

DRAFT

MINUTES REGULAR MEETING December 6, 2022

A Regular Meeting was held by the Schertz City Council of the City of Schertz, Texas, on December 6, 2022, at 6:00 p.m. in the Hal Baldwin Municipal Complex Council Chambers, 1400 Schertz Parkway, Building #4, Schertz, Texas. The following members present to-wit:

Present: Mayor Ralph Gutierrez; Mayor Pro-Tem Allison Heyward; Councilmember Mark Davis; City Council Place 2 - Vacant; Councilmember Jill Whittaker; Councilmember Michael Dahle; Councilmember David Scagliola; Councilmember Tim Brown

City Staff: City Manager Steve Williams; Assistant City Manager Brian James; City Attorney Daniel Santee; Assistant to the City Manager Sarah Gonzalez; Deputy City Secretary Sheila Edmondson

Call to Order

Mayor Gutierrez called the meeting to order at 6:00 p.m.

Opening Prayer and Pledges of Allegiance to the Flags of the United States and State of Texas. (Councilmember Michael Dahle)

Mayor Gutierrez recognized Councilmember Michael Dahle who provided the opening prayers followed by the Pledges of Allegiance to the Flags of the United States and the State of Texas.

Presentations

- Mr. Fredy Degollado - Service with the YMCA

Parks and Recreation Director Lauren Shrum introduced Mr. Fredy Degollado who has served the YMCA for 35 years. Mayor Gutierrez presented Mr. Degollado with a thank-you plaque.

- Introduction of the Schertz Young Leaders 2023 Class

Cassandra Paddock introduced the Inaugural Schertz Young Leaders 2023 Class. They will have the opportunity to learn about their community and leadership and make a positive impact on the community.

Employee Introductions

Mayor Gutierrez recognized City Department Heads who introduced their new employees.

- Utility Billing: Crystal Rubio-Utility Billing; Richard Gomez-Utility Billing Technician
- Fleet and Facility Services: Tobie John Salazar-Plumber Apprentice; Michael Hernandez-Grounds Maintenance Technician
- Public Affairs: Lonnie Corso-Events Attendant
- Public Works/Streets: Silas James Pitts-Street Worker-1
- Animal Services: Cleotilde Padilla-Animal Services Officer; Daniella Shapiro-Animal Services Officer
- Police Department: Matthew Potter-Police Officer
- Fire Department: Dan Kramer-Assistant Fire Chief; Timothy Dyer-Firefighter

City Events and Announcements

- Announcements of upcoming City Events (B. James/S. Gonzalez)

Mayor Gutierrez recognized the Assistant to the City Manager Sarah Gonzalez who provided the following information:

Thursday, December 8

NEP Monthly Meeting

11:30 AM

Olympia Hills Golf Course & Conference Center

Tuesday, December 13

Next regular scheduled Council meeting

6:00 PM

Council Chambers

Monday, December 19 – Friday, December 23 and Monday, December 26 – Friday, December 30

Schertz Runoff Election Early Voting for City Council Place 2 and Mayor

8:00 AM – 5:00 PM

Schertz Elections Office Annex

1101 Elbel Road (Next to the Post Office)

or Seguin Elections Office, 215 S. Milam Street, Seguin

Note: Applies to all Schertz residents regardless of the county they reside in

Tuesday, January 3

Schertz Runoff Election Day

7:00 AM – 7:00 PM

Schertz Elections Office Annex

1101 Elbel Road (Next to the Post Office)

Note: This will be the only voting location for Schertz residents and applies to all Schertz residents regardless of the county they reside in

- Announcements and recognitions by the City Manager (S. Williams)

City Manager Steve Williams thanked everyone for the warm welcome to the City of Schertz.

- Announcements and recognitions by the Mayor (R. Gutierrez)

Mayor Gutierrez wanted to thank the entire staff for the hard work provided to make the Deck the Halls and Holiday a huge success.

Hearing of Residents

This time is set aside for any person who wishes to address the City Council. Each person should fill out the speaker's register prior to the meeting. Presentations should be limited to no more than 3 minutes.

All remarks shall be addressed to the Council as a body, and not to any individual member thereof. Any person making personal, impertinent, or slanderous remarks while addressing the Council may be requested to leave the meeting.

