

CITY OF CONVERSE
CITY COUNCIL MEETING
MINUTES OF NOVEMBER 1, 2011
7:00 PM

The City Council of the City of Converse met in a regular meeting at the Converse Municipal Complex on Tuesday, November 1, 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 Place 4	Council Member Randy Pannell,
Council Member Laura Beehler, Place 5 6	Council Member Steve Brown, Place
Ms. Shawna Dowell, City Manager	Mr. John Quintanilla, Assistant City
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. Jerry Wilson, Finance Director	Ms. Kate Silvas, EDC Director
Mr. Kie Sagan, IT Technician	Mr. Gilbert Martinez, Police Sergeant
Mr. Steve Nowlin, Parks Maintenance	Mr. Oscar Trevino, Street
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 - **Pastor Joe Warren of True Life Church, Universal City**

Pastor Warren 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 were present with the exception of Council member

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Selko. The Mayor recognized 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 Minutes for City Council Meeting on September 20, 2011
- B. Receive Minutes for Building and Standards Meeting on August 31, 2011
- C. Receive Minutes for Beautification and Environmental Meeting on September 26, 2011
- D. Receive Minutes for Charter Review Commission on October 13, 2011
- E. Receive Minutes for Charter Review Commission on October 17, 2011
- F. Action to Approve Proclamation #270, a Proclamation Designating Sunday, November 13, 2011 as "Blue & White" Sunday

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

6. Special Consideration Items

- A. Presentation of Proclamation #270 to Pastor Joe Warren, True Life Church (Mayor Suarez)

Council & staff presented Pastor Warren with Proclamation #270.

Pastor Warren thanked those present & stated this is a way to honor & thank the public officials & first responders (Police & Fire/EMS).

- B. Recognition of Gilbert Martinez, Police Sergeant for Ten (10) Years of Service with the City of Converse Police Department (Mayor Suarez)

Council & staff presented Sgt. Martinez with a Certificate of Appreciation & a City coin.

Sgt. Martinez thanked the City of Converse & Chief Jamison for his guidance.

- C. Recognition of Steve Nowlin, Parks Maintenance for Five (5) Years of Service with the City of Converse Parks Department (Mayor Suarez)

Council & staff presented Mr. Nowlin with a Certificate of Appreciation.

Mr. Nowlin thanked the City of Converse.

- D. Recognition of Oscar Trevino, Street Maintenance for Five (5) Years of Service with the City of Converse Streets Department (Mayor Suarez)

Council & staff presented Mr. Trevino with a Certificate of Appreciation.

Mr. Trevino thanked the City of Converse.

- E. Recognition of Judy Avilez, Patrol Officer for Five (5) Years of Service with the City of Converse Police Department (Mayor Suarez)

Mayor Suarez stated this item has been deferred.

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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.

-Ms. Ora Blake of 9819 Wagon Train stated her concerns on the animal Ord. (running loose in the neighborhood) & the auto business in her neighborhood.

-Ms. Monica Alvarado of 8034 Pioneer Oak stated her concerns on agenda item #5 B & her concern with Judge Ramirez & the lack of respect he has for the laws/Ords. She commends the Police Dept. who are helping her & the neighbors on a daily basis with this constant problem they are having.

8. Public Hearing

A. Consideration of Texas Senate Bill 100 - City of Converse Moving City Council Elections from May to November

Opened: 7:20 PM

-John Woolery of 10064 Spruce Ridge wondered what was the reasoning behind this bill & the changing of the local elections to a time focused on State & National elections, what was the reasoning behind allowing a sitting legislative body to, with 1 vote, extend its term by 6 months - is it not better to allow local municipalities to focus on their own elections, he wondered how it could cost less since Converse has to hold its own election.

Mr. Ortiz gave a short explanation; this was brought about by the Federal Military & Overseas Voter Empowerment Act, which enhances the ability of overseas personnel to vote in our national elections. The election machines we are required to use for accessibility purposes are owned & operated by the Co., who also administers the Federal election - there is a concern that the Co. machines will not be able to be replaced for the Federal runoff & then moved & put in place for the State Uniform election in May with enough time to do it efficiently & properly. The legislation has given cities options; the legislature recognizes that most cities are controlled by their Charters & most Charters dictate how long terms are & when they begin & end. We have been told that the cities can act through a Resolution & change the length of those terms specifically for this 1 series of elections.

