



City of Seguin

210 E. Gonzales Street
Seguin TX, 78155

Meeting Minutes

City Council

Tuesday, April 2, 2024

5:30 PM

Council Chambers

Public & Virtual

1. Call to Order

Mayor Dodgen called the meeting to order at 5:30 P.M.

2. Invocation - Council Member Biesenbach

Councilmember Biesenbach gave the invocation.

3. Pledge of Allegiance/Salute to the Texas Flag

4. Roll Call

Present: 9 - Mayor Donna Dodgen, Councilmember Joe Rea, Councilmember Sonia Mendez, Councilmember Jim Lievens, Councilmember Chris Rangel, Councilmember Paul Gaytan, Councilmember Monica N. Carter, Councilmember Jason Biesenbach, and Councilmember Bill Keller

5. Hearing of Residents:

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. Due to the Open Meetings Act discussions on matters not on the agenda are not allowed, therefore discussion 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; 4) For the record, please state your name and address before speaking.

Matt Skinner, 204 E Krezdorn, opined that there is not enough public green space in District 1 and suggested that the City of Seguin should improve the quality of life in the arts district by adding more public green space. He asked the City to purchase the Mary B. Erskine Elementary School, raze it and develop into park. He wants a way to ensure that the area will not become low-income housing.

Jerry Garcia, 535 E. Ireland, voiced that his biggest concern for Seguin is water - where do we get it, what's our major source, do we capture rain water, is there money in the budget to pave and fix roads, etc. He stated that Seguin is a great place to live and just wants to be sure there is money in the budget for the upcoming years. Also, he said that the Mary B. Erskine school is a historical place so he would not support razing it, but suggested that the City could build a park around it.

Main Street and C&B Director Kyle Kramm invited City Councilmembers to attend the Moonlight and Roses event at Walnut Springs Park from 7-9 p.m. on Friday, April 5th.

Mayor Dodgen recognized the Purchasing Department for achieving \$1M in lifetime sales from GovDeals. She announced that the Seguin Public Library will have a solar eclipse viewing party on Monday and invited everyone to attend. She also invited everyone to attend Movies in the Park on April 12th at Park West. Jurassic Park will be showing. Lastly, she announced that the Indigenous Community is invited to take part in Community Pláticas on Sunday, April 14, 2024 from 2-4 p.m. at Teatro's Cultural Arts Center. Attendees are encouraged to bring artifacts, cultural symbols, and photos to display. The plática will be moderated by Dr. Yvonne M. De La Rosa.

6. Consent Agenda

A motion was made by Councilmember Rea, seconded by Councilmember Carter, that the following items be approved on the Consent Agenda. The motion carried by the following vote:

Aye: 9 - Mayor Dodgen, Councilmember Rea, Councilmember Mendez, Councilmember Lievens, Councilmember Rangel, Councilmember Gaytan, Councilmember Carter, Councilmember Biesenbach, and Councilmember Keller

a. City Council Meeting Minutes of March 15, 2024

Indexes:

Attachments: [CC.Meeting.Minutes March 19, 2024](#)

The minutes of the March 15, 2024 City Council meeting were approved.

b. Check Report: March 16, 2024 to March 28, 2024

Indexes:

Attachments: [Check Report 03162024 - 03282024](#)

The bills were acknowledged.

c. Resolution of the City Council of Seguin, Texas accepting the Petition for Release from the City's Extraterritorial Jurisdiction filed by Lyman and Alison Skolaut for two properties in Guadalupe County (Property ID No. 138671 and 52457) and granting the request for Release effective the date of the passing of this Resolution - Pamela Centeno, Director of Planning & Codes

Indexes:

Attachments: [Staff Memo ETJ Release Request from Skolaut](#)
[Petition Release_Skolaut](#)
[Resolution Release_Skolaut](#)

This Resolution was approved.

Enactment No: RES 2024R-071

- d. Ordinance on second reading amending the Seguin Code of Ordinances Appendix C - Fee Schedules, Chapter 102, Utilities, Article III, Water Modeling Fee; and Article IV Wastewater Modeling Fee; providing for a severability clause; providing for publication; declaring an effective date; and authorizing city staff to submit this ordinance as a supplement to the Seguin Code of Ordinances

Indexes:

Attachments: [Council Memo 3-19-2024](#)
 [Ordinance 3-19-2024](#)
 [On Call Tasks Summary](#)

This ordinance was adopted.

Enactment No: ORD 2024-013

- e. Ordinance on second reading amending the Fiscal Year 2024 General Fund budget of the City of Seguin, Texas

Indexes:

Attachments: [Mid Year memo 2024](#)
 [Mid Year General Fund 24](#)

This ordinance was adopted.

