

CITY OF SEGUIN CITY COUNCIL AGENDA  
City Hall Council Chambers  
210 E. Gonzales Street  
Seguin, Texas 78155  
July 21, 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 21<sup>st</sup> day of July 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 – Councilman Tomas Castellon
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 July 7, 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 Change from “Pre-Development” to “Multi-Family (MF-1) with a Specific Use Permit” to allow a nursing home on property located off **Eastwood Drive.**, 7.000 acres out of a 22.423 acre tract, Ab. 35, John Sowell Survey, Property Account #2G0035-0000-32600 (ZC 07-09)
  - b. Approval of an Ordinance on second reading on a request for a Zoning Change from “Pre-Development” to “Duplex (DP-2)” for the property located at **1239 Jefferson Ave.**, 5.816 acres, Ab. 6, H Branch Survey, Property Account #2G0006-0000-33900, (ZC 06-09)
  - c. Approval of an Ordinance on second reading on a request for a Zoning Change from “Pre-Development” to “Duplex (DP-2)” for the property located at **1227 Jefferson Ave.**, 4.780 acres, Ab. 6, H Branch Survey, Property Account #2G0006-0000-26700, (ZC 08-09)

- d. Approval of an Ordinance on second reading amending Section 37 of the General Zoning Ordinance of the City of Seguin by adding Section 37.1 Small Wind Energy Systems (SWES); establishing penalties and offense; providing for a severability clause, providing for publication; declaring an effective date; and authorizing city staff to prepare this ordinance for submission as a supplement to the Zoning Ordinance of Seguin, Texas
  - e. Approval of an Ordinance on second reading amending Chapter 102, Section 102-233 (d) New Users (Industrial Wastewater Discharge Permit); providing for an effective date, providing a severability clause; and authorizing city staff to prepare this ordinance for submission as a supplement to the Code of Ordinances
  - f. Approval of an Ordinance on second reading amending Chapter 98, Article II of the Seguin Code of Ordinances by adding Section 98-42, Designation of “No Through Traffic in Alleys”; providing for penalties for violations thereof; providing for publication of this ordinance; providing a severability clause; providing for an effective date; and authorizing city staff to submit this ordinance as a supplement to the Seguin Code of Ordinances
7. Discussion and possible action on approval of an Ordinance on second reading amending Chapter 90, Article I (8) “Overhanging Vegetation” & Article III “Maintenance of the curb basis” of the City of Seguin Code of Ordinances; 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 - Joe Ramos, City Engineer
  8. Discussion and possible action on approval of an Ordinance on second reading amending Chapter 102, Article V, adding Subsection 102-234 “Maintenance of Underground Utility Easements” of the City of Seguin Code of Ordinances; 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 – Joe Ramos, City Manager
  9. Discussion and possible action on approval of a Resolution authorizing the designation of The Cobb House located at 314 N. River as a Historic Landmark in the City of Seguin and approving the installation of a Seguin Historic Landmark on the property – Mary Jo Filip, Main Street Director
  10. Discussion and possible action on approval of a Resolution authorizing the submission of a Texas Commission on the Arts Reimbursement Grant; 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 Texas Commission on the Arts Grant Program – Mary Jo Filip, Main Street Director
  11. Discussion and possible action on approval of a Resolution approving the Management Services Agreement between the City of Seguin and the Seguin Economic Development Corporation (SEDC) – Doug Faseler, City Manager
  12. Discussion and possible action on approval of an Ordinance on first reading amending the Seguin Code of Ordinances, Appendix C – Fee Schedule, Chapter 18. Buildings & Building Regulations, Article II. Building Code, by adding (e) Code Compliance Inspection Fee and adding (f) Fire Code Compliance Inspection Fee; providing for a severability clause, declaring an effective date, and authorizing staff to prepare this ordinance for submission as a supplement to the Code of Ordinances – Don Smith, Director of Planning

13. Discussion and possible action on approval of an Ordinance on first reading amending the Seguin Code of Ordinances, Appendix C – Fee Schedule, Chapter 50, Sub-section (a) (9) Preliminary Plan Review; providing for an effective date; providing a severability clause; and authorizing city staff to submit this ordinance as a supplement to the Seguin Code of Ordinances – Greg Dreiss, Fire Marshal
14. Discussion and possible action on approval of an Ordinance on first reading amending the Seguin Code of Ordinances, Chapter 50, Section 50-37 Medics on Stand-by for Special Events & 50-38 Fire Watch for Special Events and amending Appendix C – Fee Schedule, Chapter 50, Section 50-14 & 50-15; providing for an effective date; providing a severability clause; and authorizing city staff to submit this ordinance as a supplement to the Seguin Code of Ordinances – Greg Dreiss, Fire Marshal
15. Update on the City of Seguin Police Recruitment Program – Tammy Garcia, Director of Human Resources
16. Discussion and possible action on approval of a Resolution authorizing the City Manager to enter into an agreement with TRC Engineering for engineering services for the Guadalupe Street Phase III Project (North of the railroad to Martindale Street), Bailey Street, and West College Street – Joe Ramos, City Engineer
17. Discussion and possible action on approval of a Resolution authorizing the City Manager to execute an agreement with TRC Engineering for engineering services for the extension of sanitary sewer to FM 725 & Interstate 10 to serve the Love’s Travel Stops & Country Stores – Joe Ramos, City Engineer
18. Discussion and possible action on approval of a Resolution authorizing the City Manager to execute an agreement with Tri-County Surveying, Inc. for surveying services for the extension of sanitary sewer to FM 725 & Interstate 10 to serve the Love’s Travel Stops & Country Stores – Joe Ramos, City Engineer
19. Discussion and possible action on approval of a Resolution authorizing the City Manager to enter into a Maintenance Agreement with Texas Department of Transportation (TxDOT) – Joe Ramos, City Engineer
20. Discussion and possible action on approval of a Change Order in the amount of \$74,280.00 to Jacobs Carter Burgess on the Walnut Branch Linear Park Project – Rick Cortes, Assistant City Manager
21. Discussion and possible action on approval of a Resolution ratifying the award and execution of a contract with NG Painting, L.P. for the internal painting and disinfection of the Elevated Water Tank on Kingsbury Street – Rick Cortes, Assistant City Manager
22. Discussion and possible action on approval of the following bid:  

Utility Tractor (2 Wheel Drive Cab Model) – Mike Mitchell, Purchasing Manager

23. Discussion and possible action on the disposal of cellular telephones – Susan Caddell, Director of Finance

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

a. Schertz-Seguin Local Government Corporation

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*) on eminent domain proceedings – Ross Fischer, City Attorney

b. Competitive electric matter: *Power Supply Contract* – Rick Cortes, Assistant City Manager

28. 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 17<sup>th</sup> day of July 2009 at 3:00 p.m.

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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.