

**LOCKHART CITY COUNCIL
LOCKHART ECONOMIC
DEVELOPMENT CORPORATION**

SEPTEMBER 5, 2017

6:30 P.M.

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

Council present:

Mayor Lew White	Councilmember John Castillo (arrived at 6:33 p.m.)
Councilmember Juan Mendoza	Councilmember Benny Hilburn
Councilmember Jeffry Michelson	Councilmember Brad Westmoreland
Mayor Pro-Tem Angie Gonzales-Sanchez (arrived at 6:45 p.m.)	

Lockhart Economic Development Corp. present:

Fermin Islas, Chairman	Dyral Thomas
Morris Alexander	Alfredo Munoz
Nic Irwin	

Staff present:

Vance Rodgers, City Manager	Connie Constancio, City Secretary
Peter Gruning, City Attorney	Jeff Hinson, Finance Director
Rob Tobias, Economic Development Director	Ernest Pedraza, Police Chief

Citizens/Visitors Addressing the Council: Anita DeLeon of Connections; and Tim Condon, Citizen.

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. DISCUSS MINUTES OF THE CITY COUNCIL MEETING OF AUGUST 15, 2017.

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

B. DISCUSS MEMORANDUM OF UNDERSTANDING AGREEMENT BETWEEN THE CITY OF LOCKHART AND CONNECTIONS WHICH IS A NON-PROFIT INDIVIDUAL AND FAMILY COUNSELING AGENCY FUNDED BY THE UNITED WAY AND TEXAS NETWORK OF YOUTH SERVICES AND APPOINTING THE CITY MANAGER TO SIGN THE AGREEMENTS, IF APPROVED.

Mr. Rodgers stated that this agency has been providing counseling services for the youth at the library, for several years. Anita DeLeon, Specialist, will explain their role in the community. Mr. Rodgers recommended approval.

Ms. DeLeon provided information about how the organization assists children in the community by providing counseling services to the youth. They also assist by funding several field trips and events for children.

Councilmember John Castillo arrived at the meeting at 6:33 p.m.

C. DISCUSS ORDINANCE 2017-31 AMENDING CHAPTER 20, FIRE PREVENTION AND PROTECTION, TO CHANGE, ADD OR DELETE CERTAIN SECTIONS BETWEEN SECTION 20-01 THROUGH SECTION 20-101 OF THE CODE OF ORDINANCES AND ADOPTING THE INTERNATIONAL FIRE CODE, 2015 EDITION WITH AMENDMENTS.

Mr. Rodgers stated that the current International Fire Prevention Code is out of date. This ordinance adopts the International Fire Code, 2015 Edition, with local amendments as recommended by the Interim Fire Chief, Jerry Doyle and the City Manager. The adoption of the new code helps with insurance ratings. Mr. Rodgers recommended approval.

D. DISCUSS, AFTER REPORT BY CITY MANAGER, THE INSURANCE SERVICES OFFICE, INC., (ISO) INITIAL PRELIMINARY FIRE INSURANCE CLASSIFICATION RANKING OF 9/9X IN APRIL 2017, WHICH HAS BEEN UPGRADED TO A MUCH BETTER CLASSIFICATION OF 4/4X BY ADOPTING NEW BUILDING AND FIRE CODES AND APPEALING SOME OF THE INITIAL GRADINGS; THIS BETTER CLASSIFICATION TREMENDOUSLY HELPS RESIDENTS AND BUSINESSES THAT HAVE INSURANCE COMPANIES THAT USE THE ISO SYSTEM TO DETERMINE FIRE INSURANCE RATES.

Mr. Rodgers stated that Lockhart's Public Protection System Classification (PPC System) was initially ranked by ISO as a Class 9 in April 2017 but it will be changed to a Class 4 beginning April 1, 2018. The Class 9 ranking was appealed by staff which resulted in a much better ranking of Class 4. The passage of new building and fire codes helped a lot. Class 1 is the best ranking. Information from ISO is often used by companies to determine fire insurance rates for residential and commercial policies. Very few cities with less than 20,000 population has an ISO ranking of 4 or better. Mr. Rodgers recommended approval.

There was brief discussion.

E. DISCUSS ORDINANCE 2017-32 AMENDING CHAPTER 57, TRANSPORTATION INFRASTRUCTURE UTILITY FEES, SECTION 57-1, RATES AND CHARGES OF TRANSPORTATION INFRASTRUCTURE UTILITY FEES, PROVIDING A REPEALER, PROVIDING FOR PUBLICATION, AND ESTABLISHING AN EFFECTIVE DATE.

