



City of Seguin

210 E. Gonzales Street
Seguin TX, 78155

Meeting Minutes - Final

City Council

Tuesday, May 17, 2022

5:30 PM

Council Chambers

FINAL - PUBIC & VIRTUAL

1. Call to Order

The City Council met in a Public & Virtual REGULAR Called Meeting on Tuesday, May 17, 2022 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 - Mayor Donna Dodgen

3. Pledge of Allegiance/Salute to the Texas Flag

4. Roll Call

Present: 7 - 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, and Council Member Joe Rea

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.

Bob Pees, 631 Royal Sage, Seguin, TX, 78155 - Former Council Member, stated while he was in office and even after he worked with former City Engineer Joe Ramos, stating that Joe work diligently with TxDot on repairing the intersection at FM 466, Preston Dr., and Eastwood Dr. It is a terrible intersection where vehicle accidents have occurred with cars going through fenced yards and even going into a home through the back bedroom and getting worse. TxDot gave a laid out a plan stating the project would be funded and completed by year 2022 and nothing has been done. Mr. Pees handed out a copy of a plan to Council member Carter.

City Manager, Steve Parker stating - It is a Funding project though MPO, and scheduled for design in 2024.

Mr. Pees stated that he had another issue to speak on; Utility Charges to customers, are base on productions and distribution, every item is included in that fee including the work completed by Utility Billing Staff, stating that all of these expenses are built into the rate. If you are paying by check there is not extra fee, but if you are paying by credit card there is a charge fee. and he feels that the fee should be built in as it is for check payment. But what is most upsetting is when he tries to pay his bill by ACH or ATF he is charged \$1.25 fee to complete this type of transaction. Stating also no one has to do anything for this process and feels like he is saving the City a lot of money by doing it this way and should not have to pay the \$1.25 fee. Mr. Pee's stated he is going to protest and only pay his bill with a check from now on. He would like to see a change in the new years budget.

Paul Martin, 605 Elm St., Seguin, TX, 78155 - Reading on Growth and Evapotranspiration in our community. Mr. Martin speaks on how the City should be aware of the consequences of rapid growth in a small city.

Julian Bliss, 111 Austin St. Seguin, Texas 78155 - Came to introduce herself as Monica De La Cruz's Field Director. Stating that Monica is running to represent the entire area stating that Monica loves Guadalupe County, also asking that we all remember her on the ballet come November. Ms. Bliss also wanted to extend an invitation to all to join them on Third Thursday, May 19th as they will have popsicles for all and to bring the children as well. Also on June 6th an invitation to Wine down with Monica, a happy hour event from 5:30 p.m. to 6: 30 p.m. Ms. Bliss also Thanked City Council for all that they do.

Jack Jones, Parks Director spoke on the Wave Pool News. Mr. Jones asked if everyone had heard of the ongoing issues with the surrounding cities like New Braunfels, and Austin, stating that they are all going through a difficult time trying to hiring enough staff for summer programs. Mr. Jones stated "The good news is, not here in Seguin Texas". We will open up on Saturday, May 30th, and be open Sunday and Monday for Memorial weekend, 12:00 p.m. to 6:00 p.m. Close for the week since school is still in session, but will open back up on Saturday June 4th. be open Tuesday through Sunday from 12:00 p. m. through 6:00 p.m. the rest of the summer to the first week in August. Mr. Jones also stated that the Parks Department have more life guards than we ever had in the past, and he gave Thanks to Courtney Tolivar in HR, and Lindsey Hajek, in Parks.

City Manager, Steve Parker stated that because of an error the agenda item on Redistricting would have to be postponed to a Special meeting on Tuesday, May 24th at 4:00 p.m. and that would give council more time to discuss the item and make sure that they are comfortable with their decisions and also a Public Hearing for citizens to give their opinions. We will come back on June 7th with another Public hearing & Vote. We do apologize for any inconvenience .
Mayor Donna Dodgen reminded everyone about the community open house to discuss the MasterPlan, May 26th at the Seguin Coliseum from 6:00 p.m. through 8:00 p.m.

