

CITY OF SEGUIN CITY COUNCIL AGENDA
City Hall Council Chambers
210 E. Gonzales Street
Seguin, Texas 78155
February 17, 2009
5:30 P.M.

Notice is hereby given that the governing body of the City of Seguin, Texas will meet at 5:30 p.m. on the 17th day of February 2009 for a Regular Called Meeting at the City Council Chambers, City Hall, 210 E. Gonzales Street, in the City of Seguin, Texas for the purpose of considering all matters related to the following agenda items:

1. Invocation – Councilmember Dan Daniels
2. Pledge of Allegiance
 - a. Pledge to U.S. Flag
 - b. Pledge to Texas Flag
3. Roll Call
4. Invitation to hear citizens and council members in advance of regular business on items other than what is on the agenda, which shall be limited to five (5) minutes. Discussion of any item not on the agenda shall be limited to:
 - a. Statements of specific factual information given in response to any inquiry.
 - b. A recitation of existing policy in response to an inquiry.
 - c. A proposal to place the subject on the agenda for a future meeting.
5. Approval of minutes of the February 3, 2009 Regular Called Meeting
6. Approval of a Resolution recognizing *Michael Pafort* upon his retirement – Mayor Betty Ann Matthies
7. Certificate of Appreciation awarded to Texas Lutheran University – Mayor Betty Ann Matthies
8. No separate discussion or action on any of the items is necessary unless desired by a council member in which event the matter shall be considered in its normal sequence after the matter not requiring separate discussion has been acted upon by a single motion:
 - a. Approval of an Ordinance on second reading amending the Seguin Code of Ordinances Chapter 90, Article II Streets, providing a severability clause, providing an effective date and authorizing city staff to submit this ordinance as a supplement to the Seguin Code of Ordinances
 - b. Approval of an Ordinance on second reading amending the Seguin Code of Ordinances, Appendix C – Fee Schedule, Chapter 90, Article II; providing an effective date, a severability clause, and authorizing the city staff to submit this ordinance as a supplement to the Seguin Code of Ordinances

- c. Approval of an Ordinance on second reading amending Chapter 14, Article I of the City of Seguin Code of Ordinances by adding a new Section 14-6 Prohibiting the Sale or Donation of Live Animals at Certain Locations; providing a penalty; providing for an effective date; providing a severability clause; providing for publication of this ordinance; and authorizing city staff to submit this ordinance as a supplement to the Seguin Code of Ordinances
 - d. Approval of an Ordinance on second reading amending Chapter 18 of the City of Seguin Code of Ordinances by adding a new Section 18-372(d) setting forth criteria to be used in determining whether a building is substandard or constitutes a danger or health hazard to the public; providing for an effective date; providing a severability clause; providing for publication of this ordinance; and authorizing city staff to submit this ordinance as a supplement to the Seguin Code of Ordinances
9. Public Hearing to receive citizen's comments on consideration of an Ordinance of the City Council of the City of Seguin, Texas, ordaining the City's participation in the Texas Enterprise Zone Program pursuant to the Texas Enterprise Zone Act, Chapter 2303, Texas Government Code, providing tax incentives, designating a liaison for communication with interested parties, declaring an emergency and nominating Caterpillar, Inc. to the Office of the Governor Economic Development & Tourism through the Economic Development Bank as an Enterprise Project. The City of Seguin is considering nominating Caterpillar, Inc. for Double Jumbo Enterprise Status for its facility to be located on approximately 180 acres at 1620 W. Kingsbury, Seguin, Guadalupe County, Texas 78155. The City Council will discuss the provision of Tax Incentives and other local financial incentives
10. Discussion and possible action on approval of an Ordinance of the City Council of the City of Seguin, Texas, ordaining the City's participation in the Texas Enterprise Zone Program pursuant to the Texas Enterprise Zone Act, Chapter 2303, Texas Government Code, providing tax incentives, designating a liaison for communication with interested parties, declaring an emergency and nominating Caterpillar, Inc. to the Office of the Governor Economic Development & Tourism through the Economic Development Bank as an Enterprise Project. The City of Seguin is considering nominating Caterpillar, Inc. for Double Jumbo Enterprise Status for its facility to be located on approximately 180 acres at 1620 W. Kingsbury, Seguin, Guadalupe County, Texas 78155. The City Council will discuss the provision of Tax Incentives and other local financial incentives – Kate Silvas, Assistant Director of Economic Development
11. Public Hearing to receive public input regarding a Downtown Historic District Municipal Property Tax Abatement Agreement with Mosheim Mansion, LLC for the facility located at 409 North Austin Street, Seguin, Texas
12. Discussion and possible action on approval of a Resolution authorizing the City Manager to enter into a Downtown Historic District Municipal Property Tax Abatement Agreement with the Mosheim Mansion, LLC for the facility located at 409 North Austin Street, Seguin, Texas – Mary Jo Filip, Main Street Director
13. Presentation on the planned EARTH DAY CELEBRATION and approval of a street closure request for the 100 Block of East Nolte Street during celebration of 9:00 a.m. to 4:00 p.m. – Mary Jo Filip, Main Street Director

