



City of Seguin

210 E. Gonzales Street
Seguin TX, 78155

Meeting Minutes

City Council

Tuesday, August 6, 2024

5:30 PM

Council Chambers

1. Call to Order

Mayor Dodgen called the meeting to order at 5:33 p.m.

2. Invocation - Associate Pastor Natalie Avalos, Crossroads Church

3. Pledge of Allegiance/Salute to the Texas Flag

4. Roll Call

District 2 position is vacant.

Present: 6 - 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

Absent: 1 - Councilmember Joe Rea

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.

Alexis Gutierrez and Casey Haliburton, 744 Stonemanor, announced that they are the owners of Frostbyte Snack Shack, a new small business selling sorbet push pops and handcrafted ice cream sandwiches out of an ice cream bicycle. They asked that the City consider adding a category for push cart vendors as the current permitting structure puts a financial burden on small new businesses. Ms. Guitierrez listed several surrounding city's permitting fees for push carts to show examples of more affordable fee structures.

Julian Leal, 849 Prexi Dr., asked that the cameras in Council chambers be repositioned because currently two councilmembers are not included in the view.

Anna Guadarrama, 516 Jefferson St, stated that she was the best friend of the late

Councilmember for District 2, Sonia Mendez. Ms. Guadarrama requested that the City Council consider renaming the volleyball court complex in Sonia's honor, reminding that Sonia played volleyball all her life and that her kids and grandkids still play there.

6. Presentation

a. Presentation on the Trap-Neuter-Return (TNR) Program - Shelley Lutz, Animal Services Manager

Indexes:

Attachments: [Overview of TNR Program Memo](#)
[Overview of TNR Program](#)

Animal Services Manager Shelley Lutz gave a presentation on the Trap-Neuter-Return program, highlighting that Animal Control has treated and released 80 cats this year and 404 cats since the programs inception. She stated that each stray cat not neutered has the ability have up to 120 kittens so by treating 404 cats they have prevented 2.9 billion cats from being born over 5 years. She explained how her department is helping to manage cat colonies, their public education and outreach efforts, and their collaboration with animal welfare organizations.

Mayor Dodgen commented that Animal Control treated about one cat a day in July. Ms. Lutz confirmed and added that the winter months slow down the amount they are able to treat because of the weather.

Councilmember Lievens thanked Ms. Lutz for her presentation and mentioned that he is a big fan of Animal Control and would like to see a presentation about the facility, staffing levels, and if the department is able to keep up with the growth. Ms. Lutz answered that they have recently added a new program coordinator which has helped immensely. Councilmember Lievens also asked if we have any idea how severe the stray cat problem is and how effective the T-N-R program has been. Ms. Lutz replied that she would guess that there are thousands of stray cats but that the 2.9 billion prevented is a pretty good marker for effectiveness. Lastly, Mr. Lievens asked if there are guidelines for having a feeding station. Ms. Lutz informed that there are community cat care areas but that they aren't in residential neighborhoods.

Mayor Dodgen clarified that a program does exist and reiterated that the new program coordinator is helping with public education.

Mayor clarified that the program exists and reiterated tat the program coordinator is helping with public education.

Councilmember Biesenbach asked why Animal Control does not just euthanize the stray cats. Ms. Lutz said that was the standard practice for 12 years, but it did not work -- the cats are still there. She said that the expense to neuter and release a cat is not much more than to hold the cats for 72 hours then euthanize them. She also mentioned how euthanizing that many animals takes a toll on the mental health of the animal control officer doing it.

Mayor Dodgen commented that the T-N-R program meets in the middle.

Councilmember Keller asked if other communities have similar program and Ms. Lutz confirmed that they did. She added that they only have 10-12 cats in the shelter right

now.

