

**LOCKHART CITY COUNCIL  
REGULAR MEETING**

**MAY 5, 2020**

**6:30 P.M.**

**CLARK LIBRARY ANNEX-COUNCIL CHAMBERS, 217 SOUTH MAIN STREET, 3<sup>rd</sup> 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  
Dan Gibson, City Planner

Connie Constancio, City Secretary  
Sean Kelley, Public Works Director  
Randy Jenkins, Fire Chief

**Staff present via Teleconference:** Mike Kamerlander, Economic Development Director

**Citizens/Visitors Addressing the Council:** Hector Rangel, Caldwell County Emergency Management Coordinator.

**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**

Mayor White requested Hector Rangel, Emergency Management Coordinator, to provide an update about COVID-19 in Caldwell County.

Hector Rangel provided an update regarding the COVID-19 pandemic that included the number of cases and the measures taken by public safety personnel to keep everyone safe and healthy.

**A. DISCUSS MINUTES OF THE CITY COUNCIL MEETING OF MARCH 17, 2020, MARCH 24, 2020, MARCH 31, 2020 AND APRIL 7, 2020.**

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

**F. DISCUSS THE LOCKHART COVID-19 ECONOMIC RECOVERY FUND ACTIVITY UPDATE; PROVIDING OPPORTUNITY FOR DISCUSSION AND POSSIBLE AMENDMENTS TO THE PROGRAM.**

Mr. Kamerlander stated that on April 7, 2020, the Lockhart City Council passed Ordinance 2020-08 which dissolved the Economic Development Loan Commission and the Revolving Loan Fund and reallocated the \$235,000 for a new purpose, the COVID-19 Economic Recovery Fund. The fund provides 0% interest rate loans for three years of either \$5,000 or \$7,500 for non-essential businesses only. Businesses, like restaurants, that provided a reduced level of service are eligible for the \$7,500 loan while businesses that were forced to close are eligible for the \$5,000 loan. These amounts are meant to help businesses pay rent and other overhead costs to be able to reopen after the pandemic has passed while also encouraging looking to other sources beyond city funds.

By establishing the COVID-19 loan program using the money from the revolving loan fund, it allowed the City of Lockhart to quickly deploy needed assistance to local businesses. The first 7 relief checks were issued on April 24th with another round delivered on May 1, 2020. Staff will continue to do weekly rounds of checks to applicant businesses until the fund is closed. To date, LEDC staff has received 18 applications for COVID-19 loans and have funded 12 with 4 pending for the next round and includes 5 retailers, 8 food and beverage, and 5 "other" companies. Two applicants did not meet the criteria. The 12 companies have received a total of \$72,500. The pending 4 will add another \$20,000 for a total of \$92,500 of loans issued thus leaving \$142,500 for additional loans in the future. As a result of these loans, we can count 61 jobs that are being retained in our Central Commercial Business District. Since the Lockhart COVID-19 Economic Relief Fund was created, the County launched its own relief fund through the Lockhart Chamber of Commerce. The Lockhart Chamber of Commerce and the Caldwell County Community Services Foundation created the "Lockhart Chamber of Commerce and Caldwell County Community Services Foundation Business Grant Assistance Program" with the help of the Capital Area Housing Finance Corporation to assist local businesses to meet the challenges of maintaining payroll, paying rent, utilities, and general operating expenses. The \$50,000 fund provides one-time grants of up to \$2,500 to local businesses in Caldwell County. Businesses must have fewer than 25 employees, be headquartered in Caldwell County, and be a for-profit business. That program ended on May 1, 2020. There have been 59 total applications to the Chamber fund. 60% (35) of those 59 were from Lockhart businesses. Of those 35, 28 businesses were located in Lockhart's Central Commercial Business district.

There was discussion regarding the application criteria and funding process.

**B. DISCUSS TOWN BRANCH TRAIL PHASE I CHANGE ORDER NO. 1 TO WESTAR CONSTRUCTION, INC. OF GEORGETOWN, TEXAS IN THE AMOUNT OF \$19,832 INCREASING THE CONTRACT AMOUNT TO \$233,077.50 FOR NECESSARY IMPROVEMENTS TO THE TRAIL SYSTEM TO COMPLY WITH TEXAS ACCESSIBILITY STANDARDS AND APPOINTING THE MAYOR TO SIGN ALL CONTRACTUAL DOCUMENTS.**

Mr. Kelley stated that during the Texas Accessibility Standards Review for Phase I of the Town Branch Trail, the driveway and loading dock entrances of Kreuz Market cross slopes were found to be too steep where the trail will make its crossing. The original installation of the driveway approaches was designed and installed correctly, however once the trail system connects to the driveway, the cross slopes cannot be greater than 2% unless the adjoining property meets certain criteria, which these driveways did not. To make the entire trail ADA compliant, these driveways must be demolished and poured following the guidelines set by the Americans with Disabilities Act. Westar Construction, Inc. is prepared to make the necessary corrections to the driveways while providing minimal disruption to the businesses. Mr. Kelley recommended approval. There was discussion.

