



City of Seguin

210 E. Gonzales Street
Seguin TX, 78155

Meeting Minutes - Final

City Council

Tuesday, November 15, 2022

5:30 PM

Council Chambers

Public & Virtual

1. Call to Order

The City Council met in a REGULAR Called Meeting on Tuesday, November 15, 2022 at 5:30 pm in the City Hall Council Chambers, City Hall, 210 East Gonzales in City of Seguin, with Mayor Donna Dodgen presiding.

2. Invocation - Council Member Monica Carter

3. Pledge of Allegiance/Salute to the Texas Flag

4. Roll Call

Present: 8 - Council Member Jeremy Roy, Council Member Chris Aviles, Council Member Chris Rangel, Council Member Monica N. Carter, Council Member Sonia Mendez, Council Member Mark Herbold, Council Member Mark Herbold, and Council Member Joe Rea

Presiding: 1 - Mayor Donna Dodgen

5. Hearing of Residents:

Invitation to hear citizens and council members in advance of regular business on items other than what is on the agenda, which shall be limited to five (5) minutes. Discussion of any item not on the agenda shall be limited to 1) Statements of specific factual information given in response to any inquiry; 2) A recitation of existing policy in response to an inquiry; 3) A proposal to place the subject on the agenda for a future meeting; 4) For the record, please state your name and address before speaking.

Mrs. Mary Ellen Mendez, 513 N. Bowie, Seguin, TX 78155; speaking on behalf of Eddie Davila, stating he is a friend, a Christian and has always helped the community by participating and in community services. Mrs. Mendez would like everyone to pass the word around to elect Edward Davila for City Councilman for District 8.

Mr. Julian Leal, 849 Prexy Dr, Seguin, TX 78155; spoke on taking the initiative in dire situations.

Gary Vaughan, 503 S Goodrich, Seguin, TX 78155; Stated he wanted to give a debt of gratitude to out going City Council Members, stating they have done a lot for the City of Seguin. In addition, commenting on the City and how he knows the City has done an extensive study regarding the Storm water utility rate, and he is sure that through the

study the City understands there are multiple properties around Seguin that will not give a contribution to the Storm water from those properties. He is assuming that there will be exceptions and homeowners that will not be contributing to the Storm water utility rate. Mr. Vaughen would like the City to speak on that subject in a future meeting. Also Mr. Vaughen stated he would like some clarity on the PFC and the resolution that is being passed that in the future if there is a sale, that the same resolution will continue for the duration of the seventy-five years.

Laura Cochran, 1249 Jefferson Ave., Seguin, TX 78155; spoke on street flooding at Jefferson and Volunteer, and that a Stop sign on Jefferson is needed to control the traffic and speeding as folks are speeding

Mayor Dodgen, gave reminders of GIS Day at the Seguin Public Library, from 1~3 pm on Wednesday, November 16th. Also on Sunday, November 27th there will be a Community Thanksgiving Meal at the Seguin Coliseum over fifth teen hundred meals will be served.

6. Presentation

a. [22-521](#)

New Billing for the Stormwater Utility Rate and CIP/Stormwater Project Update - Halff Associates

Indexes:

Stormwater Project Update given by Troy Dorman, Halffs Associates, Inc.

7. Consent Agenda

A motion was made by Council Member Herbold, seconded by Council Member Rea, that all the items were approved on the Consent Agenda. The motion carried by the following vote:

Presiding: 1 - Mayor Dodgen

Aye: 7 - Council Member Roy, Council Member Aviles, Council Member Rangel, Council Member Carter, Council Member Mendez, Council Member Herbold, and Council Member Rea

a. [22-503](#)

City Council Meeting Minutes of November 1, 2022

Indexes:

Attachments: [CityCouncilMeetingMinutes.11-1-2022](#)

This Minutes was approved

b. [22-486](#)

Ordinance on second and final reading amending the Seguin Code of Ordinances, Chapter 106, Vehicles for Hire, Article III, Wreckers, to provide updated maximum fees; providing a severability clause; directing staff to submit this Ordinance as a supplement to the Code of Ordinances; and providing for an effective date

Indexes:

Attachments: [Council Memo - 2022 Tow Fee Ordinance](#)
[Towing Ordinance 2022 - Amending Fees](#)

This Ordinance was adopted

Enactment No: ORD 2022-091

c. [22-485](#)