7. Consent Agenda

A motion was made by Councilmember Keller, seconded by Councilmember Biesenbach, that the following Consent Agenda 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 July 16, 2024 City Council Regular Meeting

Indexes:

Attachments: [CCMeeting.Minutes July 16, 2024](#)

This Minutes was approved.

b. Check Report July 13, 2024 to August 2, 2024

Indexes:

Attachments: [Check Report 07132024 - 08022024](#)

The Check Report was acknowledged.

c. Board and/or Committee Appointments - Mayor Donna Dodgen

- a. Arts Commission
- b. Historic Preservation & Design Commission
- c. Library Foundation

Indexes:

Attachments: [Board Appointments Memo - Arts, Historic, Library Foundation](#)
[BoardApplication.Arts.QuincySabatini_Redacted](#)
[BoardApplication.HistoricPreservation.RafaelRodriguez_Redacted](#)
[BoardApplication.LibraryFoundation.ClaudiaGaytan_Redacted](#)
[BoardApplication.LibraryFoundation.DonKeil_Redacted](#)

This appointment was approved.

d. Approval of reports for the quarter ended June 30, 2024 for the following organizations that receive Occupancy Tax funding - Susan Caddell, Director of Finance

- a. Seguin Conservation Society
- b. Mid-Texas Symphony
- c. Teatro de Artes de Juan Seguin
- d. Seguin-Guadalupe County Hispanic Chamber of Commerce

- e. Seguin Heritage Museum
- f. Guadalupe County Fair Association
- g. Seguin LULAC Council #682
- h. Seguin Art League
- i. The Fields of Huber Ranch, LLC

Indexes:

Attachments: [Memo - Quarterly reports for quarter ended 063024](#)
[Quarterly reports for quarter ended 063024](#)

This Action Item was approved.

- e. Downtown street closures and sale of alcohol requests for upcoming events in downtown Seguin - Kyle Kramm, Main Street & CVB Director/HPO

Indexes:

Attachments: [Street Closure Memo - Fall Events 2024](#)

This Action Item was approved.

- f. Resolution accepting the Petition for Release from the City's Extraterritorial Jurisdiction filed by The Wilson Family Trust DTD July 6, 2012 for two properties in Guadalupe County (Property ID No.'s 70347 and 108516) and granting the request for Release effective the date of the passing of this Resolution

Indexes:

Attachments: [Staff Memo_ETJ Release Request from Wilson](#)
[Petition Release_Wilson](#)
[Resolution Release_Wilson](#)

This Resolution was approved.

Enactment No: RES 2024R-166

- g. Resolution authorizing the purchase of 24 transformers in various sizes for use on new development projects and restocking purposes by the Electric Utilities department declaring date - Adam Ryals, Manager Utility Warehouse and Rick Cortes Deputy City Manager

Indexes:

Attachments: [Agenda Item Memo 7.10.24 Transformers \(4\)](#)
[Resolution 24 Transformers 7.11.2024 \(1\)](#)
[BID TAB Electric AF-2024-36 \(1\)](#)

This Resolution was approved.

Enactment No: RES 2024R-167

- h. Resolution authorizing the purchase of six-hundred (600) electric meters from Techline Inc. for use by the City's Electric and Utility Services Department; and declaring an effective date - Adam Ryals, Utility Warehouse Manager and Rick Cortes, Deputy City Manager

Indexes:

Attachments: [Council Memo 8-6-2024](#)
[Resolution. 12S Meters 7.22.24](#)
[Techline Quote #1357761-00](#)
[Aclara Source Letter](#)

This Resolution was approved.

Enactment No: RES 2024R-168

- i. Ordinance on second reading amending the Seguin Code of Ordinances Chapter 98, Traffic and Vehicles, Article II, Traffic Control Devices, Section 98-40, Designation of No Through Truck Traffic Streets by adding Coral Sky and Saddlehorn Drive to the list; 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.

Indexes:

Attachments: [2024.07.16 Memo Mill Creek No Through Trucks](#)
[2024.07.02 Ordinance No Through Trucks Mill Creek HOA](#)
[No Through Truck Traffic Exhibit](#)

This Ordinance was adopted.

Enactment No: ORD 2024-034

- j. Ordinance on second reading amending the Seguin Code of Ordinances Chapter 98-107, No parking zones by adding no parking zones on the south side of Vitesco Technologies Drive from North Austin Street; 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.

Indexes:

Attachments: [2024-07-16 Memo Vitesco Technologies No Parking](#)
[2024-07-16 Vitesco Technologies Drive No Parking Ordinance](#)
[No Parking Zone Exhibit](#)

This Ordinance was adopted.

Enactment No: ORD 2024-035

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

Indexes:

Attachments: [Central Park Fountain memo](#)
[Central Park Fountain](#)

This Ordinance was adopted.

