



*Expanding Horizons*

CITY OF CONVERSE  
CITY ADMINISTRATION

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**MINUTES  
CITY OF CONVERSE  
CITY COUNCIL MEETING  
June 5, 2012 - 7:00 PM**

Be It Known That the City Council of the City Of Converse meet for a Regular Meeting at the City Council Chambers at 402 South Seguin Street on Tuesday, June 5, 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.**

Ms. Dowell gave the invocation.

**3. PLEDGE OF ALLEGIANCE:** Mayor Suarez led the pledge of allegiance to the United States Flag and to the Texas Flag.

**4. ROLL CALL AND RECOGNITION OF VISITORS.**

Mayor Suarez stated the City Council has a quorum. Councilman Selko had personal business to attend and Mayor Pro Tem Lopez had a business function to attend.

Mayor Al Suarez  
Councilman Randy Pannell, Place 4  
Councilman Steve Brown, Place 6  
Mr. Jon Law, City Attorney

Councilwoman Kathy Richel, Place  
Councilwoman Laura Beehler, Place 5  
Ms. Shawna Dowell, City Manager  
Ms. Jackie Gaines, City Secretary

**5. CONSENT AGENDA:**

- A. Approve Minutes of City Council Meeting on April 17, 2012.
- B. Approve Minutes of City Council Meeting on April 26, 2012.
- C. Approve Minutes of City Council Meeting on May 15, 2012.
- D. Receive Minutes for the Building & Standards Commission Meeting on February 29, 2012.
- E. Receive Minutes for the Beautification & Environmental Commission Meeting on April 23, 2012.

Mayor Suarez asked if any Councilmember would like to pull any items from the Consent Agenda. Councilman Pannell asked to pull item 5B and 5C.

Councilwoman Richel made a motion to approve item 5A, 5D and 5E. Councilman Pannell seconded the motion. The motion passed unanimously.

Councilman Pannell addressed Item 5B-Approval of the Special Called City Council Meeting Minutes of April 26, 2012. Requested to have his statements verbatim. Requested to remove Item 3- Executive Session and Item 4-Reconvene to Open Session stricken from the Minutes due to the Council not going into Executive Session. Councilwoman Beehler requested to remove Item 3- Executive Session and Item 4-Reconvene to Open Session stricken from the Minutes.

Mayor Suarez asked to pull the items for verification and have them corrected to bring back to the Council for approval at the next City Council meeting.

Councilman Pannell addressed Item 5C- Approval of the City Council Meeting Minutes of May 15, 2012, Item 10N: Requested to have his comments verbatim. Item 11D: Requested to insert the name of the contract he reported on under 11C, City Commission Liaison Reports to read, "the CVLGC" contract.

Mayor Suarez asked if there were no objections, the items will be tabled and brought back to the City Council at the next meeting with the corrections.

**6. SPECIAL CONSIDERATION ITEMS:**

**A. Recognition of Jackie Gaines, City Secretary, for her Service of Ten (10) Years with the City of Converse. (Mayor Suarez).**

Mayor Suarez and the City Council presented Ms. Gaines with a certificate of recognition and a city coin for ten years of service to the City of Converse.

**B. Recognition of Jesse Jones, Sergeant, Police Department, for his Service of Ten (10) Years with the City of Converse. (Mayor Suarez).**

Mayor Suarez and the City Council presented Mr. Jones with a certificate of recognition and a city coin for ten years of service to the City of Converse.

**C. Recognition of Paul Sanchez, Street Maintenance, for his Service of Five (5) Years with the City of Converse. (Mayor Suarez).**

Mayor Suarez and the City Council presented Mr. Sanchez with a certificate of recognition for five years of service to the City of Converse.

**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.

Jeff Beehler, Norris Drive East, discussed surface water installation on property he purchased on Norris Drive West and handed out an estimate on non-potable service extension. Mr. Beehler said the initial plan was to have the residents on Norris Drive East, Norris Drive West and Ralston to have surface water installed.

Mayor Suarez asked Ms. Dowell to set up a meeting with Mr. Beehler to discuss the surface water issue.

