dowell gave an overview briefing & power point presentation on the ad valorem tax rate for the COC

-PROPERTY VALUATIONS: Valuations of residential & commercial have dropped; our 2011 net valuation is \$773,671,000

-5 YEAR HOUSING STARTS: =Total of 1,267 homes (28% increase) & based on 5,787 residences per Bx. Co. Appraisal District for calendar year (CY) 2010

-10 YEAR SUMMARY OF TAX RATE: O&M = Operating & Maintenance (how we pay our bills) and I&S = Interest & Sinking (pay down our debt service)

-TAX RATE COMPARISON TO RMC CITIES: Based on 2010 data

-BUDGET SUMMARY & METHODOGY: We will have 2 public hearings (Aug. 23 & 30) on the budget {The document will be available at City Hall for review}

**Reviewed the General Fund (GF) Revenues: Tax Rev., Permit Rev., Law Enforcement & Court; Animal Control, Grant Rev., Park & Pool & Other Rev.

- **Reviewed the GF Expenditures: Animal Control, Building Inspections, Court, Fire/EMS, General Gov., Grounds Maintenance, Library, Non-Departmental, Park & Pool, Police & Street Maintenance
- **Ad Valorem Tax: Net valuations of property = \$773, 671,287 & \$.01 on the O&M tax rate raises approximately \$77,367
- **Sales Tax: Estimate for FY 2010-2012 is \$1,529,931, down \$27,158 (-1.78%) from FY 2009-2010 & Estimate for FY 2011-2012 is \$1,545,230 up 1% over FY 2010-2011 based on the upward trend for April & May 2011
- **Expenditures: Reflects actual spending trends for last 2 years to provide basic services, reflects current & future economic conditions: 1% growth in sales tax, slight decline in property tax base & an average of 3% cost increase (each line item was evaluated individually)
- **Full time employees – 163 (GF – 131, UF – 30, EDC Fund – 2 & part time – 3)
- **Personnel costs reflect 1% cost of living increase
- **Personnel costs does not include any merit increases
- **TMRS rate change from 11.95 to 12% on Jan. 1, 2012; 3 months at 11.95% & 9 months at 12% yielding an average of 11.9875
- **Assumption of 20% increase in fuel costs
- **Assumption of 15% increase in utility costs

PROPOSED TAX RATE:

Proposed O&M Tax Rate	\$0.502068
Proposed I&S Tax Rate	<u>\$0.070863</u>
Proposed Total Tax Rate	\$0.572931

Current Tax Rate	\$0.525434
Incremental Increase	\$0.047497

2011 Rollback Tax Rate \$0.575939

-Per faxed correspondence from Bx. Co. Tax Assessor-Collector Office dated 7/30/11
(We are well under the rollback tax rate)

2011 Effective Tax Rate \$0.535131

-This reflects the tax rate it would take to raise the same amount of O&M taxes as in FY 2010 based on The new 2011 net valuations

MPT Lopez made a motion to approve agenda item #10 B. Council member Pannell seconded the motion. Mayor Suarez did a roll call vote, passed unanimously.

Mayor Suarez suggested posting a proposed draft budget on the web site.

C. Discussion and Appropriate Action to Approve the Goals and Objectives for the City Manager (Councilman Pannell) (Mayor Pro Tem Lopez)

Council member Beehler moved to table this item as written. She believes there are some items they would need to discuss which are not legal to discuss in open forum.

MPT Lopez stated this was fine with him; when he first approached this he had hoped to get it done in Executive Session.

Mayor Suarez stated he spoke with the City Attorney, who said it could be done either way (open or closed session).

Council member Brown thanked MPT Lopez & Council member Pannell (this has been brought up about 3 times in the last month) & somebody finally showed some leadership & put this on the agenda.

Council member Beehler made a motion to table agenda item #C until the next meeting (Executive Session & then discussion in Open Session). MPT Lopez seconded the motion. Passed unanimously.

D. Discussion and Appropriate Action to Review the Results of the On-Line Strategic Plan Survey (City Manager)

Ms. Dowell stated we had several items that were priority: 1) Recreational Dog Parks 2) Green Space & 3) Convention Center. Items listed for input on the survey: Revitalize Down Town, Recreational Dog Parks, Public Info. Officer (PIO), Chamber of Commerce, Youth Center Program, Modern City Mgmt., Green Space, Downtown Creek, Clean City, Convention Center, City Brand, Mom & Pop, Historical Markers, Toepperwein Rd., Industrial Park, Appealing Signs, Surface Water & Compliance Officer (Code Compliance Officer) – this is Council's discretion to prioritize the items that came out of this strategic planning. This was posted on the web site for about 4 weeks & had a total of 26 surveys returned. We put verbiage on the marquee sign, web site & sent it to the members of the Commissions that participated to make sure they could market it in the community.