14. Presentation of the 2008 Audit Report – Nancy Vaughan, Vaughan & Associates
15. Discussion and possible action on approval of a Resolution authorizing the submission of a 421 Criminal Justice Planning Grant application to the Criminal Justice Division of the Governor’s Office; and authorizing the City Manager to act as the City’s Executive Officer and Authorized Representative in all matters pertaining to the City’s participation in the 421 Grant Program – Don Smith, Director of Planning & Zoning
16. Discussion and possible action on approval of the Quarterly Reports for the following organizations – Susan Caddell, Director of Finance
 - a. Seguin Area Chamber of Commerce
 - b. Seguin Art Center
 - c. Seguin Conservation Society
 - d. Mid-Texas Symphony
 - e. Teatro de Artes de Juan Seguin
 - f. Seguin-Guadalupe County Hispanic Chamber of Commerce
 - g. Seguin Heritage Museum
 - h. Guadalupe County Fair Association
17. Discussion and possible action on approval of the 1st Quarter Investment Report – Susan Caddell, Director of Finance
18. Presentation of the 2008 Racial Profiling Report – Kevin Kelso, Police Chief
19. Discussion and possible action on approval of an Ordinance on first reading amending Section 98-40(b) of the Seguin Code of Ordinances by establishing additional “No Through Truck Traffic” on East Walnut Street beginning at the State Highway 123 Bypass and continuing eastward to the Seguin city limits; providing for penalties for violations thereof; providing for publication of the this ordinance; providing a severability clause; providing for an effective date; and authorizing city staff to prepare this ordinance for submission as a supplement to the Code of Ordinances – Kevin Kelso, Police Chief
20. Discussion and possible action on approval of the following bids:
 - a. Resurfacing of Tennis & Basketball Courts – Tim Patek, Director of Parks & Recreation
21. Discussion and possible action on approval of an Ordinance on first reading amending the Code of Ordinances, Chapter 86. Solid Waste, Article V. Section 86-122, altering the hours during which refuse collection franchisees may collect refuse from certain public, commercial, and industrial customers located in proximity to residences; providing for an effective date; providing a severability clause; providing for publication; and authorizing city staff to submit this ordinance as a supplement to the Seguin Code of Ordinances – Council Member Steve Tschoepe
22. Discussion and possible action on approval of the Design Review Committee recommendation for the Coliseum acoustic painting – Rick Cortes, Assistant City Manager
23. Discussion and possible action to permit an alternate exempt event pursuant to the Coliseum Concession Services Agreement for FY2009 – Rick Cortes, Assistant City Manager

24. Discussion and possible action on approval of the following board appointments – Mayor Betty Ann Matthies

- a. Guadalupe Regional Medical Center Board (Joint Appointment)
- b. Main Street Advisory Board

25. Acknowledgement of Bills

26. Discussion and possible action on approval of a Resolution finding that pursuant to Texas Government Code Sections 551.086 and 552.131 and City of Seguin Resolution No. 99R-93, discussion of Electric Utility Strategic Business and Operations Planning by the City of Seguin is a utility-related matter concerning the City of Seguin's competitive activity, and that if information concerning said matter was disclosed, such information would give an advantage to competitors or prospective competitors of the City of Seguin – Rick Cortes, Assistant City Manager

27. Adjourn into Executive Session pursuant to Section 551.071 and 551.072 of the Texas Government Code for consultation with the City Attorney to seek legal advice on matters subject to the lawyer-client privilege and relating to the following:

- a. Acquisition of real property and pending litigation (*City of Seguin v Peggy Soefje*) and (*City of Seguin v Marvin Soefje*) on eminent domain proceedings – Ross Fischer, City Attorney
- b. Competitive electric matter: *Power Cost Recovery Factor (PCRF)* – Rick Cortes, Assistant City Manager

28. Reconvene into Regular Session for Adjournment

CERTIFICATE

I certify that the above notice of meeting was posted on the Front Door at the Municipal Building, 210 E. Gonzales Street of the City of Seguin, Texas on the 13th day of February 2009 at 3:00 p.m.

Lisa Trevino
City Manager's Office

The City of Seguin is committed to compliance with the Americans with Disabilities Act (ADA). Reasonable accommodations and equal access to communications will be provided to those who provide notice to the City Secretary at (830) 401-2468 at least 48 hours in advance. This meeting site is accessible to disabled persons as there are two (2) parking spaces reserved for the disabled on the east side of the Municipal Building.