



City of Seguin

210 E. Gonzales Street
Seguin TX, 78155

Meeting Minutes

City Council

Tuesday, April 16, 2024

5:30 PM

Council Chambers

Public & Virtual

1. Call to Order

Mayor Dodgen called the meeting to order at 5:30 P.M.

2. Invocation - Council Member Bill Keller

3. Pledge of Allegiance/Salute to the Texas Flag

4. Roll Call

Present: 8 - Councilmember Joe Rea, Councilmember Sonia Mendez, 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.

Suzanne Wynn, 425 Alta Vista Terrace, reminded that she had spoke last month regarding the gate at the temporary fire apparatus road in her neighborhood being removed. She voiced her disapproval of the gate removal and gave a timeline of events that have occurred related to the gate removal. She opined that due to the gate removal and the determination by the City that the temporary fire apparatus road is actually a public roadway, her home's valuation has decreased because it is no longer on a cul-de-sac. She questioned how the plat detail was missed in 2021 and the City's handling of records related to this topic. She mentioned that her family has a long history here in Seguin and that she moved here to retire. She asked that the City do something to resolve the issue or warned that she will be asking for punitive damages.

Manuel Perez, 121 River Rd, spoke blessings into everyones' life and introduced his

wife, former City Secretary Shirley Maldonado Perez. He commended former Mayor Al Koebig for his service to Seguin and his marketing campaign "Clean Seguin". He gave some history on the fountain at Central Park and how the City's new slogan "It's Real" was adopted. He reiterated how it is important to get the residents involved in keeping Seguin clean and that he believes it still needs to be a focus for Seguin.

Mary Alamendez, 513 North Bowie, announced happily that District 2 Councilmember Sonia Mendez will have a birthday Saturday. Also, she informed that the Seguin Matadors were playing NB Canyon and that she hoped for a Matador win.

Renne Hensey, 21 Cherry Hill Dr., informed City Council of the issues that she and several of her neighbors have had with a certain short term rental property in her neighborhood. She said she has been in contact with City Staff about this issues as well as the owner of the property. Ms. Hensey reported that the owner agreed to take measures to resolve the noise and crowd complaints, but those efforts have not been successful. She gave details of a recent 4-day frat party at that property, citing unreasonable noise, parking, and trespassing. She asked the City to do something about the problem.

Linda Brookins, 1 River Oak Dr, agreed with Ms. Hensey's account of the recent party at the short-term rental property near their home. She stated that her kids could not even get to her house to visit because of school buses and vehicles parked on the street. She informed that owner of this property has violated public drinking water laws, the noise ordinance, shooting violations, and fire code violations. She said that there are several properties in her neighborhood that have been flipped into short term rentals and the new short term rental owners show no respect for the surrounding homeowners. She asked the City to seriously consider this problem and gave some examples of how other cities have managed or even banned short term rentals in residential areas.

Councilmember Rea invited everyone to attend the Hispanic Chamber of Commerce Awards Banquet on Thursday, April 18, 2024 at 6 P.M. and said he had tickets available for those who are interested in attending.

Mayor Dodgen invited everyone to attend Third Thursday this week, reminded that the Spring Clean Up and the Texas Ladies State Chili Cook Off is this Saturday, April 20th, and that there will be a public meeting regarding the Rudeloff Rd Project on Tuesday, April 23, 2024 from 5:30-7 P.M. at the Utilities Operation Center.

6. Presentation

- a. Proclamation declaring the week of April 21-27, 2024 as *National Volunteer Week* in Seguin, Texas

Indexes:

Attachments: [National Volunteer Week 2024 Proclamation](#)

Mayor Dodgen read the proclamation declaring April 21-27, 2024 Volunteer Appreciation Week in the City of Seguin and thanked everyone who gives their time to volunteer throughout the City.

- b. Presentation and update on the Wells Fargo Redevelopment Project - Andrew Douglas, TBA Douglas Architects.

Indexes:

Main Street and CVB Director Kyle Kramm introduced Andrew Douglas with TBA Douglas. Mr. Douglas gave an overview of the results of the public input meetings for 101 E. Nolte and explained what the City's next steps would be for redeveloping that property.

C.

Presentation on status of short term rental issues and implementation strategy

Indexes:

Attachments: [Vacation Rental by Owner Memo](#)

City Manager Steve Parker said that the issues related to short term rentals were brought to his attention in January this year. He explained that the majority of the issues are isolated to one section of town and, even more so, to one house. He informed that City Staff has taken several months to study other entities decisions related to regulating short term rentals and said that he believes that the City is ready to start the public process to consider the adoption of an ordinance. He stated that banning short term rentals is not a possibility, but adopting some measures that will "give teeth" and allow City Staff to enforce when violations occur. He said that the next step after this presentation would be for City Staff to bring back a drafted ordinance for consideration or potentially host a joint workshop between City Council and the Planning and Zoning Commission.

