



*Expanding Horizons*

CITY OF CONVERSE  
CITY ADMINISTRATION

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MINUTES  
CITY OF CONVERSE  
CITY COUNCIL MEETING  
FEBRUARY 18, 2014 - 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, February 18, 2014 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 Pastor Milton Smith

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 Renee Paschall, Place 2  
Mr. Felix Arambula, City Attorney  
Ms. Shawna Burkhart, City Manager  
Ms. Holly Nagy, City Secretary

Councilwoman Kathy Richel, Place 1  
Councilwoman Deborah James, Place 3  
Councilman Steve Brown, Place 6  
Mr. John Quintanilla, Assistant City Manager

Absent: Councilman Rick Davis, Place 5

5. **CONSENT AGENDA:**

A. **Approve Minutes of City Council Meeting of February 4, 2014.**

Councilwoman Paschall made a motion to approve Items 5 A, seconded by Mayor Suarez. The motion carried.

**6. SPECIAL CONSIDERATION ITEMS:**

- A. Lt. Pam Hunt was presented with a certificate of recognition for 20 years of service to the Police Dept.
- B. Cpt. Bryant Anderson was presented with a certificate of recognition for 10 years of service to the Fire Dept.
- C. Marcus Gandara was presented with a certificate of recognition for 15 years of service to the Street Dept and Animal Control.
- D. Mr. Milton Smith was presented with a plaque & gift card for his service as the First African American Councilmember for the City of Converse, in Addition to his Service on the First Converse Housing Finance Corporation and Converse Public Facilities Corporation.
- E. Mr. Troy Lott was presented with a certificate of recognition & gift card for his dedicated service to broadening Economic Development in the City of Converse.
- F. Mr. Harold Sergeant was presented with a certificate of recognition for his dedicated service to the beautification of 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.**

-Mr. Jim Sherman

- Mr. Sherman would like for the city to investigate rail road right of way, why doesn't Converse have basic control over the Railroad coming through the city. Mr. Sherman stated that the Railroad should have to pay for the upgrades they need to operate, not Converse.

**8. NEW BUSINESS:**

**A. Discussion and Appropriate Action to Accept the Calendar Year 2013 Racial Profiling Report.**

- Asst. Police Chief Rex Reiner
  - Tier 1 Reports = traffic stops.
  - Tier 2 Reports = all others.
  - Complaint forms are given
  - By law must be presented to Council.
  - No action required.

**B. Action to Approve November 2013 Financials & Investment Report.**

- Ms. Le Ann Piatt, Finance Director
  - We are in the second month of the fiscal year or 16.67% of the year.
  - Revenue collections are 11.83% of budget.
  - Sales tax collections are 17.71% of budget.
  - Total operating expenses are 12.87% of budget, below the benchmark of 16.67%.
  - Expenses exceeded revenues by \$89,806.
  - Cities traditionally have to operate using reserves for the first two months of the fiscal year until Ad Valorem taxes are collected.

### **Utility Fund**

- Total operating revenues collected are 16.63% of budget and expenses are 11.96% of budget.
- Revenues exceeded expenses by \$337,107. However, revenues from water acquisition, impact, and debt service fees are included in this amount. These fees total \$149,278 and are restricted for specific uses.

### **General Debt Service Fund**

- This fund was established to account for the collection of Ad Valorem Taxes and payment of principal and interest on the City's Debt Obligations. Principal on bonds is due February 1<sup>st</sup> and interest is due February 1<sup>st</sup> and August 1<sup>st</sup>.

### **General Capital Projects Fund**

This fund was established to account for tax note proceeds and expenditure of these funds. The remaining funds are from the 2011 Tax Note which is designated for the completion of the computer hardware and software upgrades.

**Item died, due to lack of motion.**

## **C. Action to Approve December 2013 Financials & Investment Reports.**

- Ms. Le Ann Piatt, Finance Director

### **General Fund**

- Revenue collections are 42.40% of budget.
- Ad Valorem tax collections total 67.47% of budget or \$2,887,354.
- Sales tax collections are 25.75% of budget.
- Revenues exceeded budget by \$2,130,540. This is due to the collection of Ad Valorem taxes.
- Total operating expenses are 19.98% of budget, below the benchmark of 25%.

