



Expanding Horizons

CITY OF CONVERSE
CITY ADMINISTRATION

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MINUTES
CITY OF CONVERSE
CITY COUNCIL MEETING
May 15, 2012 - 7:00 PM

Be It Known That the City Council of the City Of Converse Met for a Regular Meeting at the City Council Chambers at 402 South Seguin Street on Tuesday, May 15, 2012 at 7:00 PM. A quorum of the following commissions may be present: Beautification & Environmental, Building & Standards, Charter Review, Economic Development Corporation, Park & Recreation and Planning & Zoning.

1. CALL TO ORDER.

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

2. INVOCATION.

Councilman Pannell gave the invocation.

3. PLEDGE OF ALLEGIANCE.

Mayor Suarez gave the Pledge of Allegiance to the United States Flag. Mayor Pro Tem Lopez gave the Pledge of Allegiance to the Texas Flag.

4. ROLL CALL AND RECOGNITION OF VISITORS.

Mayor Al Suarez
Councilman Andy Selko, Place 3
Councilwoman Laura Beehler, Place 5
Mr. John Quintanilla, Assistant City Manager
Ms. Jackie Gaines, City Secretary

Mayor Pro Tem, Grant Lopez
Councilman Randy Pannell, Place 4
Councilman Steve Brown, Place 6
Mr. Ray Ortiz, City Attorney

Councilwoman Kathy Richel did not attend the meeting due to being out of town. City Manager, Shawna Dowell not attending due to medical reasons. Mayor Suarez recognized Judson ISD Board Member, Mr. Arnold Salinas and Judson ISD Executive Director of Operations, Mr. Daniel Kershner.

5. CONSENT AGENDA.

- A. Action to appoint Marc Gilbert as a Member of the Board of Directors for the Economic Development Corporation for a Two Year Term Ending May 31, 2014. (EDC Executive Director)
- B. Approve Preliminary Plat #128, Rolling Creek Unit #4. (Assistant City Manager)
- C. Approve Preliminary Plat #131, MacArthur Park Unit #4. (Assistant City Manager)

Councilman Pannell made a motion to approve item 5A-C. Councilman Selko seconded the motion. The motion passed unanimously.

6. SPECIAL CONSIDERATION ITEMS.

**A. Recognition of Community Organizations by the Beautification & Environmental Commission.
(Councilwoman Beehler)**

Councilwoman Beehler presented participating Churches with a certificate of appreciation for the support in the beautification project of the Ed J Kneupper Justice Center. The First Baptist Church of Universal City, the Converse Hispanic Baptist Church, the New Life Baptist Church and the Maranatha Bible Church were present to accept the award.

B. Presentation by Kate Brought, City of Windcrest Public Affairs & Marketing Director, on the City of Windcrest 42nd Annual Firefighters picnic. (Mayor)

City of Windcrest Fire Fighters announced the City of Windcrest 42nd Annual Firefighters Picnic and Carnival which takes place Friday, May 18 through May 19, 2012 and invited everyone to come out to support the Windcrest Fire Department.

C. Presentation by Daniel Kershner, Judson ISD Executive Director of Operations, on the Judson ISD Long Range Facility Plan (Mayor)

Mr. Kershner gave a presentation of the Judson ISD long range facility plan which included the growth, enrollment and ethnicity of the 10-year plan. The presentation also included the district-owned land locations and project updates. All recommendations are welcomed for consideration and can be submitted to Mr. Kershner.

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.

No citizens had signed up to speak.

8. PUBLIC HEARINGS.

A. A Public Hearing on a Request for a Special Use Permit (SUP) on a Parcel of Land located at 8475 FM 1976 (CB 5063B Blk. 10 Lot 1, ID # 310960), approximately 0.3540 Acres of Land to allow for Automobile Sales and Service as Requested by the Property Owner.

Mayor Suarez opened the Public Hearing at 7:25 PM.

Mr. Primo Acosta stated he is only conducting auto repairs. Mayor Suarez asked Mr. Primo to speak again on the Special Use Permit Agenda Item 10 O.

Mayor Suarez closed the Public Hearing at 7:27 PM.

