

MINUTES

LANCASTER CITY COUNCIL SPECIAL WORK SESSION AND REGULAR MEETING OF
NOVEMBER 14, 2022

The City Council of the City of Lancaster, Texas, met in a called Special Work Session and Regular Meeting in the Council Chambers of City Hall on November 14, 2022 at 7:15 p.m. with a quorum present to-wit:

Councilmembers Present (City Hall & Zoom):

Mayor Clyde C. Hairston
Carol Strain-Burk
Stanley M. Jaglowski
Marco Mejia
Keithsha C. Wheaton
Deputy Mayor Pro-Tem Mitchell Cheatham
Mayor Pro-Tem Betty Gooden-Davis

City Staff Present (City Hall & Zoom):

Opal Mauldin-Jones, City Manager
Sorangel O. Arenas, City Secretary
David T. Ritter, City Attorney
Andrew Waits, Director of Public Works
Dori Lee, Director of Human Resources
Jermaine Sapp, Director of Equipment and Facility Services
Kenneth Johnson, Fire Chief
Lisa Wube, Director of Parks and Recreation
Mike Delmore, Director of Finance
Ray Silva- Reyes, Assistant City Manager
Sam Urbanski, Police Chief
Shane Shepard, Director of Economic Development
Vicki Coleman, Director of Development Services
Cynthia Smith, Admin & Community Relations Supervisor
Keturah Barnett, Assistant to the City Manager
Ron Gleaves, IT Manager
Jennifer Avila, Deputy City Secretary

Call to Order:

Mayor Hairston called the meeting to order at 7:34 p.m. on November 14, 2022.

Invocation:

Pastor Cleaver, New Lancaster Baptist Church gave the invocation.

Pledge of Allegiance:

Councilmember Wheaton led the pledge of allegiance.

Proclamation:

Mayor Hairston read the Small Business Saturday Proclamation.

Acknowledgements

City Council and City Manager Mauldin-Jones presented certificates to the graduate members of the 2022 Civic Leadership Academy.

Public Testimony/Citizen's Comments:

Gabriel Salinas, 1343 Echo Creek Ln., Lancaster, TX 75146, shared concerns regarding high grass in his neighborhood.

Ray Silva-Reyes, 211 N. Henry St., Lancaster, TX 75146, shared information regarding the upcoming Turkey Bowl and the 67th City Lancaster Christmas Parade Festival.

Consent Agenda:

1. Consider approval of minutes from the City Council Regular Meeting held on October 10, 2022, and October 24, 2022.
2. Consider a resolution approving the terms and conditions of a Professional Service Agreement with Touchstone Golf LLC. (Touchstone) for the management of the Country View Golf Course.
3. Consider a resolution approving the terms and conditions of the 2022 Edward Byrne Memorial Justice Assistance Grant (JAG) Program Funds Sharing and Fiscal Agency Agreement between the City of Lancaster and the County of Dallas, Texas to provide funds to prevent and control crime and to improve the criminal justice system.
4. Consider a resolution canceling the City Council Regular Meeting of November 28, 2022; Work Session of December 19, 2022; Regular Meeting of December 26, 2022; and Work Session of January 16, 2023.

MOTION: Councilmember Jaglowski made a motion, seconded by Mayor Pro-Tem Betty Gooden-Davis, to approve consent items C1 – C4 with October 10th memo changes on C1. The vote was cast 7 for, 0 against.

Action:

5. Discuss and consider an amendment to Ordinance 2021-09-46 by increasing the Fiscal Year 2021/2022 Budget for the State Seized Property Fund.

City Manager Mauldin-Jones shared that this item is to amend the Fiscal Year 2021/2022 Budget for the State Seized Property Fund. The budget amendment will increase the State Seized Property Fund Budget from \$10,000.00 to \$20,665.00. Staff recommends approval of the ordinance, as presented.

