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# City of Seguin

210 E. Gonzales Street  
Seguin TX, 78155

## Meeting Minutes

### City Council

Tuesday, July 16, 2019

5:30 PM

Council Chambers

#### 1. Call to Order

*The City Council met in a REGULAR Called Meeting on at 5:30 pm in the City Hall Council Chambers, City Hall, 210 East Gonzales in City of Seguin, with Mayor Don Keil presiding.*

#### 2. Invocation - Council Member Ernest Leal

#### 3. Pledge of Allegiance/Salute to the Texas Flag

#### 4. Roll Call

**Present:** 8 - Council Member Mark Herbold, Council Member Fonda Mathis, Council Member Ernest Leal, Council Member Jeannette Crabb, Council Member Chris Rangel, Council Member Jeremy Roy, Council Member Penny Wallace, and Council Member Chris Aviles

**Presiding:** 1 - Mayor Don Keil

#### 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.**

*Name: Julian Leal  
Address: 849 Prexy  
City: Seguin, Tx*

*Mr. Leal spoke about the need to update some of the neighborhood parks.*

*City Manager Doug Faseler informed City Council that a date of August 1, 2019 at 5:00 p.m. has been set for the Grand Opening of the Development Center. Invitations will be sent out soon.*

*Mayor Don Keil paid respect to Officer Paul Blea who passed away on July 12, 2019.*

#### 6. Consent Agenda

**A motion was made by Council Member Mathis, seconded by Council Member Wallace, that the minutes and two ordinances be approved on the Consent Agenda. The motion carried by the following vote:**

**Presiding:** 1 - Mayor Keil

**Aye:** 8 - Council Member Herbold, Council Member Mathis, Council Member Leal, Council Member Crabb, Council Member Rangel, Council Member Roy, Council Member Wallace, and Council Member Aviles

a. [19-208](#)

City Council Minutes of July 2, 2019

**This Minutes was approved**

b. [19-179](#)

Ordinance on second reading to consider a Zoning Change from Commercial (C) to Single Family Residential (R-1) for approx. 8 acres out of a 14.94 acre tract between the 500 Blk of IH 10 and E. Martindale Street, Property ID 51239, (ZC 11-19)

**This Ordinance was adopted**

Enactment No: ORD 2019-038

c. [19-178](#)

Ordinance on second reading amending the Seguin Unified Development Code (UDC) Section 3.4.3- Land Use Matrix, Section 3.5.3.S- Food Truck Park, and Definitions, providing for a severability clause, publication, and an effective date

**This Ordinance was adopted**

Enactment No: ORD 2019-039

7. **Action Items - Discussion and Possible Motion to Approve**

a. [19-199](#)

Public Hearing and Ordinance on first reading to consider a request by owner for annexation into the Seguin City Limits for property located south of Cordova Road, approximately 2.00 acres situated in the A.M. Esnaurizar Survey, Abs 20, Guadalupe County, Texas, consisting of one tract, Property ID 129033 - Pamela Centeno, Director of Planning & Codes

*The regular meeting was recessed and the public hearing was called to order. There being no comments from the public the public hearing was adjourned and the regular meeting was reconvened.*

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

**Presiding:** 1 - Mayor Keil

**Aye:** 8 - Council Member Herbold, Council Member Mathis, Council Member Leal, Council Member Crabb, Council Member Rangel, Council Member Roy, Council Member Wallace, and Council Member Aviles

Enactment No: ORD 2019-040

b. [19-213](#)

Resolution of the City Council for the City of Seguin, Texas, authorizing the submission of a TCEQ Nonpoint Source grant from the Texas Commission on Environmental Quality; and authorizing the City Manager to act as the City's Authorized Official in all matters pertaining to the City's participation in the Nonpoint Source Grant Program - Dana Losey, Grants Coordinator

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

**Presiding:** 1 - Mayor Keil

**Aye:** 8 - Council Member Herbold, Council Member Mathis, Council Member Leal, Council Member Crabb, Council Member Rangel, Council Member Roy, Council Member Wallace, and Council Member Aviles