Council member Selko stated we had 26 results that came back, have 18,000 residents in the City & figure at least ½ of them have computers, that is 9,000 people & had 26 results back – if anybody has ever done statistics, this is statically an insignificant return – which means it doesn't mean anything. However, taken by the total number of votes for each of these items, if we weighed it by that, the biggest number of votes went to a convention center (12 votes) followed by green space (11 votes), dog park (7 votes), revitalization downtown (6 votes) & the youth program (6 votes). So, taken by a strictly numerical weighed factor the #1 & #2 items would be a Convention Center & Green Space. He asked about the 4 rejected choices. Based on the number of results from the number of population available to make the vote, either A) people didn't know about the survey or B) people knew about it & just didn't care to make a comment on the web site. The survey is a good idea, do we need to do something to get it out there more for the people, a greater number of people...he doesn't know.

Ms. Dowell stated we put it on the City marquee sign & on the web site, we sent it to the Commission members that participated to make sure they could market it in the community. We tried many different avenues to get input.

Mayor Suarez stated we will take this information & will put this for consideration on a future item; continue the process with the facilitator.

No action taken.

E. Presentation of Library Summer Programming (Library Director)

Mr. Ayala stated they had a 9 week Summer Reading Program at the Converse Public Library, which was a very robust schedule of events. He provided CC with formal elements of what went on. He presented a movie they put together in the Library that dramatizes what they did over the last 9 weeks & very

successful. He thanked his staff (Ms. Dawn Brennan & Ms. Erica Lopez) & the great volunteers, he welcomes everyone to come by the Library – all ideas are welcome.

Ms. Hieronymus stated Mr. Ayala has come in & ran & she has not been able to keep up with him, she has personally gotten so many compliments. She visited the Library this past Fri. & the room was crowded & hot – tremendous job.

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

Mayor Suarez reported:

- Thanked Mr. Quintanilla for getting involved in a citizen complaint, handling it & it didn't cost the City any money
- Thanked Council member Beehler for getting the B&E started last week, they are off to a good start

B. Councilmember's Report/Items of Interest

Council member Pannell reported:

- Congratulated the COC, all of the citizens & government body – we are now officially part of the Cibolo Valley Local Government Corp. (CVLGC), this will be great for the future, Ms. Dowell was elected the 1st President of the CVLGC
- Building & Standards Commission – working hard, met last week, dealing with 1 location in the City
- Thanked Mr. Quintanilla for his hard work
- Would like on the next agenda, a "Censorship Ord." (of elected officials)

MPT Lopez reported:

- Thanked the Utilities Dept.; in particular Mr. Jon Smith – MPT Lopez received a call Sat. morning about some asphalt lifting on a residential street & within a matter of 10 or so minutes Mr. Smith was out checking on this
- Asked if we could e-mail CC if there are any agenda items they would like put on the agenda

The Mayor & Ms. Dowell are very pleased; the Utility works hard to get out there & turn off the water on main breaks.

Council member Beehler reported:

- She would like to see on the next agenda, putting out an RFP for the Judge (his term is up in Nov.)

Council member Brown reported:

- He received a call from a citizen & we need to be very careful as to how we pass information to people; regarding why we were stopping the Toepperwein Road project
- He would like to put on the agenda actual procedures of how we put items on the agenda because how we are putting items on the agenda of getting a sponsor for an item is not how it is in the Ord.
- Are we going to be looking at the garbage collection contract

Mayor Suarez stated Ord. 101, Codification Section 2.46 – tells how it is done; you write up a request & send it to the City Secretary, we line it up & do a draft, CC has until noon on Tues. & Wed. the Mayor reviews it; it is based on the workload & priorities; if an item fails you need to have 3 sponsors to put it back on the agenda. We are trying to work with the MPO on leverage to get Toepperwein Road financed.

Ms. Dowell stated we are looking at pulling the RFQ on garbage collection & getting ready to send out. She addressed the Toepperwein issue & last year there was \$285,000 appropriated for that & this upcoming fiscal year there is \$405,000 proposed in the budget.

Ms. Hieronymus stated she will give the credit to Mr. Quintanilla, because he does do the agendas, but we will do our best to work together.

C. City Commission Liaison Reports

Park and Recreation – Council member Richel reported:

-No report

Building & Standards – Council member Pannell reported:

-No report

Beautification & Environmental - Council member Beehler reported:

-Met June 26

-Have a fantastic Commission, they are very excited & work to get problems in the City cleaned up

-Mayor Suarez spoke to the Commission & gave his views

-Elected Ms. Paschall as Vice Chair

-Housekeeping items were addressed (Open Meeting Acts Training, etc.)

-Brief discussion of what the B&E's short & long term goals would be; will come back the following meeting with a plan

-Mr. Larry Moxley, Storm Water Inspector, gave a brief overview on what he does

-Next mtg. is Aug. 22 at 7 PM

Planning & Zoning – Council member Brown:

-Will be meeting the 3rd Mon. of the month

D. Economic Development Corporation Report

Economic Development Corporation – Executive Director Ms. Silvas reported:

-Finished working on SECO Grant project to replace the air conditioning units at City Hall; there are still some additional funds we have identified to be allocated & will be forwarded to the CC

-Recently submitted 2 proposals responding to inquiries from the Governor's office regarding commercial development, industrial tenants & recently had a prospect mtg.