Planning and Codes Director Pam Centeno gave a presentation detailing the history of short term rentals in Seguin. She informed that short term rentals are not regulated as a separate land use and noted that short term rentals in single family zoning is compliant. She gave an overview of the impact that short term rentals have had on Seguin residents, including more vehicles parking at a home, more people, noise nuisances, and overflowing trash cans. She explained that her staff has worked to pull short term rental regulations from 17 different cities and have come to the conclusion that every city has adopted very different regulations -- some require a business permit, some require a zone change, and some require both. Her staff would like to see the City of Seguin adopt a Limited Use Permit, issued administratively. The permit would be issued one time and would not require annual renewal or fees. It would provide the City with the ability to revoke the permit if the adopted regulations were not being followed, prohibiting the short term rental operator to operate.

Mr. Parker voiced that issuing a Limited Use Permit would allow the City to address those not compliant while still continuing to collect the Hotel Occupancy Tax from short term rentals. Because renewals would not be needed, implementation would be possible with current staffing levels. City Council would have to determine what violations would constitute revoking a permit versus being issued a citation or fine.

Mrs. Centeno said that the priorities for adopting a regulatory ordinance would be to limit occupancy levels, for example, allowing 2 adults per bedroom plus 2 additional adults, with a maximum occupancy of 12 adults. Additionally, rental of each dwelling unit should be limited to a single family unit. She said additional consideration would be required for owner occupied units and accessory dwelling units. Currently, accessory dwelling units are not allowed to be rented out.

Councilmember Gaytan speculated that there may already be accessory dwelling units

rented out. Mrs. Centeno stated that accessory dwelling units are not permitted to be rented out for long term or short term rentals unless they grandfathered, a use that remains non-conforming to current zoning code because it was that use prior to the adoption of current zoning regulations.

Mrs. Centeno said more regulations to consider would be limiting off-street parking requirements. Some cities allow 1 parking space per bedroom and a parallel space for street parking if the lot size allows it. She said they not count garages in parking calculations as garages are often not used for parking. Additionally, there could be consideration for contact information requirements, providing the contact information of the owner to the City, renters, and neighboring property owners. Additional, liability insurance requirements as well as life, safety, and building regulation requirements and requiring an initial City inspection should be considered. Lastly, what violations would lead to a fine or citation versus having the Limited Use Permit revoked would need to be identified.

Councilmember Gaytan mentioned that many liability insurance certificates exclude short term rentals.

Mayor Dodgen asked if the City charges for the Limited Use Permit and Mrs. Centeno confirmed that there is a one-time fee upon the issuance of the permit.

Councilmember Gaytan asked how current violations get addressed and what the next steps would be.

Mrs. Centeno said that currently code enforcement officers will send a violation notice to the property at the direction of the City Manager. Councilmember Gaytan replied that it appears to him that the property being discussed is a clear violation and the problem is not being addressed by the City. He asked to form a working committee to help draft an ordinance and to begin the public input process. Additionally, he asked that the City Attorney prepare a legal memorandum identifying all applicable laws so that the City of Seguin not violate any of them in forming this ordinance.

Councilmember Lievens asked how many short term properties are operating in Seguin. He said the City does not have a good grasp on how many are currently operating or registered. He added that he would not want to adopt a process that would be too cumbersome for staff as it seems that the majority of short term rentals are operating reasonably and he does not want the City to have to hire more staff to manage the regulations adopted. He would like to take simple measures with regulations that give staff the tools necessary to address issues when they occur.

7. Consent Agenda

A motion was made by Councilmember Keller, seconded by Councilmember Biesenbach, that the following items be approved on the Consent Agenda. The motion carried by the following vote:

Presiding: 1 - Mayor Dodgen

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

a. City Council Meeting Minutes April 2, 2024

Indexes:

Attachments: [CC.Meeting.Minutes April 2, 2024](#)

The minutes of the April 2, 2024 City Council meeting were approved.

- b. Check Report March 29, 2024 through April 12, 2024

Indexes:

Attachments: [Check Report 03292024 - 04122024](#)

The bills were acknowledged.

- c. Ordinance on second reading amending the City of Seguin's Unified Development Code Sections 3.4.3 Land Use Matrix, 3.5 Limited Uses, and Chapter 7 Definitions; providing a severability clause; authorizing City Staff to prepare this ordinance for submission as a supplement to the Code of Ordinances; providing for publication; and providing for an effective date

Indexes:

Attachments: [Council Memo; Vape and CBD Shops](#)

[Draft Ordinance - Vape & CBD Shop](#)

[Vape CBD Shops Summary](#)

This Ordinance was adopted.

Enactment No: ORD 2024-018

- d. Ordinance on second reading to consider a Zoning Change from Public (P) to Single-Family Residential (R-1) for a property located at 735 Beale Street, property ID: 28513 (ZC 02-24)

Indexes:

Attachments: [Staff Memo ZC 02 24](#)

[Planning Commission report and agenda packet](#)

[ZC 02-24 Ordinance](#)

[ZC 02-24 ExhibitA CC](#)

This Zoning Ordinance was adopted.

