

CITY OF CONVERSE  
CITY COUNCIL MEETING  
MINUTES OF AUGUST 16, 2011  
7:00 PM

The City Council of the City of Converse met in a regular meeting at the Converse City Council Chambers at 402 South Seguin on Tuesday, August 16, 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. Jerry Wilson, Finance Director	Ms. Kate Silvas, COC Executive Director
Ms. Trisha Neeley, Court Clerk	Mr. Chris King, Police Officer
Mr. Ray Ortiz, City Attorney	Ms. Penny Hieronymus, City Secretary

1. Call to Order

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

2. Invocation

Assistant City Manager Mr. Quintanilla 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. The Mayor recognized JISD Operations Superintendent Mr. Daniel Kershner.

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 July 5, 2011

- B. Action to Approve City Council Minutes for Meeting Conducted on July 19, 2011
- C. Action to Approve City Council Minutes for Meeting Conducted on July 25, 2011
- D. Receive Minutes for Building & Standards Meeting on June 1, 2011
- E. Receive Minutes for Planning & Zoning Commission Meeting on June 20, 2011
- F. Receive Minutes for Planning & Zoning Commission Meeting on July 18, 2011
- G. Receive Minutes for Parks & Recreation Meeting on July 11, 2011
- H. Receive Minutes for Economic Development Corporation Meeting on July 12, 2011
- I. Action to Approve the Appointment of Ms. Lu Ann Holden as Chairperson of the Building & Standards Commission (Councilman Pannell)
- J. Action to Approve June 2011 Financial Report
- K. Action to Approve June 2011 Investment Report

Council member Brown asked to pull agenda item #5 F.

Council Pannell made a motion to approve agenda items #5 A-E & #5 G-K. MPT Lopez seconded the motion. Motion passed unanimously.

Council member Brown stated he meant to pull agenda item #5 E (P&Z 6/20/11) not #5 F.

Mayor Suarez stated we will ask for a re-vote on agenda item #5 E.

Council member Brown stated on Page 2, item #7, minutes state he said: "Surcharge water rates. We are currently in Stage 3, will be charged state 2 rates.", and stated he did not say this; he said we were in Stage 2 & being charged Stage 1 rates.

Mayor Suarez stated we will send them back, because we are just "Receiving" them. We will pull this because they are not ready for action.

Mayor Suarez asked if we had a motion for agenda item #5 F.

Council member Richel made a motion to approve agenda item #5 F. Council member Brown seconded the motion. 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. Jim Sherman of 10218 Plumas commented that agenda item #10 D is worded in such a way that only a lawyer could have written it, it is hard to understand what we are trying to say. He suggested when we write the agenda items, we write them in a way that any citizen can understand exactly what we are trying to put before the Council. As far as reimbursing ourselves for lawful expenditures-if we have made a lawful expenditure out of City money before, he is not sure why we would need to

reimburse ourselves. As for the tax notes or any financing, a lot of this stuff he thinks is something we should have budgeted for if we hadn't spent way more money than we should have last year, perhaps we need money now to do some of these things. This financial system that we want to put in place he was told cost about \$40,000. \$40,000 is not that big a budget, yet we don't have enough in the budget this year to do it...so we have to borrow money – he thinks this is a terrible mistake. Outside studies - he thinks we have experts here in the City who should be able to handle these things. If we talk about the 1604 corridor, he thinks we need to include the 1516 corridor & get the City of SA to release the ramp to our use before we consider borrowing-what are we going to do with that property?

8. Public Hearings

A. None

Mayor Suarez stated there were no Public Hearings.

9. Old Business

A. None

Mayor Suarez stated there was no Old Business.

10. New Business

A. Discussion and Appropriate Action to Approve the Cash Flow Report for FY 2011 through June 2011 (City Manager)

Ms. Dowell stated we provided the financials through June, which is an actual cash flow report; showing the revenues & expenses coming in each month from the General Fund (GF) and Utility Fund (UF).

MPT Lopez made a motion to approve agenda item #10 A. Council member Richel seconded the motion. Motion passed unanimously.