Mayor Pro-Tem Allison Heyward recognized the following residents:

Maggie Titterington-1730 Schertz Parkway: Ms. Titterington announced that the Chamber Leadership Core will be taking the Schertz Emerging Leaders to the Capital to introduce them to our State government. The Health and Home Show is January 28, 2023, 10:00 am to 1:00 pm. will be at the Schertz Chamber. There will be free health screens and also 18 home providers to visit with about the health of your home. Raising Canes celebrated their 10-year anniversary in the City of Schertz. Ms. Titterington asked the Council to support the Local Flavor Grant for the Grayhouse Blooms which will be on the next meeting's agenda.

Consent Agenda Items

The Consent Agenda is considered self-explanatory and will be enacted by the Council with one motion. There will be no separate discussion of these items unless they are removed from the Consent Agenda upon the request of the Mayor or a Councilmember.

Mayor Gutierrez read Consent Agenda Items 1-5 for the record.

Mayor Pro-Tem Heyward read Consent Agenda Items 5-11.

1. **Minutes** – Consideration and/or action regarding the approval of the minutes of the regular meeting of October 11, 2022, and October 25, 2022. (S.Edmondson)
2. **Resignations and Appointments to various Boards, Commissions and Committees** - Consideration and/or action approving the Resignation of Mr. Paul Ringenbach as a Regular Member of the Historic Preservation Committee, approve Mr. Miguel Vazquez to the Historical Preservation Committee. (S. Edmondson/Mayor-Council)

3. **Approval of the 2023 Master Calendar** (B. James/S. Gonzalez)
4. **Resolution No. 22-R-133** - A Resolution by the City of Schertz City Council authorizing an Addendum to the LESO Program State Plan of Operation (SPO), the acknowledging the Certification of Notification for Law Enforcement Agency to Potentially Acquire Controlled Property and other matters in connection therewith. (S. Williams/J. Lowery)
5. **Resolution No. 22-R-138** – Consideration and/or action approving a Resolution by the City Council of the City of Schertz, Texas, authorizing a Task Order Agreement with Half Associates for a not to exceed amount of \$330,000 for the Lookout Road Reconstruction Project. (B. James/J. Nowak)
6. **Resolution 22-R-80** - Consideration and/or action approving a Resolution by the City Council of the City of Schertz, Texas authorizing a professional services agreement with Freese and Nichols, Inc. for the Update of the City's Comprehensive Plan.
7. **Resolution 22-R-120** - A Resolution by the City Council of the City of Schertz authorizing an agreement with Selrico Services for the Schertz Area Senior Center Nutrition Program.
8. **Resolution 22-R-131** - a Resolution by the City of Schertz authorizing an amendment to the School Resource Officer Program Agreement with the Schertz-Cibolo-Universal City Independent School District, and other matters in connection therein
9. **Resolution 22-R-139** - Consideration and/or action by the City Council of the City of Schertz, Texas authorizing an increase to the contract with CutRite Landscaping for the Cibolo Valley Drive Medians Landscaping Project.
10. **Resolution 22-R-140** - Consideration and/or action approving a Resolution authorizing the revised Bylaws of the Schertz Historical Preservation Committee, and other matters in connection therewith (B. James)
11. **Ordinance 22-T- 43** - An Ordinance by the City Council of the City of Schertz, Texas authorizing an adjustment to the Fiscal Year 2022-2023 Budget to fund audio/visual improvements for Municipal Court, repealing all ordinance or parts of ordinance in conflict with this ordinance; and providing an effective date. (***Final Reading***) (M.Browne/J. Walters)

Mayor Gutierrez asked for Consent Agenda Item #7 to be removed for separate action.

Mayor Gutierrez asked for a motion for Consent Agenda Items 1-6 and 8-11.

Moved by Councilmember Jill Whittaker, seconded by Mayor Pro-Tem Allison Heyward

AYE: Mayor Pro-Tem Allison Heyward, Councilmember Mark Davis,
Councilmember Jill Whittaker, Councilmember Michael Dahle,
Councilmember David Scagliola, Councilmember Tim Brown

Passed

Discussion and Action Items

Mayor Gutierrez asked to have Consent Agenda Item 7 pulled for further discussion.