**C. DISCUSS ORDINANCE 2020-09 AMENDING THE BUDGET FOR FISCAL YEAR 2020 IN ACCORDANCE WITH THE EXISTING STATUTORY REQUIREMENTS; RE-APPROPRIATING THE VARIOUS AMOUNTS HEREIN, AS ATTACHED IN BUDGET AMENDMENT NOS. 46, 47 AND 48.**

Ms. Larison stated that during the April 21, 2020 Council meeting, there was discussion regarding the impact of the COVID-19 pandemic on the City of Lockhart's revenue accounts. The Council requested that budget amendments be returned for consideration. The proposed budget amendments for Fiscal Year 2019-2020 budget will affect the General, Electric, and Water Funds, and will provide a complete financial plan for the remaining fiscal year. The net result of budget amendments 46, 47 and 48 is to reduced appropriations as follows: General Fund; \$481,851; Electric Fund \$574,954; and Water Fund \$314,395. Impacts to the Wastewater and Solid Waste Funds will be absorbed by existing fund balances. Ms. Larison recommended approval. There was discussion.

**D. DISCUSS THE SEMI-ANNUAL REPORT FROM THE IMPACT FEE ADVISORY COMMITTEE CONCERNING THE STATUS OF IMPLEMENTATION OF CHAPTER 31 "IMPACT FEES" OF THE LOCKHART CODE OF ORDINANCES WITH REGARD TO WATER, WASTEWATER, AND ROAD IMPACT FEES.**

Mr. Gibson stated that in accordance with State law, the Impact Fee Advisory Committee has an ongoing role in monitoring and evaluating implementation of the impact fee capital improvement plans, and submitting semi-annual reports to City Council. The Committee met on April 22 to consider their 36<sup>th</sup> semi-annual report since impact fees were originally adopted on January 15, 2002. The current total balance of all impact fee accounts is \$1,696,514. Total impact fee revenue during this six-month period was \$130,365, and a total of \$358,505 was spent on eligible water projects during this period. The update to the impact fee capital improvement plans that was adopted on April 4, 2017, eliminated projects that had been accomplished and shows only projects that were not yet funded, so the tracking of revenue and expenditures effectively started over at zero. The fund balances carried over. Mr. Gibson stated that the Impact Fee Advisory Committee and staff recommend that the Council accept the report. There was discussion.

**E. DISCUSS ORDINANCE 2020-10 AMENDING SEC. 16.11 OF THE CODE OF ORDINANCES REGARDING PENALTIES FOR VIOLATION OF THE CITY OF LOCKHART BASIC EMERGENCY PLAN OR RELATED REQUIREMENTS, AND TO APPROVE UPDATES TO THE BASIC EMERGENCY PLAN TO INCLUDE ASSOCIATED ANNEXES AND AUTHORIZE STAFF TO UPDATE THE PLAN IN THE FUTURE AS NECESSARY.**

Chief Jenkins stated that Chapter 16 of the Code of Ordinances addresses emergency management and requires adoption of an Emergency Management Plan for the City (The Basic Plan). Section 16.11 provides for a penalty of \$200 for violations, which is less than the City is authorized to impose by statute and is inconsistent with the Governor's Executive Orders imposing a fine of \$1,000. The proposed ordinance will increase that fine to \$1,000 and will also approve changes to the Basic Plan developed pursuant to Section 16.02, which is periodically updated by staff in order to provide the guidance, framework and insight into city-wide decision making related to emergency operations in conjunction with State and Federal emergency management plans. The basic plan and associated annexes are reviewed annually, updated at least every five years, and is submitted to the Texas Division of Emergency Management for approval.

**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 the City's declaration would be extended and that the city will continue to follow the Governor's orders.

RECESS: Mayor White announced that the Council would recess for a break at 7:20 p.m.

**REGULAR MEETING**

**ITEM 1. CALL TO ORDER.**

Mayor Lew White called the meeting to order at 7:35 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. 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 McGregor seconded. The motion passed by a vote of 7-0.