Mr. Rodgers stated that during the Fiscal Year 2017-2018 City Council goals process, one of the priorities of the Council was to increase street maintenance and repair funding to help protect the vast investment in City streets. As a result, staff recommended increasing the current Transportation Infrastructure Utility fee by \$2 per month from \$4 to \$6 for each dwelling and business unit. The additional estimated \$130,000 revenue would be used to purchase more repair and maintenance materials. The current fee of \$4 per month has been the same since 2005. Mr. Rodgers recommended approval.

There was discussion about the ordinance becoming in effect during the first billing cycle in October 2017.

Mayor Pro-Tem Sanchez arrived at 6:45 p.m.

F. DISCUSS ORDINANCE 2017-33 CHANGING CERTAIN CITY ELECTION POLLING PLACES AND CHANGING THE HOURS OF EARLY VOTING FOR THE JOINT ELECTION OF THE CITY OF LOCKHART AND CALDWELL COUNTY TO BE HELD ON NOVEMBER 7, 2017 IN ORDER TO COMPLY WITH THE CONSOLIDATION OF PRECINCTS AND POLLING PLACES BY CALDWELL COUNTY.

Mr. Gruning stated that on June 20, 2017, the City Council ordered the November 7, 2017 elections that included the election day polling locations and early voting hours at the main early voting location. On August 28, 2017, the Caldwell County Commissioners Court approved a different polling location at City District 4 from the First Lockhart Connection Center to the First Lockhart Baptist Church Hall and they also decreased the early voting hours at the Scott Annex for Saturday, October 28, 2017 from 7am -7pm to 12pm-7pm. The ordinance would amend the election information to coincide with the Caldwell County precincts and early voting hours. There was brief discussion.

G. DISCUSS INTERLOCAL COOPERATION AGREEMENT BETWEEN THE LOCKHART POLICE DEPARTMENT AND THE LOCKHART INDEPENDENT SCHOOL DISTRICT (ISD) FOR TWO SCHOOL RESOURCE OFFICERS FOR THE 2017-2018 SCHOOL YEAR.

Chief Pedraza provided information about the agreement and about the fees that the school district will pay for the school resource officers (SRO). The Memorandum of Understanding outlines the role and responsibilities of the Lockhart Police Department and Lockhart ISD with respect to one officer housed at the High School and one officer housed at the Junior High as roving SROs assigned to the school district. There was discussion.

H. DISCUSS USE OF UP TO \$100,000 OF UNRESTRICTED GENERAL FUND BALANCE FOR WATER AND WIND DAMAGES AT THE CLARK ANNEX, MUNICIPAL COURT, AND POLICE DEPARTMENT BUILDINGS.

Mr. Rodgers stated that the high wind driven rain caused leaks and damages in three City owned structures including the Clark Annex with some damage on all floors, Municipal Court building, and the Police Department. Major sealing of windows and brick mortar, door replacement/re-settings, replacement of some carpet, wood flooring repairs, shelf restoration, and repainting in several areas will be required in the Clark Annex. Municipal Court windows must be sealed, carpet replaced, ceiling tile removed and replaced, and some painting. The Police Department building roof ridge vent will need repair and several windows need to be removed and sealed properly. The City Manager will keep Council informed about final repair expenses. Any unused funds will stay in the unrestricted funds balance and will not be transferred out for any other uses other than approved by the Council. Staff recommended approval.

Councilmember Castillo expressed concern about the contractor that originally did the work and their being responsible for the leaks. Mr. Rodgers explained that the windows were put in according to specifications but rain driven by 45+ mph horizontal winds revealed other leaks and there were no requirements to seal the outside of the structure in the original scope of work because of insufficient funds. He also explained that previous ceiling leaks were mostly due to faulty air-conditioning condenser collection pan switches which had been replaced. There was discussion.

I. DISCUSS REQUEST BY LOCKHART PARTNERS II FOR AN EXTENSION OF THE CITY'S FUNDING COMMITMENT IN AN AMOUNT NOT TO EXCEED \$75,000 FOR DRAINAGE IMPROVEMENTS ON MAPLE STREET EAST OF THE MEADOWS AT CLEARFORK PHASE III SUBDIVISION DEVELOPMENT, AND APPOINTING THE CITY MANAGER TO SIGN THE LETTER OF EXTENSION, IF APPROVED.

Mr. Rodgers stated that Council approved this funding in May of this year. The developer requests an extension until April of 2018 for the funding commitment. They hope to start construction by October 2017. The construction plans for Phase III of Meadows at Clearfork Subdivision include extending storm water facilities east outside the scope of the development on Maple Street. They will be retrofitting the existing detention pond on the south side of Maple used for soccer practice to accommodate additional storm water demand for Phase III. Funds from Certificates of Obligation up to \$75,000 are available to assist with this project. Doing this now will help reduce costs when Maple Street is widened and extended further to the east in the future. The developer is spending an estimated \$527,800 on Maple Street of which \$100,000 will be funded from Road Impact Fees since Maple Street is a high priority on the Impact Fee Road project list. The funds would be paid upon completion and acceptance of the Maple Street public improvements and after receiving an invoice from Lockhart Partners II. Mr. Rodgers recommended approval. There was discussion.

