



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

The City Council met in a Special Called Meeting on Tuesday, September 13, 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	2	Present	
4. Carlos Medrano	5	Present	
5. Bob Pees	8	Present	
6. Tomas Castellon(Mayor Pro Tem)	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:

Terry Trevino, SEDC Director

She invited the council and the public to the SEDC public annual meeting to conduct elections of the board and to acknowledge Kathy Nossaman's service on the SEDC board and it will be held Wednesday, September 14 at 5:30 pm in the City Council Chambers.

Councilmember Carlos Medrano

He asked the city to consider a no parking sign on E. Convent St. since the street is very narrow and as well there are other problematic issues concerning the parking on the street.

Councilmember Tomas Castellon

He shared the following concerns:

- Rector project-He shared his concern that it was a good opportunity for employment and revenues and it was turned down.
- He questioned when the streets were going to get fixed since they are deteriorating.

Councilmember Bob Pees

He responded to councilmember Castellon's comment regarding the Rector project. He stated that the project was not turned down, but rather it was tabled so that Mr. Rector could meet the specifications that were passed in the first reading to bring a Planned Unit Development Plan which they did not do. Mr. Rector decided to withdraw the project.

Councilmember Steve Tschoepe

The Texas Theater and the Seguin Conservation Society will host the lighting of the Palace Theater (Marquee Partee) starts at 7:30 on Thursday, September 22. Volunteers will be recognized.

Mayor Betty Ann Matthies

Colonel Croft from Randolph contacted the Mayor and informed her of the following:

- FEMA is using the auxillary field as a major staging area in case of some disaster
- 40 manufactured homes are being placed at the auxillary field site to be sent out to areas where they are needed (like Bastrop and other areas dealing with wildfires)
- Randolph will be doing some renovations on some of the runways so beginning around September 16 Randolph will not be flying for about 2 months

6. Consent Agenda

- Ordinance on second reading** amending the Zoning Ordinance, Section 4. Zoning Definitions, inserting a definition for Live Entertainment; providing for an effective date, publication and a severability clause
- Ordinance on second reading** amending Section 14-51 of the Seguin Code of Ordinances by changing the name of the Animal Control Department to Seguin Animal Services; providing for publication of this ordinance; providing 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
- Ordinance on second reading** amending Section 2-161 of the Seguin Code of Ordinances by changing the name of the Facilities and Grounds Department to Facilities; providing for publication of this ordinance; providing for 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

ORDINANCE APPROVED (2nd reading)

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

7. Action Items – Discussion and Possible Motion to Approve

- a. Minutes of August 30, 2011 Special Called Meeting and September 6, 2011 Regular Called Meeting

Council member Bob Pees made a motion to approve the minutes of the August 30, 2011 Special Called Meeting and September 6, 2011 Regular Called Meeting and councilmember Nick Carrillo seconded the motion. The motion carried with all council members voting “aye” and none voting “nay.”

- b. **Ordinance on first reading** adopting the FY2012 General Fund Budget and making appropriation in accordance with said budget for the period beginning the first day of October 2011 and ending the last day of September 2012; 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

ORDINANCE APPROVED (1st reading)

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

- c. **Ordinance on first reading** approving the FY2012 Debt Service Funds Budget and making appropriation in accordance with said budget for the period beginning the first day of October 2011 and ending the last day of September 2012; 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

ORDINANCE APPROVED (1st reading)

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

- d. **Ordinance on first reading** levying a Tax Rate of \$.5073 per \$100 valuation for the City of Seguin Tax Year 2011; Providing for the effective date and for the publication of this Ordinance – Susan Caddell, Director of Finance

ORDINANCE APPROVED (1st reading)

Council member Don Keil made the following motion:

“I move that property taxes be increased by the adoption of a tax rate of \$.5073 per \$100 valuation. \$.2693 for the purpose of Maintenance and Operation and \$.2380 for the payment of the Principal and Interest on Debt of the City.”

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

- e. **Ordinance on first reading** adopting the FY2012 Special Revenue and Fiduciary Funds Budget and making appropriations in accordance with said budget for the period beginning the first day of October 2011 and ending the last day of September 2012; 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

ORDINANCE APPROVED (1st reading)

Council member Bob Pees made a motion to approve the **ordinance in the 1st reading** and council member Don Keil seconded the motion. The motion carried with all council members voting “aye” and none voting “nay.”

