



City of Sequin

210 E. Gonzales Street
Sequin TX, 78155

Meeting Minutes - Final

City Council

Tuesday, May 24, 2022

5:30 PM

Council Chambers

Public & Virtual Special Called

1. Call to Order

The City Council met in a SPECIAL Called Meeting on Tuesday, May 24, 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. Roll Call

Present: 7 - Council Member Jeremy Roy, Council Member Chris Aviles, Council Member Chris Rangel, Council Member Monica N. Carter, Council Member Sonia Mendez, Council Member Mark Herbold, and Council Member Joe Rea

Presiding: 1 - Mayor Donna Dodgen

3. 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.

*Sylvia Manning
430 N Saunders
Sequin, Tx 78155*

Spoke on what she thinks is an urgent problem. But stated first that she and neighbors are very grateful for the foresight that has improved the neighborhood, the native planting, Park West, hiking trail, the green space of walking to the Public Library. The West side Neighborhood plan took many years and the flood of 1998 preventing it from being completed until passed 1999. Ms. Manning distributed a booklet with goals and concerns. She and a friend have canvassed the neighborhood talking with folks and is asking for an item to be placed on an agenda to talk about the impact of many residence adjacent to your The Back Yard.

*Pamela Lynn
604 Davila
Sequin, Tx 78155*

Speaking on a petition against the Backyard and the noise, referencing noise ordinance. Stating that the Back Yard violates the noise ordinance. Music vibrates into

our homes, music until 2am. Feels the ordinance is not enforced by Seguin Police Dept. Asking that the Back Yard be fined for violating the noise ordinance. Parking problem, with cars idling and fumes causing health issues. Requesting the City of Seguin to enforce the ordinance, and to increase police patrol.

Randi Voss

107 N Saunders

Seguin, Tx 78155 - Agrees with Pamela, speaking on the acoustics coming off of the stage, also complaining of folks playing music's at the car wash. asking the Police to request folks at the car wash to turn their music down. Also car's driving through the neighborhoods with load outside speakers with base, street pipes.

4. Consent Agenda

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

Presiding: 1 - Mayor Dodgen

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

- a. [22-246](#) CityCouncilMinutes for May 17, 2022

Indexes:

This Minutes was approved

- b. [ZC 03-22 CC](#) Ordinance on second and final 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)

Indexes:

This Zoning Ordinance was adopted

Enactment No: ORD 2022-038

- c. [ZC 05-22 CC](#) Ordinance on second and final 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)

Indexes:

This Zoning Ordinance was adopted

Enactment No: ORD 2022-039

- d. [22-185](#) Ordinance on second and final 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

Indexes:

This Ordinance was adopted

Enactment No: ORD 2022-040

- e. [22-184](#) Ordinance on second and final reading to consider amending the City of Seguin's Unified Development Code, Section 5.6 Screening, adding requirements for Subdivision Perimeter Walls

Indexes:

This Ordinance was adopted

Enactment No: ORD 2022-041

- f. [22-195](#) Ordinance on second and final reading amending the City of Seguin's Unified Development Code, Section 4.3 Easements

Indexes:

This Ordinance was adopted

Enactment No: ORD 2022-042

- g. [22-194](#) Ordinance on second and final reading amending the City of Seguin's Unified Development Code, Section 2.9 Subdivision Development and Section 4.7 Subdivision Improvements

Indexes:

This Ordinance was adopted

Enactment No: ORD 2022-043

- h. [22-196](#) Ordinance on second and final 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; and authorizing city staff to submit this ordinance as a supplement to the Code of Ordinances

Indexes:

This Ordinance was adopted

Enactment No: ORD 2022-044

- i. [22-222](#) Ordinance on second and final reading amending the Seguin Code of Ordinances Chapter 98, Traffic and Vehicles, Article VII, Golf Carts, Neighborhood Electric Vehicles and Other Types of Recreational Off-Highway Vehicles to add Off-Highway Vehicles, providing a severability clause; authorizing city staff to prepare this Ordinance for

submission as a supplement to the Code of Ordinances; and providing an effective date