MOTION: Councilmember Strain-Burk made a motion, seconded by Mayor Pro-Tem Gooden-Davis, to approve item 5. The vote was cast 7 for, 0 against.

6. Discuss and consider an amendment to Ordinance 2021-09-45 amending the Fiscal Year 2021/2022 Budgets for the Lancaster Economic Development Corporation Fund (LEDC), Golf Course Fund, and Water & Sewer Fund.

City Manager Mauldin-Jones shared that this item is to amend the Fiscal Year 2021/2022 Budgets for the Lancaster Economic Development Corporation Fund (LEDC), Golf Course Fund, and Water & Sewer Fund. The budget amendment will increase the City-Wide Fund budget by \$3,814,155.00. Staff recommends approval of the ordinance, as presented.

MOTION: Councilmember Wheaton made a motion, seconded by Councilmember Strain-Burk, to approve item 6. The vote was cast 7 for, 0 against.

7. **Discuss and consider a resolution authorizing the City Manager to execute a letter agreement authorizing repayment to the Texas Comptroller in an amount not to exceed three million fourteen thousand, nine hundred seventeen dollars and ten cents (\$3,014,917.10) plus a 2% fee for a taxpayer claim of over accrual of sales and use taxes.**

City Manager Mauldin-Jones shared that this item addresses a notice received from Texas Comptroller Glenn Hegar's office for an overpayment of three million fourteen thousand, nine hundred seventeen dollars, and ten cents (\$3,014,917.10) plus 2% fee amount. The overpayment was the result of a taxpayer that filed a refund claim for the over accrual of use taxes. Texas Tax Code Sec. 111.006 (f) prohibits the governing body from disclosing confidential taxpayer information. Therefore, we are prohibited from disclosing the taxpayer's identity. The payment is the result of the State of Texas Comptrollers Sales Tax Audit for the period January 2010 - June 2013. The Comptroller has provided the following options to make the repayment: 1) Full reimbursement by one-time check with a 2 % service fee discount for a total of \$3,014,917.10. 2) Apply all monthly collections to the overpaid amount until the amount has been repaid, or 3) Enter into a 42-month payback agreement where a monthly deduction of seventy-three thousand, two hundred forty-eight dollars (\$73,248.00) will be deducted for 41 months, with a final deduction of seventy-three thousand, two hundred seventy-eight dollars and two cents (\$73,278.02) for a total of \$3,076,446.02. This deduction would start the month after the State Comptroller receives a response from the City or two months after the date of their letter if they do not receive a response. Additionally, future significant audits or one-time payments may be applied toward the repayment amount to reduce the length of the payback, and notifications of those applications will be sent. Repayment will be from 1% allocated to the General Fund, 1/4% allocated to Property Tax Reduction (General Fund), 1/2 % to the Lancaster Recreational Development Corporation (LRDC), and 1/4% to Lancaster Economic Development Corporation (LEDC). No fees of any type will be assessed on the payback amount, with a one-time payment. Staff recommends full reimbursement by a one-time check of three million fourteen thousand, nine hundred seventeen dollars, and ten cents (\$3,014,917.10), which is a 2% saving of the total amount due.

Councilmember Mejia shared his thoughts and favor for a one-time payment vs an interest rate monthly collection payment.

Councilmember Strainburk agreed with the one-time payment option.

MOTION: Mayor Pro-Tem Gooden-Davis made a motion, seconded by Councilmember Wheaton, to approve item 7. The vote was cast 7 for, 0 against.

