



*Expanding Horizons*

CITY OF CONVERSE  
CITY ADMINISTRATION

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MINUTES  
CITY OF CONVERSE CITY COUNCIL MEETING [www.conversetx.net](http://www.conversetx.net)  
NOVEMBER 15, 2011

The City Council of the City of Converse met in a regular meeting at the Converse Municipal Complex Monday, November 15, 2011 at 7:00 PM to discuss the following:

**1. Call to Order.**

Mayor Suarez called the meeting to order at 7:00 PM.

**2. Invocation.**

Invocation presented by Mr. John Quintanilla.

**3. Pledge of Allegiance: To the U.S. Flag and the Texas Flag.**

Mayor Suarez led the Pledge of Allegiance to the U.S. Flag.

Mayor Pro-Tem led the Pledge of Allegiance to the Texas Flag.

**4. Roll Call and Recognition of Visitors.**

Mayor Al Suarez

Councilwoman Kathy Richel, Place 1

Councilman Randy Pannell, Place 4

Councilman Steve Brown, Place 6

Mr. Ray Ortiz, City Attorney

MPT Grant Lopez, Place 2

Councilman Andy Selko, Place 3

Councilwoman Laura Beehler, Place 5

Ms. Shawna Dowell, City Manager

Ms. Penny Hieronymus, City Secretary

Mayor Suarez acknowledged Mayor Tom Daly, City of Selma and Police Chief Ron Echols, City of Live Oak.

**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 Commission member.

A. Action to Approve Minutes for City Council Meeting on October 18, 2011.

B. Receive Minutes for Economic Development Corporation on September 13, 2011.

C. Receive Minutes for Charter Review Commission on October 24, 2011.

D. Action to Approve September 2011 Financials.

E. Action to Approve September 2011 Investment Report.

F. Action to Approve September 2011 Cash Flow Report.

Councilman Brown pulled item 5C.

MPT Lopez made a motion to approve items 5A, 5B, 5D, 5E and 5F. Councilman Pannell seconded the motion. The motion passed unanimously.

Councilman Brown asked the Charter Review Commission Liaison, Councilman Andy Selko, for clarification of the Charter Review Commission Minutes, page 2, Item 7, paragraph (bullet) 3.

Councilman Selko replied that the discussion was to determine how to get information of concern to the City Council without violating the Open Meetings Act.

Councilman Brown made a motion to approve Item 5C. Councilman Pannell seconded the motion. The motion passed unanimously.

**6. Special Consideration Items.**

**A. Presentation of Contributions for the Annual Community Thanksgiving Feast to the JISD Judson Education Foundation.**

Councilman Pannell presented Ms. Rosa Gary, Executive Assistant to the Superintendent of Judson ISD, with a donation from the City Council and City employees to the Annual Thanksgiving Feast. Ms. Gary thanked the City for the on-going support and partnership.

**7. Citizens to Be Heard:** This time is provided for citizens to address any issues and concerns. No discussion or action can be taken if the item is not on the agenda. Please limit remarks to 3 minutes and state your name and address for the record.

-Residing at 9714 Covered Wagon, Ms. Jennifer Johnson expressed her discontent on late fees within the water billing system.

-Residing at 10066, Mr. John Woolery spoke on the Converse Fire Academy and the courses taught during the nine-week class. The Fire Academy Alumni has many fund raisers including the Breakfast with Santa.

-Mayor Tom Daly of the City of Selma stated with the support of the Northeast Partnership, Olympia Elementary and Rolling Meadows Elementary, they successfully funded twelve members to a Science Camp that would not have been possible without the donations.

**8. Public Hearing.**

None scheduled.

**9. Old Business.**

**A. Discussion and Appropriate Action to Approve the Budget Amendment #1 Ordinance 108-12 for General Fund. (Second reading) (City Manager)**

Ms. Dowell stated this Ordinance is a Budget Amendment for the sale of scrap metal. The appropriations in the amount of \$286.04 will go into the General Fund for equipment in the Street Department and \$1,668.80 will go into the Utility Fund for a conference table in the Utility Department.

Councilman Pannell made a motion to approve Ordinance 108-12. Mayor Pro Tem Lopez seconded the motion. The motion passed unanimously.