Enactment No: ORD 2024-036

8. Action Items - Discussion and Possible Motion to Approve

- a. Resolution of the City of Seguin City Council approving Resolution #SSLGC R24-21 adopting the Schertz-Seguin Local Government Corporation Fiscal Year 2024-2025 Budget; and making appropriation in accordance with said budget - Andrew McBride, General Manager SSLGC

Indexes:

Attachments: [MEMO FOR BUDGET FY2024-25](#)
[City Council Resolution SSLGC Budget Approval 24-25](#)
[Resolution SSLGC R24-21 - Annual Budget](#)
[SSLGC FY24-25 Budget](#)

Schertz/Seguin Local Government Corporation General Manager Andrew McBride presented the SSLGC budget for FY2024-2025, stating that the SSLGC Board of Directors unanimously approved it at their last regularly scheduled meeting.

A motion was made by Councilmember Biesenbach, 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-169

- b. Discussion and possible direction concerning proposed Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0016485001, filed with the Texas Commission on Environmental Quality (TCEQ) by Flying Bar D Ranch, LTD on or about May 2, 2024; and presentation of a request by landowners in the area to create a conservation easement for properties located upon and in the vicinity of the proposed Flying Bar D Ranch subdivision. A portion of this agenda item may be removed to Closed Session for consultation with Legal Counsel pursuant to 551.071 of the Texas Government Code. - Steve Parker, City Manager

Indexes:

Attachments: [Agenda Item Memo](#)
[GSAGuadalupeCty0424](#)

City Manager Steve Parker declared that the City had received a request by property owners in the vicinity of the Flying Bar D Ranch subdivision to hold a discussion regarding the Flying Bar D Ranch's proposed permit request for a package plant to serve their development. Mr. Parker stated that it would be more beneficial for the development to connect to the City's wastewater system but it is likely that TCEQ will approve their permit request.

Craig Russell, 450 Normand Rd, explained that his property has been in his family since 1970 and includes 1400ft of waterfront. He and the other Citizens of Lake Placid attending the meeting believe that the proposed Flying Bar D development will have long lasting negative effects on the wellbeing of the community. Lazy Ranch SS Memorial Foundation. Mr. Russell explained that his family created the SS American Memorial Foundation and that they have the intent to make create 70 acre mental health and wellness park for the public. He opined that the Flying Bar D development raises flood plane concerns due to the drop in elevation and run-off into the Guadalupe River and that it should be left as greenspace as it was identified as greenspace in the land use plan 20 years ago. He said that the proposed 1400 houses on less than 200 acres is too dense and that they have asked the County to investigate for any environmental concerns. He showed how water well levels in the area and across the state has decreased over the years and that rapid development is affecting the water supply. Mr. Russell asked the City Council to consider writing a letter of opposition to TCEQ.

Mr. Parker stated that the City is in full support of writing a letter of opposition and informed that Flying Bar D has opted out of the City's Extra-territorial Jurisdiction (ETJ) and has filed to opt of the City's Certificate of Care and Necessity (CC&N). He informed that the City went from trying to negotiate a development agreement to only negotiating a water/waste water agreement and in the meantime the developer filed for this TCEQ permit.

Councilmember Lievens said that the flooding potential explains why it is called Dead Mans Creek and that his concern is that this proposed development might be built without enough restrictions.

c.

Public Hearing and Resolution to consider a request for a General Land Use Plan (GLUP) for a property located at the NE Corner of Rudeloff Rd and Huber Rd., Property IDs: 55715, 167657, 185744, 185747, 184749, 185751, and 185752 (GLUP 02-24)- Pamela Centeno, Director of Planning & Codes

Indexes:

Attachments: [Staff Memo GLUP 02 24](#)
[GLUP 02-24 Planning Commission Report and Agenda Packet](#)
[Walnut Springs General Land Use Plan Memo and Exhibit](#)
[Resolution GLUP Rudeloff and Huber](#)
[GLUP0224 ExhibitA CC](#)

Planning and Codes Director Pamela Centeno explained that this property is located at the northeast corner of Huber and Rudeloff and is zoned for a Planned Unit Development (PUD). The General Land Use Plan (GLUP) that was approved for this proposed development expired June 2021. The applicant has submitted a new plan with minor modifications to the original. The proposed mixed-use development consists of mostly single-family residential housing with a variety of lot sizes ranging from 40' to

70'. Mrs. Centeno stated that the plan also includes a network of open spaces with parks and greenways and a few commercial lots, with less than 3.5 units per acre. Additionally, the new plan changes the amount of impervious coverage to 65% from 60%.