Closed: 7:29 PM

Ms. Dowell stated Ms. Jacquelyn Callanen visited with us last week regarding SB 100 & mentioned 2 facts to consider: 16,000-20,000 ballots are mailed out to the military in the Nov. elections & there may be a lot of individuals voting that may not know the candidates running for City offices & during the Nov. ballot there are many people who vote "straight tickets" & this may not accurately reflect what an elected official may or may not have thought the votes may turn out to be.

9. Old Business:

A. Discussion and Appropriate Action on a Request to Amend City of Converse Code of Ordinances Chapter 16-Emergency Services, Article II, Emergency Medical Services, Division 2, Charges and Operational Responses, Section 16-36, Delinquent Accounts,

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the City of Converse Ordinance that Regulates Emergency Services (Second Reading)
(Fire Chief) (City Manager)

Ms. Dowell stated this Ord. reflects the collection process for EMS billing. We are trying to allow for the Fire/EMS Chief to go out & negotiate on EMS collections.

Council member Pannell made a motion to approve agenda item #9A. MPT Lopez seconded the motion. Motion passed unanimously.

10. New Business

A. Quarterly Report from Converse Cardinals (Tulita Harris) (City Manager)

Ms. Gina Myers of 8722 Discovery Way & Treasurer for the Converse Cardinals gave a report for the 3rd quarter from July 1, 2011-Sept. 30, 2011 with beginning balances, expenditures, income & ending balance of Sept. 30, 2011 = \$3,753.03.

J. Discussion and Appropriate Action on a Request to Appoint Lt. Pam Hunt, as a Member of the Board of Directors for the Economic Development Corporation for a One Year Term Ending May 31, 2013 (City Manager)

Ms. Dowell stated we are very fortunate that Lt. Hunt showed interest & would serve in an excellent capacity.

Ms. Silvas & Police Chief Jamison support Lt. Hunt for this position.

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

B. Discussion and Appropriate Action to Approve an Ordinance (#108) by the City Council of the City of Converse, Texas Authorizing the Issuance of "City of Converse, Texas Tax Notes, Series 2011", by Levying an Annual Ad Valorem Tax, Within the Limitation Prescribed by Law, for the Payment of Notes; Prescribing the Form, Terms, Conditions, and Resolving Other Matters Incident and Related to the Issuance, Sale, and Delivery of the Notes; Authorizing the Execution of a Paying Agent/Registrar Agreement and a Purchase and Investment Letter; Complying with the Requirements of the Letter of Representations with the Depository Trust Company; and Providing an Effective Date
(Mark McLiney, City's Financial Advisor) (City Manager) (First Reading)

Ms. Dowell gave a power point presentation & briefing on the proposed tax note for 2012. This will help fund financial management software for the COC at \$560,000; any excess funds will be used to purchase radios & consoles for the P-25 compliance for Police & Fire/EMS.

-\$300,000 - Networking & hardware, we will have to go wireless to communicate with all of the City buildings

-\$185,000 - 1604 Corridor Study, funded by the EDC out of sales tax

-\$25,000 - Cost of Issuance (split between General, Utility & EDC Fund)

Mr. McLiney of SW Securities shared handouts & they prepared a bid packet for the tax note for \$1,245,000; 6 bids came in; this is a net rate to us & it is fixed:

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-\$630,000 - General Fund
-\$425,000 - Utility Fund
-\$190,000 - EDC Fund

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

C. Discussion and Appropriate Action to Approve initial Contribution of \$250,000 to the
Cibolo Valley Local Government Corporation (CVLGC) (City Manager)

Ms. Dowell stated when we joined CVLGC with a total of 5 cities; we took action to put \$250,000 into the CVLGC to stand up the organization, so we could go out & find water resources for our future needs. There was a request to wait on the contribution until after a final memorandum of understanding was completed; we hope will be completed at the Dec. 1 meeting.

There was no action required tonight.

D. Discussion and Appropriate Action on a Request to Vote for Preferred Candidate for the Bexar Appraisal District (City Manager)

Ms. Dowell stated we received a letter from Bexar Appraisal District (BAD) allocating 10 votes for the COC.

Council member Brown made a motion to approve Tomas Uresti for agenda item #10 D. MPT Lopez seconded the motion. Motion passed with 5 members (Suarez, Lopez, Beehler, Brown & Pannell) voting for Mr. Uresti & 1 member (Richel) opposed.