Enactment No: ORD 2024-014

- f. Ordinance on second reading amending the Fiscal Year 2024 Utility Fund Budget of the City of Seguin, Texas

Indexes:

Attachments: [Mid Year Utility Fund 24](#)

This ordinance was adopted.

Enactment No: ORD 2024-015

- g. Ordinance on second reading amending the Fiscal Year 2024 Special Revenue Fund Budget of the City of Seguin, Texas

Indexes:

Attachments: [Mid Year Special Revenue Fund FY24](#)

This ordinance was adopted.

Enactment No: ORD 2024-016

7. Action Items - Discussion and Possible Motion to Approve

- a. Consideration and Approval of an Ordinance authorizing the issuance of "City of Seguin, Texas Combination Tax and Limited Pledge Revenue Certificates of Obligation, Series 2024"; providing for the payment of said certificates by the levy of an Ad Valorem Tax upon all taxable property within the City and further securing said Certificates by a lien on and pledge of the pledged revenues of the system; delegating the authority to certain City Officials and Staff to approve and execute certain documents relating to the sale of Certificates; authorizing the execution of any necessary engagement agreement with the City's financial advisors; and providing an effective date - Duane Westerman, SAMCO Capital Markets

Indexes:

Attachments: [City Council Memo for Bond Issuance](#)
 [Letter](#)
 [Motion Language](#)
 [1. Ordinance](#)

Duane Westerman, SAMCO Capital Markets, Inc., explained that approving this ordinance is the next step in the issuance the issuance of the Certificates of Obligation, Series 2024. Approving this ordinance would approving authorize and delegate and the final terms to City Manager Steve Parker and Finance Director Susan Caddell. He informed that they will be pricing the bond tomorrow.

City Manager Parker stated that a potential project list was included in the agenda packet.

A motion was made by Councilmember Rangel, seconded by Councilmember Carter, that this Ordinance be adopted. The motion carried by the following vote:

Aye: 9 - Mayor Dodgen, Councilmember Rea, Councilmember Mendez, Councilmember Lievens, Councilmember Rangel, Councilmember Gaytan, Councilmember Carter, Councilmember Biesenbach, and Councilmember Keller

Enactment No: ORD 2024-017

- b. Resolution of the City Council of the City of Seguin, Texas approving a mid-year budget amendment for the Schertz/Seguin Local Government Corporation; and declaring an effective date - Andrew McBride, General Manager SSLGC

Indexes:

Attachments: [Memo for Budget Amendment](#)
 [City Council Resolution - SSLGC Budget Amendment](#)
 [SSLGC R24-08 - Mid Year Budget Amendment](#)

Andrew McBride, SSLGC General Manager, informed that this budget amendment

includes a transfer from the Operating fund to the Repair/Replacement fund, a transfer from Retained Earnings to Impact Fee/CIP, and transfers to appropriate bond funds received from the FY2024 Improvement Bonds.

A motion was made by Councilmember Biesenbach, seconded by Councilmember Keller, that this Resolution be approved. The motion carried by the following vote:

Aye: 9 - Mayor Dodgen, Councilmember Rea, Councilmember Mendez, Councilmember Lievens, Councilmember Rangel, Councilmember Gaytan, Councilmember Carter, Councilmember Biesenbach, and Councilmember Keller

Enactment No: RES 2024-072

C.

Resolution authorizing the City Manager to execute an Additional Services Amendment to the Professional Services Agreement with BGE, Inc. in the amount of \$103,212.42 for the Rudeloff Road Phase II Project - CSJ# 0915-46-049; and declaring an effective date - Jennifer Shortess, P.E., CFM - Assistant Director of Engineering & Capital Projects

Indexes:

Attachments: [2024-04-02 Memo BGE Rudeloff II PSA CO2](#)
[2024-04-02 Resolution Rudeloff PSA Amendment](#)
[Rudeloff Road Supplemental Agreement #2](#)
[BGE Rudeloff II Resolution No. 2021R-144_Fully Executed](#)
[BGE Rudeloff II Amendment #1](#)

A motion was made by Councilmember Lievens, seconded by Councilmember Rangel, that this Resolution be approved. The motion carried by the following vote:

Aye: 9 - Mayor Dodgen, Councilmember Rea, Councilmember Mendez, Councilmember Lievens, Councilmember Rangel, Councilmember Gaytan, Councilmember Carter, Councilmember Biesenbach, and Councilmember Keller

Enactment No: Res 2024-073

d.

