



City of Sequin

210 E. Gonzales Street
Sequin TX, 78155

Meeting Minutes

City Council

Tuesday, June 18, 2024

5:30 PM

Council Chambers

1. Call to Order

Mayor Dodgen called the meeting to order at 5:31 p.m.

2. Invocation - Mayor Donna Dodgen

3. Pledge of Allegiance/Salute to the Texas Flag

4. Roll Call

District 2 position is vacant.

Present: 7 - Councilmember Joe Rea, Councilmember Jim Lievens, Councilmember Chris Rangel, Councilmember Paul Gaytan, Councilmember Monica N. Carter, Councilmember Jason Biesenbach, and Councilmember Bill Keller

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. 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.

Main Street and CVB Director Kyle Kramm invited everyone to attend the City's 4th of July celebrations, starting with Freedom Fiesta on June 29th, a patriotic concert on June 30th, the fireworks show on July 3rd, and the flag raising ceremony and parade on July 4th. He announced that there were already 112 entries in the parade so far.

Councilmember Lievens requested increased police presence or that an engineered traffic solution be considered on south bound Hwy 46 as it approaches I-10. The closed left hand turn lane has traffic backing up and impatient drivers are using the shoulder as a lane. Next, he introduced his brother, Dr. Lievens, and reported that Dr. Lievens lives in the middle of a large stray cat population on Burgess St. He asked that Shelley Lutz with Animal Services give a presentation to City Council an update on Animal Services programs.

Mayor Dodgen invited everyone to think about Seguin Police Department tonight as they face New Braunfels Police Department in the Battle of the Badges held at Smokey Joe field.

6. Presentation

- a. Presentation by Mayor Donna Dodgen recognizing the retirement of Allison Geisinger

Indexes:

Attachments: [Allison Geisinger - Retirement Certificate](#)

Mayor Dodgen presented Allison Geisinger with a certificate of appreciation and thanked her for her 17 years of service to the City of Seguin. She wished her well in her retirement.

- b. Presentation by Mayor Donna Dodgen recognizing the retirement of Kathy Wood

Indexes:

Attachments: [Kathy Wood - Retirement Certificate](#)

Mayor Dodgen presented Kathy Woods with a certificate of appreciation for her years of service with the City of Seguin and wished her well in her retirement.

- c. Starcke Park Golf Course Tree Plan Update

Indexes:

Attachments: [Council Memo - Tree Removal Plan Update](#)

[Brian Ross Letter](#)

[Tree Removal List & Maps](#)

Golf Course General Manager Bruce Allen informed that in a response to the concern regarding the tree removal proposed by the Ross Golf Design team, the Golf Advisory Board called a special emergency meeting to review the tree removal plan. Of the 51 trees recommended for removal, the Board unanimously agreed to remove 17 trees that were marked as a safety hazard, 11 trees to accommodate the new irrigation at the lake, and the 5 trees that would interfere with the redesign of the driving range tee box and Hole #3. The Board voted to save six of the eight trees in the shade category and five of the six trees in the playability category.

Councilmember Lievens referenced Ross Design's letter regarding the City paying into a trust fund to plant trees elsewhere and asked if that was something the City was looking at doing. Mr. Allen answered yes, the City has a fund to plant new trees elsewhere but the problem is that the code requires the new trees to be irrigated, which can make maintaining them an expensive endeavor.

Deputy City Manager Rick Cortes stated that the money will get paid into a tree trust fund and after staff creates the initial plan for utilization of that fund the plan will go to City Council for consideration.

Councilmember Gaytan asks how many total trees will be removed from the golf

course and Mr. Allen answered 40. Gaytan asked how many trees would need to be planted back at the golf course to recover what is being removed. Mr. Cortes answered that they go by caliper of the tree. There are 1600 caliper inches being removed so if the City was to plant two inch trees that would be 800 trees. Next, Councilmember Gaytan asked how much money will be deposited into the tree trust fund and Mr. Allen responded that they are still trying to determine the amount, but are estimating around \$65k-\$75k. Lastly, Gaytan asked if there would be a specific plan for maximizing the tree replanting so that the funds are not spent elsewhere and Mr. Cortes confirmed there will be and that there is currently about \$30k in the fund.

7. Consent Agenda

Mayor Dodgen announced that item d. on the consent agenda regarding the funding of the Sebastapol house will be pulled from the consent agenda and considered separately.

A motion was made by Councilmember Joe Rea, seconded by Councilmember Jason Biesenbach, that the remaining consent agenda items be approved..