Ordinance on second and final reading amending the Seguin Code of Ordinances Chapter 102, Utilities, Article V, Municipal Stormwater Utility System, to amend language consistent with the establishment of the stormwater utility fee; providing for a severability clause; authorizing city staff to prepare the ordinance for submission as a supplement to the code of ordinances; and declaring an effective date

Indexes:

Attachments: [2022-11-01 Memo SW Ordinance Revisions](#)
[Art V Municipal Stormwater Utility System Redlines](#)
[Ordinance Amending Stormwater Utility language](#)

This Ordinance was adopted

Enactment No: ORD 2022-092

d. [22-493](#)

Ordinance on second and final reading amending the Seguin Code of Ordinances, Chapter 2, Administration, Article IV, Officers and Employees, Division 3, Ethics Policy, to a section restricting former employees from certain representation in a proceeding against the interests of the City; authorizing city staff to prepare this Ordinance as a supplement to the Seguin Code of Ordinances; providing for a severability clause; providing for publication; and declaring an effective date

Indexes:

Attachments: [Council Memo - Ethics Commission Recommendation to restrict post employment activity](#)
[Ordinance Amending Ethics Policy to restrict former employee representation](#)

This Ordinance was adopted

Enactment No: ORD 2022-093

e. [22-501](#)

Ordinance on second and final reading amending the Seguin Code of Ordinances, Appendix C - Fee Schedule, relevant portions of Chapter 74-Parks and Recreation; providing a severability clause; providing for publication; authorizing city staff to prepare this ordinance for submission as a supplement to the Seguin Code of Ordinances; and providing an effective date

Indexes:

Attachments: [Pickleball Memo](#)
[Amend Exhibit C - Fees Pickleball Court](#)

This Ordinance was adopted

Enactment No: ORD 2022-094

f. [22-496](#)

Resolution authorizing the purchase of a Tymco Street Sweeper for a total of \$288,700.00, from HGAC BuyBoard; and declaring an effective date - John Donnelly, Director of Public Works

Indexes:

Attachments: [Memo to Council Tymco Street Sweeper 2022 11 15](#)
[Resolution approving the purchase of a Tymco Streetsweeper through HGAC](#)
[Sequin 600 Trade in](#)
[IDS Trade in Terms Statement 10-21-22](#)

This Resolution was approved

Enactment No: RES 2022-177

g. [22-517](#)

Resolution to authorize the purchase of a Hurst extrication rescue tools through the Sourcewell cooperative purchasing agreement, utilizing Municipal Emergency Services in Houston, TX, as the dealer for use by the Seguin Fire Department to protect the health and safety of the City's residents; and declaring an effective date - Garrick Herbert, Assistant Fire Chief

Indexes:

Attachments: [Council Memo Hurst Tools 2022](#)
[Resolution approving the purchase of Hurst extrication tools for the Fire Department](#)
[Sequin FD 3 sets with mounts](#)

This Resolution was approved

Enactment No: RES 2022-178

h. [22-523](#)

Resolution authorizing the City Manager to enter into a Professional Services contract with TRC Engineering, Inc., in the amount of \$1,054,400.00 for the final engineering related to the Ground **water** / **Surface Water** Interconnect **Water** Pipeline Project - Timothy J. Howe, Director - **Water** / **Wastewater** Utilities

Indexes:

Attachments: [Council Memo - 11-15-2022](#)
[Resolution approving a professional services agreement with TRC for Groundwater - Surface Water Interconnect Groundwater-Surface Water Interconnect Final Engineering Proposal 11-8-2022](#)
[GW-SW Interconnect Route 11-8-2022](#)

This Resolution was approved

Enactment No: RES 2022-179

i. [22-504](#)

Check Report: October 31, 2022 to November 10, 2022

Indexes:

Attachments: [Check Report \(14\)](#)

The bills were acknowledged.

