

CITY OF SEGUIN CITY COUNCIL AGENDA  
City Hall Council Chambers  
210 E. Gonzales Street  
Seguin, Texas 78155  
August 4, 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 4<sup>th</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 – 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 July 21, 2009 Regular Called Meeting
6. Approval of a Resolution recognizing **John Schraub** upon his retirement – Mayor Betty Ann Matthies
7. Approval of a Certificate of Recognition presented to **Sheriff Arnold Zwicke** as the recipient of the Tom Tellepsen award at the Sheriff’s Association of Texas Conference – 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 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
  - b. Approval of an Ordinance on second 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
  - c. Approval of an Ordinance on second 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

9. Public Hearing to consider a Zoning Change from “Public and Mixed” to “Commercial” for the property located at **S. Travis St.**, approximately .276 acres, Lts. 1, 2, 3, 4 N ½ of, Blk. 167 & pt. Of 168, Inner Addition, Property Account #1G1460-0167-00100 (ZC 11-09)
10. Discussion and possible action on approval of an Ordinance on first reading to consider a Zoning Change from “Public and Mixed” to “Commercial” for the property located at **S. Travis St.**, approximately .276 acres, Lts. 1, 2, 3, 4 N ½ of, Blk. 167 & pt. Of 168, Inner Addition, Property Account #1G1460-0167-00100 (ZC 11-09) – Don Smith, Director of Planning
11. Discussion and possible action on approval of an Ordinance on first reading to consider annexation of a tract of land totaling 495.550 acres (Oak Village North Area), situated in Guadalupe County, Texas, – Don Smith, Director of Planning
12. Discussion and possible action on approval of an Ordinance on first reading amending Division 4, Historic District Signs, Section 82-167, Special Restrictions, of the City of Seguin Code of Ordinances; providing a severability clause; providing for publication of this ordinance and an effective date; and authorizing city staff to prepare this ordinance as a supplement to the Seguin Code of Ordinances – Don Smith, Director of Planning
13. Discussion and possible action on approval of a Resolution accepting Cash in Lieu of Parkland Dedication for Tijerina Subdivision, Phase III – Don Smith, Director of Planning
14. Discussion and possible action on approval of a Resolution authorizing the acceptance of a Victim Coordinator and Liaison Grant (VCLG) for Fiscal Years 2010 and 2011 from the Office of the Attorney General (OAG) Crime Victim Services Division; 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 VCLG Program – Don Smith, Director of Planning
15. Presentation on the City of Seguin Performance Evaluation System – Tammy Garcia, Director of Human Resources
16. Discussion and possible action on approval of a Resolution ratifying all actions taken by the City Manager to replace a compressor at the Seguin-Guadalupe County Coliseum – Rick Cortes, Assistant City Manager
17. Discussion and possible action on approval of a Resolution ratifying all actions taken by the City Manager to execute a Change Order in the amount of \$50,672.20 to Lupe Rubio Construction for work on Phase III of the Geronimo Creek Sewer project – Joe Ramos, City Engineer
18. Discussion and possible action on proposing a Tax Rate for Tax Year 2009 – Susan Caddell, Director of Finance
19. Discussion and possible action on approval of an Ordinance on first reading amending the Seguin Code of Ordinances, Appendix C – Fee Schedule, Chapter 102, Article III Water, (f), (g), (h), and (i); establishing revised rates for certain water services in the City; providing an effective date and a severability clause; and authorizing staff to submit this ordinance as a supplement to the Code of Ordinances – Susan Caddell, Director of Finance
20. Discussion and possible action on approval of an amendment to the Water Supply and Wastewater Requirements Agreement between the City of Seguin and Rio Nogales Power Plant – Susan Caddell, Director of Finance
21. 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

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

- a. Design Review Committee (1 Appointment)
- b. Planning & Zoning (1 Appointment)
- c. Seguin Economic Development Corporation (2 Appointments)

23. Acknowledgement of Bills

24. 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 Schlender*) on eminent domain proceedings – Ross Fischer, City Attorney
- b. Seek advice of City Attorney regarding pending eminent domain litigation and settlement offer *City of Seguin v Peggy Soefje* – Ross Fischer, City Attorney
- c. Seek legal advice on the valuation, use, and potential lease of the Seguin Hydroelectric Plant and associated legal matters – Ross Fischer, City Attorney and Doug Faseler, City Manager

25. Discussion and possible action on authorizing the City Manager to settle the pending litigation between the *City of Seguin and Peggy Soefje* – Ross Fischer, City Attorney

26. 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 31<sup>st</sup> 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.