Mr. John True and Mr. Wilber Alfaro deferred to the Public Hearings.

**8. PUBLIC HEARINGS:**

**A. Public Hearing on a Request for the Re-platting of an Existing Plat, namely LOTT'S LANDING I. This re-plat requested by the Property Owners is specific to Parcels of Land located at 8316 FM 78 (CB 5080A, Blk. 31 Lots 3, LOTT'S LANDING, PID # 1130363), approximately 04.996 Acres of Land.**

Mayor Suarez opened the Public Hearing at 7:26 PM.

Mr. Tom Flores, Engineer for Lott's Landing said the front of the property has been developed with businesses. The committed buyer has a required stand-alone description for the building. The original plat was denied through TXDot due to

the accesses on the original plan. After revisions of the plat, they received TXDot approval. The plat has been submitted to SAWS and to SARA.

Mayor Suarez closed the Public Hearing at 7:29 PM.

**B. Public Hearing on a Request for a Special Use Permit (SUP) on a Parcel of Land located at 8314 FM 78 (CB 5080A, Lot 8B, "City of Converse Annexation", Property ID # 317114), approximately 4.8560 Acres of Land to allow for the operation of a counter top facility.**

Mayor opened the Public Hearing at 7:30 PM.

Mr. True, owner of the property, submitted the application for a Special Use Permit with an incorrect type of business. It is a counter top building company and not a cabinet building company. This business will be producing granite and marble counter tops for residential and commercial use. Secondly, Mr. True listed the property as over four acres when it is just one building.

Mr. Quintanilla made a correction to the address on the agenda; the address should read 8314 FM 78.

Mayor Suarez closed the Public Hearing at 7:33 PM.

**9. OLD BUSINESS:**

**A. Discussion and Appropriate Action to Approve Budget Amendment Ordinance #108E. (City Manager) (Second Reading)**

Ms. Dowell stated this budget amendment reflects a General Fund decrease. After the last budget workshop, we have looked at several line items and believe we need to decrease the anticipated revenues in the mixed drink tax by \$560.00, alcohol beverage permits by \$466.00. The Building and Sub permits have come in lower than anticipated, so we need to lower the anticipated revenues by \$40,000.00. We have agreed to not participate in the CDBG Grant for Oak, Ash and Fir Dale this year; which would have required the city to make a \$150,000.00 match. Staff recommends increasing the revenues by transferring \$610,000.00 in from Water Acquisition. Decrease \$950,000.00 (transfer from Utility Funds Reserves) and decrease expenditures overall by \$340,000.00 The budget amendment reflects a \$12,158.60, refund for Edwards Aquifer Authority for permitted water rights not used (under pumping) for CY 2011.

Councilman Pannell made a motion to approve Budget Amendment Ordinance #108E. Councilman Brown second the motion. The motion passed unanimously.

**10. NEW BUSINESS:**

**A. Discussion and Appropriate Action to Approve the 2012 March Financials. (City Manager) (Interim Finance Director)**

General Fund-As of March, 2012, 50% of the budget year has passed. Overall revenues are 78.69 % of budget; the majority are property taxes collected that were due by January 31. Property taxes show 95.44% collection. Personnel expenditures show 50.75% which is slightly above the 50.00% benchmark. The semi-annual debt service payments \$512,559 were made due in February. Total expenses are 50.06% of the budget.

Utility Fund- Total revenue is 44.07%. Personnel expenses are 49.04% of the budget. Semi-annual debt service payments \$255,872 were mad when due in February.

Budget preparation for the upcoming 2012-12 fiscal year will be done in the new chart of accounts, which reflects departmental summaries and program summaries. The goal is to prepare the budget in the same format that will be in place after the conversion to the Incode system.

Councilman Pannell asked Ms. Dowell if he could meet with Mr. Peacock before he returns to Austin. Thursday, June 7, 2012 was set for the meeting.

Mayor Suarez asked for a 3-year report of sales tax.

Councilman Brown made a motion to approve the 2012 March Financials. Councilwoman Richel seconded the motion. The motion passed unanimously.

