



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

The City Council met in a Regular Called Meeting on Tuesday, April 19, 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 Manuel Cevallos
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:
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**Name: Barbara Upper, representative from the Seguin Dog Park group**

She invited everyone to the Seguin Dog Park Grand Opening to be held on May 1, 2011 from 4pm to Dark.

**Mayor Betty Ann Matthies** announced that Congressman Cuellar decided to have his office remain open in Seguin.

**Council Tomas Castellon**

He asked the council to attend the reunion of guardsmen that is being held this coming Saturday at the National Guard Armory (since the Bravo Unit is moving to San Marcos). He asked the council to drop by and thank the guardsmen for their service.

**6. Consent Agenda**

- a. **Ordinance on second reading** to consider a zoning change from “Office Professional” to “Multi-Family (MF-3)” for the property located at E. College St., 1.174+ acres, Ab. 35, John Sowell Survey (ZC 04-11)
- b. **Ordinance on second reading** to consider a zoning change from “Agricultural Ranch”, “Commercial”, and “Manufactured Home Park” to “Industrial” for the property located at F.M. 464, 22.78+ acres, Ab. 11, J.D. Clements Survey (ZC 05-11)
- c. **Ordinance on second reading** amending the Seguin Code of Ordinances, Article II, Building Code, Section 18-26(a)(b)(c); amending Section 18-32(a) International Energy Conservation Code; amending Article IV, Plumbing Code, Section 18-172(a); amending Article V, Gas Code, Section 18-211(a); amending Article VI, Mechanical Code, Section 18-231(a); amending Article VII, Housing Code, Section 18-251(a) by adopting the 2009 International Building Code and establishing certain exceptions to the International Building Code; providing for publication of this ordinance and a severability clause; providing for an effective date; and authorizing city staff to prepare this ordinance for submission as a supplement to the Code of Ordinances
- d. **Ordinance on second reading** amending the Seguin Code of Ordinances , Article II, Fire Codes found in Chapter 50, Fire Prevention and Protection; adopting the 2009 International Fire Code with certain exceptions and additions to said code as set forth in this ordinance; providing for an effective date, publication and authorizing city staff to prepare this ordinance for submission as a supplement to the Code of Ordinances
- e. **Ordinance on second reading** amending Seguin Code of Ordinances, Appendix C – Fee Schedule, Chapter 86, Solid Waste, Article II, Garbage (a) (1); providing a severability clause, an effective date, and directing staff to submit this ordinance as a supplement to the Seguin Code of Ordinances

**ORDINANCE APPROVED (2nd reading)**

Council member Bob Pees 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. Annual Report on City of Seguin's Equal Employment Opportunity Plan – Kathy Salinas, Recruitment Coordinator

Kathy Salinas, Recruitment Coordinator presented the annual report for the City of Seguin Equal Employment Opportunity Plan to the council.

**8. Action Items - Discussion and Possible Motion to Approve**

- a. Minutes of the April 5, 2011 Regular Meeting and April 12, 2011 Special Called Meeting

Council member Tomas Castellon made a motion to approve the minutes of the Regular Called Meeting of April 5, 2011 and council member Carlos Medrano seconded the motion. The motion carried with all council members voting “aye” and none voting “nay.”

Item k has been moved up at this time.

- b. **Resolution** approving a Section 3 Local Opportunity Plan for TxCDBG Funded Grant Projects; and declaring an effective date – Kathy Salinas, Recruitment Coordinator

**RESOLUTION APPROVED**

Council member Bob Pees 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.”

- c. **Resolution** to adopt rules and regulations for the Texas Capital Fund Contract Number 729212 in providing job training, employment and contractor opportunities for Section 3 residents and Section 3 businesses of the area in which the program/project is being carried out – Mary Jo Filip, Main Street Director

**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.”

- d. Request from the San Antonio Gypsy Motorcycle Club to enter into a 3-year **agreement** for the rental of the Pecan Bottom for a Motorcycle Rally – Tim Patek, Director of Parks & Recreation

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

- e. **Resolution** authorizing the City Manager to execute a **Facilities Use Agreement** between the Navarro Independent School District and the City of Seguin, Texas for use of Max Starcke Park Pecan bottom for cross country tract events - Tim Patek, Director of Parks & Recreation

**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.”

- f. **Resolution** authorizing the City Manager to execute a **Facilities Use Agreement** between the Seguin Independent School District and the City of Seguin, Texas for use of Max Starcke Park Pecan bottom for cross country tract events - Tim Patek, Director of Parks & Recreation

**RESOLUTION APPROVED**

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

- g. **Resolution** authorizing the City Manager to execute a **Facilities Use Agreement** between the Seguin Independent School District and the City of Seguin, Texas for use of the City of Seguin Ballpark Facilities - Tim Patek, Director of Parks & Recreation

**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.”

- h. **Resolution** authorizing the City Manager to execute a **Interlocal Agreement** between the Seguin Independent School District and the City of Seguin, Texas for the operation of the “Latch Key” Program - Tim Patek, Director of Parks & Recreation

**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.”

- i. **Resolution** authorizing the City Manager to execute a **Facilities Use Agreement** between the Seguin Independent School District and the City of Seguin, Texas for the operation of the “Day Camp” Program - Tim Patek, Director of Parks & Recreation

**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.”

- j. **Ordinance on first reading** amending the Seguin Code of Ordinances, Appendix C, Fee Schedule, Chapter 74. Parks and Recreation, by adding Subsections (aa) (bb); providing for severability clause and an effective date; and authorizing city staff to submit this ordinance as a supplement to the Seguin Code of Ordinances – Tim Patek, Director of Parks & Recreation

**ORDINANCE APPROVED (1<sup>st</sup> reading)**

Council member Bob Pees made a motion to approve the **ordinance in the 1<sup>st</sup> reading** and council member Nick Carrillo seconded the motion. The motion carried with all council members voting “aye” and none voting “nay.”

- k. **Resolution** of the City of Seguin, Texas approving entering into a Letter of Intent with the Texas Parks and Wildlife Department to further discuss and negotiate the transfer of the Sebastopol House from the Texas Parks and Wildlife Department to the city of Seguin – Doug Faseler, City Manager

#### **RESOLUTION APPROVED**

Council member Mary Louise Gonzales 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.”

#### **9. Acknowledgement of Bills**

The bills were acknowledged.

#### **10. Executive Session**

In accordance with Texas Government Code, Subchapter D, Section 551.071, 551.072, 551.074, and 551.076 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. Discuss matters regarding security personnel
- b. Consultation with legal advisor on real property negotiations – Andy Quittner, City Attorney
- c. Coliseum Improvement Project – Rick Cortes, Assistant City Manager

The regular meeting was recessed and the council went into Executive Session at 5:55p.m. The regular meeting reconvened at 6:45 p.m.

#### **11. Action Item – Discussion and Possible Motion**

- a. **Resolution** in connection with the FM 725 at Interstate 10 sanitary sewer project; authorizing all appropriate action by the City Manager, Staff, Attorneys, and Consultants, in the institution and prosecution of condemnation proceedings to acquire all land rights necessary for such project; particularly that land this along, adjacent and contiguous to a parcel of land owned by Vernon Reiley, et al, more particularly described as three parcels of land situated in the William Leach Survey #19, Abstract 28, 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 each 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 – Andy Quittner, City Attorney

#### **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.”

**12. Adjournment**

There being no further business before the council the meeting adjourned at 6:47 PM.

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Mayor Betty Ann Matthies

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City Secretary, Thalia Patlán Stautzenberger