

CITY OF SEGUIN CITY COUNCIL AGENDA
City Hall Council Chambers
210 E. Gonzales Street
Seguin, Texas 78155
March 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 March 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 – Mayor Betty Ann Matthies
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 March 3, 2009 Regular Called Meeting
6. 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 to consider a Zoning designation to “Single-Family Residential” for 350 Old Seguin-Luling Rd. voluntarily annexed into the City of Seguin in 2009, 2.23 acres in the John G. King and Benjamin Fuqua Surveys, Abstracts 26 & 131, (ZC 02-09)
 - b. Approval of an Ordinance on second reading amending Seguin Code of Ordinances Appendix C – Fee Schedule. Chapter 102 Utilities; 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
7. Public Hearing to consider a Zoning designation to “Agricultural Ranch, Public Commercial, Retail, and Single-Family Residential” for 420.115 acres, annexed into the City of Seguin in 2006, Ab. 20, A.M. Esnaurizar Survey located off State Hwy 46 North (ZC 13-06)

8. Discussion and possible action on approval of an Ordinance on second reading to consider a Zoning designation to “Agricultural Ranch, Public Commercial, Retail, and Single-Family Residential” for 420.115 acres, annexed into the City of Seguin in 2006, Ab. 20, A.M. Esnaurizar Survey located off State Hwy 46 North (ZC 13-06)
9. Discussion and possible action on approval of a Resolution authorizing the City Manager to execute an Interlocal Agreement between the City of Seguin and Seguin Independent School District for the operation of the “Latch Key” Program – Tim Patek, Director of Parks & Recreation
10. Discussion and possible action on approval of a Resolution authorizing the City Manager to execute an Interlocal Agreement between the City of Seguin and Seguin Independent School District for the operation of the “Day Camp” Program – Tim Patek, Director of Parks & Recreation
11. Discussion and possible action on approval of an Ordinance on first reading amending Seguin Code of Ordinances Chapter 86, Article V. Section 86-122(b), altering the hours during which refuse collection franchisees may collect refuse from certain public, commercial, and industrial customers located in proximity to residences; providing a severability clause; providing an effective date; providing for publication; and authorizing staff to submit this ordinance as a supplement to the Seguin Code of Ordinances – Doug Faseler, City Manager
12. Discussion and possible action on approval of an Ordinance on first reading amending the FY2009 General Fund Budget – Susan Caddell, Director of Finance
13. Discussion and possible action on approval of an Ordinance on first reading amending FY2009 Utility Fund Budget – Susan Caddell, Director of Finance
14. Discussion and possible action on approval of an Ordinance on first reading amending FY2009 Special Revenue Fund Budget – Susan Caddell, Director of Finance
15. Discussion and possible action on approval of an Ordinance on first reading amending FY2009 Debt Service Fund Budget – Susan Caddell, Director of Finance
16. Discussion and possible action on approval of a Resolution agreeing to the form of Special District Legislation related to the creation of Guadalupe County Municipal Utility District (MUD) No. 3 in the City of Seguin – Doug Faseler, City Manager
17. Discussion and possible action on approval of a Resolution ratifying the retention of TAS Environmental Services to remediate material at the site of the Kingsbury Street Elevated Tank; finding that such expenditure constitutes an emergency and is necessary to protect the public health or safety, and is further necessary to remedy unforeseen damage to public property – Rick Cortes, Assistant City Manager
18. Discussion and possible action on approval of an Ordinance on first reading amending Chapter 70 of the City of Seguin Code of Ordinances, by adding Article VI, Regulating the Juan Seguin Burial Site; providing for penalties for violations thereof; providing a severability clause; providing for an effective date; providing for publication of this ordinance; and providing for submission to the Seguin Code of Ordinances – Rick Cortes, Assistant City Manager
19. Acknowledgement of Bills

20. Adjournment and move into Executive Session pursuant to Chapter 551, Section 551.071, 551.072 and 551.074 of the Texas Government Code to discuss the following:

- a. Seek advice of City Attorney regarding pending eminent domain litigation and settlement offer *City of Seguin v Peggy Soefje* and *City of Seguin v Marvin Soefje* (Government Code 551.071 & 551.072) – Ross Fischer, City Attorney
- b. Deliberate the purchase and value of real property owned by the Schaefer Trust, and seek advice of City Attorney regarding contemplated eminent domain litigation relating to the C. H. Matthies Jr. street Reconstruction Project (Government Code 551.071 & 551.072) – Ross Fischer, City Attorney
- c. Personnel Matters: Annual Evaluation of City Manager and amending the Employment Agreement – Mayor Betty Ann Matthies

21. Reconvene into Regular Session for discussion and possible action on approval of the following bids – A.G. Hodges, Project Manager

- a. Walnut Branch Detention Ponds

22. Discussion and possible action on approving a Resolution authorizing the C.H. Matthies Street Reconstruction Project from IH-10 to State Highway 46 in the City of Seguin, Guadalupe County, Texas, finding the project to be a public necessity and convenience authorizing and directing the acquisition by negotiation or eminent domain if necessary and the payment of compensation for all land rights necessary for the project – Ross Fischer, City Attorney

23. Discussion and possible action on approval of a Resolution amending the Employment Agreement for the City Manager and authorizing the Mayor to execute such agreement – Mayor Betty Ann Matthies

24. 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 March 2009 at 3:00 p.m.

Naomi Manski
Assistant to the City Manager

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.