Enactment No: ORD 2024-019

- e. Resolution accepting the Petition for Release from the City's Extraterritorial Jurisdiction filed by Patricia and Phillip Estep for one property in Guadalupe County (Property ID No. 183869) and granting the request for Release effective the date of the passing of this Resolution

Indexes:

Attachments: [Staff Memo_ETJ Release Request from Estep](#)
[Petition Release_Estep](#)
[Resolution Release_Estep](#)

This Resolution was approved.

Enactment No: RES 2024-076

- f. Resolution accepting the Petition for Release from the City's Extraterritorial Jurisdiction filed by Reid and DeAnn Lincoln for one property in Guadalupe County (Property ID No. 173537) and granting the request for Release effective the date of the passing of this Resolution

Indexes:

Attachments: [Staff Memo_ETJ Release Request from Lincoln](#)
[Petition Release_Lincoln](#)
[Resolution Release_Lincoln](#)

This Resolution was approved.

Enactment No: RES 2024-077

- g. Resolution accepting the Petition for Release from the City's Extraterritorial Jurisdiction filed by Arnold Pomrenke Jr for three properties in Guadalupe County (Property ID No. 65712, 65715 and 65716) and granting the request for Release effective the date of the passing of this Resolution

Indexes:

Attachments: [Staff Memo_ETJ Release Request from PomrenkeAJR](#)
[Petition Release_PomrenkeAJR](#)
[Resolution Release_PomrenkeAJR](#)

This Resolution was approved.

Enactment No: RES 2024-078

- h. Resolution accepting the Petition for Release from the City's Extraterritorial Jurisdiction filed by Arnold and Jacqueline Pomrenke for two properties in Guadalupe County (Property ID No. 65713 and 65714) and granting the request for Release effective the date of the passing of this Resolution

Indexes:

Attachments: [Staff Memo_ETJ Release Request from Pomrenke](#)
[Petition Release_Pomrenke](#)
[Resolution Release_Pomrenke](#)

This Resolution was approved.

Enactment No: RES 2024-079

- i. Resolution accepting the Petition for Release from the City's Extraterritorial Jurisdiction filed by Fred Stautzenberger for three properties in Guadalupe County (Property ID No. 61152, 61154 and 61155) and granting the request for Release effective the date of the passing of this Resolution

Indexes:

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

This Resolution was approved.

Enactment No: RES 2024-080

- j. Resolution accepting the Petition for Release from the City's Extraterritorial Jurisdiction filed by Karen Stautzenberger for one property in Guadalupe County (Property ID No. 137490) and granting the request for Release effective the date of the passing of this Resolution

Indexes:

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

A motion was made by Councilmember Keller, seconded by Councilmember Biesenbach, to approve the Consent Agenda. The motion carried by the following vote:

Enactment No: RES 2024-081

- k. Resolution accepting the Petition for Release from the City's Extraterritorial Jurisdiction filed by Jodi Watts for one property in Guadalupe County (Property ID No. 138243) and granting the request for Release effective the date of the passing of this Resolution

Indexes:

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

A motion was made by Councilmember Keller, seconded by Councilmember Biesenbach, to approve the Consent Agenda. The motion carried by the following vote:

Enactment No: RES 2024-082

- l. Resolution awarding a tax exemption for the Recorded Texas Historic Landmark located at 308 South Erkel Avenue; and providing for an effective date - Kyle Kramm, Main Street & CVB Director/Historic Preservation Officer.

Indexes:

Attachments: [Council Memo - 308 South Erkel's 2024 Tax Exemption](#)
[Erkel Tax Abatement Resolution 2024](#)
[Expenses Spreadsheet 2024](#)
[Hayes Tax Exemption App and Doc](#)

A motion was made by Councilmember Keller, seconded by Councilmember Biesenbach, to approve the Consent Agenda. The motion carried by the following vote:

Enactment No: RES 2024-083

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

- a. Ordinance on second reading amending the Seguin Code of Ordinances Section 98-109(c), to amend existing Parking by Permit Area A; authorizing city staff to prepare this ordinance as a supplement to the city code of ordinances; providing for a severability clause; providing for publication; and declaring an effective

Indexes:

Attachments: [2024-04-16 Memo PxP Area A Revision](#)
[2024-04-16 PxP Area A Revision Ordinance](#)
[PxP Area A](#)
[Sec. 98-109 Redlines](#)

Director of Engineering and Capital Projects Melissa Reynolds explained that per the request of City Council this ordinance would revise the parking area on Saunders St., allowing for parking in front of commercial property and continuing to prohibit parking without a permit in front of residential property. She informed that one resident did respond to the public notice letter sent out. The response stated that the resident was not in favor of the change because they had an issue making residents come back to City Council to speak.

Mayor Dodgen opened the Public Hearing at 7:06 P.M.

James Mahan, 173 Oak Canopy and new co-owner of The Backyard, said that they are significantly renovating The Backyard and hope to have it back open in the next 60 days. He stated that several of the tenants and vendors have mentioned that there is not enough parking, especially to load and unload. He opined that street parking would go a long way to help temporarily solve the problem. He informed that he is planning to purchase surrounding properties to help provide more parking.