RESOLUTION NO. 20-R-120

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS
AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH
SELRICO SERVICES, INC. TO PROVIDE THE MEALS FOR THE CONGREGATE
MEAL PROGRAM AT THE SCHERTZ AREA SENIOR CENTER.

Mayor Gutierrez asked is there is a way to work with the vendor and the menu when the residents request change. Parks Director Lauren Shrum explained there is a feedback comment card process in which the residents can share with the contractor about the meals provided.

Mayor Gutierrez asked for a motion to approve Resolution 22-R-120.

Moved by Mayor Pro-Tem Allison Heyward, seconded by Councilmember Tim Brown

AYE: Mayor Pro-Tem Allison Heyward, Councilmember Mark Davis,
Councilmember Jill Whittaker, Councilmember Michael Dahle,
Councilmember David Scagliola, Councilmember Tim Brown

Passed

12. **Ordinance No. 22-T-49** - Consideration and/or action approving an Ordinance by the City Council of the City of Schertz, Texas, authorizing an adjustment to the fiscal year 2022-2023 budget, repealing all Ordinances or parts of Ordinances in conflict with this Ordinance; and providing an effective date. (*First Reading*) (B. James/J. Walters)

Mayor Gutierrez read the following into record:

ORDINANCE NO. 22-T-49

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF SCHERTZ,
TEXAS AUTHORIZING AN ADJUSTMENT TO THE FISCAL YEAR 2022-2023
BUDGET TO REAUTHORIZE UNUSED FUNDS FROM FISCAL YEAR
2021-2022 AND SETTING A BUDGET FOR GRAFFITI ABATEMENT,
REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT
WITH THIS ORDINANCE; AND PROVIDING AN EFFECTIVE DATE

Mayor Gutierrez recognized Finance James Walters who explained that the 1st

Quarterly Budget Adjustment is moving forward the unused budgeted amounts from the FY 2021-2022 to FY 2022-2023. This adjustment is for departments that had unused budgeted amounts due to delays in manufacturing, back ordered/out of stock items, or project schedules that run through multiple fiscal years. The identified items and amounts to be rolled forward amount to \$1,801,317.

List of items are:

1. Police - \$81,139 in vehicle purchases to replace the K-9 vehicle
2. Parks - \$27,800 budgeted for Wendy Swan Restroom Repairs
3. Parks - \$9,015 to purchase tables for Ashley Park
4. Parks - \$133,118 to continue renovations at Thulemeyer Park
5. Parks - \$3,993 to continue upgrading the garden at the Senior Center
6. Parks - \$88,173 to continue the Cibolo Valley Drive median landscaping
7. IT - \$4,483 to continue the city's wifi and camera upgrades
8. Fire - \$15,533 community outreach for promotional material purchases
9. Fire - \$283,561 for vehicle purchase and outfitting
10. Fire - \$10,000 promotional testing cost increases
11. Fire - \$27,732 for delayed uniform purchases
12. PEG - \$479,796 to continue the master communication plan execution
13. PEG - \$374,974 to continue the Council Chambers AV upgrade project
14. EMS - \$262,000 for an ambulance remount and equipment that was delayed

Staff also recommends setting a budget for graffiti abatement in the City. Sec. 50-307 of the City Code of Ordinances must offer property owners graffiti removal services free of charge. A budget for this service was not included in the FY 2022-23 Adopted Budget and staff recommends setting it at \$10,000 based on the current known requests for service and properties that have been notified.

Moved by Councilmember Mark Davis, seconded by Mayor Pro-Tem Allison Heyward

A YE: Mayor Pro-Tem Allison Heyward, Councilmember Mark Davis, Councilmember Jill Whittaker, Councilmember Michael Dahle, Councilmember David Scagliola, Councilmember Tim Brown

Passed

Public Hearings

13. **Ordinance No. 22-S-45** Conduct a public hearing and consideration and/ or action on a request to rezone approximately 0.14 acres of land from Single-Family Residential District (R-2) to Main Street Mixed Use District (MSMU), generally located southeast of the intersection of Randolph Ave and Exchange Ave, also known as 204 Randolph Ave, also known as Guadalupe County Property Identification Number 67555, Guadalupe County, Texas. (B. James, L. Wood, E. Delgado) (*First Reading*)