J. DISCUSS PROFESSIONAL SERVICES AGREEMENT WITH SCHNEIDER ENGINEERING TO PREPARE ALL COMPLIANCE DOCUMENTS REQUIRED UNDER RECENTLY PASSED SENATE BILL 1004 WHICH ALLOWS WIRELESS NETWORKS TO PLACE NETWORK NODES IN THE PUBLIC RIGHT-OF-WAY ON CITY-OWNED STRUCTURES, MANDATES THE NECESSITY TO UPDATE POLE ATTACHMENT POLICIES, PREPARATION OF A TECHNICAL DESIGN MANUAL, AND TO IDENTIFY AREAS TO BE EXEMPT FROM SMALL AREA CELL DEPLOYMENT INCLUDING BUT NOT LIMITED TO PARKS, RESIDENTIAL, AND HISTORICAL DISTRICT AREAS, AND APPOINTING THE CITY MANAGER TO SIGN THE AGREEMENT, IF APPROVED.

Mr. Rodgers stated that because of documents mandated by Senate Bill 1004, it is a necessity to acquire professional services to assemble and create documents for compliance. The City already has an existing professional services agreement with Schneider Engineering whereby the firm assists with third party power purchases, ERCOT, FERC, and NERC compliance issues. Under this proposed agreement, Schneider Engineering would address the technical issues and paperwork for compliance with Senate Bill 1004 as stated in the caption above. The fee would not exceed \$7,500. Mr. Rodgers recommended approval. There was discussion.

K. DISCUSS RESOLUTION 2017-10 APPROVING A TYPE 4B PROJECT UNDER SECTION 4B OF THE TEXAS ECONOMIC DEVELOPMENT CORPORATION ACT OF 1979, AMENDED, TO FUND UP TO \$393,000 FOR INCENTIVES TO LOCKHART EMERGENCY CARE CENTER, LLC. FOR INFRASTRUCTURE AND OTHER DEVELOPMENT RELATED COSTS WHICH ARE FOUND BY THE LOCKHART ECONOMIC DEVELOPMENT CORPORATION (LEDC) BOARD OF DIRECTORS TO BE ALLOWABLE COSTS AS AN INCENTIVE TO ATTRACT THE BUSINESS WHICH WILL HAVE AN ESTIMATED INITIAL INVESTMENT OF \$5.8 MILLION EXCLUDING LAND AND WILL INITIALLY CREATE AND MAINTAIN THROUGHOUT THE AGREEMENT A MINIMUM OF 30 FULL-TIME EQUIVALENT (FTE) JOBS AVERAGING \$30.00 PER HOUR AND HAVE AT LEAST 39 FTE BY THE 10TH YEAR IN BUSINESS.

Mr. Tobias stated that the Lockhart Economic Development Corporation (LEDC) Board of Directors wish to work with the City of Lockhart in a cooperative effort to use up to \$393,000 of 4B funds for infrastructure and other development related costs to construct a facility that will require an estimated initial investment of \$5.8 million and will create and maintain throughout the five-year agreement a minimum of 30 full-time equivalent (FTE) jobs averaging \$30.00 per hour and have a minimum of 39 FTE by the 10th year in business. The LEDC approved the project on January 11, 2017, after a public hearing. There was no opposition voiced by the public. On August 22, 2017, the LEDC amended the project name and reduced the incentives. The LEDC has determined that the funds could be used under its discretion to promote or develop new or expanded business enterprises that create or retain jobs. Two readings of the Resolution will be conducted during the regular meeting portion of the agenda. There was discussion.

Tim Condon, Representative of Lockhart Emergency Care Center, provided information about the project and requested the Council's support and approval.

L. DISCUSS PROPOSED 380 ECONOMIC DEVELOPMENT PROGRAM AGREEMENT BETWEEN THE CITY OF LOCKHART AND LOCKHART EMERGENCY CARE CENTER, LLC WHEREBY THE COMPANY AGREES TO EXPAND ITS BUSINESS INTO THE CITY OF LOCKHART AND TO INVEST AN ESTIMATED \$5.8 MILLION IN BUILDINGS, EQUIPMENT AND INFRASTRUCTURE, EXCLUDING LAND, AND TO EMPLOY A MINIMUM OF THIRTY (30) NEW FULL-TIME EQUIVALENT (FTE) JOBS WITH AN AVERAGE WAGE OF \$30.00 PER HOUR THROUGHOUT THE TERM OF THE AGREEMENT AND EMPLOY AT LEAST 39 FTE JOBS BY THE 10TH YEAR IN EXCHANGE FOR PROPERTY TAX REBATES POTENTIALLY AMOUNTING TO \$264,625 OVER A TEN (10) YEAR PERIOD.