6. Presentation

- a. [22-237](#) Presentation and discussion regarding a Public Finance Corporation Multifamily project located at the northeast corner of State Hwy 46 and Cordova Road - Steve Parker, City Manager

Indexes:

Steve Parker, City Manager Memo
Re: Public Finance Corporation Multifamily Projects

Over 10 years ago, the City Formed a Public Finance Corporation in hopes of acquiring some workforce housing projects. Unfortunately, that plan never came to fruition. In 2016, the State changed legislation that help make Public Finance Corporation Multifamily Projects much more attractive to municipalities as it provided clawbacks to ensure that projects could be Class A in nature and would remain that way. With the rising cost of housing across the Country as well within our own community, workforce housing availability is becoming an issue for many communities. Also with the large number of manufacturing and governmental jobs, workforce housing is crucial to an economic ecosystem. Workforce housing is also crucial for a substantive teacher, nursing and retail workforce. The City will have a consultant who specializes in these types of transaction to provide the City Council with the detail of these types of developments. The City has been approached by a multifamily developments. The City has been approached by a multifamily developer who is looking at a potential project in the Hwy 46 and Cordova area. They will also be here on Tuesday to explain a little bit more about the project they are proposing. The land they are looking at still has to go through the entitlement process so it is a ways from coming to fruition. We wanted to get the City Council's input on what they would like to see come from these types of projects.

City Manager, Steve Parker introduces James P. Plummer a Partner with Bracewell; Mr. Plummer states that all he does is represents Government entities in housing deals. If he ever plays a role in these transactions it would be as the City's Counsel.

City has created a public facility corporation pursuant to Chapter 303 of Texas Local Government Code for purpose of owning and financing public facilities, gated apartment complex is public facility so long as available on non-discriminatory basis, except income set a sides a public nonprofit corporation acting on behalf of the City, same Board Members as City Council or any other appointees you choose. Vaquero has proposed the construction of a 272 unit apartment project with an estimated cost of \$ 58,071,814. Principal purpose of PFC is to own the project and lease it to the development partnership, insulated the City from any liability, allows for property to be tax exempt if 50% of units leased to people at or below 80% of median income (\$66.320) and the other 50% would be listed at market rate. Developer will assume all financial risks, Developer will bring proprietary capital stack to project, they will guaranty construction completion, costs and operations, set rent, budgets and policies and will manage day-to-day operations.

Provides workforce housing adjusted for family size and bedroom size, rent is capped, enables Class A apartments. Allows for input into location, design, tenant selection criteria, and provides housing for business recruitment. Proposed Financial: \$250,000 at closing, 25% of sales tax saving, annual rent equal to 25% of tax savings, allow PFC to receive 15% percent of sales proceeds upon sale of project after payment of debt and return of capital. Developer will want right to force sale or refinancing with no approval of buyer. If project is not successful Seguin PFC won't make projected profits but will have no investment, Seguin PFC may be removed upon foreclosure and lose control, but then they pay taxes, Seguin PFC may get sued and have to defend even though it should have no liability; will have insurance and indemnity; because Seguin PFC is a political body, it could have people show up at Council meetings.

Mayor Donna Dodgen requested to see what the project might look like.

Brandon Barron with Vaquero Ventures spoke on the product and the Proposed PFC at

Cordova Road and State Hwy 46. Proposed with Seguin Public Facility Corporation, three story walk-up product, approximately 280 Units. Club House, pool, stainless steel appliances a quality product. Vaquero has completed in excess of \$1 Billion of commercial development over the last ten years. Our multifamily team has a very broad background in this sector, including high-rise, midrise, podium, wrap and garden product. Please see links for Previous Work with Public Facility Corporations www.liveculebra.com www.livejosephine.com www.ranchathuntsville.com

7. Consent Agenda

Mayor Dodgen moved to Items 8g and 8h before moving to the Consent Agenda. Council Member Chris Aviles left the meeting at 5:55 pm. after the Consent Agenda vote.

