

**LOCKHART CITY COUNCIL  
REGULAR MEETING**

**FEBRUARY 2, 2021**

**6:30 P.M.**

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

**Council present:**

Mayor Lew White  
Councilmember Juan Mendoza  
Councilmember Jeffry Michelson

Councilmember Derrick David Bryant  
Councilmember Kara McGregor  
Councilmember Brad Westmoreland

**Council absent:**

Mayor Pro-Tem Angie Gonzales-Sanchez

**Staff present:**

Steven Lewis, City Manager  
Monte Akers, City Attorney  
Sean Kelley, Public Works Director  
Mike Kamerlander, Economic Development Dir.

Connie Constancio, City Secretary  
Dan Gibson, City Planner  
Pam Larison, Finance Director

**Citizens/Visitors Addressing the Council:** Jason Giulletti, President of the Greater San Marcos Partnership; Ashley Rios of the Hays-Caldwell Women's Center; Citizens, Eli Wood, Shirley and Homer Williams; and, Angie Flores of Raftelis Financial Consultants (virtual).

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

Mayor White announced that Mayor Pro-Tem Angie Gonzales-Sanchez would not be able to attend tonight's meeting due to an illness. He 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 FEBRUARY AS BLACK HISTORY MONTH.**

Mayor White presented the proclamation to Representatives of the Progressive Club. Shirley Williams provided a history about the Progressive Club and their efforts to contribute to the community.

**B. PRESENTATION OF A PROCLAMATION DECLARING FEBRUARY AS DATING VIOLENCE AWARENESS AND PREVENTION MONTH.**

Mayor White presented the proclamation to Ashley Rios, Director of the Hays-Caldwell Women's Center (HCWC). Ms. Rios provided information about how the HCWC assists the community.

**DISCUSSION ONLY**

**A. PRESENTATION BY THE GREATER SAN MARCOS PARTNERSHIP AND THE LOCKHART ECONOMIC DEVELOPMENT CORPORATION REGARDING ECONOMIC DEVELOPMENT ACTIVITIES.**

Jason Giulletti, President of the Greater San Marcos Partnership gave the update regarding the economic development assistance to City of Lockhart.

Mr. Kamerlander provided an update regarding the Lockhart Economic Development progress in the City of Lockhart.

**B. DISCUSS MINUTES OF THE CITY COUNCIL MEETING OF JANUARY 5, 2021, JANUARY 19, 2021 AND JANUARY 23, 2021.**

Mayor White requested corrections. There were none.

**C. RECEIVE 1<sup>ST</sup> QUARTER FISCAL YEAR 2021 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 and there was discussion regarding the following topics of the 1<sup>st</sup> Quarter for Fiscal Year 2021 Investment report ending December 31, 2020:

- 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.

**D. DISCUSS PROPOSAL AND CONTRACTUAL AGREEMENT BETWEEN RAFTELIS FINANCIAL CONSULTANTS, INC., AND THE CITY OF LOCKHART; AND AUTHORIZING THE CITY MANAGER TO SIGN THE CONTRACTUAL AGREEMENT.**

Ms. Larison stated that the City of Lockhart Water and Wastewater systems are self-supporting, meaning that no property taxes or sales taxes go toward the operations of these systems. The utility systems are supported through charges for services paid by users of the systems. The cost of these systems has grown with the expansion of Lockhart's customer base. The purpose of the study is to determine the total cost of providing water and wastewater services, equitably distribute costs to customers, and design rates to safeguard the financial integrity of the City. Areas to be studied include: 1) current capital needs and increasing demand against current supply; 2) current infrastructure maintenance; and 3) meeting debt obligations. In 2021, an in-house rate study was performed by the Finance Department to determine the rates needed to meet the City's debt obligations and again in 2017 with the Carrizo Ground Water Project. A component of this study is to develop a multi-year financing plan covering a multi-year capital plan (i.e. the water and wastewater impact fee analysis and capital improvements plan prepared by TRC Engineers in February 2017). The financing plan's aim is to ensure that the proposed capital plan is achievable within expected available resources. Without the cost-of-service study and financial plan, it is difficult to address the current and long-term needs of the customers and businesses. Both the Water and Wastewater funds are budgeted at revenues over expenditures. The proposed budget amendments will affect the following funds as such: 1) Water fund will maintain revenues over expenditures by \$120,145 with budget amendment of \$18,192; and 2) Wastewater fund will maintain revenues over expenditures by \$2,807 with a budget amendment of \$18,192. Ms. Larison recommended approval of the agreement. There was discussion.

