



City of Seguin

210 E. Gonzales Street
Seguin TX, 78155

Meeting Minutes - Final

City Council

Tuesday, August 15, 2023

5:30 PM

Council Chambers

Public & Virtual

1. Call to Order

The City Council met in a REGULAR Called Meeting on Tuesday, August 15, 2023 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 Monica Carter

3. Pledge of Allegiance/Salute to the Texas Flag

4. Roll Call

Present: 8 - Council Member Joe Rea, Council Member Sonia Mendez, Council Member Jim Lievens, Council Member Chris Rangel, Council Member Paul Gaytan, Council Member Monica N. Carter, Council Member Jason Biesenbach, and Council Member 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. 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.

Kathy Wood, Grants Administrator introduced new employee, Justice Holmes, Grant Specialist.

Tim Howe, Director of Water/Wastewater Department introduced new employee, Teri Lynn Ruckstuhl, Utilities Assistant.

Jack Jones, Director of Park, and Recreation Department gave a reminder to all to vote Perk Your Park for Max Starcke Park.

City Councilman Jim Lievens said he heard on the radio while listening to the Houston Astros game. Radio station states "Max Starcke Park is great but can be better"

Reminding folks to vote for Max Starcke Park in Seguin.

City Councilman Paul Gaytan - Ordinance No. 2019-005 regarding the Historical Commission and whether the city can enforce the ordinance, he would like to see this on an agenda.

City Councilman Jim Lievens - Thanked John Donnelly, Public Works Director for coordinating with TXDOT in placing sign under the underpass at FM 725 for no parking. And for striping Rudeloff.

City Councilman Jason Biesenbach - Gave a reminder to all regarding the BBQ Fundraiser Benefit for City Council member Sonia Mendez, Saturday, August 19th 11:30 a.m. - 2:00 p.m.

City Manager Steve Parker - Gave thanks to our Fire Department for all the work they have been working a lot of overtime fighting all the grass fires out in the County.

6. Presentation

a. 23-346

Recognition of the Seguin River Monsters, Chairman Mike Gigliotti and President of Operations Scott Barry for winning the Texas Collegiate League Championship on Saturday, August 5, 2023 in Bryan, Texas - Mayor Donna Dodgen

Indexes:

Attachments: [SeguinRiverMonsters.Certificate](#)

Mayor Donna Dodgen presented Chairman Mike Gigliotti and President of Operations Scott Barry with a certificate of recognition for winning the Texas Collegiate League Championship on Saturday, August 5, 2023 in Bryan, Texas.

b. 23-310

Community Survey performed by Zen City - Jennifer Sourdellia, Public Information Officer

Indexes:

Attachments: [Council Memo - Zencity Community Survey with Questions](#)
[Zencity Community Survey Presentation for Council](#)
[Zencity Community Survey Presentation for Council](#)

Jennifer Sourdellia, Public Information Officer presented a Community Survey performed by - Zen City

The City of Seguin is partnering with Zencity, a community input and insights platform, to help get meaningful feedback from residents and better understand community concerns and priorities.

* In 5-10 minutes, residents can take our community survey to help city leaders know how they feel on a wide range of topics around life in our community. * Survey available in English and Spanish

Survey Design - The survey is centered around a user-friendly design and language.

Survey includes:

*20-25 questions focused on quality of life & resident satisfaction * One add-on section

* Demographic questions- What questions will be asked? The survey will measure resident satisfaction regarding local services and quality of life in the community, while also identifying key concerns residents want City leaders to address. Topics will include: * Affordable housing *Economy and jobs *Growth and development *Quality of City services * Sense of safety & more. - Survey Distribution & Launch * Most representative results will come from meeting residents where they already are - on electronic devices they use daily. * Survey will be distributed by Zencity using cross-platform online advertising via digital distribution to ensure surveys reach a full

