



COUNCIL AGENDA
 City Hall Council Chambers
 210 E. Gonzales
 Seguin, Texas 78155

The City Council met in a Regular Called Meeting on Tuesday, January 18, 2011 at 5:30 p.m. in the City Hall Council Chambers, City Hall, 210 E. Gonzales Street in the City of Seguin with Mayor Betty Ann Matthies presiding.

1. Call to Order
2. Invocation – Mayor Betty Ann Matthies
3. Pledge of Allegiance/Salute to the Texas Flag
4. Roll Call

ATTENDANCE

Councilmember	District	Present	Absent
1. Don Keil	7	Present	
2. Manuel Cevallos	1	Present	
3. Mary Louise Gonzales (Mayor Pro Tem)	2	Present	
4. Carlos Medrano	5	Present	
5. Bob Pees	8	Present	
6. Tomas Castellon	4	Present	
7. Nick Carrillo	3	Present	
8. Steve Tschoepe	6	Present	
9. Mayor Betty Ann Matthies		Present	

5. Hearing of Residents
 - a. 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 1) Statements of specific factual information given in response to any inquiry; 2) A recitation of existing policy in response to an inquiry; 3) A proposal to place the subject on the agenda for a future meeting.

Citizen comments:

No comments

6. Consent Agenda

- a. **Ordinance on second reading** amending Appendix A (Subdivisions), Article IV (Subdivision Design Requirements), Section 8. Parkland Dedication; providing for procedural requirements; authorizing city staff to prepare this ordinance for submission as a supplement to the Seguin Code of Ordinances; and providing for an effective date

ORDINANCE APPROVED (2nd reading)

Council member Steve Tschoepe made a motion to approve the consent agenda and council member Tomas Castellon seconded the motion. The motion carried with all council members voting “aye” and none voting “nay.”

7. Presentation

- a. Certificate of Appreciation recognizing *Cynthia Rangel* upon her retirement – Mayor Betty Ann Matthies

Mayor Betty Ann Matthies read the certificate of appreciation for Ms. Rangel.

8. Action Items - Discussion and Possible Motion to Approve

- a. Minutes of the January 4, 2011 Regular Meeting

Council member Bob Pees made a motion to approve the minutes of the Regular Called Meeting of January 4, 2011 and council member Tomas Castellon seconded the motion. The motion carried with all council members voting “aye” and none voting “nay.”

- b. **Public Hearing** and **first reading of an Ordinance** to consider a Zoning Change from “Public” to “Commercial” for the property located at State Hwy 123 North, Lts. 5, 6, and 7, Blk. 1, Donco Commercial Park (ZC 17-10) – Don Smith, Director of Planning

The regular meeting was recessed and the public hearing was called to order.

Citizen comments

No public comment at this time.

The public hearing was adjourned and the regular meeting was reconvened.

ORDINANCE APPROVED (1st reading)

Council member Mary Louise Gonzales made a motion to approve the **ordinance in the 1st reading** and council member Manuel Cevallos seconded the motion. The motion carried with all council members voting “aye” and none voting “nay.”

- c. **Ordinance on first reading** amending Chapter 18, Article IV, Section 18-197 (Grease Interceptors), (4)(b), (8)(a)(c)(d), 9(a)(c)(d), 11(d); providing for penalties; providing for procedural requirements; a severability clause, an effective date, and authorizing city staff to

submit this ordinance as a supplement to the Seguin Code of Ordinances – Don Smith, Director of Planning

ORDINANCE APPROVED (1st reading)

Council member Steve Tschoepe made a motion to approve the **ordinance in the 1st reading** and council member Nick Carrillo seconded the motion. The motion carried with all council members voting “aye” and none voting “nay.”

- d. **Resolution** authorizing the City Manager to execute a Funding **Agreement** with the Texas Department of Transportation (TxDOT) for the Statewide Transportation Enhancement Program; 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 Statewide Transportation Enhancement Program – Pamela Centeno, City Planner

RESOLUTION APPROVED

Council member Don Keil made a motion to approve the **resolution** and council member Nick Carrillo seconded the motion. The motion carried with all council members voting “aye” and none voting “nay.”

