



Expanding Horizons

CITY OF CONVERSE
CITY ADMINISTRATION

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**MINUTES
CITY OF CONVERSE
CITY COUNCIL MEETING
August 20, 2013 - 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, August 20, 2013 at 7:00 p.m.

1. **CALL TO ORDER**

At approximately 7:00 p.m. Mayor Suarez called the meeting to order.

2. **INVOCATION**

The Invocation was announced by Mayor Pro-Tem Randy Pannell.

3. **PLEDGE OF ALLEGIANCE: To the U.S. Flag led by Mayor Suarez
To the Texas Flag led by Mayor Suarez**

The US Flag and the Texas Flag were led by Mayor Suarez.

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

Council Members Present:

Mayor Al Suarez
Mayor Pro-Tem Randy Pannell
Councilwoman Kathy Richel
Councilman Steve Brown
Councilman Joe Guastella
Councilwoman Renee Paschall

Council Members Absent:

City Staff and Other Members Present:

City Manager, Shawna D. Burkhart
City Attorney, Felix Arumbula for Ray Ortiz
Asst. City Manager, John Quintanilla

Mayor Suarez recognized Daniel Kershner. Thanked him for being present.

5. **CONSENT AGENDA:**

A. **Receive Minutes of the Planning & Zoning Commission Meeting on June 17, 2013.**

- B. Receive Minutes of the Planning & Zoning Commission Meeting on July 15, 2013.**
- C. Action to Appoint Mr. Michael Roberts as a Member of the Planning & Zoning Commission for a Two Year Term Ending August 31, 2015.**
- D. Action to Appoint Mr. Robert Raney as a Member of the Planning & Zoning Commission for a Two Year Term Ending August 31, 2015.**

Councilman Brown asked to pull item #5A for corrections on page 5 under Mayor's report "Pay raise tabled" review for correction. Mayor Suarez addressed to the members that council is only receiving minutes of the commission.

Mayor Pro-Tem Pannell made a motion to approve item #5A-5D with correction said by Councilman Brown; Seconded by Councilman Guastella. Motion passed unanimously.

6. SPECIAL CONSIDERATION ITEMS:

- A. NONE.**

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 personal attacks shall be allowed.

Mr. Daniel Kershner gave a brief summary of a contract that the school is currently working on security cameras for the school buses. An ordinance was just passed by San Antonio and will need to be adopted by Converse to proceed for the city of Converse. A 75% will go towards the company and 12 % will go to City of Converse. No endorsement will be required from the City.

8. PUBLIC HEARINGS:

- A. Public Hearing on a Rezoning Request on a parcel of land located at 9170 FM 78, Converse Texas (CB 5063 P-74R ABS 431 (PID# 310497)). The property owner is requesting a change in zoning from the current B-3-Commercial District to B-4-Special Commercial District. The purpose of the rezoning request is to operate an automotive shop.**

Public Hearing opened at 7:09 p.m. Mr. Robert Maylee spoke during this time.

Public Hearing closed at 7:10 p.m.

- B. Public Hearing on a Rezoning Request on a parcel of land located at 8980 FM 78, Converse Texas (CB 5071 P-37F (PID# 312871)). The property owner is requesting a change in zoning from the current B-2-Retail Business District to B-4-Special Commercial District. The purpose of the rezoning request is to support the operations of automobile sales.**

Public Hearing opened at 7:11 p.m. Jerry Mark the buyer of the property briefly stated to the members he has been trying to purchase this property for some time.

Mr. Montalvo stated he has lost the contract to the buyer due to the length of time that it is taking to come to a solution. He has made a decision to leave the zoning a B-2.

Public Hearing closed at 7:14 p.m.

C. Public Hearing on a Draft of the Loop 1604 Commercial Corridor Study.

Public Hearing Opened at 7:15

Mr. George De La Garza of MDN Architects gave a brief history of the company followed by a power point presentation. The following is a list of high lights from the power point.

- Proposed Development
- Proposed Gateway Locations
- Proposed Gateway Views
- Master Plan
- Thoroughfare Plan
- Proposed Land Uses, Zone 1-Automotive Sector, Zone 2-Retail 1 Sector/Office, Zone 3-Retail 2 & Industrial Sector, Zone 4-Hospitality, Zone 5-Retail 3/Health Care/M.O.B. Park, Zone 6-Retail 4 /Entertainment, Zone 7-Recreational/Proposed Future ETJ.
- 1604 Commercial Corridor Overlay District Plan
- Local Economic Baseline Study
- Phase 1 Converse Economic Impact and Development
- SWOT Analysis

Mr. Jim Sherman a Converse resident stated he was disappointed for lack of Industrial area.

Mr. Grant Lopez a resident of Universal City addressed Converse needs to annex by I-10 before City of Schertz takes it over.

Public Hearing Closed at 7:35 p.m.

D. Public Hearing on proposed changes to Ordinance #612 – Plats & Subdivisions (Chapter 40-Subdivisions) to the standards and fees associated with the process by which plats and subdivisions are approved and developed in Converse, Texas.

Item Pulled.

Assistant City Manager Mr. Quintanilla stated Legal Counsel recommended this item is not ready.

9. OLD BUSINESS:

A. NONE

At approximately 7:36 p.m. Mayor Suarez called for a recess to convene to Executive Session Item #12A.

Councilmember's returned from Executive Session at approximately 8:05 p.m.