8. **M22-36 Discuss and consider a resolution granting a non-exclusive easement (0.010-acre) to Oncor Electric Delivery Company, LLC from the City of Lancaster, Texas, for a power line upgrade located along Belt Line Road in the James McMillan Survey, Abstract No. 987 Section 25, Lancaster, Texas; establishing conditions, providing for the furnishing of a certified copy of this resolution for recording in the property records of Dallas County, Texas as a deed.**

City Manager Mauldin-Jones shared that Oncor is a company regulated by the Public Utility Commission of Texas to provide the infrastructure that serves electrical needs within the City. Oncor Electric Delivery Company, LLC (Oncor) is preparing to upgrade an existing line along Belt Line Road to service the Niagara project's increased electrical demand. Based on their existing poles' location and the service upgrade's nature, Oncor will also add another pole along Belt Line Road. The easement will generally be located adjacent to the north side of Belt Line Road near the City water tower. Staff recommends approval of the resolution granting one non-exclusive easement to Oncor Electrical Delivery Company, LLC.

MOTION: Councilmember Jaglowski made a motion, seconded by Councilmember Wheaton, to approve item 8. The vote was cast 6 for, 1 against. [Strain-Burk]

9. **M22-32 Discuss and consider a resolution authorizing the City Manager to execute a development agreement with Schlachter Realty, LTD., relating to building materials for the development of the property located approximately 2,034 feet south of the intersection of Sunrise Road and Belt Line Road. It is further described as tracts of land situated in Tracts I and II (David A. Schlachter) and Tract III (Schlachter Realty, LTD), of the John Little Survey, Abstract No. 768, the M.H. Lavender Survey, Abstract No. 766, the E. Little Survey, Abstract No. 787, and the D. Garner Survey, Abstract No. 530, City of Lancaster, Dallas County, Texas.**

City Manager Mauldin-Jones shared that items 9 and 10 are companion items. On September 1, 2019, the Texas Legislature passed House Bill 2439, which prohibits local governments from enforcing local codes concerning building materials on commercial and residential properties. The property is located approximately 2,034 feet south of the intersection of Sunrise Road and Belt Line Road. The subject property is currently zoned Agricultural Open (AO) - Lanport District Overlay Subdistrict Commerce. The Future Land Use Plan of the Comprehensive Plan identifies this site as suitable for Aviation uses. The development agreement illustrates that the City and the Developer agree to use the proposed building materials for the development depicted.

Public Hearing:

10. **Z22-09 Conduct a public hearing and consider a rezoning request from Agricultural Open (AO) Lanport Overlay to Planned Development- Light Industrial (LI). The property is located approximately 2,034 feet south of the intersection of Sunrise Road and Belt Line Road. It is further described as tracts of land situated in Tracts I and II (David A. Schlachter) and Tract III (Schlachter Realty, LTD), of the John Little Survey, Abstract No. 768, the M.H. Lavender Survey, Abstract No. 766, the E. Little Survey, Abstract No. 787, and the D. Garner Survey, Abstract No. 530, City of Lancaster, Dallas County, Texas.**

City Manager Mauldin-Jones shared that the applicant is proposing a planned development on the property that is located south of Belt Line Road and is approximately 2,034 feet south of the intersection of Sunrise Road and Belt Line Road. The property is approximately 301.8 acres in size that is located in the corporate limits of the City of Lancaster with the remaining portion of the property located adjacent in the City of Wilmer. The site is intended to be split into four tracts to attract a world-class business community. Each tract could potentially have multiple users and buildings with intended uses such as data centers, e-commerce, and other related logistics uses.

Pursuant to Section 14.1101 of the Lancaster Development Code (LDC), when reviewing a zoning change request, there are eight (8) considerations that must be made when deciding on a zoning change application. The following is an analysis of these considerations; 1) Consistency with the City's Comprehensive Plan 2) Configuration of Uses are Compatible with Existing, and Planned Adjoining Uses 3) Conform to the City's Thoroughfare Plan 4) Minimum Proposed Open Space. 5) Publicly Accessible Open Space 6) Amenities 7) Development furthers the Public Health, Safety and General Welfare of the Community 8) Traffic Impact Analysis (TIA) Demonstrates the capacity of the proposed Roadways Support the Development.

Mayor Hairston opened the public hearing.

