



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

The City Council met in a Regular Called Meeting on Tuesday, November 2, 2010 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 Steve Tschoepe
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:

Name: Marshall Harris
 Address: 1729 Rosewood
 City: Seguin, Texas

- He shared his concern regarding the economy in the nation. He stated that City Government needed to return to basic core business (infrastructure) roadways and utilities.
- He also shared a concern regarding red lights that oppose the natural flow of traffic on Kingsbury Street and 123 Bypass.

Tim Patek, Director of Parks and Recreation

- He provided an update on the Seguin Dog Park Incorporated Agreement and resolution which will come before the council at the next council meeting.
- City of Seguin will celebrate a grand opening on Lake Seguin of the Seguin Paddling Trails on November 10th.

Councilmember Mary Louise Gonzales

She extended her thanks to Mary Jo Filip, Main Street Director, for her hard work on the Juan Hats Off Celebration.

Councilmember Don Keil

He stated that a great deal of money had recently been approved to address the infrastructure. The funds will be use to improve the drainage dramatically in the city and it will make a big difference within the heart of the city.

6. Consent Agenda

- a. **Ordinance on second reading** establishing the lawful speed limit on US 90 from MP 20.000 to MP 20.184, from MP 22.129 to MP 23.142, from MP 1.000 to MP 1.723; and establishing a school zone from MP 1.369 to 1.652 all 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; and authorizing city staff to prepare this ordinance for submission to the Code of Ordinances

ORDINANCE APPROVED (2nd reading)

Council member Bob Pees 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 honoring *Gilbert Soliz* upon his retirement – Mayor Betty Ann Matthies

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

8. Action Items - Discussion and Possible Motion to Approve

- a. Minutes of the October 19, 2010 Regular Meeting

Council member Tomas Castellon made a motion to approve the minutes of the Regular Called Meeting of October 19, 2010 and council member Nick Carrillo seconded the motion. The motion carried with all council members voting “aye” and none voting “nay.”

- b. **Resolution** authorizing the City Manager to enter into a Municipal Property Tax Abatement Agreement with Continental Automotive Systems, Inc. for the purpose of expanding its parts production line in Seguin, Texas – Terry Treviño, Director of Economic Development

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.”

- c. **Ordinance on first reading** amending Section 94-31 of the Seguin Code of Ordinances to add an extended tax exemption for improvements made in the Historical District for Investments of \$500,000 or more; providing for a severability clause, declaring an effective date, and authorizing city staff to prepare this ordinance for submission as a supplement to the Code of Ordinances – Mary Jo Filip, Main Street Director

ORDINANCE APPROVED (1st reading)

Council member Mary Louise Gonzales 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.”

- d. **Resolution** authorizing the City Manager to execute an **Interlocal Agreement** for Indigent Healthcare for 2010-2011 between the City of Seguin, Guadalupe County, and Guadalupe Regional Medical Center – Susan Caddell, Director of Finance

RESOLUTION APPROVED

Council member Manuel Cevallos 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.”

- e. **Ordinance on first reading** amending Chapter 86, Utilities, Article V, Refuse Collection Services from Commercial and Industrial Establishments, concerning the franchise requirements and procedures for the operation of solid waste collection services in the City of Seguin, Texas; providing for the number of available annual franchises; establishing standards of service; providing for payment of a franchise fee; making other miscellaneous provisions; providing for penalties; providing a severability clause; and directing staff to prepare this ordinance for submission as a supplement to the Code of Ordinances – Rick Cortes, Assistant City Manager

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 (7) seven council members voting “aye” and one councilmember Mary Louise Gonzales “abstaining”.

- f. **Resolution** authorizing the City Manager to apply for a Loan Star Libraries Grant for Library Materials – Jacki Gross, Library Director

RESOLUTION APPROVED

Council member Bob Pees 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.”

- g. **Ordinance on first reading** amending Chapter 98 (Traffic and Vehicles) of the Seguin City Code by adding Article IV (Wireless Communication Devices) which prohibits certain use of wireless communication devices while operating a motor vehicle; renumbering the remaining articles; creating an offense; establishing penalties; authorizing city staff to prepare this ordinance for submission as a supplement to the City Code; and providing for an effective date – Mayor Pro Tem Louise Gonzales and Council Member Steve Tschoepe

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.”

- h. **Resolution** reappointing Darrell Hunter as Alternate Municipal Court Judge for the City of Seguin Municipal Court – Doug Faseler, City Manager

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 (7) seven council members voting “aye” and one councilmember Tomas Castellon voting “nay.”

- i. **Resolution** to approve an amendment to the agreement to participate in the off-site extension of a wastewater line with Rothenberg Investments, LP by allowing the development to serve sixteen (16) residential lots; and declaring an effective date – Doug Faseler, City Manager

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.”

- j. **Resolution** by the City Council of the City of Seguin, Texas approving the City’s Preliminary Official Statement pertaining to the sale of obligations designated as “City of Seguin, Texas Combination Tax and Limited Pledge Revenue Certificates of Obligation, Series 2010”; complying with the requirements contained in Municipal Securities Rule Making Board Rule 15c2-12; and other matters in connection therewith – Duane Westerman, SAMCO Capital

RESOLUTION APPROVED

Council member Mary Louise Gonzales made a motion to approve the **resolution (to include Frost Bank as an additional underwriter)** and council member Steve Tschoepe seconded the motion. The motion carried with all council members voting “aye” and none voting “nay.”

9. Approval and/or Rejection of Bid(s):

- a. Water Treatment Plant Improvement Project – Emery Gallagher, Water Utility Manager

The recommended low bidder was:

Water Treatment Construction Inc.	\$200,000.00
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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.”

- b. Rejection of the Request for Proposals for Collection Services from Commercial and Industrial Establishments – Andy Quittner, City Attorney

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

**Special Note: RFP#99-2010-24 Collection and Disposal of Commercial Solid Waste
City Council approved the recommendation of not selecting a Collection and Disposal of Commercial Solid Waste within the City Limits to one sole provider.**

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.

The regular meeting was recessed and the council went into Executive Session at 6:30 p.m. The regular meeting reconvened at 6:50 p.m.

- a. Deliberate and consider the sale and/or purchase of real property – Doug Faseler, City Manager

No action taken at this time.

12. Adjournment

There being no further business before the council the meeting adjourned at 6:51 PM

Mayor Betty Ann Matthies

City Secretary, Thalia Patlán Stautzenberger

