

CITY OF SEGUIN CITY COUNCIL AGENDA
City Hall Council Chambers
210 E. Gonzales Street
Seguin, Texas 78155
July 7, 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 7th 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 – Council Member 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 June 16, 2009 Regular Called Meeting
6. Public Hearing 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)
7. Discussion and possible action on approval of an Ordinance on first 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) – Don Smith, Director of Planning
8. Public Hearing 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)
9. Discussion and possible action on approval of an Ordinance on first 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)

10. Public Hearing on amending the General Zoning Ordinance of the City of Seguin to define and incorporate wind turbines or wind generators
11. Discussion and possible action on approval of an Ordinance on first 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 – Don Smith, Director of Planning
12. Presentation of the Seguin Housing Authority FY2009 Annual Report – Cathy Jackson, SHA Executive Director
13. Presentation on the Rural Area Parenting Program Services (RAPPS) – Bambi Ybarra, LBSW
14. Discussion and possible action on approval of a Resolution adopting the Schertz-Seguin Local Government (SSLGC) FY2009 Budget and making appropriation in accordance with said budget – Alan Cockerell, General Manager
15. Discussion and possible action on approval of a Resolution approving the Schertz-Seguin Local Government (SSLGC) FY2009 Water Rates – Alan Cockerell, General Manager
16. Discussion and possible action on approval of a Resolution approving a contract for the treatment and delivery of water with Springs Hill Water Supply Corporation and authorizing the City Manager to execute said contract – John Schraub, Water Utility Manager
17. Discussion and possible action on approval of an Ordinance on first 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 – William Bisette, Director of Utilities
18. Discussion and possible action on approval of a Resolution authorizing the City Manager to execute an Agreement between the City of Seguin and Love’s Travel Center for the extension, construction, and reimbursement of wastewater services – Doug Faseler, City Manager
19. Discussion and possible action on approval of an Ordinance on first 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 – Council Member Don Keil
20. Discussion and possible action on approval of an Ordinance on first reading amending Chapter 90, Articles I (8) (Overhanging Vegetation) & 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

21. Discussion and possible action on approval of an Ordinance on first reading amending Chapter 102, Article V, adding Sub-section 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 Engineer
22. Discussion and possible action on approval of a Resolution authorizing payment to RLN for the Springs Hill Water Supply Corporation utility improvements to serve the Caterpillar Engine Assembly Facility site – Joe Ramos, City Engineer
23. Discussion and possible action on the rejection of the following bid:
 - a. Landscape & Landscape Irrigation Project – Don Smith, Director of Planning
24. Discussion and possible action regarding the modification of the river banks along the Guadalupe River – Council Member Steve Tschoepe
25. Discussion and possible action to approve the adoption of a retiring police patrol dog – Kevin Kelso, Police Chief
26. Acknowledgement of Bills
27. Report regarding City of Seguin current water usage and needs; report on Kingsbury Street 1.0 MG Elevated Tank – John Schraub, Water Utility Manager and Craig Bell, P.E., TRC Solutions
28. 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:
 - a. Deliberate the purchase and value of real property and contemplated litigation on the Walnut Branch Linear Park properties – Ross Fischer, City Attorney
 - b. Seek legal advice from City Attorney regarding temporary authorization to bring Kingsbury Street 1.0 MG Elevated Tank online – Ross Fischer, City Attorney
 - c. Seek legal advice from City Attorney on contemplated litigation against Diversified Coating, Ltd. and Texas Bonding Company for work related to Kingsbury Street 1.0 MG Elevated Tank – Ross Fischer, City Attorney
29. Adjournment from Executive Session and reconvene into Regular Session for discussion and possible action on approval of a Resolution in connection with the Walnut Branch Linear Park Project; authorizing all appropriate action by the City Manager, staff, and retained attorney, and consultants, in the institution and prosecution of condemnation proceedings to acquire all land rights necessary for such project, along, adjacent and contiguous to Walnut Branch such land rights being located in Humphries Branch Survey No. 17, Abstract 6, in the City of Seguin, Guadalupe County, Texas, and affirming all acts and proceedings heretofore done or initiated by employees, agents, and attorneys of the City to acquire such property interests; declaring the section of the resolution to be severable one from the other in the event any section of this resolution is determined to be invalid; and declaring an effective date – Ross Fischer, City Attorney

- 30. Discussion and possible action on temporary authorization to bring Kingsbury Street 1.0 MG Elevated Tank online – Ross Fischer, City Attorney
- 31. Discussion and possible action on contemplated litigation against Diversified Coating, Ltd. and Texas Bonding Company for work related to Kingsbury street 1.0 MG Elevated Tank Rehabilitation Project – Ross Fischer, City Attorney

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 2nd day of July 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.