Dan Grant, 13455 Noel Rd. #700, Dallas, TX 75240; shared a video and presentation on behalf of the applicant in favor of item 10.

Councilmember Strain-Burk shared concerns regarding the land uses and adding residential use, such as Churches and schools.

Dan Grant responded that the intent is to strictly build the Data Center, not including Churches and Schools. The proposal is purely to amend the land port overlay to allow Data Centers and then restrict substations to be an accessory used by the Data Centers.

Director of Development Services, Vicki Coleman, explained that the allowable uses are spelled out on item attachment Exhibit D – Permitted Use table and can be compared to Exhibit B – Development Regulations.

City Manager Mauldin – Jones clarified that Councilmember Strain-Burk's comment is that Churches and Schools are permitted to use under the development regulations.

Dan Grant replied that it is not the applicant's intent to provide Churches and Schools.

Councilmember Strain-Burk shared that the attached tables of the item could be more transparent for Council, as they state multiple uses and needs to clarify what will be accomplished.

Dan Grant further clarified that every use established on item attachments is identified by right allowable today; the proposal is to add uses such as the Data Center.

City Manager Mauldin-Jones added clarification on the item attachments and the identifying content shown on the comparison chart. City Manager Mauldin-Jones explained the land port charts, the usage of the land port and what each abbreviation means.

Councilmember Strain-Burk asked if the approval for the Data Center could be added to the Land Port and then add other uses that are conducive to the Data Center.

Dan Grant shared that they want to be cohesive and accept staff recommendations for approval.

Councilmember Mejia shared his favor for the item proposed, but the lack of supportive documents for the proposal is challenging. Clarification in writing needs to be provided to Council outlining the conceptual idea sought for and will become a reality. Furthermore, his constitutes need a guarantee, currently, the abstract idea offers an option for broad interpretation and freedom that may not benefit the City.

Mayor Hairston shared that the City supports the proposal for the Data Center. However, the confusion and interpretation of the proposal needs to be clarified.

Mayor Pro-Tem Gooden-Davis shared her opinion to deny without prejudice to give the applicant the opportunity to return and present the items with the clarifications needed.

Dan Grants asked Council if the item could be tabled.

City Attorney Ritter advised Council that they may table the item.

Councilmember Mejia shared that a percentage should be provided establishing what will be Data Centers vs. Light Industrial, and clarification is needed.

Dan Grant clarified that the LEDC states that within the land port, any development greater than 10 acres its site plan must be approved by Planning and Zoning.

Mayor Pro-Tem Gooden-Davis shared her concerns on the open concept of the 300 acres and how it could establish multiple uses that may negatively impact the residents.

Councilmember Jaglowski asked if the proposal could narrow down the uses to provide more stability for Council.

Dan Grant concurred and agreed to clarify the proposal.

City Attorney Ritter advised Council to close the public hearing and table items 9, and 10.

MOTION: Councilmember Mejia made a motion, seconded by Councilmember Strain-Burk, to close the public hearing. The vote was cast 7 for, 0 against.

MOTION: Councilmember Strain-Burk made a motion, seconded by Councilmember Cheatham, to table items 9 and 10 on December 5th, City Council Special Meeting. The vote was cast 7 for, 0 against.

11. **M22-18 Conduct a public hearing and consider several requests to amend the 2020 Master Thoroughfare Plan of the City of Lancaster's Comprehensive Plan. 1) Delete the segment of Pinto Road from the Sunrise Road Connector to Sunrise Road. 2) Delete the segment of Van Road between its intersection with the existing Sunrise Road and the realigned proposed Sunrise Road. 3) Delete the segment of Ferris Road between the existing Sunrise Road and the realigned proposed Sunrise Road.**

