



City of Sequin

210 E. Gonzales Street
Sequin TX, 78155

Meeting Minutes - Final

City Council

Tuesday, May 3, 2022

5:30 PM

Council Chambers

Public & Virtual

1. Call to Order

The City Council met in a Public & Virtual REGULAR Called Meeting on Tuesday, May 3, 2022 at 5:30 pm in the City Hall Council Chambers, City Hall, 210 East Gonzales in City of Sequin, with Mayor Donna Dodgen presiding.

2. Invocation - Council Member Chris Rangel

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 Sonia Mendez, Council Member Mark Herbold, and Council Member Joe Rea

Presiding: 1 - Mayor Donna Dodgen

Absent: 1 - Council Member Monica N. Carter

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.

Barbara Benson, Affiliate Leader for NAMI: National Alliance on Mental Illness of Guadalupe County.

703 Elizabeth,

Sequin, Texas 78155 --- Ms. Benson spoke on the services the group provides and sharing that May is Mental Illness Month. Ms. Benson also wanted to give Condolences to Judd Family for the passing of Naomi Judd. Also inviting all out to Your Best Life Festival, Central Park Downtown on Saturday May 14th, 2022.

Clarence Little

815 Zunker St.

Sequin, Texas 78155--- Mr. Little spoke on a drainage problem with last rain event,

were water flowed into his garbage, stating something needs to be done and this is the 2nd time he has appeared in front of City Council regarding the same drainage issue.

Zulema Silva, President of the Board of Directors, Teatro De Artes De Juan Seguin gave thanks to Council for the support and for attending the 40th Annual Viva Teatro and Cico de Mayo celebrations, also gave a special thanks to Mayor Dodgen for reading the proclamation. All seats were filled, and please continue to celebrate throughout the month with other festivities.

Julian Leal
849 Prexy Dr.

Seguin, Texas 78155 ---spoke on traffic congestion - Court at Austin - TXDot

Paul Martin
605 Elm St.

Seguin, Texas 78155 --- Reading on Growth Addiction, also give City Manager, Steve Parker thanks for stimulating him to continue with his readings on the discouragement of growth.

Bruno Martinez
1019 Juarez St.

Seguin, Texas 78155 ---Concerned with the maintenance of Walnut Creek Branch - Please place item on a future agenda. Possible form a community

Council Member Jeremy Roy - Announce that Seguin Hispanic Chamber of Commerce gave the Juan Seguin Award to our own beloved City Manager, Steve Parker. Mr. Parker countered on how Jeremy Roy was given the Humanitarian Award from the Seguin Hispanic Chamber of Commerce the same night.

Mayor, Donna Dodgen congratulated City Manager and thanked CM Jeremy Roy for remembering, stating she forgot to mention it.

Mayor Donna Dodgen wanted to let everyone know that before City Council meeting we had a retirement reception, and it was for one of our Police Officers, Melinda Escobar who served the City of Seguin for 25 years and two months. Stating she began as a parking attendant and she loves her community. Telling the story that one of the last Habitat for Humanity Homes built was giving to a family who had lost their father to Covid and had been turned down twice before for the home, his wish was for the family to receive the home. As the home was being dedicated to the family, Melinda Escobar stop by to speak and give appreciation to them. Mayor wanted to publicly thank her.

6. Presentation

- a. [22-171](#) Certificate of Appreciation presented to Melinda Escobar upon her retirement - Mayor Donna Dodgen

Indexes:

Mayor Dodgen presented Melinda Escobar with a Certificate of Appreciation and gift honoring her upon her retirement.

7. Consent Agenda

A motion was made by Council Member Herbold, seconded by Council Member Rea, that this be approved on the Consent Agenda. The motion carried by the following vote: The minutes and resolutions.