Mayor Gutierrez read the following into record:

ORDINANCE NO. 22-S-45

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS AMENDING THE OFFICIAL ZONING MAP BY REZONING APPROXIMATELY 0.14 ACRES OF LAND TO MAIN STREET MIXED-USE DISTRICT (MSMU), GENERALLY LOCATED SOUTHEAST OF THE INTERSECTION OF RANDOLPH AVE AND EXCHANGE AVE, ALSO KNOWN AT 204 RANDOLPH AVE, ALSO KNOWN AS GUADALUPE COUNTY PROPERTY IDENTIFICATION NUMBER 67555, GUADALUPE COUNTY, TEXAS

Mayor Gutierrez recognized Assistant City Manager Brian James who presented a PowerPoint presentation on the proposed rezoning approximately 0.14 acres of land from Single-Family Residential District (R-2) to Main Street Mixed Use District (MSMU), the property is located at 204 Randolph Ave. The rezone is desired by the property owner in order to utilize the property for commercial purposes and for additional parking spaces which will benefit 603 Main Street, 204 Randolph, and 539 Main Street.

A Public Hearing notice was published in the San Antonio Express news on November 16, 2022. Twenty-three (23) public hearing notices were mailed to surrounding property owners within two hundred (200) feet of the subject property on November 3, 2022. At the time of this staff report one (1) response in favor of the zoning request has been received. No responses neutral or opposed to the request have been received. On November 16, 2022 at the Planning and Zoning Commission Public Hearing recommended approval. Staff also recommends approval of Ordinance 22-S-45.

Mayor Gutierrez opened the public hearing, no one spoke, so Mayor Gutierrez closed the public hearing and opened it up to City Council for discussion.

Councilmember Whittaker wanted to know the percentages of homes that are between Main Street and Exchange Ave. and would be rezoned to Main Street Mixed Use District (MSMU). Her concern was that some of the properties on Exchange Ave would not qualify the Main Street Grant area, but would be in the MSMU District. ACM Brian James would like to bring these concerns to the Main Street Committee to come back and see what incentive programs would be available to properties near Main Street and Exchange Ave. Councilmember Whittaker would like to make sure there was uniformity throughout the area.

Mayor Gutierrez asked for a motion to approve on the first reading Ordinance 22-S-45.

Moved by Councilmember Tim Brown, seconded by Councilmember Mark Davis

AYE: Mayor Pro-Tem Allison Heyward, Councilmember Mark Davis,
Councilmember Jill Whittaker, Councilmember Michael Dahle,
Councilmember David Scagliola, Councilmember Tim Brown

Passed

14. **Ordinance No. 22-S-42** - Consideration and /or action on a request to rezone approximately 31 acres of land from General Business District (GB) to Single-Family Residential District (R-2), the property, a portion of Parcel ID 63998, generally located approximately 1,000 feet to the northwest of the Eckhardt Road and Green Valley Road intersection. City of Schertz, Guadalupe County, Texas. (B. James, L. Wood, S. Haas) *(First Reading)*

Mayor Gutierrez read the following for the record:

ORDINANCE NO. 22-S-42

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS AMENDING THE OFFICIAL ZONING MAP BY REZONING APPROXIMATELY 31 ACRES OF LAND TO SINGLE-FAMILY RESIDENTIAL DISTRICT (R-2) GENERALLY LOCATED 1,000 FEET TO THE NORTHWEST OF THE ECKHARDT ROAD AND GREEN VALLEY ROAD INTERSECTION ALSO KNOWN AS GUADALUPE COUNTY PROPERTY IDENTIFICATION NUMBER 63998, GUADALUPE COUNTY, TEXAS.

Mayor Gutierrez recognized ACM Brian James who stated that the applicant is requesting to rezone the 31 acres to single-family Residential District (R-2). This property is near the Cypress Point Development and the Parklands Development. Forty public hearing notices were mailed to the surrounding property owners on September 30, 2022, with a public hearing notice published in the "San Antonio Express" on Wednesday, November 16, 2022. At the time of this report, staff has received six (6) responses opposed and one (1) response in favor of the requested rezoning. Five of the responses in opposition are from property owners within the 200' notice area. They represent 20.1% of the area within the 200' notice area. As these protests exceed the 20% requirement, an affirmative vote of at least three-fourths of Council is required to approve this request.

