CONVERSE TEXAS Expanding Horizons

CITY OF CONVERSE
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AMENDED MINUTES
CITY OF CONVERSE
CITY COUNCIL MEETING
DECEMBER 3, 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, December 3, 2013 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 Regular Meeting to order at 7:05 PM.

2. **INVOCATION.**

   The invocation was led by City Manager Shawna Burkhart.

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
   Councilman Steve Brown, Place 6
   Ms. Shawna D. Burkhart, City Manager
   Mr. John Quintanilla, Assistant City Manager
   Mr. Felix Arambula, City Attorney

   Mayor Pro Tem Randy Pannell, Place 4
   Councilwoman Renee Paschall, Place 2
   Councilman Rick Davis, Place 5
   Councilwoman Deborah James, Place 3
   Mr. Ray Ortiz, City Attorney

   Absent: Holly Nagy, City Secretary

5. **CONSENT AGENDA:**
   - **A. Approve Minutes of City Council Meeting of November 14, 2013.**
   - **B. Approve Minutes of City Council Meeting of November 19, 2013.**
   - **C. Accept Building & Standards Commission Minutes for September 25, 2013.**
   - **D. Accept Planning & Zoning Commission Minutes for October 21, 2013.**

Mayor Pro Tem Pannell made a motion to approve Item B. seconded by Councilman Brown. The motion carried.

Item 4A: Mayor read the canvassing of results and the resolution.
Item C: No minutes available.
Item D: Wrong date for P&Z.

Mayor Pro Tem Pannell made a motion to approve the minutes as amended. Councilwoman Richel seconded the motion. The motion was unanimous, the motion passed.

6. SPECIAL CONSIDERATION ITEMS:

A. Recognition of Ryan Sabol, Utility Crew Leader, for his Five Years (5) of Service to the City of Converse. (Mayor Suarez)
B. Recognition of Jon Murchison, Utility Crew Leader, for his Five Years (5) of Service to the City of Converse. (Mayor Suarez)
C. Presentation of Class II ISO Rating by Texas Department of Insurance. (Chief Wendt)

- 6C deferred not ready for presentation.

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 1914 Arabian King

  - Spoke about newspaper article.
  - Anonymous Tip App.
  - Commends Kate Silvas and Lupe Perez for great job.
  - Road & Street crew

- Derrick Burnum 108Gateway Street

  - Gateway Street & Royal Drive in great disrepair.
  - Street sweeper shouldn't be sweeping a street in such disrepair.
  - Concerned about elderly residents needing EMT assistance.
  - Fully supports keep Converse beautiful campaign.
  - Mr. Hoppes will provide a report on this issue at next meeting. (Mayor Suarez)

8. OLD BUSINESS:

-None.

9. NEW BUSINESS:

A. Discussion and Appropriate Action to Approve Ordinance #119-2013 Electing for the City to Make Current Service and Prior Service Contributions to the City's Account in the Benefit Accumulation Fund of the Texas Municipal Retirement System at the Actuarially Determined Rate of Total Employee Compensation. (City Manager) – DEADLINE OF DECEMBER 31, 2013 APPLIES.

- Adjustment done and TMRS noticed substantial increase.

- 8 year phase in. Slight increases actuarial tables.
- 13.68 % increase, budgeted amount and already reflected.
- Adopting new phase in rate of 13.68%
- This is only changing actuarial tables, not the way the numbers are figured.
- Any revisions would go under Section 32-6-26.

Councilman Brown made a motion to approve Ordinance # 119-2013, Councilwoman Paschall seconded the motion, the motion was unanimous. The motion carried.

B. Discussion and Appropriate Action on a Request to Approve the Preliminary Plat #135 known as "FPN Corporate Subdivision". (Assistant City Manager)

- Minutes do not need to be approved prior to a Preliminary Plat approval.
- Mayor Pro- Tem board unanimously approved.