B. Discussion of the Procedures Related to Submitting and Sponsoring Agenda Items for Consideration and Appropriate Action (Councilman Brown)

Councilman Brown stated at the last CC mtg., he asked for this to be put on the agenda because he understood what the City Charter & Ord. 101 stated about putting an agenda item on the agenda & he has been approached by Council in the past to sponsor items on the agenda. He wanted to let the citizens of Converse to know that in Ord. 101 that the citizens can put an item on the agenda & sponsor that item, not just CC members...but the item has to really apply & make sure you explore all other options.

Mayor Suarez stated we went through this before about a year ago & citizens sponsoring an item, he asked Mr. Ortiz if this was a true statement.

Mr. Ortiz stated he thought it had to do with what the issue was & would have to go back, but there was a memo to Council & there was a discussion on this...you just can't get anything on an agenda. He will find it & distribute it to CC again.

C. Discussion and Appropriate Action to Authorize the City Manager to Advertise a Request for Qualifications for Municipal Court Judge (Councilwoman Beehler)

Council member Beehler believed that our current Municipal Judge's term is up Nov. 2011 & she would like for us to put out a Request for Qualifications (RFQ) so we can decipher & see who else is out there & reduce some of the expenses we are incurring through the current Judge right now.

Mayor Suarez stated in the past we have always used attorneys with a negotiable compensation through the Council. The Mayor stated we could bring the old one back to let everybody see it for recommendations & feedback, bring it back on Aug. 30 for a discussion.

Mr. Ortiz stated they must be a member of the State Bar of Texas.

Council member Beehler made a motion to prepare an RFQ to be presented to Council on Aug. 30 for discussion & approval. MPT Lopez seconded the motion. Motion passed unanimously.

D. Discussion and Appropriate Action to Approve Resolution #640 Relating to the Establishing the City's Intent to Reimburse Itself for the Prior Lawful Expenditure of Funds from the Proceeds of One or More Series of Tax-Exempt Obligations to be Issued by the City for Authorized Purposes; Authorizing Other Matters Incident and Related Thereto; and Providing an Effective Date (City Manager)

Ms. Dowell stated this is reflective of a discussion that we have had for several months about potentially looking at doing a tax note related to purchasing of financial management software including the networking necessary to implement a decentralized financial management software that all Depts. would be accountable for their budgets & be able to access their financials on a daily basis (networking, cost of networking, upgrades to our systems & a possible discussion of other items that may be added such as the 1604 corridor study for the EDC). This item reflects to the financial mgmt. software & networking. In order to go out & issue a tax note, we need to be very certain of how much we need to spend for the purchase of the financial mgmt. software as well as the related networking & hardware cost. In order to assess these costs, we need to bring in an outside consultant to help us assess our current system & tell us what upgrades we need to make & there is an expense (between \$20,000-\$40,000); this needs to be done before we implement the tax note. In order to compensate & reimburse the City for its expenditures this year, prior to issuing a tax note we have to do this Resolution that will allow us to reimburse ourselves once the tax note is issued. On the next agenda item we will actually go thru each one of the items we are discussing for a tax note. We are not actually taking formal action tonight. However, we do know that we will move forward with some kind of financial mgmt. software & upgrade to our system. SW Securities has provided documentation: Basic Financing Alternatives for Cities-General Obligation Bonds, Revenue Bonds, Certificates of Obligations & Tax Notes.

Mr. Mark McLiney & Mr. Ryan Cunningham of SW Securities are present & have helped us prepare this Resolution. The simplest way to look at this is – we are going to possibly issue tax exempt bonds/tax notes. We have a big project that will take some consulting & computer engineering. We are going to spend the money upfront so we know the cost of the project & know what we are borrowing, as a municipality we are borrowing tax exempt. Uncle Sam thinks maybe this isn't so great because its tax payer money & we should keep track of things. This reimbursement Resolution is solely if the IRS comes

in & says why did we use tax exempt proceeds to pay ourselves back for an expenditure we made. Fulbright & Jarowski are our bond lawyers. This is a protection & tells us what we can be paid back for.

Mr. McLiney gave an explanation on the Basic Financing Alternatives for Cities-General Obligation Bonds, Revenue Bonds, Certificate of Obligations & Tax Notes.

Council member Pannell made a motion to approve agenda item #10 D. Council member Beehler seconded the motion. Motion passed unanimously.