City Manager Mauldin-Jones shared that this item is to amend the 2020 Master Thoroughfare Plan of the City of Lancaster's Comprehensive Plan. The Master Thoroughfare Plan (MTP) provides guidance on the number of travel lanes for a roadway based on a classification system. Each classification outlines the design features of the highway. The MTP designates Pinto Road as Major Arterial Type B and requires rights-of-way of 100 feet. Sunrise Road is designated as a Major Arterial Type B and requires rights-of-way of 100-feet. Van Road is designated as a Rural Minor Arterial and requires rights-of-way of 86 feet. Ferris Road is designated as a Major Arterial Type B and requires rights-of-way of 100 feet. The Sunrise Road Connector is designated as a Collector and requires rights-of-way of 60-feet. On October 11, 2021, City Council approved a resolution supporting the Sunrise Road Phase II Feasibility Study's final report, recommending

Alignment #2 for Sunrise Road. The applicant is requesting the removal of the following roadway segments within the Planned Development's boundaries: Deleting the thoroughfare segments provides greater site planning flexibility for the developer. The proposed changes will still incorporate north-south connectivity from Ferris Road and Sunrise Road, ultimately connecting to Loop 9 in the future. The proposed Sunrise Road realignment will impact many of the proposed thoroughfares as originally adopted in the 2020 MTP. As a result, the planned thoroughfares no longer have the planned connectivity as originally adopted and will need to adjust as development occurs. A notice for this public hearing appeared in the Focus Daily Newspaper. Staff also mailed 3 notifications of this public hearing to property owners within 200 feet of the subject site. One letter of support and no opposition received. On September 6, 2022 the Planning and Zoning Commission recommended approval of the request to amend the Master Thoroughfare Plan with staff's recommendation of the following: 1) delete portions of Pinto Road from the Sunrise Road Connector to Sunrise Road; 2) delete portions of Van Road between its intersection with the existing Sunrise Road and the realigned proposed Sunrise Road; and 3) delete portions of Ferris Road between the existing Sunrise Road and the realigned proposed Sunrise Road.

Mayor Hairston opened the public hearing.

Councilmember Jaglowski requested clarification on the item attachment for the Master Thorough plan.

Dan Grant clarified that this item accompanies the plan development with consistency on what has been adopted on October 11, 2021. The new alignment is not currently part of the Master Thoroughfare and removing Pinto Road, a barrier between the development and the Airport.

Director of Development Services Vicki Coleman; verified that on October 11, 2021, the Council took action on that particular plan amendment. The applicant wants assurance that their proposed alignment is consistent with the plan Council adopted.

Councilmember Strain-Burked questioned if an inner circulation and if there would be any impact on the Sunrise Road.

Dan Grant, clarified to reference the 2020 through plan that was adopted and reference the chart.

City Manager Mauldin-Jones shared that the Public and Zoning Commission recommended approval with the conditions previously stated and ties with the previous two items, 9 and 10.

Councilmember Mejia shared his support with 100% predevelopment, but guarantees must be provided

Councilmember Strain-Burk questioned if item 11 could be tabled with items 9 and 10 since they are cohesive.

City Attorney Ritter shared that Council may act on item 11 or table item 11 and ensure Council closes the Public Hearing

MOTION: Councilmember Strain-Burk made a motion, seconded by Councilmember Jaglowski, to close the public hearing. The vote was cast 7 for, 0 against.

MOTION: Councilmember Strain-Burk made a motion, seconded by Mayor Pro-Tem Gooden-Davis, to table items 11 to December 5th, City Council Special Meeting. The vote was cast 7 for, 0

against.