10. NEW BUSINESS:

- A. Discussion and Appropriate Action on a Request to Approve a Rezoning Request on a parcel of land located at 9170 FM 78, Converse Texas (CB 5063 P-74R ABS 431 (PID# 310497)). The property owner is requesting a change in zoning from the current B-3-Commercial District to B-4-Special Commercial District. The purpose of the rezoning request is to operate an automotive shop. (Assistant City Manager)**

Felix Arumbula addressed to the members that Spot Zoning is illegal. The actual case that the item would rely on is City of Pharr V. Tippitt 616 S.W.2d 173,176 (Tex. 1981). 10.

Councilman Brown made a motion to approve Item #10A; (No second motion)
Item #10A failed due to lack of second motion.

- B. Discussion and Appropriate Action on a Request to Approve a Rezoning Request on a parcel of land located at 8980 FM 78, Converse Texas (CB 5071 P-37F (PID# 312871)). The property owner is requesting a change in zoning from the current B-2-Retail Business District to B-4-Special Commercial District. The purpose of the rezoning request is to support the operations of automobile sales. (Assistant City Manager)**

Assistant City Manager Quintanilla stated Planning & Zoning recommends to deny item #10B due to spot zoning.
Mr. Arumbula stated the applicant has the option to withdraw. Mayor Suarez stated Item #10B will defer to the will call of the owner.

- C. Discussion and Appropriate Action on a Request to Approve the proposed changes to Ordinance #612 – Plats & Subdivisions (Chapter 40-Subdivisions) to the standards and fees associated with the process by which plats and subdivisions are approved and developed in Converse, Texas. (Assistant City Manager) (First Reading)**

Item #10C Pulled due to Legal Counsels recommendation. Not ready.

- D. Discussion and Appropriate Action on the Draft of the Loop 1604 Commercial Corridor Study. (EDC Executive Director)**

Ms. Kate Silvas stated she is looking forward to Marketing. After a lengthy time of discussing item #10D. Mr. Roy Schaufele briefly stated this is only a draft.
Mayor Pro-Tem made a motion to approve item #10D; Seconded by Councilman Guastella.
Motion passed unanimously.

- E. Discussion and Appropriate Action on a Request to Approve Resolution #687, a Resolution that Provides BEXAR COUNTY ELECTIONS DEPARTMENT to conduct Elections for the City of Converse. (City Manager)**

Councilman Brown made a motion to approve item #10E; Seconded by Councilwoman Richel.
Motion passed unanimously.

F. Discussion and Appropriate Action on Election Calendar. (City Manager)

Councilwoman Paschall made a motion to approve item 10F; Seconded by Councilwoman Richel. Motion passed unanimously.

G. Discussion of Edwards Aquifer Authority Water Triggers. (City Manager) (Director of Utilities)

City Manager Mrs. Burkhart presented a power point of comparison Stage Restriction Triggers. EAA vs. SAWS

H. Discussion of Water Leases & Rates. (City Manager) (Finance Director)

The following is a list of high lights from the power point presentation presented by City Manger Shawna Burkhart.

- Water Calendar Year 2014
- Edwards Aquifer Water
- Alamo Concrete Lease
- SSLGC (Carrizo)
- Blend Rate Required to Meet New Operational Costs
- Percentage of Edwards Water
- Percentage of Total Water
- Blend Rate (X)
- Pumping Data
- FY 2013 Total Water Pumped

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.

- Presentation of the Fire/EMS Grant over \$90K
- China Express Ribbon Cutting

B. Councilmember's Reports/Items of Interest.

- Councilman Brown requested Felix to brief at the next meeting on House Bill 24-14 Open Meetings Act Revision. Controlling Electronic Media

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

- Heroes Luncheon at Esplanade Gardens September 6, 11:30-1:pm, Speakers State Rep. Joe Farias and Live Oak Mayor, Mary Dennis

- Meeting with SAWS August 29, 6:30 p.m.
- 1st Public Hearing of Tax Rate August 27, 6:30 p.m.
- Ballot Drawing 9:00 a.m. August 27, City Attorney Felix will be present requested by Bexar County
- 2nd Public Hearing on Tax Rate at a regular meeting September 3rd at 7:00 p.m.
- ICMA Conference in Boston, held during last week of September

12. EXECUTIVE SESSION:

- A. Executive Session in Accordance with Texas Open Meetings Act of PERMITTED CATEGORIES UNDER SECTIONS 551.071 THROUGH 551.076 AND SECTION 551.087 OF THE TEXAS GOVERNMENT CODE. CONSULTATIONS WITH ATTORNEY; CLOSED MEETING. To seek advice from City Attorney. (Mayor Suarez) (City Manager)**

At approximately 7:36 p.m. Mayor Suarez called for a recess to convene to Executive Session Item #12A.

13. RECONVENE TO OPEN SESSION:

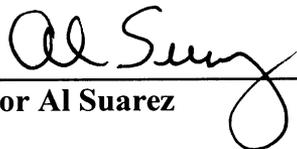
- A. Discussion and Appropriate Action in Accordance with Texas Open Meetings Act of PERMITTED CATEGORIES UNDER SECTIONS 551.071 THROUGH 551.076 AND SECTION 551.087 OF THE TEXAS GOVERNMENT CODE. CONSULTATIONS WITH ATTORNEY; CLOSED MEETING. To seek advice from City Attorney. (Mayor Suarez) (City Manager)**

Mayor Suarez reported no action was required for item 13A.

14. ADJOURNMENT

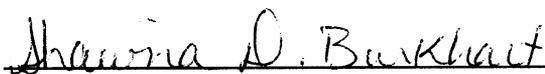
Meeting adjourned at approximately 9:03 p.m.

Passed and Approved by the City Council on this 3rd day of September 2013.



Mayor Al Suarez

Attest:



Shawna D. Burkhart,
City Manager