

**LOCKHART CITY COUNCIL
REGULAR MEETING**

APRIL 21, 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
Sean Kelley, Public Works Director

Connie Constancio, City Secretary
Pam Larison, Finance Director
Randy Jenkins, Fire Chief

Citizens/Visitors Addressing the Council: None.

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 CALDWELL COUNTY CHRISTIAN MINISTRIES TO RENEW THEIR LEASE FOR FIVE YEARS, AS PROVIDED IN THE CURRENT LEASE, FOR PORTIONS OF THE BUILDING AT 901 BOIS D'ARC STREET KNOWN AS THE FOOD PANTRY AND TO INCLUDE A LAND LEASE FOR THE COMMUNITY GARDEN.

Mr. Kelley stated that the Caldwell County Christian Ministries (CCCM) requested to renew their building lease of the space located at 901 Bois D'Arc Street commonly known as the Food Pantry. CCCM has been operating at that location since 2010 and has a commendable reputation for helping the community with the valuable service. The lease provides that CCCM shall: 1) pay an annual rent of \$1.00; 2) pay all costs of fuel, electricity, garbage, telephone and other utilities used on the premises; 3) at all times maintain a comprehensive liability insurance policy; and, 4) seek approval from the City for any renovations, signs, etc. During the City's lease renewal process, CCCM expressed an interest in leasing the community garden space and garden shed in the rear of the property. The Master Gardeners Association (MGA) leased the community garden area from the city in 2018 with an expiration of September 2020. The MGA disbanded the project this year thereby making the garden space available. CCCM sees this as another opportunity to provide fresh produce. If approved, the terms of the proposed lease would expire on April 31, 2025, providing CCCM the right to renew the lease for an additional five-year term provided they give the City a 90-day notice of their intent to renew the lease. Mr. Kelley recommended approval. There was discussion.

B. DISCUSS RESOLUTION 2020-13 ADOPTING THE CALDWELL COUNTY HAZARD MITIGATION ACTION PLAN (HMAP) 2020 AS DEVELOPED SPECIFICALLY FOR CALDWELL COUNTY AS A MULTI-JURISDICTIONAL PLAN.

Chief Jenkins stated that the Federal Disaster Mitigation Act of 2000 and FEMA requires state, tribal, and local governments to adopt hazard mitigation plans in order to receive certain types of non-emergency disaster assistance, including funding for mitigation projects. Hazard mitigation is defined as “sustained actions to reduce or eliminate long-term risk to people and property from hazards and their effects”. Caldwell County hired H2O Partners, Inc. to develop the HMAP. Participants in the plan include Caldwell County, City of Lockhart, City of Luling, City of Martindale, Emergency Service District (ESD) #1, ESD #3, ESD #4, County Line Special Utility District (SUD), Lockhart ISD, Luling ISD, Martindale Water Supply Corporation, Maxwell Water Supply Corporation, and Plum Creek Conservation District. FEMA has concluded review of the Caldwell County HMAP and final approval of the plan is pending local adoption. The Mission Statement of the Plan is, “Maintaining a secure and sustainable future through the revision and development of targeted hazard mitigation actions to protect life and property”. The future potential mitigation projects associated with Caldwell County and City of Lockhart are described in the document. Chief Jenkins recommended approval. There was discussion.

C. DISCUSS THE TEXAS DIVISION OF EMERGENCY MANAGEMENT (TDEM) GRANT TERMS AND CONDITIONS AND DESIGNATION OF SUBRECIPIENT AGENT DOCUMENTS TO PARTICIPATE IN THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) PUBLIC ASSISTANCE (PA) PROGRAM FOR DISASTER NUMBER DR-4485, TEXAS COVID-19 PANDEMIC. THE CITY OF LOCKHART DECLARED A LOCAL DISASTER DECLARATION ON MARCH 17, 2020 AND APPLIED FOR FEMA PUBLIC ASSISTANCE ON MARCH 27, 2020.

Chief Jenkins stated that FEMA announced federal emergency aid has been made available to the State of Texas to supplement local recovery efforts in the areas affected by the COVID-19 pandemic beginning on January 20, 2020. The President of the United States approved the Major Disaster Declaration for Texas on March 25, 2020. The federal assistance is available for local governments on a cost-sharing basis for emergency protective measures under the Public Assistance (PA) program at a federal cost share of 75%. The PA program will be administered by the Texas Division of Emergency Management (TDEM) as the grant recipient and the City of Lockhart will be the subrecipient of the grant. Costs eligible for reimbursement include protective clothing such as masks, face shields and gloves, disinfection of buildings, hand sanitizer, medical supplies, disinfecting sprays and wipes, overtime and other direct costs related to COVID-19 response. Chief Jenkins recommended approval. There was discussion.