**B. Discussion and Appropriate Action to Approve the 2012 March Investment Report. (City Manager) (Interim Finance Director)**

Ms. Dowell stated the report includes all the bank accounts and investment accounts. In the General Fund, the 2011 Tax Note of \$1,200,917.44 is specifically for Incode process, and then any remaining is specified for P25 compliance which is the radio conversion for the Police Department. In the Utility Fund, the 2011 Certificate of Obligation CD's and the Tex-Star Bank Account is specified for the water interconnect site. The Lower Seguin Water Interconnect committed Investment Funds of \$905,283.00 will change due to tonight's approved amendment.

Councilman Pannell made a motion to approve the 2012 March Investment report. Councilwoman Richel seconded the motion. The motion passed unanimously.

**C. Discussion and Appropriate Action to Approve the Preliminary acceptance of infrastructure of Cimarron Landing Phase II. (City Engineer) (Assistant City Manager).**

Mr. Quintanilla and staff walked the property on May 4 2012 with the punch list and all the issues were addressed. Planning and Zoning approved the preliminary acceptance of the infrastructure.

Councilman Pannell made a motion to approve the preliminary acceptance of the infrastructure of Cimarron Landing Phase II. Councilwoman Richel seconded the motion. The motion passed unanimously.

**D. Discussion and Appropriate Action on a Request for the Re-platting of an Existing Plat, namely LOTT'S LANDING I. This re-plat requested by the Property Owners is specific to Parcels of Land located at 8316 FM 78 (CB 5080A, Blk. 31 Lots 3, LOTT'S LANDING, PID # 1130363), approximately 04.996 Acres of Land.**

Mr. Quintanilla stated the Planning and Zoning Commission did not approve the re-platting. Since the meeting, the City has received appropriate information from the developer and has been submitted to the City's engineer for approval.

Councilman Brown added that the P&Z Commission disapproved the re-plat due to no SAWS report on the sewer easement, adding, the P&Z Commission would have approved the re-plat if they had the SAWS report.

Councilwoman Richel made a motion to approve the re-platting of an existing plat, namely Lott's Landing I. (PID # 1130363), approximately 04.996 Acres of Land. Councilman Pannell seconded the motion. The motion passed unanimously.

**E. Discussion and Appropriate Action on a Request to Approve a Special Use Permit (SUP) on a Parcel of Land located at 8314 FM 78 (CB 5080A, Lot 8B, "City of Converse Annexation", Property ID # 317114), approximately 4.8560 Acres of Land to allow for the operation of a counter top facility. (Assistant City Manager)**

Mr. Quintanilla asked to make a correction to the address; it should read 8314 FM 78. The type of business need to be corrected from a cabinet making facility to a counter top facility.

Councilman Brown added the Planning and Zoning Commission approved the Special Use Permit unanimously.

Mr. Law, City Attorney, stated that posting the incorrect address will not be an issue for the fact that the wrong address listed is not an actual address.

Concerns from Council were dust and noise level. Mr. Quintanilla stated the cutting water-cutting process will be used to reduce the dust. There will be noise and the noise will be no louder than the traffic noise on FM 78. The residents are a great distance away and the business faces the rear of the homes. There will not be any 18-wheelers used for delivery or pick-up.

Councilman Pannell made a motion to approve the Special Use Special Use Permit (SUP) on a Parcel of Land located at 8314 FM 78 (CB 5080A, Lot 8B, "City of Converse Annexation", Property ID # 317114), approximately 4.8560 Acres of Land to allow for the operation of a counter top facility. Councilman Brown seconded the motion. The motion passed unanimously.

**F. Discussion and Appropriate Action on a Request to Approve a Regional Hazard Mitigation Plan. (Lt. Allen James) (Asst. Fire Chief Raymond Christian)**

Assistant Chief Christian and Lt. Allen James briefed the Council on the process of assistance to AACOG for the Regional Hazard Mitigation Plan. The City of Converse participated in a county wide program for the Regional Hazard Mitigation acceptance which is a FEMA requirement in order to have the Emergency Management Plan in place.