E. Discussion and Appropriate Action to Approve the Water/Sewer Utility Fund's
Ten Year Capital Improvement Plan (City Engineer) (City Manager)

Ms. Dowell had distributed handouts on the power point presentation of the **City's** Capital Improvement Plan (CIP); of water rates & annual pumping data & data from the EAA. We have 2,650 acre ft. approved through the EAA. We have had 45 days in Stage 1-20% reduction this year & 148 days as of last Fri. in Stage 2-30% reduction. She gave the worst case scenario, is that the last 64 days of the year would be in Stage 3-going from 2,650 acre ft. down to 2,100 acre ft. She briefed on the annual pumping data. We still need to be conservative & plan for infrastructure needs. City staff is currently awaiting estimates from CVLGC for their 10 year CIP, the City is ultimately responsible for 1/5 of **CVLGC's** debt service until such time there is full development of those water wells and/or when the revenues begin rolling into the CVLGC. We also have the cost of the actual Utility Rate Study, with 3 major components. We **shouldn't** spend the \$25,000 without having all of the numbers associated with creating 1 good rate study. Tonight she will present all numbers with the exception of CVLGC numbers.

Mr. Tondre stated the purpose of the CIP plan & went over the system challenges.

- Identify System Challenges
- Plan for growth
- Estimate Funding Needs: Utility Rate Study & Impact Fee Study
- 6,200 Water Customers
- 3 Water Production Sites
- 3 Elevated Tanks

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-520,000' of Water Distribution Mains

-6,200 Sewer Connections

-400,000' Feet of Sewer Collection Mains

-4 Sanitary Sewer Lift Stations

-Treatment by SARA

Current Recycled Water System

-18 Connections

-5,600' of Mains "Purple Pipe"

-Pump Station: Have 9 Projects

*Major items include: main along Loop 1604, Upgrades along Old Cimarron, Service to Crestway/FM 1976, growth: sewer collection 8 projects

-Building & Equipment

-Summary Costs

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

F. Discussion and Appropriate Action to Approve the Budget Amendment #I Ord. 108-12 for General Fund (First Reading) (City Manager)

Ms. Dowell stated this budget amendment reflects the 1st budget amendment of this new fiscal year.

General Fund:

Increase Revenues - Scrap Sales: \$286.04

Increase Expenditures - Equipment: \$286.04

Utility Fund:

Increase Revenues - Scrap Sales: \$1,668.80

Increase Expenditures - Furniture: \$1,668.80

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

G. Update on Request for Proposal for Water Interconnect Construction Project (Assistant City Manager) (City Manager)

Mr. Quintanilla stated bids went out & are due back on Nov. 28; we will bring this to the CC meeting of Dec. 6 meeting for award, contract signed by Dec. 12, projecting substantial completion by May 15 & final completion by June 15, 2012.

Mayor Suarez would like to be notified if any of the deadlines are not met in advance & not after, if possible.

H. Update on Request for Qualifications for Municipal Court Judge (City Manager)

Ms. Dowell stated the COC put out approximately 2 ½ weeks ago the Request for Qualifications (RFQ) for Municipal Court Judge. We found that the Nov. 15 deadline would not work for making a decision on a Municipal Court Judge and/or applicant for that position due to the fact that we had a court date already set for Nov. 16 & it did not make sense to change the Judge 1 day before the court date. We re-advertised with new dates, put on the web site, sent to the SA Bar Assoc. & the Texas Bar Assoc. The due date for this is Nov. 8 at noon, with individuals to

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be contacted for interviews on Nov. 22 & a Municipal Court Judge being selected in the Dec. 6 timeframe.

- I. Discussion and Appropriate Action to Authorize the City Manager to Contract with Armstrong, Vaughn & Associate, P.C. for Auditing Services for Fiscal Year Ending September 30, 2011

Ms. Dowell stated last year the COC chose to change auditing firms. We have been through 1 year with Armstrong, Vaughn & Assoc. & were pleased with the product they produced & the presentations they provided to CC. Ms. Dowell & Mr. Wilson received education & training from this auditing firm. They have given us heads up for the next audit & what to expect. They are proposing to do a 1 year contract with us for \$23,000 for fiscal year ending Sept. 30, 2011.

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

11. City Council and Staff 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 proposal to place the subject on the agenda for a subsequent meeting.

A. Mayor's Report/Items of Interest

- Thanked St. Rep. Gutierrez for the 250 trees, which he gave to the citizens of Converse & to the B&E Commission
- Asked the Parks to come up with some recommendations on the parking situation on the new road at North Park

B. Councilmember's Reports/Items of Interest

None

C. City Commission Liaison Reports

Building & Standards - Council member Pannell reported:

- Been dealing with 1 resident in our City that continues to disrespect his neighbors
- CVLGC had a mtg. last week; Ms. Dowell already gave a briefing on the \$250,000 which we will have to pay, he would like to bring this back to the CC at the next mtg.