- e. **Resolution** authorizing the City Manager to execute an **agreement** demonstrating the City’s commitment to continue as a “Sustaining Level Official Main Street City” – Mary Jo Filip, Main Street Director

RESOLUTION APPROVED

Council member Manuel Cevallos made a motion to approve the **resolution** and council member Mary Louise Gonzales seconded the motion. The motion carried with all council members voting “aye” and none voting “nay.”

- f. Authorize the City Manager to execute FIX-IT Façade **Grants** as recommended by the Main Street Advisory Board – Mary Jo Filip, Main Street Director

Council member Steve Tschoepe made a motion to approve and council member Nick Carrillo seconded the motion. The motion carried with all council members voting “aye” and none voting “nay.”

- g. **Resolution** authorizing the naming of the linear park developed along Walnut Branch as Walnut Springs Park – Mary Jo Filip, Main Street Director

RESOLUTION APPROVED

Council member Mary Louise Gonzales made a motion to approve the **resolution** and council member Carlos Medrano seconded the motion. The motion carried with all council members voting “aye” and none voting “nay.”

- h. 2011 Street Closure Requests – Mary Jo Filip, Main Street Director

Council member Don Keil made a motion to approve and council member Nick Carrillo seconded the motion. The motion carried with all council members voting “aye” and none voting “nay.”

- i. Update and Direction on Operation of Concession Services Agreement – Cesly Burrell, Coliseum Manager
Rick Cortes, Assistant City Manager provided the following recommendations:

“Staff is proposing several changes to the new contract, including eliminating the five Coliseum events that are currently exempted from using the City’s contracted concessionaire. The events currently exempted include: 1) Our Lady of Guadalupe Church Bazaar 2) Hispanic Chamber of Commerce Fiestas Patrias 3) Bass Fever 4) Coastal Conservation Association Banquet and 5) Guadalupe Regional Medical Center Hospice Gala. Please note that Bass Fever and the Coastal Conservation Banquet are no longer held at the Coliseum, and Fiestas Patrias has not been held at the Coliseum since 2007.

Staff is recommending the removal of all exempted events in an effort to attract a larger number of proposals, in addition to be consistent with all organizations who utilize the Coliseum to host their events. Additionally, it is estimated that the City realizes a \$15,000 loss in revenue as a result of these exemptions.

Additional proposed changes to the contract include increasing the Concessionaire’s possible term from three years to four years, and increasing the percentage of gross sales due to the City from 12.5% to 15%.

This item will be postponed until a future meeting.

- j. **Ordinance on first reading** establishing an all-way stop intersection at Camp & Donegan; providing for penalties for violations thereof; providing a severability clause; providing for an effective date; providing for publication; and authorizing city staff to prepare this ordinance for submission as a supplement to the Code of Ordinance – Kevin Kelso, Police Chief

ORDINANCE APPROVED (1st reading)

Council member Manuel Cevallos made a motion to approve the **ordinance in the 1st reading** and council member Steve Tschoepe seconded the motion. The motion carried with all council members voting “aye” and none voting “nay.”

- k. **Resolution** authorizing the submission of a Texas Intrastate Fire Mutual Aid System Program **Grant** application to the Texas Forest Service; 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 grant program – Scott MyCue, Fire Chief

RESOLUTION APPROVED

Council member Bob Pees made a motion to approve the **resolution** and council member Tomas Castellon seconded the motion. The motion carried with all council members voting “aye” and none voting “nay.”

- l. **Resolution** approving the amendment to the FY2011 Schertz-Seguin Local Government Corporation Budget – Alan Cockerell, SSLGC General Manager

RESOLUTION APPROVED

Council member Manuel Cevallos made a motion to approve the [resolution](#) and council member Carlos Medrano seconded the motion. The motion carried with all council members voting “aye” and none voting “nay.”

- m. [Resolution](#) authorizing the City Manager to execute a [contract](#) with San Antonio Water System (SAWS) by the Schertz-Seguin Local Government Corporation, City of Seguin, and the City of Schertz – Alan Cockerell, SSLGC General Manager

[RESOLUTION APPROVED](#)

Council member Don Keil made a motion to approve the [resolution](#) and council member Nick Carrillo seconded the motion. The motion carried with all council members voting “aye” and none voting “nay.”