Mr. Tobias stated that the City is authorized by Section 380.001 of the Texas Government Code, to promote state and local economic development and to stimulate business and commercial activity within the City. The proposed 380 Economic Development Program Agreement states the maximum amount of property tax rebates by year that will be paid to the company over a ten-year period as long as the company complies with creating and maintaining 30 FTE jobs and the average wage of \$30 per hour and to employ at least 39 FTE jobs by the 10th year of the agreement. Failure to maintain the FTE jobs and the average wage will result in reduction of property tax rebate on a ratio basis. The tax rebate cannot include property tax paid on the land.

M. DISCUSS APPOINTMENT OF PARKS MASTER PLAN STEERING COMMITTEE MEMBERS AT THE SEPTEMBER 19 MEETING MADE UP OF COUNCILMEMBERS, CITY STAFF, TWO PARKS ADVISORY BOARD MEMBERS, BUSINESS AND CIVIC ORGANIZATION MEMBERS, AND OTHER AS DETERMINED BY COUNCIL TO SERVE AS A SOUNDING BOARD FOR RECOMMENDATIONS MADE BY THE CONSULTANT.

Mr. Rodgers stated that the Parks Master Plan Scope of Work includes appointment by Council of a Steering Committee to perform tasks as outlined in the document. The first meeting will be held on Thursday, September 28 and the first public meeting on Tuesday, October 10. Meetings will be held in the Glosserman Room at City Hall at 6:30 p.m. The Parks Advisory Board recommended Albert Villalpando and Dennis Placke as the two Parks Board members to serve on the committee. Mr. Rodgers recommended that 8-10 members serve on the steering committee. The meetings will be held at City Hall in the Glosserman Room at 6:30 p.m. There was discussion.

N. DISCUSS APPOINTMENT OF A TEMPORARY AD-HOC COMMITTEE TO DETERMINE A PRIORITY LIST FOR POSSIBLE USES OF THE DONATED ST. PAUL UNITED CHURCH OF CHRIST PROPERTY.

Mr. Rodgers stated that at the last meeting, the Council voted unanimously to accept the donation of the property from the St. Paul United Church. Council discussed several possible uses for the property and decided to appoint a temporary ad-hoc committee. There was discussion.

Councilmember Westmoreland recommended to appoint Amelia Smith and Jackie Westmoreland.

Mayor White recommended to appoint Todd Blomerth.

O. DISCUSSION AND/OR ACTION TO CONSIDER RESOLUTION 2017-11 NAMING AN INDIVIDUAL AS THE CITY OF LOCKHART'S NOMINEE TO FILL A VACANT POSITION TO THE BOARD OF DIRECTORS OF THE CALDWELL COUNTY APPRAISAL DISTRICT (CCAD).

Mr. Rodgers stated that a vacancy exists on the CCAD Board of Directors of which each taxing entity can make a nomination. The deadline to submit the Resolution with a name is September 8, 2017. There was discussion.

P. DISCUSS THE CITY COUNCIL'S SELECTION WITH UP TO 457 VOTES OF A NOMINEE OR NOMINEES TO THE CALDWELL COUNTY APPRAISAL DISTRICT (CCAD) BOARD OF DIRECTORS FOR THE FISCAL YEAR 2018-2019 PERIOD TO BE APPROVED BY A COUNCIL RESOLUTION AT THE SEPTEMBER 19, 2017 MEETING.

Mr. Rodgers stated that the City of Lockhart received a notice about nominations for the CCAD Board of Directors for the Fiscal Year 2018-2019 period on August 17. The CCAD indicates that they must receive nomination(s) on or before October 15. In October, the City Council will only meet on October 17. If the Council chooses to make a nomination(s), a Resolution providing nominee(s) must be approved by the Council in September. There was discussion.

Q. DISCUSS RE-APPOINTMENTS OF MAYOR LEW WHITE AND COUNCILMEMBER JOHN CASTILLO TO THE CAPITAL AREA COUNCIL OF GOVERNMENTS GENERAL ASSEMBLY.

Mayor White stated that the CAPCOG General Assembly makes re-appointments every year. He requested the official re-appointments.

RECESS: Mayor White announced that the Council would recess for a break at 7:12 p.m.

REGULAR MEETING

ITEM 1. CALL TO ORDER.

Mayor White called the regular meeting of the Lockhart City Council to order on this date at 7:32 p.m.

Fermin Islas, Chair of the Lockhart Economic Development Corporation, called their meeting to order on this date at 7:32 p.m.

