

REGULAR MEETING**LOCKHART CITY COUNCIL****AUGUST 17, 2021****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
 Julie Bowermon, Civil Service/HR Director
 Ernest Pedraza, Police Chief

Connie Constancio, City Secretary
 Victoria Maranan, Public Information Officer
 Sean Kelley, Public Works Director
 Randy Jenkins, Fire Chief

Citizens/Visitors Addressing the Council: Sydney Falk with Bickerstaff, Heath, Delgado & Acosta; and BJ Westmoreland of the Lockhart Chamber of Commerce.

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. RECEIVE UPDATE AND DISCUSSION REGARDING THE REDISTRICTING PROCESS.**

Ms. Constancio stated that on May 4, 2021, the City Council approved an Engagement Agreement with Bickerstaff, Heath, Delgado & Acosta to provide legal services for all aspects associated with the redistricting process. She stated that Sydney Falk of the firm will give the update.

Sydney Falk of Bickerstaff, Heath, Delgado & Acosta provided information regarding the upcoming redistricting process.

B. DISCUSS UPDATE TO AN AUTOMATIC AID AGREEMENT FOR STRUCTURE FIRE RESPONSES BETWEEN LOCKHART FIRE RESCUE AND TRAVIS COUNTY FIRE RESCUE ESD#11 ORIGINALLY DATED OCTOBER 3, 2007.

Chief Jenkins stated that the original automatic aid agreement between Lockhart Fire Rescue and Travis County Fire Rescue ESD #11 is being updated to include the following changes to the agreement:

- Travis County Fire Rescue ESD #11 updated their response to include a ladder truck and a squad or engine with a minimum of four personnel total.
- Definitions were updated to include Ladder Truck, Mini-Pumper, and Squad.
- Travis County Fire Rescue ESD #11 reduced the requested response area for Lockhart Fire Rescue significantly.

Travis County Fire Rescue ESD #11 contracts with Hays/Caldwell County ESD #1 for fire protection and has a staffed fire station (#1107) located at the intersection of FM 1854 and FM 1185. This location improves their ability to respond to the City of Lockhart in a timely manner. Firefighting is an inherently dangerous and labor-intensive occupation and having adequate manpower to respond to structure fires increases safety to firefighters and the public. The National Fire Protection Association (NFPA) 1710, Standard for the Organization and Deployment of Fire Suppression Operations to the Public by Career Fire Departments, 2016 Edition recommends as an objective to respond to a single-family residence structure fire with a minimum of 12 personnel within a travel time of 8 minutes (Chapters 4.1.2.1, and 5.2.4.1.1). Lastly, the Insurance Services Office (ISO) uses the Fire Suppression Rating Schedule (FSRS) to evaluate communities on their fire suppression capabilities. A Public Protection Classification (PPC) is then assigned to the community. Our current PPC is 3/3X. Entering into Automatic Aid Agreements for structure fires can enhance our FSRS score in the areas of fire apparatus, equipment, and personnel. Chief Jenkins recommended approval.

C. DISCUSSION REGARDING SETTING THE 2021 COMBINED MAINTENANCE AND OPERATIONS AND INTEREST AND SINKING PROPOSED PROPERTY TAX RATE FOR THE CITY OF LOCKHART. IF THE PROPOSED TAX RATE EXCEEDS EITHER THE NO NEW REVENUE RATE OR VOTER APPROVAL RATE, A RECORD VOTE MUST BE TAKEN TO PLACE A PROPOSAL TO ADOPT THE RATE ON THE AGENDA FOR A FUTURE COUNCIL MEETING. IF THE MOTION PASSES, THE COUNCIL MUST SCHEDULE AND ANNOUNCE THE DATE, TIME, AND LOCATION OF ONE (1) PUBLIC HEARING REGARDING THE PROPOSED TAX RATE SET BY THE COUNCIL.

Ms. Larison stated that the action taken by the Council is required by the State of Texas in adherence with the Truth-In-Taxation laws. As directed by Council, a record vote will need to be taken and the date announced for the aforementioned public hearing scheduled on September 7, 2021, at 7:30 p.m. in the Council Chambers located at the Clark Library Annex - Council Chambers, 217 South Main Street, 3rd Floor, Lockhart, Texas. Senate Bill 2 has limited the percentage increase from No New Revenue to Voter Approval rate by 3.5% but has added a new unused incremental rate adjustment. Because of this, the City's adjusted Voter Approval rate has been increased by the unused incremental rate received from last year, which is 0.0123/\$100, setting the new Voter Approval rate to 0.6459/\$100.