Presiding: 1 - Mayor Dodgen

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

- a. [22-207](#) City Council Meeting Minutes of April 18, 2022 and April 19, 2022
- Indexes:**
- b. [22-209](#) Resolution of the City of Seguin, Texas City Council in Commemoration of Holodomor and Support of Ukraine - Mayor Donna Dodgen
- Indexes:**
- This Resolution was approved**
- Enactment No: RES 2022-065
- c. [22-118](#) Resolution to extend GBRA Raw Water service agreement to provide 1000 - acre feet of raw water annually for 5 year term with an option for an additional five-year term - Timothy J. Howe, Director - Water / Wastewater Utilities
- Indexes:**
- This Resolution was approved**
- Enactment No: RES 2022-066
- d. [22-189](#) Resolution authorizing the second annual payment of the previously approved Service and Maintenance Agreement with Maguire Iron, Inc. for the annual inspection, ongoing maintenance, and scheduled rehabilitation of the water storage tanks / towers associated with the Seguin water distribution system; and declaring an effective date - Timothy Howe, Director of Water / Wastewater Utilities
- Indexes:**
- This Resolution was approved**
- Enactment No: RES 2022-067
- e. [22-191](#) Resolution authorizing the City Manager as Signature Authority for the City of Seguin utility relocations associated with TxDOT's IH 10 CSJ No. 0535-01-076 project; and establishing an effective date - Melissa Reynolds, P.E., MPA, CFM

Indexes:

This Resolution was approved

Enactment No: RES 2022-068

- f. [22-187](#) Resolution authorizing the City Manager to enter into a Professional Engineering Services Agreement with Tryhydro Corporation in the amount of \$147,700, for engineering services and design of the IH 10 (Loves) Force Main Relocation Project; and declaring an effective date - Melissa Reynolds, P.E., MPA, CFM

Indexes:**This Resolution was approved**

Enactment No: RES 2022-069

- g. [22-192](#) Resolution approving a Performance Agreement between the Seguin Economic Development Corporation and Yukon Venture Partners, LLC - Lindsay Dennis, Assistant Director of Economic Development

Indexes:**This Resolution was approved**

Enactment No: RES 2022-070

- h. [22-200](#) Resolution amending the Fiscal Year 2022 Seguin Economic Development Corporation Budget - Lindsay Dennis, Assistant Director of Economic Development

Indexes:**This Resolution was approved**

Enactment No: RES 2022-071

- i. [22-197](#) Resolution of the City Council of the City of Seguin, Texas authorizing the City Manager to execute a Facilities Use Agreement between Seguin, Texas Adult Softball and the City of Seguin; and declaring an effective date - Jack Jones, Director of Parks and Recreation

Indexes:**This Resolution was approved**

Enactment No: RES 2022-072

- j. [22-199](#) Resolution of the City Council of the City of Seguin, Texas authorizing the City Manager to execute an Agreement between the City of Seguin and the Seguin Independent School District for the operation of the Just for Kids Summer Day Camp program; and declaring an effective date - Jack Jones, Director of Parks and Recreation

Indexes:

This Resolution was approved

Enactment No: RES 2022-073

- k. [22-206](#) Resolution temporarily relocating the No Parking Zone on the north side of Continental Drive to begin 190 feet from Austin Street and continue to a point of 550 feet west on Continental Drive during the construction phase; and declaring an effective date - Mary Hamann, P.E., Assistant City Engineer

Indexes:**This Resolution was approved**

Enactment No: RES 2022-074

- l. [22-211](#) Approval of reports for the quarter ended March 31, 2022 for the following organizations that receive Occupancy Tax funding:
- 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:**This Action Item was approved**

- m. [22-208](#) Check Report: April 18, 2022 through April 29, 2022

Indexes:**The Acknowledgement of Bills was approved****8. Action Items - Discussion and Possible Motion to Approve**

- a. [22-212](#) Resolution by the City Council of the City of Seguin, Texas approving a Bond Resolution authorizing the issuance of revenue refunding bonds designated as the "City of Seguin, Texas Higher Education Facilities Corporation Higher Education Revenue Refunding Bonds (Texas Lutheran University Project), Series 2022" by the City of Seguin, Texas Higher Education Facilities Corporation; satisfying the requirements contained in Section 147(f) of the Internal Revenue Code of 1986, as amended; and authorizing the execution of certain documents in connection therewith - Duane Westerman, SAMCO Capital Markets, Inc.

