

**REGULAR MEETING  
LOCKHART CITY COUNCIL**

**SEPTEMBER 15, 2020**

**6:30 P.M.**

**CLARK LIBRARY ANNEX-COUNCIL CHAMBERS, 217 SOUTH MAIN STREET, 3<sup>rd</sup> FLOOR,  
LOCKHART, TEXAS**

**Council present:**

Mayor Pro-Tem Angie Gonzales-Sanchez  
Councilmember Juan Mendoza  
Councilmember Jeffry Michelson

Mayor Lew White  
Councilmember Derrick David Bryant  
Councilmember Kara McGregor  
Councilmember Brad Westmoreland

**Staff present:**

Steven Lewis, City Manager  
Miles Smith, Public Information Officer  
Julie Bowermon, Civil Service/HR Director  
Pam Larison, Finance Director  
Dan Gibson, City Planner

Connie Constancio, City Secretary  
Monte Akers, City Attorney  
Mike Kamerlander, Economic Development Dir.  
Sean Kelley, Public Works Director

**Citizens/Visitors Addressing the Council attending virtually:** Sidney Rushing, Gerra Murray, Stephanie Camarillo, and Mark Estrada of the Lockhart Independent School District; Hoppy Haden, Caldwell County Judge; Joe Roland, Caldwell County Commissioner; Judy Langford of Langford Community Management Services; Tracy Bratton of Doucet & Associates; Bonny Gray of GSC Architect; and, Beverly Haug of the Lockhart Housing Authority.

**Work Session 6:30 p.m.**

Mayor White opened the work session and advised the Council, staff and the audience that staff would provide information and explanations about the following items:

**PRESENTATION ONLY**

**A. PRESENTATION OF A PROCLAMATION DECLARING SEPTEMBER 21-25, 2020 AS NATIONAL GEAR UP WEEK.**

Mayor White presented a proclamation to Representatives of the Lockhart Independent School District.

**DISCUSSION ONLY**

**A. DISCUSSION WITH CALDWELL COUNTY OFFICIALS TO CONSIDER A GRANT OPPORTUNITY FOR A CALDWELL COUNTY COMMUNITY EVACUATION CENTER.**

Hoppy Haden, County Judge, explained that Caldwell County officials have been working on implementing a Community Evacuation Center in Caldwell County. He introduced consultants that will provide information about a grant opportunity for the proposed center.

Judy Langford of Langford Community Management Services; Tracy Bratton of Doucet & Associates; and, Bonny Gray of GSC Architects provided information regarding the proposed project.

Judge Haden stated that the County is willing to commit to submitting the Community Development Block Mitigation (CDBG-MIT) grant application. He suggested that an Interlocal Agreement amongst entities within Caldwell County be considered in the future to fund the operating expense that would be based on the percentage of population of each entity within Caldwell County.

There was discussion regarding the proposed Caldwell County Community Evacuation Center also being used for community events such as banquets when it is not needed as an evacuation center. It is proposed that the County would fund an employee to manage the center. It is anticipated that scores of the CDBG grant applications would be available sometime in early 2021.

**B. DISCUSS PROPOSAL AND CONTRACTUAL AGREEMENT BETWEEN ENTERPRISE FLEET MANAGEMENT AND THE CITY OF LOCKHART, AND APPOINTING THE CITY MANAGER TO SIGN THE CONTRACTUAL AGREEMENT.**

Ms. Larison stated that during the Fiscal Year 2020-2021 budget workshops, the City Manager and the Finance Director presented the City Council with an option to lease vehicles from Enterprise Fleet Management (EFM). Originally, the Fiscal Year budget for 2020-2021 only included two vehicle purchases for the General Fund and one for the Electric Fund until the leasing program was introduced as an alternative. This leasing program will allow the City to replace aged and high mileage vehicles with leased vehicles for less than the three budgeted vehicles. The fleet will consist of leasing the following vehicles:

Vehicles paid out of the General Fund:	Vehicles paid out of the Utility Funds:
4 - Police interceptors	3 – Electric Department (replacements)
1 – Fire Command SUV	1 – Water
1 - Animal Control	3 – Wastewater
2 – Parks	1 – Recycle Center
1 - Street	

A negotiated term was reached with Enterprise Fleet Management (EFM) for four years or 48 months. According to the Maintenance Agreement, the following responsibilities have been designated: vehicle repairs and maintenance – EFM: all costs and expenses incurred in connection with the maintenance and repair of a “covered vehicle”. City of Lockhart’s responsibilities: a) fuel, b) oil and other fluids between changes; c) the repair and replacement; 4) washing; 5) repair of damage due to lack of maintenance; and 6) any service and/or resulting from an accident, a collision, theft, fire, freezing, vandalism, riot, explosion, other acts of God. There was discussion. Ms. Larison requested approval.

