

CITY OF CONVERSE
CITY COUNCIL MEETING
MINUTES OF SEPTEMBER 20, 2011
7:00 PM

The City Council of the City of Converse met in a regular meeting at the Converse Municipal Complex on Tuesday, September 20, 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. Rick Jamison, Chief of Police	Mr. Richard Wendt, Chief of Fire/EMS
Mr. Jerry Wilson, Finance Director	Mr. Lupe Perez, Director of Utilities
Mr. Karl Hoppes, Director of Facilities	Ms. Kate Silvas, EDC Director
Ms. Debra Malone, Police Sergeant	Mr. Enrique Estrada, Streets Crew Leader
Mr. Daniel Bermea, Fire/EMS Lieutenant	Ms. Pam Hunt, Police Patrol Lieutenant
Mr. Gill Martinez, Police Officer	Mr. Ray Ortiz, City Attorney
Mr. Jeff Tondre, City Engineer	Ms. Penny Hieronymus, City Secretary

1. Call to Order

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

2. Invocation

Pastor Bill Sanders of Converse First Baptist Church 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.

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 Minutes for City Council Meeting on August 2, 2011
 - B. Action to Approve Minutes for City Council Meeting on August 16, 2011
 - C. Action to Approve Minutes for City Council Meeting on August 30, 2011
 - D. Receive Minutes for Parks & Recreation Meeting on August 8, 2011
 - E. Receive Minutes for Economic Development Corporation Meeting on August 9, 2011
 - F. Receive Minutes for Planning & Zoning Meeting on August 15, 2011
 - G. Receive Minutes for Beautification and Environmental Commission Meeting on July 26, 2011
 - H. Action to Appoint Ms. Candi Stensgaard as an Alternate Member of the Beautification and Environmental Commission (Councilwoman Beehler)
 - I. Action to Approve July 2011 Financial Report
 - J. Action to Approve July 2011 Investment Report
 - K. Action to Approve July 2011 Cash Flow Report
 - L. Action to Approve Cancellation of October 4, 2011 City Council Meeting in Observance of the 2011 National Night Out

Council member Brown asked to pull items #5 I & J.

Council member Selko asked to pull item #5 L.

Council member Brown had questions on #5 I of the July 2011 Financial Report & #5 J investment Report.

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

Council member Selko realized National Night Out is an important night to be out in the streets with our Police & helping support them in everything they do. He also feels that according to City Charter we have to get our Charter Review Committee started & he does not know that canceling the CC meeting for that night will help us get started in an expeditious manner. Therefore, he would like to propose that we either have a special meeting on Monday or Wednesday of that same week so we can start moving ahead with the City Charter Review Committee.

Mayor Suarez stated we coordinated in 2005, this is about the same time, this one here is specific & we were aware of this when the City requests that we cancel the meeting, so that the City could join in on National Night Out with the citizens; traditionally we have for at least the last 10 years that he knows of. The Mayor stated Mr. Ortiz indicated the 1st meeting in Oct. would be the 2nd one which would allow us legally to go ahead & take care of that. The Mayor believes the only thing we can do is appoint by Charter, we can't do any appointments until Oct. per the Charter. So, it would give us a meeting to do that & to give CC the opportunity, & we will probably discuss this when the item comes up, that every member can search out & appoint a member to the Commission like we did traditionally.

Ms. Dowell stated we received 1 application & asked if CC would like to go through the application process or solely by the appointment. We will distribute the application to all CC members.

Mayor Suarez stated we will discuss this, since we have 7, each Council member will appoint 1 selection as done in 2005 & it made it easier, that way everybody has 1 selection & 1 member. Then, we will appoint the liaison from the CC, which is a non-voting member & the City staff member.

Council member Brown commented according to City Charter, Councilman Selko is correct; 2/3 of majority or majority of CC vote can call for a special meeting. So, if we get 4 members to vote for a special meeting, we can call for a special meeting, per City Charter.

The Mayor stated this is correct; if we feel we need a special meeting then we will have a special meeting & if you feel you want a special meeting, you can have a special meeting.

Council member Richel made a motion to approve item #5 L (cancel Oct. 4, 2011 CC mtg.). Mayor Suarez seconded the motion. The item failed with 3 members (Suarez, Lopez & Richel) voting yes to cancel the CC mtg. of Oct. 4, 2011 & 4 members (Beehler, Brown, Pannell & Selko) voting not to cancel the meeting.