There being no other public comment, Mayor Dodgen closed the Public Hearing at 7:09 P.M.

Councilmember Gaytan asked Ms. Reynolds to summarize the parking rules for that area. Ms. Reynolds answered that the addresses on the map with the yellow lines indicate residential property and a permit is needed to park in front of those addresses. No permits are needed to park in front of commercial property. Councilmember Gaytan then asked if permits are required for the residents who live

there to park there and Ms. Reynolds confirmed that they are required and the residents who live there are in favor of them. It was those residents who requested parking by permit on their street.

Councilmember Biesenbach said he is opposed to parking by permit, but he frequents The Backyard often and it is much more convenient to be able to pull up, grab food, and drive off. If there is to be parking by permit, he said he understands the need for it at this location.

Councilmember Lievens asked if we adopt this, can someone just park and stay parked there all day. Ms. Reynolds explained that there is not a time requirement tied to this consideration. If City Council would like to restrict the amount of time someone could park there, it would need to be considered at a future meeting with a separate ordinance.

Councilmember Rangel mentioned that the house on the corner of Meadowland and Saunders did express concern about this leading to the public parking in front of her house. Ms. Reynolds said that the no parking signs would be strategically placed in a way that would not allow public parking in front of her home.

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

Aye: 9 - Mayor Dodgen, Councilmember Rea, Councilmember Mendez, Councilmember Lievens, Councilmember Rangel, Councilmember Gaytan, Councilmember Carter, Councilmember Biesenbach, and Councilmember Keller

Enactment No: ORD 2024-020

- b. Ordinance on second reading amending the Seguin Code of Ordinances, Chapter 98, Traffic and Vehicles, Article II, Traffic Control Devices by repealing Sections 98-62 and 98-63, Play Streets, providing a severability clause; providing for publication; and providing an effective date

Indexes:

Attachments: [2024-04-16 Memo Play Street Revision](#)
[2024-04-16 Play Street Revision Ordinance](#)
[Sec. 98 62 and 98 63](#)

Director of Engineering and Capital Projects Melissa Reynolds informed that the Manual on Uniform Traffic Control Devices (MUTCD) nor the Department of Transportation has guidelines or regulations for Children at Play signs. The general stance is that this signage should be kept at a minimum because it is not enforceable. Many policy makers argue that the signs give parents a false sense of security. Additionally, they argue that too many signs make people less likely to take notice of the sign. Ms. Reynolds said that currently, Section 98-62 and 98-63 of the Seguin Code of Ordinances states that any street can be declared a play street. If a street is declared a play street, vehicles who do not have business on that street or do not reside on that street should not be driving on that street. Ms. Reynolds also explained that in 2022, the City Council repealed the section of code that allowed for Children at Play signs and reported that there are only 3 Children at Play signs in Seguin and no streets dedicated as play streets. She said that Staff's recommendation

is to repeal Section 98-62 and 98-63.

Suzanne Wynn, 425 Alta Vista Terrace, argued that this has been part of the code for 60 years and should not be removed now. She said that her neighborhood has been trying to get a Children at Play sign but has not received on yet due to the lack of response from the City. She said the City has been building subdivisions without parks and asked where they thought the kids would play. At the very least, she believes there should be a public hearing about this item before it is considered by City Council. She said that she will be running the NGO to help with federal grant money, has been an attorney for more than 30 years, and if the residents want those signs they should be able to have them.

Councilmember Gaytan said the City implying that parents might not be watching their children because a sign is there makes no sense. He said when he sees those signs, he slows down. He informed that he is against City Staff's recommendation. He expressed his concern for children playing in the streets as there are several neighborhoods of fire-time home owners, where the lots are small and the houses are closer together. He opined that the City should be encouraging Children at Play Signs.

City Manager Steve Parker stated that the challenge would be where would the limit to those signs be? Would there be one allowed on every street? Councilmember Gaytan questioned how many requests has the City received in a year. Ms. Reynolds reminded that City Council repealed signage portion of the code in 2022.

Gaytan said he understood but that they could still keep a play street designation. Ms. Reynolds answered that they could but that the Code would need more definition and guidelines than what is currently provided in order to be effective.

Councilmember Biesenbach expressed he had a resident reach out on February 28th to ask for a Children at Play Sign but that requestor lives on a dead end street. He informed that his kids play in the street everyday. He has taught them to look out for cars and to pay attention to their surroundings. He said some parents choose to purchase their own Children at Play signage, attracting a drivers attention and getting them to slow down.

Councilmember Lievens said he believes there to be more than 3 Children at Play signs currently. He informed that there is one in his community and he is glad that it is there. Some neighborhoods may be taking the matter into their own hands and putting up their own signs. He also said that if City Council is unhappy with the way that the current code is written, they can rewrite it. He said he personally likes the ideas of having the signs.