**C. DISCUSS PROPOSAL AND ANNUAL SUPPORT AGREEMENT BETWEEN ADCOMP SYSTEMS GROUP AND THE CITY OF LOCKHART, AND APPOINTING THE CITY MANAGER TO SIGN THE ANNUAL SUPPORT AGREEMENT AND PURCHASE ORDER.**

Ms. Larison stated that during the Fiscal Year 2020-2021 budget workshops and as a result of the COVID-19 pandemic, the City Manager and Finance Director presented the City Council with an option to purchase one or two kiosks with CARES/CRF funds. If the City were to purchase two units, one would be placed next to the Market Street entrance of City Hall, where the accessibility ramp is available. The second unit will be located at the Municipal Court building in the second drive-through bay. Both kiosks will have security monitoring within the units and be monitored by city security cameras. For customer convenience, the kiosks will be able to perform several functions such as check utility and court balances, receive multiple forms of payments (checks, credit cards, and cash with the ability to return change); and allow customers to make full or partial payments. According to the Texas Department of Emergency Management, in reference to the use of CARES/CRF funds, the City of Lockhart can use the State of Texas Local Government Code, Section 252.022(a) exemption to circumvent the requirement for sealed bids over \$50,000 because “a procurement necessary to preserve or protect the public health of the municipality’s residents”. The City was able to secure two bids from AdComp Systems Group and CityBase for single and/or double units. Two additional vendors did not respond to the City’s request. There was discussion. Ms. Larison recommended approval.

**D. DISCUSS RESOLUTION 2020-21 AUTHORIZING ACCEPTANCE OF THE CORONAVIRUS AID, RELIEF, AND ECONOMIC SECURITY (CARES) ACT AIRPORT GRANT AGREEMENT IN THE AMOUNT OF \$30,000 FOR GENERAL MAINTENANCE TO THE MUNICIPAL AIRPORT.**

Mr. Kelley stated that the CARES Act grant was provided to eligible airports with funding to help offset a decline in revenue arising from diminished airport operations and activities as a result of the COVID-19 pandemic. The purpose of this grant is to maintain safe and efficient airport operations. Funds provided under this grant must be used for purposes directly related to the airport. The grant was awarded to the City of Lockhart Municipal Airport in the amount of \$30,000. Funds must be used no later than June 1, 2024. Projects identified to be used with the grant funds are repairs of the runway, taxiway, and parking lot deficiencies. Mr. Kelly recommended approval. There was discussion.

**E. DISCUSS BID TO WESTAR CONSTRUCTION OF GEORGETOWN, TEXAS IN THE AMOUNT OF \$154,788 FOR THE CONSTRUCTION OF THE TOWN BRANCH TRAIL PHASE II CONSISTING OF APPROXIMATELY 2,237' OF 6' WIDE CONCRETE TRAILS.**

Mr. Kelley stated that St. David's Foundation awarded the City of Lockhart a grant for the Healthiest Places Projects in the amount of \$200,000 in January 2020. The purpose of the grant was to create or improve areas where the public can access amenities that promote physical activities. The project chosen for the grant was the continuation of trails in our park system to improve connectivity and create a safe environment for pedestrian traffic. This project consists of construction of approximately 2,237 feet of 6 foot wide concrete trail including pedestrian ramps. Bids were advertised in compliance with State law for the construction of the Town Branch Trail Phase II project. Eight bids were received ranging from \$154,788 to a high of \$266,058.98. The lowest bid was submitted by Westar Construction in the amount of \$154,788 for the total bid proposal. Westar Construction has a commendable reputation of installing flatwork and concrete construction. Mr. Kelley recommended approval. There was discussion.

**F. DISCUSS BID TO WESTAR CONSTRUCTION OF GEORGETOWN, TEXAS IN THE AMOUNT OF \$69,643.50 FOR THE CONSTRUCTION OF THE SOUTH COLORADO STREET SIDEWALK EXTENSION CONSISTING OF APPROXIMATELY 306 SQUARE YARDS OF CONCRETE SIDEWALK AND 90 LINEAR FEET OF PEDESTRIAN RAIL.**

Mr. Kelley stated that the recently completed traffic signal installed on Highway 183 in front of Walmart gave pedestrians another signaled crosswalk. However, this crosswalk was lacking the connectivity of a sidewalk making it hazardous for pedestrians to get to the traffic signal. Last year, Council approved unrestricted fund balance to make the necessary sidewalk connection. The Texas Department of Transportation (TXDOT) assisted in providing engineering and design for the project. This project consists of construction of approximately 450 feet of 5-8 foot wide sidewalks including 90 feet of safety rails and pedestrian ramps. Bids were advertised in compliance with State law for the construction of the South Colorado Street sidewalk extension project. Five bids were received ranging from \$69,643.50 to a high of \$333,510. The lowest bid was submitted by Westar Construction in the amount of \$69,643.50 for the total bid proposal. Westar Construction has a commendable reputation of installing flatwork and concrete construction. Mr. Kelley recommended approval. There was discussion.

