



Expanding Horizons

**MINUTES
CITY OF CONVERSE
CITY COUNCIL MEETING
DECEMBER 04, 2012 - 7:00 PM**

CITY OF CONVERSE
CITY ADMINISTRATION

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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, December 04, 2012 at 7:00 PM. A quorum of the following commissions may be present: Beautification & Environmental, Building & Standards, Economic Development Corporation, Park & Recreation and Planning & Zoning.

1. CALL TO ORDER

Mayor Suarez called the meeting to order at 7:01 PM.

2. INVOCATION

The invocation was given by Ms. Kate Silvas, EDC Director.

3. PLEDGE OF ALLEGIANCE

Mayor Suarez led the pledge of allegiance to the U.S. Flag and the Texas Flag.

4. ROLL CALL, ESTABLISHMENT OF QUORUM & RECOGNITION OF VISITORS

Mayor Al Suarez
Councilwoman Kathy Richel, Place 1
Councilwoman Renee Pashcall, Place 2
Councilman Steve Brown, Place 6

Councilman Andy Selko, Place 3
Mayor Pro Tem Randy Pannell, Place 4
Councilwoman Laura Beehler, Place 5

All City Council Members were present and a quorum was established.

Staff present:

City Manager Shawna Dowell
Assistant City Manager John Quintanilla
Fire Chief Richard Wendt
Building Official Gilbert Durant
Director of Facilities Karl Hoppes
Finance Director Le Ann Piatt

City Secretary Jackie Gaines
City Attorney Ray Ortiz
Chief of Police Rick Jamison
EDC Director Kate Silvas
Director of Utilities Lupe Perez

Mayor Suarez recognized Judson ISD Trustee Mr. Steve Salazar, Build San Antonio Green Executive Director Ms. Anita Devora and Mr. Roland Hinojosa with CPS Energy.

5. CONSENT AGENDA:

- A. Approve Minutes of City Council Meeting on October 22, 2012.**
- B. Approve Minutes of City Council Meeting on November 14, 2012.**

Mayor Pro Tem Pannell made a motion to approve Minutes of Meeting October 22, 2012 and November 14, 2012. Councilman Brown seconded the motion. The motion passed with six in favor and one abstention from Councilwoman Paschall due to not being on City Council at the time of the meetings.

6. SPECIAL CONSIDERATION ITEMS

- A. Recognition of Delmiro Soliz, Fire Fighter - Paramedic, Fire Department, for his Service of Five (5) Years with the City of Converse. (Mayor Suarez).**

Delmiro Soliz was recognized with a certificate for his five years of service to the Fire Department as Paramedic and Fire Fighter. Mayor Suarez and the City Council expressed their gratitude.

- B. Recognition of Rodney Douglass, Meter Reader, Utilities Department, for his Service of Five (5) Years with the City of Converse. (Mayor Suarez).**

Mr. Rodney Douglass was not present to accept his certificate.

- C. Recognition of Fire Fighter of the Quarter for the City of Converse. (Fire Alumni)**

Lt. Justin Dalton was unable to attend the City Council meeting to accept his award.

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.

-Celeste Morris of Arabian King, Converse, TX-addressed the Building SA Green event, thanked the City Manager for applying for the CDBG grant and discussed the toll roads.

-Jennifer Husband of Gavel Gate, Converse TX-stated her son is being harassed on an incident that just occurred and came to the Police Department for information. She noticed that the PD office was closed and the Council meeting was being conducted and asked Council for answers as to why her son has charges against him.

8. OLD BUSINESS

- A. Discussion and Appropriate Action on a Request to Amend a Section of the City of Converse Code of Ordinance, namely Chapter 18-Environment, Article V-Property Maintenance, Section 18-132 (f)-Trash Cans Bags and Other Receptacles. This City of Converse Ordinance Regulates Property Maintenance. (Second Reading) (Councilman Pannell) (City Manager)**

Mayor Pro Tem Pannell said this Ordinance is coming before City Council on the request of a few of the Council members and told Ms. Dowell that all the changes had been met.

Councilman Selko made a motion to approve amending section 18, Article V, Section 18-132 (f) of Ordinance #619. Councilwoman Paschall seconded the motion. The motion passed with six in favor; and one opposition from Councilman Brown.

- B. Discussion and Appropriate Action on a Request to Amend a Section of the City of Converse Code of Ordinance, namely Chapter 18-Environment, Article II-Nuisances Section 18-44-Enforcement of Parcels of Undeveloped Properties. This City of Converse Ordinance Regulates Property Maintenance. (Second Reading) (Councilman Pannell) (City Manager)**

Ms. Dowell said the ordinance lists the process staff must abide by per the local government code in notifying residents of high grass and weeds.