Mayor Dodgen reminded that Section 62 and 63 are mute points because a the section allowing the Children at Play or Play Street signage has already been repealed.

Councilmember Lievens requested a future agenda item to discuss Children at Play sign placement and guidelines.

Councilmember Gaytan said Seguin has changed so much since 1964. There is a potential for more and more requests for this type of signage as development becomes more urban.

Public Works Director John Donnelly suggested that data will tell us that there have been very few children hit by vehicles in the City. He explained that the addition of these signs would be a maintenance nightmare and that many people will not see

them. He said without blinking lights, the signage doesn't get the attention of the driver and used the curve at Rudolph Rd to illustrate. Lastly, he reiterated that there are no guidelines given on how to make the sign.

Councilmember Gaytan said he appreciates City Staff's opinions and respects their work, but ultimately this is a policy decision for City Council to make.

Mayor Pro Tem Carter stated that she hears everyone's point of view, and all the points made were valid. She agrees that the ultimate responsibility to keep children safe is the parents and that too many signs make people turn a blind eye to them, making the signs null and void.

Assistant Director of Engineering and Capital Projects Jennifer Shortess informed that the City is working on a Comprehensive Safety Action Plan. Currently, a consultant is working on gathering the data for Seguin, with the goal of making a plan that will eliminate injuries in the City's streets and right-of-ways. She informed that the Comprehensive Safety Action Plan is grant funded. She also spoke about Texas Department of Transportation's Vision Zero plan, the State's goal of having zero deaths on Texas roadways by 2050 and to cut the number in half by 2035.

Councilmember Lievens said he believes that the City Council should repeal the play street dedication and suggested that the City get more of the mobile radar units to help address speeding on City streets.

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

Nay: 1 - Councilmember Gaytan

Aye: 8 - Mayor Dodgen, Councilmember Rea, Councilmember Mendez, Councilmember Lievens, Councilmember Rangel, Councilmember Carter, Councilmember Biesenbach, and Councilmember Keller

Enactment No: ORD 2024-022

Mayor Dodgen called for a short recess and recessed the meeting at 7:59 P.M.

Mayor Dodgen reconvened at 8:07 P.M.

- c. Resolution authorizing the City Manager to execute an Additional Services Amendment to the Professional Services Agreement with Pape-Dawson Engineers, Inc. in the amount of \$192,300 for Cordova Road Project - CSJ# 0915-46-052; and declaring an effective date - Melissa Reynolds, P.E., MPA, CFM, City Engineer

Indexes:

Attachments: [2024.04.16 Memo PSA-CO Cordova](#)
[2024.04.16 Resolution PSA-CO Cordova](#)
[Cordova Water Main Design Contract](#)

Director of Engineering and Capital Projects Melissa Reynolds said that the City was

awarded funding through the Alamo Area Metropolitan Planning Organization (AAMPO) for the Cordova Road Project in 2021. In 2022, the City awarded a professional services contract for the engineering and design services for the project to Pape-Dawson Engineers. At the time of the grant application, the City did not anticipate being the water utility company. But due to the Spring Hill transfer, the City is not responsible for the water lines in the right-of-way for that project. This change order would provide for the design of the upgraded water mains.

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

Aye: 9 - Mayor Dodgen, Councilmember Rea, Councilmember Mendez, Councilmember Lievens, Councilmember Rangel, Councilmember Gaytan, Councilmember Carter, Councilmember Biesenbach, and Councilmember Keller

Enactment No: RES 2024-084

- d. Ordinance on second reading amending the Fiscal Year 2024 General Fund Budget of the City of Seguin, Texas

Indexes:

Attachments: [2024 Certificates of Obligation Bonds memo](#)
[Bond allocation General](#)

Finance Director Susan Caddell explained that the budget amendment agenda items allocate the proceeds of the 2024 Certificates of Obligation Bonds to the different projects in both the General Fund and Utility Fund.

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

Aye: 9 - Mayor Dodgen, Councilmember Rea, Councilmember Mendez, Councilmember Lievens, Councilmember Rangel, Councilmember Gaytan, Councilmember Carter, Councilmember Biesenbach, and Councilmember Keller

Enactment No: ORD 2024-023

- e. Ordinance on second reading amending the Fiscal Year 2024 Utility Fund Budget of the City of Seguin, Texas

Indexes:

Attachments: [Bond allocation Utility](#)

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

Aye: 9 - Mayor Dodgen, Councilmember Rea, Councilmember Mendez, Councilmember Lievens, Councilmember Rangel, Councilmember Gaytan, Councilmember Carter, Councilmember Biesenbach, and Councilmember Keller

Enactment No: ORD 2024-024

- f. Ordinance on second reading amending the Fiscal Year 2024 Debt Service Fund Budget for the City of Seguin, Texas

Indexes:

Attachments: [2024 CO Debt Service Payment](#)

Finance Director Susan Caddell explained that the Debt Service Fund budget amendment allocates the accrued interest from the sale as well as some fund balance towards the September 2024 payment on the bonds.