The motion carried by the following vote:

Presiding: 1 - Mayor Dodgen

Aye: 7 - Councilmember Rea, Councilmember Lievens, Councilmember Rangel, Councilmember Gaytan, Councilmember Carter, Councilmember Biesenbach, and Councilmember Keller

a. Minutes of the June 4, 2024 City Council Regular Meeting

Indexes:

Attachments: [CC.Meeting.Minutes June 4, 2024](#)

This Minutes was approved.

b. Check Report June 1, 2024 to June 14, 2024

Indexes:

Attachments: [Check Report 06012024 - 06142024](#)

This bills were acknowledged.

c. Ordinance on second reading amending Chapter 22, Businesses, Article II, Food Service Establishments, to add retail shops and multi-event temporary food establishments; providing a severability clause; providing an effective date; and authorizing city staff to submit this ordinance as a supplement to the City of Seguin Code of Ordinances - Pamela Centeno, Director of Planning & Codes

Indexes:

Attachments: [CC Memo FoodEst Amendments rv](#)
[CC FoodEstDefinitionsAdded June2024](#)

This Ordinance was adopted.

Enactment No: ORD 2024-029

- e. Resolution accepting the Petition for Release from the City's Extraterritorial Jurisdiction filed by Amplify Ranch Investments, LTD for one property in Guadalupe County (Property ID No. 55396) and granting the request for Release effective the date of the passing of this Resolution

Indexes:

Attachments: [Staff Memo_ETJ Release Request from Amplify](#)
 [Petition Release_Amplify](#)
 [Resolution Release_Amplify](#)

This Resolution was approved.

Enactment No: RES 2024R-137

- f. Resolution accepting the Petition for Release from the City's Extraterritorial Jurisdiction filed by Charles and Peggy Heim for two properties in Guadalupe County (Property ID No.'s 169523 and 169524) and granting the request for Release effective the date of the passing of this Resolution

Indexes:

Attachments: [Staff Memo_ETJ Release Request from Heim](#)
 [Petition Release_Heim](#)
 [Resolution Release_Heim](#)

This Resolution was approved

Enactment No: RES 2024R-138

- g. Resolution accepting the Petition for Release from the City's Extraterritorial Jurisdiction filed by Trustee of The Jacob Donovan Boeck Trust for two properties in Guadalupe County (Property ID No.'s 65665 and 65666) he request for Release effective the date of the passing of this Resolution

Indexes:

Attachments: [Staff Memo_ETJ Release Request from BoeckJ](#)
 [Petition Release_BoeckJ](#)
 [Resolution Release_BoeckJ](#)

This Resolution was approved.

Enactment No: RES 2024R-139

- h. Resolution accepting the Petition for Release from the City's Extraterritorial Jurisdiction filed by Margarito Gomez for three properties in Guadalupe County (Property ID No.'s 59893, 59894 and 59895) and granting the request for Release effective the date of the passing of this Resolution

Indexes:

Attachments: [Staff Memo_ETJ Release Request from Gomez](#)
 [Petition Release_Gomez](#)
 [Resolution Release_Gomez](#)

This Resolution was approved.

Enactment No: RES 2024R-140

- i. Resolution accepting the Petition for Release from the City's Extraterritorial Jurisdiction filed by John Merritt for two properties in Guadalupe County (Property ID No.'s 43749 and 43750) and granting the request for Release effective the date of the passing of this Resolution

Indexes:

Attachments: [Staff Memo_ETJ Release Request from Merritt](#)
 [Petition Release_Merritt](#)
 [Resolution Release_Merritt](#)

This Resolution was approved.

Enactment No: RES 2024R-141

- j. Resolution accepting the Petition for Release from the City's Extraterritorial Jurisdiction filed by Margaret Taylor for three properties in Guadalupe County (Property ID No.'s 64980, 72236 and 72237) and granting the request for Release effective the date of the passing of this Resolution

Indexes:

Attachments: [Staff Memo_ETJ Release Request from Taylor](#)
 [Petition Release_Taylor](#)
 [Resolution Release_Taylor](#)

This Resolution was approved.

Enactment No: RES 2024R-142

- k. Resolution accepting the Petition for Release from the City's Extraterritorial Jurisdiction filed by Roy Ricketts for one property in Guadalupe County (Property ID No. 28922) and granting the request for Release effective the date of the passing of this Resolution

Indexes:

Attachments: [Staff Memo_ETJ Release Request from RickettsR](#)
 [Petition Release_RickettsR](#)
 [Resolution Release_RickettsR](#)

This Resolution was approved.

Enactment No: RES 2024R-143

- I. Resolution accepting the Petition for Release from the City's Extraterritorial Jurisdiction filed by Roy and Elizabeth Ricketts for one property in Guadalupe County (Property ID No. 28927) and granting the request for Release effective the date of the passing of this Resolution

Indexes:

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

This Resolution was approved.