*spectrum of residents for a diverse representative sample. * Digital ads will appear on mobile devices - phones, tablets, etc. and surveys can be completed on computers as well. * Survey also available on city website and by scanning a QR code. - Respondent Verification - How do you verify respondents are local residents? Zencity uses existing social networks to target digital advertisements, localized to our community. Those who see the ad and choose to take the surveys voluntarily provide their ZIP code. The combination of where the ads are targeted combined with the respondent's self-reported ZIP code enables the assignment of a response to a community. Is the survey representative? Zencity uses the annually updated U.S. Census data to set response targets area based on: * Race * Age * Sex * Education level * Household income. Demographic representation of respondents is collected from respondents when they take the survey.*

7. Consent Agenda

A motion was made by Council Member Joe Rea, seconded by Council Member Bill Keller, that the Consent Agenda be approved. The motion carried by the following vote:

Presiding: 1 - Mayor Dodgen

Aye: 8 - Council Member Rea, Council Member Mendez, Council Member Lievens, Council Member Rangel, Council Member Gaytan, Council Member Carter, Council Member Biesenbach, and Council Member Keller

a. 23-339

City Council Meeting Minutes of August 1, 2023

Indexes:

Attachments: [CC MeetingMinutes August 1,2023](#)

The August 1, 2023 Minutes were approved on Consent Agenda.

b. 23-330

Ordinance on second and final reading amending the Seguin Code of Ordinances, Chapter 102, Utilities, Article IV, Wastewater, Division II, Connections, to amend Section 102-179 to repeal the requirement that property request annexation as a condition to receive wastewater; providing a severability clause; authorizing city staff to prepare this Ordinance for submission as a supplement to the Code of Ordinances; and providing for an effective date

Indexes:

Attachments: [Council Memorandum - Removing annexation as a requirment for wastewater service](#)
[Ordinance repealing annexation as a requirement for wastewater service](#)

This Ordinance was adopted

Enactment No: ORD 2023-049

c. 23-353

Resolution authorizing the City Manager to execute an Agreement between the City of Seguin and the Seguin Independent School District for the operation of the Jammin' After-School Adventures for Me program; and declaring an effective date - Jack Jones, Director of Parks and Recreation

Indexes:

Attachments:

[Memo for JAAM Program 2023](#)

[Resolution approving 2023-24 Jammin Program Agreement](#)

[Seguin ISD Interlocal Agreement 2023-2024](#)

This Resolution was approved

Enactment No: RES 2023-125

d. [23-355](#)

Proposed street closure request from the Seguin Matador Band Boosters to close a portion of East Cedar Street between Lamar Street and the eastern most driveway entrance of Faith Lutheran Church on Saturday, September 23, 2023, from 6 a.m. to 11 p.m. for the Annual Seguin Marching Festival - Jack Jones, Director of Parks and Recreation

Indexes:

Attachments:

[Memo for Street Closures related to the Seguin Band Boosters for a Marching Competition 2023](#)

[2023 SISD Marching Festival Road Closure Map](#)

This Action Item was approved

e. [23-340](#)

Check Report: July 31, 2023 through August 11, 2023

Indexes:

Attachments:

[Check Report \(4\)](#)

The bills were acknowledged.

8. Action Items - Discussion and Possible Motion to Approve

a. [23-342](#)

Resolution of the City Council for the City of Seguin, Texas, to discuss, consider, and take action to reaffirm the Civil Rights and Community Policies for acceptance of funding from the Texas Department of Agriculture - Kathy Wood, Grant Administrator

Indexes:

Attachments:

[08-15-23 City Council MEMO to Reaffirm Civil Rights TDHCA](#)

[08-15-23 City Council RESOLUTION Regarding Civil Rights TDHCA](#)

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

vote:

Presiding: 1 - Mayor Dodgen

Aye: 8 - Council Member Rea, Council Member Mendez, Council Member Lievens, Council Member Rangel, Council Member Gaytan, Council Member Carter, Council Member Biesenbach, and Council Member Keller

Enactment No: RES 2023-126

b. [23-311](#)

Resolution adopting the Fiscal Year 2024 Seguin Economic Development Corporation Budget - Josh Schneuker, Director of Economic Development

Indexes:

Attachments: [SEDC Budget Overview FY 2024 - Final](#)
[Resolution approving SEDC FY 2023-2024 Budget](#)
[SEDC Resolution 2023-16 Adopting FY24 Budget](#)