D. DISCUSS THE 2ND 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 and there was discussion regarding the following:

- 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.

E. DISCUSS FISCAL YEAR 2019-2020 MID-YEAR BUDGET REVIEW, INCLUDING COVID-19 IMPACTS AND POTENTIAL RESPONSES.

Mr. Lewis provided information regarding the COVID-19 impacts throughout the country and he gave a brief overview of possible city grants or State funding reimbursement programs for COVID-19 expenses.

Ms. Larison provided information and there was discussion regarding the following topics included in the COVID-19 Impact and Planning report:

- Management and Council action.
 - Freeze all non-public safety vacant positions.
 - Review all single expenditures.
 - Delay all non-essential spending.
 - Report projections and action to Council monthly.
 - Council to consider use of fund balance-stabilization and excess of reserves policy to provide sufficient cash flow for daily financial needs, secure and maintain investment grade bond ratings, offset significant economic downturns or revenue shortfalls, and provide funds for unforeseen expenditures related to emergencies.
 - Council to consider authorizing reduction in General Fund balance from 90 days to 75 days, which would release \$497K to use for one-time expenses, if needed.
- Projected revenues of all funds.
- General Fund revenues.
- Budget contingency plan.
- Budget reserves fund balance analysis.
- Cash preservation.
- Revenue updates.
- Revenue wish list.
- Expense reduction actions.
- Revised project list.
- Emergency related expenses.

Mayor White reported that he and Councilmembers have received requests from citizens/local businesses to offer a discount on utility bills. He pointed out that the Lower Colorado River Authority is not offering a discounted electric rate, therefore it would cost the city thousands of dollars if that were an option. After discussion with the City Manager and the City Attorney, it was determined that the best way to assist local businesses was to offer information about loan or grant opportunities to assist with finances during the pandemic.

F. DISCUSS IMPLEMENTATION OF ADDITIONAL SAFETY MEASURES AT SUMMERSIDE SUBDIVISION ENTRANCE ALONG US 183.

Mr. Kelley stated that as directed by Council during the April 7 meeting, staff has communicated with the City's local Texas Department of Transportation (TxDOT) Representatives about TxDOT approved traffic safety measures to be utilized near the intersection of Summerside Avenue and South Colorado Street.

- TxDOT confirmed that the intersection has not met the criteria to install a traffic signal. The traffic count ratios are too low and will not meet the criteria even at final buildout.
- During the Traffic Impact Analysis for this subdivision, a left-turn lane would be required upon final build out of the neighborhood. The cost for the turn-lane would be the responsibility of the developer.

- A temporary message board could be installed, however only on a temporary basis (about 2 weeks) to be used to notify the public of traffic conditions. Each time that the message board is used, it would require notification to TxDOT for approval.
- If the City were to install programable digital speed signs like the ones used in the City of Elgin, TxDOT would not dictate or manage the message displayed on the sign. They do prefer the default messages (Thank You, Slow Down, or Too Fast). Generally, TxDOT prohibits distracting messages, messages not following the manufacturers recommendations, and messages that are inconsistent with the guidelines set forth in the Texas Manual for Uniform Traffic Control.
- Other improvements discussed with TxDOT included increasing the size of the street name signs at the intersection like what is installed in the central part of town and/or a sign indicating an intersection ahead (the sign resembles a "T").
- TxDOT indicated that the speed reduction request to the Commission that was scheduled in March was postponed to April. The district office has generated the work order for the speed reduction and will install the new sign upon notification of the Commission's approval.

Mayor White expressed appreciation of utilizing the small speed limit signs. There was discussion regarding TxDOT decreasing the speed limit to 55 mph for the northbound traffic coming into Lockhart.

G. DISCUSS THE CITY OF LOCKHART'S MAYORAL DECLARATION OF LOCAL STATE OF DISASTER DUE TO PUBLIC HEALTH EMERGENCY ORDER EXTENDED ON APRIL 7, 2020 AND ADDRESSING OTHER MATTERS RELATED TO COVID-19, IF NECESSARY.

Mayor White stated that he will recommend that the current Order remain in place, is extended to May 8, 2020, and that the city follows the Governor's directives.