Councilman Pannell made a motion to approve a Regional Hazard Mitigation Plan. Councilman Brown seconded the motion. The motion passed unanimously.

**G. Discussion and Appropriate Action on a Request to Approve Contract Amendment #43 to the Sewage Transportation Treatment and Disposal Contract with the San Antonio River Authority. (City Manager)**

Ms. Sharon MCCoy, Mr. John Gomez and Mr. Daniel Flores of the San Antonio River Authority (SARA) gave a presentation on the Salatrillo Wastewater Treatment Plant Wholesale Rate effective July 1, 2012. The Salatrillo Water Treatment parties include the City of Converse, City of Live Oak, City of Universal City and the San Antonio River Authority. The wholesale rate is based on audited figures; SARA and the City Managers meet annually to discuss previous year's financial status. The formula included number of users, winter average and 1.5% increase in expenditures.

Councilman Brown asked how the City can reduce the winter rates. Ms. McCoy replied by awareness through conservation programs.

Mayor Suarez asked if the City Attorney reviewed the contract. Ms. Dowell replied yes, Mr. Ortiz did review and approved the contract.

Councilman Pannell made a motion to approve the Contract Amendment #43 to the Sewage Transportation Treatment and Disposal Contract with the San Antonio River Authority. Councilman Beehler seconded the motion. The motion passed unanimously.

**H. Discussion and Appropriate Action on a Request to Amend the City of Converse Code of Ordinances Chapter 40-Subdivisions, Article II, Plat Procedure, Division 1, Generally, Section 40-37, 11 (b), Subdivision Plat Fees. This Section of the City of Converse Ordinance Regulates Subdivision Development Fees. (First Reading) (Assistant City Manager)**

Mr. Quintanilla proposed three recommendations to the subdivision plat fees for consideration and distributed the current fee structure of subdivision plats. The Planning and Zoning Commission approved the increased plat fees unanimously. The plan review fee is currently \$500.00; suggests increasing to \$1,500.00. The Floodplain development permit is currently \$500.00; suggests increasing to \$1,500.00.

Mr. Quintanilla asked to incorporate a street light fee for future installations. Ms. Dowell pointed out that the fees have not been reviewed since 2008.

Councilwoman Beehler is concerned the fees may not cover the cost and asked to pass the cost to the developer.

Mr. Quintanilla will perform a market study before the next reading of the ordinance.

Councilman Pannell made a motion to approve the first reading to Amend the City of Converse Code of Ordinances Chapter 40-Subdivisions, Article II, Plat Procedure, Division 1, Generally, Section 40-37, 11 (b), Subdivision Plat Fees, awaiting the market fee study results. Councilwoman Beehler seconded the motion. The motion passed unanimously.

**I. Discussion and Appropriate Action to Approve a Contract between the Converse Cardinals and the City of Converse. (City Manager)**

Mr. Quintanilla and Ms. Dowell reported on the Converse Cardinals contract. The Converse Cardinals contract has been approved by their board and this contract is a reflection of the City Council's request to have a limited liability entity placed in the contract. The dates have been coordinated with JYSF and the City will coordinate any NIOC dates with the Cardinals as well.

Council asked if the Cardinals have provided insurance and are they current with any payment due to the City.

Ms. Dowell replied she believes they have made a commitment to pay. An e-mail from the Cardinals has been sent in regards to their insurance and will place a copy of the insurance in the City Secretary's office.

Councilwoman Richel made a motion to approve the Contract between the Converse Cardinals and the City of Converse. Councilman Brown seconded the motion. The motion passed unanimously.

**J. Discussion and Appropriate Action to Approve an Agreement between the LIONS CLUB and the City of Converse to Allow the LIONS CLUB to Operate "Night In Ole Converse" (NIOC) for one (1) year, October 2012. (City Manager)**

Ms. Dowell reported that during the mid-year budget meeting, staff reported the City does not have the revenue to sustain Night In Ole Converse and will most likely cancel the event. Due to NIOC being the Converse Lions Club's major fund raiser and not having NIOC, will cause a major impact to their funds. Through conversations with Mr. Perez, we can assist the Lions Club with an abbreviated NIOC and allow the Lions Club to take the lead for one year.