Joshua Schneuker, Director of Economic Development gave a presentation on Fiscal Year 2024 Budget

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

Presiding: 1 - Mayor Dodgen

Aye: 8 - Council Member Rea, Council Member Mendez, Council Member Lievens, Council Member Rangel, Council Member Gaytan, Council Member Carter, Council Member Biesenbach, and Council Member Keller

Enactment No: RES 2023-127

c. [23-312](#)

Resolution authorizing the City Manager to execute a Management Services Agreement with the Seguin Economic Development Corporation; and declaring an effective date - Josh Schneuker, Director of Economic Development

Indexes:

Attachments: [MemoCC FY 23-24 Management Services Agreement](#)
[FY 2024 Management Services Agreement FINAL](#)
[Resolution approving FY 2023-2024 SEDC Management Services Agreement](#)
[SEDC Resolution 2023-17 City Management Services Agreement FY24](#)

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 Rea, Council Member Mendez, Council Member Lievens, Council Member Rangel, Council Member Gaytan, Council Member Carter, Council Member Biesenbach, and Council Member Keller

Enactment No: RES 2023-128

d. [23-326](#)

Resolution of the City Council of Seguin, Texas adopting the Seguin Commission on the Arts' Public Art Grant Guidelines; and declaring an effective date - Kyle Kramm, Main Street & CVB Director/HPO

Indexes:

Attachments: [Council Memo - Adoption of Guidelines.docx](#)
[Resolution Approving Guidelines for Commission on the arts grants](#)
[2024 Arts Grant Application + Guidelines](#)

A motion was made by Council Member Gaytan, 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 Rea, Council Member Mendez, Council Member Lievens, Council Member Rangel, Council Member Gaytan, Council Member Carter, Council Member Biesenbach, and Council Member Keller

Enactment No: RES 2023-129

e. [23-349](#)

Resolution of the City Council of Seguin, Texas authorizing City Manager Steve Parker to enter into an agreement to assist funding for the Meadow Lake Project - Steve Parker, City Manager

Indexes:

Attachments: [Meadowlake WCID 081523](#)
[Resolution approving public purpose and funding for Nolte Dam Repair](#)

*City Manager Steve Parker gave a brief presentation on the Meadow Lake Dam. History- * Meadow Lake Neighborhood Association raises funds to conduct feasibility study * Freese and Nichols Study started in November 2021 * Meadow Lake Neighborhood Association Establishes Water Control Improvement District at end of 2022 * Study is now complete - Study - * Examined the costs to install a Bear Trap Gate as well as an Obermeyer Gate * Study proved that Obermeyer gate was the most economically feasible solution the GBRA might accept * Projected Cost of an Obermeyer was estimated to range from: *Low \$16,029,047 *High \$19,894,173 -Financing - *Project Cost \$19,894,173 * City Funding \$ 5,000,000 *Department of Energy Grant \$ 5,000,000 *WCID Tax Rate \$0.8765 per \$100 valuation * \$219 per month on a \$300,000 home *\$219 per month on a \$300,000 home - Finance- 2nd Scenario * 8 Project Cost \$19,894,173 *City Funding \$ 5,000,000 *Department of Energy Grant \$0 * WCID Funding \$14,894,173 * WCID Tax Rate \$0.9003 per \$ valuation **Without an assistance \$1.2999 cents per \$100 CITY FUNDING PROPOSAL * This project should be net revenue neutral to the community which means that the loss in projected revenues to the City will be used to fund the project. * The taxpayers that do not live on Meadow Lake should not have tax repercussions due to funding the project WHY SHOULD THIS PROJECT BE CONSIDERED. * Community Asset * Public Safety Concerns-Nothing to slow the water * River Ban*

*Stabilization and Erosion Control *City own prime property along the Guadalupe River which could become a true community asset and recreation area *Mitigating future property tax revenue losses.*

NEXT STEPS

**Resolution of Support from City indicating intent on whether to support future bond issuance * Meadow Lake WCID Board will vote whether to call an election based on this information. * Election will be called at the August 22nd Guadalupe County Commissioner's Court Meeting * Finalize a Memorandum of Understanding with GBRA that would authorize the transfer of the dam to the WCID if specific conditions are met * Voters will vote a November 7th election approving bonding capacity and new tax rate.*