RECESS: Mayor White announced that the Council would recess for a break at 7:30 p.m.

REGULAR MEETING

ITEM 1. CALL TO ORDER.

Mayor Lew White called the meeting to order at 7:45 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. There were none.

ITEM 4. CONSENT AGENDA

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

The following are the consent agenda items that were approved:

- 4A: Approve Caldwell County Christian Ministries to renew their lease for five years, as provided in the current lease, for portions of the building at 901 Bois D'Arc Street known as the Food Pantry and to include a land lease for the Community Garden.
- 4B: Approve Resolution 2020-13 adopting the Caldwell County Hazard Mitigation Action Plan (HMAP) 2020 as developed specifically for Caldwell County as a multi-jurisdictional plan.
- 4C: Approve the Texas Division of Emergency Management (TDEM) Grant Terms and Conditions and Designation of Subrecipient Agent documents to participate in the Federal Emergency Management Agency (FEMA) Public Assistance (PA) Program for Disaster Number DR-4485, Texas COVID-19 Pandemic. The City of Lockhart declared a local disaster declaration on March 17, 2020 and applied for FEMA Public Assistance on March 27, 2020.
- 4D: Accept the 2nd Quarter Fiscal Year 2020 Investment Report.

ITEM 5-A. DISCUSSION AND/OR ACTION REGARDING FISCAL YEAR 2019-2020 MID-YEAR BUDGET REVIEW, INCLUDING COVID-19 IMPACTS AND POTENTIAL RESPONSES.

Councilmember Michelson made a motion to approve the report, as presented. Councilmember McGregor seconded. The motion passed by a vote of 7-0.

ITEM 5-B. DISCUSSION REGARDING IMPLEMENTATION OF ADDITIONAL SAFETY MEASURES AT SUMMERSIDE SUBDIVISION ENTRANCE ALONG US 183.

Councilmember Michelson made a motion to direct staff to authorize the Public Works Director to submit an application for permit approval as outlined in the staff report. Councilmember McGregor seconded. The motion passed by a vote of 7-0.

ITEM 5-C. DISCUSSION AND/OR ACTION REGARDING THE CITY OF LOCKHART'S MAYORAL DECLARATION OF LOCAL STATE OF DISASTER DUE TO PUBLIC HEALTH EMERGENCY ORDER EXTENDED ON APRIL 7, 2020 AND ADDRESSING OTHER MATTERS RELATED TO COVID-19, IF NECESSARY.

Mr. Akers clarified that the current City of Lockhart Disaster Declaration is extended until the Council revises or rescinds it.

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

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

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

- Update regarding potential delays to the U.S. Census timeline.
- Construction soon underway of a Rain Garden in the City Park as part of the TCEQ Riparian Restoration Grant.
- Preconstruction meeting was held on April 23rd regarding the Phase I Town Branch Trail.
- The Library will begin hosting a virtual Q&A session about Technology on April 17.
- Library conducting virtual story time.

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

Councilmember Westmoreland thanked everyone for their patience and cooperation during the pandemic.

Councilmember Mendoza thanked public safety personnel and city employees for their efforts and dedication during the pandemic.

Mayor Pro-Tem Sanchez expressed condolences to the families of Jimmy Hernandez, Nicholas Arias, Ricky Valdez, Don Navarro, Annette Rodgers, Steve Hamby and Charlotte Larisen for their loss. She thanked businesses and citizens for offering meals to public safety personnel.

Councilmember McGregor commended local businesses for continuing to find ways to offer their services. She expressed best wishes to the High School Class of 2020.

Councilmember Bryant commended citizens for complying with the public health requirements and to parents for working with their children to stay educated during the pandemic. He thanked all that expressed appreciation with various types of signage throughout the community.

Councilmember Michelson also commended the community for complying with public health requirements. He congratulated the High School Class of 2020. He encouraged citizens to participate in cheering on the Lockhart Class of 2020 when they conduct a “honk/drive” through Lockhart on May 1st.

Mayor White also congratulated the High School Class of 2020. He encouraged everyone to continue to follow the public health requirements. He thanked public safety personnel and city staff for doing their best during this pandemic. He congratulated Miles Smith and his wife on the birth of their child.

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 8:05 p.m.

PASSED and APPROVED this the 19th day of May 2020.

CITY OF LOCKHART


Lew White, Mayor

ATTEST:


Connie Constancio, TRMC
City Secretary