-Attended an IEDC course in Florida-learned a great deal

-Working on finishing up the Aerial Focus publication

-Yesterday & today she attended the International Council of Shopping Centers Hispanics Market Conference population has increased significantly over the last 10 years

-Next EDC mtg. is scheduled for next Tues., Aug. 9 at 6:30 PM; budget will be on their agenda

E. City Manager's Report

Ms. Dowell reported:

- Attended the CVLGC mtg. last Thurs.
- Sun., 9/11 Ceremony, hopes everyone can attend, CC should be receiving invitations in the mail (please let staff know if you will be able to attend) at 8 AM; we will turn in the numbers to the American Legion who is sponsoring the function
- Public Hearings on the budget on Aug. 23 & 30
- She will be out tomorrow afternoon (closing on her home)

F. City Staff Reports:

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

Chief of Fire/EMS Richard Wendt reported:

- Most significant event for them has been the budget; thanked CC & staff for the support they are getting
- Started 5 new guys
- Reviewing their SOP's
- Activity level has leveled out
- In drought, haven't had a whole lot of grass fires, heat is the worst we have had
- With drought, comes health issues (don't mow grass at 3 PM)
- Staying busy
- Had a dedication ceremony last Thurs. night, given a handmade quilt for them by Ms. Rosie Bourland from the Quilt Shop, has a picture of their retired mascot, Councilman Selko's aided & did this, it is hanging at Station 2; quilt is huge & beautiful, a lot of time & effort was put into this, Ms. Bourland sold squares & they raised money for the Fire/EMS Dept., if you get a chance come & see it

(2) Report and Discussion of Significant Police Events

Chief of Police Rick Jamison reported:

- Thanked CC for all of their support
- Staying busy
- Hot summer, tempers are flaring
- Getting ready for school to start back up in a couple of weeks
- Thanked the Converse Citizens Police Academy Alumni a Assoc. (CCPAAA), they went out & purchased an item called "Cool Cops"
- Thanked the CPAAA, for the purchase of the new bench at the Police Dept.
- Thanked the CPAAA, for taking care of them
- The sex offender Ord. is working well for them

(3) Report and Discussion of Significant Public Works Events

Director of Facilities Karl Hoppes reported:

- Thanked CC for all of their support
- Update on Ave B re-construction project: Phase 1-road base is down & seal based, hopefully the curb contractor will be able to move in this week or early next week, Phase 2-milled down the sub-grade,

slight problem with AT&T underground utilities in the way out there & will negotiate what needs to be done to resolve this

STREET:

- Hauled about 62,000 gallons of water to our Parks
- Did about 42 tons of street patching on Crestway by Walgreens
- Did some drainage channel improvements & rift rap in the Laurel Creek/Miller Road area, poured 27 yards of concrete
- Did 7 yards of concrete on water repairs around town
- 963 Cat Track Loader is in service, working great
- Had a Street Crew Leader (Marcus Gandara) that obtained an Animal Control Certification

GROUNDS:

- Picked up all of the brush in Zone 3, had 9 out of cycle brush pickups & 4 of those went to the mulch
- Conducted 9 interviews for 4 positions & hired 2
- Mowed & trimmed ROW's in drainage channels throughout town

PARKS:

- Continues routine maintenance & upkeep on 2 Parks
- Spread about 10 loads of top soil on the new football field at North Park

FLEET:

- Busy keeping City vehicles running

(4) Report and Discussion of Significant Public Utilities Events

Director of Utilities Lupe Perez reported: July

WATER TECHS:

- Deposits – 70
- Finals – 73
- Turn Offs – 109
- Repaired City Leaks – 4
- Customer Leaks – 10
- Update on Ave B: Finished installing the 400' of 6" water main (did caps & testing came back good); by end of week will have everyone hooked up to the new line; then, Mr. Hoppes can continue with his project on Ave. B
- Had 19 water breaks & replaced 1 fire hydrant
- Last night had a main break on Nugget Creek, lost about 80,000-90,000 gallons of water - they received a call on another main break, so they had to have some of the guys go home for working all night
- Break on Toepperwein & 7th: Lost about 50,000 gallons of water
- Break on Meadow Peak: Lost about 40,000 gallons of water

Ms. Dowell stated the crews get out there as fast as they can to get the water turned off & fixed as fast as they can. We have to do reports to TCEQ & Edwards on main breaks, water loss & water pumping.

12. Adjournment

CC Minutes – August 2, 2011

At approximately 8:26 PM, Mayor Suarez adjourned the meeting.

PASSED AND APPROVED THIS 20th DAY OF SEPTEMBER, 2011.

Al Suarez, Mayor

ATTEST:

Adriana I. Hieronymus, City Secretary