Enactment No: RES 2024-144

8. Action Items - Discussion and Possible Motion to Approve

- d. Resolution of the City Council of the City of Seguin approving funding for the Sebastopol House Porch Repair Project - Ashley Bruns, Purchasing Manager

Indexes:

Attachments: [Council Memo \(1\).docx](#)
[Bid Tab](#)
[Resolution Form.doc](#)

Parks and Recreation Director Jack Jones explained the discrepancy between the cost listed in the memorandum and the cost as written in the resolution and stated that the amount listed in the resolution was the correct cost.

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

Presiding: 1 - Mayor Dodgen

Aye: 7 - Councilmember Rea, Councilmember Lievens, Councilmember Rangel, Councilmember Gaytan, Councilmember Carter, Councilmember Biesenbach, and Councilmember Keller

Enactment No: RES 2024R-145

- a. Ordinance on second reading amending the designation and use of curb loading zones; authorizing city staff to prepare this Ordinance as a supplement to the Code of Ordinances; providing for a severability clause; providing for publication; and declaring an effective date. - Jennifer R. Shortess, PE, CFM - Assistant Director of Engineering and Capital Projects

Indexes:

Attachments: [2024-06-18 Memo Loading Zones](#)
[2024-06-18 Loading Zone Ordinance](#)

Assistant Director of Engineering and Capital Projects Jennifer Shortess explained that this ordinance has been edited since its first reading to include the edit suggested by

Councilmember Rangel. As requested, the curb loading zone on N. Bowie was shortened to allow for the curbside parking that currently exists.

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

Presiding: 1 - Mayor Dodgen

Aye: 7 - Councilmember Rea, Councilmember Lievens, Councilmember Rangel, Councilmember Gaytan, Councilmember Carter, Councilmember Biesenbach, and Councilmember Keller

Enactment No: Ord 2024-028

b.

Public Hearing and Resolution confirming no objection to the proposed development of Cedar Bluff Apartments as Affordable Rental Housing, each located in the City of Seguin, Texas, and submittal of applications for non-competitive 4% Housing Tax Credits for such developments; making various findings and provisions relating to the subject.

Indexes:

Attachments: [Resolution of No Objection - Cedar Bluff - 4% - 2024](#)
[Kittle Property Group - Cedar Bluff, Seguin TX - 5.8.24 \(1\)](#)

City Attorney Mark Kennedy explained that Section 2306 of the Texas Government Code defines a procedural requirement that allows for local entities to consider a resolution of no objection to the project as well as gives the opportunity to have a public hearing.

City Manager Steve Parker informed that the project is a 10 acre multi-family development located north of Park West on San Antonio Ave. The developer has submitted an application to the Texas Department of Housing and Community Affairs for Non-Competitive 4% Housing Tax Credit. The development will consist of 202 apartments for individuals aged 55 and older with income equal to or less than 60% AMI. Mr. Parker stated that Seguin does not have a lot of this type of apartment stock. He introduced Carly Gast, Development Director with Kittle Property Group, Inc to answer any questions.

Councilmember Lievens asked if they are two story units and Ms. Gast confirmed that the units will be one story units. He also asked if there was a community room and she answered there is common area space, leasing office, business center, amenity center, and food pantry.

Councilmember Rea asked if the development will have elevators and Ms. Gast affirmed there would be.

Mayor Dodgen opened the Public Hearing at 5:55 p.m.

There being no public comment, Mayor Dodgen closed the Public Hearing at 5:55 p.m.

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

Presiding: 1 - Mayor Dodgen

Aye: 7 - Councilmember Rea, Councilmember Lievens, Councilmember Rangel, Councilmember Gaytan, Councilmember Carter, Councilmember Biesenbach, and Councilmember Keller

Enactment No: RES 2024R-146

- c.** Resolution authorizing the City Manager to execute an Additional Services Amendment to the Professional Services Agreement with BGE, Inc. in the amount of \$56,290.18 for the Martindale Road Extension Project; and declaring an effective date - Melissa Reynolds, P.E., MPA, CFM - Director of Engineering & Capital Projects

Indexes:

Attachments: [2024.06.18 Memo PSA-CA Martindale](#)
[2024.06.18 Resolution Martindale Road Extension Project CA](#)
[Stempel Martindale ADD1 Prof Serv Agreement](#)

Assistant Director of Engineering and Capital Projects Jennifer Shortess explained that the current request for additional service proposal is to provide the design of the Twin Oak Rd intersection with Martindale Road.