Enactment No: RES 2019-078

c. [19-218](#)

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

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

**Presiding:** 1 - Mayor Keil

**Aye:** 8 - Council Member Herbold, Council Member Mathis, Council Member Leal, Council Member Crabb, Council Member Rangel, Council Member Roy, Council Member Wallace, and Council Member Aviles

Enactment No: RES 2019-079

d. [19-206](#)

Resolution authorizing the City Manager to sign an engagement letter for the fiscal year ended September 30, 2019 financial audit with Armstrong, Vaughan and Associates P.C. - Susan Caddell, Director of Finance

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

**Presiding:** 1 - Mayor Keil

**Aye:** 8 - Council Member Herbold, Council Member Mathis, Council Member Leal, Council Member Crabb, Council Member Rangel, Council Member Roy, Council Member Wallace, and Council Member Aviles

Enactment No: RES 2019-080

e. [19-192](#)

Resolution awarding a Professional Services Agreement with Halff & Associates for implementing a Stormwater Program with associated stormwater fees; authorizing the City Manager to execute the agreement; and declaring an effective date - David Rabago, P.E., CFM, City Engineer

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

**Presiding:** 1 - Mayor Keil

**Aye:** 8 - Council Member Herbold, Council Member Mathis, Council Member Leal, Council Member Crabb, Council Member Rangel, Council Member Roy, Council Member Wallace, and Council Member Aviles

Enactment No: RES 2019-081

f. [19-205](#)

Ordinance of the City Council of the City of Seguin, Texas on first reading amending the Seguin Code of Ordinances, Chapter 102, Utilities, Article II, Electricity; to modernize certain language and amending Appendix C - Fee Schedule, Chapter 102 Utilities, Article II, Electric Rates; 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 - Clarence Smith, Director of Electric Utilities and Rick Cortes, Assistant City Manager

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

**Presiding:** 1 - Mayor Keil

**Aye:** 8 - Council Member Herbold, Council Member Mathis, Council Member Leal, Council Member Crabb, Council Member Rangel, Council Member Roy, Council Member Wallace, and Council Member Aviles

Enactment No: ORD 2019-041

g. [19-203](#)

Presentation of the Water & Wastewater Rate Study - Dan Jackson, Willdan Financial Services and Rick Cortes, Assistant City Manager

*Dan Jackson provided City Council with the 2019 Water/Wastewater Rate Analysis.*

*Factors Impacting 2019 Analysis:*

*SSLGC Cost Increases*

*New wholesale customer will be increasing purchases 2020-2025*

*Significant forecast new growth, particularly in wastewater*

*Biggest impact: Capital Improvement Plan and \$37 million Geronimo Creek Expansion*

*Revenues from growth are forecast to cover cost of growth:*

*City plans to contribute \$1,000,000 in impact fees annually to fund growth-related debt service*

*New customers will add more revenue to water and wastewater fund*

*Mr. Jackson laid out the proposed rate plans for the Water and Wastewater Utility.*

*Also, showing the proposed rate plan impact to residential and commercial customers on a monthly basis.*

**h.** [19-204](#)

Ordinance of the City Council of the City of Seguin, Texas on first reading amending the Seguin Code of Ordinances Appendix C - Fee Schedules, Chapter 102, Utilities, Article III, Water Rates; and Article IV Wastewater Rates; 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 - David Rabago, P.E., CFM, City Engineer

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

**Presiding:** 1 - Mayor Keil

**Nay:** 1 - Council Member Aviles

**Aye:** 7 - Council Member Herbold, Council Member Mathis, Council Member Leal, Council Member Crabb, Council Member Rangel, Council Member Roy, and Council Member Wallace

Enactment No: ORD 2019-042

**i.** [19-216](#)

Resolution approving a Pole Attachment Agreement with Zayo Group, LLC for the installation of communication facilities on city utility poles; authorizing the City Manager to execute the Pole Attachment Agreement; and declaring an effective date - Andy Quittner, City Attorney