**G. DISCUSS ORDINANCE 2020-20 ADOPTING THE ANNUAL OPERATING BUDGET FOR FISCAL YEAR 2020-2021 AND APPROPRIATING RESOURCES, BEGINNING OCTOBER 1, 2020 ENDING SEPTEMBER 30, 2021 FOR THE CITY OF LOCKHART, CALDWELL COUNTY, TEXAS AND THE LOCKHART ECONOMIC DEVELOPMENT CORPORATION AND RENEWING THE CITY OF LOCKHART'S INVESTMENT POLICY AND FUND BALANCE – STABILIZATION AND EXCESS OF RESERVE POLICIES.**

Ms. Larison stated that in accordance with the provisions of Article IX, Section 9.09 of the Lockhart City Charter, a vote is required for adoption of the budget; the budget shall be adopted by the favorable vote of a majority of the members of the whole city council. This budget sets forth the fiduciary policies for the City of Lockhart and the Lockhart Economic Development Corporation for the Fiscal Year October 1, 2020 and ending September 30, 2021. This budget will renew the City's Investment Policy and Fund Balance – Stabilization and Excess of Reserves Policies. This agenda item also allows for Council to suggest any budget allocations or deletions from the budget before a vote is taken. If no allocations or deletions are presented, action can be taken to adopt the Fiscal Year 2020-2021 Annual Operating Budget for the City of Lockhart, Caldwell County, Texas and the Lockhart Economic Development Corporation. There was brief discussion.

**H. DISCUSS ORDINANCE 2020-21 LEVYING MAINTENANCE AND OPERATIONS PROPERTY TAXES FOR THE USE AND SUPPORT OF THE CITY OF LOCKHART, TEXAS AND INTEREST AND SINKING PROPERTY TAXES FOR THE DEBT SERVICE OBLIGATIONS OF THE CITY OF LOCKHART, CALDWELL COUNTY, TEXAS FOR FISCAL YEAR 2021, BEGINNING OCTOBER 1, 2020 AND ENDING SEPTEMBER 30, 2021.**

Ms. Larison stated that the proposed tax rate is 63.54 cents per \$100 of assessed value. The Ordinance describes the two required components of the tax rate Maintenance and Operations (M&O) and Interest and Sinking (I&S). State law requires a statement regarding the amount by which taxes for maintenance and operations on a \$100,000 home will be raised. Based on the proposed tax rate, the maintenance and operations portion of the rate will be 55.21 cents per \$100 of assessed value compared to last year's maintenance and operation rate of 58.62 cents per \$100 of assessed value resulting in a decrease of \$3.41. The interest and sinking portion is \$1.47. The verbiage contained within the Ordinance is in compliance with requirements of Section 26.05(b)(1)(B) of the Texas Tax Code. There was discussion.

**I. DISCUSS ORDINANCE 2020-22 REPEALING UNCODIFIED ORDINANCE 2019-22 IN ITS ENTIRETY AND ADOPTING THIS ORDINANCE REGARDING THE CITY PERSONNEL POLICY MANUAL; REMOVING PERFORMANCE OR MERIT PAY FOR POLICE AND FIRE PERSONNEL AND ADOPTING A STEP PAY PLAN FOR POLICE AND FIRE DEPARTMENTS UNDER CIVIL SERVICE.**

Ms. Bowermon stated that with the Fiscal Year 2020-2021 budget, the Council approved a 7 percent wage increase for police officers and fire fighters effective October 3, 2020. The increase was recommended by Evergreen Solutions, LLC following their completion of the 2020 City of Lockhart Classification and Compensation Study. In compliance with Civil Service, classified police and fire positions are paid per a step pay plan, which is set by ordinance. The proposed ordinance reflects increasing the step plans as approved in the budget and as recommended by Evergreen Solutions. Evergreen determined that on average, the City pay plan for fire employees was more than 20 percent below peers surveyed during their market study. The City pay plan for police officers ranged between 7 to 18 percent below peers. A 7 percent increase was recommended to begin reducing the salary percentage below peers. These revisions have been included in the Fiscal Year 2020-2021 budget, which does not require a tax rate increase. There was discussion.

