

**LOCKHART CITY COUNCIL
REGULAR MEETING**

JUNE 18, 2019

6:30 P.M.

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

Council present:

Councilmember John Castillo
Councilmember Juan Mendoza
Councilmember Jeffry Michelson

Mayor Lew White
Mayor Pro-Tem Angie Gonzales-Sanchez (arrived at 6:36 p.m.)
Councilmember Kara McGregor
Councilmember Brad Westmoreland

Staff present:

Steven Lewis, City Manager
Monte Akers, City Attorney
Sean Kelley, Public Works Director

Connie Constancio, City Secretary
Pam Larison, Finance Director
Shane Mondin, Building Official

Citizens/Visitors Addressing the Council: James Jewell, EMS Director and Paramedics; Mr. George, Citizen; Dave Marsh of Capital Area Rural Transportation Services; Holly Cunningham-Keiser of Hays-Caldwell Women’s Center; Karla Merritt and Andrea Lash of the Cenikor; Kelly Frankie of the Senior Nutrition Center; Diane Coker of the Lockhart Area Senior Citizen Center; Lynette Lombardo of CASA of Central Texas; Meredith Jackovich of the Caldwell County Christian Ministries; and, Abby Trejo, 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:

PRESENTATION ONLY

A. RECOGNIZE AND CELEBRATE A “CPR SAVE” BY THE LOCKHART EMERGENCY SERVICES.

James Jewell, EMS Director, gave information about a “CPR SAVE”. He and the Lockhart paramedics thanked the City Council for funding live saving equipment such as the LUCAS/CPR machine. He introduced Mr. George who was brought back to life because of the LUCAS/CPR machine.

Mr. George expressed gratitude and thanked the Lockhart EMS for bringing him back to life.

DISCUSSION ONLY

A. DISCUSSION WITH AND PRESENTATION BY NON-PROFIT ORGANIZATIONS REQUESTING CONTRIBUTIONS FROM THE CITY OF LOCKHART FOR THE FISCAL YEAR 2019-2020 BUDGET.

Ms. Larison stated that the non-profit organizations will make their presentations reflecting how their organization assists the community and the amount that they request.

Mayor White requested the following to address the Council:

CAPITAL AREA RURAL TRANSPORTATION SYSTEM (CARTS)

Dave Marsh, General Manager of CARTS provided information about CARTS' transportation service to citizens in Lockhart. He stated that CARTS is requesting a contribution in the amount of \$6,000. There was discussion regarding their fare rates and transportation routes.

HAYS-CALDWELL WOMEN'S CENTER (HCWC)

Holly Cunningham-Keiser of the HCWC provided information about how the HCWC offers services to women and children in Caldwell County. She stated that HCWC is requesting a contribution in the amount of \$8,000.

CENIKOR FOUNDATION (CENIKOR) [formerly Hays-Caldwell Council on Alcohol & Drug Abuse]

Karla Merritt of Cenikor provided information about how their organization works to provide assistance and awareness on alcohol and drug abuse for both adults and the youth. Ms. Merritt stated that Cenikor is requesting a contribution in the amount of \$5,000.

Andrea Lash of Cenikor provided information about how they assist the youth and encourage them to be drug free by offering programs to the youth to stay busy. There was discussion.

COMBINED COMMUNITY ACTION-SR. NUTRITION CENTER (CCA)

Kelly Frankie of CCA provided information about how CCA supports the community by providing hot meals to senior citizens five days a week. Volunteers also provide a welfare check of the seniors when they receive the meals. She stated that CCA is requesting a contribution in the amount of \$8,000. There was discussion.

LOCKHART AREA SENIOR CITIZEN CENTER (LASCC)

Diane Coker of LASCC provided information about the LASCC's goal is to provide a facility for senior citizens to stay active, provide low cost meals, and to serve as an activity center. She stated that the LASCC is requesting a contribution in the amount of \$3,641,94.

CASA OF CENTRAL TEXAS

Lynnette Lombardo of CASA provided information about how their organization provides services to children in the Caldwell County area. She stated that CASA is requesting a contribution in the amount of \$10,000.

CALDWELL COUNTY CHRISTIAN MINISTRIES (CCCM)

Meredith Jackovich of the CCCM provided information about how the CCCM/food pantry provides food to those in need. She stated that the CCCM is requesting a contribution in the amount of \$3,683.68.

