



CITY OF CONVERSE
CITY ADMINISTRATION

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**AMENDED
MINUTES
CITY OF CONVERSE
CITY COUNCIL MEETING
MAY 6, 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, May 6, 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 7:03 PM.

2. INVOCATION.

The invocation was led by Assistant City Manager, Mr. John Quintanilla

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
Councilman Rick Davis, Place 5
Mr. Felix Arambula, City Attorney
Mr. Rick Jamison, Interim 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 Jon Lindgren, Place 4

5. CONSENT AGENDA:

- A. Approve Amended Minutes of City Council Meeting of March 18, 2014.
- B. Approve Minutes of City Council Meeting of April 1, 2014.

- C. Approve Minutes of City Council Meeting of April 15, 2014.
- D. Accept Minutes of Parks and Recreation Committee Meeting of February 10, 2014.
- E. Accept Minutes of Parks and Recreation Committee Meeting of March 10, 2014.
- F. Accept Minutes of Economic Development Corporation Meeting of March 11, 2014.
- G. Approve Proclamation #289 Supporting Project Graduation for Judson High School.

Councilman Brown requested to pull Item G.

Councilwoman Paschall made a motion to approve items A-F; Councilwoman James seconded the motion to approve the items.

Councilman Brown Item G also under special consideration items. Mayor Suarez stated that approval needs to be made first through consent agenda. Councilman Brown made a motion to approve item G, Councilwoman Paschall seconded the motion.

6. 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.

-Ms. Doris Sargent

- Annual Relay for Life event hosted by New Life Baptist Church.
- May 9th -Event at Randolph High School.
- Luminaries can be purchased.

7. SPECIAL CONSIDERATION ITEMS:

- A. Presentation of Proclamation # 289 A Proclamation Supporting Project Graduation for the Judson High School Graduating Class of 2014.

- Mayor Suarez read into record Proclamation # 289.

8. CITY STAFF MONTHLY REPORTS:

A. Report by Police Chief.

- Interim Chief Rex Reiner
 - Code Compliance efforts doing well.
 - Replaced access panel in dispatch and updated cameras.

B. Report by Executive Director Converse Economic Development Corporation.

- Ms. Kate Silvas
 - Attended IMAC event in North Carolina for commercial business.
 - Attending International Council of Shopping Centers event in Nevada.
 - Taco Bell beginning construction- scheduled opening June 8th.
 - Looking at retail spaces to expand EDC.
 - 2 Board members not seeking reappointment.

C. Report by Public Utilities Director.

- Chris Brown
- Mr. Perez is ill.
 - 18 water leaks
 - 7 sewer backups.
 - 6 customer leaks.
 - main breaks
 - 12 service leaks
 - Replaced 1 fire hydrant
 - 280 turnoffs
 - Installed 4 water meters
 - clean up after prior main breaks- 14 areas remain.

D. Report by Public Works Director.

- Karl Hoppes

Total working days- 22
Hours worked- 344
Employees- 2
Water- 30 repairs
Street- 20 repairs
Park- 1 repair
Ground- 7 repairs
Police- 56 repairs
Fire- 12 repairs
Animal Control- 3 repairs
Water Billing- 0 repairs
Building- 0 repairs
Fleet- 3 repairs/ 5 paperwork items

E. Report by Fire Chief.

- Chief Wendt
- AACOG Communication Trailer being updated.

F. Report by Human Resources Director.

- Absent due to training.
- Report attached to original packet.

G. Report by Library Director.

- Deferred.

9. NEW BUSINESS:

F. Discussion and Appropriate Action to Approve Resolution # 700-2014 A Resolution Approving the Following Agreement and Authorizing the City Manager to Execute the Same on Behalf of the City: Texas Department of Transportation Local Transportation Project Advance Funding Agreement.

- Due to time constraints item 9 F moved to top of list.
- Jonathan Bean- TxDOT was present to discuss the FM 1516 project.
- Presentation ensued.
- Discussion ensued regarding funding.
- Councilman Brown suggested bringing back at next meeting.

Councilman Brown made a motion to table for two weeks for research and development. Mayor Suarez seconded the motion. Motion passed (6:1) Councilwoman James against.

D. Discussion and Appropriate Action on a Presentation Presented by Force Multiplier Company-BusGuard.

- Presentation ensued.
- Interim City Manager
 - Staff supports
 - Judson on board.
 - Would use Peace Officers instead of burdening Converse Officers.
 - Would like to have done prior to new school season.
 - If approved tonight, will send paperwork to attorney for review.
- Discussion ensued regarding Court jurisdiction.
- City Attorney
- One other city concerned about litigation possibilities using the program.
- Encourages a stipulation protecting city from litigation. Discussion needs to be held with JISD regarding who would be responsible.

Councilwoman Paschall made a motion to approve allowing City Manager to execute draft interlocal agreement with county and drafting of ordinance. Councilwoman James made an amendment to the motion to do further research with regard to liability in the event someone chooses to sue in the implementation of this program. Councilman Brown seconded the motion, the motion passed. (6:1) Councilman Davis against.

A. Discussion and Appropriate Action on a Request to Approve the Final Plat # 133 known as "Kitty Hawk Retail".

- Assistant City Manager, John Quintanilla
 - City staff recommends approval.

Councilwoman Richel made a motion to approve Item A as presented, Councilman Brown seconded the motion the motion passed.

B. Discussion and Appropriate Action on Ordinance No.120, an Ordinance amending the Code of Ordinances, City of Converse, Texas, Part II, Chapter 1, General Provisions, Section 1-3.

Rules of construction and definitions. "Shall", by amending the definition of "Shall"; providing a severability clause; and establishing an effective date.

