

**REGULAR MEETING
LOCKHART CITY COUNCIL**

OCTOBER 20, 2020

6:30 P.M.

**CLARK LIBRARY ANNEX-COUNCIL CHAMBERS, 217 SOUTH MAIN STREET, 3rd 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
Monte Akers, City Attorney
Pam Larison, Finance Director
Dan Gibson, City Planner

Connie Constancio, City Secretary
Miles Smith, Public Information Officer
Sean Kelley, Public Works Director
Kevin Waller, Assistant City Planner

Citizens/Visitors Addressing the Council: Jenniffer Bauman and Patrick Rawis of the Lockhart Farmers Market; and Citizen, Ronda Reagan.

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:

DISCUSSION ONLY

A. PRESENTATION BY THE LOCKHART FARMERS MARKET.

Jenniffer Bauman, President of the Lockhart Farmers Market stated that it is the goal of the market to offer fresh fruits, vegetables and agricultural produce to the community. Booths at the market are primarily reserved for local vendors yet vendors outside the Caldwell County area are admitted if space is available. There was discussion.

B. DISCUSS MINUTES OF THE CITY COUNCIL MEETING OF SEPTEMBER 15, 2020.

Mayor White requested corrections to the minutes. There were none.

C. DISCUSS BID TO NIGHTHAWK CONSTRUCTION OF LOCKHART, TEXAS IN THE AMOUNT OF \$294,685.50 FOR THE CONSTRUCTION OF AN 18" WATER MAIN AS PART OF COMMUNITY DEVELOPMENT BLOCK GRANT #7219231, AS RECOMMENDED BY THE PROJECT ENGINEER.

Mr. Kelley stated that the City of Lockhart was awarded a grant by the Texas Department of Agriculture in the amount of \$300,000 to extend a treated water transmission line from the Lockhart Water Plant to South Commerce Street. The project will increase the quantity of water pumped into the city, and improves service capacity and fire protection. The Grant requires a minimum of a 20% match (\$60,000). The matching funds will be funded through the 2015 Certificates of Obligation-Water Funds. This scope of work will consist of installing an 18" water main, two road crossings with casings and other water fixtures. Bids were advertised in compliance with State law. Thirteen (13) bids were received ranging from \$294,685.50 to a high of \$488,632.15. The lowest bid was submitted by Nighthawk Construction in the amount of \$294,685.50 for the total bid proposal, plus the total alternative bid items. Nighthawk Construction has a commendable reputation of installing water infrastructure and site work. Mr. Kelley recommended approval.

D. DISCUSS EXTENSION OF LEASE AGREEMENT WITH MARTIN & MARTIN AVIATION, LLC AS THE LOCKHART MUNICIPAL AIRPORT FIXED BASED OPERATOR (FBO) COMPRISED OF KEITH UHLS AND REINE SMITH UNTIL DECEMBER 31, 2020 AND AUTHORIZING THE MAYOR TO SIGN THE AGREEMENT IF APPROVED.

Mr. Kelley stated that prior to Martin & Martin Aviation, LLC running the Airport's FBO, Mr. Stanley Martin had been the FBO at the Lockhart Municipal Airport since 1991. On February 19, 2019, Stanley Martin assigned the ground lease to Martin & Martin Aviation, LLC comprised of Keith Uhls and Reine Smith. The current Assignment of Lease expires on October 31, 2020. The City consented to the assignment but was not a party to the assignment agreement, which purported to also amend the original 1991 lease in three ways, one of which was to amend the term of the lease "to include up to a ten (10) year renewal option". The manner of exercising the option and the actual length of the renewal were not specified. Martin & Martin are very experienced and bring extensive aviation knowledge to the airport management team. Martin & Martin currently offers amenities at the Airport such as a visitor's lounge, lease hangars associated with their ground lease, airplane tie-downs, fuel sales and purchasing, a courtesy vehicle to visitors (BBQ Patrol), flight instruction, and an on-site airport mechanic. Staff recommends that the lease be extended to December 31, 2020 in order to give the parties time to determine the effect of the purported amendments from 2019, and to specify the length of renewal and any other issues identified for amendment of the lease. Mr. Kelley recommended approval. There was discussion.

