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# City of Seguin

210 E. Gonzales Street  
Seguin TX, 78155

## Meeting Minutes - Final

### City Council

Tuesday, March 7, 2023

5:30 PM

Council Chambers

#### Public & Virtual

#### 1. Call to Order

*The City Council met in a REGULAR Called Meeting on Tuesday, March 7, 2023 at 5:30 pm in the City Hall Council Chambers, City Hall, 210 East Gonzales in City of Seguin, with Mayor Donna Dodgen presiding.*

#### 2. Invocation - Council Member Bill Keller

#### 3. Pledge of Allegiance/Salute to the Texas Flag

#### 4. Roll Call

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

**Presiding:** 1 - Mayor Donna Dodgen

#### 5. Hearing of Residents:

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

*Jackson and Hosanna Biesenbach, 632 East Cedar St, Seguin, Texas, 78155 gave a few suggestions on what they think the City of Seguin needs. Chipotle because they feel it is a healthy option, Chick Filia because it is popular and everyone likes it, Texas Roadhouse, and an In and Out Burger. Hosanna spoke on how the City of Seguin needs a Santikos because it has a bowling alley, movies and arcade, helping kids and adults have some fun. She also stated maybe a Public service program; in placing grocery carts left in the parking lot, back for the folks that don't return the carts to the cart return slots.*

*Rita Jordan, 9143 FM 81 in Karnes County, Texas, works for Congresswoman Monica Delacruz in the Seguin Office, located at the Justice Center in the Law*

Library, stating we are there to service as a liaison for constituents with possible issues with the IRS, SSI, VA Benefits. Also, the organizations can help kids wanting to go to the Military Academies, by writing letters of recommendations for them. Ms. Jordan states we are there to assist anyone needing assistance.

City Council Jim Lievens addressed Jackson & Hosanna Biesenbach, stating as a true Texan he can not go for In and Out Burgers. Stating we need more Whataburger's. Councilman Lievens also spoke on Rudeloff Rd, and asked Director John Donnelly for striping on Rudeloff Rd.

City Manager, Steve Parker addressed Council Member Lievens concern on Rudeloff road, stating that the City is aware of the issues on Rudeloff road and have had several complaints, stating it is a matter of do we spend \$70,000.00 to \$90,000.00 on a road that is in a matter of months to be torn up to start rehabilitation on the Rudeloff road project. Mr. Parker stating we will take a look at it again to see what can be done.

City Manager, Steve Parker announced that the Fourth of July application is out on the website, if you are interested in a parade float just go to the City website for an application.

Mayor Donna Dodgen wanted to say "Thank you to the Parks Department" for all the festivities, and everything they did for Texas Independence day. It was all very nice, they represent us well.

Mayor Donna Dodgen also wanted to recognize that Wednesday, March 8th is International Woman's Day.

## 6. Presentation

### a.

Recognition of Greg Odom upon his retirement - Mayor Donna Dodgen

Indexes:

Attachments: [Greg Odom - Retirement Certificate \(1\)](#)

Mayor Donna Dodgen presented Greg Odom with a retirement plaque, and gift as she congratulated him on his retirement and thanking him for all his hard work throughout his time with the City of Seguin.

### b.

Recognition of the Seguin Fire Department Award Recipients - Mayor Donna Dodgen

Indexes:

Attachments: [SFD 2022 Rookie of the Year - Mitchell Benjamin](#)  
[SFD 2022 EMS Provider of the Year - Peter Gibson](#)  
[SFD 2022 Fire Apparatus Operator of the Year - Sam Sanchez](#)  
[SFD 2022 Supervisor of the Year - Kurtis Kernan](#)  
[SFD 2022 Firefighter of the Year - Arnulfo Banda](#)

Mayor Donna Dodgen gave recognition, and certificates to all Fire Men present at the Seguin Fire Department Award presentation.

c.

Annual Seguin Police Department 2022 Racial Profiling/Citizen Contact Report - Chief Jason Brady

**Indexes:**

**Attachments:** [submitted report 2022](#)

[Analysis Report 2022](#)

[2022 City Council Racial Profiling Presentation 02222023 Final \(2\)](#)

*Seguin Police Chief, Jason Brady presented the 2022 Racial Profiling/Citizen Contact Report.*

d.

Presentation regarding the status of various projects in the vicinity of Walnut Springs Park - Melissa Reynolds, PE, CFM, Director of Engineering & Capital Projects

**Indexes:**

**Attachments:** [2023-03-07 Walnut Springs Projects final](#)

[2023-03-07 Walnut Springs Projects final](#)

*Melissa Reynolds, Seguin City Engineer presented a status update on projects in the vicinity of Walnut Springs Park.*

## 7. **Consent Agenda**

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

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

**Presiding:** 1 - Mayor Donna Dodgen

a.