D. DISCUSS AND REVIEW FISCAL YEAR 2021-2022 CITY MANAGER'S PROPOSED BUDGET.

Ms. Larison stated that a public hearing on the Fiscal Year 2021-2022 budget will be held during the regular meeting. The proposed budget is posted on the city website, and is available for the public to view in the office of the City Secretary, at the Clark Library and in the City Hall lobby. She introduced Jason Rasor of Raftelis to give information about proposed water and wastewater rate increases.

Jason Rasor of Raftelis provided information regarding the following:

- Commercial water meter counts and commercial water rate scenarios.
- Residential water meter counts and water rate scenarios.
- 3-year phase in fixed water meter charge.

Ms. Larison provided information and there was discussion regarding a proposed solid waste rate increase.

Mr. Kelley provided information and there was discussion regarding proposed increased cemetery rates.

Chief Pedraza requested one new full-time employee that would manage the property room of the Lockhart Police Department.

Ms. Bowermon provided information and there was discussion regarding a possible one-time incentive to employees for their dedication for working under extreme circumstances during the 2020 COVID-19 pandemic. The incentive is eligible to be paid through the American Rescue Plan Act (ARPA) funds.

RECESS: Mayor White announced that the Council would recess for a break at 7:41 p.m.

G. DISCUSS REQUEST BY LOCKHART CHAMBER OF COMMERCE REGARDING PARK IMPROVEMENTS.

Mayor White requested BJ Westmoreland to address the Council.

B.J. Westmoreland, Chair of the Lockhart Chamber of Commerce, stated that at the previous Council meeting, the Lockhart Chamber announced that they were returning funds in the amount of \$26,500 to the City of Lockhart. He requested that the city proceed with discussions about upgrades in City Park such as ADA compliance issues, restrooms upgrades and upgrading the amphitheater.

There was discussion regarding establishing a City Park Improvement ad-hoc committee to make a recommendation to the Council about improvements at the City Park and associated costs.

After discussion, the consensus of the Council was that the ad-hoc committee consist of the following: two Councilmembers, a Representative of the Lockhart Chamber of Commerce, two members of the Parks Advisory Board, a Representative of the Hispanic Chamber of Commerce, Sean Kelley, Public Works Director and Steve Lewis, City Manager.

The appointments to be made during the regular meeting are Councilmember Jeffry Michelson, Councilmember David Bryant, BJ Westmoreland and Winn Smith representing the Lockhart Chamber of Commerce, Rob Ortiz or his designee representing the Hispanic Chamber of Commerce, Warren Burnett, Chair of the Parks Advisory Board, one additional Parks Advisory Board member, Sean Kelley, Public Works Director and Steve Lewis, City Manager.

D. DISCUSS AND REVIEW FISCAL YEAR 2021-2022 CITY MANAGER'S PROPOSED BUDGET.

Mayor White reconvened discussion regarding the budget.

Ms. Larison provided information regarding one-time capital expenditure items.

E. BUDGET AMENDMENT TO THE WATER AND WASTEWATER FUNDS FOR FISCAL YEAR 2020-2021; AND APPROVING BUDGET AMENDMENT #58, AS OUTLINED IN ORDINANCE 2021-25.

Ms. Larison stated that on February 2, 2021, the City Council approved the contract to Raftelis Financial Consultants, Inc. to perform a rate study that would 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.

City Council acknowledged that a budget amendment would be necessary and approved the following:

- 520-5799-299 Contracts and Services to Water Fund \$18,191.50
- 540-5799-299 Contracts and Services to Wastewater Fund \$18,191.50

H. DISCUSSION REGARDING MATTERS RELATED TO COVID-19, IF NECESSARY.

Mayor White gave an update regarding the vaccine and testing opportunities in the community. He encouraged everyone to stay safe and to wear face coverings.