12. **M22-28 Conduct a public hearing and consider a parking exception request on the property addressed as 3005 Wintergreen Road for a research and development facility. The property is known as Lot 1, Block A, of the Mars Addition, City of Lancaster, Dallas County, Texas.**

City Manager Mauldin-Jones shared that this item is to consider a parking exception request on the property addressed as 3005 Wintergreen Road for a research and development facility. The property is known as Lot 1, Block A, of the Mars Addition, City of Lancaster, Dallas County, Texas. The property is currently occupied by Waymo, a business geared towards fully automating commercial trucks. As part of the business operations, each human driver drives their car to the facility, parks and then gets into a truck to test drive. When the driver returns from their test drive, they park the truck in the lot and take their personal vehicle home. At the facility, Waymo has three shifts of drivers operating at any given time, but due to overlap during shift change times (6x/day), the applicant would like to accommodate four shifts (approx. 15 employees/shift x 4 = 60) to expand their operations in Texas and across the Southwest U.S. region. The code currently requires 45 parking spaces. There are 49 existing spaces. The applicant is requesting to expand their parking lot to accommodate 138 additional spaces. Should the request be approved, this would result in 187 spaces on the property total, not including the parking for the trucks used for testing. In addition, there are 35 existing 55'x12' trailer spaces, and an existing 14-75'x12' pull-thru truck spaces. It should be noted that Waymo intends to use the additional parking as temporary parking for employee and contractor parking. The parking lot will then transition by July 2023 to truck parking. The applicant has provided additional landscaping around the perimeter of the site. Staff recommends approval of the parking exception request based on the parking lot addition not being visible from the rights-of-way, and all required landscaping being maintained. On September 30, 2022, a notice for this public hearing appeared in the Focus Daily Newspaper. Staff mailed notifications of this public hearing to all property owners that are within 200-feet of the subject site, in addition to a sign being posted on the property. Staff has not received letters of support or opposition

Mayor Hairston opened the public hearing.

Mayor Pro-Tem Gooden-Davis shared concerns regarding the landscaping beautification.

Luke Peters, 2021 McKinney Ave, Dallas, TX 75074, clarified their priorities and future planning on the landscaping and parking lot addition needing to be visible from the right-of-way.

MOTION: Councilmember Strain-Burk made a motion, seconded by Mayor Pro-Tem Gooden-Davis, to close the public hearing. The vote was cast 7 for, 0 against.

MOTION: Councilmember Mejia made a motion, seconded by Councilmember Jaglowski, to approve item 12. The vote was cast 7 for, 0 against.

13. **Z22-17 Conduct a public hearing and consider a Specific Use Permit (SUP) to allow for a Minor Auto Repair facility on property zoned Commercial Highway (CH) Medical District Overlay with a Specific Use Permit (SUP) for Outside Display and Storage, addressed as 1452 North I-35E located north of the intersection of North I-35 and Pleasant Run Road known as Lots 8, 9 & PT LT 10, Block A, out of the Beckley City**

Lots Addition.

City Manager Mauldin-Jones shared that this item is to consider a Specific Use Permit (SUP) to allow for a Minor Auto Repair facility on property zoned Commercial Highway (CH). The property is addressed as 1452 North I-35E located north of the intersection of North I-35 and Pleasant Run Road. It is 1.35 acres in size. In 1999, City Council approved a SUP to allow for outside storage and display on the property (not related to Tire King); however, the SUP did not allow for expansion of the building, or any additional auto-related uses, otherwise not allowed. This request is the result of a notice violation issued to the property owner by the City's Building Official on August 11, 2021 for building without a permit and the expanded outside storage. From 2015 to 2019 there have been several expansions/additions done to the property without permits. Intense uses are not appropriate along this corridor and should be considered on a SUP basis to ensure compatibility, and enhanced developments are provided, and meet City Council's vision for the Commercial Highway corridor. The subject property is located in a highly traveled corridor where residents of the City and visitors drive through; therefore, it is important to promote businesses that attract quality commercial development. Auto repair uses detract from the overall aesthetic of the area, and could negatively impact the corridor. On September 23, 2022, a notice for this public hearing appeared in the Focus Daily Newspaper. Staff also mailed notices to all property owners within 200-feet and posted a sign on the subject site. Staff has received one letter in support, and no opposition. On October 4, 2022, the Planning and Zoning Commission recommended approval of the SUP with the following conditions: 1) No outside storage shall be allowed; 2) The SUP shall be tied to Tire King and will not transfer to another property owner/tenant. If the owner/tenant changes, a new SUP will be required; and 3) Outside repair is allowed. Staff does not concur and has the following conditions for improvement should the request be approved: 1) No outside storage shall be allowed; 2) The use shall not be expanded beyond the original footprint of the building; 3) Outside repair is not allowed; and 4) The SUP shall be tied to Tire King and will not transfer to another property owner/tenant. If the owner/tenant changes, a new SUP will be required.

