



*Expanding Horizons*

CITY OF CONVERSE  
CITY ADMINISTRATION

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MINUTES  
CITY OF CONVERSE  
CITY COUNCIL MEETING  
October 15, 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, September 17, 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 7:00 PM.

**2. INVOCATION.**

The invocation was led by Mayor Pro Tem, Randy Pannell.

**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  
Councilman Joe Guastella, Place 5  
Ms. Shawna D. Burkhart, City Manager  
Mr. Ray Ortiz, City Attorney

Mayor Pro Tem Randy Pannell, Place 4  
Councilman Steve Brown, Place 6  
Mr. John Quintanilla, Assistant City Manager  
Ms. Holly Nagy, City Secretary

Absent: Councilwoman Kathy Richel, Place 1  
Councilwoman Renee Paschall, Place 2

**5. CONSENT AGENDA.**

- A. Approve Minutes of City Council Meeting of September 17, 2013.**
- B. Approve Minutes of City Council Meeting of September 18, 2013.**
- C. Approve Minutes of City Council Meeting of September 20, 2013.**
- D. Accept Building & Standards Commission Minutes for June 26, 2013.**
- E. Accept Planning & Zoning Commission Minutes for August 19, 2013.**
- F. Accept Economic Development Corporation Minutes for September 10, 2013.**

Councilman Brown asked to pull Item B from the Consent Agenda.

Mayor Suarez asked to pull Item C from the Consent Agenda.

-Item B- Correct SEED to CIED funds. Pg 2 of 2

-Item C- The comment "Mayor Suarez supports the budget but not tax rate increase." Should be reflected in the comments made during the September 20, 2013.

Mayor Pro Tem Pannell made a motion to accept the Items pulled as amended, Councilman Brown seconded the motion. The vote was unanimous. The motion carried.

Councilman Brown made a motion to approve Items A, D, E, and F, Councilman Guastella seconded the motion. The vote was unanimous. The motion carried.

**6. SPECIAL CONSIDERATION ITEMS.**

**A. Recognition of Trish Neeley, Court Clerk, Municipal Court, for her Twenty Five Years (25) of Service to the City of Converse. (Mayor Suarez)**

Ms. Neeley received special recognition from Mayor Suarez and the City Council for her 25 years of service to the City of Converse and was given a certificate of appreciation and a city coin.

**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.

-Wesley Brown 12474 Starcrest Drive, San Antonio- Texas Refuse LLC would like to submit an RFP for the City's Waste Management Services.

- Reassess needs
- Recycling
- Highest quality of service
- Pricing

- David Hernandez owner of 9260 FM78

- Opening small Cuban restaurant..
- Problems with Building Inspector.
- Tenants are now required to hire architect who knows building code.
- Building Inspector asking for things not in the code.

**8. OLD BUSINESS:**

A. Discussion and Appropriate Action on a Request to Amend Ordinance 702, Section (Chapter 46-Utilities Article IV, Water, Division-Water Conservation, Subdivision III. Water Drought-Emergency Declarations, Section 46-Utilities 191 through 46-195), the City of Converse ordinance that mandates water conservation measures during drought stages. (City Manager) (Director of Utilities)(Second Reading).

- Ms. Burkhart moving from SAWS standards to EAA trigger levels.
- Prevent being behind curve for pumping requirements.
- Will be advertised in paper, website and on marquee.
- Lupe Perez is the Conservation Coordinator.
- Credits for low flow toilet installation.
- Discussion ensued about verbiage in the Ordinance.
- Councilman Brown suggested placing a one-time credit restriction.
- Discussion ensued regarding discarded toilets.
- Limit amount of interpretation.
- Tabled, sent back to staff for review and changes.
- First Reading will need to be held again.

Councilman Guastella made a motion to table the Amendment of Ordinance # 702 Mayor Pro Tem Pannell seconded the motion. The motion carried.

