



City of Seguin

210 E. Gonzales Street
Seguin TX, 78155

Meeting Minutes

City Council

Tuesday, March 15, 2022

5:30 PM

Council Chambers

Public & Virtual

1. Call to Order

The City Council met in a REGULAR Called Meeting on the 15th day of March 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: 6 - Council Member Jeremy Roy, Council Member Chris Aviles, Council Member Chris Rangel, Council Member Monica N. Carter, Council Member Sonia Mendez, and Council Member Mark Herbold

Presiding: 1 - Mayor Donna Dodgen

Absent: 1 - Council Member 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. 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.

Chief Dale Skinner mentioned that the deadline is fast approaching 2022 Citizens Fire Academy held on Thursday nights from 6:00 - 9:00 pm for ten weeks. We need one more person to fill the class.

Council Member Chris Aviles stated their will be a Disc Golf fund raiser on Saturday, March 26, 2022 for the Guadalupe County Fields of Honor.

Council Member Mark Herbold asked if there had been anyone apply for Life guards for the Wave Pool? Director of Parks & Recreation Jack Jones said that there has been one applicant.

City Manager Steve Parker wanted to thank everyone involved in the Center Point Energy gas line that was damaged last week causing Seguin & McQueeney to be without service for 2 1/2 days. Over 300 contractors came to Seguin & McQueeney area to turn off every gas meter, and then turn them all back on when the gas line was repaired.

Mayor Donna Dodgen said the Hillcrest Assembly of God Church opened their doors for a shelter. It was wonderful to see all different agencies/companies come together to make the necessary repairs in a relatively short timeframe.

6. Presentation

- a. [22-133](#) Presentation of 2021 Audit Report - Debbie Fraser, Armstrong, Vaughan & Associates, P.C.

Indexes:

City Manager Steve Parker thanked Susan Caddell and her team for completing the audit process without our long-term employee, Rose Roecker who retired earlier of this year.

Debbie Fraser with Armstrong, Vaughan, & Associates presented the Annual Comprehensive Financial report for FY2021 to the City Council. An audit of financial statements includes consideration of internal control over financial reporting as a basis for designing audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control over financial reporting. No matters have come to our attention that would require us, under professional standards, to inform you about (1) the methods used to account for significant unusual transactions and (2) the effect of significant accounting policies in controversial or emerging areas for which there is a lack of authoritative guidance or consensus. As a part of the audit, we review the City's compliance with the Public Funds Investment Act. Our procedures determined that the City is in compliance, in all material respects, with the provisions of the Act.

- b. [22-134](#) Presentation with possible direction on the redistricting process needed to balance the City's single member council districts in line with the 2020 decennial census - Andy Quittner, City Attorney

Indexes:

City Attorney Andrew Quittner introduced Charles Kimbrough with the firm of Bickerstaff, Heath, Delgado, Acosta LLP. Mr. Kimbrough said that the redistricting is based on the growth and 2020 census data. He provided maps of each district showing the growth and the deviation. Overall deviation is 73.57% which indicates that redistricting is necessary before the November 2022 election and will need to be completed before the end of June 2022 according to the Election Code.

The Seguin City Council was in agreement that redistricting was necessary and would like to see the process completed before the end of June 2022.

- c. [22-084](#) 2021 Annual Police Department Racial Profiling/Citizen Contact Report - Terry Nichols, Police Chief

Indexes:

Police Chief Terry Nichols provided the 2021 Racial Profiling/Citizen Contact Report to the Seguin City Council. Chief Nichols said the report summarizes the motor vehicle stop data for 2021. During the past year, Seguin Police Officers made a total of 9,747 traffic stops (31% increase from 2020). An analysis of the stops revealed no evidence of racial or biased-based profiling and the percentage of stop for all races was relatively consistent with their population rates within the community.

Out of 9,747 motor vehicle stops conducted by the Seguin Police Department, 321 or 3.29% resulted in a search of the vehicle. More than 96% of the stops did not result in a search. In the case that a search was conducted, most of the time (73%), the search was nondiscretionary (Officer had probable cause, contraband in plain view, search incident to arrest or inventory search). Searches based on consent represent 27% of the total searches. The Department did not receive any citizen complaints for racial or biased-based profiling in 2021.