Indexes:

This Ordinance was adopted

Enactment No: ORD 2022-045

m. [22-223](#)

Ordinance on second and final reading amending the Seguin Code of Ordinances, Chapter 98, Traffic and Vehicles, Article II, Traffic Control Devices by repealing Section 29-41, Children at Play Signs, providing a severability clause; authorizing city staff to prepare this Ordinance for submission as a supplement to the Code of Ordinances; and providing an effective date

Indexes:

This Ordinance was adopted

Enactment No: ORD 2022-046

n. [22-238](#)

Ordinance on second and final reading renaming Continental Drive to Vitesco Technologies Drive and amending the official street map to rename Continental Drive to Vitesco Technologies Drive; repealing all ordinances or parts thereof inconsistent or in conflict herewith; providing for severability clause; and providing an effective date

Indexes:

This Ordinance was adopted

Enactment No: ORD 2022-047

5. Action Items - Discussion and Possible Motion to Approve

a. [22-243](#)

Public Hearing will be conducted regarding the City's 2022 Redistricting Project to obtain public discussion, participation, and input regarding potential options for the redrawing and revision of the boundaries of the City's Council Member districts in compliance with applicable federal and state law - Andrew Quittner, City Attorney and Charles Kimbrough, Bickerstaff Heath Delgado Acosta LLP

Indexes:

Mayor Donna Dodgen introduces City of Seguin's City Attorney, Andrew Quittner joining the meeting by Zoom and Mr. Kimbrough, Attorney hired by the City to work with City Attorney with the redistricting process.

City Manager, Steve Parker requested to make an introduction stating to the Mayor and City Council that on May 3, 2022 the hard work of the Redistricting Committee and City Staff was presented. In that meeting Council heard an update of three potential Plans. Plan E and Plan G were recommended by a split vote by the Redistricting Committee and Plan C was presented by our legal team for consideration at the May

3rd meeting, a Public Hearing was held and Plan G was recommend on First reading that night. Also at that meeting that night City Staff listened to concerns stating that this process was rushed and that viewing the maps was confusing. The City has always plan to adopt redistricting at a regular schedule meetings and was scheduled for May 17, 2022, but due to an agenda posting error we had; we also want to remind Council the reason we had May 17th as the second reading related to this is we were trying to give the County enough time to make sure they were able to put everything into their election software, they need to know which addresses go into what council districts which can be time consuming. The County had originally asked to have this information by June 1st. I called and ask if we needed more time so that council could thoroughly study these items, do we have the ability to go back and extend that for some period. County stated that if we had it done by June 7th we could make that happen and they would be able to get all they need to get done.

Also, Council Member Carter was not able to attend the last meeting and this would give her some time to get up to speed with this. We thought this meeting would start earlier tonight, so if we want to have another meeting we can. Now we can open it up to Council for input. We do have a Public Hearing tonight and the plan is to adopt a plan on June 7th. and we are going to have a third Public Hearing on that night giving additional time for the public.

Mayor Donna Dodgen asked Mr. Kimbrough if he had anything to say at this time. Mr. Kimbrough stated he had nothing to say at this time.

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

Mayor Donna Dodgen stated "Thank you again for serving on the committee."

Citizen Comments:

Name: Jason Biesenbach, Redistricting Committee Member, Address: 632 E Cedar, City: Seguin, Texas 78155 Mr. Biesenbach states that he feels everyone has had a lot of time to go through the information, stating that at the last meeting he focused on the VAP Numbers, and this time he would like to talk more about the maps. What are we looking for when we compare the maps, Turning back to the guidelines this Council adopted on the 7th of December. Looking at Plan C, notice that it's not a large change from the Plan that is in place at this time. Looking at Plan G you can see how there are large changes taking place. Going through each district, it cuts neighborhoods in half, no type of union form shapes, it grabs up different precincts. Mr. Biesenbach does not feel that the Plan G sticks with the geographic boundaries the guidelines are requesting. Plan G breaks up the neighborhoods. In looking at Plan C compared to the initial assessment it looks very organized in keeping with the geographic natural boundaries as it is today. Plan C does the best job out of all the proposed plans at maintaining the majority minority concentrations.