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 Mendez, Council Member Herbold, and Council Member Rea

Enactment No: RES 2022-075

b. [22-190](#)

Public Hearing and Ordinance on first reading adopting a redistricting plan for Council Member Districts following release of the 2020 Decennial Census; establishing findings of fact; and providing an effective date - Andrew Quittner, City Attorney

Indexes:

Attorney Kimbrough stated City Attorney, Andrew Quittner began by stating this process started in December of last year with the passing of a couple of resolutions to set the perimeter and guidelines for redistricting which is required every 10 years when the census comes out and required if you are out of balance, Seguin grew between 2010 and 2020 to 75 percent out of balance with the district with the most and the district with the least amount of people.

City Council appointed six people to serve on a committee, they met three times in public meetings to discuss, draw maps and do what needed to be done to reach a recommendation for City Council and they did a good job. Two maps and a base map was presented and posted on the website for an open meeting. Maps needed everyone here sitting in their districts to continue to be in the same district by way of charter; One person one vote rule meaning the districts are equal in population and that is defined as 10 percent or less and maintain majority and minority. Two maps were recommended,

Mayor Donna Dodgen gave thanks to each member of the committee stating it was a lot of hard work, we really appreciate your work.

Each redistricting committee member spoke:

Jason Bisenbach:

632 E Cedar

Seguin, Texas 78155-It was a pleasure and an experience. Stated he wanted to represent District 7 since at this time District 7 does not have representation. Mr. Bisenbach spoke on the differences with each map according to the initial assessment and looking at Plan C full district map it looks similar to the City's current District maps, looking at the current district break down map you will see the geographic boundaries and the neighborhoods are all maintained. Looking at Plan G district map you can see that Districts 1,2,3 and 7 really get away from the initial assessment. Also has a huge minority drop. Plan C and Plan E both follow City Council redistricting guidelines. Plan G does not and does not follow natural boundaries. Mr. Bisenbach recommends Plan C.

Tony Tolic:

2150 Pioneer Pass

Seguin, Texas 78155 - Gave his recommendation as Plan C for the same reasons as Jason Bisenbach gave also wanted to thank City Attorney, Andrew Quittner and Charles R. Kimbrough of Bickerstaff, Heath, Delgado, Acosta, LLP for having the correct numbers and correct information it was much appreciated. Numbers used for Plan G were not correct.

Paul Castillo

37 Glen Cove Dr.

Seguin, Texas 78155 -- Stated he was amazed that they had such intelligent people in the committee. Mr. Castillo spoke on how this year Seguin has seen such a large growth and believe it will continue so much so that in five year a redistrict will need adjusting, now the change has to happen. He stated he is surprised that the Hispanic community has grown outside of where it has always been. Not everyone is staying where they were born or raised anymore. Plan G is a change and he would like everyone to keep that in mind.

Jessie Trinidad:

Seguin, Texas 78155 - Mr. Trinidad state, that he wanted everyone to know that he supports Plan G; stating they had some trouble in drawing their map because they did not have all of the information needed and were short on time. He feels the map maintains the form with minority districts. Mr. Trinidad feels that Plan E distributes the Hispanics throughout the eight districts and dilutes the voting strength of Hispanics. He also gave thanks to the committee stating everyone worked very well together. Mr. Trinidad complimented the City Council stating it is one of the best City Councils ethnically formed and gave them thanks.

Mayor Donna Dodge: Thanked the Committee once more.

City Attorney, Andrew Quittner stating that he did not know if redistricting would be called for again in five years, it would depend on council if they wanted to go through another census and if the funding was there. Also stating that the City of Seguin has already grown two- thousand or so people since 2020 and it is going to get tougher at some point because the city is grown very asymmetric at some point it is going to take some major changes in districts to keep them balanced. It will be a real challenge.

The regular meeting was recessed and the public hearing was called to order.