7. Consent Agenda

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

Presiding: 1 - Mayor Dodgen

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

a. [22-106](#) City Council Meeting Minutes March 1, 2022

Indexes:

The Minutes of March 1, 2022 was approved

b. [22-101](#) Ordinance on second and final reading amending the Seguin Code of Ordinances, Appendix C - Fee Schedule, Chapter 74, Summer Day Camp Program; providing for a severability clause; providing for publication; declaring an effective date; and authorizing city staff to submit this ordinance as a supplement to the Seguin Code of Ordinances

Indexes:

This Ordinance was adopted

Enactment No: ORD 2022-021

c. [ZC 43-21 CC](#) Ordinance on second and final reading to consider a Zoning Change from Commercial (C) to Multi-Family High Density (MF-3) for a property located at the 2600-2700 Blk of State Hwy 46 N, Property ID: 172978, (ZC 43-21)

Indexes:

This Zoning Ordinance was adopted

Enactment No: ORD 2022-022

- d. [ZC 01-22 CC](#) Ordinance on second and final reading to consider a Zoning Change from Agricultural-Ranch (A-R) to Single-Family Residential 2 (R-2) and Commercial (C) for the property located on the SE corner of State Hwy 46 S and Jefferson Ave, Property ID 52779 (ZC 01-22)

Indexes:

This Zoning Ordinance was adopted

Enactment No: ORD 2022-023

8. Action Items - Discussion and Possible Motion to Approve

- a. [22-117](#) Ordinance authorizing the issuance of "City of Seguin, Texas Combination Tax and Limited Pledge Revenue Certificates of Obligation, Series 2022"; 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; 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:

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

Enactment No: ORD 2022-024

- b. [22-131](#) Resolution of the City Council for the City of Seguin, Texas, authorizing submission of a grant application in response to the Office of the Governor, Public Safety Office, Homeland Security Grants Division, FY2023 Local Border Security Program; directs and designates the City Manager as the City's Authorized Official to act in all matters in connection with this application and the City's participation in the Grant Program, including the authority to apply for, accept, reject, alter, or terminate this grant; and providing an effective date - Kathy Wood, Grant Administrator

Indexes:

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

vote:**Presiding:** 1 - Mayor Dodgen**Aye:** 6 - Council Member Roy, Council Member Aviles, Council Member Rangel, Council Member Carter, Council Member Mendez, and Council Member Herbold

Enactment No: RES 2022-046

c. [22-129](#)

Ordinance on second and final reading amending the Seguin Code of Ordinances Chapter 78, Article II- Garage and Estate Sales, Section 22-551, Licensed Estate Sales, and Appendix C- Fee Schedule, to remove the requirement for permits; providing for an effective date, publication and a severability clause; and authorizing city staff to prepare the ordinance for submission as a supplement to the code of ordinances

Indexes:

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

Presiding: 1 - Mayor Dodgen**Aye:** 6 - Council Member Roy, Council Member Aviles, Council Member Rangel, Council Member Carter, Council Member Mendez, and Council Member Herbold

Enactment No: ORD 2022-025

d. [22-130](#)

Ordinance on second and final reading amending the Seguin Code of Ordinances Sections 18-26(b) and 18-28 to make changes to the permit requirements for residential roofs and residential accessory structures that do not exceed 200 sq ft; providing for an effective date, publication and a severability clause; and authorizing city staff to prepare the ordinance for submission as a supplement to the code of ordinances

Indexes:

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

Presiding: 1 - Mayor Dodgen**Aye:** 6 - Council Member Roy, Council Member Aviles, Council Member Rangel, Council Member Carter, Council Member Mendez, and Council Member Herbold

Enactment No: ORD 2022-026

e. [22-105](#)

Resolution authorizing the City Manager to execute a Professional Services Agreement with Freese and Nichols, Inc., in the amount of \$68,870, for the Utility Impact Fee Study Update; and declaring an effective date - Melissa Reynolds, P.E., MPA, CFM, City Engineer

Indexes:

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

Presiding: 1 - Mayor Dodgen

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

Enactment No: RES 2022-047

f. [22-132](#)

Resolution in connection with the Milam Street Reconstruction Project; authorizing all appropriate action by the city manager, staff, attorneys, and consultants, in the negotiation, purchase, and possible institution and prosecution of condemnation proceedings to acquire utility easements and fee simple title from lands held by various owners abutting the street right-of-way of the projects all within the City of Seguin, Guadalupe County, Texas; declaring each section of the Resolution severable one from the other in event any section is determined to be invalid; and declaring an effective date - Melissa Reynolds, P.E., MPA, CFM, City Engineer

Indexes:

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

Presiding: 1 - Mayor Dodgen

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

Enactment No: RES 2022-048

g. [22-111](#)

Ordinance on second and final reading amending the Seguin Code of Ordinances Chapter 98-40, Designation of No Through Truck traffic streets by adding a portion of Huber Road 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:

Council Member Chris Aviles advised that there are lots of trucks that travel this roadway.