### **Utility Fund**

- Total operating revenues collected are 24.89% of budget and expenses are 19.39% of budget.
- Revenues exceeded expenses by \$407,095.
- Revenues from water acquisition, impact, and debt service fees are included in this amount. These fees total \$242,734 and are restricted for specific uses.

### **General Debt Service Fund**

- This fund was established to account for the collection of Ad Valorem Taxes and payment of principal and interest on the City's Debt Obligations. Principal on bonds is due February 1<sup>st</sup> and interest is due February 1<sup>st</sup> and August 1<sup>st</sup>.

### **General Capital Projects Fund**

-This fund was established to account for tax note proceeds and expenditure of these funds. The remaining funds are from the 2011 Tax Note which is designated for the completion of the computer hardware and software upgrades.

**Item died, due to lack of motion.**

**D. Discussion and Clarification from the Building Department regarding plumbing, roofing and electrical permit fees for minor repairs referenced in the Chapter 8 – Building & Building Regulations.**

- Mr. Gilbert Durant, Building Inspector
  - Discussion ensued regarding documents passed out to council regarding permit fees.
  - List of fees available on Municode.
  - Discussion ensued regarding amount of permits done.

**E. Discussion and Appropriate Action to Appoint Mr. Rodger Dennes to the Parks and Recreation Commission ending March 2016.**

Parks and Recreation Commission approved Mr. Dennes.

Councilman Brown made a motion to appoint Mr. Dennes to the Parks and Recreation Commission, Councilwoman Richel seconded the motion, and the motion carried.

Councilwoman Paschall and Councilwoman James abstained from the vote. (3:2)

Mayor Suarez requested a legal reading for the times when abstention from a vote is appropriate.

Mr. Arambula- Read from Section 2.054- Section B. – VOTING.

**F. Discussion and Appropriate Action to Accept A Donation from Cimarron South Neighborhood Association in the amount of \$6,279.94 for North Park Improvements. (City Manager)**

- Ms. Teresa Mendeta was present on behalf of Cimarron South Neighborhood Association.
- Residents would like to see more lighting for back part of park.
- More playground equipment.
- Picnic tables and grills.
- The money will be set aside in a restricted account in the General Fund.
- Noted in Budget Amendment.
- Councilwoman Richel would like to see a list of all improvements.

Councilwoman Paschall made a motion to accept the donation from Cimarron South Neighborhood Association in the amount of \$6,279.94 for North Park Improvements. Councilman Brown seconded the motion, the motion was unanimous.

**G. Discussion and Appropriate Action to Appoint Mr. Jacob Tabora to the Parks and Recreation Commission ending March 2016.**

- Councilwomen James & Paschall would like to see applications from more candidates.

**- Item died due to lack of motion.**

**H. Discussion and Appropriate Action to Appoint Mr. Dennis Foose of Nat G Compressed Natural Gas to the Economic Development Corporation Board of Directors.**

**- Ms. Kate Silvas**

- Mr. Foose is a new resident of San Antonio area.
- Acceptable for Mr. Foose to be on the EDC Board has been vetted through Bexar Co.
- Discussion ensued regarding Mr. Foose's qualifications as a business owner.
- Councilman Brown asked why Mr. Jim Sherman's application wasn't considered.
- Ms. Silvas stated that the Board decided against it.
- Discussion ensued regarding EDC Bylaws and the amount of people needed for the board.
- 2 applications received, only 3 members on board currently.
- Council would like to see Mr. Sherman's application at the March 4, 2014 City Council meeting.

Councilman Brown made a motion to appoint Mr. Dennis Foose to the Economic Development Corporation Board of Directors. Councilwoman Paschall seconded the motion. The motion was unanimous.

**I. Discussion and Appropriate Action to Approve a Contract with St. Monica School for Park Usage for Calendar Year 2014. (City Manager)**

- Ms. JoAnn Mylacrane was present on behalf of St. Monica's School.
  - Ball fields 1&2 would be used for practice and tryouts.
  - Not a new request has been done in the past.
  - No funding shifted from Church to school.
  - Councilwoman James requested new insurance information be provided to the City of Converse prior to using the fields.