Charles R. Kimbrough introduced his colleague, Sheri McCall, head of their GIS Services and first time to appear in person, has been on the phone during the redistricting meetings. The last time Mr. Kimbrough was with council was the initial assessment day in March and the numbers were shown that the City was out of balance, 77 percent out of balance and it needs to be under 10 percent. April 11th the City Attorney's and City Manager's Office requested that some drawings be produced to present to the committee so we drew A,B, and C. First committee meeting the majority of the discussion was about Plan C, Second committee meeting was April 20, 2022 other plans were drawn Plans E and D, all plans after that first meeting were a derivative of Plan C. The committee gave council two plans to consider Plan E and Plan G. Mr. Kimbrough stated that it is his role, his firms role is to give their recommendation on which Plan the City should chose. Plan C was the one recommended by Charles R. Kimbrough. Reason when data was reviewed District 1 and 2 and 4 and 5 their were dramatic majority of Hispanic voting age population counted by the census; over sixty-six percent in District 1, over sixty-five percent in District 2,

over sixty-six in District 4, and over sixty-one in District 5. Hispanic voting age populations was used as the first marker; SSRV Number - Spanish Surname Registered Voters data as second marker. To summarize Plan C out performs Plan E and Plan G. Plan C has a maximum deviation of 6.57 percent balance and is balanced. Council Member Roy questioned the percentages in District 2, under Plan G had a negative 11.21 drop in the Hispanic voting age populations and a 14.88 percent drop and are numbers that can not be ignored per Attorney Kimbrough.

Council member Roy asked who drew the Plan G, it was drawn based on a drawing given by Paul Castillo and Jessie Trinidad. Plan G has been endorsed as an advantage to Hispanic voters and trying to raise the Hispanic voters in District 3.

Paul Castillo stated that we have a diversity of people in this community, and like to look at voting age population. He continues to state that in 2011 District 4 was diluted to an area with an amount would that we though would effect the peoples choice when voting. Our main concern is District 3, it has been diluted in every map above thirty percent of voting age population, we are looking for a fair number. Mr. Castillo recommendation is Plan G.

Tony Tolic stated his recommendation is Plan C because when you look at the numbers the only districts that go up on Hispanic voters is District 1 and District 3 on Plan G, all other districts decrease in the Hispanic votes and Black votes. Ms. Miller who is part of the Redistrict committee as well endorses Plan C. Plan C does not make numbers drop as Plan G does.

Council Member Aviles asked that if one of the big concerns was dropping below sixty percent?

City Attorney, Andrew Quittner explained the sixty percent rule.

Council Member Roy stated Plan G when submitted to the committee looks good on paper but numbers were wrong and put the deviation in 2 out of scope, and beyond the bounds of the law.

Attorney Kimbrough stated Plan G presents a risk issue that we could not remain silence about. The Plan C, the Plan E and the Plan G took measures to make sure every council resident remain within their district

Council Member Aviles asked what would be the probability that redistricting would have to been done again within five years knowing how District 3 is going through sure a large growth right now.

City Attorney, Andrew Quittner stating that would be a council decision, there are procedures for doing census out of the decennial. City would have to fund the census. City Manager, Steve Parker; stated it is very rare for a City to have to do their own census. City Attorney, Andrew Quittner stating it could cost 30 to 35 Thousand dollars to hiring people and do all the counting.

Attorney Kimbrough also stated that it is of their opinion that each of the Plans are in compliance with criteria guideline resolution that was passed on December 7, 2021 it is just our judgment on behalf of the law firm that the Plan C out performs the other two, E Plan and G Plan on the criteria.

Council Member Joe Rea stated the Plan C and Plan E look identical to him, and asked to be explained the difference between the two.

Attorney Kimbrough stated, to look at the Plan C Hispanic voting age population, continued to read the Plan Comparison sheet and the percentages of positive versus negative between the Plan C and the Plan E showing that the Plan C show a high percentage of Hispanic voting age population than what was shown in the Plan E therefore given the difference between the two.

Mayor Donna Dodgen asked if there were any questions on the drawing.

Council Member Chris Rangel stated that looking at Plan G, question the shape of the drawing stating that District 4 shape would be completely different and it seems to him that each district would be imposing on District 4 from every side. Stating that there would be several small streets in the area, all in different districts.

Attorney Kimbrough stated, at the three committee meetings during the drawing of the plans when the lines were moved the numbers changed and was not balance.