Mayor Dodgen opened the Public Hearing at 6:43PM.

There being no public comment, Mayor Dodgen closed the Public Hearing at 6:43PM.

Doug Faseler, representing Bitterblue Development, explained that the proposed development would consist of approximately 1,100 residential lots and 12 acres of park facilities.

Councilmember Lievens commented that he believes this will be a quality development. Mr. Faseler agreed and added that the Spring Hills Water issue delayed the development but now that it is resolved things are ready to move forward.

City Manager Steve Parker explained that a PUD is another tool in the toolbox that a city can use to negotiate for higher-end facilities and features and that they are close to bringing back the PUD for Council's consideration.

A motion was made by Councilmember Biesenbach, 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-170

d. Ordinance on second reading to create Tax Increment Reinvestment Zone #1 - Kyle Kramm, Main Street & CVB Director/HPO.

Indexes:

Attachments: [Council Memo - TIRZ Creation](#)
[Sequin TIRZ #1 Adoption Ordinance](#)
[Exhibit A - TIRZ #1 Boundary Map](#)
[Exhibit B - Sequin Prelim TIRZ Plan](#)

Main Street and CVB Director Kyle Kramm explained that the life of the proposed TIRZ #1 is 25 years, expiring in December 31, 2049. Over the life of the TIRZ, it is estimated to raise \$8.5 million to fund projects inside the TIRZ boundaries. Mr. Kramm said that a resolution will come at a later date to appoint the initial board of directors.

Mayor Dodgen opened the Public Hearing at 6:48PM.

There being no public comment, Mayor Dodgen closed the Public Hearing at 6:48PM.

A motion was made by Councilmember Biesenbach, seconded by Councilmember Keller, 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

e.

Public Hearing and Resolution authorizing Amendments to the City of Seguin's Master Thoroughfare Plan, including removal of Old Martindale Road and increasing the classification of Stempel Road and East Martindale Road from a major collector to an arterial roadway. - Jennifer R. Shortess, P.E., CFM, Assistant Director of Engineering and Capital Projects

Indexes:

Attachments: [2024-08-06 CC Memo MTP Amendments](#)
[2024-07 PZ Commission Report](#)
[2008 to Current MTP](#)
[2024 Amendments](#)
[Public Comments](#)
[2024-08-06 Resolution MTP Amendments](#)

City Engineer Melissa Reynolds stated that City staff is recommending a few adjustments to the Master Thoroughfare Plan (MTP). The MTP is intended to provide guidance to meet future motility needs, not always to construct roads. Mrs. Reynolds explained the different road classifications given in the plan.

The recommended changes are:

- remove Old Martindale from SH 123 Bypass to Twin Oak Road*
- increase Stempel Road from SH 123 to E. Martindale Road and E. Martindale Road from Stempel Road to FM 20 from Major Collector to Arterial.*

Mrs. Reynolds also presented the proposed realignment of Ploetz and E Martindale Rd and stated that it would be reclassified from an 80' right-of-way to a 90' right-of-way. She said that the Planning & Zoning Commission recommended approval of this item at their July meeting.

Mayor Dodgen opened the Public Hearing at 6:59PM.

Gary Minnich, near 1705 E Martindale Rd, declared that he was the 4th generation to own his property. He said that Navarro ISD was recently negotiating to buy 20 acres from him but that he decided to relocate due to the City's proposed thoroughfare. He suggested that the City consider utilizing the 100' wide easement owned by LCRA for a thoroughfare. He opined that the school will lose developable space on the property the purchased in order to accommodate the new thoroughfare complication and suggested that engineers hired to design the plan was a waste of money and the proposed classification is a waste of space.

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

Mrs. Reynolds shared the collection of public comments requesting that the proposed thoroughfare between Ploetz Rd and E. Martindale Rd be realigned to not cut through their or their neighbors property and suggested that it be aligned with the existing electrical easement owned by LCRA. Mrs. Reynolds explained that the new phase of

Navarro Oaks is not conducive to relocating the thoroughfare. Also, should the City have to relocate the road through or across the LCRA easement, the City would have to purchase and relocate the transmission line. Lastly, she said that relocating the thoroughfare would mean new properties and properties owners would need to be notified and new public hearings would be needed.