Councilman Brown and Chief Wendt discussed the enforcement of the Ordinance. Chief Wendt said his department is not the enforcing agency and the enforcing agency should be the Code Compliance Police Officer.

Councilman Brown made a motion to approve Ordinance #704, Chapter 18, Article II, Section 18-44 as amended; removing the Fire Chief for enforcement. Councilwoman Paschall seconded the motion. The motion passed unanimously.

Councilwoman Beehler made a motion to approve the ordinance as written. Councilwoman Richel seconded the motion. The motion passed unanimously.

C. Discussion and Appropriate Action on a Request to Amend a Section of the City of Converse Code of Ordinance, namely Chapter 18-Environment, Article II-Nuisances Section 18-43-Weeds or Other Vegetation. This City of Converse Ordinance Regulates Property Maintenance. (Second Reading) (Councilman Pannell) (City Manager)

Mr. Quintanilla said currently the City does not have a mechanism in place for regulating property maintenance on large undeveloped lots.

Councilwoman Beehler made a motion to approve Ordinance #704, Chapter 18, Article II, Section 18-43 as written. Mayor Pro Tem Pannell seconded the motion. The motion passed unanimously.

9. NEW BUSINESS

A. Discussion and Presentation of the BUILD SAN ANTONIO GREEN Event Scheduled for December 15, 2012. (EDC Executive Director)

Ms. Anita Devora, Executive Director for Build San Antonio Green gave a presentation that included water efficiency, materials used, health benefits, emergency efficiency and how the site must be protected with minimal disturbance. The City of Converse is hosting a Build San Antonio Green event Saturday, December 15, 2012 from 2-4 PM.

B. Discussion and Appropriate Action on a Resolution #679, a Resolution Supporting Green Building Standards Advocated and Certified by Build San Antonio Green for New and Retrofit Construction in Converse, Texas. (EDC Executive Director)

Ms. Silvas said this endeavor promotes green energy and green building.

Councilwoman Paschall made a motion to approve Resolution #679. Mayor Pro Tem Pannell seconded the motion. The motion passed unanimously.

C. Discussion and Appropriate Action to Authorize the City Manager to Execute a Contract for the 2012 Community Development Block Grant (CDBG). (City Manager)

Ms. Dowell said the 2012 CDBG contract includes Fair Meadow Subdivision Street Improvements Phase 1 of Elm Street and not limited to include Oak Drive, Fir Dale and Ash Street pending the funding. The grant award is \$145,000.00. The City has budgeted for the match for this grant.

Councilwoman Richel made a motion to authorize the City Manager to execute a contract for the 2012 Community Development Block Grant. Councilman Brown seconded the motion. The motion passed unanimously.

D. Discussion and Presentation of 2012 Night In Ole Converse (NIOC). (City Manager) (Lions Club)

Council and City staff thanked the Lions Club for continuing the tradition of the Annual Night In Ole Converse. Ms. Lawson and members of the Lions Club recognized the Communication Department, Jorge Longoria and Raymond Saucedo for their assistance and service through the event. The Lions Club did not have reports to give to the City Council due to figures and facts still coming in. The money raised will go back into the City and the citizens will benefit from the proceeds.

The traditional parade and the overtime cost of the employees were discussed.

E. Discussion and Appropriate Action on the Notification of Increase for Transportation Service Rates by CENTER POINT ENERGY. (City Manager)

Ms. Dowell reported that the service under this rate schedule shall be available only for transportation and delivery of natural gas to an End-use Customer where natural gas is tendered for delivery to Centerpoint Energy Entex at existing city gate stations or other facilities of adequate capacity and suitable pressure in areas identified in Centerpoint's Texas rate book.

Councilman Selko made a motion to approve the increase for transportation service rate by Centerpoint Energy. Councilman Brown seconded the motion. The motion passed unanimously.

F. Discussion and Appropriate Action on the Notification of Recovery of Rate Case Expenses by CENTER POINT ENERGY. (City Manager)

Ms. Dowell reported this schedule is applicable to any customer served under residential, general service-small, general service-large rate schedules. The cities in the South Texas Division collectively are named "Alliance of Centerpoint Municipalities" (ACM). This rate schedule is for the recovery of rate case expense and shall be in effect beginning on or after August 21, 2012, for a thirty-six month period or until all approved expenses are collected.

The Monthly Rate Recovery Factor:
Residential \$0.52 per bill
General Service-Small \$0.52 per bill
General Service-Large \$0.52 per bill

Councilman Selko made a motion to approve the notification of recovery of rate case expense by Centerpoint Energy. Councilman Brown seconded the motion. The motion passed unanimously.