Mayor Hairston opened the public hearing.

Peter Kavanagh, 1620 Handley, Suite A, Dallas, TX 75208; shared that he is representing the Tire King, owner who built the metal canopies as additional support for his employees to preform their job duties. Tire King submitted a site plan for the canopies and a small building in the middle to remain. A fence will be provided in the back for privacy, and staff recommendation for landscaping a hedge in the front of the building will be made. In addition, the property was built as three (3) lots, and approval to replat the property as one (1) lot will be required to be able to apply for the building permits needed. Peter Kavanagh would like to modify the request to include a 5-year SUP.

Councilmember Strain-Burk to do requested clarification from the City Attorney on what the approval would allow the applicant.

City Attorney Ritter clarified that the approval is only for a SUP on a Minor Auto Repair use.

Mayor Pro-Tem Gooden-Davis, shared her concerns on the consistency of the tenets permit violations which caused hesitation to approve this item.

Peter Kavanagh responded that the tenet is apologetic and was not aware that permits were needed, but he is aware of the permit violation and understands the importance of permits.

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Councilmember Jaglowski requested clarification on the site plan and the location where the Auto Repair takes place.

Peter Kavanagh clarified what job is done in each building shown on the site plan.

Councilmember Mejia shared his agreement with the Council on the difficulty of this decision and the importance of working with a business owner that provides services needed to the community.

Councilmember Jaglowski requested clarification from City Attorney Ritter on the stipulated timeframe for the SUP.

City Attorney Ritter clarified that P&Z passed the item with the recommendation that this is associated with an individual owner. However, zoning is related to the land, not the owner. His advisement to Council is to set a SUP with a given timeframe of three (3) to five (5) years for re-evaluation.

MOTION: Councilmember Strain-Burk made a motion, seconded by Mayor Pro-Tem Gooden-Davis, to close the public hearing. The vote was cast 7 for, 0 against.

MOTION: Councilmember Mejia made a motion, seconded by Councilmember Strain-Burk, to approve item 13 with restriction of no outside storage or outside work and a five-year SUP. The vote was cast 6 for, 1 against. [Cheatham]

Executive Session:

14. In accordance with Chapter 551 of the Texas Government Code (the Texas Open Meetings Act), the City Council may meet in executive session to discuss the following:
 1. Section 551.071 (2 legal advice) of the Texas Government Code, the City Council shall convene in executive session to confer with the City's attorney to discuss the proposed special purpose Local Government Corporation (LGC).
 2. Section 551.071 of the Texas Government Code, the City Council shall convene in executive session to confer with the City's attorney to discuss pending, threatened, contemplated or potential related litigation in regard to Real Property located at 632 Reindeer Road.
15. Reconvene into open session. Consider and take appropriate action(s), if any, on closed/executive session matters.

The City Council recessed for Executive Session at 9:50 p.m. and reconvened into open session at 10:17 p.m.

No action on item 14.

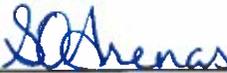
MOTION: Councilmember Wheaton made a motion, seconded by Councilmember Strain-Burk, to adjourn. The vote was cast 7 for, 0 against.

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The meeting was adjourned at 10:17 p.m.

ATTEST:



Sorangel O. Arenas, City Secretary

APPROVED:



Clyde C. Hairston, Mayor