Councilmember Lievens asked if the connector to Ploetz Rd is new and Mrs. Reynolds replied that it is not, that it has been in the plan. He also commented that the Navarro ISD Superintendent seemed to be okay with the conversations they have had up to this point and Mrs. Reynolds confirmed that is correct.

Councilmember Biesenbach stated the MTP is just a guide and nothing happens if development does not happen. Mrs. Reynolds responded that it will be required with the new phase of Navarro Oaks.

Councilmember Lievens commented that only one little section would get developed because of the new phase of Navarro Oaks and asked what would determine if more pieces or connections are needed. Mrs. Reynolds answered that a Traffic Impact Analysis would help to determine when or if more is needed.

Mrs. Reynolds clarified that this resolution will remove Old Martindale from SH 123 Bypass to Twin Oak Road and increase Stempel Road from SH 123 to E. Martindale Road and E. Martindale Road from Stempel Road to FM 20 from Major Collector to Arterial. The Ploetz realignment would come to City Council as a separate item at a future date.

A motion was made by Councilmember Carter, 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-171

- f.** Resolution to authorizing the Professional Services Agreement with Surveying and Mapping, LLC for development of stormwater inventory as a professional services; authorizing the City Manager to execute contracts with providers; and declaring an effective date. - Melissa Reynolds, P.E., MPA, CFM - Director of Engineering & Capital Projects

Indexes:

Attachments: [2024-08-06 Memo Stormwater Inventory](#)
[2024-08-06 Resolution Stormwater Inventory](#)

PSA_Seguin Stormwater Inventory_Partially Executed

City Engineer Melissa Reynolds that a Drainage Master Plan is coming soon and that this project will be to collect the data used to evaluate and determine the capacity of the existing storm sewer systems. She stated that the City received 4 statements of qualification for Professional Services for Stormwater Inventory and recommended approval of an agreement with Surveying and Mapping, LLC in the amount not to exceed \$185,000. Funding for this project has been secured through the American

Rescue Plan Act (ARPA).

A motion was made by Councilmember Lievens, 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-172

g.

Resolution authorizing the City Manager to enter into a Professional Services contract with Trihydro Corporation for professional services related to the Guadalupe River Drive Lift Station Decommission Project; and declaring an effective date - Timothy J. Howe, Director - Water/Wastewater Utilities

Indexes:

Attachments: [Council Memo 8-6-2024](#)

[Resolution 8-6-2024](#)

[Guadalupe River Drive Lift Station Decommission Proposal - Trihydro](#)

Water and Wastewater Utilities Director Tim Howe stated that this project will reduce operations and maintenance costs by replacing the Guadalupe River Drive Lift Station, because it is in poor condition, with gravity interceptors. Mr. Howe introduced Jason Vreeland, Project Director with Trihydro. City staff recommends approval of their proposal in the amount of \$650,000 to provide for the design, bidding, and construction phase services for decommissioning the lift station, installing approximately 2,000 linear feet of sanitary sewer gravity interceptor, and expanding the Fairway Lift Station to accommodate the increased flow.

Councilmember Biesenbach asked if this project was under budget and Mr. Howe answered that the design did come in under budget.

A motion was made by Councilmember Biesenbach, 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-173

h.

Resolution authorizing the City Manager to enter into a Professional Services contract with TRC Engineers, Inc. for engineering services relocating a 12-inch water main from TxDOT right-of-way and related to the 24-inch Water Transmission Main Project currently under construction; and declaring an effective date - Timothy J. Howe, Director - Water/Wastewater Utilities

Indexes:

Attachments: [Council Memo 8-6-2024](#)
 [Resolution 8-6-2024](#)
 [12 Inch Relocated Water Line Engineering Change Order R1](#)

Water and Wastewater Director Tim Howe announced that this resolution would accept an additional service proposal from TRC Engineers, Inc. for the design and construction phase services for the relocation of the existing 12-inch water main on the 24-inch Transmission Main Project. These required additional services are to relocate the existing 12-inch water main out of the TxDOT right-of-way (ROW) along SH-123 Bypass and to replace the existing 8-inch water main crossings along State Highway 123 Bypass with 12-inch water main crossings. The intent is to relocate the 12-inch water main outside of TxDOT ROW and within the existing easement of the 24-inch transmission main that is currently under construction

City staff recommends acceptance of TRC Engineers, Inc proposal in the amount of \$143,050.00. Funding for this project is provided through 2024 certificates of obligation.