A motion was made by Council Member Aviles, seconded by Council Member Rangel, that the minutes and resolutions be approved on the Consent Agenda. 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 Rea

a. [22-228](#)

City Council Minutes of May 3, 2022

Indexes:

This Minutes was approved on the Consent Agenda.

b. [22-210](#)

Resolution of the City Council of the City of Seguin, Texas awarding the bid for the Pavement Maintenance Project - TF-2022-21 to Lone Star Paving, in the amount of \$329,242.40, for the implementation of the street maintenance improvements; authorizing the City Manager to execute a service contract; and providing an effective date - John Donnelly, Director of Public Works

Indexes:

This Resolution was approved

Enactment No: RES 2022-079

c. [22-227](#)

Resolution authorizing the City Manager to enter into a Professional Engineering Services Agreement with Halff Associates in the amount of \$178,710, for engineering services and design of the Lidar, impervious cover analysis and aerial imagery Project; and declaring an effective date - Melissa Reynolds, P.E., MPA, CFM

Indexes:

This Resolution was approved

Enactment No: RES 2022-080

- d. [22-235](#) Resolution of the City Council of the City of Seguin, Texas, authorizing the City Manager to execute a Professional Services Agreement with TRC Engineering for preliminary engineering services related to the new Max Starcke Park Golf Course Cart Barn; and declaring an effective date - Bruce Allen, Golf Course Manager

Indexes:

This Resolution was approved

Enactment No: RES 2022-081

8. Action Items - Discussion and Possible Motion to Approve

- a. [ZC 06-22 CC](#) Ordinance on second and final reading to consider a Zoning Designation to Single-Family Residential 1 for two properties located at 4000 State Hwy 46 N, Property Ids 54801 & 54802 (ZC 06-22)

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 Rangel, that this Zoning Ordinance be approved on first reading. The motion carried by the following vote:

Excused: 1 - Council Member Aviles

Presiding: 1 - Mayor Dodgen

Aye: 6 - Council Member Roy, Council Member Rangel, Council Member Carter, Council Member Mendez, Council Member Herbold, and Council Member Rea

- b. [ZC 08-22 CC](#) Ordinance on second and final reading to consider a Zoning Designation to Single-Family Residential (R-2) for a property located at the 3500 Blk of Cordova Rd, Property ID: 56468, (ZC 08-22)

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

Excused: 1 - Council Member Aviles

Presiding: 1 - Mayor Dodgen

Aye: 6 - Council Member Roy, Council Member Rangel, Council Member Carter, Council Member Mendez, Council Member Herbold, and Council Member Rea

- c. [ZC 09-22 CC](#) Ordinance on second and final reading to consider a Zoning Designation to Single-Family Residential (R-2) for a property located at the 3600 Blk of Cordova Rd, Property ID: 56467, (ZC 09-22)

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

Excused: 1 - Council Member Aviles

Presiding: 1 - Mayor Dodgen

Aye: 6 - Council Member Roy, Council Member Rangel, Council Member Carter, Council Member Mendez, Council Member Herbold, and Council Member Rea

- d. [22-234](#) Discussion and possible action regarding the process for officially naming the future pickleball courts located at 418 W. Mountain St. - Jack Jones, Director of Parks and Recreation

Indexes:

The consensus of the City Council was for the Parks Director to use social media and the Parks Board suggestions and bring two or three ideas back to City Council for approval.