6. Special Consideration Items

- A. Recognition of Debra Malone, Patrol Sergeant for Twenty (20) Years of Service with the City of Converse Police Department (Mayor Suarez)

Council & staff recognized Sgt. Malone. She was presented a Certificate of Appreciation & a City coin.

Sgt. Malone thanked everyone & introduced her husband, Matt Malone.

- B. Recognition of Enrique Estrada, Streets Crew Leader for Ten (10) Years of Service with the City of Converse Facilities Department (Mayor Suarez)

Council & staff recognized Mr. Estrada. He was presented with a Certificate of Appreciation & a City coin.

Mr. Estrada thanked everyone.

- C. Recognition of Lt. Daniel Bermea, Fire Fighter for Five (5) Years of Service with the City of Converse Police Department (Mayor Suarez)

Council & staff recognized Lt. Bermea. He was presented with a Certificate of Appreciation.

Lt. Bermea thanked everyone.

- D. Recognition of a Donation of \$1,000.00 from the Converse Fire Association to the JYSF (Mayor Suarez) (Chief Wendt) (Lt. Daniel Bermea)

Mayor Suarez stated item #6 D has been deferred to the next meeting, it is not ready for presentation.

- 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. Tommy Cox, owner of Tenn Tex Inc. of 9304 Converse Business Lane shared his concerns on agenda item #10 G. Chief Jamison & ACM Mr. Quintanilla visited with him. Mr. Cox is requesting the parking space directly in front of his business & 2 spaces to the South of his business & South of a fire hydrant be blocked off as a no parking zone due to being served by 18 wheelers. The JISD Transportation Manager has been very helpful. They want to remain good neighbors with the bus people.

-Mr. Guadalupe Ramos of 104 Dalewood Drive stated they have a problem with the drainage coming out of Downy Street & it drains right into his house. About 3 years ago, we came out & did markings, when are we going to take care of this problem. He presented photos of his & his neighbor's house where he had to enclose his garage & the neighbor has sandbags in front of his.

Ms. Dowell will check into this & get back with him.

-Mr. Dave Benoy of 213 Dalewood stated he is the spokesperson for some of the neighbors. He is across the street from Mr. Ramos & he too has drainage problems. He commended Mr. Hoppes for his crews who have been very good to them & have done what they could in the neighborhood. What is the plan?

-Ms. Ora Blake of 9819 Wagon Train stated she has been pleading with us on the automobile shop on her street causing people to move out due to noises, cars, racing engines, etc. She said the Fire Dept. was in the Park the Sunday before last due to the neighbors having grown kids back home & they have all of their friends over; they do figure 8's in the Park & she gets all of the dust – looks like smoke. The dust rises so high, the Fire Dept. has gone out thinking there is a fire in the Park. She mentioned the marquee sign & mishandling of Converse's money – we should know what we are getting into. Then, she commented on her neighborhood where there are local newspapers lying in the driveways. Do something to make Converse better. She thinks the water issue was a great idea.

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 #108; an Ordinance Providing Funds for the Fiscal Year Beginning October 1, 2011 and Ending September 30, 2012, by Approving and Setting Aside the Necessary Funds Out of the General Fund and Other Revenues of the City of Converse for Fiscal Year 2011-2012 for the Maintenance and Operations of the Various Departments, Payments to Debt Service and for Various Activities and Improvements to the City (Second Reading) (City Manager)

Ms. Dowell stated this reflects a budget of \$16,252,568 divided between the General Fund & Utility Fund. Recommends approval.

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

Mayor Suarez asked for a roll call vote.

Council members Brown, Beehler, Richel, Pannell & Selko, MPT Lopez & Mayor Suarez voted yes. Motion passed unanimously.

- B. Discussion and Appropriate Action on a Request to Approve a Tax Rate for FY 2011-2012 of \$0.572931 Per \$100 of Taxable Value that will Result in a 10.03 Percent Tax Increase (Second Reading) (City Manager)

Ms. Dowell stated this generates approximately \$50 a year on a \$108,000 home value. The 10.03% is adding together the increase on the Operation & Maintenance as well as the I&S rate & reflects the decrease in our taxable values.

MPT Lopez made a motion to approve agenda item #9 B. Council member Beehler seconded the motion.

Council members Selko, Pannell, Richel, Beehler, Brown, MPT Lopez & Mayor Suarez voted yes. Motion passed unanimously.