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

Presiding: 1 - Mayor Dodgen

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

Enactment No: ORD 2022-027

h. [22-112](#)

Ordinance on second and final reading amending the Seguin Code of Ordinances Section 98-65 (g), Speed limits - Specific streets to set the speed limit on all streets to 25 miles per hour in the Townewood Village Subdivision; providing for penalties for violations thereof; providing a severability clause; providing for an effective date; providing for publication of this Ordinance; and directing city staff to prepare this Ordinance for submission as a supplement to the Code of Ordinances

Indexes:

*Jim Johnson
201 Coventry Lane
Seguin, Tx*

Has lived in this area for over 22 years. The previous Home Owners Association (HOA) went bust. But the neighborhood is working to revitalize the HOA. The problem in this subdivision is cars speeding, even school bus drivers are speeding from the back of the subdivision to Hwy 123 Bypass. The dynamics of our neighborhood is changing from empty nesters to families with young children. We are asking that the entire subdivision speed limit be lowered to 25 mph and if speed bumps could be installed, that we great.

*Larry Friedenbergl
309 Fairfax Circle
Seguin, Tx*

Mr. Friedenbergl said that he has seen lots of people driving 40 and 45 mph. What they need is enforcement, radar, more police patrol, and as Mr. Johnson said speed bumps would be helpful if allowed.

Police Chief Nichols advised that the police department certainly supports lowering the speed limit . Remember this subdivision is a closed neighborhood, so a lot of the violators may live in this subdivision and the police department would be happy to partner with the HOA to help reduce the speeding through more visibility and education.

City Manager Steve Parker said that the traffic calming devices are a dying trend in most cities as they are a purchase and maintenance nightmare to the city budget. Certainly, if the HOA could come up with funding for the traffic calming devices and maintenance funds to repaint and stripe each year the city would be happy to work with the association.

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

Presiding: 1 - Mayor Dodgen

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

Enactment No: ORD 2022-028

i. [22-128](#)

Ordinance on second and final reading amending the Seguin Code of Ordinances Section 98-65(b), Speed limits - Specific streets to set the speed limit on Cordova Road; providing for penalties for violations thereof; providing a severability clause; providing for an effective date; and providing for publication of this Ordinance; and directing city staff to prepare this Ordinance for submission as a supplement to the Code of Ordinances

Indexes:

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

Presiding: 1 - Mayor Dodgen

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

Enactment No: ORD 2022-029

j. [22-119](#)

Ordinance on second and final reading amending the Fiscal Year 2022 General Fund Budget of the City of Seguin, Texas; and declaring an effective date - Susan Caddell, Director of Finance

Indexes:

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

Enactment No: ORD 2022-031

k. [22-120](#)

Ordinance on second and final reading amending the Fiscal Year 2022 Utility Fund Budget of the City of Seguin, Texas; and providing an effective date - Susan Caddell, Director of Finance

Indexes:

A motion was made by Council Member Rangel, 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: 6 - Council Member Roy, Council Member Aviles, Council Member Rangel, Council Member Carter, Council Member Mendez, and Council Member Herbold

Enactment No: ORD 2022-032

I. [22-121](#)

Ordinance on second and final reading amending the Fiscal Year 2022 Special Revenue Fund Budget of the City of Seguin, Texas; and providing an effective date

Indexes:

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

Enactment No: ORD 2022-030

m. [22-135](#)

Resolution of the City Council of Seguin, Texas authorizing the City Manager to execute a second contract with Yamaha for the lease of new golf carts; providing for an effective date - Bruce Allen, Golf Course General Manager

Indexes:

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

Presiding: 1 - Mayor Dodgen

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

Enactment No: RES 2022-049

n. [22-140](#)

Resolution of the City Council of the City of Seguin, Texas authorizing the City Manager to enter into an Agreement with CT Fieldscapes regarding the BuyBoard quote in the amount of \$210,060 to renovate the infields at the Seguin Softball 4-Plex; and declaring an effective date - Jack Jones, Director of Parks and Recreation

Indexes:

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

Presiding: 1 - Mayor Dodgen

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

Enactment No: RES 2022-050

9. **Acknowledgment of Bills**

- a. [22-107](#) Check Report: February 28, 2022 through March 11, 2022

Indexes:

The bills were acknowledged

10. **Executive Session**

The regular meeting was recessed and the council went into Executive Session at 7:28 pm. The regular meeting reconvened at 8:06 pm.

- a. [13-053](#) Deliberation regarding Economic Development Negotiations in accordance with Section 551.071 and 551.087 - Steve Parker, City Manager

Indexes:

- b. [13-014](#) Deliberation regarding Real Estate in accordance to Section 551.072 - Steve Parker, City Manager

Indexes:

11. **Adjournment**

There being no further business before the council the meeting adjourned at 8:06 pm.

Donna Dodgen, Mayor

Attest:

Naomi Manski, City Secretary