City Council Meeting Minutes of February 21, 2023

**Indexes:**

**Attachments:** [CC.MeetingMinutes.February 21, 2023](#)

**The Minutes of February 21, 2023 was approved**

b.

Resolution of the City Council of Seguin, Texas approving a Statement of Work and Master Services Agreement between the Seguin Economic Development Corporation and Ernst & Young LLC for the development of a Comprehensive Economic Development Strategy - Josh Schneuker, Director of Economic Development

**Indexes:**

**Attachments:**    [030723 CEDS Selection Memo\\_CC](#)  
[City Council Resolution](#)  
[SEDC Resolution 2023-03 EY CEDS](#)  
[EY Seguin CEDS proposal](#)  
[Final SEDC\\_EY CEDS Agreement](#)

**This Resolution was approved**

Enactment No: RES 2023-42

- c. Resolution of the City Council of Seguin, Texas authorizing an Incentives Agreement between the Seguin Economic Development Corporation and Texas State Technical College; and providing an effective date - Josh Schneuker, Director of Economic Development

**Indexes:**

**Attachments:**    [030723 TSTC Incentives Agreement\\_SEDC CC Memo](#)  
[City Council Resolution](#)  
[SEDC Resolution 2023-05 TSTC Incentives Agreement](#)  
[SEDC TSTC Incentives Agreement FINAL](#)

**This Resolution was approved**

Enactment No: RES 2023-43

- d. Resolution of the City Council of Seguin, Texas approving an amendment to the Seguin Economic Development Corporation Fiscal Year 2023 Budget to appropriate funding to buy equipment for the Texas State Technical College TX FAME program in the amount of \$830,941.00; and providing an effective date - Josh Schneuker, Director of Economic Development

**Indexes:**

**Attachments:**    [Staff Memo to Council](#)  
[City Council Resolution](#)  
[SEDC Resolution 2023-06 FY23 Budget Amendment TSTC](#)

**This Resolution was approved**

Enactment No: RES 2023-44

- e. Resolution of the City Council of the City of Seguin, Texas approving an amendment to the funding agreement with the Guadalupe County Children's Advocacy Center for the purpose of increasing the City's annual funding by the amount of \$10,488.00 made available as a result of Councilman, Paul Gaytan's declination and reallocation of his city council compensation to the Children's Advocacy Center; and declaring an effective date - Sam Aguirre, City Attorney

**Indexes:**

**Attachments:**    [Memo](#)  
[Resolution](#)  
[Amendment](#)  
[Original Agreement](#)  
[Memo from Police Chief 2015](#)

**This Resolution was approved**

Enactment No: RES 2023-45

f.

Resolution of the City Council of the City of Seguin, Texas approving a contract with Ross Golf Design, LLC for design and related services for the renovation of Starcke Park Golf Course in the amount of \$695,000.00; and declaring an effective date - Bruce Allen, Golf Course Manager

**Indexes:**

**Attachments:**    [Council Memo - Golf Course Architect Contract.docx](#)  
[Resolution](#)  
[Contract](#)  
[Contract Exhibit A-Insurance Requirements](#)

**This Resolution was approved**

Enactment No: RES 2023-46

g.

Resolution amending Resolution No. 2023-006 that authorized the purchase of a Dump Vac Truck from Freightliner of South Texas, LLC ("Freightliner of Austin") for the purpose of correcting the previously stated purchase price from \$121,780.00 to \$137,228.00; and providing an effective date - Paul Wallace, Fleet Manager

**Indexes:**

**Attachments:**    [Memorandum to Council](#)  
[Resolution](#)  
[Corrected Invoice](#)  
[Backup from Prior Meeting](#)

**This Resolution was approved**

Enactment No: RES 2023-47

h.

Boards and/or Committee Appointments  
a. Planning & Zoning Commission  
b. Zoning Board of Adjustments

Indexes:Attachments: [Council.Appointments.March2023](#)

This Action Item was approved

i.

Check Report: February 20, 2023 through March 3, 2023

Indexes:Attachments: [Check Report \(19\)](#)

The bills were acknowledged

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

a.