G. Discussion and Appropriate Action to Authorize the City Manager to utilize CIED Funds for the Procurement of a Digital Marquee for Converse City Hall. (Councilman Pannell) (City Manager)

Mayor Pro Tem Pannell reported that \$305,778 is available for the procurement of a digital marquee from the CIED funds and asked Council to authorize the City Manager to procure a marquee up to \$50,000.

Ms. Dowell stated a local company quoted \$46,000-\$48,000 for a marquee. Due to cost increases, \$50,000 will cover the cost for the same design previously approved. Once a contract is made, the Council will have the budget amendment for approval.

Councilman Selko suggested discussing in length the location of the marquee and possibly placing the marquee at a major arterial entrance to the City. Mr. Hoppes replied that he has wiring in place on S. Seguin Road in front of City Hall and the widening of the road in 2016 may impact the marquee sign location. Mayor Suarez said he has verified with TXDOT and the widening of S. Seguin Road would not affect the City Hall side of S. Seguin.

Councilwoman Beehler made a motion to authorize the City Manager to utilize the CIED funds for the procurement of a digital marquee for City Hall. Councilwoman Richel seconded the motion. The motion passed unanimously.

H. Discussion and Appropriate Action to Approve Budget Amendment Ordinance #108-2012A. (First Reading) (City Manager)

Ms. Dowell will bring the budget amendment to City Council once the contract has been signed.

I. Discussion of the Cibolo Valley Local Government Corporation (CVLGC) status of operations. (City Manager).

Ms. Dowell reported that at this time, there has been no action of any pulling out of CVLGC. Original assumptions from several year back were:

- City staff approached by Schertz-Seguin Local Government Corporation (SSLGC) about the creation of another local government corporation which would involve several cities seeking water resources.
- Participating cities would have ownership of the well field, water plant and the transmission lines.
- CVLGC grew into five members; Schertz, Seguin, Cibolo, Converse and Selma.
- Each city brought in \$250,000. Converse EDC paid \$250,000 on behalf of the City.

At the October 26, 2012 meeting, the SSLGC presentation involved no ownership in the Guadalupe Project and SSLGC would become a whole customer. This presentation is not official and we are looking to see where CVLGC will go in the next few months. Vickrey and Associates will help analyze the best options.

J. Assignment of City Council Liaison Responsibilities. (Mayor Suarez)

Mayor Suarez said he reviewed the liaison responsibilities of the City Council and revised some of the appointed Commissions. The changes to the liaison duties are:

Councilman Brown appointed to the Building and Standards Commission
Councilwoman Richel appointed to the Beautification and Environmental Commission
Mayor Pro Tem Pannell appointed to the Planning and Zoning Commission

All other appointments will remain the same from the November 20, 2012 City Council Meeting.

K. Discussion and Appropriate Action to Authorize the City Manager to Refinance the 2004 General Obligation Bonds. (City Manager)

Ms. Dowell asked to defer the item due to the financial advisor's suggestion to wait until the City knows the participation of the Cibolo Valley Local Government Corporation. Mayor Suarez deferred the item.

L. Discussion and Appropriate Action to Approve a Request to Change the Hours of Operation for Converse North Park from 8:00 AM-12:00 AM to 6:00 AM to 12:00 AM. (Director of Facilities)

Citizens have requested opening the parks earlier for fishing. The item was brought to the Parks and Recreation Commission and the members agreed opening the parks earlier to fish is a great idea. Chief Jamison asked to have the flexibility of closing the restrooms around 8:00 PM or 9:00 PM if nothing is going on and added that vandalism is not an issue in the morning; it is an issue in the evening.

Councilman Brown has received a letter from a resident in North Park regarding youth sporting leagues playing too close to the fence line of the homes. Resident is also concerned about the parks opening earlier and citizens using to running trail may become an issue once the running trail is developed.

Mayor Pro Tem Pannell made a motion to approve changing the park hours to open at 6:00 AM and close at 9:00 PM. Councilman Brown seconded the motion. The motion passed unanimously.

M. Discussion of the Converse Water Department's 3rd Party Billing Status of Operations. (Mayor Suarez) (City Manager).

Ms. Dowell said the City has been fully operational for three months on the INCODE process for the utility billing. The current company has been entering erroneous deadlines and significant problems. We are looking for corrective actions and we may seek other options for a third party billing company.

* (Councilman Selko departed the meeting at 9:00 PM due to personal reasons.)

10. CITY COUNCIL AND STAFF REPORTS: In consideration of Texas Attorney General Opinions 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 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/Item of Interest.