E. DISCUSS CONFIRMATION OF CIVIL SERVICE COMMISSION MEMBER REAPPOINTMENT OF MS. YOLANDA STREY FOR A THREE YEAR TERM AS RECOMMENDED BY THE CITY MANAGER.

Mr. Lewis stated that Ms. Yolanda Strey has served on the commission for the past 6 years, and as the commission vice-chairman since 2017. According to the Civil Service regulations, she can be reappointed for a third term. Ms. Strey has graciously agreed to continue serving on the commission for an additional term expiring January 1, 2024. Both the City Manager and Civil Service Director concur that Ms. Strey has been an asset to the community by serving on the commission. Mr. Lewis recommended approval.

F. PRESENTATION OF 4TH QUARTER FISCAL YEAR 2020 INVESTMENT REPORT.

Ms. Larison stated that the Texas Public Funds Investment Act requires local governments to review and accept Quarterly Investment Reports for each quarterly reporting period of the year. She provided information regarding the 4th quarter for Fiscal Year 2020, ending September 30, 2020 as follows:

- Quarterly Investment Report.
- Investment Portfolio Summary.
- Cash Accounts.
- Marketable Securities Transaction Summary.
- Investment Pool Transactions Summary.
- Certificates of Deposit Transaction Summary.
- Investment Pools.
- Bank Collateralization.

G. DISCUSS A REQUEST BY RONDA REAGAN FOR A DETERMINATION OF ELIGIBILITY FOR A TAX ABATEMENT (TA-20-01) PURSUANT TO CHAPTER 28 “HISTORIC DISTRICTS AND LANDMARKS”, DIVISION 2 “TAX ABATEMENT”, OF THE LOCKHART CODE OF ORDINANCES, FOR INTERIOR AND EXTERIOR IMPROVEMENTS TO A REGISTERED HISTORICAL LANDMARK SINGLE-FAMILY DWELLING LOCATED AT 412 WEST SAN ANTONIO STREET.

Mr. Waller stated that Division 2 of the Historic Districts and Landmarks ordinance provides for tax abatements to mitigate the cost of eligible improvements to structures that are within a historical district or that are a designated historical landmark. The owner of the home located at 412 West San Antonio Street has applied for a tax abatement for multiple interior and exterior improvements, including gas line replacements, HVAC installation, exterior wall repainting, wood siding replacement, and window restoration. This is the first application submitted to the City for tax abatement on a City-designated Historic Landmark property. A Tax Abatement application must first be considered by the Historical Preservation Commission for a recommendation to City Council, which in turn makes a determination of eligibility for the tax abatement. In addition, approval of a Certificate for Alteration is required for the improvements. The Historical Preservation Commission approved the Certificate for Alteration at their meeting on October 7, 2020. The tax abatement applies only to City property taxes, and it cannot exceed the owner’s total out-of-pocket cost of the improvements. The most recent estimate of the total cost is \$43,058.67. For the first five years of the abatement period, 100 percent of the City taxes are waived. After a reappraisal, 50 percent of the taxes can be waived each year for an additional consecutive five-year period. The City property taxes for the subject property in 2019 were \$1,888.69, so even if the maximum allowed amount is waived each year over the ten-year period, the total abatement will not exceed the owner’s out-of-pocket expenses. Mr. Waller stated that the Historical Preservation Commission and staff recommend that the proposed improvements be eligible for a tax abatement.

Mayor White requested Ronda Reagan to address the Council.

Ronda Reagan, 412 West San Antonio Street, provided an explanation about the types of repairs performed on her home. She requested approval.

H. DISCUSS AMENDING GUIDELINES AND ELIGIBILITY REQUIREMENTS AND TO EXTEND THE EMERGENCY UTILITY BILL RELIEF GRANT PROGRAM TO THE CITY OF LOCKHART’S INSIDE-CITY RESIDENTIAL UTILITY CUSTOMERS WHO ARE EXPERIENCING FINANCIAL HARDSHIPS DUE TO THE COVID-19 PANDEMIC.