**J. DISCUSS ORDINANCE 2020-23 AMENDING THE LOCKHART CODE OF ORDINANCES, CHAPTER 58, UTILITIES, SECTION 58-141, ENTITLED “DEFINITIONS” AND SECTION 58-142, ENTITLED “WATER RATES”, ADJUSTING THE WATER BASE CHARGE TO COVER INCREASED COSTS OF WATER SUPPLY DEBT PAYMENTS FOR FISCAL YEAR 2020-2021. THE ORDINANCE SHALL BECOME EFFECTIVE WITH THE FIRST UTILITY BILLING CYCLE IN OCTOBER 2020.**

Ms. Larison stated that the Ordinance puts into place water rates approved by Council on August 21, 2018 to provide sufficient revenues to cover costs associated with the water supply debt payments. Information was provided to the Council and the public in August 2018 during the presentation of the Carrizo Water Supply Project with the Guadalupe-Blanco River Authority and its cost effect on the City of Lockhart. Intermittent rate increases were scheduled until 2034 to cover these costs. Residential increases in the water base charge began in October 2018 by \$0.50 with three years of \$0.50 increases until 2022, at which time the increase will be \$1.00 until the water base charge has reached a maximum of \$28.10. Non-residential increases began in October 2018 by \$0.50 with three years of \$0.50 increases until 2021, at which time the water base charge will be \$1.00 until the water base charge has reached a maximum of \$40.83. There is also a slight percentage increase to number of gallons used to calculated to the water supply land leases, but Fiscal Year 2020-2021 will not reflect an increase. The percentage increase will resume in October 2022. There was discussion. Ms. Larison recommended approval.

**K. DISCUSS ORDINANCE 2020-24 DESIGNATING CITY ELECTION POLLING PLACES AND AMENDING DATES AND HOURS OF EARLY VOTING FOR THE JOINT ELECTION OF THE CITY OF LOCKHART AND CALDWELL COUNTY TO BE HELD ON NOVEMBER 3, 2020.**

Ms. Constancio stated that on July 7, 2020, the City Council approved Ordinance 2020-14 ordering the November 3, 2020 General Election for the positions of Mayor and Councilmembers Districts 3 and 4, and approved the Joint Election Agreement with the Caldwell County Elections Administrator (County EA) to conduct the election on behalf of the City of Lockhart. Polling locations were not included in Ordinance 2020-14 because the County EA was working on determining polling locations. On July 27, 2020, Governor Abbot issued a proclamation extending early voting days to begin on Tuesday, October 13, 2020 (was Monday, October 19) through Friday, October 30, 2020. The Ordinance updates the dates and times for early voting during the November 3, 2020 General Election. The Caldwell County Commissioners Court approved the early voting dates and times and Election Day polling locations on September 8, 2020, as outlined in City of Lockhart Ordinance 2020-24. There was discussion regarding the history of the City of Lockhart changing the city elections from the May to November uniform election date, thereafter, holding joint elections with the County since November 2010. The County thereafter consolidated polling locations within the City of Lockhart to allow city voters to respectively vote in their city district. In 2019, complaints were filed with the Secretary of State indicating that Caldwell County should not be consolidating polling locations because it was the complainer’s opinion that the consolidation deterred citizens from voting. Caldwell County thereafter eliminated consolidating County polling locations where feasible, and has gone back to assigning 17 County precinct polling locations; not using city district polling locations. Pursuant to the Texas Election Code, political subdivisions holding an election on the November uniform election date must use county election precincts and county polling places on Election Day. Voters will be notified about their polling location thru social media, County/City/LISD websites and the newspaper. Ms. Constancio recommended approval. There was discussion regarding the election process and about informing the voters to know their 3-digit County precinct number to vote at the correct polling location on Election day.

**L. DISCUSS RESOLUTION 2020-22 ADOPTING THE STUDY PREPARED BY EVERGREEN SOLUTIONS, LLC AS THE 2020 CLASSIFICATION AND COMPENSATION STUDY FOR THE CITY OF LOCKHART, TEXAS FINAL REPORT; AND AUTHORIZING EXPENDITURES UNDER THE 2020-2021 BUDGET TO BE MADE PURSUANT TO SUCH STUDY.**

Ms. Bowermon stated that on September 1, 2020, there was a consensus of the City Council to implement recommendations of Evergreen Solutions following the 2020 City of Lockhart Classification and Compensation Study. Resolution 2020-22 formally adopts the study/final report prepared by Evergreen Solutions. A need for the study was identified in the 2019-2020 Strategic Priorities plan. In January, Evergreen Solutions, LLC was selected to conduct the study. The study was launched in February starting with employee outreach which engaged employees to provide feedback on current pay, benefits, and job descriptions. Following employee outreach, Evergreen conducted a salary survey of market peers and presented its findings to the City Council. Evergreen determined that the City General Employee pay plan ranges were on average, approximately 26% below the average market position at the minimum salary range. The Police pay plan was found to be 7.2% below the average market position at the minimum salary range while the Fire pay plan was 24.5% below. During the study, Evergreen Solutions commented on the City's lead staff and multiple hybrid positions (employees that fill more than one role). Evergreen recommended revising current pay plans and implementing pay adjustments according to position tenure to begin reducing the salary percentage below peers. These revisions and adjustments have been included in the Fiscal Year 2020-2021 budget, which does not require a tax rate increase. The City of Lockhart staff provides Lockhart residents essential services such as water, wastewater, electric, and public safety. A key objective of the study and implementing salary recommendations was to enhance recruitment and improve retention of quality employees. No new positions were included in the Fiscal Year 2020-2021 budget and the tax rate was not increased to provide the salary improvements. There was discussion.