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

Aye: 9 - Mayor Dodgen, Councilmember Rea, Councilmember Mendez, Councilmember Lievens, Councilmember Rangel, Councilmember Gaytan, Councilmember Carter, Councilmember Biesenbach, and Councilmember Keller

Enactment No: ORD 2024-025

- g. Ordinance on second reading amending the Seguin Code of Ordinances, Chapter 102, Utilities, Article VI, Water Conservation Plan to adopt the 2024 Water Conservation Plan for the City of Seguin; providing for a severability clause; providing for publication of this Ordinance; authorizing City staff to prepare this Ordinance as a supplement to the Seguin Code of Ordinances; and declaring an effective date

Indexes:

Attachments: [Council Memo](#)
[Ordinance Amending the Seguin Water Conservation Plan](#)

Director of Water/Wastewater Utilities Tim Howe informed that the Texas Water Development Board (TWDB) requires retail public water suppliers with more than 3,300 connections to develop and submit an updated water conservation plan to the TWDB every five years. The changes to the Seguin Water Conservation Plan include water storage and capacity information, details related to permitted water, and alternate water supply information.

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:

Aye: 9 - Mayor Dodgen, Councilmember Rea, Councilmember Mendez, Councilmember Lievens, Councilmember Rangel, Councilmember Gaytan, Councilmember Carter, Councilmember Biesenbach, and Councilmember Keller

Enactment No: ORD 2024-021

- h. Resolution awarding the bid for the construction of the West Booster Station, Water Plant High Service Pump, and connections to the Hwy. 123 Elevated Storage Tank project to include complete project startup to Associated Construction Partners, LTD; and declaring an effective date - Timothy J.

Howe, Director - Water/Wastewater Utilities

Indexes:

Attachments:

[Council Memo - 5-7-2024](#)

[Resolution 5-7-2024](#)

[Bid Recommendation - Seguin West Booster Station & Misc. Projects 4-23-2024](#)

[BID TAB - West Booster Station AF-2024-04 4-23-2024](#)

Mayor Dodgen announced that this item has been pulled from the agenda.

Enactment No: RES 2024R-106

i.

Resolution authorizing the fourth annual payment of \$199,500 from the previously approved Service and Maintenance Agreement with Maguire Iron, Inc. for the annual inspection, ongoing maintenance, and scheduled rehabilitation of the water storage tanks / towers associated with the Seguin water distribution system; and declaring an effective date - Timothy Howe, Director of Water / Wastewater Utilities

Indexes:

Attachments:

[Council Memo 4-16-2024](#)

[Maguire Resolution - 4-16-2024](#)

[Maguire Iron Invoice 4-9-2024](#)

[Executed Maguire Iron Final Contract 3-10-2021](#)

Director of Water/Wastewater Utilities Tim Howe reminded that City Council approved a 10 year service/maintenance agreement with Maguire Iron in 2021 for the annual inspection, ongoing maintenance, and scheduled rehabilitation of several water storage tanks in Seguin. This resolution authorizes the City to make the fourth payment of that agreement in the amount of \$199,500. The funding for this agreement is considered annually as part of the budget approval process.

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

Aye: 9 - Mayor Dodgen, Councilmember Rea, Councilmember Mendez, Councilmember Lievens, Councilmember Rangel, Councilmember Gaytan, Councilmember Carter, Councilmember Biesenbach, and Councilmember Keller

Enactment No: RES 2024-086

j.

Resolution awarding the bid for Pavement Maintenance Project to Lone Star Paving in the amount of \$391,573.10, 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:

Attachments: [MEMO TO COUNCIL_AWARD OF BID_AF-2024-18_April 16, 2024](#)
[Bid Results AF-2024-18](#)
[2024 PMP Streets](#)
[Resolution\(Lone.Star.Paving\)\(AF-2024-18\)](#)

Public Works Director John Donnelly said that the 2024 Street Maintenance Plan includes chip seal maintenance of 18 streets this year and some striping. He declared that Lonestar has been awarded the chip seal maintenance contract for the last 6 out of 7 years and their workmanship has been favorable. and some striping. Funding for this project will come from the FY2024 Chip Seal Project Fund and the remaining funds available from last year's balance.

Councilmember Lievens asked if all the streets will be chip seal and Mr. Donnelly answered affirmatively.

Councilmember Lievens said that he appreciated the town meeting to educate residents on chip seal and asked if the City could host one again.

Mayor Dodgen said that she and Mr. Donnelly have done a back and forth education video before and they can do that again.

Councilmember Lievens said that his road hasn't been chip sealed in many years and it still looks great. Mr. Donnelly explained that his road was done at a grade 5 grade 6 and now the City uses grade 5 grade 5, so it lays down smoother and won't be as rough of a finish.