Lion President Marylin Weed and Past Lions President Sam Perez addressed Council with a verbal resolution stating they want to support the City to help continue NIOC for the citizens.

Responsibilities between the Lions and the City were discussed. Ms. Dowell said an agreement will be in the next Council packet for approval, but we do need to make a commitment so the Lions Club can move forward. This will not be cost prohibited to the City. We will come back to the Council for you to revise a budget to spend up to the amount the Council decides.

Mayor Suarez stated commended the Lions Club for stepping up to support continuing the event. You have my support and the City Manager's support.

Councilwoman Beehler expressed her appreciation to the Lions Club for supporting NIOC and stated, since we are unable to facilitate the event due to the budget; I have to see how the figures will impact the budget before making a decision. The action item also states the Council will be approving an agreement; I have no agreement. I will approve an intent based on approval of seeing the figures.

Mayor Suarez added after receiving the detailed budget report tonight, the budget looks a lot better.

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Councilman Brown asked about insurance coverage. Ms. Weed replied the Lions Club International provides liability insurance.

Councilman Pannell thanked the Lion Club members for putting the event together and asked so see the schedule and to allow the City Council to have input.

Mayor Suarez addressed Ms. Dowell asking for advice not to take action tonight. Ms. Dowell replied, no, we will assume there is an intent to try to move forward to salvage this and to allow the Lions Club to take over the NIOC for one year with your desires to present this at the next meeting

**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 asked the Council to contact him if they have any questions regarding the Agendas. The reasons the Resolutions were pulled from the last Council meeting was because the City Attorney was unable to attend the meeting and we had a full agenda and did not want to made the Council meet until midnight. Resolutions will be on the agenda and asked Mr. Quintanilla not place too many items on the agenda. District Attorney, Susan Reed and her staff has agreed to meet with city staff to offer support with the 8-liners. Received a call from the Starbucks manager and has set up a meeting to meet at City Hall, this Thursday, if anyone is interested to attend.

**Councilmember's Reports/Items of Interest.**

Councilman Brown confirmed the referendums will be on the next agenda. Requested rectifying Mr. Beehler's request before the next Council meeting. Mayor Suarez replied that he is going to meet with Mr. Beehler and the City Manager, and will bring back anything to the Council that will require a vote. Ms. Dowell stated, the Purple Pipe project was cut out of the budget and Council would need to amend the budget if they wish to move forward. Councilman Brown would like for Mr. Quintanilla to look at all the fees to see when they were reviewed and to adjust fees if necessary. Concerned with typo corrections to the agenda. Asked the Police Chief to meet with the public the first meeting in July to inform citizens how to get a street light installed. Graduated from the FBI Citizens Academy. Will address the reason the Special Called meeting was dropped when there is full Council at the Council meeting. Mayor Suarez that the item will have to be placed on the agenda for public discussion; you cannot just make a comment on the matter.

**B. City Commission Liaison Reports.**

Councilwoman Richel reported the P&R Commission will host the movie in the park, July 21, 2012.

Councilwoman Beehler reported the B&E Commission will not meet until the end of the month.

Councilman Brown reported the P&Z met last night for the Special Called Meeting and will meet again June 18, 2012.

Councilman Pannell reported the B&S Commission met the last weekend in May and is working on a complaint of an address that is out of compliance.

Ms. Dowell reported on the CVLGC: Met last month with the water analysis presented to the five cities that are currently participating. One city may drop out of the CVLGC Alliance. If this takes place, the impact to the City on debt issuances will be from \$31 million to \$51 million. \$31million is for the cost of drilling wells and building a plant. If we add the additional \$20 million for transmission lines to get the water back to us, it will raise the cost to \$51 million. We are working

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with Southwest Security for an estimate of the cost if we are faced with dividing that debt service into four ways instead of five ways.