- n. [Resolution](#) authorizing the City Manager to execute a [contract](#) with the City of Converse by the Schertz-Seguin Local Government Corporation, City of Seguin, and the City of Schertz – Alan Cockerell, SSLGC General Manager

[RESOLUTION APPROVED](#)

Council member Don Keil made a motion to approve the [resolution](#) and council member Steve Tschoepe seconded the motion. The motion carried with all council members voting “aye” and none voting “nay.”

- o. [Resolution](#) establishing priorities from the 2008 Seguin Comprehensive Master Plan – Mayor Betty Ann Matthies

Each councilmember provided the following recommendations:

- Councilmember Don Keil-Streets and Drainage
- Councilmember Manuel Cevallos-Streets and Drainage
- Councilmember Mary Louise Gonzales-Sidewalks and Walking Trail (as presented by Dr. Bill Squires at a council meeting)
- Councilmember Carlos Medrano-Streets and Drainage
- Councilmember Bob Pees-Site selection and site acquisition for the Library
- Councilmember Tomas Castellon-Streets and Drainage
- Councilmember Nick Carrillo-Collins St. lowered and curbed from Guadalupe St. to 6th St.
- Councilmember Steve Tschoepe-Develop a plan for enhancement of Entry Corridors

Item was postponed until a future meeting

- p. Traffic Calming efforts on Guadalupe Street – Mary Louise Gonzales, Mayor Pro Tem

City Manager, Doug Faseler stated that there were several things that could be considered that could apply to other parts of the city as well. He shared the idea of forming a task force that could look at some of the things that the City presently could avail themselves to and consider them for implementation.

9. Approval and/or Rejection of Bids

- a. Water/Wastewater Treatment Chemicals – Willa Hagemann, Assistant Director of Finance

The recommended low bidder was as follows:

Altivia (1 ton containers)	\$565.00 per container
Altivia (150 lb. cylinders)	120.00 per container

Council member Bob Pees made a motion to approve the bid and council member Tomas Castellon seconded the motion. The motion carried with all council members voting “aye” and none voting “nay.”

10. Board/Committee Appointment(s)

- a. Main Street Advisory Board (3)

Council member Tomas Castellon made a motion to approve

- Marika Bordes (reappointment)
- Keith Giles and Hezbibah Hoffman-Rogers (Audra Schultz and Gloria Kinz are not eligible to serve another term)

and council member Carlos Medrano seconded the motion. The motion carried with all council members voting “aye” and none voting “nay.”

- b. Schertz-Seguín Local Government Corporation (1)

Council member Bob Pees made a motion to approve Kerry Koehler and council member Nick Carrillo seconded the motion. The motion carried with all council members voting “aye” and none voting “nay.”

11. Acknowledgement of Bills

Bills were acknowledged.

12. Executive Session

In accordance with Texas Government Code, Subchapter D, Section 551.071 and 551.072 the City Council may convene in a closed session to discuss any of the following items, any final action or vote taken will be in public.

- a. Legal advice concerning GBRA Water Subordination Agreement – Andy Quittner, City Attorney
- b. Deliberate and consider the sale and/or purchase of real property – Doug Faseler, City Manager

The regular meeting was recessed and the council went into Executive Session at 6:11 p.m. The regular meeting reconvened at 6:57 p.m.

13. Action Item – Discussion and possible action

- a. **Resolution** authorizing eminent domain proceedings to acquire permanent and temporary easements in and to 0.204 and 0.421 acre, more or less, parcel of land being part of the Benjamin Fuqua Survey, Abstract 131 in connection with the Geronimo Creek Sewer Extension Project; ratifying all actions taken to date towards such acquisition of land; declaring each section of this resolution to be severable one from the other in event that any section is determined to be invalid; and declaring an effective date – Andy Quittner, City Attorney

RESOLUTION APPROVED

Council member Steve Tschoepe made a motion to approve the **resolution** and council member Tomas Castellon seconded the motion. The motion carried with all council members voting “aye” and none voting “nay.”

14. Adjournment

There being no further business before the council the meeting adjourned at 6:57 PM.

Mayor Betty Ann Matthies

City Secretary, Thalia Patlán Stautzenberger