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

Aye: 9 - Mayor Dodgen, Councilmember Rea, Councilmember Mendez, Councilmember Lievens, Councilmember Rangel, Councilmember Gaytan, Councilmember Carter, Councilmember Biesenbach, and Councilmember Keller

Enactment No: RES 2024-087

- k.** Resolution authorizing the purchase of 2024 Carlson CP130 Paver for Public Works from Cooper Equipment Co, in the amount of \$328,615.40 (includes 3 year warranty) and declaring an effective date - John Donnelly, Public Works Director

Indexes:

Attachments: [Paver Memo.pdf](#)
[Resolution\(Paver\)\(Cooper.Equipment.Co\)](#)

Public Works Director John Donnelly explained that the 5-Year Capital Equipment Plan recommends the purchase of a new paver. The current piece of equipment used for paving is a 2016 Mauldin Paver which has met its end of life and would cost \$90,000 to repair. The 2024 Carlson CP130 Paver is a heavier duty piece of equipment that should operate for well for 10 years. On average, crews are placing over 11,000 tons of hot mix a year. This year, they are anticipating putting down over 15,000 tons.

Councilmember Biesenbach commented that this is a very nice piece of equipment

that will greatly benefit the City.

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

Aye: 9 - Mayor Dodgen, Councilmember Rea, Councilmember Mendez, Councilmember Lievens, Councilmember Rangel, Councilmember Gaytan, Councilmember Carter, Councilmember Biesenbach, and Councilmember Keller

Enactment No: RES 2024-088

I.

Resolution authorizing the City Manager to approve a DSHS grant in the amount of \$52,008.00 to fund paramedic school for six firefighter/ EMTs - Dale Skinner, Fire Chief

Indexes:

Attachments: [School of EMS](#)
 [Council Memo EMS Education Grant](#)
 [Resolution.Grant.Paramedic.Training](#)

Fire Chief Dale Skinner stated that the Fire Department was awarded a grant for tuition for 6 firefighter/EMTs to attend paramedic school. The funding total for this grant is \$52,008. Last year, the City received the same grant and sent 5 employees to paramedic school and all 5 graduated.

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

Aye: 9 - Mayor Dodgen, Councilmember Rea, Councilmember Mendez, Councilmember Lievens, Councilmember Rangel, Councilmember Gaytan, Councilmember Carter, Councilmember Biesenbach, and Councilmember Keller

m.

Resolution approving the lease-purchase of ten (10) police vehicles for the Seguin Police Department; and declaring an effective date. - Jason Brady, Chief of Police

Indexes:

Attachments: [24-22 Fleet Purchase Request Memo](#)
 [Res 2024 Lease-Purchase of 10 Police vehicles](#)
 [CITY OF SEGUIN - 2024 CHEVROLET TAHOE CC10706 2WD](#)
 [BLACK PPV X10 - RR198092 - QT JS2240 \(1\)](#)

Police Chief Jason Brady explained that auto manufacturers produce a limited number of pursuit related vehicles every year. Staff would like to purchase 10 Chevrolet Police Tahoes from Caldwell Country before they are offered to another agency. He informed that the vehicles would be purchased without the upfitting as they are changing vendors. The upfitting will be purchased at a later date. He mentioned that it is possible that the Police Department would receive these vehicles before they receive

the 2023 vehicles previously purchased.

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

Aye: 9 - Mayor Dodgen, Councilmember Rea, Councilmember Mendez, Councilmember Lievens, Councilmember Rangel, Councilmember Gaytan, Councilmember Carter, Councilmember Biesenbach, and Councilmember Keller

Enactment No: RES 2024-090

n.

Resolution authorizing the City Manager to approve a Purchase Order with Sullivan Contracting Services regarding a Choice Partners quote in the amount of \$66,984.40 for converting the Rodeo Arena lighting at the Seguin Events Complex from metal halide to LED through a matching grant from the State Energy Conservation Office; and declaring an effective date - Jack Jones, Director of Parks and Recreation.

Indexes:

Attachments: [Memo regarding Rodeo Arena lighting work to be done by Sullivan Contracting Services](#)
[Rodeo Arena Light Conversion Revised 400W Lights](#)
[Resolution \(Sullivan.Contracting.Services\)\(Rodeo.Arena.Lighting\)\(2\)](#)

Parks and Recreation Director Jack Jones announced that the City of Seguin has been awarded a matching grant from the State Energy Conservation Office (SECO) to convert the Rodeo Arena lighting from metal halide to LED. The grant award was for \$50,000 with a minimum City match of \$10,000. While the City approved a resolution in January 2024 to enter into an agreement with Sullivan Contracting Services, the grant required the City to start the purchasing process over. The original quote was to have 55 300-watt lights installed with a lead time of 2-3 months, for \$63,007.57. Mr. Jones said that the new quote from Sullivan Contracting Services is for 55 400-watt lights with a lead time of 2-3weeks, for \$66,984.40. The newly quoted lights are 25% more bright and can be delivered and installed much quicker. He informed that the \$16,984.40 in City funding needed to match the grant will come from an approved fiscal year 23/24 Fairgrounds Utility Capital Improvement Project.