**M. DISCUSS APPOINTING TWO REPRESENTATIVES OF THE CITY OF LOCKHART TO THE GENERAL ASSEMBLY OF THE CAPITAL AREA COUNCIL OF GOVERNMENTS (CAPCOG).**

Mayor White explained the duties of the General Assembly of the CAPCOG. He stated that Councilmember Michelson and himself express an interest to continue to serve.

**N. DISCUSS MAYOR'S DECLARATION OF LOCAL DISASTER REGARDING REQUIRING FACIAL COVERINGS, AND ADDRESSING OTHER MATTERS RELATED TO COVID-19, IF NECESSARY.**

Mayor White announced that the Order would remain in effect and that there was no action to be taken.

RECESS: Mayor White announced that the Council would recess for a break at 7:49 p.m.

**REGULAR MEETING**

**ITEM 1. CALL TO ORDER.**

Mayor Lew White called the meeting to order at 8:05 p.m.

**ITEM 2. INVOCATION, PLEDGE OF ALLEGIANCE.**

Councilmember Bryant gave the Invocation and led the Pledge of Allegiance to the United States and Texas flags.

**ITEM 3. PUBLIC COMMENT.**

Mayor White requested citizens to address the Council regarding items that are not on the agenda.

Beverly Haug of the Lockhart Housing Authority stated that she has been in contact with the US Housing and Urban Development (HUD) and she is working to provide them the required documents for their approval to sell the property. She stated that she anticipates that the property will be sold, and requested an extension to complete the HUD approval process.

**ITEM 4-A. HOLD A PUBLIC HEARING ON APPLICATION ZC-20-10 BY JOE ROLAND FOR A ZONING CHANGE FROM RLD RESIDENTIAL LOW DENSITY DISTRICT TO CMB COMMERCIAL MEDIUM BUSINESS DISTRICT ON 0.371 ACRE IN THE BYRD LOCKHART SURVEY, ABSTRACT NO. 17, LOCATED AT 1101 NORTH COMMERCE STREET.**

Mayor White opened the public hearing at 8:10 p.m.

Mr. Gibson stated that the applicant/owner has been parking vehicles on the subject property in violation of the current RLD zoning, which does not allow vehicle parking as the principal use of a lot. Rezoning to CMB would eliminate that restriction, although continued parking of vehicles on the property will still be a violation until the parking area is paved with an approved surface meeting the standards of the zoning ordinance. The addition of any surface more impervious than the natural ground that is there now will trigger compliance with the City's drainage ordinance, which may involve the engineering and construction of a storm-water detention facility. The applicant also owns the two lots south of the subject property at 1019 and 1017 North Commerce Street that contain a nonconforming house and old mobile home, and the triangular parcel adjacent to the west of those lots at 1018 North Colorado Street that contains a food trailer and another nonconforming old mobile home. There is existing CMB zoning adjacent to portions to the south and west boundaries of the subject property, so this zoning change would expand those areas currently zoned CMB. Neither the current RLD zoning of the subject property and the residential property adjacent to the north, nor the CMB zoning of the remainder of the block, are consistent with the Medium Density Residential future land use designation shown on the Lockhart 2020 Land Use Plan map. The most consistent zoning would be RMD, although most of the block is already zoned CMB, including two lots containing a single-family dwelling and an old mobile home. This triangle-shaped block bordered by North Colorado Street, North Commerce Street, and China Street may be a candidate for a change in future land use designation from Medium Density Residential to General-Heavy Commercial when the land use plan is next updated. Mr. Gibson stated that the Planning and Zoning Commission and staff recommend approval. There was discussion.

Mayor White requested the applicant to address the Council.

Joe Roland, applicant, requested approval of the zoning change. He thanked Mr. Gibson for guidance with the zoning change process.

Mayor White requested citizens to address the Council in favor of and against the zoning change. There were none. He closed the public hearing at 8:23 p.m.