Mayor Donna Dodgen thanked Mr. Biesenbach for joining the committee.

Name: Charron Miller, Redistricting Committee Member, Address: 656 FM 467, City: Seguin, Texas 78155-Mrs. Miller stated that Jason did a lot of research and feels that what he is saying is valid. Also stating that the way Plan G was presented by Mr. Castillo and Mr. Trinidad there was only 2 percent Black and that she has a problem with that, stating she was never onboard with Plan G and feels that Plan C is the best choice.

Mayor Donna Dodgen thanked Mrs. Miller for joining the committee.

Name: Jesus Trinidad, Address: 122 W. Hampton, City: Seguin, Texas 78155- Mr. Trinidad, Redistricting Committee Member, wanted to reiterated his support for Plan G, stating it maintains the majority minority percentages of Hispanics in four of the districts and gives Hispanics a chance in District three with a 42.89 percent Hispanic voting age population, and because of that he believes it is the best plan. As far as the shape of districts, he feels with all that has to be taken into account he does not believe the areas do not need to stay in a nice neat form. Plan E it distributes Hispanics over the four districts where the Hispanics are not the majority and for that reason he would not support Plan E. Plan C reduces by ten points less than Plan G the number of Hispanics majority. Mr. Trinidad states he supports Plan G and hopes that Council will continue to support Plan G as well.

Mayor Donna Dodgen thanked Mr. Trinidad for joining the committee.

Name: Paul Castillo, Redistricting Committee Member, Address: 37 Glen Cove Dr., City: Seguin, Texas 78155 Mr. Castillo spoke on the Plan that he supports reflect the area of population shifts and none of the plans are perfectly aligned and it should not matter how the plans looks as long as it is a good plan. Our population is growing and he feels that Plan G would be the right plan for the future of the City of Seguin.

Mayor Donna Dodgen thanked Mr. Castillo for joining the committee.

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

Mayor Donna Dodgen asked if anyone else had any questions.

Attorney Kimbrough stated that he recommended that the meeting continued to stay open for Public Hearing.

Mayor Donna Dodgen stated that the Public Hearing would stay open.

Council Member Rangel stated that he had a question on Plan G maintaining the geographical boundaries. He states that he spoke with the folks living in his district and they all stated confusion on how Plan G was laid out.

Mr. Castillo spoke stating the Census Block numbers are the reason for the boundary lines in Plan G. and he also stated that Council Members should attend the preliminary meetings with the redistricting committee.

Council Member Roy asked if Council Member could have attended those meetings?

Mayor Donna Dodgen explains that the reason for the committee is for the Public and the community could make a recommendation to City Council and if they were to go to the meetings it would not be a recommendation to us and we would be hearing it twice. It sounds logical, but it is not.

Jason Biesenbach tried to clarify the difference of the numbers in the census block that Mr. Castillo was talking about.

Council Member Rangel asking a question on Community interest; are the people in Lily Springs going to have the same interest and the people in Campbell St or Williams St.?

Mr. Trinidad stated, the answer is drawing these maps is not a simple thing and trying to keep a balance with the total population and not regress with the number of Hispanics.

Council member Carter stated that she was going to need to leave (she was catching a flight out of Austin), but stated that before she left she wanted to say something. Council Member Carter stated that when she ran for City Council, she ran to do what was fair for the City and not just for Hispanics, not for just Whites, not for just Blacks, she is listening to everyone's concerns, but speaking for herself is that the goal over all is to do what is right for the City, and not just one population or one demographic. Anyone has the right to chose to run for City Council also stating that if you look around the Hispanic's have the majority on City Council as it is.