- Discussion ensued about locations of "Shall"
- City Attorney- Black's Law Dictionary term used.
- Shall is always mandatory/imperative.
- Second reading- May 20, 2014.

Councilman Brown made a motion to approve Ordinance No. 120 amending the definition of "Shall" Part II, Chapter 1, General Provisions, Section 1-3 Rules of construction and definitions, the motion was seconded by Councilwoman James. The motion was unanimous. (Amended)

C. Discussion & Appropriate Action on Ordinance No.121, an Ordinance amending the Code of Ordinances, City of Converse, Texas, Part II, Chapter 2, Administration, Article II. City Council, Division 2. Rules of Procedure, Section 2-46. Agenda. Subsection (b), by amending the subsection to include in the event the Mayor removes an item from the agenda the Mayor or his designee shall notify via e-mail the sponsor(s) prior to the final agenda's release; providing a severability clause; and establishing an effective date.

- Discussion ensued regarding protocol for notifying council of removed agenda items.

Councilman Brown made a motion to approve Ordinance No. 121 as amended. Councilwoman Richel seconded the motion. The motion failed. (3:3) Mayor and Council members Davis and Paschall against.

E. Discussion and Appropriate Action to Reappoint Marc Gilbert as President of the Economic Development Corporation.

- Kate Silvas, EDC, Executive Director.
- The Board would be like to reappoint Mr. Gilbert as President for another 2 years.

Councilman Brown made a motion to reappoint Mr. Gilbert, as president to the Converse EDC for another 2 years. Councilwoman James seconded the motion. The motion passed.

G. Discussion and Appropriate Action to Award the Self Contained Breathing Apparatus (SCBA) Grant to Scott Safety.

- Fire Chief Richard Wendt
 - Received approval through NIOC for Grant.
 - Scott Breathing Apparatus used in the past.
 - Changes to 2013 standard greatly enhances safety.
 - Presentation ensued regarding specifics of breathing apparatuses.
 - FEMA Grant received in 2012.

Councilwoman Paschall made a motion to approve the SCBA Grant to Scott Safety. Councilwoman Richel seconded the motion. The motion passed.

H. Discussion and Appropriate Action to amend Ordinance No. 401F-2014 Stop Sign Ordinance-Thornton/Miramar.

- Deferred.

I. Discussion and Appropriate Action on a Request to Appoint Lloyd Littrell as a Member of the Building & Standards Commission for a Two (2) Year Term Ending April 30, 2016.

- Asst. City Manager, John Quintanilla.
- Mr. Littrell currently serving as alternate and would like to be a member.

Councilwoman Brown made a motion to appoint Mr. Litterell to the Building and Standards Commission. Councilwoman Richel seconded the motion. The motion passed.

J. Discussion and Appropriate Action on a Request to Appoint of Ian Krohn as an Alternate Member to the Building & Standards Commission for a Two (2) Year Term Ending April 30, 2016.

- Asst. City Manager, John Quintanilla.
- Mr. Krohn would serve as the alternate since Mr. Litterell became a member.

Councilwoman James made a motion to approve Mr. Krohn as an alternate member to the Building and Standards Commission.

K. Discussion and appropriate action on Ordinance No. 119, an Ordinance amending the Code of Ordinances, City of Converse, Texas, Part II, Chapter 2 “Administration “Article III. Boards, Committees, and Commissions: Division 5: “Ethics Review Board”; providing a severability clause; providing a penalty clause; and establishing an effective date.

- Discussion ensued regarding various changes incorporated into document.
- City attorney received 2 changes.
- Additional changes can be made during second reading.
- Councilwoman James
 - Council members were given three weeks to give comments.
 - Trying to establish and begin Ethics Review Board.

No action taken at this time- more changes needed.

10. 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. City Commission Liaison Reports.

- **Councilman Davis**
 - 8 businesses on the agenda.
 - Officer Alvarado doing a good job.

B. City Manager’s Report & Discussion of Future Agenda Items/Items of Interest.

- Municode Update- Submitted 6 Ordinances for revisions.
- Water issue- give to water department for review. Will be sent to Municode for update.
- CVLGC Meeting on May 22, 2014- encourages all of Council to attend.

- C. Councilmember's Reports/Items of Interest.
- **Councilwoman James**
 - Will be out of town May 22 – 25.
 - **Councilwoman Paschall**
 - Citizen complaint about animal control.
 - Stray dogs and cats not picked up until a problem.
 - Rick Jamison
 - Due to the lack of facilities unless an animal poses an immediate risk animals are left alone.
 - JISD Lady Rockets Track team won state championship- would like to see proclamation recognizing efforts.
 - **Councilman Brown**
 - Executive Session allowed at anytime?
 - Discussion ensued regarding Open Meetings Act.
- D. Mayor's Report/Items of Interest.
- How does Stage III compare to actual ordinance.
 - Website says something entirely different.

11. EXECUTIVE SESSION: (Entered 10:00 PM)

- A. Executive Session in Accordance with the Texas Open Meetings Act § 551.071. CONSULTATION WITH CITY ATTORNEY; CLOSED MEETING. Consultation with the legal counsel to discuss Viable Water Resource Options.**

12. RECONVENE TO OPEN SESSION: (Reconvene 11:31 PM)

- A. Discussion and Appropriate Action on Discussion during Executive Session in Accordance with the Texas Open Meetings Act § 551.071. CONSULTATION WITH CITY ATTORNEY; CLOSED MEETING. Consultation with the legal counsel to discuss Viable Water Resource Options.**

No Action taken.

13. ADJOURNMENT.

Mayor Suarez adjourned the meeting at 11:32 PM.

PASSED AND APPROVED THIS 20th DAY OF MAY, 2014.

Al Suarez, Mayor

ATTEST:

Holly A. Nagy
City Secretary