E. Discussion of Future Tax Note for Financial Management Software/Hardware, Networking and 1604 Corridor Study (City Manager) (Financial Advisor)

Ms. Dowell gave a power point presentation on the discussion of a proposed 2012 Tax Note; this would be issued in FY 2011/2012. This is for purchasing a financial mgmt. software that is fairly comprehensive (includes the operations of the Police Dept. Building Inspections, Finance, Human Resources, Utility Fund, etc.)-all included in 1 financial software. Most of the Texas cities in our area use "Incode", estimated at \$500,000. We also have another software component that is approximately \$85,000- programs such as Fire House Operations, Bibliconics Library Operations, EMS Software Upgrade, enterprise version of Microsoft Office, enterprise version of the internet security software on all the computers, exchange server & communicator software. In addition, we have the cost of networking & hardware. We have 5 buildings to network (Library, City Hall, Police Dept., Utility & Street Dept. and Fire Station #1). At this point & time, we believe we will end up going wireless & eventually into a fiber network.

Ms. Dowell stated we have the discussion of a 1604 corridor study for the benefits of developing/creating a planned development study. We had one error on the EDC portion, instead of \$150,000 it is \$160,000, which has been updated & reflected in the Debt Schedules.

Ms. Brenda Vickrey Johnson of Vickrey & Assoc. was present to provide us with information regarding the development of the 1604 corridor plan & to discuss the benefits of performing such a study. This is basically a policy document that will serve to guide physical improvements, design economic strategy & the general revitalization efforts in the 1604 commercial corridor & adjacent areas. The design framework & economic strategy developed in the plan will include a newly vibrant center that balances city wide economic objectives with the community's vision. She stated her father, Mr. Ken Vickrey, was also present & founder of their firm. They will have public workshops to listen to the public & get their input into this plan. They need everyone involved for input to develop what they see in this corridor; they will establish land use areas, create gateway features for key entry points, public facilities, parks, open space & create venues for special events, this will also serve as a guide to zoning & design guidelines within the corridor, also as a document we can utilize to apply for various State & Federal funding grants to assist our EDC. The overall goal would be to establish a corridor that will increase revenues to the City & enhance EDC.

Mr. Vickrey gave an overview of the benefits of urban planning, need community input & participation, which produces a shared vision of what the City, should be when completely developed. The study prevents an incredible amount of zoning problems because of the land use. The study identifies areas where we can attract & draw people from outside of the community to come in & spend money, improve our revenue. The plan is helpful if we are looking to go to the State & Federal Governments for grants or funding opportunities or participation.

Ms. Dowell stated we asked Mr. Vickrey to come tonight to give the overview of what the planning might provide us, specifically related to this tax note is solely the 1604 study. We started our initial talks about what would a City wide comprehensive master plan looked like for our community & what the cost might be, this was several months ago. She said as we focus more & more on what is going on currently on 1604 & the expansion by TXDOT (widening), we found it was very imperative that we start looking at 1604 & hopefully see some successes with master planning just for the 1604 corridor rather than looking at a City wide comprehensive master plan so we can create some momentum & success in a planned development for the 1604 corridor. We know that will be our expansion of our economic future in the next 5-10 years as we have more of our commercial land on 1604 at the moment that is available.

Council member Brown stated we need to develop some contact with RAFB because a lot of the development we are going to be doing is going to affect RAFB.

Mayor Suarez stated if we decide to go with the corridor study, to make sure Vickrey & Assoc. have access as to what was done to the Town Square. EDC has done a lot of different incentives (Buxton Study, new map, etc.), can't ignore what we have done in the past. The Mayor commented on the software/hardware - this is very expensive & you can't operate without it, so if you don't have it we are way behind.

Council member Pannell stated it is time we move forward.

Council member Richel commented to Ms. Dowell that we wanted to make this a priority, 1604 corridor, & she was wondering all of this study we have been doing for the master plan, strategic plan, etc., this is costing the City money & now we are sitting on it & now we are going to start another plan.