**E. DISCUSS ANNUAL REVIEW OF THE CITY OF LOCKHART EMERGENCY WARNING SYSTEM POLICIES WHICH INCLUDES THE OUTDOOR WARNING SIRENS (OWS) AND THE REGIONAL NOTIFICATION SYSTEM (RNS) IN PARTNERSHIP WITH THE CAPITAL AREA COUNCIL OF GOVERNMENTS (CAPCOG).**

Chief Jenkins stated that severe weather is common in Central Texas from March through November. This includes the typical, peak severe thunderstorm and tornado months from March to June, and it includes the Atlantic hurricane season from June 1 to November 30. The purpose of this agenda item is to complete a routine annual review of the policy and make any needed amendments before the upcoming severe weather season. The current emergency warning system includes both outdoor and indoor warning methods. Outdoor Warning Sirens consisting of five (5) electro-mechanical rotating sirens are strategically located throughout the city. The sirens are tested the 1<sup>st</sup> Monday of each month at 1:00 p.m. Indoor warnings are managed through the CAPCOG Regional Notification System ([WarnCentralTexas.org](http://WarnCentralTexas.org)) that has been implemented for citizens to receive warnings and important information on a phone (call or text), and computers (Email), to include automated weather warnings from the National Weather System. The current warning system was adopted by Resolution No. 2019-14 on July 2, 2019. Key points of the emergency warning system are that the outdoor sirens are tested the first Monday of each month; dispatch staff conducts monthly tests in the event of a manual activation; and activation criteria for the sirens was adopted. On August 6, 2019, City Council approved the purchase of an automated Tornado Warning siren activation software that will be automatically activated if the National Weather Service (NWS) issues a tornado warning. Outdoor Warning Sirens were activated twice by staff in 2020 for severe weather. In 2020, Caldwell County had 549 sign-ups to [WarnCentralTexas.org](http://WarnCentralTexas.org) with 12 severe weather notifications. There was discussion.

**H. DISCUSS 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 lack of compliance of several local businesses of the face covering requirement, directing staff to conduct inspections and to create a policy about issuing citations to businesses that continue to be non-compliant.

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 7:50 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 on items that are not on the agenda. There were none.

**ITEM 4-A. HOLD A PUBLIC HEARING ON APPLICATION ZC-21-01 BY SCOTT MILLER ON BEHALF OF BENNY HILBURN FOR A ZONING CHANGE FROM RLD RESIDENTIAL LOW DENSITY DISTRICT, RMD RESIDENTIAL MEDIUM DENSITY DISTRICT, AND AO AGRICULTURAL-OPEN SPACE DISTRICT TO RMD RESIDENTIAL MEDIUM DENSITY DISTRICT ON 50.745 ACRES IN THE CORNELIUS CRENSHAW SURVEY, ABSTRACT NO. 68, LOCATED AT 1701 WEST SAN ANTONIO STREET (SH 142).**

Mayor White opened the public hearing at 7:46 p.m.