City Attorney, Andrew Quitter stating the city is divided into census blocks that we don't determine, and when the drawing lines are moved they have to be moved census block by census block, cannot move street by street. That is what caused the different shapes.

Attorney Kimbrough stated that the recent annexations have been included as part of the City territorial boundary map right now, also stated that they are volunteer annexation and have been included in the district as well.

Council Member Herbold stated as to it appears to him that the folks putting the Plan G together are willing to give up a percentage in District 2 thinking they can still hold that and pick up ten points in District 3. He feels that is the whole point on the Plan G being what it is.

Attorney Kimbrough stated the numbers don't lie and to get those numbers in District 3 there is a significant change in District 2 and District 4, those are the risks that we cannot be ignore in terms of the Firms advice.

Mayor Donna Dodgen stated that she believes that what we are seeing are growing pains and it is going to be messy and maybe in ten years it may messier or change significantly and those are her thoughts.

Attorney Kimbrough stated that the timing to vote would be this evening if they are ready.

City Attorney, Andrew Quitter stated the effective date will be June 1, 2022, but County Elections Office needs it by May 17, 2022 and people need to know where they live to be ready to vote in November.

Council Member Roy asked Mayor if she is asking one of the council members to make a motion in approving one of the plans.

Mayor Dodgen stated yes.

City Attorney, Andrew Quitter stating the charter requires two readings and motions.

Council Member Roy made a motion, but would like to state why he is making this particular motion, he feels that when the folks that prepare Plan G created it they did not have the correct numbers and then they were corrected but then showed a large variance in District 2. Also stating that it looks like the majority of the redistricting committee is endorsing Plan C and the Firm is also endorsing Plan C so he is going to make a motion that the City Council approve Plan C. Council Member Herbold seconded the motion to approve Plan C.

Council Member Rangel asked if the committee knew that there was an -11.21 deviance?

Attorney Kimbrough stated that Mr. Castillo brought documents to Committee meeting on April 25, 2022 and that he asked him if he had shared our information with a third party and Mr. Castillo stated yes, he had shared it with MALDEF (Mexican American Legal Defense and Education Fund) so when the data came across from the MALDEF Lawyers there was a discrepancy about the city boundary lines and we had to adjust the lines on that plan to fit the jurisdictional aerals that city council gave to the firm to start this project.

City Manager Steve Parker stated that when everyone left that night the numbers were known by all parties, three members out of the committee voted Plan G, three for Plan E, after they thought about it they like the numbers for Plan C, and two members wanted Plan G and both those members still want Plan G as they have both stated today.

Attorney Kimbrough stated that his role nor Mr. Quittner's role was not to influence the committee members to do one or all or none, but the Plan C was a Bickerstaff plan at the very first committee meeting because of the large Hispanic majorities in districts 1, 2, 4, and 5.

Mayor Donna Dodgen asked Mr. Castillo if he had any questions.

Mr. Castillo, Committee member; stated on a three to three vote we submitted Plan E and Plan G and I don't know how Plan C worked its way in and I don't know how the other three committee members changed their mind, but we drew the map, we know the communities and the time we had was limited. Also that this process should have been started a long time ago. Mr. Castillo stated that each council member is really working for every citizen in city not just their own district.

Mayor Donna Dodgen asked City Attorney to explain why the redistricting began when it did.

City Attorney, Andrew Quittner stated that part of it was that we were waiting on Guadalupe County to divide up precincts and voting precincts. Another reason would be the data came late, it should have been here a year ago, but we got it September into October. Then a committee needed to be formed and that took some time to gather six people.

Mayor Donna Dodgen asked if anyone else had any questions.

Council Member Aviles said that he wanted to make a comment that everyone's hard work was much appreciated.

City Attorney, Andrew Quittner stated the motion needed to be individually counted numbers for and against.