Ms. Dowell stated the strategic planning process-we used Mr. Dan Norris who sat on the EDC Commission to help facilitate this process. The strategic plan for the City & CC – operating plan for the next 3-5 years is still up for CC's discussion & prioritization. This plan is for land development along 1604 is privately owned & mostly zoned commercial; this better helps us define our Ords. for more flexibility & is more defined because we know what we want it to look like. She stated this portion of the tax note, if we move forward; the specific portion would be funded with sales tax going thru the EDC rather than property tax which would be funding the GF portion of the financial management software. The financial management software, hardware & networking would be funded by property tax & the I&S portion of our tax rate, in addition to the UF funding a portion of that is about 60 % GF & 40% UF. The small portion of \$160,000 would be funded by the EDC sales tax. The cost of issuance would be split proportionately between the GF, UF & EDC based on the portion of the overall tax note related to their projects. The EDC portion of the overall is about 11.8% or 11.9% of issuance. In addition, they are saving money by not going out & doing their own issuance & can share the issuance with the City. This is a very large system & cannot be all implemented at once. Ms. Dowell will be the Project Manager for the COC; but they (Tyler Technologies) have a Project Manager that is here in the area in the SA area.

Ms. Silvas stated the 1604 corridor presents its own set of challenges & opportunities, it is a blank slate. We feel this is an important opportunity for us to move forward & plan for the future. We are faced with this great opportunity to look at what the corridor might look like in the future. If you go to Selma, Schertz or The Forum, this is a planned unit development. The Ords. we have in place do not allow us the ability to have that kind of development in our current zoning. This opportunity is unique for the

purposes of developing out the 1604 corridor. She supports this; it is an expense but would be a worthwhile investment of time & resources. If the EDC were to issue its own bond, it would not receive the same rating, the same interest rate that we would benefit on an issuance going thru with the City. This item was approved unanimously by the EDC Board.

After a lengthy discussion, we know 1604 will be a vital source of income for the City, the major player 10-15 years from now, it is important that the City get in on this at this stage in the game.

F. Discussion and Appropriate Action on a Request to Authorize the City Manger to Execute an Agreement with Bexar Met Water District to Collect Storm Water Fees for the City of Converse for those Properties Located within Bexar Met Water District Service Areas (City Manager)

Ms. Dowell stated this is an agreement with Bexar Met & is the formal agreement they proposed to us to collect the storm water mgmt. fees for the portions of Converse that they provide service to. We are responsible to TCEQ for storm water mgmt. & the fees help us fund those programs to make sure we have storm water procedures in place. If at some time, something happens with the mgmt. issues, we would hopefully have a financial mgmt. software in place that will allow us to do billing to those entities that are not necessarily water customers of the City, but we could actually track that & bill it automatically.

Mayor Suarez stated Bexar Met is facing some mgmt. issues, will this affect this agreement.

Mr. Ortiz stated this is probably why they have added Paragraph 6 that is being added to our original agreement, Page 2 of the proposed amendment; it looks like they are attempting to say that if they are swallowed up by a water utility with the population of more than a million, then the water utility has the right to review this contract to see if they want to continue going forward or not. Bexar Met is not raising their original cost; we are still paying the same rate that we are paying them now for the sewer collection fee.

Council member Beehler made a motion to approve agenda item #10 F. Council member Brown seconded the motion. Motion passed unanimously.

G. Discussion and Appropriate Action on a Request from Bexar County Community Development Program Staff Regarding Reimbursement of HOME Program Cash Match Obligation of One Hundred Five Thousand Dollars (\$105,000.00) (City Attorney) (City Manager)

Ms. Dowell gave a brief summary. In Jan., we received a request from the Bx. Co. CDBG office to reimburse the HOME Program of \$105,000 from a program that was implemented somewhere in the range of 2002-2004 year Converse Gardens. We used CDBG funds to put in the water, sewer & street infrastructure for that development & joined with an entity to provide first time home buyers assistance in getting into those homes. We made our CDBG match, however the entity did not make their match & are no longer an operating entity. The COC sold those lots at a discounted amount; they have since been audited by HUD on those HOME funds & how those were utilized. The audit showed they determined to be programmed income & they would like us to reimburse \$105,000. Staff has met with Co. Commissioner Adkisson & verbal phone discussions with Bx. Co., CDBG offices, Ms. Aurora Sanchez & Mr. Andrew Alva just this week & today. They have assured us that they will work with us to make sure our match is covered not just in 1 year, but within 2 years. For the funds that we receive from

