



Expanding Horizons

CITY OF CONVERSE
CITY ADMINISTRATION

403 S. Seguin
Converse, Texas 78109
(210) 658-5356
Fax: 659-0964
www.conversetx.net

**MINUTES
CITY OF CONVERSE
CITY COUNCIL SPECIAL CALLED MEETING
April 26, 2012 - 3:00 PM**

Be it known that the City Council of the City Of Converse met for a Special Called Meeting at the City Hall Conference Room at 405 South Seguin Street on Thursday, April 26, 2012 at 3:00 PM. A quorum of the following commissions may be present: Beautification & Environmental, Building & Standards, Charter Review, Economic Development Corporation, Park & Recreation and Planning & Zoning.

1. CALL TO ORDER.

Mayor Suarez called the Special Called Meeting to order at approximately 3:00 PM.

2. ROLL CALL AND RECOGNITION OF VISITORS.

Mayor Suarez asked for the roll call and stated all Council Members are present with the exception of Councilman Andy Selko due to a family emergency.

Mayor Al Suarez
Councilwoman Kathy Richel, Place 1
Councilman Randy Pannell, Place 4
Ms. Shawna Dowell, City Manager
Mr. Ray Ortiz, City Attorney

Mayor Pro Tem, Grant Lopez
Councilwoman Laura Beehler, Place 5
Councilman Steve Brown, Place 6
Mr. John Quintanilla, Assistant City Manager

Councilman Pannell asked the Mayor for point of order. Councilman Pannell said this is directed to the City Attorney. For the record, let me read to everyone that is here. "2.42 Special Meetings, Special Meetings may be called by the Mayor or the majority of the City Council members in accordance with the City Charter or the state law. The notice of the date, place and subject of each meeting shall be in accordance with state law. My question to you Sir, it specifically and clearly states 'by the majority of the council'. For the record, I would like to know what the majority of the council was that wanted to have this meeting, for legal reasons."

Mayor Suarez asked if they were present today.

Mr. Ortiz replied there has to be four and did not know if they were present today.

Councilman Pannell said he wanted the four names, for the record, before he proceeded. Mr. Ortiz replied that whichever the four are that asked to have this meeting can speak up and announce who they are. Mayor Suarez said he did not call this meeting and had nothing to do with the meeting.

Mayor Suarez asked to have the quorum of the sponsoring Council Members stated for the record.

Councilman Brown stated he called for the meeting and gave the sponsoring Council Members the subject matter with the guidance of the City Attorney. Councilman Brown, along with Councilman Selko, Councilwoman Richel and Councilwoman Beehler sponsored the meeting. Councilman Brown only spoke of the subject on the

City Council Minutes of Special Called Meeting April 26, 2012

advice of the attorney to the sponsoring council members, asking them if they could come to a Special Call Council meeting. Councilman Brown added he has been given legal advice at this point that we should adjourn the meeting and assure proper posting of the agenda. Councilman Brown made a motion to adjourn this meeting.

Mayor Suarez asked for a point of order, and stated he was the Chairman of this board and that Councilman Brown was asked to just answer the question. Mayor Suarez stated he will now take over the meeting.

Councilman Pannell replied to the Mayor that he has one more item to discuss.

Mayor Suarez replied to go ahead.

Councilman Pannell directed his question to the attorney. "When I got the phone call from Councilman Brown, it was, Randy, can you be at a meeting at 3:00 on Thursday, and if you can't, that's ok, I already have a quorum." "Is that ok?"

Mr. Ortiz replied yes. The Special meetings can happen at any time and in order to figure out if you have at least four available to attend, the only way to do this is to communicate with the council members individually asking if they are available to be present. If you have at least four saying yes I can and yes I want to sponsor the topic, it can be noticed and then we meet. The issues that came up for this meeting to discuss were possible violations of the City Charter provisions by certain Council Members. This Special Called Meeting Agenda is not worded in this capacity. Another category in the Open Meetings Act specifically addresses Closed Meetings to hear complaints or charges against an officer, or employee of the governing body. Any broad discussion will be in violation of the Open Meetings Act. Mr. Ortiz advised the Council not to discuss any issues until the agenda is properly posted.

Mayor Suarez asked if the Council can dispense with the Executive Session and hold a public meeting.

Mr. Ortiz replied that the Council does not have to have an executive session. If the subject employee or officer wishes to have the meeting in the public, they can. If they wish to hold it in executive session, they can do that as well. The three officials or employees listed on the agenda are the Mayor, City Manager and the Assistant City Manager as either being sponsored or are the subjects of the discussion.

Mayor Suarez stated he would rather have a public meeting, I do not have anything to hide and being here six years, I would have a lot to add.

Mr. Ortiz stated that any charges or complaints cannot happen here in public or in private but it can happen later.

Mayor Suarez replied that there might be some counter charges.

Mr. Ortiz said all that can happen, but we have to get the item on the agenda properly.

3. **ADJOURNMENT.**

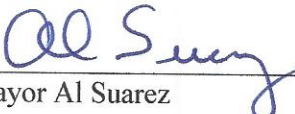
Councilman Pannell made a motion to adjourn the meeting.

Councilwoman Richel seconded the motion. The motion passed unanimously to adjourn the meeting at approximately 3:12 PM.

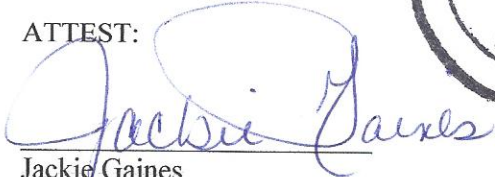
City Council Minutes of Special Called Meeting April 26, 2012

PASSED AND APPROVED THE 3RD DAY OF JULY, 2012.




Mayor Al Suarez

ATTEST:


Jackie Gaines
City Secretary