- f. **Ordinance on first reading** adopting the FY2011 Utility Fund Budget and making appropriation in accordance with said budget for the period beginning the first day of October 2011 and ending the last day of September 2012; 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

ORDINANCE APPROVED (1st reading)

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

- g. Authorizing the Financial Advisor, Bond Counsel, and Staff to proceed with the necessary documents and actions for the refunding of certain General Obligation and Utility System Revenue Bonds for interest cost savings – Duane Westerman, SAMCO

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.”

- h. Authorizing the Financial Advisor, Bond Counsel, and Staff to proceed with the preparation of necessary documents for the proposed issuance of Certificates of Obligation for the projects as presented – Duane Westerman, SAMCO

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

- i. **Ordinance on first reading** to increase the rate of deposits to the Texas Municipal Retirement System by the employees of the City of Seguin – Tammy Garcia, Director of Human Resources

ORDINANCE APPROVED (1st reading)

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

- j. **Ordinance on first reading** authoring and allowing, under the act governing the Texas Municipal Retirement System, “Updated Service Credits” in said system for service performed by qualifying member of such system who presently are members of the City of Seguin; providing for increased prior and current service annuities for retirees and

beneficiaries of deceased retirees of the City; establishing an effective date for the ordinance; and directing staff to submit this ordinance as an amendment to the Code of Ordinances – Tammy Garcia, Director of Human Resources

ORDINANCE APPROVED (1st reading)

Council member Tomas Castellon made a motion to approve the ordinance in the 1st reading and council member Carlos Medrano seconded the motion. The motion carried with all council members voting “aye” and none voting “nay.”

- k. **Ordinance on first reading** amending City of Seguin Code of Ordinances, Appendix C – Fee Schedule, Chapter 86, Solid Waste Article II. Garbage (a) (1); providing for a severability clause, an effective date, and directing staff to submit this ordinance as a supplement to the Seguin Code of Ordinances – Rick Cortes, Assistant City Manager

ORDINANCE APPROVED (1st reading)

Council member Tomas Castellon made a motion to approve the ordinance in the 1st reading and council member Carlos Medrano seconded the motion. The motion carried with six (6) council members voting “aye”, one councilmember Nick Carrillo voting “nay” and one councilmember Mary Louise Gonzales abstaining.

- l. Authorization to declare the existing hose tower located behind the Disabled American Veteran’s facility (425 N. Vaughan) as surplus and allow for its removal – Rick Cortes, Assistant City Manager

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.”

8. Approval and/or Rejection of Bids

- a. Hwy 46 Electric Feeder Upgrade – William Bissette, Director of Utilities

a. Electrical Conductor Wire – Doug Faseler, Assistant City Manager.

The recommended low bidder was:

<p>Techline Construction \$240,562.00 to include the base bid and three alternates. The total estimated cost would be.....\$462,257</p>
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Council member Tomas Castellon made a motion to approve the bid and council member Nick Carrillo seconded the motion. The motion carried with all council members voting “aye” and none voting “nay.”

- b. Steel Distribution Poles – William Bissette, Director of Utilities

The recommended third lowest qualified bidder was:

<p>Techline \$118.350 with a delivery time of 63 days</p>

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

9. Executive Session

In accordance with Texas Government Code, Subchapter D, Section 551.071 and 551.72 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. Deliberation regarding real property – Andy Quittner, City Attorney

The regular meeting was recessed and the council went into Executive Session at 6:10 p.m. The regular meeting reconvened at 6:47 p.m.

10. Action Item – Discussion and motion to approve:

- a. **Resolution** authorizing eminent domain proceedings to acquire permanent and temporary easements in and to a 2.140 acre, more or less, parcel of land being part of the J. R. Bedford Survey A-5 in connection with the Geronimo Creek Sewer Extension Project Phase IV; 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 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.”

6. Acknowledgement of Bills

The bills were acknowledged

7. Adjournment

There being no further business before the council the meeting adjourned at _____ PM.

Mayor Betty Ann Matthies

City Secretary, Thalia Patlán Stautzenberger