Councilmember Lievens asked if the new extension of Twin Oak Rd will line up with Stempel Road and Ms. Shortess confirmed that it would.

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

Presiding: 1 - Mayor Dodgen

Aye: 7 - Councilmember Rea, Councilmember Lievens, Councilmember Rangel, Councilmember Gaytan, Councilmember Carter, Councilmember Biesenbach, and Councilmember Keller

Enactment No: RES 2024R-147

- d.** Resolution authorizing the City Manager to execute Change Order Number 12 in the amount of \$150,592.49 for additional costs due to utility upgrades, conflicts, and safety control devices, to D&D Contractors, Inc. for Milam Street Reconstruction Project; and declaring an effective date - Melissa Reynolds, P.E., MPA, CFM - Director of Engineering & Capital Projects

Indexes:

Attachments: [2024.06.18 Memo Milam Street CO 12](#)
[Resolution Milam Street CO 12](#)
[Change Order No. 12 - Insertion Valve, Sidewalk, RCP, and Water barriers](#)

Director of Engineering and Capital Projects Melissa Reynolds informed that the purpose of this Change Order was that the contractors ran into an issue with a 16" water main and it couldn't be shut off. This Change Order will allow the addition of water stop valves so that the water main can be shut off where and when needed. The Change Order is a request for an additional \$150,592.49, adjusting the contract total to

\$8,453,154.29.

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

Presiding: 1 - Mayor Dodgen

Aye: 7 - Councilmember Rea, Councilmember Lievens, Councilmember Rangel, Councilmember Gaytan, Councilmember Carter, Councilmember Biesenbach, and Councilmember Keller

Enactment No: RES 2024R-148

e.

Resolution of the City Council of the City of Seguin approving Phase 2 of the Outage Management System - software implementation; authorizing the City Manager to execute an agreement with DataVoice International and declaring an effective date - John Saldana. Smart Grid Solutions Manager.

Indexes:

Attachments: [Council Memo- OMS Implementation - Final-5](#)
[Resolution DataVoice \(1\)](#)
[Bid Tab OMS \(2\)](#)
[DataVoice new quote signed 6-18-2024](#)

Smart Grid Solutions Manager John Saldana reminded that City Council approved Phase 1 of the Outage Management System on February 6, 2024. Phase 2 is crucial for successful deployment of the Outage Management System (OMS). The primary objectives of the OMS are to provide real-time electrical outage detection, real-time notification of outage status and estimated restore time for both water and electrical, dispatching crews more quickly, and provide analytics and reporting of outage events for regulatory agencies and internal management.

Mr. Saldana explained that the City received two bids and that City Staff recommends going with the higher bidder, Data Voice International in the amount of \$326,151.75 because they are the only vendor who can provide simultaneous monitoring of both electric and water services in a single application.

Councilmember Lievens asked if the communication tool could be used to communicate with residents about items in addition to the outages and Saldana confirmed that it could be used to communicate other functions as well.

Mayor Dodgen asked if there will be some kind of integration on the website and Saldana stated that it would be integrated into the website.

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

Presiding: 1 - Mayor Dodgen

Aye: 7 - Councilmember Rea, Councilmember Lievens, Councilmember Rangel, Councilmember Gaytan, Councilmember Carter, Councilmember Biesenbach, and Councilmember Keller

Enactment No: RES 2024R-149

- f. Resolution authorizing the City Manager to execute a Capital Improvement Agreement with 44.76 Seguin LLC for 24 Inch Water Transmission Main Construction Along State Highway 123 Bypass; and Declaring and Effective Date. -- Connie Real, Real Estate Manager

Indexes:

Attachments: [Resolution.CIP.24.Inch.Water.Main](#)

[CIP Agreement City Seguin 06-04-24](#)

[EXHIBIT A 24 INCH TRANSMISSION WATER LINE CONF SET 4-30-24 Convenience Store](#)

Real Estate Manager Connie Real explained that the City needs to construct a 24" water transmission main on a portion of property being developed at 3320 N. State Hwy 123. The developer has offered to construct the transmission main so that no disruption to their development activities would occur. Cost estimate for completion is \$587,758.95. Mrs. Real said that because the developer offered to construct it, the City does not have to acquire a temporary construction easement.