Public Hearing and Resolution to award the construction contract for the Rudeloff Road Improvement Project CSJ 0915-46-045 from SH 46 to Huber Road in the amount of \$15,394,288.26 to Sterling Delaware Holding Company; authorizing the City Manager to execute a contract; and providing an effective date - Jennifer Shortess, P.E., CFM, Assistant Director of Capital Projects/Engineering

Indexes:

Attachments: [2024-04-02 Memo Rudeloff I Construction Award](#)
[2024-04-02 Resolution - Rudeloff Road Construction](#)
[Rudeloff Road Bid Award Recommendation](#)
[Rudeloff Road Bid Award Recommendation Letter](#)
[TxDOT Concurrence Letter](#)

Jennifer Shortess gave an overview of the timeline for this project. She explained that the City was awarded funding from the Alamo Area Metropolitan Planning Organization (AAMPO) in 2017. Due to COVID related delays and TxDot related delays, the project timeline was lengthened. A public bid opening was held on February 6, 2024. Seven sealed bids were received. The low bidder, Sterling Delaware Holding Company, has been vetted and a bid tab analysis has been completed by Brown & Gay Engineering (BGE). It is recommended that the project be awarded to Sterling Delaware Holding Company in the amount of \$15,394,288.26 which includes the bid alternate, the reconstruction of a watermain located in the right-of-way. Ms. Shortess informed that a public meeting and ground break ceremony is anticipated to be held at the end of April and early May.

*Mayor Dodgen opened the Public Hearing at 5:46 P.M.
There being no public comment, Mayor Dodgen closed the Public Hearing at 5:46 P.M.*

Councilmember Lievens stated that this was exciting news. He said that infrastructure improvements is the number one concern from north side residents. He expressed his appreciation for city leadership moving this project along. He mentioned that the project is projected to be completed in summer of 2026 and that hopefully phase 2 and the proposed Cordova Rd improvements will start. He explained that Navarro ISD currently represents 20% of the City's households and that number is quickly growing. He expressed that he is looking forward to new parks and a fire station on the north side.

A motion was made by Councilmember Lievens, seconded by Councilmember Keller, that this Resolution be approved. The motion carried by the following vote:

Aye: 9 - Mayor Dodgen, Councilmember Rea, Councilmember Mendez, Councilmember Lievens, Councilmember Rangel, Councilmember Gaytan, Councilmember Carter, Councilmember Biesenbach, and Councilmember Keller

Enactment No: RES 2024R-074

e.

Ordinance on second reading to consider a Zoning Change from Public (P) to Single-Family Residential (R-1) for a property located at 735 Beale Street, property ID: 28513 (ZC 02-24)

Indexes:

Attachments: [Staff Memo ZC 02_24](#)
[Planning Commission report and agenda packet](#)
[ZC 02-24 Ordinance](#)
[ZC 02-24 ExhibitA CC](#)

Pamela Centeno, Director of Planning and Codes, informed that the City received a

zone change request for the property located at 735 Beale Street. The property retains the original Public zoning that was designated for the property when zoning was first adopted in 1989. The home was occupied as a legal nonconforming resident use. Because it has been vacant since 2022, the property owner has requested a zoning change to Single Family residential to ensure the continued residential use of the property. Ms. Centeno reported that the Planning and Zoning Commission voted to recommend approval of the zoning change request at their March 12, 2024 meeting.

Mayor Dodgen opened the Public Hearing at 5:50 P.M.

There being no public comment, Mayor Dodgen closed the Public Hearing at 5:50 P.M.

A motion was made by Councilmember Rangel, seconded by Councilmember Carter, that this Zoning Ordinance be approved on first reading. The motion carried by the following vote:

Aye: 9 - Mayor Dodgen, Councilmember Rea, Councilmember Mendez, Councilmember Lievens, Councilmember Rangel, Councilmember Gaytan, Councilmember Carter, Councilmember Biesenbach, and Councilmember Keller

f.

Resolution of the City Council of the City of Seguin, Texas authorizing the City Manager to approve a Purchase Order with Caldwell Country Ford d/b/a Rockdale Country Ford regarding a BuyBoard cooperative purchasing quote in the amount of \$53,533 for the purchase and delivery of a 2024 Ford Super Duty F-250 pickup truck for the Parks and Recreation Department; and declaring an effective date - Jack Jones, Director of Parks and Recreation.