### C. Economic Development Corporation Report & Discussion of Items of Interest.

Ms. Silvas reported on the following: She and Mayor Suarez attended the ICSC Recon Global Retail Convention May 20-23, 2012; met with retailers and developers to market Converse. The EDC Board has two vacancies due to resignations, received notice from the resident on 210 Hilltop that they will vacate end of June, participating in Team Texas Showcase event and attended the Office of the Governor's Mexican Delegation visit. The EDC Business Development Breakfast is June 8<sup>th</sup> and the next EDC meeting is June 12<sup>th</sup>.

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

#### 1. Water Emergency After Action Report

Approximately two weeks ago, the City faced an emergency water action where the 400 horse power pump at the North Cimarron well site was affected by a lightning strike. A secondary motor was installed which lasted for twenty four hour before going out. Staff worked on locating a backup pump for the Bob Grubb well and a 400 horse power pump. Over fifteen entities assisted helping, including RAFB. At the last minute on Friday, we were able to locate a 400 horse power pump and by Saturday morning we were able to get the wellsite fully functional without any citizen being without water. Citizens were informed through radio, television and through the reverse 911 system. Commended staff for the non-stop work they did until the pump was operating properly. The total cost for a 400 horse power pump, a repaired 400 horse power pump, a 250 horse power backup pump and electrical cost was \$51,000.

#### 2. TX. Parks & Wildlife Grant – Recreational Trails Grant

Ms. Dowell applauded Ms. Burns for submitting and receiving grant funding for walking trails at North Park. We are close to finalizing lighting at the North Park restrooms. Will attend a TCMA training with Mr. Quintanilla June 6-10 2012; Chief Jamison will be the Acting City Manager. The Building Official will start June 18<sup>th</sup>. Lining up Finance Director interviews and anticipates having a Director on board mid July. The first payment to the City of Schertz for the water interconnect is coming up. Last of May we had the conversion of the health benefits plan. This was a rushed effort to complete in the month of May will all the vendors.

### D. City Staff Reports:

#### 1. Report and Discussion of Significant Police Events

Chief Jamison reported the PD is in the training process with INCODE and anticipates going live June 24<sup>th</sup>. Judson High School's Project Graduation is tomorrow at Boysville. Reported on recent cases.

#### 2. Report and Discussion of Significant Fire and EMS Events

Assistant Fire Chief Christian reported on recent fire and emergency calls, a website will be provided from Siddens to view the Fire Truck being built on-line. Had an ICS 300-400 training for senior staff members in May.

#### 3. Report and Discussion of Significant Public Works Events

Mr. Hoppes reported using 184 tons of asphalt on the Willow Drive street project. The new Chip Spreader has arrived and has received training. We are waiting on the installation of the CPS meter and the over-head power lines. The parks office was vandalized by someone trying to break into the building.

#### 4. Report and Discussion of Significant Public Utilities Events

Mr. Perez reported the Utility Department had 102 deposits, 210 turn-offs for non-payment, set 10 meters, replaced 4 meters and has 22 customer leaks.

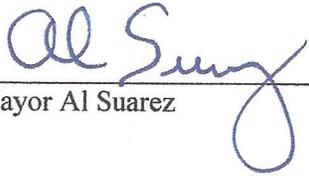
Mayor Suarez added he had an opportunity to attend the ICSC Recon Global Retail Convention would like to thank Ms. Silvas for her professionalism with the vendors. He was able to learn a lot by meeting with the developers and business owners.

## 12. ADJOURNMENT

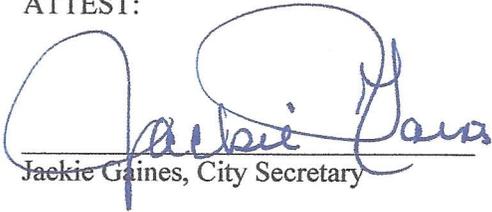
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Mayor Suarez adjourned the meeting at 9:46 PM.

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

  
\_\_\_\_\_  
Mayor Al Suarez

ATTEST:

  
\_\_\_\_\_  
Jackie Gaines, City Secretary