Staff recommends the approval of Ordinance 22-S-42.

Mayor Gutierrez opened the public hearing, no one spoke, public hearing was closed.

Mr. Burt Wellman with KFW Engineers is representing the applicant stated that this zoning does provide a good mixture of lot sizes in this area. This subdivision is planning to have 70-foot lots add a diversity to this area.

Councilmember Dahle stated the GB zoning is archaic, and it is not a good fit. Having the rezone to SFR (R-2) will be appropriate use of this property.

Councilmember Scagliola agrees that the 70-foot lot sizes are a good addition.

Mayor Gutierrez asked for a motion for Ordinance 22-S-42 and would need a super majority to pass.

Moved by Councilmember Michael Dahle, seconded by Councilmember David Scagliola

AYE: Mayor Pro-Tem Allison Heyward, Councilmember Mark Davis,
Councilmember Jill Whittaker, Councilmember Michael Dahle,
Councilmember David Scagliola, Councilmember Tim Brown

Passed

15. **Ordinance No. 22-S-44** - Conduct a public hearing and consideration and/ or action on a request to rezone approximately 75 acres of land from General Business District (GB) and Manufacturing District-Light (M-1) to Planned Development District (PDD), generally located southeast of the intersection of IH 35 and Cibolo Valley Drive, also known as Guadalupe County Property Identification Numbers 68313, 68314, and 148510, City of Schertz, Guadalupe County, Texas. (B. James, L. Wood, E. Delgado) (*First Reading*)

Mayor Gutierrez read the following into the record:

ORDINANCE NO. 22-S-44

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS AMENDING THE OFFICIAL ZONING MAP BY REZONING APPROXIMATELY 75 ACRES OF LAND TO PLANNED DEVELOPMENT DISTRICT (PDD), GENERALLY LOCATED SOUTHEAST OF THE INTERSECTION OF IH 35 AND CIBOLO VALLEY DRIVE, ALSO KNOWN AS GUADALUPE COUNTY PROPERTY IDENTIFICATION NUMBERS 68313, 68314, AND 148510, CITY OF SCHERTZ, GUADALUPE COUNTY, TEXAS

Mayor Gutierrez recognized ACM Brian James who explained where the property is located near the EVO Entertainment off of IH-35. The developer would like to rezone approximately 75 acres to PDD- Planned Development District. The developer would like the PDD to have four different areas.

The applicant is proposing to rezone approximately 75 acres of land from General Business District (GB) and Manufacturing District-Light (M-1) to Planned Development District (PDD). Currently, the property is undeveloped / agricultural land. The proposed Planned Development District, titled "Schertz Station", is divided into four (4) different areas to include Commercial, Retail, and Multi-Family, each of which has their own designations and standards, outlined below.

Area I: The portion of the property along IH 35 and Cibolo Valley Drive, proposed to develop as Commercial /Retail- Approximately 18.6 acres

Area I is proposed with a base zoning of General Business (GB), and will allow all uses permitted in General Business per the UDC along with "Auto Repairs & Service, Major" and "Retail Cabinet Sales".

Within Area I, The maximum impervious coverage is proposed to be 85%.

Additionally, 15% of Area I will be required to be landscaping. Since Area I is adjacent to IH 35, a minimum fifty (50) foot front building setback will be required for all lots fronting IH 35 frontage road.

Area II: The portion of the property located in the center of the 75 acres, immediately behind Area I, proposed to develop as Commercial / Retail - Approximately 19.2 acres. Originally the applicant also was requesting that multifamily uses be allowed in Area II. After Planning and Zoning Commission consideration the applicant modified their request to eliminate multifamily residential uses as an allowed use.

Area II is proposed with a base zoning of General Business (GB), and will allow all uses permitted in General Business per the UDC, along with "Commercial Amusement, Outdoor".

Within Area II, The maximum impervious coverage is proposed to be 90%. Additionally, 10% of Area II will be required to be landscaping.