Row call vote was taken for the motion: The motion failed with the following vote:

*Council Member Rae voted: No
Council Member Mendez voted: Against
Council Member Aviles voted: No
Council Member Rangel voted: No
Council Member Roy voted: For
Council Member Carter was absent
Council Member Herbold voted: For
Mayor Dodgen stated that the motion failed and we need another motion.*

Citizen Comments:

*Lindsey Prentice
601 N Heideke St.
Seguin, Texas 78155 - Wanted to say that I voice me support for Plan C, it follows the numbers and Jason Bisenbach did a great job with analyzing the whole situation.*

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

Presiding: 1 - Mayor Dodgen

Nay: 1 - Council Member Herbold

Aye: 5 - Council Member Roy, Council Member Aviles, Council Member Rangel, Council Member Mendez, and Council Member Rea

c. [22-204](#)

Public Hearing and Ordinance on first reading to consider the Voluntary Annexation of approximately 29.07 acres located along the 3500 Blk of Cordova Rd, A M Esnaurizar Survey, Abstract 20, in Guadalupe County, Texas, Property Id 56468 (VAN 03252022_01) - Pamela Centeno, Director of Planning & Codes

Indexes:

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 Aviles, seconded by Council Member Mendez, 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 Mendez, Council Member Herbold, and Council Member Rea

d. [22-201](#)

Public Hearing and Ordinance on first reading to consider the Voluntary Annexation of approximately 129.216 acres located along the 1900 Blk

of FM 466, John Sowell Survey, Abstract 35, in Guadalupe County, Texas, Property Id 59581 (VAN 03102022) - Pamela Centeno, Director of Planning & Codes

Indexes:

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 Rea, 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 Mendez, Council Member Herbold, and Council Member Rea

e. [22-202](#)

Public Hearing and Ordinance on first reading to consider the Voluntary Annexation of approximately 17.72 acres located at 7817 IH 10 E, J A Swift Survey, Abstract 292 and Joseph Kent Survey, Abstract 205, in Guadalupe County, Texas, Property Id 174278 (VAN 03162022) - Pamela Centeno, Director of Planning & Codes

Indexes:

The regular meeting was recessed and the public hearing was called to order.

Citizen Comments:

Jesse Milam

881 Shadylon Ln

McQueeney, Texas 78123 - Mr. Milam stating that this is all new to him, stating a year ago he bought a piece of property and was not aware of the agreement with the City of Seguin. He believes that his property was illegally annexed into the City. He stated that there are laws stating that any property less than one thousand feet wide could not be annexed. He feels that everything in the agreement was dishonest.

The public hearing was adjourned and the regular meeting was reconvened.

City Attorney Andy Quittner addresses the thousand feet law stating that it is correct and that you cannot annex a thousand feet or less, but it is accepted when a piece of property is surrounded by city limits.

A motion was made by Council Member Aviles, 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 Mendez, Council Member Herbold, and Council Member Rea

f. [22-203](#)

Public Hearing and Ordinance on first reading to consider the Voluntary

Annexation of approximately 39.961 acres located at 4000 State Hwy 46 N, A M Esnaurizar Survey, Abstract 20, in Guadalupe County, Texas, Property Ids 54801 & 54802 (VAN 03182022) - Pamela Centeno, Director of Planning & Codes

Indexes:

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 Rea, 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 Mendez, Council Member Herbold, and Council Member Rea

g. [22-205](#)

Public Hearing and Ordinance on first reading to consider the Voluntary Annexation of approximately 28.67 acres located along the 3600 Blk of Cordova Rd, A M Esnaurizar Survey, Abstract 20, in Guadalupe County, Texas, Property ID 56467 (VAN 03252022_02) - Pamela Centeno, Director of Planning & Codes

Indexes:

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 Mendez, 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 Mendez, Council Member Herbold, and Council Member Rea

h. [ZC 02-22 CC](#)

Public Hearing and Ordinance on first reading to consider a Zoning Change from Agricultural Ranch (A-R) to Single-Family Residential (R-2), Multi-Family High Density (MF-3), & Commercial (C) for a property located at the 3500 Blk of State Hwy 46 N, Property ID: 55455, (ZC 02-22) -Pamela Centeno, Director of Planning & Codes

Indexes:

The regular meeting was recessed and the public hearing was called to order.