**10. New Business.**

**A. Briefing by Live Oak Police Chief Ron Echols on updating the Emergency Radio Systems into P25 compliance.**

Chief Echols briefed the Council on the Emergency Radio Communication System that is owned by the City of Live Oak which dispatches Police, Fire, Animal Control, and EMS units for emergency and non-emergency calls for service. The City of Converse leases radio frequencies to operate the two-way communications system that is owned by the City of Converse. Mr. Derek Walker gave a presentation on the Lower Colorado River Authority (LCRA) Radio Footprint and the benefits for the City of Converse to become a member.

**B. Discussion of North Park designated parking areas and recommendations from Police & Parks Department. (Mayor Suarez)**

Parents of the youth organization staff unload heavy equipment closer to the field for game set-up/tear-down. The vehicles unload and park at the dam area by the gate which is not amiable to the residents that view the park from their back porch. Staff recommends setting bollards to keep vehicles on the asphalt. Over-flow parking may occur along the fence line if the occasion warrants. Council shared cost concerns to astatically please the residents for the few games that are played at North Park. Mayor Suarez requested putting up a sign and use minimal amount of resources to detour vehicles from using non-restricted parking locations.

**C. Discussion of Economic Study to Support the Loop 1604 Commercial Corridor Plan. (Economic Development Corporation Executive Director) (City Manager)**

A presentation from Ms. Silvas outlined the 1604 Commercial Corridor Plan that included the Economic Study, the fiscal impact, the repayment agreement and the process of the 2011 Tax Note. The master plan study determines zones where and how they can be developed. The payment is split between the General Fund, the Utility Fund and the EDC fund in the budget in case we issue the tax note. The Economic Study is not included in the \$160,000 quote given to the Council at the previous presentation as a city-wide master plan. The additional cost for the Corridor Economic Study is \$25,000 and the EDC portion of the cost of issuance of the tax note is \$5,000 bringing the fiscal impact to \$190,000.

**D. Discussion and Appropriate Action on a Request to Approve the Inter-local Agreement (IA) with the City of Live Oak for approximately Two Hundred Twenty Five Acre Feet (225 AC. FT.) of Edwards Aquifer for Calendar 2011. (City Manager)**

To avoid the cost of approximately \$120,000 for over-pumping fees and fines, the City Manager approached the City of Live Oak to get through the month of December. The lease will cost just over \$36,000. This Inter-local agreement was approved by the Live Oak City Council at a Special Call meeting. Ms. Dowell, Mayor Dennis, LO City Manager Matt Dennis and LO Assistant City Manager Scott Wayman received gratitude from the Council for developing the Inter-local Agreement.

Mayor Pro Tem Lopez made a motion to approve the Inter-Local Agreement (IA) with the City of Live Oak for approximately two hundred twenty five acre feet (225 AC. FT.) of Edwards Aquifer for calendar 2011. Councilman Brown seconded the motion. The motion passed unanimously.

**E. Discussion and Appropriate Action to Approve Budget Amendment #II Ord. 108-12 for General Fund. (First Reading) (City Manager)**

The Mid-Year Budget Amendment addition/transfer for General Fund includes \$630,000.00 for increase revenues of the tax note funds, (\$617,500.00 for increased expenditures for the Financial Management Program and \$12,500.00 for increased expenditures for the cost of issuance).

The Mid-Year Budget Amendment addition/transfer for the Utility Fund included increase revenues for sale of scrap metal in the amount of \$1,761.00 and increased expenditures for computer equipment and software in the amount of \$1,761.00.

The Mid-Year Budget Amendment addition/transfer for the Utility Fund tax note funds in the amount of \$425,000.00 for the increased revenues, (increased expenditures of \$416,250.00 for the Financial Management Project and increased expenditure of \$8,750.00 for cost of issuance).

Mayor Pro Tem Lopez made a motion to approve the first reading of Budget Amendment #II Ordinance 108-12. Councilwoman Richel seconded the motion. The motion passed unanimously.