- C. Discussion and Appropriate Action on a Request to Approve City of Converse Ordinance #201-2011; an Ordinance of the City of Converse Levying the Ad Valorem Taxes for the 2011-2012 Fiscal Year at a Rate of \$0.502068 Per \$100 Assessed Valuation of All Taxable Property Within the Corporate Limits of the City of Converse as of January 1, 2012, to Provide Revenue for the Maintenance and Operations Needs for the 2011-2012 Fiscal Year (Second Reading) (City Manager)

Ms. Dowell stated these are the funds that are used to fund the operation of the City excluding the Utility Fund & EDC Fund.

Council member Selko made a motion to approve item #9 C. Council member Richel seconded the motion.

Council members Richel, Beehler, Brown, Selko, Pannell & MPT Lopez & Mayor Suarez voted yes. Motion passed unanimously.

- D. Discussion and Appropriate Action on a Request to Approve City of Converse Ordinance #201A-2011; an Ordinance of the City of Converse Levying the Ad Valorem Taxes for the 2011-2012 Fiscal Year at a Rate of \$0.070863 Per \$100 Assessed Valuation of All Taxable Property Within the Corporate Limits of the City of Converse as of January 1, 2012, to Provide Revenue for the Debt Service Needs for the 2011-2012 Fiscal Year (Second Reading) (City Manager)

Ms. Dowell stated each time the City levies debt we must set aside a portion of our tax rate to cover the debt service, which falls under the I&S Tax Rate, it is mandated we cover the full amount of our debts each year. Recommend approval.

Council member Brown made a motion to approve item #10 D. Council member Beehler seconded the motion.

Council members Beehler, Brown, Selko, Pannell & Richel, MPT Lopez & Mayor Suarez voted yes. Motion passed unanimously.

10. New Business

A. Discussion of Term Limits for the Mayor and City Council Members (Councilman Lopez)

MPT Lopez stated the idea behind this was to poll other CC members & start the discussion of what the opinions are of possibly moving to term limits as well as districts. Could be a good idea in the future to move term limits to how we want to decide on how many years a term & how many terms to run.

Council member Selko stated term limits probably all start out good & well meaning for the City, community & the people, but somewhere down the line they have a tendency to lose track of what they were elected for & at some point you have to reel them back in to make sure you get enough fresh blood each election to keep the fresh ideas on the CC & before the citizens; being on CC, you don't necessarily have to be popular to do a good job. Term limits would be a good thing for Converse to have. As far as districting, that is another question; voting in members at large has its advantages & disadvantages.

Council member Brown stated this will be addressed by the Charter Review Committee, because it is part of the Charter. The citizens will decide on what they want as far as term limits. There are pros & cons, leave it up for the next election for the citizens to decide on what they want to do.

Council member Beehler stated she is in favor of limiting the amount of years a Council person can sit up there, if they are doing their job they will be re-elected.

Council member Pannell stated he agreed with 90% of things that were said; could be a healthy thing to look at term limits. Serving is not an easy thing to do & for someone who wants to serve forever & ever...there is nothing easy about it.

Mayor Suarez stated we have term limits in place already; every time you get out there & run, you either win or lose & the people have the right to choose. He thinks Council member Brown is correct & this needs to be reviewed by the Charter Review Committee. No other City in the Metrocom has term limits & when you are dealing with a City of less than 20,000, he would rather have the most qualified person to vote for as opposed to whatever is left. On districts, we only have 6 sq. miles – that is not a lot of space to cover if you go out & do your job. You will have CC members fighting for budget monies, probably when we annex or get 20,000-30,000 people.

MPT Lopez thanked everyone for their opinions & this will be discussed by the Charter Review Committee.

B. Discussion of the Strategic Plan for the City of Converse, Texas (Mayor Suarez) (Dan Norris)

Mayor Suarez stated Mr. Norris had an unexpected job to do in Virginia, so this will be deferred & is not ready for action, but Mr. Norris has requested possibly having a workshop.

C. Discussion and Appropriate Action to Approve a Contract with the Judson Youth Sports Foundation (JYSF) (City Manager)

Ms. Dowell stated before the CC is a revised agreement with JYSF. We have had no problems with the reservations of the fields but have had 1 scheduling issue. The Cardinals have a contract also; we can look at the fee schedule & can provide it at the next meeting. We can go back, re-write the language, submit it to JYSF & bring it to CC on Oct. 4. Ms. Dowell can find out more information on the financials & scholarships.

Council member Beehler asked why we don't have any fees for using the fields for these organizations, but for our citizens we do charge them.