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

a. [22-518](#)

Public Hearing to review program performance of activities completed under the Texas Community Development Block Grant (TxCDBG) Program grant, number 7219292, from the Texas Department of Agriculture for sidewalk improvements in the downtown area in the City of Seguin along with an explanation of the actual use of the Texas Community Development Block Grant Program funds - Janell Foster, Langford Community Management Services

Indexes:

Attachments: [11-15-22 City Council MEMO for PUBLIC HEARING on TxCDBG Main Street Program](#)

The regular meeting was recessed and the public hearing was called to order. There being No Citizen Comments, the public hearing was adjourned and the regular meeting was reconvened.

b. [22-525](#)

Resolution of the City Council of Seguin, Texas requesting that the Alamo Area Council of Governments allocate funds from the General Land Office Regional Mitigation program based on the actual population for each city subject to allocation of the funds - Kathy Wood, Grant Administrator

Indexes:

Attachments: [11-15-22 City Council MEMO to submit Public Comment regarding GLO MOD Allocation](#)
[11-15-22 City Council RESOLUTION concerning AACOG funding allocation](#)

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

vote:**Presiding:** 1 - Mayor Dodgen**Aye:** 7 - Council Member Roy, Council Member Aviles, Council Member Rangel, Council Member Carter, Council Member Mendez, Council Member Herbold, and Council Member Rea

Enactment No: RES 2022-180

c. [22-519](#)

Ordinance authorizing the issuance of "City of Seguin, Texas Combination Tax and Limited Pledge Revenue Certificates of Obligation, Series 2022A"; providing for the payment of said certificates by the levy of an ad valorem tax upon all taxable property within the city and further securing said certificates by a lien on and pledge of the pledged revenues of the system; delegating the authority to certain city officials and staff to approve and execute certain documents relating to the sale of the certificates; authorizing the execution of any necessary engagement agreement with the city's financial advisors; and providing an effective date - Duane Westerman, SAMCO Capital Markets, Inc.

Indexes:

Attachments: [Letter \(12\)](#)
[Ordinance - Certificates](#)
[Agenda and Motion \(3\)](#)

A motion was made by Council Member Herbold, seconded by Council Member Aviles, that this Ordinance be adopted. The motion carried by the following vote:

Presiding: 1 - Mayor Dodgen**Aye:** 7 - Council Member Roy, Council Member Aviles, Council Member Rangel, Council Member Carter, Council Member Mendez, Council Member Herbold, and Council Member Rea

Enactment No: ORD 2022-095

d. [22-520](#)

Ordinance by the City Council of the City of Seguin, Texas authorizing the issuance of "City of Seguin, Texas General Obligation Refunding Bonds, Series 2022"; levying an annual ad valorem tax, within the limitations prescribed by law, for the payment of the bonds; delegating the authority to certain city officials and staff to approve and execute certain documents relating to the sale of the bonds; authorizing the execution of any necessary engagement agreement with the city's financial advisors; and providing an effective date - Duane Westerman, SAMCO Capital Markets, Inc.

Indexes:

Attachments: [Letter \(12\)](#)
[Ordinance - Bonds](#)
[Agenda and Motion \(3\)](#)

A motion was made by Council Member Carter, seconded by Council Member Aviles, that this Ordinance be adopted. The motion carried by the following vote:

Presiding: 1 - Mayor Dodgen

Aye: 7 - Council Member Roy, Council Member Aviles, Council Member Rangel, Council Member Carter, Council Member Mendez, Council Member Herbold, and Council Member Rea

Enactment No: ORD 2022-096

e. [ZC 20-22 CC](#)

Public Hearing and Ordinance on first reading to consider a zoning change from Agricultural-Ranch to Planned Unit Development for a 57-acre tract, located at 1722 Steffens Rd, Property Ids 59126, 59127 & 70071 (ZC 20-22)- Pamela Centeno, Director of Planning & Codes

Indexes:

Attachments: [Staff Memo ZC 20-22](#)

[ZC2022 MAPS](#)

[Staff Reports for Zoning Change & GLUP 1722 Steffens](#)

[Proposed GLUP 1722 Steffens](#)

[ZC20-22 Planning Commission Report](#)

[ZC 20-22 Ordinance](#)

[ZC2022 ExhibitA CC](#)

The regular meeting was recessed and the public hearing was called to order. There being No Citizen Comments, the public hearing was adjourned and the regular meeting was reconvened.

