



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

The City Council met in a Regular Called Meeting on Tuesday, February 1, 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 – Councilman Bob Pees
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		Absent
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:

Name: Paul Castillo, President of LULAC

Address: 37 Glen Cove

City: Seguin, Texas

He spoke in reference to the LULAC Community Garden in partnership with Siempre Sustainable (Dr. Paul Martin) at the corner of 8th St. and E. New Braunfels St. and stated that water was needed for the garden. He asked that the council consider waiving the fees for connection. He asked that it be placed on a future agenda.

City Manager, Doug Faseler announced that on March 28, 2011 from 5-7PM at the Coliseum, TxDot would be holding an open house on proposed plans for Business 123 (Austin St. Improvements north from the railroad tracks to Interstate 10). They will share some renderings and schematics for the proposed improvements.

6. Consent Agenda

- a. **Ordinance on second reading** 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)
- b. **Ordinance on second 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
- c. **Ordinance on second 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

ORDINANCE APPROVED (2nd reading)

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

7. Presentation

- a. 2010 Racial Profiling Report – Kevin Kelso, Police Chief

Police Chief Kevin Kelso provided the council with an overview of the 2010 Racial Profiling Report.

- b. 2010 Crime Report – Kevin Kelso, Police Chief

Police Chief Kevin Kelso provided the council with an overview of the 2010 Crime Report.

8. Action Items - Discussion and Possible Motion to Approve

- a. Minutes of the January 18, 2011 Regular Meeting

Council member Tomas Castellon made a motion to approve the minutes of the Regular Called Meeting of January 18, 2011 and council member Carlos Medrano seconded the motion. The motion carried with all council members voting “aye” and none voting “nay.”

- b. **Resolution** authorizing a Municipal Tax Abatement for property located at 308 S. Erkel Avenue in Seguin, Texas – Mary Jo Filip, Main Street Director

RESOLUTION APPROVED

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

- c. **Resolution** approving a Second Amendment to the application of SMT Community Improvements, LLC for a reimbursement grant to extend the time for completion of the project to December 31, 2011; and to allow partial reimbursement not to exceed \$10,000 upon completion of the fire suppression system – Mary Jo Filip, Main Street Director

RESOLUTION APPROVED

Council member Don Keil 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.”

- d. **Resolution** amending the Seguin-Guadalupe County Coliseum Terms and Conditions regarding the sale of alcoholic beverages; and declaring an effective date – Cesly Burrell, Coliseum Manager

RESOLUTION APPROVED

Council member Tomas Castellon 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.”

- e. Update and Direction on Operation of Concession Services Agreement – Cesly Burrell, Coliseum Manager

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

- f. **Resolution** appointing Seguin Walnut Springs Apartment, L.P. to act on its behalf in applying for Texas Department of Housing and Community Affairs (TDHCA) Home Funds – Doug Faseler, City Manager

RESOLUTION APPROVED

Council member Don Keil 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.”

- g. Ratifying the Appointment of Councilmen Nick Carrillo and Don Keil to the Falcon Meadow Tax Increment Reinvestment Zone Committee – Mayor Betty Ann Matthies

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.”

- h. FY2011 Quarterly Reports for the following organizations – Susan Caddell, Director of Finance
 - a. Seguin Convention & Visitors Bureau
 - b. Mid-Texas Symphony, Inc.
 - c. Teatro de Artes de Juan Seguin
 - d. Hispanic Chamber of Commerce
 - e. Seguin Heritage Museum
 - f. Guadalupe County Fair Association
 - g. The Fields of Huber Ranch
 - h. Seguin LULAC Council #682

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” (with the exception of Councilmember Tomas Castellon abstaining on item d. Hispanic Chamber of Commerce) and none voting “nay.”

- i. **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 Power Supply Contract Negotiations 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 of the City of Seguin – Rick Cortes, Assistant City Manager

RESOLUTION APPROVED

Council member Steve Tschoepe 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.”

9. Approval and/or Rejection of Bids

- a. Banking Services Contract – Susan Caddell, Director of Finance

Council member Tomas Castellon made a motion to approve the banking services contract with **Wells Fargo Bank** and council member Carlos Medrano seconded the motion. The motion carried with all council members voting “aye” and none voting “nay.”

- b. Merchant Services Contract – Susan Caddell, Director of Finance

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

- c. AMR/Billing Software – William Bisette, Director of Utilities and Willa Hageman, Assistant Director of Finance

SUNGARD	\$100,560.00
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Council member Bob Pees made a motion to approve the purchase and council member Tomas Castellon seconded the motion. The motion carried with all council members voting “aye” and none voting “nay.”

10. Acknowledgement of Bills

The bills were acknowledged.

11. 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. Deliberate and consider the sale and/or purchase of real property – Doug Faseler, City Manager
- b. Competitive electric matter: Electric Power Supply Contract Negotiations – Rick Cortes, Assistant City Manager
- c. Legal advice concerning GBRA Water Subordination Agreement – Andy Quittner, City Attorney

The regular meeting was recessed and the council went into Executive Session at 6:35 p.m. The regular meeting reconvened at 7:05 p.m.

12. Action Item – Discussion and possible motion to approve:

- a. **Resolution** authorizing the City Manager to complete negotiations for an amendment to the Seguin Guadalupe Blanco River Authority Hydro Rights Subordination Agreement; approving said agreement in substantially the same form as presented; 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 Nick Carrillo seconded the motion. The motion carried with all council members voting “aye” and none voting “nay.”

13. Adjournment

There being no further business before the council the meeting adjourned at 7:06 PM.

Mayor Betty Ann Matthies

City Secretary, Thalia Patlán Stautzenberger