Citizen Comments:

Ted Griesbaum

3381 Hwy 46 N.

Seguin, Texas 78155 - Mr. Griesbaun stated he is not against development but this plan is a bad plan. It ignores the city guidelines for set back on Hwy 46 and the developer wants to place housing right up against Hwy 46 and the right of way. Mr. Griesbaun is concerned that with all the development on Hwy 46 and Cordova Rd. every drop of the run off will drain into the Guadalupe River and will flood out everyone down stream and cause destruction. The Planning Commission has already voted to deny this plan, and is asking City Council to deny it as well until the developer comes back with a better plan.

Thor Thornhill, President/CEO @ HMT Engineering & Surveying
290 S. Castell Ave. Suite 100

New Braunfels, Texas 78130 -- Stating he is representing the applicant, requested to have this item postponed until there is a full council present. Regarding drainage it is state law that there cannot be anymore water run off of a developed property than there was before it was developed. They would comply with what is required by the City. Mr. Thornhill passed a packet around for council to see. stated that the comprehensive plan could possibly change and evolve over time, also that apartments built on the edge of a city near a major highway makes it an smoother traffic in and out flow. He also explained the concept of Live, Work, Play; commercial upfront, multifamily behind it and then single family residential. Stating this is what is trending at this time.

City Attorney, Andy Quittner stating that he can make a request to postpone, but it is up to council if they chose to do so.

City Manager, Steve Parker stated that he thought it would only be fair to have a full council present. Stated he studied this one a lot, he had been watching Planning and Zoning the night they approve an apartment complex down south of the area and he was surprise that this plan had been denied. He stated that he began to do a bit of research to find out what the issues were, he knew they were in the middle of a comprehensive plan, he also knew that this was a new trend to Live, Work and Play and I was excited about Casey Developer coming into our city, they are a high end developer and shows that Seguin is up and coming. We are striving multifamily as a buffer between residential and commercial and that is what this plan does. City Manager read some comments from the City's comprehensive guide stating this recognizes that a neighborhood in more than single family it is part of bringing stability to families and housing for people to move into, based on their needs at that time in their lives. Without having to uproot their families from services and district they are use to.

He also recommended possibly postpone the vote until Ms. Carter is available to vote.

Mayor Donna Dodge asked Pam Centeno, Director of Planning/Zoning to confirm that this was only a zoning change request.

Pam Centeno, Director of Planning/Zoning stated "yes".

The public hearing was adjourned and the regular meeting was reconvened.

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

Presiding: 1 - Mayor Dodgen

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

- i. [ZC 03-22 CC](#) Public Hearing and Ordinance on first reading to consider a Zoning Change from Agricultural Ranch (A-R) to Single-Family Residential (R-2) and Commercial (C) for a portion of a tract (approx. 58 acres) located at the SE corner of State Hwy 123 & Timmermann Rd, Property ID: 52343, (ZC_03-22) - Pamela Centeno, Director of Planning & Codes

Indexes:

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 Aviles, seconded by Council Member Rea, that this Zoning 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 Mendez, Council Member Herbold, and Council Member Rea

- j. [ZC 05-22 CC](#) Public Hearing and Ordinance on first reading to consider a Zoning Change from Agricultural-Ranch (A-R) to Commercial (C) for a property located at 3226 N State Hwy 123 Bypass, Property IDs 51246, 51331 & 51332 (ZC 05-22) - Pamela Centeno, Director of Planning & Codes

Indexes:

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 Rea, seconded by Council Member Mendez, that this Zoning 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 Mendez, Council Member Herbold, and Council Member Rea

- k. [22-185](#) Public Hearing and Ordinance on first reading to consider amending the City of Seguin's Code of Ordinances, Section 18-26(b), Building Codes and the Unified Development Code, Section 5.7, Fencing, to remove the permitting requirement for fences - Pamela Centeno, Director of Planning & Codes

Indexes:

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.

Council Member Rangel questioned If a fence goes up and a neighbor says it was not built to code can Code compliance check on it?

Director of Planning/Codes, Pamela Centeno stated yes, and that is their policy already.

Council Member Rae ask for clarification that if someone wanted to build a fence in a flood zone would they be required to get a permit.