Mayor Suarez thanked Odie Martinez and Rudy Martinez for assisting in the program, Esplanade Gardens for the purchase of the Christmas Tree and Starbucks for the donation. Expressed his gratitude for the utility department staff for working extra hours to process the billing process. Commended Councilman Brown for his humanitarian efforts working with the Red Cross on the Hurricane Sandy disaster.

B. Councilmember's Reports/Items of Interest.

Councilwoman Paschall asked Ms. Dowell if there is any intent to have an orientation for newly elected City Council members. Also asked for the departments contact information to include phone numbers, emails, the city organizational chart, commission member's roster and a key card to the Council Chambers.

Mayor Pro Tem Pannell reported that the Parks and Recreation Commission will host dinner and a movie from 5:00 PM to 7:00 PM. The movie showing will be "Brave, Santa will be available for pictures and Scoup-a-licious will sell hotdogs, chips and a drink for \$5.00.

Councilman Brown reported that the Fire Alumni Association will be hosting the 5th Annual Pancake Breakfast with Santa this Saturday, December 8th from 8:00 AM to 11:00 AM at Fire Station #1. Picture will be taken with Santa for a cost of \$5.00.

Ms. Dowell asked for a date to hold the City Council orientation and asked if it would be mandatory for all Council members to attend. Mayor Suarez replied that the orientation is not mandatory. With a consensus, the Council agreed to hold the orientation after the Christmas Holidays on a Saturday and Mr. Ortiz will conduct the meeting.

C. City Commission Liaison Reports.

Mayor Suarez asked to defer the item.

D. Economic Development Corporation Executive Director's Report.

Ms. Silvas reported the staff is focused on the Build San Antonio Green event that takes place Saturday, December 15, 2012. Staff will meet with UTSA and Vickrey and Associates for the first phase of the Loop 1604 corridor study. The purchase of a property on Hilltop is set for one week and she has been appointed to serve as Treasurer for the Randolph Metrocom Chamber of Commerce.

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

The employee Christmas Party will be held at Cowboys Dance Hall December 8, 2012 and the Commission's Appreciation Christmas Dinner will be held at Papa Dante's Restaurant Thursday, December 6, 2012.

F. City Staff Report's:

1. Report and Discussion of Significant Police Events.

Chief Jamison reported that officers worked 'Black Friday' at Wal-mart Saturday, December 8th. The American Legion Riders will participate in the Blue Santa Program that will assist 27 families to include 91 children from Converse. The Converse Citizens Police Academy begins January 3, 2012. A two-officer directive patrol will work throughout the city beginning December 5, 2012 on certain issues with juveniles.

2. Report and Discussion of Significant Public Utilities Events.

Mr. Perez reported on the customer turn-offs, main breaks and water leaks for the month. The North Cimmaron well has been repaired and the flowing system has been tested. The cost for of repairs was \$3,700.

3. Report and Discussion of Significant Public Works Events.

Mr. Hoppes reported on sidewalk repairs through the city, repaired damage from a water leak on Patsy Street. Rolling Creek Unit 4 infrastructure is continuing and Mac Arthur Park is ready for staff to do a preliminary walk-through. Requesting bids for a water truck, met with CPS Energy and city staff regarding the Toepperwein Road project. Hiring for five positions, received preliminary reports on the upgrade of the swimming pool and will be accepting bids for the repairs.

4. Report and Discussion of Significant Fire and EMS Events.

Chief Wendt reported the Fire Department passed the Semi-annual Texas Commission Fire Inspections and the department is staying busy will calls.

11. EXECUTIVE SESSION.

- A. Executive Session in Accordance with Texas Open Meetings Act Section 551.071. Consultation with City Attorney; Closed Meeting. Consultation with City Attorney regarding potential litigation related to final acceptance of Meadows of Copperfield, Unit 6A. (Mayor Suarez) (City Attorney).**

Mayor Suarez recessed the meeting at 9:33 PM to go into Executive Session.

12. RECONVENE TO OPEN SESSION.

Minutes of City Council Meeting December 4, 2012

A. DISCUSSION AND APPROPRIATE ACTION IN ACCORDANCE WITH TEXAS OPEN MEETINGS ACT SECTION 551.071 REGARDING POTENTIAL LITIGATION RELATED TO FINAL ACCEPTANCE OF MEADOWS OF COPPERFIELD, UNIT 6A. (Mayor Suarez)

Mayor Suarez reported no action required.

13. ADJOURNMENT.

Mayor Suarez adjourned the meeting at 10:20 PM.

PASSED AND APPROVED this 15th day of January, 2013.



Al Suarez

Mayor Al Suarez

ATTEST:

Jackie Gaines

Jackie Gaines
City Secretary