B. A Public Hearing on a Request for the Re-platting of an Existing Plat, namely CIMARRON LANDING, PHASE I. This re-plat request as requested by the Property Owners is specific to Parcels of Land located at 8903 & 8907 Prized Pony (CB 5350 AA, Blk. 5, Lots 8 & 9, PID # 1009752 & 1009751), approximately 0.3444 Acres of Land.

Mayor Suarez opened the Public Hearing at 7:27 PM.

Mr. Laxman Patil, of 214 E. Evans Road and representing the owners, was asked to speak when the item came up for discussion and consideration on Agenda Item 10 P.

Mayor Suarez closed the Public Hearing at 7:28 PM.

9. OLD BUSINESS.

A. Discussion and Appropriate Action to Approve Budget Amendment Ordinance #108D in Accordance with April 14, 2012 City Council Budget Workshop. (City Manager) (Second Reading).

Mr. Quintanilla advised the City Council that Ordinance 108D supporting the budget amendment had no revisions and that staff recommends approval.

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

10. NEW BUSINESS.

Mr. Evans, Charter Review Commission Chair, thanked the Council for allowing each of the appointed Charter Review Commission members to serve as representatives. Each member was allowed to bring up any recommendations to the Committee for discussion. Thanked Michelle Burns, Jackie Gaines, Ray Ortiz and Shawna Dowell for their guidance, legal advice and administrative support. Thanked the Committee for the work that was put into the Charter review. The Committee arrived at the recommendations because they believe the changes were the best for the City. Twelve out of the thirteen Resolutions passed unanimously with one Resolution having one descending vote.

Councilman Selko made a motion to table items **10A-10M; Adopting City Charter Resolutions**, due to Councilwoman Richel absent to vote on the items; having an even number of Council Members could cause a tie vote. Councilman Brown seconded the motion. The motion passed unanimously to table the items.

- A. Discussion and Appropriate Action Adopting Resolution 651, A Resolution that Authorizes the Placing on the Ballot for an Election on the General Election Date in November 2012 this Proposition that amends Section 2.01(B) of the City Charter. (Councilman Selko)**
- B. Discussion and Appropriate Action Adopting Resolution 652, A Resolution that Authorizes the Placing on the Ballot for an Election on the General Election Date in November 2012 this Proposition that amends Section 2.03(A) of the City Charter. (Councilman Selko)**
- C. Discussion and Appropriate Action Adopting Resolution 653, A Resolution that Authorizes the Placing on the Ballot for an Election on the General Election Date in November 2012 this Proposition that amends Section 2.07(B) of the City Charter. (Councilman Selko)**
- D. Discussion and Appropriate Action Adopting Resolution 654, A Resolution that Authorizes the Placing on the Ballot for an Election on the General Election Date in November 2012 this Proposition that amends Section 2.08 of the City Charter. (Councilman Selko)**
- E. Discussion and Appropriate Action Adopting Resolution 655, A Resolution that Authorizes the Placing on the Ballot for an Election on the General Election Date in November 2012 this Proposition that adds Section 2.14 to the City Charter. (Councilman Selko)**
- F. Discussion and Appropriate Action Adopting Resolution 656, A Resolution that Authorizes the Placing on the Ballot for an Election on the General Election Date in November 2012 this Proposition that amends Section 3.03(D) of the City Charter. (Councilman Selko)**
- G. Discussion and Appropriate Action Adopting Resolution 657, A Resolution that Authorizes the Placing on the Ballot for an Election on the General Election Date in November 2012 this Proposition that amends Sections 4.03(A) and 4.03(D) of the City Charter. (Councilman Selko)**