ITEM 2. INVOCATION, PLEDGE OF ALLEGIANCE.

Invocation – Councilmember John Castillo.

Pledge of Allegiance to the United States and Texas flags.

ITEM 3. CITIZENS/VISITORS COMMENTS.

Mayor White requested citizens to address the Council.

Fermin Islas, 1702 Meadow Lane, invited everyone to attend the annual Diez y Seis celebration hosted by the Hispanic Chamber of Chamber that will be held on September 15-16 in downtown Lockhart.

DISCUSSION AND/OR ACTION - LOCKHART CITY COUNCIL AND LOCKHART ECONOMIC DEVELOPMENT CORPORATION**ITEM 4-A. HOLD PUBLIC HEARINGS ON THE CITY OF LOCKHART AND LOCKHART ECONOMIC DEVELOPMENT CORPORATION FISCAL YEAR 2017-2018 BUDGETS.**

Mayor White opened the public hearing of the City Council at 7:34 p.m.

Chairman Islas opened the public hearing of the Lockhart Economic Development Corporation (LEDC) at 7:34 p.m.

Mr. Hinson provided information about the following regarding the LEDC and City of Lockhart budgets:

- Lockhart Economic Development Corporation's Multi-Year Financial Plan.
- City of Lockhart General Fund – Revenues and Expenditures.
- City of Lockhart General Funds.
- City of Lockhart Funds; Debt Service, Electric Utility, Water Utility, Wastewater Utility, Solid Waste Utility, Emergency Medical Service, and Airport.
- City of Lockhart Special Revenue, Capital, Miscellaneous Utility, and Trust and Agency Funds.

Mayor White requested citizens to address the Council regarding the City of Lockhart and/or Lockhart Economic Development Corporation budgets. There were none.

Chairman Fermin Islas closed the LEDC public hearing at 7:53 p.m.

ITEM 4-B. PRESENTATION, DISCUSSION AND/OR ACTION TO CONSIDER APPROVAL OF THE LOCKHART ECONOMIC DEVELOPMENT CORPORATION'S MULTI-YEAR FINANCIAL PLAN.

Councilmember Michelson made a motion to approve the Lockhart Economic Development Corporation's Multi-Year Financial Plan. Mayor Pro-Tem Sanchez seconded. The motion passed by a vote of 7-0.

LEDC Member Alfredo Munoz made a motion to approve the Lockhart Economic Development Corporation's Multi-Year Financial Plan. LEDC Member Frank Estrada seconded. The motion passed by a vote of 5-0.

LOCKHART ECONOMIC DEVELOPMENT CORPORATION (LEDC) TO ADJOURN

LEDC Member Alfredo Munoz made a motion to adjourn the meeting. LEDC Member Frank Estrada seconded. The motion passed by a vote of 5-0. The LEDC meeting was adjourned at 7:55 p.m.

Mayor White closed the public hearing regarding the budget at 7:55 p.m.

LOCKHART CITY COUNCIL TO CONTINUE MEETING

ITEM 4-C. CITY COUNCIL TO HOLD THE FIRST OF TWO PUBLIC HEARINGS ON A PROPOSAL TO INCREASE TOTAL TAX REVENUES FROM PROPERTIES ON THE TAX ROLL IN THE PRECEDING YEAR BY 6.062820 PERCENT. ANNOUNCE THAT THE DATE OF THE SECOND PUBLIC HEARING WILL BE SEPTEMBER 19, 2017 AT 7:30 P.M. AND THE VOTE ON THE TAX RATE WILL BE SEPTEMBER 26, 2017 AT 6:30 P.M. AT THE CLARK LIBRARY ANNEX – COUNCIL CHAMBERS, 217 SOUTH MAIN STREET, 3RD FLOOR, LOCKHART, TEXAS 78644.

Mayor White opened the public hearing at 7:56 p.m. and requested staff to provide information about the proposed tax rate.

Mr. Hinson stated that this is the first of two public hearings concerning the increase of tax revenues. These public hearings are required by State law if the proposed tax rate exceeds the effective tax rate. The City Council took a record vote to set the Fiscal Year 2017-2018 tax rate at 0.7260 cents per \$100 valuation. The average taxable value of a residence homestead in City of Lockhart this year is \$127,370. If the City Council adopts the effective tax rate for this year of \$0.684500 per \$100 of taxable value, the amount of taxes imposed this year on the average home would be \$871.85. If the City Council adopts the proposed tax rate of \$0.726000 per \$100 of taxable value, the amount of taxes imposed this year on the average home would be \$924.71.

Mayor White requested citizens in favor of or against the proposed tax rate to address the Council. There were none.

