



City of Seguin

210 E. Gonzales Street
Seguin TX, 78155

Meeting Minutes

City Council

Tuesday, July 6, 2021

5:30 PM

Council Chambers

Public & Virtual

1. Call to Order

The City Council met in a Public & Virtual REGULAR Called Meeting on Tuesday, July 6, 2021 at 5:30 pm in the City Hall Council Chambers, City Hall, 210 East Gonzales in City of Seguin, with Mayor Donna Dodgen presiding.

2. Invocation - Council Member Jeremy Roy

3. Pledge of Allegiance/Salute to the Texas Flag

4. Roll Call

Present: 8 - Council Member Jeremy Roy, Council Member Chris Aviles, Council Member Chris Rangel, Council Member Monica N. Carter, Council Member Sonia Mendez, Council Member Mark Herbold, Council Member Joe Rea, and Council Member Penny Follis

Presiding: 1 - Mayor Donna Dodgen

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. 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; 4) For the record, please state your name and address before speaking.

*Don Lippe
1716 Willow Lane
Seguin, Texas*

Mr. Lippe said that there are (2) two entrance signs to the Willows subdivision and they are in bad shape. Wanting to see if there is something that can be done with the signs.

City Manager Steve Parker said typically it is the Home Owners Association (HOA) that would take care of the entrance signs. Mr. Parker will look into the situation.

Tomas Castellon Jr.

410 Gordon Street
Seguin, Texas

Thanked the City Council for the re-pavement of Gordon St. People are complaining about vehicles that are backing up into their yards, this is a dead end street and people are using it as a turn around.

Council Member Jeremy Roy said that the Mosaic Church had a break in at the church over the weekend. Officer Herrera responded and he is a credit to the police force.

City Manager Steve Parker wanted to recognize and thank all the City employees who prepared the streets, set stages, and volunteered during the July 4th events. They did a great job!

Council Member Chris Aviles said it was a great 4th of July and great to see our "Small Town Parade" out and going strong this year. However, he wanted everyone to know that the Field of Honor, which is held in the field at Faith Lutheran Church, was not well attend for the opening and closing ceremony. He would like to see more support for our veterans and the 3rd year needs to be bigger and better!

Council Member Sonia Mendez advised that she had someone ask her "why is there only one handicap parking space and why are there no restrooms at Central Park?"

Mayor Donna Dodgen wanted to remind everyone about the Stormwater Drainage Public Meeting to be held on Thursday, July 8th beginning at 5:30 pm at the Seguin Coliseum. Also, on the City of Seguin's website there is a link for a stormwater drainage survey. She encouraged all citizens to participate.

6. Consent Agenda

A motion was made by Council Member Herbold, seconded by Council Member Mendez, that this be approved on the Consent Agenda. The motion carried by the following vote:

Presiding: 1 - Mayor Dodgen

Aye: 7 - Council Member Roy, Council Member Rangel, Council Member Carter, Council Member Mendez, Council Member Herbold, Council Member Rea, and Council Member Follis

Abstain: 1 - Council Member Aviles

- a. [21-207](#) City Council Minutes of June 15, 2021

Indexes:

The Minutes of June 15, 2021 was approved

- b. [21-200](#) Ordinance on second and final reading amending the Fiscal Year 2021 General Fund Budget of the City of Seguin, Texas; and declaring an effective date

Indexes:

This Ordinance was adopted

Enactment No: ORD 2021-032

- c. [21-201](#) Ordinance on second and final reading amending the Fiscal Year 2021 Utility Fund Budget of the City of Seguin, Texas; and declaring an effective date

Indexes:

This Ordinance was adopted

Enactment No: ORD 2021-033

7. Action Items - Discussion and Possible Motion to Approve

- a. [21-165](#) Ordinance on second and final reading to consider a request for Voluntary Annexation of Area 1 (US Alternate 90 & Geronimo Creek) being approximately 64.34 acres situated in the John Sowell Survey, Abstract 35, Guadalupe County, Texas, consisting of two tracts with property ID 59056 & 59057 (VAN 05-3-2021_01)

Indexes:

A motion was made by Council Member Follis, seconded by Council Member Aviles, that this Ordinance be adopted. The motion carried by the following vote:

Presiding: 1 - Mayor Dodgen

Aye: 8 - Council Member Roy, Council Member Aviles, Council Member Rangel, Council Member Carter, Council Member Mendez, Council Member Herbold, Council Member Rea, and Council Member Follis

Enactment No: ORD 2021-034

- b. [21-166](#) Ordinance on second and final reading to consider a request for Voluntary Annexation of Area 2 (3000 Block of Cordova Rd) - approximately 48.001 acres situated in the A.M. Esnaurizar Survey, Abstract 20, Guadalupe County, Texas, consisting of one tract with property ID 55967 (VAN 05-302021_02)