**F. Discussion and Appropriate Action to Adopt a Resolution in Accordance with Texas Senate Bill 100 (Election Code Section 41.0052). Changing General Election Date to Allow the City of Converse to Change the Uniform Election date to November 2012 and to Adjust the Terms of Office to the New Election Date. (Councilman Pannell) (City Attorney)**

Resolution # 644 makes the changes to the City's General Election pursuant to Senate Bill 100; changing the City's General Election Date from the Second Saturday in May to the November General Election Date; cancelling the City's May 2012 General Election; establishing that Terms of Office shall remain at Two-Years as set out in the City's Charter; extending Council Member Terms of Office by six months; establishing that any necessary Run-off Elections following the November General Election will be held in accordance with State Law; providing for severability; and providing an effective date.

The Statute supersedes any Charter; therefore, the Charter Review Commission will need to make this change in the suggested revision to the City Council.

Councilman Pannell approved adopting Resolution # 644, changing the General Election date to allow the City of Converse to change the Uniform Election date to November 2012 and to adjust the terms of Office to the new Election Date. Councilwoman Beehler seconded the motion. The motion passed with four for, (Beehler, Pannell, Lopez and Suarez) and three against, (Brown, Richel and Selko).

**G. Discussion and Appropriate Action to Approve the Preliminary Plat for the Cimarron Landing Phase III Subdivision, Plat #126. (City Engineer) (Assistant City Manager)**

Mr. Quintanilla recommended approval based on the satisfaction of a letter the City Engineer made comments on recommending approval, conditional on the applicant meeting, prior to the submission of the final subdivision plat. Most conditions have been met; the floodplain is still under review.

Mayor Pro Tem Lopez made a motion to approve the preliminary plat for the Cimarron Landing Phase III Subdivision, Plat #126. Councilman Brown seconded the motion. The motion to approve passed unanimously.

**H. Discussion and Appropriate Action to Approve the Preliminary Plat for the Lower Seguin Road Interconnect Subdivision, Plat #126. (City Engineer) (Assistant City Manager)**

Mr. Quintanilla informed the Council that this tract of land is the future home of the construction of water interconnects with the City of Schertz. The City needs to submit the plat for pre-approval. The Preliminary Plat was approved by the Planning and Zoning Commission. A request to choose the color of the water tower was discussed.

Councilman Pannell made a motion to approve the preliminary plat for the Lower Seguin Road Interconnect Subdivision, Plat #126. Councilman Brown seconded the motion. The motion passed unanimously.

\* Mayor Suarez asked to go back to Item 10F-Resolution # 644 for further discussion. Councilman Pannell asked for clarification of the process of the Resolution. The City Attorney replied a change of election procedure along with the Resolution would be sent to the Justice Department. An estimated time of reply from the Justice could not be answered due to the workload at the Justice Center, including having to provide additional information if required.

**I. Discussion and Appropriate Action on a Request to Amend the City of Converse Code of Ordinances Chapter 50-Zoning, Article IV, Districts and District Regulations, Division 9, B-4, Special Commercial Districts, Section 50-338, Use Regulations, the City of Converse Ordinance that Regulates Zoning. (First Reading) (Assistant City Manager)**

Mr. Ortiz, City Attorney, notified the Council that the Zoning Ordinance is understood to be used as a comprehensive Ordinance as to how you would like your City to be planned out through a Master Plan. City staff looked into ascetic and safety issues and policing issues and concluded the best classification for a truck stop would be zoned B4.

Mr. Quintanilla added based on the description and purpose of the B-4 Special Commercial District, this is the best classification for a truck stop.

Mayor Suarez asked to modify the idling of trucks on the second reading.

Councilman Selko made a motion to approve Truck Stops into the B-4 category. Councilman Pannell seconded the motion. The motion passed unanimously.

11. **City Council and Staff Reports.** In consideration of the Texas Attorney General Opinion AG-668, 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-**

Edwards Aquifer Authority announced raising permit fees, TXDOT briefing included the 1604 expansion from Lower Seguin to I-10E will commence in the summer of 2012 and an additional lane on the I-35 corridor from FM 3009 to Judson road will be constructed. Thanked everyone that participated in the Thanksgiving Feasts. Congratulated Kate Silvas for becoming a board member of the Greater Area Randolph Metrocom Chamber of Commerce. Announced upcoming meetings.

**B. Councilmember's Report/Items of Interest-**

Councilman Brown asked for support for the Fire Department for their efforts of building a brush truck. Thanked Ms. Dowell and Chief Jamison for taking firm steps towards code compliance and Ms Neeley for assisting on a request for court fees. Suggested a team-building seminar with the City Council and the Department Heads.