**ITEM 4-B. DISCUSSION AND/OR ACTION TO CONSIDER ORDINANCE 2020-19 AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF LOCKHART, TEXAS, TO RECLASSIFY THE PROPERTY KNOWN AS 0.371 ACRE IN THE BYRD LOCKHART SURVEY, ABSTRACT NO. 17, LOCATED AT 1101 NORTH COMMERCE STREET, FROM RLD RESIDENTIAL LOW DENSITY DISTRICT TO CMB COMMERCIAL MEDIUM BUSINESS DISTRICT.**

Councilmember Michelson made a motion to approve Ordinance 2020-19, as presented. Councilmember Westmoreland seconded. The motion passed by a vote of 7-0.

**ITEM 5. CONSENT AGENDA.**

Councilmember McGregor made a motion to approve consent agenda items 5A, 5B, 5C, 5D and 5E. Mayor Pro-Tem Sanchez seconded. The motion passed by a vote of 7-0.

The following are the consent agenda items that were approved:

- 5A: Approve proposal and contractual agreement between Enterprise Fleet Management and the City of Lockhart, and appointing the City Manager to sign the contractual agreement.
- 5B: Approve proposal and annual support agreement between Adcomp Systems Group and the City of Lockhart, and appointing the City Manager to sign the annual support agreement and purchase order.
- 5C: Approve Resolution 2020-21 authorizing acceptance of the Coronavirus Aid, Relief, and Economic Security (CARES) Act Airport Grant Agreement in the amount of \$30,000 for general maintenance to the Municipal Airport.
- 5D: Award bid to Westar Construction of Georgetown, Texas in the amount of \$154,788 for the construction of the Town Branch Trail Phase II consisting of approximately 2,237' of 6' wide concrete trails.
- 5E: Award bid to Westar Construction of Georgetown, Texas in the amount of \$69,643.50 for the construction of the South Colorado Street Sidewalk Extension consisting of approximately 306 square yards of concrete sidewalk and 90 linear feet of pedestrian rail.

**ITEM 6-A. DISCUSSION AND/OR ACTION TO CONSIDER ORDINANCE 2020-20 ADOPTING THE ANNUAL OPERATING BUDGET FOR FISCAL YEAR 2020-2021 AND APPROPRIATING RESOURCES, BEGINNING OCTOBER 1, 2020 ENDING SEPTEMBER 30, 2021 FOR THE CITY OF LOCKHART, CALDWELL COUNTY, TEXAS AND THE LOCKHART ECONOMIC DEVELOPMENT CORPORATION AND RENEWING THE CITY OF LOCKHART'S INVESTMENT POLICY AND FUND BALANCE – STABILIZATION AND EXCESS OF RESERVE POLICIES.**

Mayor Pro-Tem Sanchez made a motion to approve Ordinance 2020-20, as presented. Councilmember Michelson seconded. The motion passed by a vote of 7-0.

**ITEM 6-B. DISCUSSION AND/OR ACTION TO CONSIDER ORDINANCE 2020-21 LEVYING MAINTENANCE AND OPERATIONS PROPERTY TAXES FOR THE USE AND SUPPORT OF THE CITY OF LOCKHART, TEXAS AND INTEREST AND SINKING PROPERTY TAXES FOR THE DEBT SERVICE OBLIGATIONS OF THE CITY OF LOCKHART, CALDWELL COUNTY, TEXAS FOR FISCAL YEAR 2021, BEGINNING OCTOBER 1, 2020 AND ENDING SEPTEMBER 30, 2021.**

Ms. Larison stated that State law requires two separate motions to be made to adopt these tax rates and two separate votes.



Mayor Pro-Tem Sanchez made a motion that the maintenance and operation rate be adopted at 55.21 cents per \$100 of assessed value as indicated/listed in Ordinance No. 2020-21, thereby adopting said ordinance. The motion passed by a vote of 7-0.

The roll call of each Councilmember voting on the motion is as follows:

Councilmember Brad Westmoreland – yes  
 Councilmember Juan Mendoza – yes  
 Mayor Pro-Tem Angie Gonzales-Sanchez – yes  
 Councilmember Kara McGregor – yes  
 Councilmember David Bryant – yes  
 Councilmember Jeffry Michelson – yes  
 Mayor Lew White - yes

Mayor Pro-Tem Sanchez made a motion that the interest and sinking rate be adopted at 8.33 cents per \$100 of assessed value as indicated/listed in Ordinance No. 2020-21, thereby adopting said ordinance. Councilmember Westmoreland seconded. The motion passed by a vote of 7-0.