On April 22, 2020, the U.S. Department of Treasury issued guidance to State and Local Governments on the Coronavirus Relief Fund (CRF). Under the CARES/CRF, the City of Lockhart is eligible to receive up to \$763,895 and has received 20% upfront funding (\$152,779) to inject cash into the economy and pay for the extraordinary expenses incurred by the COVID-19 pandemic. On August 18, 2020, the City Council declared that the City’s utility services are considered essential services and meet basic public health, sanitation, welfare, and public safety needs of its residents, and established the Emergency Utility Bill Relief Program. The City Council established the program that provides special utility bill assistance and the established program eligibility requirements. The Emergency Utility Bill Relief Program is funded through the CARES/CRF which assists in paying for the customer’s City of Lockhart utility bill for the months of March, April, May, June, and July of 2020 with the option to extend or amend the program guidelines at a later date. On October 8, 2020, the consensus of the Council was to extend the program to include all billing cycles up to cycle 1 for December 2020 due on December 25, 2020 and to eliminate the eligibility requirement of income levels from the original program guidelines and requirements. This will allow more residential customers to apply to the program for much needed assistance during the COVID-19 pandemic due to loss or reduction in income. There was discussion.

RECESS: Mayor White announced that the Council would recess for a break at 7:35 p.m.

REGULAR MEETING

ITEM 1. CALL TO ORDER.

Mayor Lew White called the meeting to order at 7:52 p.m.

ITEM 2. INVOCATION, PLEDGE OF ALLEGIANCE.

Councilmember McGregor 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. There were none.

ITEM 4. CONSENT AGENDA.

Councilmember Michelson made a motion to approve consent agenda items 4A, 4B, 4C, 4D and 4E. Mayor Pro-Tem Sanchez seconded. The motion passed by a vote of 7-0.

The following are the consent agenda items that were approved:

- 4A: Approve minutes of the City Council meeting of September 15, 2020.
- 4B: Award bid to Nighthawk Construction of Lockhart, Texas in the amount of \$294,685.50 for the construction of an 18” water main as part of Community Development Block Grant #7219231, as recommended by the project Engineer.
- 4C: Approve Extension of Lease Agreement with Martin & Martin Aviation, LLC as the Lockhart Municipal Airport Fixed Based Operator (FBO) comprised of Keith Uhls and Reine Smith until December 31, 2020 and authorizing the Mayor to sign the agreement if approved.
- 4D: Approve confirmation of Civil Service Commission member reappointment of Ms. Yolanda Strey for a three year term as recommended by the City Manager.
- 4E: Accept 4th Quarter Fiscal Year 2020 Investment Report.

ITEM 5-A. DISCUSSION AND/OR ACTION TO CONSIDER A REQUEST BY RONDA REAGAN FOR A DETERMINATION OF ELIGIBILITY FOR A TAX ABATEMENT (TA-20-01) PURSUANT TO CHAPTER 28 “HISTORIC DISTRICTS AND LANDMARKS”, DIVISION 2 “TAX ABATEMENT”, OF THE LOCKHART CODE OF ORDINANCES, FOR INTERIOR AND EXTERIOR IMPROVEMENTS TO A REGISTERED HISTORICAL LANDMARK SINGLE-FAMILY DWELLING LOCATED AT 412 WEST SAN ANTONIO STREET.

Councilmember McGregor made a motion that the Council finds that the property at 412 West San Antonio Street is eligible for tax abatement under Chapter 28 of the City Code, direct staff and the City Attorney to prepare a tax abatement agreement as required by Section 28-23, and authorizing the Mayor to sign the agreement on behalf of the City. Councilmember Westmoreland seconded. The motion passed by a vote of 7-0.

ITEM 5-B. DISCUSSION AND/OR ACTION TO CONSIDER AMENDING GUIDELINES AND ELIGIBILITY REQUIREMENTS AND TO EXTEND THE EMERGENCY UTILITY BILL RELIEF GRANT PROGRAM TO THE CITY OF LOCKHART’S INSIDE-CITY RESIDENTIAL UTILITY CUSTOMERS WHO ARE EXPERIENCING FINANCIAL HARDSHIPS DUE TO THE COVID-19 PANDEMIC.