Indexes:

A motion was made by Council Member Rea, seconded by Council Member Herbold, that this Ordinance be adopted. The motion carried by the following vote:

Presiding: 1 - Mayor Dodgen

Aye: 8 - Council Member Roy, Council Member Aviles, Council Member Rangel, Council Member Carter, Council Member Mendez, Council Member Herbold, Council Member Rea, and Council Member Follis

Enactment No: ORD 2021-035

- c. [21-167](#) Ordinance on second and final reading to consider Voluntary Annexation

of Area 3 (7817 IH 10 E) - approximately 17.72 acres situated in the J.A. Swift Survey, Abs 292 & in the Joseph Kent Survey, Abs 205, Guadalupe County, Texas consisting of one tract with property ID 174278 (VAN 04-20-21)

Indexes:

This item was removed, no action required.

d. [ZC 10-21 CC](#)

Ordinance on second and final reading to consider a zoning designation to Single Family Residential 2 (R-2) for property located at the 2000 Block of Alternate Hwy. 90, Property ID 59056 (ZC 10-21)

Indexes:

A motion was made by Council Member Follis, seconded by Council Member Aviles, that this Zoning Ordinance be adopted. The motion carried by the following vote:

Presiding: 1 - Mayor Dodgen

Aye: 8 - Council Member Roy, Council Member Aviles, Council Member Rangel, Council Member Carter, Council Member Mendez, Council Member Herbold, Council Member Rea, and Council Member Follis

Enactment No: ORD 2021-036

e. [ZC 13-21 CC](#)

Ordinance on second and final reading to consider a zoning designation to Single Family Residential 2 (R-2) for approximately 48 acres located at the 3000 Block of Cordova Rd, Property ID 55967, (ZC 13-21)

Indexes:

A motion was made by Council Member Herbold, seconded by Council Member Rea, that this Zoning Ordinance be adopted. The motion carried by the following vote:

Presiding: 1 - Mayor Dodgen

Aye: 8 - Council Member Roy, Council Member Aviles, Council Member Rangel, Council Member Carter, Council Member Mendez, Council Member Herbold, Council Member Rea, and Council Member Follis

Enactment No: ORD 2021-037

f. [21-217](#)

Ordinance on second and final reading to consider a request for Voluntary Annexation for an area of land located at the southwest corner of W. Kingsbury Street and River Rd, being approximately 7.6 +/- acres of land in Guadalupe County, Texas consisting of one tract with property ID 50454 (VAN 05-27-21)

Indexes:

The regular meeting was recessed and the public hearing was called to order. There being No Citizen Comments, the public hearing was adjourned and the regular meeting was reconvened.

A motion was made by Council Member Herbold, seconded by Council Member Mendez, that this Ordinance be approved on first reading. The motion carried by the following vote:

Presiding: 1 - Mayor Dodgen

Aye: 8 - Council Member Roy, Council Member Aviles, Council Member Rangel, Council Member Carter, Council Member Mendez, Council Member Herbold, Council Member Rea, and Council Member Follis

Enactment No: ORD 2021-038

g. [ZC 09-21 CC](#)

Ordinance on second and final reading to consider a zoning change from Single-Family Residential 1 (R-1) to Multi-Family 2 (MF-2) for a property located at 1720 N Guadalupe St, Property ID 51543 (ZC 09-21)

Indexes:

The regular meeting was recessed and the public hearing was called to order. There being No Citizen Comments, the public hearing was adjourned and the regular meeting was reconvened.

A motion was made by Council Member Mendez, seconded by Council Member Rea, that this Zoning Ordinance be approved on first reading. The motion carried by the following vote:

Presiding: 1 - Mayor Dodgen

Aye: 8 - Council Member Roy, Council Member Aviles, Council Member Rangel, Council Member Carter, Council Member Mendez, Council Member Herbold, Council Member Rea, and Council Member Follis

Enactment No: ORD 2021-039

h. [ZC 14-21 CC](#)

Ordinance on second and final reading to consider a zoning change from Agricultural Ranch (A-R) to Planned Unit Development (PUD) for a property located at Rudeloff and Huber, Property IDs 55713, 55715, 167657 (ZC 14-21)

Indexes:

The regular meeting was recessed and the public hearing was called to order. There being No Citizen Comments, the public hearing was adjourned and the regular meeting was reconvened.

Council Member Chris Aviles did have several questions concerning the Huber Airpark runway and the noise it will generate from the flyovers. Douglas Faseler, representative of the developer, did advise that they would be following all the city requirements as well as the FAA.