RECESS: Mayor White stated that the Council would recess for a break at 7:18 p.m.

REGULAR MEETING

ITEM 1. CALL TO ORDER.

Mayor Lew White called the meeting to order at 7:30 p.m.

ITEM 2. INVOCATION, PLEDGE OF ALLEGIANCE.

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

ITEM 3. CITIZENS/VISITORS COMMENTS.

Abbey Trejo, 2000 West San Antonio St., stated that she is the founder of a non-profit organization, Open Heart of Texas Outreach Center in Caldwell County. She explained that the center has a gift shop and promotional gaming. The winning and entries are through a point system where the prizes are issued by receiving an item from the gift shop, which is the same such as Chucky Cheese. The organization assists disabled individuals by using funds towards building wheelchair accessible ramps, purchasing medical equipment, and assisting with making homes wheelchair accessible. She stated that she closed her shop after she received a notice from the Caldwell County District Attorney informing her that her business was conducting illegal gambling. She asked the Council if her business was permissible and if she could reopen the shop. Mayor White requested that she speak with the City Attorney and City Manager about the legality of the business.

Mayor White requested additional citizens to address the Council. There were none.

ITEM 4-A. DISCUSSION WITH AND PRESENTATION BY NON-PROFIT ORGANIZATIONS REQUESTING CONTRIBUTIONS FROM THE CITY OF LOCKHART FOR THE FISCAL YEAR 2019-2020 BUDGET.

There was discussion regarding considering allocations during the July 2 meeting or during the budget workshop in August.

CONSENSUS: After discussion, the consensus of the Council was to consider allocations during the budget workshop in August.

ITEM 5-A. DISCUSSION AND/OR ACTION REGARDING MINUTES OF THE CITY COUNCIL MEETING OF JUNE 4, 2019.

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

Councilmember McGregor made a motion to approve the minutes. Councilmember Michelson seconded. The motion passed by a vote of 6-0-1, with Mayor Pro-Tem Sanchez abstaining because she was not present at the meeting.

ITEM 5-B. DISCUSSION AND/OR ACTION REGARDING AWARDED BID TO LANDMARK STRUCTURES OF FORT WORTH, TEXAS IN THE AMOUNT OF \$1,716,000 FOR CONSTRUCTION OF A NEW 500,000 GALLON ELEVATED WATER TANK AT THE LOCATION OF CESAR CHAVEZ PARKWAY AND FM 2001 AND APPOINTING THE MAYOR TO SIGN ALL CONTRACTUAL DOCUMENTS.

Mr. Kelley stated that the project is identified in the 2020 Comprehensive Plan. The water suppliers are required by the Texas Commission on Environmental Quality (TCEQ) to meet mandatory water storage requirements that are determined by the amount of active water service connections. The requirement states that 200 gallons of water storage must be available per connection. The City currently has 4,932 active water service connections. The 1,050,000 gallons of existing storage capacity allows the City to serve up to 5,250 connections and the new elevated water tank will allow the City to serve an additional 2,500 service connections. The elevated tank will also be an essential part of the new pressure plane that is being created on the northwest side of Lockhart. This will improve service pressures and fire flow to the west side of Lockhart where the City is

experiencing the most growth. The elevated tank project also includes the painting of two City of Lockhart logos, security fencing, and construction of a shared access entrance off Cesar Chavez Parkway. Three bids were received ranging from \$1,814,000 to a high of \$2,078,300. The lowest bid was submitted by Landmark Structures with a base bid proposal of \$1,716,000. Landmark Structures has a commendable reputation of constructing elevated water tanks. Mr. Kelley recommended approval.

Councilmember Michelson made a motion to award the bid to Landmark Structures of Fort Worth, Texas in the amount of \$1,716,000, as presented. Councilmember Mendoza seconded. The motion passed by a vote of 7-0.