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

**Presiding:** 1 - Mayor Keil

**Aye:** 8 - Council Member Herbold, Council Member Mathis, Council Member Leal, Council Member Crabb, Council Member Rangel, Council Member Roy, Council Member Wallace, and Council Member Aviles

Enactment No: RES 2019-082

**j.** [19-215](#)

Ordinance on first reading amending the Seguin Code of Ordinances, Chapter 98, Traffic and Vehicles, Article V, Stopping, Standing and Parking, by creating a new section 98-108, Tow Away Zones; providing for a severability clause; providing for an effective date; providing of publication of this Ordinance; and

authorizing city staff to prepare this Ordinance for submission as a supplement to the Code of Ordinances - Andy Quittner, City Attorney

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

**Presiding:** 1 - Mayor Keil

**Aye:** 8 - Council Member Herbold, Council Member Mathis, Council Member Leal, Council Member Crabb, Council Member Rangel, Council Member Roy, Council Member Wallace, and Council Member Aviles

Enactment No: ORD 2019-043

k. [19-209](#)

Board and/or Committee Appointment

a. Planning & Zoning Commission

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

**Presiding:** 1 - Mayor Keil

**Aye:** 8 - Council Member Herbold, Council Member Mathis, Council Member Leal, Council Member Crabb, Council Member Rangel, Council Member Roy, Council Member Wallace, and Council Member Aviles

8. **Acknowledgment of Bills**

*The bills were acknowledged.*

a. [19-207](#)

Check Report: June 28, 2019 through July 11, 2019

9. **Executive Session**

*The regular meeting was recessed and the council went into Executive Session at 6:32 pm. The regular meeting reconvened at 6:56 pm to take action on Item 10a.*

*The regular meeting was recessed and the council went into Executive Session at 6:59 pm. The regular meeting reconvened at 7:26 pm.*

a. [13-053](#)

Deliberation regarding Economic Development Negotiations in accordance with Section 551.071 and 551.087

b. [14-108](#)

Deliberate regarding Real Property and Economic Negotiations in accordance with Section 551.087, 551.071 and 551.072 - Doug Faseler, City Manager

c. [19-219](#)

In accordance with Section 551.074 to discuss personnel matters concerning the initial applications for city manager

## 10. Action Items - Discussion and Possible Motion to Approve

- a. [19-211](#) Resolution approving an incentive package proposed by the Seguin Economic Development Corporation for Project Desert Wind - Joshua Schneuker, Director of Economic Development

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

**Presiding:** 1 - Mayor Keil

**Aye:** 8 - Council Member Herbold, Council Member Mathis, Council Member Leal, Council Member Crabb, Council Member Rangel, Council Member Roy, Council Member Wallace, and Council Member Aviles

Enactment No: RES 2019-083

- b. [19-212](#) Resolution to approve a property tax abatement application submitted by Project Desert Wind, and to authorize a property tax abatement pursuant to the application - Joshua Schneuker, Director of Economic Development

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

**Presiding:** 1 - Mayor Keil

**Aye:** 8 - Council Member Herbold, Council Member Mathis, Council Member Leal, Council Member Crabb, Council Member Rangel, Council Member Roy, Council Member Wallace, and Council Member Aviles

Enactment No: RES 2019-084

- c. [19-217](#) Resolution awarding a downtown loan to Jason Howell for the rehabilitation of the Hugo Starcke Building, 1421 North Austin Street; and declaring an effective date - Kyle Kramm, Main Street & CVB Director

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

**Presiding:** 1 - Mayor Keil

**Aye:** 8 - Council Member Herbold, Council Member Mathis, Council Member Leal, Council Member Crabb, Council Member Rangel, Council Member Roy, Council Member Wallace, and Council Member Aviles

Enactment No: RES 2019-085

## 11. Adjournment

*There being no further business before the council the meeting adjourned at 7:28 pm.*

\_\_\_\_\_  
**Don Keil, Mayor**

**Attest:**

\_\_\_\_\_  
**Naomi Manski, City Secretary**