Mayor White announced that the second public hearing regarding the proposed Fiscal Year 2017-2018 tax rate will be held on September 19, 2017 and the vote on the tax rate will be held on September 26, 2017 at the Clark Library Annex – Council Chambers, 217 S. Main Street, 3rd Floor, Lockhart, Texas 78644.

ITEM 5-A. DISCUSSION REGARDING RESOLUTION 2017-10 APPROVING A TYPE 4B PROJECT UNDER SECTION 4B OF THE TEXAS ECONOMIC DEVELOPMENT CORPORATION ACT OF 1979, AMENDED, TO FUND UP TO \$393,000 FOR INCENTIVES TO LOCKHART EMERGENCY CARE CENTER, LLC. FOR INFRASTRUCTURE AND OTHER DEVELOPMENT RELATED COSTS WHICH ARE FOUND BY THE LOCKHART ECONOMIC DEVELOPMENT CORPORATION (LEDC) BOARD OF DIRECTORS TO BE ALLOWABLE COSTS AS AN INCENTIVE TO ATTRACT THE BUSINESS WHICH WILL HAVE AN ESTIMATED INITIAL INVESTMENT OF \$5.8 MILLION EXCLUDING LAND AND WILL INITIALLY CREATE AND MAINTAIN THROUGHOUT THE AGREEMENT A MINIMUM OF 30 FULL-TIME EQUIVALENT (FTE) JOBS AVERAGING \$30.00 PER HOUR AND HAVE AT LEAST 39 FTE BY THE 10TH YEAR IN BUSINESS. (FIRST READING)

Mr. Tobias conducted the first reading. He read Resolution 2017-10 in its entirety.

Mr. Rodgers pointed out a correction to the Resolution to reference Attachment A instead of Exhibit A.

ITEM 6. CONSENT AGENDA.

Councilmember Michelson made a motion to approve consent agenda items 6A, 6B, 6C, 6D, 6E, 6F, 6G, 6H, 6I, and 6J. Councilmember Hilburn seconded. The motion passed by a vote of 7-0.

The following are the consent agenda items that were approved:

- 6A: Approve minutes of the City Council meeting of August 15, 2017.
- 6B: Approve Memorandum of Understanding Agreement between the City of Lockhart and Connections which is a non-profit individual and family counseling agency funded by the United Way and Texas Network of Youth Services and appointing the City Manager to sign the agreements, if approved.
- 6C: Approve Ordinance 2017-31 amending Chapter 20, Fire Prevention and Protection, to change, add or delete certain sections between Section 20-01 through Section 20-101 of the Code of Ordinances and adopting the International Fire Code, 2015 Edition with amendments.
- 6D: Approve, after report by City Manager, the Insurance Services Office, Inc., (ISO) initial preliminary fire insurance classification ranking of 9/9X in April 2017, which has been upgraded to a much better classification of 4/4X by adopting new building and fire codes and appealing some of the initial gradings; this better classification tremendously helps residents and businesses that have insurance companies that use the ISO system to determine fire insurance rates.
- 6E: Approve Ordinance 2017-32 amending Chapter 57, Transportation Infrastructure Utility fees, Section 57-1, Rates and Charges of Transportation Infrastructure Utility fees, providing a repealer, providing for publication, and establishing an effective date.
- 6F: Approve Ordinance 2017-33 changing certain City Election polling places and changing the hours of early voting for the Joint Election of the City of Lockhart and Caldwell County to be held on November 7, 2017 in order to comply with the consolidation of precincts and polling places by Caldwell County.
- 6G: Approve Interlocal Cooperation Agreement between the Lockhart Police Department and the Lockhart Independent School District for two School Resource Officers for the 2017-2018 school year.
- 6H: Approve use of up to \$100,000 of Unrestricted General Fund Balance for water and wind damages at the Clark Annex, Municipal Court, and Police Department buildings.
- 6I: Approve request by Lockhart Partners II for an extension of the City's funding commitment in an amount not to exceed \$75,000 for drainage improvements on Maple Street east of The Meadows at Clearfork Phase III subdivision development, and appointing the City Manager to sign the letter of extension, if approved.
- 6J: Approve Professional Services Agreement with Schneider Engineering to prepare all compliance documents required under recently passed Senate Bill 1004 which allows wireless networks to place network nodes in the public right-of-way on city-owned structures, mandates the necessity to update pole attachment policies, preparation of a technical design manual, and to identify areas to be exempt from small area cell deployment including but not limited to parks, residential, and historical district areas, and appointing the City Manager to sign the agreement, if approved. [Form 1295=2017-09-05-28]