Mr. Gibson stated that the applicant proposes to develop a single-family residential subdivision with lot sizes that are similar to those in the adjacent Windridge Subdivision. The preliminary layout shows the existing and future streets in Windridge being extended into the new subdivision. RMD zoning is necessary to accommodate the proposed lot sizes. Over half of the subject property is already zoned RMD, while a strip at the front is currently zoned RLD, and an area at the rear is zoned AO. The entire eastern border of the subject property, except for a small section at the south end, abuts property that is already zoned RMD. Therefore, this zoning change would simply enlarge the existing pattern of RMD zoning in the area. This is a new subdivision where the subdivider will be responsible for all new streets and utilities, including any needed off-site utility extensions. There will be one internal street intersecting West San Antonio Street at Richland Drive, but other internal streets will connect to existing and future subdivisions on both the east and west sides. The proposed RMD zoning classification is consistent with the Land Use Plan map designation of Medium Density Residential for this tract. Mr. Gibson stated that the Planning and Zoning Commission and staff recommend approval. One letter of opposition was submitted after the Planning and Zoning Commission meeting.

Mayor White requested the applicant to address the Council.

Scott Miller of Ranch Road Development requested approval of the zoning change. He provided details and there was discussion regarding the proposed development. If approved, the development process would begin in the summer of 2021.

Mayor White requested citizens in favor of the zoning change to address the Council. There were none.

Mayor White requested citizens against the zoning change to address the Council.

Eli Wood, 210 Windridge Drive North, spoke against the zoning change. He suggested that the acreage remain zoned agriculture and that the City should prioritize installing public amenities in the area.

Mayor White requested additional citizens to address the Council regarding the zoning change. There were none. He closed the public hearing at 8:07 p.m.

**ITEM 4-B. DISCUSSION AND/OR ACTION TO CONSIDER ORDINANCE 2021-02 AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF LOCKHART, TEXAS, TO RECLASSIFY THE PROPERTY KNOWN AS 50.745 ACRES IN THE CORNELIUS CRENSHAW SURVEY, ABSTRACT NO. 68, LOCATED AT 1701 WEST SAN ANTONIO STREET (SH 142), FROM RLD RESIDENTIAL LOW DENSITY DISTRICT, RMD RESIDENTIAL MEDIUM DENSITY DISTRICT, AND AO AGRICULTURAL-OPEN SPACE DISTRICT TO RMD RESIDENTIAL MEDIUM DENSITY DISTRICT.**

There was discussion.

Councilmember Bryant stated that many of the residents in the Windridge Subdivision are frustrated with the one point of entrance and that the neighborhood will appreciate a second entrance.

Councilmember Michelson made a motion to approve Ordinance 2021-02, as presented. Councilmember McGregor seconded. The motion passed by a vote of 6-0.

**ITEM 5. CONSENT AGENDA.**

Councilmember Westmoreland made a motion to approve consent agenda items 5A, 5B and 5C. Councilmember Mendoza seconded. The motion passed by a vote of 6-0.

The following are the consent agenda items that were approved:

5A: Approve minutes of the City Council meeting of January 5, 2021, January 19, 2021 and January 23, 2021.

5B: Accept 1<sup>st</sup> Quarter Fiscal Year 2021 Investment Report.

5C: Approve proposal and contractual agreement between Raftelis Financial Consultants, Inc., and the City of Lockhart; and authorizing the City Manager to sign the contractual agreement.

**ITEM 6-A. DISCUSSION AND/OR ACTION TO CONDUCT AN ANNUAL REVIEW OF THE CITY OF LOCKHART EMERGENCY WARNING SYSTEM POLICIES WHICH INCLUDES THE OUTDOOR WARNING SIRENS (OWS) AND THE REGIONAL NOTIFICATION SYSTEM (RNS) IN PARTNERSHIP WITH THE CAPITAL AREA COUNCIL OF GOVERNMENTS (CAPCOG).**

Mayor White announced that the report was made during the work session.

Councilmember McGregor made a motion to accept the report. Councilmember Bryant seconded. The motion passed by a vote of 6-0.