Laura Wooley, 928 Buerger Lane, Seguin, Tx 78155 spoke on the Hotel Occupancy Tax loss, stating that she owns a property on Lake Placid and on Meadow Lake. Using these properties as short term rentals and they both have similar amenities. Ms. Wooley stated there is a unique opportunity to compare the two properties she was able to take the gross revenues from the first three quarters of 2021 when both lakes were full and then compare it with the first three quarter of 2022 when Meadow Lake was full and Lake Placid was down 36 percent and Meadow Lake, we went up 39 percent. Showing the difference in revenue.

Barbara Lungerid, 108 W Hampton Dr., Seguin, Tx 78155, spoke on the importance of updating and maintaining the Meadowlake dam. Ms. Lungerid states the Guadalupe River is a vital artery of life for both our community and the environment, stating we need to acknowledge the need for responsible stewardship. We must update dam facilities this is essential for controlling water flow and preventing flooding. We must advocate for the maintenance and modernization of our dam infrastructure by saving Nolte Dam and Meadow Lake.

Doug Parker, 188 Wampum Way, Seguin, Tx 78155, Thanked the City of Seguin for the \$25,000 to fund environmental studies. It is everyone's lake; the lake is a vital part of our community.

Chester Jenke, 116 N. Camp St., Seguin, Tx 78155, spoke on his support of this resolution.

Tess Coody-Anders, 210 S. Heideke St., Seguin, Tx 78155, Ms. Coody-Anders Thanked City Council for their forecast to assist with the funding to restore the Meadow Lake Dam. Ms. Coody - Anders states that an investment in Meadow Lake is an investment in Seguin's future.

Mike Meskill, 1101 Loch Lane, Seguin, Tx 78155, Mr. Meskill spoke on an article in the Wall Street Journal; the Narrative is that there is a lot of poor infrastructure. Stating that it is up to the local communities to resolve these issues. The article also acknowledged what was going on in Texas on the Guadalupe River, which is a vital portion of South Texas. Mr. Meskill requested that City Council please consider voting yes to this resolution.

Tim Bays, 160 Wampum Way, Seguin, Tx 78155, Mr. Bays states he is here to urge City Council to support the initiative to save Meadow Lake.

City Council member Jim Lievens- GBRA wants an experienced dam operator. Could GRBA be a major contributor to the repairs needs?

City Council Jason Biesenbach - States that he feels that our loss as a city of \$350,000 is a big hit.

City Council Paul Gaytan - Thanked City Manager Steve Parker on his presentation and stated that "water is life". Wildlife, erosion, and flood control is very important.

Paul Blusner, 105 Meadow Lake, Seguin, Tx 78155, Spoke on the engineering aspect of the project.

A motion was made that this Resolution be approved, in the amount of \$5,000,000. The motion carried by the following vote:

Presiding: 1 - Mayor Dodgen

Aye: 8 - Council Member Rea, Council Member Mendez, Council Member Lievens, Council Member Rangel, Council Member Gaytan, Council Member Carter, Council Member Biesenbach, and Council Member Keller

Enactment No: RES 2023-130

f. [23-350](#)

Resolution approving an agreement in the amount of \$50,000.00 to purchase a restrictive covenant for the Geronimo Creek Wastewater Treatment Plant Project; authorizing the city manager to execute the agreement; and declaring an effective date. Andy Quittner- Interim City Attorney

Indexes:

Attachments: [Council Memo - Geronimo Creek WWTP Restrictive Covenant](#)
 [Resolution approving purchase of restrive covenant](#)
 [20230807150534 - Restrictive Covenant Purchase Agreement](#)

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

Presiding: 1 - Mayor Dodgen

Aye: 8 - Council Member Rea, Council Member Mendez, Council Member Lievens, Council Member Rangel, Council Member Gaytan, Council Member Carter, Council Member Biesenbach, and Council Member Keller

Enactment No: RES 2023-131

g. [23-351](#)