Council member Brown asked about some language/verbiage i.e. Page 2, #5 on the charge for the cheerleaders.

Mr. Ortiz commented between 6-9 PM, you can use the pavilion for free, but if there are lights involved you will have to pay.

Council member Selko asked about the scholarships, the quarterly financial statements, a copy of the annual audit to the City & providing the Certificate of Liability – has this been done?

Scholarships have been done in the past. They have also given us financials in the past.

Council member Pannell made a motion to table item #10 C until the next meeting in Oct. Council member Selko seconded the motion. Motion passed unanimously.

D. Discussion and Appropriate Action on a Request to Authorize the City Manager to Issue a Request for Qualifications (RFQ) for a Municipal Court Judge (Councilwoman Beehler) (City Manager)

Council member Beehler stated this item was brought to CC on Aug. 16 & at that time they made a motion to table this in order to prepare an RFQ to be presented to CC on the 30th. She stated we need to move on this, if we don't receive the information, the City Manager should prepare an RFQ.

Mayor Suarez asked if we can give the City Manager the authority to do an RFQ & send it out based on the minimum qualifications of the Charter.

Mr. Ortiz replied yes. The Charter states the Council sets the compensation &/or benefits.

MPT Lopez made a motion to allow Ms. Dowell to make up an RFQ based on what the Charter says. Council member Selko seconded the motion. Motion passed unanimously.

E. Discussion and Appropriate Action to Appoint Members to the Charter Review Committee (Councilman Brown)

Council member Brown stated the Charter comes up on a regular basis. We have to appoint a Charter Review Committee; the Charter does not give any direction on how we go about appointing that Committee; but it is made up of 9 civilians (7 appointed by CC, 1 City staff & 1 CC member). The staff member & CC member are liaison & non-voting members. The Charter needs to be back to CC review 75 days prior to the election in May (need in March 2012).

Mayor Suarez stated each CC member will appoint 1 person at the next meeting. CC will appoint a liaison & appoint a City staffer, possibly Chief Jamison.

Council member Selko stated if anyone would like to be on this Committee, they need to submit an application as with any of the other Commissions.

- F. Discussion and Appropriate Action on a Request to Approve an Extension of Two (2) Years to Waste Management to Provide Waste Disposal Services for the City of Converse (City Manager)

Ms. Dowell stated Mr. Albert Perez was present on behalf of Waste Management. They have brought to us an extension to offer us. We currently have trash pick up twice a week, recycling pick up one time per week & bulk/waste pick up once per month. They would like to add to this household hazardous waste pick up at your door, unlimited service. The City spoke with Waste Mgmt. about the need for our demolition of properties that may fall under the Building & Standards Commission that needs to be hauled off. They have included 20 pulls of a 40 yard container per year at no charge to the City for a cleaner & safer environment. There will be no additional increases to our current rates; however, a Consumer Price Index (CPI) increase would apply in year 2. City staff is supportive of this extension.

Mr. Perez stated Waste Mgmt. has been serving the City for more than 20 years. They are asking for an extension to the contract for another 2 years, rates have been stable. Years back, the recycling market went down & they had to stop giving back to the City because it cost more to process than to go to the landfill, hazardous waste is about 14 days, City could alter the contract in the 2 years, CPI could be from 1 – 2 ½ % & they do run 4 routes in the City.

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

- G. Discussion and Appropriate Action on a Request to Amend City of Converse Code of Ordinances Chapter 44-Traffic and Motor Vehicles, Article III, Specific Street Regulations, Division 7, Stopping, Standing & Parking, Section 44-218, Prohibited Parking, the City of Converse Ordinance that Regulates Traffic Control and Rules of the Road (First Reading) (Assistant City Manager) (Chief Jamison)

Ms. Dowell stated Chief Jamison & the P&Z recommends approval for the safety concerns of Tenn Tex.

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

- H. Discussion and Appropriate Action on a Request to Approve the Date and Time for the Proposed Neighborhood Stroll Through Placid Park (City Manager)

Ms. Dowell stated CC & Dept. Heads work with different neighborhoods & take a stroll (45 min. to an hour). We set up a sign in front of the community to let them know when we will be out. This allows citizens to become familiar with Depts. & they can share concerns in the area. We are looking at Placid Park for the 1st stroll; an agenda would need to be posted for all Commissions & do this on a quarterly basis.

MPT Lopez made a motion to approve Sat., October 15 at 10 AM for a Neighborhood Stroll at Placid Park. Council member Brown seconded the motion. Motion passed unanimously.