- H. Discussion and Appropriate Action Adopting Resolution 658, A Resolution that Authorizes the Placing on the Ballot for an Election on the General Election Date in November 2012 this Proposition that amends Section 5.01(A) of the City Charter. (Councilman Selko)**
- I. Discussion and Appropriate Action Adopting Resolution 659, A Resolution that Authorizes the Placing on the Ballot for an Election on the General Election Date in November 2012 this Proposition that adds Sections 5.01(B)(12) and 5.01(B)(13) to the City Charter. (Councilman Selko)**
- J. Discussion and Appropriate Action Adopting Resolution 660, A Resolution that Authorizes the Placing on the Ballot for an Election on the General Election Date in November 2012 this Proposition that amends Section 5.06 of the City Charter. (Councilman Selko)**
- K. Discussion and Appropriate Action Adopting Resolution 661, A Resolution that Authorizes the Placing on the Ballot for an Election on the General Election Date in November 2012 this Proposition that amends Section 6.04 of the City Charter. (Councilman Selko)**
- L. Discussion and Appropriate Action Adopting Resolution 662, A Resolution that Authorizes the Placing on the Ballot for an Election on the General Election Date in November 2012 this Proposition that adds Sections 6.06(F) to the City Charter. (Councilman Selko)**
- M. Discussion and Appropriate Action Adopting Resolution 663, A Resolution that Authorizes the Placing on the Ballot for an Election on the General Election Date in November 2012 this Proposition that amends Section 8.01 of the City Charter. (Councilman Selko)**
- N. Discussion and Appropriate Action on a Request to Approve a Budget Amendment #108E. (City Manager) (First Reading).**

Mr. Quintanilla reported on the budget amendment; revise several projects by decreasing revenues for the mixed drink tax, alcohol beverage permits, building sub permits and the CDBG grant on Avenue B, Furdale, Ash and Oak Street. Mr. Quintanilla asked that a correction be made in the General Fund Decreased Revenues Report 42010-000-0 CDBG Grant to reflect \$150,000.00. Staff will bring Ordinance 108 E back to the Council with the correction at the second reading. Additional transfer to the budget from the water/sewer fund is increase revenue from the transfer in from water acquisition, decreased revenue from the transfer from the utility fund reserves and decreased expenditures on the SCADA and Security project for a total of overall project costs of \$3,060,000. The budget amendment also reflects \$12,158.60 refund for Edwards Aquifer Authority for permitted water rights not used (under pumping) for CY 2011.

Councilman Pannell told Mr. Quintanilla and the citizens that he is really concerned and had expressed this with the City Manager in her office yesterday about the budget. In addition to the budget, asked to look at Section 36-3, Obligations, Restrictions and Requirements-Residential Districts, we do have at the present time, a Code that states this particular item is a code violation. My concern is why we would, as the city, want to spend \$2,000 on notifying citizens of a law that already exists.

Mr. Quintanilla stated that the city has been getting numerous complaints on residents leaving trashcans in view of the streets and the staff felt mailing a reminder to all the residents as a first notification would be best verses sending a police officer to leave a door hanger.

Council discussed the Increased Expenditure for Postage of \$2,000.00 and asked for the removal of the expense and asked to have a police officer leave door hangers to notify residents as violations occur. Posting on the water bill was another suggested option to notify residents of violations.

Mr. Ortiz added, the City does not have a legal requirement to send letters to notify residents.

Councilman Pannell made a motion to approve the Budget Amendment Ordinance 108E with the correction of the CDBG Grant amount to \$150,000.00 and to remove the Increased Expenditure 36200-000-0 Postage of \$2,000.00. Councilman Selko seconded the motion. The motion passed unanimously to approve the amended Budget Amendment Ordinance 108E.

O. Discussion and Appropriate Action on a Request to Approve a Special Use Permit (SUP) on a Parcel of Land located at 8475 FM 1976 (CB 5063B Blk. 10 Lot 1, ID # 310960), approximately 0.3540 Acres of Land to allow for Automobile Sales and Service as Requested by the Property Owner. (Assistant City Manager)

Mr. Quintanilla reported the Planning and Zoning Commission reviewed the request and approved the SUP unanimously. Mr. Primo Acosta informed the Council that he would not have auto auctions on the property.

Councilman Pannell made a motion to approve the Special Use Permit located at 8475 FM 1976 (CB 5063B Blk. 10 Lot 1, ID # 310960), approximately 0.3540 Acres of Land to allow Automobile Sales and Service. Councilman Brown second the motion. The motion passed unanimously.

P. Discussion and Appropriate Action on a Request to Approve a Re-platting of an Existing Plat, namely CIMARRON LANDING PHASE I. This re-plat request as requested by the Property Owners is specific to Parcels of Land located at 8903 & 8907 Prized Pony (CB 5350 AA, Blk. 5, Lots 8 & 9, PID # 1009752 & 1009751), approximately 0.3444 Acres of Land.. (Assistant City Manager)

Mr. Quintanilla stated the Planning and Zoning Commission reviewed the re-platting request and approved unanimously. Staff recommends approval.