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

Aye: 9 - Mayor Dodgen, Councilmember Rea, Councilmember Mendez, Councilmember Lievens, Councilmember Rangel, Councilmember Gaytan, Councilmember Carter, Councilmember Biesenbach, and Councilmember Keller

Enactment No: RES 2024-091

- o. Resolution awarding the bid for the design, procurement, and installation of new stage lighting at the Seguin Coliseum, to Stoney Ridge Inc., DBA San Antonio Sound and Light (SASL); authorizing the City Manager to execute an agreement in the amount of \$79,872.00; and declaring an effective date - Randy Kell Director of Facilities.

Indexes:

Attachments: [Memo regarding the new stage lighting at Coliseum](#)
[24-036 - City of Seguin - Coliseum Lighting Replacement](#)
[Resolution\(SASL\)\(AF-2024-23\)](#)

Director of Facilities Randy Kell stated that the existing stage lighting fixtures in the Seguin Coliseum are the original lights that were installed in 1977. The lighting is inoperable, outdated, and inefficient. New lighting is needed to increase energy efficiency, reliability, and to be more user-friendly. He explained that this project will include new lights, new wiring, touchscreen pads to operate the lights, and pathways on the wall for presets as well as the ability to connect iPads to the controllers to operate. He said that all lighting scenes will be preloaded by San Antonio Sound and Light. He said that this new stage lighting system would meet the needs of existing clients and opportunity to add more if needs grow.

Mr. Kell informed that a RFP's were due on March 26th. There were two responsive bids. Stoney Ridge Inc., DBA San Antonio Sound and Light submitted the low bid of \$79,872.00. Funding to update the stage lighting was approved in the FY2023-2024 budget.

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

Aye: 9 - Mayor Dodgen, Councilmember Rea, Councilmember Mendez, Councilmember Lievens, Councilmember Rangel, Councilmember Gaytan, Councilmember Carter, Councilmember Biesenbach, and Councilmember Keller

Enactment No: RES 2024-092

- p. Resolution authorizing the execution of the Second Amendment to the Tax Abatement Agreement between the City of Seguin and Yukon Venture Partners, LLC - Josh Schneuker, Director of Economic Development

Indexes:

Attachments: [2024.04.16 Yukon TA Amendment 2 Memo \(Seguin CC MTG\)](#)
[Resolution Second Amendment Yukon Tax Abatement Agreement \(Seguin City Council\)](#)
[Yukon Tax Abatement Agreement 2nd Amendment](#)
[Yukon Tax Abatement Agreement - FINAL & Fully Executed](#)
[Yukon TA Agreement 1st Amendment \(Executed\)](#)

Economic Development Director Josh Schneuker explained that this Resolution aligns the Tax Abatement Agreement with the changes that City Council recently approved by the performance agreement, updating dates to align with the revised development

timeline.

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

Aye: 9 - Mayor Dodgen, Councilmember Rea, Councilmember Mendez, Councilmember Lievens, Councilmember Rangel, Councilmember Gaytan, Councilmember Carter, Councilmember Biesenbach, and Councilmember Keller

Enactment No: RES 2024-093

9. Closed Session

Mayor Dodgen convened into Closed Session at 8:29 P.M.

- a. Pursuant to Section 551.087 of the Texas Government Code - Deliberation Regarding Economic Development Negotiations (1) to discuss or deliberate regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations. (2) to deliberate the offer of a financial or other incentive to a business prospect.**

- Project Jackpot
- Project DIY

Indexes:

- b. Pursuant to Section 551.071 of the Texas Government Code (Consultation with Attorney) the Seguin City Council will convene into Closed Session to deliberate and/or consult with and seek advice from its attorney(s) regarding:**
1. Ongoing and/or contemplated litigation involving the City of Seguin as a party.
 2. Procedural Matters associated with City Council
- Possible action may follow in Open Session.

Indexes:

10. Reconvene into Regular City Council Meeting and Consider Action on Items as a Result of Closed Session

Gaytan vote to approve this based on advice from City Attorney that the City has a nominal chance of winning on appeal. Other parties are rescinding as well.

Unanimous Ayes

Mayor Dodgen reconvened into Open Session at 9:11 P.M.

Resolution regarding Cause No. D-1-GN-18-007000 in the 201st District Court of Travis County, Texas, as presented by the City Attorney in Executive Session.

Indexes:

Attachments: 2024R-094 REGARDING CAUSE NO. D-1-GN-18-00700

Councilmember Gaytan declared that his vote was based on the advice given by City Attorney Kennedy in Closed Session that the City would likely lose on appeal.

Mayor Pro Tem Carter moved to approve and adopt a Resolution regarding Cause No. D-1-GN-18-00700 in the 201st District Court of Travis County, Texas, as presented by the City Attorney in Closed Session. Councilmember Biesenbach seconded the motion. The motion was approved by the following vote:

Presiding: 1 - Mayor Dodgen

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

Enactment No: RES 2024-094

11. Adjournment

Mayor Dodgen adjourned the meeting at 9:13 P.M.

Donna Dodgen, Mayor

Attest:

**Kristin Mueller
City Secretary**