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

Presiding: 1 - Mayor Dodgen

Nay: 1 - Council Member Aviles

Aye: 7 - Council Member Roy, Council Member Rangel, Council Member Carter, Council Member Mendez, Council Member Herbold, Council Member Rea, and Council Member Follis

Enactment No: ORD 2021-040

i. [21-216](#)

Resolution waiving the building plan review, building permit, and roadway impact fees for the remodel and expansion of the Guadalupe County Justice of the Peace, Precinct 1 Offices located at 2405 US Hwy 90 East- Pamela Centeno, Director of Planning & Codes

Indexes:

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

Presiding: 1 - Mayor Dodgen

Aye: 8 - Council Member Roy, Council Member Aviles, Council Member Rangel, Council Member Carter, Council Member Mendez, Council Member Herbold, Council Member Rea, and Council Member Follis

Enactment No: RES 2021-054

j. [21-212](#)

Resolution authorizing the City Manager to execute an amendment to the water supply and wastewater requirements agreement between the City of Seguin and the City of San Antonio acting by and through City Public Service Board (CPS Energy); and declaring an effective date - Timothy J. Howe, Director - Water / Wastewater Utility

Indexes:

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

Presiding: 1 - Mayor Dodgen

Aye: 8 - Council Member Roy, Council Member Aviles, Council Member Rangel, Council Member Carter, Council Member Mendez, Council Member Herbold, Council Member Rea, and Council Member Follis

Enactment No: RES 2021-055

k. [21-221](#)

Resolution of the City Council of the City of Seguin, Texas authorizing the City Manager to execute a Professional Services Agreement with Pape-Dawson Engineers, Inc. in the amount of \$175,661.00 for design of Eighth Street Extension and Drainage Improvements; and declaring an effective date - David Rabago, P.E., CFM, City Engineer

Indexes:

A motion was made by Council Member Aviles, seconded by Council Member Rea, that this Resolution be approved. The motion carried by the following vote:

Presiding: 1 - Mayor Dodgen

Aye: 8 - Council Member Roy, Council Member Aviles, Council Member Rangel, Council Member Carter, Council Member Mendez, Council Member Herbold, Council Member Rea, and Council Member Follis

Enactment No: RES 2021-056

I. [21-209](#)

Resolution of the City Council of the City of Seguin, Texas approving the Schertz-Seguin Local Government Corporation FY2022 Budget; and declaring an effective date - Amber Beard, SSLGC General Manager

Indexes:

A motion was made by Council Member Herbold, seconded by Council Member Follis, that this Resolution be approved. The motion carried by the following vote:

Presiding: 1 - Mayor Dodgen

Aye: 8 - Council Member Roy, Council Member Aviles, Council Member Rangel, Council Member Carter, Council Member Mendez, Council Member Herbold, Council Member Rea, and Council Member Follis

Enactment No: RES 2021-057

m. [21-211](#)

Resolution of the City Council for the City of Seguin, Texas, authorizing submission of a grant application to the U.S. Department of Justice, Office of Community Oriented Policing Services; designates the City Manager as the City's Authorized Official to act in all matters in connection with this application and the City's participation in the Grant Program - Kathy Wood, Grants Administrator

Indexes:

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

Presiding: 1 - Mayor Dodgen

Aye: 8 - Council Member Roy, Council Member Aviles, Council Member Rangel, Council Member Carter, Council Member Mendez, Council Member Herbold, Council Member Rea, and Council Member Follis

Enactment No: RES 2021-058

n. [21-218](#)

Resolution authorizing the sale of surplus property in accordance with the City's Disposal of Assets Policy - Twila Wood, Purchasing Manager

Indexes:

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

Presiding: 1 - Mayor Dodgen

Aye: 8 - Council Member Roy, Council Member Aviles, Council Member Rangel, Council Member Carter, Council Member Mendez, Council Member Herbold, Council Member Rea, and Council Member Follis

Enactment No: RES 2021-059

o. [21-181](#)

Resolution to approve a Chapter 380 agreement with Double J Property Ventures, LLC for a rehabilitation of the historic property at 114 South Austin Street; and declaring an effective date - Kyle Kramm, Seguin Main Street & CVB Director/HPO

Indexes:

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

Presiding: 1 - Mayor Dodgen

Nay: 1 - Council Member Herbold

Aye: 7 - Council Member Roy, Council Member Aviles, Council Member Rangel, Council Member Carter, Council Member Mendez, Council Member Rea, and Council Member Follis

Enactment No: RES 2021-060

p. [21-210](#)