Councilman Brown made a motion to approve the contract with St. Monica School for park usage for year 2014. Councilwoman Richel seconded the motion, the motion was unanimous.

**J. Discussion and Appropriate Action to Approve an Amendment to the 2014 JYSF Baseball Contract.**

**-Item died, due to lack of motion.**

**K. Discussion and Appropriate Action to Approve a Contract with Randolph High School for Park Usage for Calendar Year 2014.**

- Ms. Burkhart requested the item to be pulled until next meeting.

**L. Discussion and Appropriate Action to Approve Amendment to Ordinance 907, Section 2 – Payment for Street Rental, Subsection 2.2, Section 12 – Effective Date and Selection of the CPS Energy Capital Fund or Requested Franchise Fee Surcharge Options. (First Reading) (City Manager) (CPS ENERGY)**

Ms. Burkhart-

- 1.4 Million split between suburban cities.

- 67k per year CEID fund.
- 67-70K additional per year paid.

Councilman Brown made a motion to approve the additional .5% increase (Option A). Mayor Suarez seconded the motion, the motion was unanimous.

**M. Appointment of CVLGC Ex-Officio for the City of Converse.**

- Councilwoman Paschall nominated Councilman Brown.
- Seconded by Councilwoman Richel
- Councilman Brown accepted.

**N. Discussion and Appropriate Action on a Request to Approve Budget Amendment Resolution #690 D 2014 for Alamo Concrete in the Amount of \$87,500.00. (City Manager)**

- Item pulled.
- Figures have changed.
- Additional EAA fees.

9. **CITY COUNCIL & MANAGER 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.**

- Attended Ribbon Cutting for 1604- Councilwoman Paschall was also in attendance.
- Councilwoman Richel stepped down as the liaison for Parks & Recreation Committee, the position is now vacant.
- Councilwoman Paschall will now be the liaison for Planning & Zoning.
- Councilman Brown will be the liaison for EDC.
- Good audience for the Public Hearing on 1516. City Manager, Police Chief and Fire Chief were all in attendance.

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

**Councilman Brown-**

- Attended JLUS meeting, feels Converse should follow that example for the City's Master Plan.
- Expressed concern regarding the late postcards for Strategic Planning Session.
- Councilman Brown read his letter regarding Agenda Item Removal.

**Councilwoman Paschall-**

- Invited fellow council members to review the materials from her TCMA class.
- Partnership is important, shares the same concerns as Councilman Brown regarding Agenda manipulation.
- Feels more like a dictatorship rather than partnership.
- Disappointed in the lack of recognition at events.

**Councilwoman James-**

- Requested that the Mayor Pro-Tem issue be put on the agenda.
- Communication goes both ways.
- Workshops needed to allow Council members to work through issues.
- Would like to see a cell phone policy be put into place.
- Not enough being done in terms of Code Compliance feels the City needs another Code Compliance Officer.

**Felix Arambula, City Attorney**

- Charter review
- Workshops are needed.

**10. EXECUTIVE SESSION (Entered 9:27 PM)**

- A. Executive Session in Accordance with Texas Open Meetings Act Section 551.071 CONSULTATION WITH ATTORNEY. CLOSED MEETING. Impact Fees (City Manager) (City Attorney)

**11. RECONVENE TO OPEN SESSION (Returned 10:21PM)**

- A. Discussion and Appropriate Action regarding Executive Session in Accordance with Texas Open Meetings Act Section 551.071 CONSULTATION WITH ATTORNEY. CLOSED MEETING. Impact Fees (City Manager) (City Attorney).

Councilwoman Paschall made a motion to approve the item as discussed in Executive Session, Mayor Suarez seconded, the Motion passed.

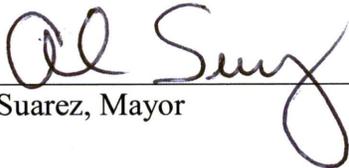
**12. ADJOURNMENT.**

Mayor Suarez adjourned the meeting at 10:22 PM.

**PASSED AND APPROVED THIS 4<sup>th</sup> DAY OF MARCH, 2014.**

ATTEST:

Holly A. Nagy  
City Secretary

  
Al Suarez, Mayor