ITEM 5-C. DISCUSSION AND/OR ACTION REGARDING AWARDED BID TO BELL CONSTRUCTION, INC. OF BELTON, TEXAS IN THE AMOUNT OF \$606,143.87 FOR THE INSTALLATION OF APPROXIMATELY 6,681 FEET OF 18 INCH AND 16 INCH WATER MAIN ALONG SH 130 FROM NORTH OF THE RAILROAD TRACKS AT CESAR CHAVEZ PARKWAY TO THE NEW ELEVATED WATER TANK LOCATION AND APPOINTING THE MAYOR TO SIGN ALL CONTRACTUAL DOCUMENTS.

Mr. Kelley stated that this water main improvement was identified in the 2020 Comprehensive Plan and will serve the developing west side of town. The project is the second/final phase in connecting the existing water system to the proposed water tank that will be constructed. Bids were advertised in compliance with State law for the installation of 6,681 feet of 18-inch and 16-inch water main along SH 130. Seventeen bids were received ranging from \$606,143.87 to a high of \$1,332,647.30. The lowest bid was submitted by Bell Construction, Inc. This company has a commendable reputation in utility construction. Mr. Kelley recommended approval. There was discussion.

Mayor Pro-Tem Sanchez made a motion to award the bid to Bell Construction, Inc. of Belton, Texas in the amount of \$606,143.87, as presented. Councilmember Westmoreland seconded. The motion passed by a vote of 7-0.

ITEM 5-D. DISCUSSION AND/OR ACTION REGARDING AWARDED BID TO TTE, LLC., OF SPICEWOOD SPRINGS, TEXAS IN THE AMOUNT OF \$1,025,000 FOR THE CITY LINE ROAD PUMP STATION PROJECT AND APPOINTING THE MAYOR TO SIGN ALL CONTRACTUAL DOCUMENTS.

Mr. Kelley stated that the City Line Road Pump Station will act as a booster station for the new pressure plane. It will take water from the Maple Street Elevated Water Tank and send it to the new pressure plane and new elevated storage tank to be constructed. This pump station will include two vertical turbine pumps connecting to the interior of the existing elevated tank, painting of the interior/exterior of the existing tank and painting two logos. Bids were advertised in compliance with State law. Four bids were received ranging from \$1,118,500 to a high of \$1,432,000. The lowest bid was submitted by TTE, LLC in the amount of \$1,025,000 for the base bid. TTE, LLC has a commendable reputation of installing and constructing mechanical components for water utilities, along with the capability of having the existing tank painted. Mr. Kelley recommended approval. There was discussion.

Mayor Pro-Tem Sanchez made a motion to award the bid to TTE, LLC of Spicewood Springs, Texas in the amount of \$1,025,000, as presented. Councilmember McGregor seconded. The motion passed by a vote of 7-0.

ITEM 5-E. DISCUSSION AND/OR ACTION TO CONSIDER RESOLUTION 2019-13 AMENDING ITS SCHEDULE OF RESIDENTIAL BUILDING PERMIT FEES IN ORDER TO COMPLY WITH NEW STATE LEGISLATION AND KEEPING ALL OTHER LISTED FEES IN THE SCHEDULE THE SAME AS PREVIOUSLY ADOPTED.

Mr. Mondin stated that the Texas Legislature enacted House Bill 852, which prohibits a municipality from determining the amount of building permit or inspection fees in connection with construction of a residential dwelling based on the value of the dwelling or the cost of its construction or improvement. Resolution 2019-13 establishes new building permit fees for residential projects. Electric, mechanical and plumbing permit fees will remain the same because they are a flat rate.

The residential building permit fee was calculated by averaging the cost per square foot for 14 homes. The average cost per square foot was 34.62 cents thus resulting in the recommended permit fee of 35 cents per square foot. The 35 cents per square foot is not an increase in revenue; it is revenue neutral. This change is to bring the City into compliance with the new State law/HB 852. Mr. Mondin recommended approval. There was discussion.

Mayor Pro-Tem Sanchez made a motion to approve Resolution 2019-13, as presented. Councilmember Michelson seconded. The motion passed by a vote of 7-0.

ITEM 6-A. DISCUSSION WITH CALDWELL COUNTY DISTRICT ATTORNEY, FRED WEBER, REGARDING REGULATING GAME ROOMS IN CALDWELL COUNTY.

Mayor White stated that Mr. Weber contacted him and requested that the item be pulled because he is negotiations with the game rooms. The item may be put on a future agenda.