- I. Discussion and Appropriate Action to Approve Resolution #642, a Resolution that Allocates the City of Converse Votes to the Bexar Appraisal District (City Manager)

Ms. Dowell stated as required by Section 6.03 of the Texas Tax Code, the number of votes to which each taxing unit is entitled in this year's selection process has been calculated & given us 10 votes, by Resolution submitted no later than October 15.

MPT Lopez made a motion to table item #10 I. Council member Pannell seconded the motion. Motion passed unanimously.

- J. Discussion and Appropriate Action Naming the Northeast Herald as the Newspaper of Record for the City of Converse (City Manager)

Ms. Dowell stated this is required by City Charter & the Northeast Herald has the largest circulation for the City of Converse & would be the newspaper of record for the City. Express News is much higher.

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

- K. Discussion and Appropriate Action to Approve a Plan to Raise Funds for a Walking Trail at the Converse North Park (City Manager)

Ms. Dowell stated the P&R met & they would like to raise funds for the walking trail at Converse North Park. They would like to do this at NIOC & events that may be coming up in the next year. They might like to broaden this to not just walking trails but other park improvements. We would need approval by the CC for those funds to come back to the City for park improvements & to be accepted as donations to the City.

Mr. Hoppes stated he has measured out North Park, (about 6,000 linear ft.) if we did a jogging/walking trail we would need around 15,000 tons of base. The cost if Public Works did the work would be around \$8,000. There is a lot of work to be done, but it could be a nice addition to the Park.

P&R would be looking to put a donation box around at NIOC. If we total up all of the costs associated with NIOC including the cost of the personnel, the cost will exceed the revenues that come in. If you look at the cost for holding the festival, minus the personnel cost then we bring in a revenue stream. Then, all of the funds are re-budgeted every year. We believe this year we have approximately \$51,000 re-invested in the budget in next year's budget for improvements in the park. On a good year, we can make \$40,000. The jogging trails are usually heavily used in other cities. The trail can be brought in away from the fences. There are several homes around there that have falling/dilapidated fences or no

fence at all. The solar light project is part of an overall larger plan, but is just a matter of funding. It can't hurt in trying the donation box; funds would be documented every night. Need community involvement & they can assist with clean up.

Council member Pannell made a motion to approve item #10 K. Council member Brown seconded the motion. Motion passed unanimously.

- L. Discussion and Appropriate Action to Authorize the City Manager to Execute a Contract with Hard Knocks Countertops, LLC, to Install Sewer Mains and Sewer Lines to 10480 Ware Seguin Road, Schertz, Texas (City Attorney) (City Manager)

Mr. Ortiz suggested this be discussed in executive session, under 551.071, consultation with Attorney. We can move this item with the other executive sessions (12 B).

- 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 the EDC for their ribbon cutting
- NEP talking about doing a Resolution opposing the EAA increase
- Rep. Farias is having a Meet-N-Greet on Sept. 27 at Olympia Hills from 6-8 PM-everyone is invited to attend
- Cimarron Trail Subdivision, is not in this current year's planning for chip seal, there is a lot of unfinished work, Mr. Hoppes, Ms. Dowell & the Mayor will walk this area
- 1604 Project – the idea of losing the funding; Rep. Farias will draft up a letter on our behalf & will send it to Commissioner Wolff; Commissioner Adkisson is doing everything possible to maintain this project; There is a meeting scheduled for Sept. 27 at Commissioner's Court, feel free to sign up & speak; COC will post an agenda

- B. Councilmember's Report/Items of Interest

Council member Beehler reported:

- Thank the EDC for the ribbon cutting
- 9/11 Ceremony-Very moving ceremony

Council member Selko reported:

- On behalf of the American Legion, they personally thanked Ms. Dowell, CC & the City for helping with the personnel, equipment & logistics

- C. City Commission Liaison Reports

Planning & Zoning - Council member Brown reported:

- Met last night

-Passed several items: Request from CVS variance for their signs, tabled the height of the sign, passed a variance for sign for a motorcycle shop on Converse Business Lane, passed Tenn Tex request for a no parking zone, passed Self Storage plat #108, discussed major thoroughfare plans

Park & Recreation – Council member Richel reported:

-No report

Beautification & Environmental - Council member Beehler reported:

-Special meeting on Sept. 14 to discuss taking part in NIOC; B&E will be represented & pass out information, will also be in the Parade