CDBG, we actually have a match for each project. This year, we are doing the Ave. B project & next year we are scheduled to do the Fir Dale project. In Jan., we were told by Bx. Co. we could use the 2009 match for Placid Park as well as the 2010 match for Ave. B. Then, they were told by the local HUD office that there was a determination that we could only use 2010 matching dollars. We currently have \$40,000 of cash match for the 2010 project, we do not have \$105,000; leaving us \$65,000 short - we did not want to jeopardize our future CDBG funding for future projects. We are trying to expand our time frame from not just only the Ave. B project, but hopefully to next year including the Fir Dale project, this way we can make the match easily & it will not be an additional expense to the City. We were informed today that they would be processing our reimbursement we recently sent in for \$53,000. We have all of the contract documents on the grant; have pulled the documents & CC minutes. We were in full compliance & understanding of the program income when we sold the lots, prior to selling the lots those discussions occurred with Bx. Co. & we acted appropriately. Since then through the audit, they were told that we needed to reimburse that amount. We have done our due diligence, they did their due diligence at that time, but the audit showed that we needed to pay that amount & we are trying to do so.

Mayor Suarez stated we owe a thanks to Co. Commissioner Adkisson for his assistance.

Mr. Ortiz stated this problem was predicted back in 2003, when there was a question about what project income was defined as. He recalled that meeting; Mr. Hughes & Mr. Luft met with Bx. Co. because the CC at that time turned down the CDBG because we did not want to have our hands tied because the definition of “project income” said if you flipped property within 5 years you have to reimburse HUD for the CDBG grant; there was concern that we were not going to hold on to the lots for 5 years & did not want to risk that so we rejected it. Mr. Hughes & Mr. Luft went & talked to Bx. Co. & got confirmation from them that because the money was being spent on infrastructure, which we will always own-it would not be considered project income (we aren’t going to sell our water, sewer or street line). We are not making any profit on how we use that money. So with the confirmation from Bx. Co., Council changed their mind & said okay we would take that grant & we did. The contract we signed with Judge Wolff in Jan. said we have 2 years to provide matching funds. He thinks it is all going to get worked out.

Council member Brown made a motion to approve agenda item #10 G. Council member Selko seconded the motion. Motion passed unanimously.

H. Discussion and Appropriate Action Regarding the Delivery and Installation of the Digital Marquee at the Converse City Hall by ADSled Inc. (City Attorney) (City Manager)

Mr. Ortiz stated they have a new provider of the unit & believe they can get that installed by the end of Sept.

Mr. Ortiz stated we had sent a demand letter after CC authorized him to do this threatening to sue if something did not happen. He received a call from Mr. Cochran & clearly in dire straits with the supplier having their problems. He thinks the best course of action is to work with Mr. Cochran, who is agreeing to increase the warranty to include labor for 5 years. Mr. Ortiz would like get the name of his new supplier so he can contact him directly & confirm that everything is on course & working on our sign. We have paid ½ of the money, his response letter states he has offered to return it but said he would need some time to gather it to be able to return it. Mr. Ortiz recommends giving him the 60 days to get it together & see if he delivers it.

MPT Lopez stated in reference to the letter Mr. Cochran sent & it talks about the 5 year parts coverage & to include the labor for 5 years – is this an incentive or apology?

Mr. Ortiz stated it is a compromise.

MPT Lopez stated today on their home page/web site right on the front it says with all ADSled products they are also offering 5 years on-site labor warranty in addition to their parts warranty.

Council member Brown made a motion to approve agenda item #10 H. MPT Lopez seconded the motion. Motion passed unanimously.

I. Discussion and Appropriate Action to Approve the Budget Amendment #VI – Ord. 108 D (actually 108 E) for General Fund (First Reading) (City Manager)

Ms Dowell stated this budget amendment (actually 108 E) reflects the costs of the subscription to Sites on Texas thru the NEP. This reflects the Linebarger, Goggan, Blair & Sampson donation to underwrite the cost of this expenditure on behalf of the NEP.

Increased Revenues:	Fund Balance Adj.	\$1,295
Increase Expenditures:	Dues & Subscriptions	\$1,295

Council member Beehler made a motion to approve budget amendment #108 E, agenda item #10 I. MPT Lopez seconded the motion. Motion passed unanimously.