ITEM 7-A. DISCUSSION AND/OR ACTION TO CONSIDER RESOLUTION 2017-10 APPROVING A TYPE 4B PROJECT UNDER SECTION 4B OF THE TEXAS ECONOMIC DEVELOPMENT CORPORATION ACT OF 1979, AMENDED, TO FUND UP TO \$393,000 FOR INCENTIVES TO LOCKHART EMERGENCY CARE CENTER, LLC. FOR INFRASTRUCTURE AND OTHER DEVELOPMENT RELATED COSTS WHICH ARE FOUND BY THE LOCKHART ECONOMIC DEVELOPMENT CORPORATION (LEDC) BOARD OF DIRECTORS TO BE ALLOWABLE COSTS AS AN INCENTIVE TO ATTRACT THE BUSINESS WHICH WILL HAVE AN ESTIMATED INITIAL INVESTMENT OF \$5.8 MILLION EXCLUDING LAND AND WILL INITIALLY CREATE AND MAINTAIN THROUGHOUT THE AGREEMENT A MINIMUM OF 30 FULL-TIME EQUIVALENT (FTE) JOBS AVERAGING \$30.00 PER HOUR AND HAVE AT LEAST 39 FTE BY THE 10TH YEAR IN BUSINESS. (Second reading)

Mr. Tobias conducted the second reading. He read Resolution 2017-10 in its entirety.

Mayor Pro-Tem Sanchez made a motion to approve Resolution 2017-10, as presented. Councilmember Hilburn seconded. The motion passed by a vote of 7-0.

ITEM 7-B. DISCUSSION AND/OR ACTION REGARDING A PROPOSED 380 ECONOMIC DEVELOPMENT PROGRAM AGREEMENT BETWEEN THE CITY OF LOCKHART AND LOCKHART EMERGENCY CARE CENTER, LLC WHEREBY THE COMPANY AGREES TO EXPAND ITS BUSINESS INTO THE CITY OF LOCKHART AND TO INVEST AN ESTIMATED \$5.8 MILLION IN BUILDINGS, EQUIPMENT AND INFRASTRUCTURE, EXCLUDING LAND, AND TO EMPLOY A MINIMUM OF THIRTY (30) NEW FULL-TIME EQUIVALENT (FTE) JOBS WITH AN AVERAGE WAGE OF \$30.00 PER HOUR THROUGHOUT THE TERM OF THE AGREEMENT AND EMPLOY AT LEAST 39 FTE JOBS BY THE 10TH YEAR IN EXCHANGE FOR PROPERTY TAX REBATES POTENTIALLY AMOUNTING TO \$264,625 OVER A TEN (10) YEAR PERIOD.

Mr. Tobias stated that the 380 Economic Development Program agreement outlines the project as discussed during the work session and as outlined in Resolution 2017-10.

Mayor Pro-Tem Sanchez made a motion to approve the 380 Economic Development Program agreement between the City of Lockhart and Lockhart Emergency Care Center, LLC, as presented. Councilmember Hilburn seconded. The motion passed by a vote of 7-0.

ITEM 7-C. DISCUSSION AND/OR ACTION TO CONSIDER APPOINTMENT OF PARKS MASTER PLAN STEERING COMMITTEE MEMBERS AT THE SEPTEMBER 19 MEETING MADE UP OF COUNCILMEMBERS, CITY STAFF, TWO PARKS ADVISORY BOARD MEMBERS, BUSINESS AND CIVIC ORGANIZATION MEMBERS, AND OTHER AS DETERMINED BY COUNCIL TO SERVE AS A SOUNDING BOARD FOR RECOMMENDATIONS MADE BY THE CONSULTANT.

Councilmember Hilburn appointed Nita McBride.

Mr. Rodgers stated that the meetings will begin on September 28, 2017.

Mayor White stated that additional appointments will be made during the next meeting.

ITEM 7-D. DISCUSSION AND/OR ACTION REGARDING APPOINTMENT OF A TEMPORARY AD-HOC COMMITTEE TO DETERMINE A PRIORITY LIST FOR POSSIBLE USES OF THE DONATED ST. PAUL UNITED CHURCH OF CHRIST PROPERTY.

Councilmember Westmoreland appointed Amelia Smith and Jackie Westmoreland.

Mayor White appointed Todd Blomerth. There was discussion.

ITEM 7-E. DISCUSSION AND/OR ACTION TO CONSIDER RESOLUTION 2017-11 NAMING AN INDIVIDUAL AS THE CITY OF LOCKHART'S NOMINEE TO FILL A VACANT POSITION TO THE BOARD OF DIRECTORS OF THE CALDWELL COUNTY APPRAISAL DISTRICT.

Mayor Pro-Tem Sanchez made a motion to approve Resolution 2017-11 and to add Alfredo Munoz as the City of Lockhart's nominee to fill the vacant position. Councilmember Castillo seconded. The motion passed by a vote of 7-0.