There was discussion.

Councilmember Michelson made a motion to extend the Utility Bill Relief Grant Program to include all billing cycles beginning March 2020 up to cycle 1 in December 2020 due on December 25, 2020, to eliminate the eligibility requirement of income levels from the original program guidelines and requirements, and to extend the Program to all utility accounts. Councilmember Bryant seconded. The motion passed by a vote of 7-0.

ITEM 5-C. DISCUSSION AND/OR ACTION TO CONSIDER THE MAYOR'S DECLARATION OF LOCAL DISASTER REGARDING REQUIRING FACE COVERINGS, AND ADDRESSING OTHER MATTERS RELATED TO COVID-19, IF NECESSARY.

There was discussion regarding the cooperation of the local businesses and the community with regards to wearing facial coverings.

After discussion, it was the consensus of the Council to keep the Mayor's Order as currently written.

ITEM 5-D. DISCUSSION AND/OR ACTION REGARDING APPOINTMENTS TO VARIOUS BOARDS, COMMISSIONS OR COMMITTEES.

Mayor White requested appointments to boards and commissions.

Councilmember Bryant made a motion to re-appoint members to the boards listed below. Councilmember McGregor seconded. The motion passed by a vote of 7-0.

Board of Adjustment - Juan Juarez
 Construction Board – Oscar Torres
 Lockhart Economic Development Corporation – Umesh Patel
 Electric Board – James Briceno
 Historical Preservation Commission – Ron Faulstich
 Library Board – Quartermetra Hughes
 Parks and Recreation – James Torres
 Planning & Zoning Commission – Manuel Oliva

ITEM 6. CITY MANAGER'S REPORT, PRESENTATION AND POSSIBLE DISCUSSION.

- Library Updates:
 - 2020 Virtual Evening with the Authors was a success.
 - Library staff will begin preparations for Dickens Christmas decorations.
- Public Works Updates:
 - Update regarding booster pump improvements at the Maple Street elevated water storage tank.
 - The SH 130 elevated water storage tank will be substantially complete by the end of October.
 - The Town Branch Trail Phase II and the South Colorado Street sidewalk projects are expected to begin in November.
 - City staff recently repaved the intersection of Torres Street near Blackjack Street.
 - The bid due date for the 2020 Street Paving projects is October 29th.

- Fire Department Updates:
 - Update regarding renovation analysis for the Lockhart Fire Station No. 1.
 - Firefighter entrance exam and physical agility test is scheduled for October 24, 2020. The fire department currently has 4 open positions.
- A police officer exam will be conducted on Friday, October 23.
- Update regarding citizens Wayfinding Committee.
- Early voting for the November 3, 2020 General Election began on October 13th and continues until October 30th at the Scott Annex, 1403 Blackjack Street.
- 2020 U.S. Census update.
- The Lockhart Police Department participated in Domestic Violence Awareness Month in October and in Purple Thursday on October 15.

ITEM 7. COUNCIL AND STAFF COMMENTS – ITEMS OF COMMUNITY INTEREST.

Councilmember Mendoza thanked the city Street department for paving Torres Street up to FM 20. He reported that approximately 19% of registered voters have voted early.

Mayor Pro-Tem Sanchez expressed condolences the families of Jesse Baltierra, Juanita Reyna Gutierrez, and Beatrice O'balle Rodriguez for their loss. She encouraged everyone to vote and she expressed best wishes to all the candidates. She thanked Benny Boyd for providing dinner to the Lockhart Independent School District staff this evening.

Councilmember McGregor welcomed El Dorado as a new business downtown.

Councilmember Bryant encouraged everyone to vote.

Mayor White thanked the Lockhart Police Department and the Caldwell County Sheriff's Department for keeping the event on the square this past Friday under control.

ITEM 8. 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 8:17 p.m.

PASSED and APPROVED this the 5th day of November 2020.

CITY OF LOCKHART


Lew White, Mayor

ATTEST:


Connie Constancio, TRMC
City Secretary