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-A. HOLD A PUBLIC HEARING ON THE CITY OF LOCKHART AND LOCKHART ECONOMIC DEVELOPMENT CORPORATION FISCAL YEAR 2021-2022 BUDGETS.

Mayor White opened the public hearing at 8:26 p.m.

Mayor White requested citizens in favor of or against the proposed budgets to address the Council. There were none. He closed the public hearing at 8:27 p.m.

ITEM 4. PUBLIC COMMENT.

Mayor White read a statement emailed to Council from Pat Stroka expressing disappointment about no longer accepting glass for recycling.

Mr. Lewis provided an explanation about why glass is no longer accepted for recycling.

ITEM 5-A. RECEIVE UPDATE AND DISCUSSION REGARDING THE REDISTRICTING PROCESS.

Mayor White announced that the update was received during the work session.

ITEM 5-B. DISCUSSION AND/OR ACTION TO CONSIDER AN UPDATE TO AN AUTOMATIC AID AGREEMENT FOR STRUCTURE FIRE RESPONSES BETWEEN LOCKHART FIRE RESCUE AND TRAVIS COUNTY FIRE RESCUE ESD#11 ORIGINALLY DATED OCTOBER 3, 2007.

Councilmember Michelson made a motion to approve the update to an Automatic Aid Agreement, as presented. Councilmember McGregor seconded. The motion passed by a vote of 7-0.

ITEM 5-C. DISCUSSION AND/OR ACTION REGARDING SETTING THE 2021 COMBINED MAINTENANCE AND OPERATIONS AND INTEREST AND SINKING PROPOSED PROPERTY TAX RATE FOR THE CITY OF LOCKHART. IF THE PROPOSED TAX RATE EXCEEDS EITHER THE NO NEW REVENUE RATE OR VOTER APPROVAL RATE, A RECORD VOTE MUST BE TAKEN TO PLACE A PROPOSAL TO ADOPT THE RATE ON THE AGENDA FOR A FUTURE COUNCIL MEETING. IF THE MOTION PASSES, THE COUNCIL MUST SCHEDULE AND ANNOUNCE THE DATE, TIME, AND LOCATION OF ONE (1) PUBLIC HEARING REGARDING THE PROPOSED TAX RATE SET BY THE COUNCIL.

Ms. Larison requested that the Council set a tax rate for Fiscal Year 2021-2022 and to schedule a public hearing on September 7, 2021.

Mayor White made a motion to set the City of Lockhart proposed tax rate of \$0.6354 which is higher than the no new revenue rate of \$0.5857 but lower than the voter approval rate of \$0.6459 and to set the public hearing on the City of Lockhart proposed tax rate on September 7, 2021 at 7:30 p.m. at Clark Library Annex, 217 South Main Street, 3rd Floor, Lockhart, Texas and authorize city staff to publish all required public notices. Councilmember Michelson seconded.

The following is the record vote of the motion:

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

The motion passed by a vote of 7-0.

ITEM 5-D. DISCUSS AND REVIEW FISCAL YEAR 2021-2022 CITY MANAGER'S PROPOSED BUDGET.

After discussion, the consensus of the Council was to include the following in the Fiscal Year 2021-2022 proposed budget:

- Full-time position in the Lockhart Police Department - evidence room employee.
- One-time American Rescue Plan Act Premium pay to city employees. (\$1,000 to full-time employees and \$500 to part-time employees)
- One-time capital expenditures:
 - City Hall – remaining bond funds; short-term tax note; or fund balance
 - Space study - \$50,000 – or remaining bond funds
 - Clark Library building renovations - \$59,000 – or remaining bond funds
 - Sidewalks - \$52,500 – sidewalk restricted use funds
 - Street improvements – additional \$100,000 – moved to 2015 Certificates of Obligation funding
 - Fire Station 1 renovations - \$455,252 – moved to 2015 Certificates of Obligation funding
 - Parks & Recreation improvements - \$455,252
 - AWIA Risk & Resilience Assessment – fencing- American Rescue Plan funds
- Utility rates:
 - Wastewater-Scenario 2 for commercial and residential rates
 - Water-3 year phase-in
 - Solid Waste-option 4
 - Increase Cemetery rates - \$800 for City resident; Caldwell County resident - \$900; Non-resident (outside Caldwell County) - \$1,500

ITEM 5-E. DISCUSSION AND/OR ACTION TO CONSIDER A BUDGET AMENDMENT TO THE WATER AND WASTEWATER FUNDS FOR FISCAL YEAR 2020-2021; AND APPROVING BUDGET AMENDMENT #58, AS OUTLINED IN ORDINANCE 2021-25.