Area III: South of Area II, proposed to develop as Multi-Family - Approximately 33.5 acres

Area III is proposed with a base zoning of Apartment / Multi-Family (R-4), and will allow uses permitted in Apartment / Multi-Family (R-4) per the UDC

Within Area III, the maximum height of any proposed buildings will be 35 feet with a maximum impervious coverage of 80%. Additionally, 20% of Area III will be required to be landscaping.

Since Area III is proposed as Multi-Family, the PDD Design Standards stipulate a maximum density of 12 units per acre. Additionally, there will be a required parking ratio of 1.75 parking spaces per unit (minimum).

Area IV: Immediately adjacent to the intersection of Cibolo Valley Drive and Old Wiederstein, proposed to develop as Commercial / Retail - Approximately 3.29 acres

Area IV is proposed with a base zoning of General Business (GB), and will allow all uses permitted in General Business per the UDC

Within Area IV, the maximum height of any proposed buildings will be 35 feet with a maximum impervious coverage of 85%. Additionally, 15% of Area IV will be required to be landscaping.

In addition to the four proposed areas, the Schertz Station PDD also indicates that the extension of Ripples Kruesler through the project will be completed as a "Collector".

Forty Four (44) public hearing notices were mailed to the surrounding property owners on October 14, 2022 with a public hearing notice published in the "San Antonio Express" on November 16, 2022, prior to the City Council public hearing. At the time of this report, staff has received one response in favor, and three responses opposed to the request.

The Planning and Zoning Commission conducted a public hearing on October 26, 2022 where the Planning and Zoning Commission made a unanimous recommendation of approval of the zone change as presented with a note in relation to the proposed project needing to meet Unified Development Code Section 21.14.3.F in relation to sight distance requirements.

Mayor Gutierrez opened up the public hearing and recognized the following resident:

Mr. Dana Eldridge-2628 Gallant Fox Drive-Mr. Eldridge is happy that this area will

be developed. He has many concerns which include the power lines, the road condition of Cibolo Valley Drive and a major automotive retail business that is proposed for this area. He would like to see some nice eateries.

Mayor closed the public hearing and recognized the developer Ashley Farrimond, the attorney for the developer. Ms. Farrimond stated that the developer has been working on this project for over a year and doing their due diligence and designing a plan that they think best fits the city needs. Jeremy Williams -Embry and Will Collins-Merritt gave a presentation of their design and plans for this development.

City Council is looking forward to this area being developed but has a few concerns about the name Schertz Station and a plan for a major automotive retail business to be part of the retail businesses. ACM Brian James stated that before the next meeting, the definition of major automotive retail can be better explained. Mr. Will Collins explained that the name Schertz Station is not set in stone and could be changed.

Mayor Gutierrez asked for a motion to approve Ordinance 22-S-44.

Moved by Councilmember Michael Dahle, seconded by Mayor Pro-Tem Allison Heyward

AYE: Mayor Pro-Tem Allison Heyward, Councilmember Mark Davis, Councilmember Jill Whittaker, Councilmember Michael Dahle, Councilmember David Scagliola, Councilmember Tim Brown

Passed

Roll Call Vote Confirmation

Mayor Gutierrez recognized Interim City Secretary Sheila Edmondson who provided roll call for Consent Agenda Items 1-6 and 8-11 and Agenda Items 7 and 12-15.

Workshop

- 16.** Workshop Discussion and Action Regarding the Acquisition of Approximately 31 acres of Property Generally Located on the North and South Sides of Wiederstein Road Generally East of Schertz Parkway.

Mayor Gutierrez recognized Fire Chief Greg Rodgers who presented a PowerPoint presentation on acquiring approx 31 acres of property for Fire Station #4 located on the north and south sides of Wiederstein Road, generally to the east of Schertz Parkway. This property is owned by SCUCISD. The City is in need of an approximately 5 acre site of land for future Fire Station #4 that will be able to provide improved service to the Industrial area to the north of IH-35. This site would also provide relief to the other fire stations in Schertz. Staff understands SCUCISD is open to selling the property they own as a whole. The appraised value is \$1,970,000.