A motion was made by Councilmember Rangel, 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-174

- i. Resolution of the City Council of the City of Seguin, Texas authorizing the City Manager to enter into an Agreement for professional services regarding an Aquatic & Recreation Facility Feasibility Study with Brinkley Sargent Wiginton Architects in the amount of \$106,450; and declaring an effective date - Jack Jones, Director of Parks and Recreation

Indexes:

Attachments: [Memo regarding the Feasibility Study Agreement](#)
 [Resolution.Brinkley Sargent Wiginton Architects](#)
 [Seguin Aquatic and Recreation Facility Feasibility Study Proposal](#)

Parks and Recreation Director Jack Jones stated that based on the direction received at the July 2, 2024 City Council meeting, this resolution would authorize an agreement with Brinkley Sargent Wiginton Architects in the amount of \$106,450 for an Aquatic and Recreation Facility Feasibility Study.

Mr. Jones introduced Stephen Springs, Architect with Brinkley Sargent Wiginton. Mr. Springs listed examples of what type of studies surrounding cities have completed.

A motion was made by Councilmember Keller, 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-175

- j.** Ordinance on second reading adopting a 100% property tax exemption for qualifying child-care facilities as authorized under Texas Tax Code Section 11.36 and Article VIII, Section 1-R of the Texas Constitution; providing a repealing clause; providing a severability clause; and establishing and effective date - Alora Wachholz, Deputy Director of Economic Development

Indexes:

Attachments: [08-06-2024 Council - Qualified Child-Care Facility Tax Exemption Ordinance - First Reading](#)
[ORD 2024-XX Child-care Facility Tax Exemption](#)

Deputy Director of Economic Development Alora Wachholz reminded City Council that the proposed exemption would only apply to the part of a property that the owner uses to run a qualifying childcare facility. A qualifying facility is one that participates in the Texas Workforce Commission's Texas Rising Star Program and has at least 20% of the total number of children enrolled at the facility that receives subsidized childcare services provided through the childcare services program administered by the TWC. She also reminded that the approximate impact to property tax collection is \$5,252.

Councilmember Keller asked if the County can participate and Ms. Wachholz answered that the County could adopt a similar resolution but that this resolution only affects the City's portion of property tax.

A motion was made by Councilmember Carter, seconded by Councilmember Keller, 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

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

Indexes:

Attachments: [CC Memo \(FY 25 Management Services Agreement\)](#)
[CC Resolution FY 25 MGMT Services Agreement](#)
[FY 2025 Management Services Agreement FINAL](#)
[SEDC Resolution 2024-14 MSA Between SEDC and City of Seguin for FY25](#)

Economic Development Director Josh Schneuker presented the Fiscal Year 2025 Management Services Agreement explaining that this agreement outlines the management, administrative, and financial services the City provides to the SEDC. Mr. Schneuker stated that there are no proposed changes to the agreement.

A motion was made by Councilmember Biesenbach, 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-176

- I. Resolution authorizing the City Manager to execute a Chapter 380 Agreement with the Seguin Economic Development Corporation for the repayment of construction costs associated with the Interstate 10 and FM 464 water line project - Josh Schneuker, Director of Economic Development

Indexes:

Attachments: [CC Memo \(Chapter 380 - I-10 & FM 464 Water Line Project Repayment\)](#)
[CC Resolution \(I-10 & FM 464 Water Line Project 380 Agreement\)](#)
[FINAL - Chapter 380 Agreement \(I-10 & 464 Water Line Project Repayment\)](#)
[SEDC Resolution 2024-11 Chapter 380 with City of Seguin for I10 and FM 464 Water Line](#)

Economic Development Director Josh Schneuker stated that in December 2023, Trihydro provided the Seguin Economic Development Corporation (SEDC) with an opinion of probable cost for construction of the new water line at I-10 and FM 464. This was estimated at approximately \$3.75 million and would include materials, construction, easement acquisition, project management, and contingencies. Economic Development and City Finance Department Staff proposed the use of City issued bonds to cover the project construction costs, with the intention of arranging formal debt service repayments from the SEDC to the City on an annual basis to pay off the amount loaned by the City for this project. The repayment arrangement between the SEDC and the City will be formalized as a Chapter 380 Agreement. This Agreement sets the repayment of funds by the SEDC and the City of Seguin at \$3,958,719.58, assigns a 0% interest rate on the repayment of funds, and sets up an annual repayment from the SEDC to the City for a period of nine years.