- e. [22-236](#) Resolution awarding a bid in an amount not to exceed \$1,372,685.00 to D&S Concrete Contractors, LLC for the 8th Street Extension Project through the U.S. Department of Commerce's Economic Development Administration (EDA) CARES Act Recovery Assistance Grant; Authorizing the City Manager to enter into a Construction Contract with D&S Concrete Contractors, LLC; and declaring an effective date - Melissa Reynolds, P.E., MPA, CFM

Indexes:

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

Excused: 1 - Council Member Aviles

Presiding: 1 - Mayor Dodgen

Aye: 6 - Council Member Roy, Council Member Rangel, Council Member Carter, Council Member Mendez, Council Member Herbold, and Council Member Rea

Enactment No: RES 2022-082

- f. [22-230](#) Resolution of the City Council for the City of Seguin, Texas, authorizing submission of a grant application in response to the Texas Department of Agriculture, Texas Rural Business Fund (TxRBF) grant program - Kathy Wood, Grant Administrator
- Indexes:**
- A motion was made by Council Member Carter, seconded by Council Member Mendez, that this Resolution be approved. The motion carried by the following vote:**
- Excused:** 1 - Council Member Aviles
- Presiding:** 1 - Mayor Dodgen
- Aye:** 6 - Council Member Roy, Council Member Rangel, Council Member Carter, Council Member Mendez, Council Member Herbold, and Council Member Rea
- Enactment No: RES 2022-083
- g. [22-222](#) Ordinance on second and final reading amending the Seguin Code of Ordinances Chapter 98, Traffic and Vehicles, Article VII, Golf Carts, Neighborhood Electric Vehicles and Other Types of Recreational Off-Highway Vehicles to add Off-Highway Vehicles, providing a severability clause; authorizing city staff to prepare this Ordinance for submission as a supplement to the Code of Ordinances; and providing an effective date
- Indexes:**
- A motion was made by Council Member Herbold, seconded by Council Member Aviles, that this Ordinance be approved on first reading. 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 Rea
- Enactment No: ORD 2022-045
- h. [22-223](#) Ordinance on second and final reading amending the Seguin Code of Ordinances, Chapter 98, Traffic and Vehicles, Article II, Traffic Control Devices by repealing Section 29-41, Children at Play Signs, providing a severability clause; authorizing city staff to prepare this Ordinance for submission as a supplement to the Code of Ordinances; and providing an effective date
- Indexes:**
- A motion was made by Council Member Rea, 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: 7 - Council Member Roy, Council Member Aviles, Council Member Rangel, Council Member Carter, Council Member Mendez, Council Member Herbold, and Council Member Rea

Enactment No: ORD 2022-046

i. [22-238](#)

Ordinance on second and final reading renaming Continental Drive to Vitesco Technologies Drive and amending the official street map to rename Continental Drive to Vitesco Technologies Drive; repealing all ordinances or parts thereof inconsistent or in conflict herewith; providing for severability clause; and providing an effective date

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

Excused: 1 - Council Member Aviles

Presiding: 1 - Mayor Dodgen

Nay: 1 - Council Member Roy

Aye: 5 - Council Member Rangel, Council Member Carter, Council Member Mendez, Council Member Herbold, and Council Member Rea

Enactment No: ORD 2022-047

j. [22-239](#)

Board and/or Committee Appointments
a. Planning & Zoning

Indexes:

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

Excused: 1 - Council Member Aviles

Presiding: 1 - Mayor Dodgen

Aye: 6 - Council Member Roy, Council Member Rangel, Council Member Carter, Council Member Mendez, Council Member Herbold, and Council Member Rea

9. **Acknowledgment of Bills**

This was acknowledged

a. [22-229](#)

Check Report: May 2, 2022 through May 13, 2022

Indexes:

The bills were acknowledged

10. Executive Session

The regular meeting was recessed and the council went into Executive Session at 6:49 pm. The regular meeting reconvened at 7:11pm.

- a. [13-014](#) Deliberation regarding Real Estate in accordance to Section 551.072 - Steve Parker, City Manager

Indexes:**11. Adjournment**

There being no further business before the council the meeting adjourned at 7:11 pm.

Donna Dodgen, Mayor

Attest:

Kimberly Allison, Deputy City Secretary