This Zoning Ordinance was withdrawn

f. [22-522](#)

Ordinance on first reading amending the Seguin Code of Ordinances Chapter 14, Animals, to modernize some of the Section, to add consistency between other sections and to add provisions for vicious dogs; providing for publication of this ordinance; providing a severability clause; providing for an effective date; and authorizing city staff to prepare this Ordinance for submission as a supplement to the Code of Ordinances - Shelley Lutz, Animal Services Manager and Andy Quittner, City Attorney

Indexes:

Attachments: [Council Memo - Ordinance to modernize animal services language](#)

[Ordinance Amending Chapter 14 Animals - 2022](#)

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

Presiding: 1 - Mayor Dodgen

Aye: 7 - Council Member Roy, Council Member Aviles, Council Member Rangel, Council Member Carter, Council Member Mendez, Council Member Herbold, and Council Member Rea

Enactment No: ORD 2022-095

9. Adjourn the Regular City Council Meeting and enter into the Seguin Public Finance Corporation

The City Council adjourned the Regular the meeting adjourned at 6:17 pm. and entered into the Seguin Public Finance Corporation.

a. [22-528](#)

Resolution of the Seguin Public Finance Corporation approving a contract with the Navarro School District to share funds derived from lease payments made by The Lilly Spring Apartment project; and declaring an effective date - Steve Parker, City Manager

Indexes:

Attachments: [PFC Resolution approving contract with Navarro](#)

City Manager Steve Parker spoke on the Seguin Public Finance Corporation reiterating that the Corporation was formed ten years ago, and gave a brief update on what it entails, trying to bring workforce housing to our community. These corporations are popping up all over, Schertz, Cibolo, San Antonio, Boerne just to name a few. The Public Finance Corporations are not on the Tax roll, it is a way to incentives developers to build workforce housing. One has been proposed, and a term sheet signed on September 6, 2022 stating the City would go into negotiations with Vaquero Developers to build a 256 Unit Multifamily project here in the City of Seguin. Fifty percent would be a market rate, and Fifty percent would be at eighty percent AMI, that is your school teachers, Fireman, Policemen, retail workers. The City immediately heard from Navarro ISD with the concerns in regards to it not being on the tax roll, a meeting in late September with Guadalupe County and Navarro School district, listening to their concerns; feed back and directions was given from a meeting in October. Polices were discussed with City Council with council still interested in proceeding with the project. The City Council believes that workforce is a initiative that they want to invest in. It was never the intention to not partner with the Navarro School District. With that the Council has an intent to share in the revenue related to the rental lease payments that would come from Vaquero as the developer. The Guadalupe County was not interested in the project and have stated they did not want to participate in the PFC. A resolution was drawn up and an offer of the Five-hundred-thousand that the city would have received at closing, it was initially offered to the School District for improvement to Link Rd. The City's aware that it is not enough to fix Link Rd., continued to keep it in the resolution and the agreement was to split the rental payment fifty-fifty with the school district. Navarro ISD stated that if the county is not participating that they should receive the county portion that would have been paid if they had participated in the project. Navarro ISD also requested a member of the School board be a part of the Public Finance Corporation board that at this time is made up of the Seguin City Council.

Renee Rehfeld, President of the Navarro ISD Board, 3300 N. State Hwy 46. Seguin, TX, 78155; Ms. Rehfeld is requesting the City Council postpone the action regarding the PFC. Ms. Rehfeld stated that to be clear the School Board still feels that the PFC is not in the best interest for the City of Seguin. Several members of the

school board have done some research in calling other city's regarding PFC's and understand the City of Seguin is going to move forward with the project. With that understanding the school board is looking at the revenue shared portion of it and the Navarro School District is requesting more time to have a better understanding of what the tax impact would be for the school district with any revenue share. Also stating the school district needs more information.

City Manager, Steve Parker stated to be clear there are no stipulations in the agreement that the Five-hundred-thousand dollars must be used to make repairs to Link Rd. Also making it clear that Link Rd. is not part of the Five year CIP and there is no project funded for Link Rd.

Mayor Donna Dodgen spoke on her understanding of the Resolution that it is just a resolution asking and approving our portion of the contract it would still go to Navarro ISD Board to review and to negotiate.

City Attorney, Andrew Quittner reiterated that a Resolution is not a contract.

City Councilman Jeremy Roy stated this is just the first step in the process of an agreement with Navarro ISD

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

Presiding: 1 - Mayor Dodgen

Nay: 1 - Council Member Aviles

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

Enactment No: RES 2022PFC-002

10. Adjourn the Seguin Public Finance Corporation and reconvene the Regular City Council Meeting

There being no further business before the Seguin Public Finance Corporation meeting adjourned at 6:33 pm. and City Council reconvened the Regular meeting.

11. Adjournment

There being no further business before the council the meeting adjourned at 6:33 pm.

Donna Dodgen, Mayor

Attest:

Kimberly Allison, Deputy City Secretary