The following are the consent agenda items that were approved:

- 4A: Approve minutes of the City Council meetings of March 17, 2020, March 24, 2020, March 31, 2020 and April 7, 2020.
- 4B: Approve Town Branch Trail Phase I Change Order No. 1 to Westar Construction, Inc. of Georgetown, Texas in the amount of \$19,832 increasing the contract amount to \$233,077.50 for necessary improvements to the trail system to comply with Texas Accessibility Standards and appointing the Mayor to sign all contractual documents.
- 4C: Approve Ordinance 2020-09 amending the budget for Fiscal Year 2020 in accordance with the existing statutory requirements; re-appropriating the various amounts herein, as attached in budget amendment Nos. 46, 47 and 48.
- 4D: Accept the semi-annual report from the Impact Fee Advisory Committee concerning the status of implementation of Chapter 31 "Impact Fees" of the Lockhart Code of Ordinances with regard to water, wastewater, and road impact fees.

**ITEM 5-A. DISCUSSION AND/OR ACTION TO CONSIDER ORDINANCE 2020-10 AMENDING SEC. 16.11 OF THE CODE OF ORDINANCES REGARDING PENALTIES FOR VIOLATION OF THE CITY OF LOCKHART BASIC EMERGENCY PLAN OR RELATED REQUIREMENTS, AND TO APPROVE UPDATES TO THE BASIC EMERGENCY PLAN TO INCLUDE ASSOCIATED ANNEXES AND AUTHORIZE STAFF TO UPDATE THE PLAN IN THE FUTURE AS NECESSARY.**

Councilmember Michelson made a motion to approve Ordinance 2020-10, as presented. Councilmember Westmoreland seconded. The motion passed by a vote of 7-0.

**ITEM 5-B. DISCUSSION AND/OR ACTION REGARDING THE LOCKHART COVID-19 ECONOMIC RECOVERY FUND ACTIVITY UPDATE; PROVIDING OPPORTUNITY FOR DISCUSSION AND POSSIBLE AMENDMENTS TO THE PROGRAM.**

Mayor White made a motion to amend Ordinance 2020-08 to authorize grants as well as the loans under the Lockhart COVID-19 Economic Recovery Fund setting a cap of \$25,000 and that each grant be no more than \$2,500. It is the intention of the fund and direction to staff to give consideration to businesses that have not received other loan or grant funding. Mayor Pro-Tem Sanchez 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.**

Mayor White announced that there is no action to be taken.

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

Mayor White requested appointments to boards and commissions.

Councilmember Bryant made a motion to appoint Todd Blomerth to the Airport Advisory Board. Mayor Pro-Tem Sanchez seconded. The motion passed by a vote of 7-0.

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

- The Electric Department has completed LED lighting upgrades at Lions, Nueces and City Park.
- 2020 Census Digital Action Weekend: May 1-3.
- Update regarding the activity in the Lockhart COVID-19 Economic Recovery Fund.
- Development of proposed Fiscal Year 2020-2021 budget underway.

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

Councilmember Westmoreland congratulated the Lockhart High School Class of 2020 and stated that he enjoyed their drive thru Lockhart on Friday.

Councilmember Mendoza congratulated the Class of 2020. He expressed condolences to the family of Ms. Jay Lynn Fortman for their loss.

Mayor Pro-Tem Sanchez expressed condolences to the families of Elvira DeLeon, Joyce Alexander, Terry Alford, and Betty Willms for their loss. She thanked the Class of 2020 for their drive thru Lockhart.

Councilmember McGregor encouraged citizens to continue social distancing and to stay safe and healthy.

Councilmember Bryant thanked the Lockhart High School Seniors for the drive-thru Lockhart. He encouraged everyone to stay safe.

Councilmember Michelson encouraged everyone to be safe and to stay healthy. He expressed appreciation to the Class of 2020 for the drive-thru Lockhart.

Mayor White expressed appreciation to the Class of 2020 for the drive-thru Lockhart. He expressed condolences to the families of Betty Willms and Joyce Alexander for their loss. He thanked City staff for keeping up with the budget during this pandemic and the local businesses for continuing to offer their services as best as possible. He encouraged everyone to stay safe and healthy and to maintain social distancing.

**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 7:56 p.m.

PASSED and APPROVED this the 19<sup>th</sup> day of May 2020.

**CITY OF LOCKHART**

  
Lew White, Mayor

ATTEST:

  
Connie Constancio, TRMC  
City Secretary