J. Discussion and Appropriate Action to Approve the Final Plat for Lott’s Landing II, Plat #124 (Assistant City Manager)

Mr. Quintanilla stated the P&Z met last night, it passed unanimously. Staff recommends approval.

Council member Pannell made a motion to approve agenda item #10 J. Council member Beehler seconded the motion. Motion passed unanimously.

11. City Council and Staff Report: 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:

-Passed on to City Secretary, Penny, for taking on the challenge again as the Secretary for the NEP; had a high attendance with over 70 people, had a briefing by the EAA regarding the increase in rates & briefing on TCEQ mandates that are coming forward

B. Councilmember’s Report/Items of Interest

Council member Selko reported:

-Last Fri., he was honored to be able to participate in the Alamo Honor Flight, they escorted 24 WW II veterans from their rally point at the American Legion Post 2 at on Fredericksburg Road to the Airport with escort; if at any time you get any opportunity to participate in the Alamo Honor Flight activities or support them – he would highly recommend you do that...what they did in their fights for us, if it had not been for their actions & bravery, we would not be living in the land we are living in today.

Council member Pannell reported:

-Tonight & under the consent agenda #5 I, CC appointed Ms. Holden as the Chair person for the Building & Standards Commission – thank you

-Ms. Gloria Weers has served this community for years & he wanted to thank her for the record & in public, thanked her & her husband

-In regards to Council member Selko's comments – this is good information

-Sun., Sept. 11-American Legion is going to have the 10<sup>th</sup> Anniversary Memorial Service of 9/11 at 8 AM at the Converse City Park

-Thanked Ms. Dowell on the new water rates, very simple-we fixed it

-Thanked the EDC Director for outstanding job on the literature, outstanding job

Council member Brown reported:

-At the last CC mtg., a citizen came before CC & talked about their old utility covers that are falling down on Flatland Trail, there is also one on Meadow Branch-can we get them looked at (sharp & rusted)

MPT Lopez stated there are about 5-6 on Windburn Trail

-Sat., Sept. 20 – Council Call (MPT Lopez, Council members Selko & himself) from 9- 11 AM across the street (405 S. Seguin)

#### C. City Commission Liaison Reports

Planning & Zoning – Council member Brown reported:

-No report

Parks & Recreation – Council member Richel reported:

-P&R are in the process of wanting to try & re-name the Parks of Converse & would like this put on the next agenda to be presented by P&R; possibly the next regular mtg. in Sept.

Ms. Dowell stated we have 2 special call mtgs. on Sept. 23 & 30 for the budget & tax rate.

Beautification & Environmental – Council member Beehler reported:

-No report

Building & Standards – Council member Pannell reported:

-No report

#### D. Economic Development Corporation Report

Economic Development Corporation – Executive Director Silvas reported:

-Proceeding forward with the Toepperwein Road Project

- Met with Sid Martinez, the Director of SA Metropolitan Planning Organization (MPO) regarding the current agency call for the transportation improvement project funding for 2013-2016, approximately \$50 million is available for programming & roadway projects
- In the process of putting together a package to submit that request to MPO by Dec. 1, 2011
- In the process of acquiring some additional properties on Toepperwein
- Conducted a walk thru inspection of 204 Hilltop this month, property requires demolition
- Gave an update on CDBG Ave B construction, curbs & gutters are in the process on being installed soon followed by sidewalks & driveway access points, final stages will include asphalt on both phases, CPS & TWC need to re-locate poles & lines, engineers estimate of probable cost for the Ave. B project is \$217,000
- CDBG Fair Meadows phase 1-we received an award of \$150,000
- Began downloading the marketing packages associated with the retail matches identified by Buxton as good matches for Converse
- In the process of under taking a significant follow up campaign as we develop relations with those retailers in the coming months
- Open House this Fri., Aug. 19-Ms. Roxanne Aranda from ACCION Texas who will be speaking about small business development & funding opportunities at 8:30 AM
- Aerial focus delivered this past month
- In the process of working on a number of potential industrial prospects that were forwarded to us by the Office of the Governor
- Undertaking a process to do some strategic visioning for the EDC in terms of mapping out a plan of action for a facilitated retreat for the Board to outline their goals & objectives for the next 3-5 years