Resolution awarding a professional services agreement to Seguin Title for real estate title examination and closing services connected with the GLO CDBG-MIT Project; authorizing the city manager to execute the professional services agreement with Seguin Title; and declaring an effective date. Andy Quittner-interim city attorney

Indexes:

Attachments: [Council Memorandum - title company services for the GLO Project](#)
[Resolution approving a professional services agreement with Seguin](#)
[Title for title services](#)
[R.E. Title Services Ref# RFQ TF-2023-34](#)
[03 Required Contract Provisions 2022 - UPDATED \(1\)](#)

A motion was made by Council Member Rangel, 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 Rea, Council Member Mendez, Council Member Lievens, Council Member Rangel, Council Member Gaytan, Council Member Carter, Council Member Biesenbach, and Council Member Keller

Enactment No: RES 2023-132

h. [23-354](#)

Resolution awarding a professional services agreement to Terracon Consultants, Inc. for environmental investigation services connected with the GLO CDBG-MIT Project; authorizing the city manager to execute the professional services agreement with Terracon; and declaring an effective date - Andy Quittner, City Attorney

Indexes:

Attachments: [Council Memorandum - environmental engineering services for the GLO Project](#)
[Resolution approving a professional services agreement with Terracon for environmental services GLO grant](#)
[Terracon TF-2023-35](#)
[03 Required Contract Provisions 2022 - UPDATED \(1\)](#)

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

Presiding: 1 - Mayor Dodgen

Aye: 8 - Council Member Rea, Council Member Mendez, Council Member Lievens, Council Member Rangel, Council Member Gaytan, Council Member Carter, Council Member Biesenbach, and Council Member Keller

Enactment No: RES 2023-133

i. [23-352](#)

Resolution authorizing the City Manager to enter into a professional services contract with Halff Associates, Inc. in the amount of \$162,733 for Washington Street Drainage Improvements preliminary engineering study and report; and declaring an effective date - Melissa Reynolds, P.E., CFM - Director of Capital Projects | Engineering

Indexes:

Attachments: [2023-08-15 Memo Washington Street Drainage Project](#)
[Resolution Washington Street Drainage PER](#)
[WashingtonStPER_Scope_Fee](#)

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

Presiding: 1 - Mayor Dodgen

Aye: 8 - Council Member Rea, Council Member Mendez, Council Member Lievens, Council Member Rangel, Council Member Gaytan, Council Member Carter, Council Member Biesenbach, and Council Member Keller

Enactment No: RES 2023-134

j. [23-341](#)

Presentation of the FY2024 City of Seguin Budgets - City Manager Steve Parker and Finance Director Susan Caddell

- a. General Fund
- b. Debt Service Fund
- c. Special Revenue Fund
- d. Utility Fund

Indexes:

Attachments: [FY23-24 Proposed Budget](#)

Finance Director, Susan Caddell gave a presentation on the FY2024 City of Seguin Budgets.

City Manager, Steve Parker wanted to first say Thank you to his Staff, stating they are incredible and know that we are very lean here at the city, we focus on hiring good employee and this City Council has been very generous at making sure we are able to compensate our good employees. The focus tonight is on compensation. We have recently completed a compensation study. We are competitive. Mr. Parker states tonight is a high level of information and just wants to get the Council to think of some of the key points of the budget. Questions will be taken at next Tuesdays Workshop.

k. [23-357](#)

Propose a New Tax Rate of \$.5025 per \$100 valuation for FY2024 - Susan Caddell, Director of Finance

Indexes:

Attachments: [City Council memo Proposal of Tax Rate](#)

City Council Member Jason Biesenbach made a motion to place a proposal to adopt a tax rate of \$.5125 per \$100 valuation on an agenda of a future City Council meeting.

9. **Closed Session**

The regular meeting was recessed and the council went into Closed Session at 7:59 pm. The regular meeting reconvened at 8:21 pm.

a. [13-048](#)

Consultation with City Attorney in accordance with section 551.072 regarding deliberation on real property-Steve Parker, City Manager

Indexes:

b. [14-108](#)

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

Indexes:

10. **Adjournment**

There being no further business before the council the meeting adjourned at 8:21 pm.

Donna Dodgen, Mayor

Attest:

Kimberly Allison, Deputy City Secretary