**ITEM 6-B. PRESENTATION OF THE 1<sup>ST</sup> QUARTER FINANCIAL REPORT FOR FISCAL YEAR 2020-2021.**

Ms. Larison stated that according to the Government Finance Officers Association (GFOA) best practices, the Finance department of the City of Lockhart should present quarterly budget reports to the Council. Quarterly financial reports provide a comprehensive review of the City's primary operating funds, the General Fund, Electric Fund, Water Fund, Wastewater Fund and Solid Waste Fund with graphical representation and trend analysis. The report provides comparison charts of prior year actual results and current year budget positions. It also provides beginning and ending fund balances and cash position of each fund, and additional information of a sales tax and ad valorem analysis. The City's financial department will strive to continue to make improvements in its financial reporting so that information is available to City Council, City Management, and citizens to help in making sound financial decisions. There was discussion.

Councilmember Michelson made a motion to accept the 1<sup>st</sup> Quarter Financial Report, as presented. Councilmember McGregor seconded. The motion passed by a vote of 6-0.

**ITEM 6-C. DISCUSSION REGARDING USE OF REVENUE GENERATED OF THE SALE OF THE CITY PROPERTY AT 728 S. MAIN STREET.**

Mayor White stated that the issue was discussed during the recent Council goals retreat.

Mr. Lewis stated that in 2017, the City Council voted to accept the donation of property from the former St. Paul United Church at 728 South Main Street. In 2020, the property was sold to The Well Church for \$250,000. These funds were deposited into the General Fund and can be appropriated for governmental uses. There was discussion.

Mr. Kelley provided information regarding several options of picnic tables, portable restroom facilities and landscaping for the vacant property in the downtown district at East Market and South Commerce. An opportunity has been proposed to lease the property for one-year to add outdoor seating for the public while visiting the local downtown businesses. There was discussion.

CONSENSUS: After discussion, the consensus of the Council was to authorize staff to proceed with pursuing the lease of the property in the downtown district, to submit application for the improvements on the property with the Lockhart Historical Preservation Commission and to return with an estimate of the improvements at a Council meeting.

**ITEM 6-D. 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.**

Mayor White stated that the item was discussed during the work session.

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

Mayor White requested appointments to boards and commissions.

Mayor White made a motion to appoint Karla Tate to the Parks Advisory Board. Councilmember Michelson seconded. The motion passed by a vote of 6-0.

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

- Update regarding new City phone system.
- Lockhart Police Department entrance exam will be held on Saturday, February 27, 2021. This exam will be open to both certified and non-certified applicants.
- Update regarding Public Information Officer position.
- AARP offering contactless tax aid at the Library, February 22 – April 12.

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

Councilmember Mendoza thanked the Lockhart Chamber of Commerce for providing the meal for their annual banquet.

Councilmember Bryant thanked the City for the proclamation declaring February as Black History Month.

**ITEM 9. 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; AND/OR SETTLEMENT OFFER - Discussion of legal issues regarding contract amendment for Project Future.**

Mayor White announced that the Council would enter Executive Session at 8:48 p.m.

**ITEM 10. OPEN SESSION - Discussion and/or action regarding contract amendment for Project Future.**

Mayor White announced that the Council would enter Open Session at 9:09 p.m.

Councilmember McGregor made a motion to approve amendments to the proposed contract as discussed. Councilmember Westmoreland seconded. The motion passed by a vote of 6-0.

**ITEM 11. ADJOURNMENT.**

Councilmember Mendoza made a motion to adjourn the meeting. Councilmember McGregor seconded. The motion passed by a vote of 6-0. The meeting was adjourned at 9:10 p.m.

PASSED and APPROVED this the 16<sup>th</sup> day of February 2021.

*23<sup>rd</sup>*

**CITY OF LOCKHART**

*Jim White*  
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Jim White, Mayor

ATTEST:

*Connie Constancio*  
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Connie Constancio, TRMC  
City Secretary