**9. NEW BUSINESS:**

**A. Discussion and Appropriate Action on the Live Oak Water Leasing Agreement. (City Manager)**

- 150 Acre Feet of water.
- Previous amount (350 acre ft) not needed in its entirety.
- Live Oak has paid EAA management fees in full. Price inclusive of the EAA management fee.
- Transferred permit to pump 150 Acre Feet. Permit must be in City of Converse name by the end of December.
- Mayor Suarez thanks Mayor Dennis from the City of Live Oak.

Mayor Pro Tem made a motion of approval, Councilman Guastella seconded the motion. The vote was unanimous. The motion carried.

**B. Discussion and Appropriate Action on the Procurement Policy. (Finance Director)**

- Has not been changed, City Council must review annually.

Councilman Guastella made a motion of approval of the Procurement Policy, Councilman Brown seconded the motion. The vote was unanimous. The motion carried.

**C. Discussion and Appropriate Action regarding Bexar County Resolution # 687. (Mayor Suarez)**

- Memorandum of Understanding
- Other cities joined and lowered the cost for Converse.
- Poll locations available on website

Mayor Pro Tem Pannell made a motion of approval, Councilman Guastella seconded the motion. The vote was unanimous. The motion carried.

**D. Discussion on House Bill 2414. (Councilman Brown)**

- Felix Arambula gave a Powerpoint presentation on the Open Meeting Act.
- City looking to automate Council Chambers.

**E. Discussion and Appropriate Action on the new Voter ID Law. Spanish/English (City Manager)**

- Spanish/English Flyers provided by Bexar County Elections.
- Voter ID law is being litigated and until there is a final ruling in Court City is required to follow voter ID requirement.

**F. Discussion and Appropriate Action on the EDC Incentive Policy approved September 10, 2013 EDC Meeting. (EDC Exec. Director)**

- Short outline presented.
- City will consider providing incentives to incoming businesses.
- Mayor commends EDC for bringing this program back to life.

**G. Discussion and Appropriate Action to Accept the Economic Development Corporation Financials for period ending on August 31, 2013. (EDC Exec. Director)**

- Financial report given.
- Sales Tax projection.
- Figures reported by State Comptroller.
- Numbers are 2 months delayed.

Councilman Guastella made a motion of approval of the EDC financials; Mayor Pro Tem Pannell seconded the motion. The vote was unanimous. The motion carried.

**H. Discussion and Appropriate Action Accept City Financials through August 31, 2013. (Finance Director)**

- General Fund
- \$8.7 million in revenues
- \$ 7.3 million in expenditures
- Utility Fund
- \$2.1 million in radio reads
- 87.69% (\$6.3 million revenue)
- 79.33% (\$5.6 million expenditure)

Councilman Guastella made a motion of approval of the City Financials through August 31, 2013, Councilman Brown seconded the motion. The vote was unanimous. The motion carried.

**I. Discussion and Appropriate Action to Set Date, Time, Location and to Approve the Moderator for "Meet the Candidates." (City Manager)**

- Due to short notice and the lack of availability of the candidates for a "Meet the Candidates" event the Council decided to cancel this year's event.

**J. Discussion and Appropriate Action on an amendment to the Werling Pay Plan Update. (City Manager)**

- Nothing changed in the data.
- The change didn't carry over to the correct column.

Councilman Guastella made a motion of approval of the amendment to the Werling Pay Plan; Mayor Pro-Tem Pannell seconded the motion. The vote was unanimous. The motion carried.

**K. Discussion and Appropriate Action to Designate the Herald Newspaper as the Newspaper of Record. (City Manager)**

- The Local publishes once a month and isn't frequently enough for the City's legal postings.
- Express News has broader coverage; however The Herald is more cost effective.
- Councilman Brown expressed concern about some residents having issues with delivery of the Herald paper.

Councilman Guastella made a motion of approval to designate the Herald Newspaper as the Newspaper of Record; Mayor Pro-Tem Pannell seconded the motion. The vote was unanimous. The motion carried.