Chief Rodgers stated the response times would be reduced, and our 2nd and 3rd level responses would be reduced to approx. 6 minutes or less which would put in compliance with the National Fire Protection Association. A full response force which could be approx. 18 personnel which is very good.

Councilmember Tim Brown understands the affordability of the land, but has concerns about having no infrastructure.

Chief Rodgers and ACM James discussed the cost of infrastructure, and still believe this is a good area to build Fire Station #4 to cover the Industrial Park area and reduce response times.

Roll Call Vote Confirmation

Closed Session

Mayor Gutierrez recessed the meeting at 8:07 p.m.

17. The City Council will convene in closed session pursuant to Section 551.071 of the Texas Government Code to conduct a private consultation with its attorney about pending or contemplated litigation or a settlement offer on one or more of the following matters: Green Valley Special Utility District vs. City of Schertz et al Case No. 17-CV-00819-LY (U.S. District Court, Western District of Texas, Austin Division); City of Schertz v. United States Department of Agriculture, et al., No. 19-51056 (U.S. Fifth Circuit Court of Appeals); City of Schertz, Texas v. Texas Commission on Environmental Quality, et al. No. 07-20-00167-CV (Seventh Court of Appeals, Amarillo, Texas); Green Valley Special Utility District v. the Public Utility Commission of Texas and DeAnn T. Walker; Arthur C. D'Andrea, Jr.; Shelly Botkin; in their official capacities as Commissioners of the Public Utility Commission of Texas; and John Paul Urban in his official capacity as Executive Director the Public Utility Commission of Texas; and the City of Schertz, Texas. Cause No. D-1-GN-18-000535, In the District Court of Travis County, Texas, 419th Judicial District; Application of Green Valley Special Utility District for New TPDES Permit, No. WQ0015917-001 (Texas Commission on Environmental Quality)
18. The City Council will meet in Closed Session under Section 551.074 of the Texas Government Code, Personnel Matters, to discuss the vacancy of the City Secretary position.
19. The City Council will meet in closed session in accordance with Section 551.072, Texas Government Code deliberation regarding the purchase, exchange, lease, or value of Real Property for park and recreation purposes.

Reconvene into Regular Session

Mayor Gutierrez reconvened the meeting at 9:08p.m.

Item Number #17-Green Valley Special Utility District-no action required.

Item Number #18- Land acquisition- no action required.

Item #18-City Secretary Vacancy- no action required.

Roll Call Vote Confirmation

Information available in City Council Packets - NO DISCUSSION TO OCCUR

- 20. Monthly Update on FY 2022-23 Approved Expanded Programs (B. James/S. Gonzalez)**
- 21. Monthly Update on Major Projects in progress/CIP. (B. James/K. Woodlee)**

Requests and Announcements

- Announcements by the City Manager-None at this time.
- Requests by Mayor and Councilmembers for updates or information from Staff -None at this time.
- Requests by Mayor and Councilmembers that items or presentations be placed on a future City Council agenda-None at this time.

- Announcements by Mayor and Councilmembers

Mayor Pro-Tem Heyward attended the Crossvine HOA Meeting, Retail Reception with EDC, TML Board Meeting, Holidazzle , Holiday Market and the Employee Holiday Event.

Councilmember Davis attended the Tree Lighting and Holidazzle, Schertz Housing Authority Meeting

Councilmember Whittaker attended Crossvine HOA Meeting, First United Bank Ribbon Cutting, Veterans Day Ceremony, FM 1103 Groundbreaking Ceremony, SHPC Meeting, Library Advisory Meeting, Tree Lighting Ceremony and Raising Cane's 10-Year Anniversary

Councilmember Dahle attended the First United Bank Ribbon Cutting, Chamber Luncheon, Crossvine HOA Meeting, City Manager Reception, Tree Lighting Ceremony, Parade and the UDC Subcommittee Meeting

Councilmember Scagliola attended the Tree Lighting Ceremony, City Manager Reception, Raising Cane's 10-Year Anniversary Event,

Councilmember Brown thanked the Staff for all the Holiday Events.

Adjournment

Mayor Gutierrez adjourned the meeting at 9:08 p.m.

Ralph Gutierrez, Mayor

ATTEST:

Sheila Edmondson, Interim City Secretary