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

Presiding: 1 - Mayor Dodgen

Aye: 7 - Councilmember Rea, Councilmember Lievens, Councilmember Rangel, Councilmember Gaytan, Councilmember Carter, Councilmember Biesenbach, and Councilmember Keller

Enactment No: RES 2024R-150

- g. Ordinance on second reading amending the Fiscal Year 2024 General Fund Budget of the City of Seguin, Texas - Susan Caddell, Director of Finance

Indexes:

Attachments: [Sebastopol Restoration memo](#)

[Sebastopol Restoration](#)

Finance Director Susan Caddell explained that this ordinance consist of two budget amendments. One is to provide additional funding for heavy equipment repairs. These repairs include repairs to the zipper, grinder, and grapple truck. Also included is a budget amendment to provide additional funding for the renovations to Sebastopol and contingency funds that could be needed for this project. This will be combined with the current funding provided by a grant from the Texas Historical Commission of \$30,000 and the match previously included in the budget.

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

Presiding: 1 - Mayor Dodgen

Aye: 7 - Councilmember Rea, Councilmember Lievens, Councilmember Rangel, Councilmember Gaytan, Councilmember Carter, Councilmember Biesenbach, and Councilmember Keller

Enactment No: ORD 2024-030

9. Closed Session

Mayor Dodgen convened into Closed Session at 6:07p.m.

- a. Pursuant to TGC Section 551.071(2) and 551.086 (Consultation with Attorney and Deliberation regarding Competitive Matters of a Public Power Utility) the Seguin City Council will convene into Closed Session regarding certain City utilities and/or arrangements with the wholesale providers for certain City utilities. Possible action may follow in Open Session.

Indexes:

- b. Pursuant to TGC Section 551.071(2) and 551.072 (Consultation with Attorney and Deliberation regarding the Purchase and/or value of Real Property) the Seguin City Council will convene into Closed Session regarding Heideke Street Drainage Project, the Rudeloff Project, and property needed for additional parking near City of Seguin facilities. Possible action may follow in Open Session.

Indexes:

- c. **Pursuant to Section 551.071 - Consultation with Attorney:** to discuss or deliberate regarding contemplated and/or pending litigation involving the City of Seguin and procedural matters associated with City Council. Possible action may follow in Open Session.

Indexes:

10. Reconvene into Open Session and Take Action as a Result of Closed Session, if Necessary

Mayor Dodgen reconvened into Open Session at 7:05 p.m.

- a. Pursuant to TGC Section 551.071(2) and 551.086 (Consultation with Attorney and Deliberation regarding Competitive Matters of a Public Power Utility) the Seguin City Council will convene into Closed Session regarding certain City utilities and/or arrangements with the wholesale providers for certain City utilities. Possible action may follow in Open Session.

Indexes:

Councilmember Lievens made a motion, seconded by Councilmember Biesenbach, to authorize the City Manager to execute a transaction confirmation for energy and capacity between the City of Seguin and the City Public Service Board (CPS) of San Antonio, Texas, related to the purchase and sale of energy and ancillary services, as presented in Closed Session. The

motion carried by the following vote:

Presiding: 1 - Mayor Dodgen

Aye: 7 - Councilmember Rea, Councilmember Lievens, Councilmember Rangel, Councilmember Gaytan, Councilmember Carter, Councilmember Biesenbach, and Councilmember Keller

b.

Pursuant to TGC Section 551.071(2) and 551.072 (Consultation with Attorney and Deliberation regarding the Purchase and/or value of Real Property) the Seguin City Council will convene into Closed Session regarding Heideke Street Drainage Project, the Rudeloff Project, and property needed for additional parking near City of Seguin facilities. Possible action may follow in Open Session.

Indexes:

Councilmember Rea made a motion, seconded by Councilmember Keller, to authorize the City Manager to execute a Purchase Agreement between the City of Seguin and Force Pressure Control LLC, related to the acquisition of approximately 3.611 acres of real property and 1.17 acres as a temporary construction easement, for the North Heideke GLO Project, as presented in Closed Session. The motion carried by the following vote:

Presiding: 1 - Mayor Dodgen

Aye: 7 - Councilmember Rea, Councilmember Lievens, Councilmember Rangel, Councilmember Gaytan, Councilmember Carter, Councilmember Biesenbach, and Councilmember Keller

Indexes:

Mayor Pro Tem Carter made a motion, seconded by Councilmember Rea, to authorize the City Manager to execute a Purchase Agreement between the City of Seguin and Andrea Luna, related to the acquisition of a portion of Lot K at 416 N. Goodrich, Seguin, Texas, as presented in Closed Session. The motion carried by the following vote:

Presiding: 1 - Mayor Dodgen

Aye: 7 - Councilmember Rea, Councilmember Lievens, Councilmember Rangel, Councilmember Gaytan, Councilmember Carter, Councilmember Biesenbach, and Councilmember Keller

11. Adjournment

Mayor Dodgen adjourned the meeting at 7:08 p.m.

Donna Dodgen, Mayor

Attest:

Kristin Mueller, City Secretary