The roll call of each Councilmember voting on the motion is as follows:

Councilmember Brad Westmoreland – yes  
 Councilmember Juan Mendoza – yes  
 Mayor Pro-Tem Angie Gonzales-Sanchez – yes  
 Councilmember Kara McGregor – yes  
 Councilmember David Bryant – yes  
 Councilmember Jeffry Michelson – yes  
 Mayor Lew White - yes

**ITEM 6-C. DISCUSSION AND/OR ACTION TO CONSIDER ORDINANCE 2020-22 REPEALING UNCODIFIED ORDINANCE 2019-22 IN ITS ENTIRETY AND ADOPTING THIS ORDINANCE REGARDING THE CITY PERSONNEL POLICY MANUAL; REMOVING PERFORMANCE OR MERIT PAY FOR POLICE AND FIRE PERSONNEL AND ADOPTING A STEP PAY PLAN FOR POLICE AND FIRE DEPARTMENTS UNDER CIVIL SERVICE.**

Councilmember Michelson made a motion to approve Ordinance 2020-22 repealing uncodified Ordinance 2019-22 in its entirety and adopting this ordinance regarding the City Personnel Policy Manual; removing Performance or Merit Pay for Police and Fire personnel and adopting a Step Pay Plan for Police and Fire Departments under Civil Service. Councilmember Mendoza seconded. The motion passed by a vote of 7-0.

**ITEM 6-D. DISCUSSION AND/OR ACTION TO CONSIDER ORDINANCE 2020-23 AMENDING THE LOCKHART CODE OF ORDINANCES, CHAPTER 58, UTILITIES, SECTION 58-141, ENTITLED “DEFINITIONS” AND SECTION 58-142, ENTITLED “WATER RATES”, ADJUSTING THE WATER BASE CHARGE TO COVER INCREASED COSTS OF WATER SUPPLY DEBT PAYMENTS FOR FISCAL YEAR 2020-2021. THE ORDINANCE SHALL BECOME EFFECTIVE WITH THE FIRST UTILITY BILLING CYCLE IN OCTOBER 2020.**

Mayor Pro-Tem Sanchez made a motion to approve Ordinance 2020-23 amending the Lockhart Code of Ordinances, Chapter 58, Utilities, Section 58-141, entitled “Definitions” and Section 58-142, entitled “Water Rates”, adjusting the water base charge to cover increased costs of water supply debt payments for Fiscal Year 2020-2021. The Ordinance shall become effective with the first utility bill cycle in October 2020. Councilmember Westmoreland seconded. The motion passed by a vote of 7-0.

**ITEM 6-E. DISCUSSION AND/OR ACTION TO CONSIDER ORDINANCE 2020-24 DESIGNATING CITY ELECTION POLLING PLACES AND AMENDING DATES AND HOURS OF EARLY VOTING FOR THE JOINT ELECTION OF THE CITY OF LOCKHART AND CALDWELL COUNTY TO BE HELD ON NOVEMBER 3, 2020.**

Mayor Pro-Tem Sanchez made a motion to approve Ordinance 2020-24, as presented. Councilmember McGregor seconded. The motion passed by a vote of 7-0.

**ITEM 6-F. DISCUSSION AND/OR ACTION TO CONSIDER RESOLUTION 2020-22 ADOPTING THE STUDY PREPARED BY EVERGREEN SOLUTIONS, LLC AS THE 2020 CLASSIFICATION AND COMPENSATION STUDY FOR THE CITY OF LOCKHART, TEXAS FINAL REPORT; AND AUTHORIZING EXPENDITURES UNDER THE 2020-2021 BUDGET TO BE MADE PURSUANT TO SUCH STUDY.**

Councilmember McGregor made a motion to approve Resolution 2020-22 adopting the study prepared by Evergreen Solutions, LLC as the 2020 Classification and Compensation Study for the City of Lockhart, Texas final report; and authorizing expenditures under the 2020-2021 budget to be made pursuant to such study. Councilmember Bryant seconded. The motion passed by a vote of 7-0.

**ITEM 6-G. DISCUSSION AND/OR ACTION TO CONSIDER APPOINTING TWO REPRESENTATIVES OF THE CITY OF LOCKHART TO THE GENERAL ASSEMBLY OF THE CAPITAL AREA COUNCIL OF GOVERNMENTS (CAPCOG).**

Mayor Pro-Tem Sanchez made a motion to appoint Mayor Lew White and Councilmember Jeffrey Michelson to the General Assembly of the CAPCOG. Councilmember Mendoza seconded. The motion passed by a vote of 7-0.

**ITEM 6-H. DISCUSSION AND/OR ACTION TO CONSIDER THE MAYOR'S DECLARATION OF LOCAL DISASTER REGARDING REQUIRING FACIAL COVERINGS, AND ADDRESSING OTHER MATTERS RELATED TO COVID-19, IF NECESSARY.**

Mayor White announced that there was no action to be taken.

**ITEM 6-I. DISCUSSION AND/OR ACTION REGARDING APPOINTMENTS TO VARIOUS BOARDS, COMMISSIONS OR COMMITTEES.**

Mayor White requested appointments to boards and commissions. There were none.