Director of Planning/Codes, Pamela Centeno stated there is a separate section of the Unified Development Code and FEMA regulation, there is a Flood Plane permit that would be issued for properties in the flood zone. and are still able to enforce FEMA regulations. We do have in the Code a flood Plane permit.

Council member Roy asked in regards to the property lines.

Director of Planning/Codes, Pamela Centeno stated the city does not enforce property lines, folks should already have a survey of their property. and it is the responsibility of the property owner to know where the property lines are.

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

I. [22-215](#)

Resolution authorizing the City Manager to execute a Professional Services Agreement with BB Inspection Services for third-party building inspection services - Pamela Centeno, Director of Planning & Codes

Indexes:

Council Member Rae asked if the cost of permit is going to remain the same as it is now.

Director of Planning, Pamela Centeno stated "yes".

A motion was made by Council Member Mendez, seconded by Council Member Rea, 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 Mendez, Council Member Herbold, and Council Member Rea

Enactment No: RES 2022-076

- m. [22-184](#) Public Hearing and Ordinance on first reading to consider amending the City of Seguin's Unified Development Code, Section 5.6 Screening, adding requirements for Subdivision Perimeter Walls - Pamela Centeno, Director of Planning & Codes

Indexes:

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 Aviles, seconded by Council Member Herbold, 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 Mendez, Council Member Herbold, and Council Member Rea

- n. [22-193](#) Public Hearing and approval of a Resolution to approve a property tax abatement application submitted by Yukon Venture Partners, LLC; and to authorize a property tax abatement pursuant to the application; and declaring an effective date - Lindsay Dennis, Assistant Director of Economic Development

Indexes:

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 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 Mendez, Council Member Herbold, and Council Member Rea

Enactment No: RES 2022-077

- o. [22-195](#) Public Hearing and Ordinance on first reading amending the City of Seguin's Unified Development Code, Section 4.3 Easements - Melissa Reynolds, P.E., MPA, CFM, Director of Engineering

Indexes:

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 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 Mendez, Council Member Herbold, and Council Member Rea

p. [22-194](#)

Public Hearing and Ordinance on first reading amending the City of Seguin's Unified Development Code, Section 2.9 Subdivision Development and Section 4.7 Subdivision Improvements - Mary Hamann, P.E., Assistant Director of Engineering

Indexes:

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

q. [22-196](#)

Ordinance on first reading establishing an all-way stop at the intersection of Cordova Road and Huber Road; providing for penalties; providing a severability clause; providing an effective date; providing for publication of this ordinance - Mary Hamann, P.E., Assistant Director of Engineering

Indexes:

Council Member Aviles requested signs giving resident warning that there will be an intersection coming in at this location.

Asst. City Engineer, Mary Hamann stated advance warning signs would be posted.

A motion was made by Council Member Rea, 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 Mendez, Council Member Herbold, and Council Member Rea

r. [22-198](#)

Resolution of the City Council of the City of Seguin, Texas authorizing the City Manager to enter into an Agreement with CourTex Construction, Inc. regarding a BuyBoard quote in the amount of \$409,500 to convert the Saegert Middle School Tennis Courts located at 418 W. Mountain St. that was purchased by the City of Seguin into dedicated pickle ball courts utilizing approved American Rescue Plan Act funds; and declaring an

effective date - Jack Jones, Director of Parks and Recreation

Indexes:

A motion was made by Council Member Herbold, 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 Mendez, Council Member Herbold, and Council Member Rea

Enactment No: RES 2022-078

9. Executive Session

The executive sessions were not needed.

- a. [22-216](#) Executive Session meeting may be held, as needed, pursuant to Sections 551.071(2) and 551.129 of the Texas Government Code (consultation with attorney) for the City Council to consult with and seek advice from its attorneys regarding: (a) the City's 2021 Redistricting Project, including City redistricting plan approval; (b) any other matter described in this meeting agenda - Steve Parker, City Manager

Indexes:

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

Indexes:

10. Adjournment

There being no further business before the council the meeting adjourned at 8:10 pm.

Donna Dodgen, Mayor

Attest:

Naomi Manski, City Secretary