ITEM 6-B. CONTINUE DISCUSSION AND RECEIVE UPDATE REGARDING A RESOLUTION PERTAINING TO THE PROPOSED KINDER MORGAN GAS PIPELINE. [TABLED MAY 21, 2019]

Mayor White provided an update regarding the Kinder Morgan gas pipeline. County Judge Haden indicated that they have met with Kinder Morgan and that they are very close to an agreement regarding a few issues such as burying the pipeline from 5-6 feet deeper around schools and public areas and anywhere from 5 feet or deeper where it crosses County or State Highways. The County is also proposing that the gas pipeline be no less than a 600-foot distance from residences and to add extra insulation on the gas pipeline to prevent erosion and eruptions. Clear Fork Ranch remains in negotiations with Kinder Morgan and may go into arbitration. There was discussion.

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

Mayor White requested appointments to boards and commissions.

Councilmember McGregor made a motion to appoint Sally Daniel to the Lockhart Economic Development Corporation. Councilmember Michelson seconded. The motion passed by a vote of 7-0.

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

- Presentation of proposed Fiscal Year 2019-2020 budget.
- Fire Department has a Firefighter entrance exam scheduled for June 29th.
- Police Department Updates:
 - Chief's Forum at Police Department on June 20th at 6:30 p.m.
 - Update regarding the towing fees.
- Summer Reading Program at the Library is off to a good start.
- GBRA will be performing annual free chlorine burn at the Luling Water Treatment Plant on June 28 – July 28.
- Pool Update: Lifeguard training has been completed. The pool is fully staffed and will open on June 18th. Special thanks to AJ Mercado with Pegasus for providing lifeguard training and certification opportunities.
- Storm Debris Update:
 - Crew has been assigned to continue collecting brush from the storms.
 - Special thanks to Robert Ellis and the young volunteers of Pegasus School for helping clear branches and debris from the Municipal Cemetery.
- Delay on FM 1322 12" Water Main Project due to staff time being dedicated to clean up from recent storms.
- Animal Shelter: With the recent storms that has been an increase of dogs at the Shelter. Resident are encouraged to contact the Shelter if they are missing a pet.
- Movies in the Park
 - June 22: Beauty and the Beast
 - July 13: Spider-Man into the Spider-Verse
 - August 10: Small Foot
- Update regarding the Transportation Alternatives Set Aside (TA) Program/Safe Routes to School (SRTS) grant to realign San Antonio Street.

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

Councilmember Westmoreland expressed condolences to the family of Jack Wilson for their loss. He thanked all involved with the successful Chisholm Trail Roundup (CTR) event.

Councilmember Mendoza thanked the Lockhart Chamber of Commerce for the successful CTR. He thanked City staff for their assistance during a flood issue last week. He invited everyone to the annual Juneteenth celebration on June 22 at the City Park that is hosted by District 1 Pride.

Mayor Pro-Tem Sanchez expressed condolences to the families of Jack Wilson, Wayne Reed, Joyce Dollar and Katy Trejo Alvarez for their loss. She thanked all involved with the successful CTR.

Councilmember McGregor thanked City crews for assisting with a recent issue when a tree fell on a power line.

Councilmember Castillo expressed condolences to those that have lost a loved one. He thanked the Lockhart Chamber of Commerce for a successful CTR. He thanked employees for their work and commended staff for doing what it takes to keep everyone safe daily and during storms. He congratulated the Class of '89 for installing the new scoreboard at the Little League Sports Complex honoring the late Mark Martinez.

Councilmember Michelson thanked the City Manager and staff for their dedication the past couple of weeks during unexpected weather storms. He thanked the Lockhart Chamber of Commerce and all involved for the successful CTR. He expressed condolences to the family of Jack Wilson for their loss.

Mayor White thanked all involved with the successful CTR. He commented that the drainage improvements throughout the city has tremendously helped alleviate flooding during weather storms. He commented about the emergency warning sirens and electric scooters being offered for rent in the downtown area. He updated the Council about the Brock Cabin repairs. He expressed condolences to the family of Bob Haun for their loss.

ITEM 9. 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 8:30 p.m.

PASSED and APPROVED this the 16th day of July 2019.

CITY OF LOCKHART



Lew White, Mayor

ATTEST:



Connie Constancio, TRMC
City Secretary