Mr. Laxman Patil, representative of the property owner, stated they have reviewed the plat and asked the Council to consider the re-platting request.

Mayor Pro Tem Lopez made a motion to approve the re-platting of an Existing Plat, namely CIMARRON LANDING PHASE I, specific to Parcels of Land located at 8903 & 8907 Prized Pony (CB 5350 AA, Blk. 5, Lots 8 & 9, PID # 1009752 & 1009751), approximately 0.3444 Acres of Land. Councilwoman Beehler seconded the motion. The motion passed unanimously.

Q. Discussion and Appropriate Action to Approve Resolution 672 Authorizing Adoption of the Community Development Block Grant Agreement with the County of Bexar State of Texas State of Texas for U.S. Department of Housing and Urban Development Community Development Block (CDBG) & Home Grants Funding For PY 2013-2015. (City Manager)

Mr. Quintanilla reported the adoption of Resolution No. 672 is to enter into a partnership that allows the City to receive grant funding.

Ms. Burns stated every three years, the City has to sign a new agreement to participate in the CDBG program. Through the years of participation, the City has received \$1,550,602 in grant funds from this program. This item is to approve a Resolution to adopt that agreement in order for the City to apply for CDBG funds for the next three years.

Councilman Pannell made a motion to approve Resolution No. 672. Mayor Pro Tem Lopez seconded the motion. The motion passed unanimously.

R. Discussion and Appropriate Action for Ratification of Cancellation of the Community Development Block Grant (CDBG) PY 2011- Fair Meadows Phase I Project. (City Manager)

Mr. Quintanilla stated that due to the current financial status, staff recommends returning \$150,000 of funds. This has been discussed with the CDBG staff and they welcomed our pro-active approach.

Councilman Pannell made a motion to approve the ratification of cancellation of the CDBG for PY 2011, in the amount of \$150,000 for the Fair Meadows Phase I Project. Councilman Selko seconded the motion. The 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 a proposal to place the subject on the agenda for a subsequent meeting.

A. Mayor's Report/Items of Interest.

Mayor Suarez had nothing to report.

B. Councilmember's Reports/Items of Interest.

Mayor Pro Tem Lopez thanked staff for repairing the microphone in the Council Chamber.

Councilman Pannell asked Mr. Quintanilla to make sure the laws are enforced on the recent Ordinances.

C. City Commission Liaison Reports.

Councilman Brown, P&Z Liaison, listed the items the commission has been working on and approved. On behalf of Joe Guastella, P&Z member, want to express his appreciation to Odie Martinez, Recording Secretary for P&Z, for her assistance with the meeting packets and the late nights she puts in for the meetings.

Councilwoman Beehler, B&E Liaison, listed future agenda items which included working on a project with the Boy Scouts and projects making improvements at the PD, Library and City Hall.

Councilman Pannell stated he received the CVLGC contract and has a meeting on May 24, 2012.

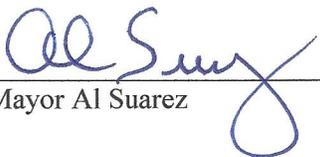
D. City Manager's Report & Discussion of Future Agenda Items/Items of Interest.

Mr. Quintanilla reported the next City Council meeting will have a full agenda. Planning and Zoning Commission will have a special meeting on June 4, 2012 with two items and then have the P&Z meeting on June 18, 2012 with Public Hearings.

14. ADJOURNMENT.

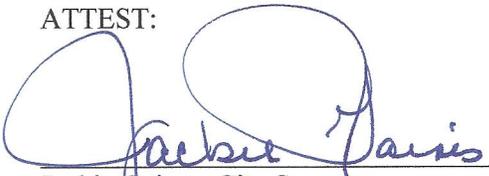
Mayor Suarez adjourned the meeting at 8:00 PM.

PASSED AND APPROVED THIS 3RD DAY OF JULY, 2012



Mayor Al Suarez

ATTEST:



Jackie Gaines, City Secretary