Councilman Pannell announced the TXDOT 1-35 Corridor meeting. Discuss a date for a master plan workshop at next meeting.

**C. City Commission Liaison Reports**

Councilwoman Richel, Parks and Recreation Commission Liaison-Approved St. Monica's contract, restock fish at the North Park lake, the 2<sup>nd</sup> Saturday Art and Craft event is no longer is Converse and has moved to Kirby, followed up on the donation to P&R of \$10,000 from CVS Pharmacy, shared concerns of moving the Commission Christmas Party out of the City of Converse.

Councilman Selko, Charter Review Commission Liaison-The Commission has met three times working on definitions and typos in an open and unbiased quorum, On behalf of Chairman Evans, invited the Council to attend.

**D. Economic Development Corporation Report**

Ms. Silvas reported on attending the International Council of Shopping Centers, the Certified Commercial Investment Management Conferences, the Texas Workforce Commission Eagle ford Shale Symposium, and was named on the Board of Directors for the Randolph Metrocom Chamber of Commerce.

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

**1. Tree Planting Effort**

Ms. Dowell reported receiving over 35 donated trees to be planted in the City Park and North Park. Thanked Ms. Temkin of the B&E Commission, for taking care of the trees. Requested a Special Call Council Executive Session meeting to discuss the MPO process and a briefing from Vickery and Associates on the Toepperwein project.

**2. City Holiday Events**

Ms. Dowell announced the December 2<sup>nd</sup> Christmas Tree lighting Ceremony at the Justice Center, the December 9<sup>th</sup> Employee Christmas Luncheon held at Boysville; invited the Council to attend, the December 10<sup>th</sup> Christmas In The Park Celebration held at the City Park and the December 12<sup>th</sup> City Council/ Commissions/supporting Elected Officials/Staff Liaisons to Commissions Christmas Party held in Cibolo.

**12. Executive Session:**

Mayor Suarez called for a recess at 10:17PM to reconvene in 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 adsLED project. (Mayor Suarez) (City Attorney) (City Manager).**
- B. 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 Schertz-Seguin Local Government Corporation (SSLGC) regarding water contract. (City Attorney) (City Manager).**
- C. Executive Session in accordance with the Texas Open Meetings Act § 551.074. Personnel Matters. Personnel matters to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee. (Mayor Suarez) (City Manager).**

**13. Reconvene to Open Session:**

Mayor Suarez reconvened the Open Meeting at 11:21PM.

- A. Discussion and Appropriate Action in Accordance with the Texas Open Meetings Act § 551.071. Consultation with City Attorney; Closed Meeting. Consult with the City Attorney and discuss adsLED project. (Mayor Suarez) (City Attorney) (City Manager).**

Councilman Brown made a motion to proceed as discussed in Executive Session. Mayor Pro Tem Lopez seconded the motion. The motion passed unanimously.

- B. Discussion and Appropriate Action in Accordance with the Texas Open Meetings Act § 551.071. Consultation with City Attorney; Closed Meeting. Consult with the City Attorney and discuss Schertz-Seguin Local Government Corporation (SSLGC) regarding water contract. (City Attorney) (City Manager).**

Mayor Suarez stated no action required at this time for Item 13 B.

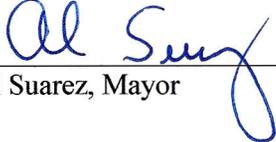
- C. Discussion and Appropriate Action in accordance with the Texas Open Meetings Act § 551.074. Personnel Matters. Personnel matters to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee. (Mayor Suarez) (City Manager).**

Ms. Beehler made a motion to proceed as discussed in Executive Session. Councilman Selko seconded the motion. The motion passed unanimously.

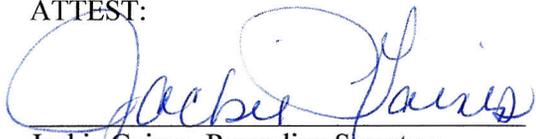
**14. Adjournment.**

Mayor Suarez adjourned the meeting at 11:22PM.

PASSED AND APPROVED THIS 3<sup>RD</sup> DAY OF JANUARY, 2012.

  
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Al Suarez, Mayor

ATTEST:

  
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Jackie Gaines, Recording Secretary