10. **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.**

- Mayor Suarez thanks the EDC for having the ribbon cutting for the Best Little Gift Shop in Texas, and support of new businesses in Converse.

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

- Councilman Guastella- apologizes for missing the ribbon cutting, appreciates all that the EDC does.
- Councilman Brown- thank you to the Converse Fire Department and Lions Club for NIOC.

City Commission Liaison Reports.

- Councilman Guastella- Parks and Recreation meeting scheduled for the end of the month.
- Councilman Brown- Building and Standards- No meeting.
- Mayor ProTem Pannell Planning & Zoning meeting next Monday.
- Ms. Burkhart- CVLGC met on October 15, 2013 group is working on furthering exploration of well sites in county.

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

- City Auction on Saturday, October 19, 2013. Registration at 8 AM Auction at 9 AM.

**D. City Staff Reports:**

**1. Report and Discussion of Significant Police Events.**

- Chief Jamison
- NIOC no major events to report.
- Traffic during football season along 1516 and Schaffer Road is difficult.
- Blue Santa is in motion. Have eligible families stop by PD and pick up an application.
- November 5, 2013 Blood Drive in Police Department parking lot.
- Mayor Pro Tem asked about PTSD training for officers.
- Officers are trained for Crisis Intervention.

**2. Report and Discussion of Significant Public Utilities Events.**

- Lupe Perez
- 12 water main breaks 1 -12" main on 1604 lost about million gallons of water
- 7 sewer backups.
- Assisted Streets Department with concrete work.
- 243 Turn offs, fixed 3 leaks, 25 customer leaks, set 6 meters calibrated 12.
- Well and Lift Station Maintenance.
- Grace Period considered for furloughs.

**3. Report and Discussion of Significant Public Works Events.**

- Karl Hoppes
- Rolling Creek stop signs and speed limit signs installed. Long Shadow Meadow white stripes

- being put down.
- Hayden Paving installed curbs and driveways, remainder of sidewalks left unfinished will be done by Public Works.
- 30 Tons of asphalt in Airport City area.
- NIOC stages and fencing.
- 4 dump truck load of grass and weeds removed throughout city.
- Mowing/Trimming of Well Sites.
- Vehicle maintenance.
- Sidewalk on Ann Street up 6 inches, on list to replace.
- An employee from Live Oak will be assisting in weed removal, Converse providing chemicals.
- City Park- big mountain of dirt will be utilized on Rocket Lane. Waiting for telephone poles to be moved.

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

- Chief Wendt
- Still waiting for Grant.
- Checking different companies and getting quotes.
- Mayor Pro Tem asked if FD checks heaters.
- Public Service offers heater checks, if resident thinks they have an issue with carbon monoxide FD will come out and check with a meter.

**5. Report and Discussion of Significant Human Resources Events**

- John Rudd
- In process of revising Employee Handbook.
- Mayor Pro Tem- The City needs more employee training programs.

**6. Report and Discussion of Significant Library Events.**

- City Manager
- New carpet installed.

**11. EXECUTIVE SESSION: (Entered 9:08 PM)**

- A. Executive Session in Accordance with Texas Open Meetings Act Section 551.074. PERSONNEL MATTERS; CLOSED MEETING. To deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee- City Manager's Annual Evaluation. (Mayor) No Action at this time.
- B. 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 10:33 PM)**

- A. Executive Session in Accordance with Texas Open Meetings Act Section 551.074. PERSONNEL MATTERS; CLOSED MEETING. To deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee- City Manager's Annual Evaluation. (Mayor)
  - No action taken at this time.

- B. 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)

- No action taken at this time.

**13. ADJOURNMENT.**

Mayor Suarez adjourned the meeting at 10:34 PM.

**PASSED AND APPROVED THIS \_\_\_\_\_ DAY OF October, 2013.**

\_\_\_\_\_  
Al Suarez, Mayor

ATTEST:

\_\_\_\_\_  
Holly A. Nagy  
City Secretary