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-177

m. Resolution authorizing an amendment to the 2023-2024 Seguin Economic Development Corporation Budget - Josh Schneucker, Director of Economic Development

Indexes:

Attachments: [CC Memo \(SEDC Budget Amendment 4\)](#)

[CC Resolution FY 25 SEDC Budget](#)

[SEDC Resolution 2024-13 FY24 Budget Amendment](#)

Economic Development Director Josh Schneucker explained that this budget amendment is needed in order to allocate \$82,000 in funding for the TSTC Future Campus Project and \$72,723.74 in funding for the I-10 and FM 464 Water Line Project.

A motion was made by Councilmember Biesenbach, 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-178

n. Resolution adopting the Fiscal Year 2024-2025 Seguin Economic Development Corporation Budget - Josh Schneucker, Director of Economic Development

Indexes:

Attachments: [SEDC Budget Overview FY 2025](#)

[CC Resolution FY 25 SEDC Budget](#)

[SEDC Resolution 2024-15 Adopting FY25 Budget](#)

Economic Development Director Josh Schneucker gave an overview of the Fiscal Year 2024-2025 Seguin Economic Development Corporation (SEDC) Budget, highlighting that the SEDC anticipates at least \$2,303,451 in total revenue and \$1,697,531 in total expenditures.

A motion was made by Councilmember Keller, 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-179

- o.** Resolution ordering a General Election to be held on November 5, 2024, for the purpose of electing a Mayor and City Council members for Districts 1, 2, 4, 6; ordering that Notice of Election be published; authorizing the City Manager to execute a Joint Election Agreement; and declaring an effective date - Kristin Mueller, City Secretary

Indexes:

Attachments: [2024 Election Memo](#)
[Resolution Ordering November 5, 2024 Election](#)
[Order of Election November 2024 Exhibit 1](#)
[2024 Election Notice Final Exhibit 2](#)
[Joint Election Agreement November 5,2024 Election Exhibit 3](#)

A motion was made by Councilmember Keller, 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-180

9. Closed Session

Mayor Dodgen convened into Closed Session at 7:52 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. Possible action may follow in Open Session.
- Project Jackpot
 - Project DIY

Indexes:

- b.** Pursuant to Section 551.071 of the Texas Government Code - Consultation with Attorney for the City Council to deliberate and/or consult with and seek advice from its attorney(s) regarding

contemplated and/or pending litigation involving the City of Seguin.
Possible action may follow in Open Session.

Indexes:

- c. Pursuant to Sections 551.071(2) and 551.072 of the Texas Government Code - Consultation with Attorney regarding the purchase and/or value of real property along SH46 in Guadalupe County, Texas. Possible action may follow in Open Session.

Indexes:

10. Reconvene into Open Session and take action on items as a result of Closed Session, if necessary

Mayor Dodgen reconvened the Open Session at 8:44 p.m.

- a. A Finalized Term Sheet between the City of Seguin and MDG Rio V Ltd, related to the development of the Rio Verde Subdivision, as discussed in Closed Session

Indexes:

Mayor Pro Tem Carter, seconded by Councilmember Rangel, motioned to authorize the City Attorney to execute a Finalized Terms Sheet between the City of Seguin and MDG Rio V Ltd, related to the development of the Rio Verde Subdivision, as discussed in Closed Session, which can be converted to a Settlement Agreement between the parties as a means for resolving Federal Western District Court Cause Number 5:18-CV-882. The motion passed 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. Option Contract between Seguin Economic Development Corporation and Joyce and Charles Urban, in relation to approximately 138.41 acres of real property located at the southeast corner of Cordova Road and SH46, as presented and discussed in Closed Session.

Indexes:

Josh introduced Mike Anderson, provost of the Texas State Technical College campus in New Braunfels.

Councilmember Lievens, seconded by Councilmember Keller, motioned to authorize execution of an Option Contract between SEDC and Joyce and Charles Urban, in relation to approximately 138.41 acres of real property located at the southeast corner of Cordova Road and SH46, as presented as discussed in Closed Session. The motion passed 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 8:47 p.m.

Donna Dodgen, Mayor

ATTEST:

Kristin Mueller, City Secretary