ITEM 7-F. DISCUSSION AND/OR ACTION REGARDING THE CITY COUNCIL'S SELECTION WITH UP TO 457 VOTES OF A NOMINEE OR NOMINEES TO THE CALDWELL COUNTY APPRAISAL DISTRICT (CCAD) BOARD OF DIRECTORS FOR THE FISCAL YEAR 2018-2019 PERIOD TO BE APPROVED BY A COUNCIL RESOLUTION AT THE SEPTEMBER 19, 2017 MEETING.

Mayor White stated that the nominees will be presented during the next meeting.

ITEM 7-G. DISCUSSION AND/OR ACTION REGARDING RE-APPOINTMENTS OF MAYOR LEW WHITE AND COUNCILMEMBER JOHN CASTILLO TO THE CAPITAL AREA COUNCIL OF GOVERNMENTS GENERAL ASSEMBLY.

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

ITEM 7-H. DISCUSSION AND/OR ACTION REGARDING APPOINTMENTS TO VARIOUS BOARDS, COMMISSIONS OR COMMITTEES.

Mayor White requested appointments to boards, commissions or committees. There were none.

ITEM 7-I. PRESENTATION, DISCUSSION AND/OR ACTION REGARDING FISCAL YEAR 2017-2018 PROPOSED BUDGET, TAX RATE AND RELATED INFORMATION.

There was no discussion.

ITEM 7-J. DISCUSSION AND/OR ACTION REGARDING MAINTENANCE, OPERATIONAL AND CAPITAL BUDGETS AND FUNDING POSSIBILITIES.

There was no discussion.

ITEM 7-K. DISCUSSION AND/OR ACTION REGARDING BUDGET AND TAX RATE ADOPTION CALENDAR, IF NECESSARY.

Mr. Hinson announced that September 19, 2017 is the second public hearing regarding the tax rate and the adoption of the budget and tax rate will be held on September 26, 2017 at the Clark Library Annex – Council Chambers, 217 South Main Street, Lockhart, Texas 78644.

ITEM 8. CITY MANAGER'S REPORT, PRESENTATION AND POSSIBLE DISCUSSION.

- Update: Work has begun by Smith Contracting on Ash, Comal, Pine Street drainage project putting in storm water system first.
- Update: Work has begun by Evans Constructions installation of the large wastewater main along the north side of the railroad tracks near SH 130, north of SH 142.
- Update: Work has begun on replacing the bad 18" raw water transmission main in the well fields.
- Update: Design/engineering work for the Jason K. LaFleur Sports Complex parking and field lighting is complete; City crew will do much of the parking lot work.
- Reminder: Diez Y Seis Celebration downtown Sept 15 and 16.
- Reminder: Movies in the Park
Sept 23, The Jungle Book (rescheduled from July rainout).
- Commend: All City employees that worked during the recent storm events.

ITEM 9. COUNCIL AND STAFF COMMENTS – ITEMS OF COMMUNITY INTEREST.

Councilmember Westmoreland recognized the First Christian Church for hosting a taco dinner for those in need during the Harvey hurricane of which proceeds went to assist those affected by the hurricane. He wished all football teams the best this year.

Councilmember Mendoza thanked the first responders and city employees for working during the recent hurricane. He invited Council to the soccer youth kick-off party on Friday evening.

Mayor Pro-Tem Sanchez expressed condolences to the families of Chris DeLeon and Victor Briceno for their loss. She congratulated the Gamez family for the holding their first annual family reunion this past weekend. She expressed well wishes to those affected by the recent hurricane and she thanked the first responders and city staff for working during storm. She invited everyone to the annual Diez y Seis event that will be held on September 15-16 in the downtown square.

Councilmember Hilburn encouraged citizens to contact one of the local churches if they wish to make donations towards those affected by hurricane Harvey.

Councilmember Castillo thanked Council, staff and contractors for the drainage improvements in District 2. The drainage improvements helped tremendously during the recent hurricane. He expressed condolences to the DeLeon family for their loss. He thanked city employees for their hard work and to civic and religious organizations for their assistance during the hurricane.

Councilmember Michelson thanked Mr. Rodgers for keeping Council updated 24/7 during the hurricane. He thanked staff for their work and to Martin Ritchey, Caldwell County Emergency Management Coordinator for his dedication to public safety during an emergency.


Mayor White thanked staff, first responders, and everyone willing to assist those affected in the recent hurricane. Habit for Humanity will have a ground breaking at their third new home on Garcia Street this weekend. He thanked Councilmembers for filling in for him when he is not available to attend a community event. Good luck to Hispanic Chamber for their upcoming Diez y Seis event next weekend.

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 8:39 p.m.

PASSED and APPROVED this the 19th day of September 2017.

CITY OF LOCKHART



Lew White, Mayor

ATTEST:



Connie Constancio, TRMC
City Secretary