Park & Recreation - Council member Richel reported:

- Working on naming of the lakes & figuring out legalities
- Doing a raffle on some gift baskets-proceeds to go towards the parks for development; point of contact is Ms. Janie Olds or any of the P&R members
- Nov. 14 - next mtg.
- Approached by B&E Chair Mr. Dennes who has been trying to get in touch with the P&R Chair in regards to the 35 trees

Planning & Zoning - Council Member Brown reported:

- Not met - no report

Beautification & Environmental - Council Member Beehler reported:

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- Met Oct. 24
- Received trees & are working on where to plant them
- Working on a plan for a community work day with some of the area organizations (Church's want to help)

Charter Review - MPT Lopez reported:

- Sat in for Council member Selko last night
- Getting involved & organized
- Oct. 24 - next mtg. at Fire Station 2 at 6:30 PM, encourages citizens to attend & be heard**
- Next mtg. they will start going through the Articles 1 by 1 & discuss them
- Chair is Mr. Jim Evans
- Vice Chair is Mr. Johnny Harris

E. City Manager's Report & Discussion of Future Agenda Items/Items of Interest

Ms. Dowell reported:

- Nov. 9 - National test of the Emergency Broadcasting System from 1:00-1:05 PM
- Nov. 10 - Road closing on FM 1516 & Toepperwein from 8:00 AM - 5:00 PM (Union Pacific will be laying new railroad ties); TXDOT to contact VIA, Judson, US Post Office, Fire/EMS & Police

F. City Staff Reports

(1) Report and Discussion of Significant Police Events

Chief of Police Jamison reported:

- RAFB had an air show over the 3-day event
- Last night, Halloween-no major events
- Sat. morning-City had an auction
- Staying busy

Ms. Dowell stated we earned a little over \$12,000 in the auction.

Council member Brown asked about parking in front of the mailboxes.

Chief Jamison stated they are working on possible changes to Code Compliance.

D. Economic Development Corporation Report

Ms. Silvas reported:

- Received a thank you letter from Divine Edge Barber Shop for the ribbon cutting ceremony on Oct. 14
- Oct. 20 - She spoke at the Randolph Area Real Estate Council Luncheon
- Oct. 24 - She spoke at the Randolph Metrocom Rotary Luncheon**
- Tomorrow she will be attending the CCIM Symposium for the South Tx. Annual Conference in SA
- Thurs. & Fri. - Preparing for the International Council of Shopping Centers Tx. Deal Making Conference in SA
- They just launched a new online newsletter
- Nov. 8 - Next EDC mtg. in the Council Chambers**

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

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Chief of Fire/EMS Wendt reported:

- Staying busy
- Working on a committee to work on apparatus specifications for a new pumper to get ambulance going
- Still in drought, be careful
- Thanked CC for support on the EMS Billing

(3) Report and Discussion of Significant Public Works Events

Director of Facilities Mr. Hoppes reported:

- Updated on Avenue B
- Did asphalt repair on Mesquite Street (between Ave. D & Legion Dr.)
- Boarded up a house on 204 Hilltop for EDC

Grounds:

- Picked up all of the Brush in Zone 2, had 6 out of cycle pick ups
- Doing City wide mowing & trimming

Parks:

- Routine work with mowing & trimming

Fleet:

- Keeping City vehicles & equipment running

(4) Report and Discussion of Significant Public Utilities Events

Director of Utilities Mr. Perez reported:

- 20 Water leaks repaired
- 5 Sewer back ups
- 48 Customer water leaks
- Last Wed.-State Inspection

Recess: 9:04 PM

Opened: 9:15 PM

12. Executive Session

- A. Executive Session in Accordance with the Texas Open Meetings Act 551.071. Consultation with City Attorney; Closed Meeting. Consult with the City Attorney and Discuss SSLGC Water Interconnect Project (City Attorney) (City Manager)

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

Closed: 9:35 PM

Opened: 9:37 PM

13. Reconvene to Open Session:

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- A. Discussion and Appropriate Action in Accordance with the Texas Open Meetings Act 551.071. Consultation with the City Attorney; Closed Meeting. Consult with the City Attorney and Discuss SSLGC Water Interconnect Project (City Attorney) (City Manager)

Mayor Suarez stated no action was required & the item is deferred.

14. Adjournment

At approximately 9:38 PM, Mayor Suarez adjourned the meeting.

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

Al Suarez, Mayor

ATTEST:

Adriana I. Hieronymus, City Secretary