Mayor Donna Dodgen after thanking Council Member Carter asked if anyone else had any comments or concerns to speak on.

City Council Member Mark Herbold stated that in comparing the representation in District 3 is almost similar to as to Congressional District 15 not everyone is represented since in starts in the Valley and spread up there will always be different interest with one area to the other.

Name: Julian Leal, Address: 848 Prexy, City: Seguin, Texas 78155-Mr. Leal asked what is the percentage of Hispanic population compared to Anglo American here in the City of Seguin, does anyone know.

Attorney, Mr. Kimbrough spoke on the Shape files the United States Bureau presented its 2020 census data, they have sophisticated computer mapping with little pods of information, they are census blocks, all information is typed into the governments master computers coded into the census block where the responding person lives. Mr. Kimbrough stated that census blocks are oddly shaped, but the data in the census block is critical in what we do when redistricting, that data shows up on all the information that has been provided to City Council. There is a rule that says never ever break a census block when you are drawing lines to redraw for redistricting. It is highly discouraged to break a census block. In the City of Seguin guide lines it states "that if practicable do not break a census block". What was looked at in each census block was the total population and the bottom number and the total Hispanic and the demographic, the census blocks contains the computerize information from the United States Bureau. In answering Mr. Leal's question, the total Hispanic percentage of population in the City of Seguin is 53.54 and non Hispanic (White) is 36.72 percentage total populations in the City of Seguin.

Name: Randi Voss, Address: 107 N Sauders, City: Seguin, Texas 78155-Ms. Voss stated the Census data reflects those with two or more races is 13 percent, and it needs to be factored in.

Mayor Donna Dodgen asked if there was anyone else with questions.

Mr. Kimbrough stated it was the Firm recommendation that the meeting say open in Public Hearing. and asked City Council how can the Firm help. If you have question he is here to help, it can be in a live open session or it can be in executive session that is permissible.

City Council kept the meeting open to the Public.

Council Member Mark Herbold ask again for the recommendation of the Firm as to what Plan they recommended.

Attorney Kimbrough stated the they firmly recommended Plan C.

City Council Member Chris Aviles has a question, stating it has always been a misconception that felons cannot vote. Is this true? Andy, felons can vote in particular circumstances.

City Attorney, Andy Quittner reply's to Council Member Aviles stating some can and some can't, you lose the ability to vote if you are convicted of certain felonies and he is not sure who keeps the statistic on who is aware. Yes there are some that have their rights restored, and it is not an easy question to answer.

Council Member Aviles asked if in the opinion of Counsel would Plan G or Plan C put us in retrogression.

Mr. Kimbrough states that the risk for the City to enter into retrogression would be greater if Plan G were adopted.

Jason Biesinbach spoke on how Plan E was built off of Plan C, but when we looked at the Hispanic numbers dropped then we compared it to the numbers in Plan C numbers then the three of us (Tony Tolic, Mrs. Miller and myself) in trying to keep from future problems we change from Plan E to Plan C.

Mayor Donna Dodgen states that she is hearing that City Council does not need an executive session and we do not need the executive on real estate. We settle this on June 7th, and vote. We could have a special meeting on May 31st if City Council feels they need that.

Council Member Rangel stated that the Spirit of Joy Church would like to remain in District 4.

The Consensus of Council would be to meet on the June 7th to vote. If the vote for Plan G failed and if another plan is chosen then the second reading would be on June 9th at 5:00 p.m.

Mayor Donna Dodgen thanked everyone on the Redistricting Committee and the Firm for all of their hard work .

6. Executive Session

Not needed

a. 22-244

EXECUTIVE/CLOSED SESSION MEETING - An executive/closed 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 2022 Redistricting Project, including City redistricting obligations and standards, the 2020 US Census data, documents, analysis, and options for redistricting plan approval; and (b) any other matter described in this meeting agenda.

Indexes:

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

Indexes:

7. **Adjournment**

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

Donna Dodgen, Mayor

Attest:

Kimberly Allison, Deputy City Secretary