

CITY OF SEGUIN CITY COUNCIL AGENDA
City Hall Council Chambers
210 E. Gonzales Street
Seguin, Texas 78155
September 1, 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 1st day of September 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 Bob Pees
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 August 18, 2009 Regular Called Meeting and August 25, 2009 Special 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 20.308 acres, annexed into the City of Seguin in 2009, (Area 1), Ab. 136, Wm Griffin Survey located off **U.S. Hwy 90 East, (ZC 09-09)**
 - b. Approval of an Ordinance on second reading to consider a Zoning designation to “Single-Family Residential”, “Commercial” and “Public” for 115 acres, annexed into the City of Seguin in 2009 (Area 2), Ab. 23, E. Gortari Survey and Ab. 29, A Mansola Survey located off **State Hwy. 123 South and F.M. 467, (ZC 10-09)**
 - c. Approval of an Ordinance on second reading designating an approximate 183.242 acre tract, known as Caterpillar Inc. located at 1720 West Kingsbury Street, Seguin Texas as a Reinvestment Zone pursuant to Chapter 312 of the Texas Tax Code; making certain findings in connection therewith; providing a severability clause and providing an effective date

7. Public Hearing to consider a Zoning Change request for part of **300 Chaparral Dr.**, from “Multi-Family (MF-3)” to “Zero Lot Line Homes” for 10 acres out of 154.15 acres, Ab. 29, A. Mansola Survey, Property Account #2G0029-0000-02000, (ZC 12-09 A)
8. Discussion and possible action on approval of an Ordinance on first reading to consider a Zoning Change request for part of **300 Chaparral Dr.**, from “Multi-Family (MF-3)” to “Zero Lot Line Homes” for 10 acres out of 154.15 acres, Ab. 29, A. Mansola Survey, Property Account #2G0029-0000-02000, (ZC 12-09 A) – Don Smith, Director of Planning
9. Public Hearing to consider a Zoning Change request for **Water Tower Rd.**, from “Zero Lot Line Homes” to “Multi-Family (MF-3)” for 2.98 acres, Ab. 23, E. Gortari Survey, Property Account #2G0023-0000-31200, (ZC 12-09 C)
10. Discussion and possible action on approval of an Ordinance on first reading to consider a Zoning Change request for **Water Tower Rd.**, from “Zero Lot Line Homes” to “Multi-Family (MF-3)” for 2.98 acres, Ab. 23, E. Gortari Survey, Property Account #2G0023-0000-31200, (ZC 12-09 C) – Don Smith, Director of Planning
11. Public Hearing to consider a Zoning Change request for **Water Tower Rd.**, from “Zero Lot Line Homes” to “Multi-Family (MF-3)” for 4.96 acres, Ab. 23, E. Gortari Survey, Property Account #2G0023-0000-31300, (ZC 12-09 D)
12. Discussion and possible action on approval of an Ordinance on first reading to consider a Zoning Change request for **Water Tower Rd.**, from “Zero Lot Line Homes” to “Multi-Family (MF-3)” for 4.96 acres, Ab. 23, E. Gortari Survey, Property Account #2G0023-0000-31300, (ZC 12-09 D) – Don Smith, Director of Planning
13. Public Hearing to consider a Zoning Change request from “Single-Family Residential” to “Multi-Family (MF-3)” for the property located at **16901 F.M. 725**, 3.850 acres, Ab. 23, E. Gortari Survey, Property Account #2G0023-0000-20400, (ZC 13-09)
14. Discussion and possible action on approval of an Ordinance on first reading to consider a Zoning Change request from “Single-Family Residential” to “Multi-Family (MF-3)” for the property located at **16901 F.M. 725**, 3.850 acres, Ab. 23, E. Gortari Survey, Property Account #2G0023-0000-20400, (ZC 13-09) – Don Smith, Director of Planning
15. Public Hearing to consider a Zoning Change request from “Agricultural Ranch”, “Commercial” and “Light Industrial” to “Planned Unit Development” for the property located at **W. IH-10 and F.M. 78**, 539.0054± Acres, Ab. 11, J. D. Clements Survey, Property Account #1G2486-0001-00100, #1G2486-0001-00200, #1G2486-0001-00300, #1G2486-0001-003A0, #2G0011-0000-32200, #2G0011-0000-32210, (ZC 15-09)
16. Discussion and possible action on approval of an Ordinance on first reading to consider a Zoning Change request from “Agricultural Ranch”, “Commercial” and “Light Industrial” to “Planned Unit Development” for the property located at **W. IH-10 and F.M. 78**, 539.0054± Acres, Ab. 11, J. D. Clements Survey, Property Account #1G2486-0001-00100, #1G2486-0001-00200, #1G2486-0001-00300, #1G2486-0001-003A0, #2G0011-0000-32200, #2G0011-0000-32210, (ZC 15-09) – Don Smith, Director of Planning