#### E. City Manager's Report

Ms. Dowell reported:

- CC received the NIOC document for the plan of events for the festival, Sept. 29-Oct. 2, she briefed on the events; Parade theme is "Celebrating Our America's Heroes"
- North Park port-a-potties have been requested for the Cardinal's, until we can get the restrooms open at North Park
- Aug. 23 & 30-Budget & tax hearings at 7 PM
- Aug. 25-Mtg. with Bx. Co. regarding the flood control issues in Cimarron Subdivision here in the Council Chambers at 6:30 PM
- Aug. 25-CVLGC mtg. from 9-11 AM

Recess: 915 PM

Opened: 9:25 PM

#### 12. Executive Session

- A. Executive Session in Accordance with the Texas Open Meetings Act 551.072. Deliberation Regarding Real Property; Closed Meeting
  - 1. Real Property Negotiations to Support Activities Associated with the Acquisition of Real Estate to Support the Development of Water Resources for the City of Converse (City Attorney (City Manager)

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Present: Mayor Suarez, MPT Lopez, Council members: Beehler, Brown, Pannell & Selko, Ms. Dowell, Mr. Ortiz & Ms. Hieronymus.

Ended: 9:59 PM

2. Real Property Negotiations to Support Activities Associated with the Avenue “B” Street Reconstruction Project for the City of Converse

Opened: 9:59 PM

Present: Mayor Suarez, MPT Lopez, Council members: Beehler, Brown, Pannell & Selko, Ms. Dowell, Mr. Ortiz & Ms. Hieronymus.

Closed: 10:00 PM

Opened: 10:01 PM

- B. Executive Session in Accordance with the Texas Open Meetings Act 551.01. Consultation with City Attorney; Closed Meeting  
Consultation with the City Attorney and Discuss Potential Litigation against D.M.C. and Associates Related to the Design and Construction of Toepperwein Road (City Attorney) (City Manager)

Present: Mayor Suarez, MPT Lopez, Council members: Beehler, Brown, Pannell & Selko, Ms. Dowell, Mr. Ortiz & Ms. Hieronymus.

Closed: 10:12 PM

Opened: 10:13 PM

- C. Executive Session in Accordance with the Texas Open Meetings Act 551.074. Deliberation Regarding Personnel Matters; Closed Meeting  
Deliberation of the Goals and Objectives of the City Manager (Councilman Pannell) (Mayor Pro Tem Lopez)

Present: Mayor Suarez, MPT Lopez, Council members: Beehler, Brown, Pannell & Selko, Ms. Dowell, Mr. Ortiz & Ms. Hieronymus.

Closed: 10:50 PM

Opened: 10:52 PM

13. Reconvene to Open Session

- A. Discussion and Appropriate Action in Accordance with Deliberations Regarding Real Property Negotiations:  
1. Acquisition to Support the Development of Water Resources for the City of Converse (City Attorney) (City Manager)

Council member Pannell made a motion to proceed as discussed in Executive Session. Council member Brown seconded the motion. Motion passed unanimously.

2. Acquisition to Support Activities Associated with the Avenue “B” Reconstruction Project for the City of Converse (City Attorney) (City Manager)

MPT Lopez made a motion to proceed as discussed in Executive Session. Council member Beehler seconded the motion. Motion passed unanimously.

B. Discussion and Appropriate Action in Accordance with Consultation with the City Attorney Regarding the Potential Litigation Against D.M.C. and Associates Related to the Design and Construction of Toepperwein Road (City Attorney) (City Manager)

MPT Lopez made a motion to proceed as discussed in Executive Session. Council member Selko seconded the motion. Motion passed unanimously.

C. Discussion and Appropriate Action in Accordance with Deliberations Regarding the Goals And Objectives for the City Manager (Councilman Pannell) (Mayor Pro Tem Lopez)

Council member Richel made a motion to proceed as discussed in Executive Session. Council member Brown seconded the motion. Motion passed unanimously.

14. Adjournment

At approximately 10:55 PM, Mayor Suarez adjourned the meeting.

PASSED AND APPROVED THIS 20<sup>th</sup> DAY OF SEPTEMBER, 2011.

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Al Suarez, Mayor

ATTEST:

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Adriana I. Hieronymus, City Secretary