Sept. 26 –B&E next meeting

Building & Standards – Council member Pannell:

-No report

-CVLGC will meet next Thurs. at 9 AM in Selma

D. Economic Development Corporation Report

Economic Development Corporation – Executive Director Ms. Silvas reported:

-Working on several prospects now as a result of the Buxton Report

-Working on acquisitions for Toepperwein

-Oct 6 @ 10 AM ribbon cutting - Sudz-Z-Pup

-Oct. 14 @ 10 AM ribbon cutting – Divine Edge Barber Shop

-Working with Fire Dept. on FEMA Grant for communications equipment

-Working on business retention visits

-Have a vacancy on EDC Board

Mayor Suarez stated the EDC Board member vacancy will be on the next agenda.

Recess: 9:11 PM

Opened: 9:23 PM

Mayor Suarez stated Council member Richel was excused & not present for the remainder of the meeting.

12. Executive Session

10. L. Discussion and Appropriate Action to Authorize the City Manager to Execute a Contract with Hard Knocks Countertops, LLC, to Install Sewer Mains and Sewer Lines to 10480 Ware Seguin Road, Schertz, Texas (City Attorney) (City Manager)

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

Closed: 10:02 PM

Opened: 10:03 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)

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

Closed: 10:07 PM

Opened: 10:08 PM

13. Reconvene to Open Session:

10. L. Discussion and Appropriate Action to Authorize the City Manager to Execute a Contract with Hard Knocks Countertops, LLC, to Install Sewer Mains and Sewer Lines to 10480 Ware Seguin Road, Schertz, Texas (City Attorney) (City Manager)

Mayor Suarez stated Councilwoman Richel has been excused for medical reasons prior to executive session.

Mr. Ortiz gave a brief summary. He stated Mr. Sennett had approached the City asking if the City would consider providing sewer service to his property located just across the Converse City limit lines, actually in the City limits of Schertz. CC authorized Mr. Ortiz & Mr. Tondre to do some research on this issue. Mr. Sennett has already reimbursed the City for the research. The short of it is that through the inter local agreement that would involve Converse, Schertz, SARA & would be need to be approved by the Tx. Commission on Environmental Quality (TCEQ). It appears this may be possible to happen. Mr. Tondre will meet with SARA tomorrow & go over this. The issue is that the City of Schertz & COC are municipalities, we have certain areas that we provide services to by law. This could legally be done if all entities are in agreement. There would be a number of issues that would have to be addressed in the inter local agreement. There would be expenses involved to carry this sewer line across City limits. In the end, there could be a figure that could be calculated as to what it would cost the City to do this. There is no obligation that the City does this.

Mr. Sennett who represents Hard Knocks & Mr. Trevino (surveyor) were present. Mr. Sennett provided a handout to CC & gave some history of the tract, which they acquired about a year ago, they planned to make it a multi use tract, planned to develop this on a septic system & an appraisal was done. They are trying to come up with some means to make it attractive. Their proposal is they will grant the COC the easement across the front of the tract for the 16" water line & bear all costs of bringing the sewer line to the adjoining property & they would make a financial contribution for the construction of the 16" water line; it would be best if they had sewer there & advantageous for them. They are looking for 3 things: permission for sewer along with the capacity, ability to get an easement from the adjoining manhole to their manhole & they would need the COC to give connections to the 16" water line. At this time, they

have a proposed plat & plan to submit it next week. They actually have 2 plats: 1 with sewer & 1 without sewer. They discussed the zoning, not have any Sexually Oriented Businesses, height restrictions, Police & Fire/EMS response times. They have 3 subdivisions before the City of Schertz & all of their plans have been generated by their engineer. The entire tract has been zoned in 2 sections of zoning (business & industrial). They are still not in the platting stage because they are not sure of the sewer. The zoning has been approved, but the City of Schertz did deny them sewer.

Mr. Ortiz clarified the 20% of cost of water line, based upon their estimation at 147 – around \$30,000.

Mayor Suarez asked for a motion to item #10 L. There was no motion.

This action dies for lack of a motion.

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 Selko made a motion to approve as discussed in executive session. Council member Brown seconded the motion. Motion passed unanimously.

14. Adjournment

At approximately 10:38 PM, Mayor Suarez adjourned the meeting.

PASSED AND APPROVED THIS 1st DAY OF NOVEMBER, 2011.

Al Suarez, Mayor

ATTEST:

Adriana I. Hieronymus, City Secretary