Public hearing and Ordinance on first reading to consider a zoning change from Agricultural-Ranch (A-R) to Commercial (C) for a property located along the 3500 Blk of SH 46 N, Property ID 55999, (ZC 02-23)- Pamela Centeno, Director of Planning & Codes

Indexes:Attachments: [Staff Memo ZC 02 23](#)[Planning Commission Report and packet 02 23](#)[ZC 02-23 McQueeney Ranch Commercial Presentation KGF City Council 3.7.23](#)[ZC 02-23 Ordinance](#)[ZC0223 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.*

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

**Presiding:** 1 - Mayor Dodgen

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

Enactment No: ORD 2023-010

b.

-  
Public hearing and Ordinance on first reading to consider a zoning change from Agricultural-Ranch (A-R) to Public (P) for a property located near the intersection of SH 123 N and Timmerman Road, Property ID: 190760, (ZC 03-23)- Pamela Centeno, Director of Planning & Codes

Indexes:

**Attachments:**     [Staff Memo ZC 03\\_23](#)  
[Planning Commission Report and packet 03\\_23](#)  
[ZC 03-23 Ordinance](#)  
[ZC0323 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.*

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

**Presiding:** 1 - Mayor Dodgen

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

Enactment No: ORD 2023-011

**C.**

Public Hearing and Ordinance on first reading to consider an amendment to Section 4.7.9 of the Unified Development Code to create an exception to the requirement that a lot be connected to public water infrastructure within 300 feet of the lot when water supply is unavailable through such infrastructure and an alternate legal source of water to serve the lot is available; providing for the repeal of conflicting ordinances and resolutions, providing for severability, authorizing staff to prepare this ordinance as a supplement to the Unified Development Code; providing for publication; and declaring an effective date - Tim Howe, Director of Water/Wastewater Utilities

**Indexes:**

**Attachments:**     [Council Memo 3-7-2023](#)  
[Planning Commission Report-UDC Amendments 4.7.9](#)  
[Water Connection Waiver Draft Amendments](#)  
[Ordinance](#)

*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.*

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

**Presiding:** 1 - Mayor Dodgen

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

Enactment No: ORD 2023-012

d.

Resolution approving an Indefinite Delivery/Indefinite Quantity (IDIQ) list of qualified engineering firms to provide professional engineering services to the city on an as-needed basis - Mary Hamann, P.E., Assistant Director of Engineering

**Indexes:**

**Attachments:** [2023-03-07 Memo IDIQ Selection](#)  
[Resolution](#)  
[2023-03 IDIQ Selections](#)

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

**Presiding:** 1 - Mayor Dodgen

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

Enactment No: RES 2023-48

e.

Ordinance on first reading amending the Seguin Code of Ordinances Chapter 98-107, No parking zones by revising the no parking zone on Rudeloff Road to restrict parking, standing, or stopping on Rudeloff Road between State Highway 46 and the easternmost intersection with Huber Road; 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 - Mary Hamann, P.E., Assistant Director of Engineering

**Indexes:**

**Attachments:** [2023-02-21 Memo Rudeloff NPZ](#)  
[Ordinance](#)  
[Sec. 98-107 No parking zones Redlines](#)  
[CSJ 0915-46-045 Rudeloff Road Location Map](#)

**A motion was made by Council Member Keller, 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:** 8 - Council Member Rea, Council Member Mendez, Council Member Lievens, Council Member Rangel, Council Member Gaytan, Council Member Carter, Council Member Biesenbach, and Council Member Keller

Enactment No: ORD 2023-013

f.

Ordinance on first reading amending the Seguin Code of Ordinances

Chapter 90, Article IV, Right-Of-Way Work and amending Appendix C, Fee Schedule; providing for publication of this Ordinance; providing for the repeal of conflicting provisions; 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 - Mary Hamann, P.E., Assistant Director of Engineering

**Indexes:**

**Attachments:**     [2023-03-07 Memo ROW Work Ch 90 Revisions](#)  
                              [Ordinance](#)  
                              [Ch 90 Art IV Redlines](#)  
                              [APPENDIX C - FEE SCHEDULE Redlines](#)

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

**Presiding:** 1 - Mayor Dodgen

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

Enactment No: ORD 2023-014

**9. Closed Session**

*The regular meeting was recessed and the council went into Closed Session at 6:42 pm. The regular meeting reconvened at 7:44 pm.*

**a.**

Consultation with City Attorney and possible action in accordance with Section 551.071 regarding real property - Sam Aguirre, City Attorney

**Indexes:**

**10. Adjournment**

*There being no further business before the council the meeting adjourned at 7:44 pm.*

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**Donna Dodgen, Mayor**

**Attest:**

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**Kimberly Allison, Deputy City Secretary**