Mayor Pro-Tem Sanchez made a motion to approve Ordinance 2021-25/Budget amendment #58, as presented. Councilmember Bryant seconded. The motion passed by a vote of 7-0.

ITEM 5-F. DISCUSSION AND/OR ACTION TO CONSIDER APPROVAL OF CITY COUNCIL MINUTES OF THE JULY 20, 2021, AUGUST 3, 2021 AND AUGUST 5, 2021 MEETINGS.

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

Councilmember Mendoza stated that he will abstain from voting on July 20 and August 5 minutes because he was not present at the meetings.

Councilmember McGregor made a motion to approve the minutes. Mayor Pro-Tem Sanchez seconded. The motion passed by a vote of 6-0-1, with Councilmember Mendoza abstaining.

ITEM 5-G. DISCUSS REQUEST BY LOCKHART CHAMBER OF COMMERCE REGARDING PARK IMPROVEMENTS.

Mayor Pro-Tem Sanchez made a motion to establish a City Park Improvement ad-hoc Committee and to appoint committee members as listed below. Councilmember Westmoreland seconded. The motion passed by a vote of 7-0.

Ad-hoc committee appointments:

Councilmember Jeffry Michelson

Councilmember David Bryant

Warren Burnett, Chair of the Parks Advisory Board

2nd member of the Parks Advisory Board

BJ Westmoreland – Lockhart Chamber of Commerce

Winn Smith – Lockhart Chamber of Commerce

Rob Ortiz or designee – Hispanic Chamber of Commerce

Sean Kelley, Public Works Director

Steve Lewis, City Manager

ITEM 5-H. DISCUSSION REGARDING MATTERS RELATED TO COVID-19, IF NECESSARY.

There was no action.

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

Mayor White requested appointments to boards or committees.

Mayor Pro-Tem Sanchez made a motion to appoint Lee Parra to the Parks Advisory Board, replacing Chris Schexnayder. She thanked Mr. Schexnyder for his service to the board. Councilmember Mendoza seconded. The motion passed by a vote of 7-0.

Councilmember Bryant made a motion to appoint Jesse Maciel, Jr. to the Lockhart Economic Development Corporation. Mayor Pro-Tem Sanchez seconded. The motion passed by a vote of 7-0.

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

- Update regarding Vintage Springs Subdivision.
- Library Updates.

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

Councilmember Mendoza invited everyone to partake in the Community meal tomorrow.

Mayor Pro-Tem Sanchez expressed condolences to the families of Amanda Brown, Carline Hoyle, James Henderson, Allen Green, Pedro Davila, and Jesus Johnny Barron for their loss. She wished the students and staff a safe and successful school year.

Councilmember McGregor wished children the best for the new school year. She encouraged everyone to wear face coverings.

Councilmember Bryant encouraged everyone to stay safe. He wished all students and teachers the best during the new school year. He thanked citizens for responding when he was searching for boardmembers.

Councilmember Michelson requested an update about Maple Street. He encouraged everyone to stay safe and to be careful.

Mayor White thanked staff for their hard work on the upcoming budget. He expressed condolences to the families that have lost a loved one. He wished teachers and students the best during the new school year and he encouraged everyone to stay safe.

ITEM 8. 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 Summertime.

Mayor White announced that the Council would enter Executive Session at 9:10 p.m.

ITEM 9. OPEN SESSION. Discussion and/or action regarding Economic Development negotiations with Project Summertime.

Mayor White announced that the Council would enter Open Session at 9:30 p.m.

Mayor Pro-Tem Sanchez made a motion to authorize the City Manager to make an offer to project Summertime in accordance with the discussion in Executive Session. Councilmember Bryant seconded. The motion passed by a vote of 7-0.

ITEM 10. 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 9:30 p.m.

PASSED and APPROVED this the 7th day of September 2021.

CITY OF LOCKHART



Lew White, Mayor

ATTEST:



Connie Constancio, TRMC
City Secretary

