



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

The City Council met in a Regular Called Meeting on Tuesday, December 6, 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 – 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	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. Presentation

- a. Certificate of Recognition honoring A. G. Hodges upon his retirement – Mayor Betty Ann Matthies

This item was postponed.

- b. Seguin Economic Development Corporation (SEDC) Annual Report – Tim Neeley, Assistant Director of Economic Development

Tim Neeley, Assistant Director of Economic Development provided the council with the Fiscal Year 2010/2011 Annual Report for the Economic Development Corporation.

6. 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: Forest Mims

Address: 433 Twin Oak

City: Seguin, Texas

Seguin has been added to the National Oceanic and Atmospheric Administration's Water Vapor Network.(An important NASA scientific station in Seguin.) Anyone will be able to access the data from this website.

Tim Patek, Director of Parks and Wildlife

He shared with the council that there would be an unveiling of the Seguin Paddling Trail on December 7, at 4:30 pm at Rivershade RV Park.

Councilmember Mary Louise Gonzales congratulated the Parks and Recreation Staff on the parade.

Mayor Betty Ann Matthies congratulated the electric department on the holiday lights.

7. Consent Agenda

- a. **Ordinance on second reading** to Tax Tangible Personal Property in Transit which would otherwise be exempt pursuant to Texas Tax Code Section 11.253
- b. **Ordinance on second reading** establishing a Stop westbound on San Antonio Avenue at the intersection of Prexy Drive; a Yield on Prexy Drive facing San Antonio Avenue; Stops southbound on Hidden Meadow and Range Road, southbound on Prairie Bluff and Range Road; southbound on Palomino Pass and Range Road; westbound on Silo Ridge and Hidden Meadow and southbound on Split Rail Lane and Silo Ridge; all within the City of Seguin, Texas; for penalties for violation thereof; providing a severability clause; providing for an effective date; providing for the publication of this Ordinance
- c. **Ordinance on second reading** amending FY2012 Utility Fund Budget
- d. **Ordinance on second reading** amending FY2012 General Fund Budget

ORDINANCES APPROVED a-d (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."

8. Action Items – Discussion and Possible Motion to Approve

- a. November 15, 2011 Regular Meeting Minutes and November 30, 2011 Workshop Minutes

Council member Nick Carrillo made a motion to approve the minutes of the November 15, 2011 Regular Meeting Minutes and November 30, 2011 Workshop Minutes and council member Bob Pees seconded the motion. The motion carried with all council members voting “aye” and none voting “nay.”

At this time council moved into Executive Session item 12.

- b. **Public Hearing** and **Ordinance on first reading** to consider a Zoning Change Request from “Agricultural Ranch and Commercial” to “Light Industrial” for the property located at W. I.H.10 and F.M. 464, 26.681± acres, Ab. 11, J. D. Clements Survey, (ZC 11-11) – 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 Don Keil 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.”

- c. **Resolution** approving the award of four (4) Fix-It Facade Grants for the 2011-2012 Fiscal Year and declaring an effective date – Mary Jo Filip, Main Street Director

RESOLUTION APPROVED

Council member Don Keil 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.”

- d. **Resolution** approving the financial incentive granted by the Seguin Economic Development Corporation for the Central Texas Technology Center – Tim Neeley, Assistant Director of Economic Development

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.”

- e. **Resolution** supporting the recommendations of the Central Texas Technology Center Advisory Board to expand the CTTC facility, rebrand the CTTC name and develop a marketing plan – Tim Neeley, Assistant Director of Economic Development

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.”

- f. **Resolution** adopting amendment to City of Seguin Deferred Compensation Plan and authorizing the City Manager to execute revised plan document – Tammy Garcia, Director of Human Resources

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.”

- g. **Resolution** approving the purchase of a 0.22 acre parcel of land for the right-of-way for an easterly extension of Larkin Street; approving an amendment clarifying a prior agreement with the Bobbie Jo Alexander Trust; authorizing the City Manager to execute all documents necessary to purchase the property; and establishing an effective date – Andy Quittner, City Attorney

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. **Resolution** approving the purchase of a 0.70 acre parcel of land for the City’s new Highway 123 Water Tower Project; authorizing the City Manager to execute all documents necessary to purchase the property; and establishing an effective date – Andy Quittner, City Attorney

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.”

- i. **Resolution** to review City of Seguin Investment Policy in order to conform to Public Funds Investment Act, Texas Government Code Annotated, Chapter 2256 – Susan Caddell, Director of Finance

RESOLUTION APPROVED

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

- j. **Resolution** to review and adopt the list of Brokers/Dealers authorized to engage in investment transactions with the City of Seguin – Susan Caddell, Director of Finance

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.”

- k. Quarterly Investment Report for the period ending September 30, 2011 – Susan Caddell, Director of Finance

Council member Bob Pees 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.”

- l. City Manager to attend a Public Funds Investment Training Seminar – Doug Faseler, City Manager

Council member Mary Louise Gonzales 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.”

9. Approval and/or Rejection of Bids

- a. Water Plant Improvements – Emery Gallagher, Water Utility Manager
(Replacement of existing filter face piping)

The recommended low bidder was:

R.P. Constructors, Inc	\$318,800.00
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Council member Steve Tschoepe 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. Water Plant Improvements – Emery Gallagher, Water Utility Manager
(Replacement of Plant No. 2 Motor Control Center)

The recommended low bidder was:

System Control & Instrumentation	\$139,105.00
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Council member Carlos Medrano made a motion to approve the bid and council member Manuel Cevallos seconded the motion. The motion carried with all council members voting “aye” and none voting “nay.”

10. Boards and Commission Appointment

- a. Central Texas Technology Center Board (1 Appointment)

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

b. Library Board (3 Reappointments)

Council member Tomas Castellon made a motion to approve Jack Linden (City representative eligible for reappointment) Sharon Vogel (County representative eligible for reappointment) Charles Willman (County representative eligible for reappointment) 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

The bills were acknowledged.

12. Executive Session

In accordance with Texas Government Code, Subchapter D, Section 551.071(a) 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. Deliberation regarding potential litigation regarding City of Seguin vs. KIVA – Andy Quittner, City Attorney
- b. Deliberation regarding the purchase of real property – Doug Faseler, City Manager

The regular meeting was recessed and the council went into Executive Session at 5:50 p.m. The regular meeting reconvened at 6:52 p.m.

The council then moved to item # 13.

13. Presentation

- a. Project Update – Phase IV Geronimo Creek Sanitary Sewer Project – Joe Ramos, City Engineer

Joe Ramos, City Engineer provided the city council with an update on Phase IV Geronimo Creek Sanitary Sewer Project.

Citizen comments:

Name: Forest Mims
Address: 433 Twin Oak
City: Seguin, Texas

He shared his concerns regarding the plan to change the bore from 5 feet to 2 feet under the creek and the impact it has and will have. He also stated that there were other serious problems but not enough time to share them all.

Name: Gail Minton

Address: 120 Spanish Oak

City: Seguin, Texas

She asked for an update on the sewer project. She was very concerned about the serious violations by the city. She needed reassurance that as a citizen the violations would be corrected before starting the Oak Village North project. She as well wanted to know if it would be properly planned, constructed and inspected. She asked who she should contact regarding the project and asked that the lines of communication be open.

The council then moved back to item 8a.

14. Adjournment

There being no further business before the council the meeting adjourned at 7:36 p.m.

Mayor Betty Ann Matthies

City Secretary, Thalia Patlán Stautzenberger