**ITEM 7. CITY MANAGER'S REPORT, PRESENTATION AND POSSIBLE DISCUSSION.**

- Update regarding Electric Reliability Council of Texas (ERCOT) fall and winter generating capacity assessment.
- A *pay by phone* line (855-340-0595) to pay utility bills 24/7, 365 days a year went live on Friday, September 4<sup>th</sup>.
- Annual cleanup of the City Cemetery will begin on October 5<sup>th</sup>.
- City was awarded a routine Airport Maintenance program grant from TxDOT Aviation Division in the amount of \$65,000.
- Update on the Lockhart CARES grant program for utility relief.
- Update on the upcoming Census.
- Update regarding COVID-19.

**ITEM 8. COUNCIL AND STAFF COMMENTS – ITEMS OF COMMUNITY INTEREST**

Councilmember Westmoreland invited everyone to the downtown district. Stores are open for business and ready for shoppers.

Councilmember Mendoza reminded everyone about the speed limit signs near the school zones. He congratulated the Farmers Market for continuing to grow.

Mayor Pro-Tem Sanchez expressed condolences to Jeanne Pendergrass for the loss of her father and to the families of Adan Leal, Sr., Herminia “Minnie” Trejo, Norma Recio, and Gilbert Bermudez, Sr. She thanked Benny Boyd for supporting the Athletic Booster Club this past weekend. Go Lions!

Councilmember Bryant thanked city staff for their work.

Councilmember Michelson stated that the Lockhart Education Foundation will host a drive thru with Chick-fil-A at Clear Fork Elementary on September 16 from 5-8 p.m. He asked everyone to stay safe and he wished the students a good school year.

Mayor White thanked staff for their work on the city budget. He congratulated the school for being back in session. He reported that the status of Halloween events is unknown at this time. He also suggested a future agenda item to discuss cleaning the 2<sup>nd</sup> floor of the Bois D’arc building.

**ITEM 9. EXECUTIVE SESSIONS:**

Mayor White announced that the Council will enter Executive Session at 8:55 p.m. regarding the following items:

**EXECUTIVE SESSION IN ACCORDANCE WITH THE PROVISIONS OF THE GOVERNMENT CODE, TITLE 5, SUBCHAPTER D, SECTION 551.071, PRIVATE CONSULTATION WITH ITS ATTORNEY TO SEEK ADVICE ABOUT PENDING OR CONTEMPLATED LITIGATION; SETTLEMENT OFFER; OR LEGAL MATTERS SUBJECT TO ATTORNEY/CLIENT PRIVILEGE. Discussion with City Attorney to receive legal advice regarding the Lockhart Housing Authority structures.**

**EXECUTIVE SESSION IN ACCORDANCE WITH THE PROVISIONS OF THE GOVERNMENT CODE, TITLE 5, SUBCHAPTER D, SECTION 551.087 TO DELIBERATE OR FOR DISCUSSION REGARDING COMMERCIAL OR FINANCIAL INFORMATION THAT THE GOVERNMENTAL BODY HAS RECEIVED FROM A BUSINESS PROSPECT THAT THE GOVERNMENTAL BODY SEEKS TO HAVE LOCATE, STAY, OR EXPAND IN OR NEAR THE TERRITORY OF THE GOVERNMENTAL BODY AND WITH WHICH THE GOVERNMENTAL BODY IS CONDUCTING ECONOMIC DEVELOPMENT NEGOTIATIONS; OR TO DELIBERATE THE OFFER OF A FINANCIAL OR OTHER INCENTIVE TO A BUSINESS PROSPECT. Discussion regarding Economic Development negotiations with Project Future.**

Mayor White announced that the Council entered Open Session 9:20 p.m.

**OPEN SESSION:**

Mayor White announced that the Council would enter Open Session at 9:20 p.m. regarding the following items:

**10-A: DISCUSSION AND/OR ACTION REGARDING THE LOCKHART HOUSING AUTHORITY STRUCTURES.**

Councilmember McGregor made a motion to issue an extension to the Lockhart Housing Authority until November 17, 2020 to present HUD approval for disposition of property and executed contract of sale. Councilmember Michelson seconded. The motion passed by a vote of 5-2, with Mayor Pro-Tem Sanchez and Councilmember Bryant opposing.

**10-B. DISCUSSION AND/OR ACTION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS WITH PROJECT FUTURE.**

Mayor White announced that there was no action to be taken.

**ITEM 11. ADJOURNMENT.**


Mayor Pro-Tem Sanchez made a motion to adjourn the meeting. Councilmember Mendoza seconded. The motion passed by a vote of 7-0. The meeting was adjourned at 10:11 p.m.

PASSED and APPROVED this the 20<sup>th</sup> day of October 2020.

**CITY OF LOCKHART**

  
Lew White, Mayor

ATTEST:

  
Connie Constancio, TRMC  
City Secretary