Street closure request for the New Generation Church to host a revival on July 9-11, 2021 and close the street in the 100 Block of East Nolte Street; and declaring an effective date - Kyle Kramm, Main Street & CVB Director

Indexes:

A motion was made by Council Member Aviles, seconded by Council Member Rangel, that this street closure be approved. The motion carried by the following vote:

Presiding: 1 - Mayor Dodgen

Aye: 8 - Council Member Roy, Council Member Aviles, Council Member Rangel, Council Member Carter, Council Member Mendez, Council Member Herbold, Council Member Rea, and Council Member Follis

q. [21-223](#)

Request for street closure, sale of alcohol and use of fencing for the Seguin - Guadalupe County Hispanic Chamber of Commerce and LULAC Chapter 682 to host Fiestas Patrias on Friday, Sept. 10 and Saturday, Sept. 11 - Kyle Kramm, Main Street & CVB Director/HPO

Indexes:

A motion was made by Council Member Mendez, seconded by Council Member Rangel, that this street closure, sale of alcohol, and use of fencing for Fiestas Patrias be approved. The motion carried by the following vote:

Presiding: 1 - Mayor Dodgen

Aye: 7 - Council Member Roy, Council Member Aviles, Council Member Rangel, Council Member Carter, Council Member Mendez, Council Member Herbold, and Council Member Follis

Abstain: 1 - Council Member Rea

- r. [21-213](#) Resolution awarding the bid and authorizing Steve Parker, City Manager to enter into an agreement with The Koehler Company for the Rehabilitation Project at Central Fire Station; and declaring an effective date - Greg Odom, Director of Facilities and Rick Cortes, Deputy City Manager

Indexes:

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

Presiding: 1 - Mayor Dodgen

Aye: 8 - Council Member Roy, Council Member Aviles, Council Member Rangel, Council Member Carter, Council Member Mendez, Council Member Herbold, Council Member Rea, and Council Member Follis

Enactment No: RES 2021-061

- s. [21-220](#) Resolution approving a Chapter 43 Development Agreement with Jessie Milam concerning land located along IH-10 east of the City; authorizing the city manager to execute the development agreement; and declaring an effective date - Andrew Quittner, City Attorney

Indexes:

A motion was made by Council Member Aviles, seconded by Council Member Follis, that this Resolution be approved. The motion carried by the following vote:

Presiding: 1 - Mayor Dodgen

Aye: 8 - Council Member Roy, Council Member Aviles, Council Member Rangel, Council Member Carter, Council Member Mendez, Council Member Herbold, Council Member Rea, and Council Member Follis

Enactment No: RES 2021-062

8. **Acknowledgment of Bills**

- a. [21-208](#) Check Report: June 14, 2021 to July 2, 2021

Indexes:

The bills were acknowledged

9. **Executive Session**

The regular meeting was recessed and the council went into Executive Session at 6:45 pm. The regular meeting reconvened at 7:33 pm.

- a. [13-048](#) Consultation with City Attorney in accordance with Section 551.071 and Section 551.072 regarding Deliberation on Real Property, Easements and Right-of-Way access for several projects - Steve Parker, City Manager

Indexes:

- b. [13-344](#) Under Section 551.071(2) - To hear advice from the City Attorney on matters which are confidential

Indexes:

- c. [14-440](#) Pursuant to Section 551.071 - Consultation with attorney for advice regarding potential, pending, threatened litigation or settlement - Steve Parker, City Manager

Indexes:

10. Action Items as a Result of Executive Session: Discussion and Possible Motion to Approve

- d. [21-214](#) Resolution in connection with the Rudeloff Road Improvement Project; authorizing all appropriate action by the city manager, staff, attorneys and consultants in the negotiation purchase, and the institution and prosecution of condemnation proceedings through the use of eminent domain to acquire a fee simple interest in three parcels of land being a 1.597 acre, a 0.96 acre and a 0.428 acre of land and a 0.086 acre drainage easement all owned by AWK Enterprises, LLC located within the City of Seguin, Guadalupe County Texas; declaring each section of this Resolution to be severable one from the other in the event that any section is determined to be invalid; and declaring an effective date - Andrew Quittner, City Attorney

Indexes:

A motion was made by Council Member Herbold, seconded by Council Member Mendez, that this Resolution be approved. The motion carried by the following vote:

Presiding: 1 - Mayor Dodgen

Aye: 8 - Council Member Roy, Council Member Aviles, Council Member Rangel, Council Member Carter, Council Member Mendez, Council Member Herbold, Council Member Rea, and Council Member Follis

Enactment No: RES 2021-063

11. Adjournment

There being no further business before the council the meeting adjourned at 7:34 pm.

Donna Dodgen, Mayor

Attest:

Naomi Manski, City Secretary