Indexes:

Attachments: [Memo regarding the purchase of a Parks Truck](#)
[Caldwell County Ford dba Rockdale Country Ford Parks Truck Quote](#)
[Resolution\(F250.Truck\)\(Caldwell.Country.Ford\)](#)

Parks and Recreation Director Jack Jones explained that this purchase would allow for the replacement of a 16 year old parks truck.

Councilmember Keller asked if there was an attempt to buy this vehicle local. Mr. Jones answered that it is a Buyboard purchase quoted through fleet services. He said that it was the best price available and that the truck is ready and waiting for them to pick up.

A motion was made by Councilmember Carter, seconded by Councilmember Gaytan, that this Resolution be approved. The motion carried by the following vote:

Aye: 9 - Mayor Dodgen, Councilmember Rea, Councilmember Mendez, Councilmember Lievens, Councilmember Rangel, Councilmember Gaytan, Councilmember Carter, Councilmember Biesenbach, and Councilmember Keller

Enactment No: RES 2024R-075

g.

Ordinance on second reading amending the City of Seguin's Unified

Development Code Sections 3.4.3 Land Use Matrix, 3.5 Limited Uses, and Chapter 7 Definitions; providing a severability clause; authorizing City Staff to prepare this ordinance for submission as a supplement to the Code of Ordinances; providing for publication; and providing for an effective date

Indexes:

Attachments: [Council Memo: Vape and CBD Shops](#)
 [Draft Ordinance - Vape & CBD Shop](#)
 [Vape CBD Shops Summary](#)

Main Street and CVB Director Kyle Kramm informed that after citizens had expressed concerns about the potential of vape or CBD shops to become prominent uses downtown, staff researched surrounding communities and came up with requirements to help limit vape and CBD shop prominence downtown. Aligning with the distance requirements for similar uses like tattoo parlors, bars, etc., Main Street recommended a distance requirement of 300ft from another cbd or vape shop, 300ft from a church, or 300ft from a school.

The Planning and Zoning Commission added that a new cbd or vape shop must also be 300ft from parks and daycares. Mr. Kramm explained that this would be a Limited Use Permit that a new business would be required to apply for when they apply to get their Certificate of Occupancy. Staff would measure to confirm distance requirements are met before the permit is issued. In addition to adding the distance requirements, a definition of vape shop and CBD store would be added to the code with the approval of this ordinance.

Councilmember Biesenbach asked the approximate length of a block and Mr. Kramm answered about 300 feet.

Councilmember Gaytan asked if this ordinance would effect the cigar shop and Mr. Kramm responded that it would not as current businesses would be grandfathered.

Councilmember Rangel asked how measurements would be done and Mr. Kramm explained that measurements are done door to door, following appropriate walk paths and crosswalks.

A motion was made by Councilmember Biesenbach, seconded by Councilmember Gaytan, that this Ordinance be approved on first reading. The motion carried by the following vote:

Aye: 9 - Mayor Dodgen, Councilmember Rea, Councilmember Mendez, Councilmember Lievens, Councilmember Rangel, Councilmember Gaytan, Councilmember Carter, Councilmember Biesenbach, and Councilmember Keller

8. Closed Session

Mayor Dodgen recessed the Open Session an City Council convened into Closed Session at 6:00 P.M.

- a.** EXECUTIVE/CLOSED SESSION MEETING - An executive/closed session meeting will be held pursuant to sections 551.071(2) and 551.072 of the Texas Government Code (consultation with attorney and deliberation regarding property negotiations) for the City Council to

deliberate and/or consult with and seek advice from its attorney(s) regarding the purchase, exchange, lease, and/or value of real property associated with the Walnut Branch - GLO Project in Seguin, Texas. Possible action may follow in Open Session.

Indexes:

9. Reconvene into Regular City Council Meeting and Consider Action on Items as a Result of Closed Session

Mayor Dodgen reconvened into Open Session at 6:16 P.M.

Mayor Pro Tem Carter moved to authorize the City Manager to execute an Option Agreement for purchase of real property between Dennis A. Huber and the City of Seguin, Texas for the purchase of 55.8670 Acre (2,433,567 Square Feet) of drainage Right-Of-Way for the Walnut Branch General Land Office Drainage Improvement Project. Councilmember Rangel seconded the motion. The motion carried by the following vote:

Aye: 9 - Mayor Dodgen, Councilmember Rea, Councilmember Mendez, Councilmember Lievens, Councilmember Rangel, Councilmember Gaytan, Councilmember Carter, Councilmember Biesenbach, and Councilmember Keller

10. Adjournment

Mayor Dodgen adjourned the meeting at 6:17 P.M.

Donna Dodgen, Mayor

Attest:

Kristin Mueller
City Secretary