17. Public Hearing to consider amending the General Zoning Ordinance of the City of Seguin to incorporate a Front Setback requirement in the Downtown Historic District
18. Discussion and possible action on approval of an Ordinance on first reading amending Section 29 the Downtown Historic District, Seguin, Texas Zoning Ordinance by adding C. Front Setback; providing a severability clause and declaring an effective date – Don Smith, Director of Planning
19. Discussion and possible action on approval of an Ordinance on first reading adopting the FY2010 General Fund Budget and making appropriation in accordance with said budget for the period beginning the first day of October 2009 and ending the last day of September 2010; Appropriating money to a sinking fund to pay interest and principal due on the City's indebtedness; fixing the authorized number of employees; providing for the effective date of this Ordinance; providing for the publication of this Ordinance – Susan Caddell, Director of Finance
20. Discussion and possible action on approval of an Ordinance on first reading approving the FY2010 Debt Service Funds Budget and making appropriation in accordance with said budget for the period beginning the first day of October 2009 and ending the last day of September 2010; Appropriating money to a sinking fund to pay interest and principal due on the City's indebtedness; Providing for the effective date of this Ordinance; Providing for the publication of this Ordinance – Susan Caddell, Director of Finance
21. Discussion and possible action on approval of an Ordinance on first reading levying a Tax Rate of \$.4600 for the Tax Year 2009; Providing for the effective date of this Ordinance; and Providing for the publication of this Ordinance – Susan Caddell, Director of Finance
22. Discussion and possible action on approval of an Ordinance on first reading adopting the FY2010 Special Revenue and Fiduciary Funds Budget and making appropriations in accordance with said budget for the period beginning the first day of October 2009 and ending the last day of September 2010; fixing the authorized number of employees; providing for the effective date of this Ordinance; providing for the publication of this Ordinance – Susan Caddell, Director of Finance
23. Discussion and possible action on approval of an Ordinance on first reading adopting the FY2010 Utility Fund Budget and making appropriation in accordance with said budget for the period beginning the first day of October 2009 and ending the last day of September 2010; Appropriating money to a sinking fund to pay interest and principal due on the City's indebtedness; fixing the authorized number of employees; providing for the effective date of this Ordinance; providing for the publication of this Ordinance – Susan Caddell, Director of Finance
24. Discussion and possible action on approval of a Resolution authorizing the City Manager to enter into an Interlocal Agreement for Emergency Medical Services with City of New Berlin – Scott MyCue, Fire/EMS Chief
25. Discussion and possible action on approval of a Resolution authorizing the City Manager to execute a Project Partnership Agreement (PPA) with the U.S. Army Corps of Engineers for the design and construction of the Walnut Branch Section 206 Ecosystem Restoration Project – Rick Cortes, Assistant City Manager

26. Discussion and possible action on approval of a request from First Baptist Church Tejano Fest to hold their festival in downtown Central Park and close the surrounding streets on Saturday, September 19, 2009 from 9:00 am to 6 pm with an option of Sunday, September 20, 2009 as a rain day – Mary Jo Filip, Main Street Director
27. Discussion and possible action on approval of an Ordinance on first reading amending Chapter 98, Article IV, Section 98-105 Two-Hour Parking; declaring the west side of the 400 Block of North Austin Street as a Two-Hour Parking; providing for penalties for violations thereof; providing a severability clause; providing for an effective date; providing for publication of this ordinance; providing for submission of the Code of Ordinances – Mary Jo Filip, Main Street Director
28. Discussion and possible action on approval of a change order in the amount of \$119,600.56 with Texas Department of Transportation (TxDOT) for the Baxter Street Project – Joe Ramos, City Engineer
29. Discussion and possible action on approval of an Ordinance on first reading establishing stop intersections at certain intersections within the City of Seguin, Texas; providing for penalties for violations thereof; providing a severability clause; providing for an effective date; providing for publication of this ordinance – Joe Ramos, City Engineer
30. Discussion and possible action on approval of a Resolution ratifying the submission of a grant for the FY2009 Homeland Security Grant Program (HSGP) from the Alamo Area Council of Governments (AACOG); 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 HSGP Program – Kevin Kelso, Police Chief
31. Discussion and possible action on approval of a Resolution authorizing the City Manager to purchase property belonging to G. Paul Schlender along Walnut Branch for right-of-way acquisition for the Walnut Branch Linear Park Project with the City of Seguin – Ross Fischer, City Attorney
32. Discussion on the process of assigning newly annexed areas to city council districts – Ross Fischer, City Attorney
33. Acknowledgement of Bills
34. 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. 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
35. 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 28th day of August 2009 at 3:00 p.m.

Naomi Manski
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.