Mayor Pro-Tem Pannell made a motion to approve the Preliminary Plat #135 as presented; Councilman Brown seconded the motion. The motion carried. (5:1)

C. Discussion and Appropriate Action to Approve Resolution #696 of the City Council for the City of Converse, Texas Approving and Authorizing the Payment of the Annual Capital Funds Contribution of $100,000.00 to the Cibolo Valley Local Government Corporation by the City Manager. (City Manager)

- Converse trying to set aside money for permitting.
- Estimated 1 million dollars only for permitting.
- Before pumping or building of well field you must have permit.
- First time CVLGC has designated a specific fund for the permitting process.
- Any balance left over would be remitted back to City of Converse.
- 4,400 Acre Feet of water needed by 2050 to sustain City growth. Survey provided by John Winkler.
- Takes on average 10 years to permit a project.
- The investment is in interest of the long-term.
- Approval limit for City Manager is $75K- must have Council's review and approval for 100K payment.
- This amount is under the 2014 budget.
- Payment is done quarterly beginning December 31, 2013.

Councilwoman Paschall made a motion to approve Resolution #696, seconded by Councilwoman James. The motion was unanimous, the motion carried.

D. Discussion and Appropriate Action to Approve Resolution #695 to Allocate Votes for Nominations for the 2014-2015 Bexar Appraisal District Board of Directors. (City Manager) – DEADLINE OF DECEMBER 15, 2013 APPLIES.

- Reversed votes.

Councilwoman James made a motion to approve resolution #695 as amended, Councilwoman Paschall seconded the motion, the motion was unanimous, the motion carried.

10. <u>CITY COUNCIL AND STAFF REPORTS</u>: 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.

- Attended Bexar Regional Watershed Briefing.
- Cimarron Subdivision some homes placed in 100 Year Flood Plain, Flatland Trail.
- 70% complete waiting for Army Corp of Engineers to release permits.
- Asked Army Corp of Engineers to come give a presentation to residents.
- Takes residents out of the flood plain and will help alleviate the cost of flood plain insurance.
- Other mayors of suburban cities- asking CPS to raise franchise fees.
- Went from 3% to 4%
- Estimated $10,000 a month.
- Looking at bringing back CEID fund.
- Suburban cities asking VIA to be more price competitive.

B. Councilmember's Reports/Items of Interest.

- Mayor Pro Tem thanks Councilwoman James for Christmas decorations.

- Councilman Brown also thanks Councilwoman James for Christmas decorations.
  - Fire Academy breakfast with Santa.
  - Fire Department having issues with going out to get their groceries with fire trucks.
  - Complaints from residents having fire trucks at stores to get groceries.
  - Suggests following parliamentary procedure.

- Councilwoman James thanks for donations for Christmas.
  - Ethics Commission Section 8.01
  - Placed on next agenda to discuss ordinance.

- City Manager Shawna Burkhart

  - Joint meeting between City Council and EDC in January to discuss a request from another city to access wastewater plant.

C. City Commission Liaison Reports.

None.

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

- Working toward audit.
- September financials as finished as they can get.
- Can there be a joint meeting between HFC, PFC and City Council. (City Attorney will review).

11. EXECUTIVE SESSION (Entered 8:15 PM) :

A. Executive Session in Accordance with Texas Open Meetings Act Section 551.071. CONSULTATION WITH CITY ATTORNEY; CLOSED MEETING. Consultation with City Attorney regarding litigation related to Toepperwein Road Reconstruction Project. (Mayor Suarez) (City Attorney)

12. RECONVENE TO OPEN SESSION (Reconvened 9:22 PM) :

A. Discussion and Appropriate Action on Discussion during Executive Session in Accordance with Texas Open Meetings Act Section 551.071. CONSULTATION WITH CITY ATTORNEY; CLOSED MEETING. Consultation with City Attorney regarding litigation related to Toepperwein Road Reconstruction Project. (Mayor Suarez) (City Attorney)

Mayor Pro Tem Pannell made a motion to approve the item as discussed in Executive Session. Councilwoman Richel seconded the motion. The motion was unanimous, the motion carried.

13. ADJOURNMENT.

Mayor Suarez adjourned the meeting at 9:25 PM.

PASSED AND APPROVED THIS 17th DAY OF DECEMBER, 2013.

Al Suarez, Mayor

ATTEST:

Holly A. Nagy
City Secretary

CITY OF CONVERSE, TEXAS