

**PUBLIC NOTICE**

**AGENDA**

**LOCKHART CITY COUNCIL**

**TUESDAY, FEBRUARY 16, 2010**

**CITY HALL – GLOSSERMAN ROOM  
308 WEST SAN ANTONIO STREET**

**6:30 P.M.**

**WORK SESSION (No Action)**

Work session will be held to receive briefings and to initially discuss all items contained on the Agenda posted for 7:30 p.m. Generally, this work session is to simplify issues as it relates to the agenda items. No vote will be taken on any issue discussed or reviewed during the work session.

**DISCUSSION ONLY**

- A. Presentation of a proclamation declaring February 21 – 27, 2010 as Severe Weather Awareness Week in Texas.
- B. Discuss City Council minutes for the January 19, 2010 meeting.
- C. Discuss Ordinance 2010-07 amending Section II, Subsection 2-1, of the City's Personnel Policies Manual to provide for residency requirements for certain city employees involved in public health and safety services during emergencies.
- D. Discuss proposal by PSC of Houston, Texas, to provide Household Hazardous Waste (HHW) Collection and Disposal Services to be held on April 10, 2010, at an estimated cost of \$14,448 and possibly additional HHW days during a 5-year period with dates to be determined in compliance with State and Federal laws.
- E. Discuss bid to Future Telecom, Inc., of Mesquite, Texas, for a placement of 8" and 12" water mains and required casings for SH 130 at US Highway 183 in the amount of \$417,000 of which 88 percent will be reimbursable.
- F. Discuss bid to Rockin Q Construction of San Marcos, Texas, for the placement of water and wastewater casings along SH 130 from US Highway 183 to Boggy Creek (Maple Street) Road in the amount of \$402,762 of which approximately 10 percent will be reimbursable.
- G. Discuss Quitclaim Deeds to the Texas Department of Transportation (TxDOT) for 1.256795 acres of City water supply easements valued collectively at \$11,237.31 abandonment of the City water mains within those easements, and authorizing the Mayor to sign the necessary documents.
- H. Discuss recovery funds on two properties on the tax resale list as recommended by attorneys working with the Caldwell County Appraisal District.
- I. Discuss contractual lease agreement with the Caldwell County Christian Ministries (CCCM) Food Pantry for the east bottom wing of the old hospital building and approving the City Manager to sign the lease.
- J. Discuss Resolution 2010-02 approving the Lockhart Economic Development Corporation submitting an application to the Texas Leverage Fund for funding the Advitech, Inc. project up to \$600,000.00 for project development, construction, maintenance, and/or operating services.
- K. Discuss Resolution 2010-03 amending the hourly rate of compensation for Precinct Election Judges and Clerks for General and Special Elections for the City of Lockhart.
- L. Discuss staff's recommended changes to the Lockhart Historical Preservation Ordinance, which if Council chooses, can be reflected in an ordinance form at a future meeting or taken to the Lockhart Historical Preservation Commission or the Ordinance Review ad-hoc Committee for consideration with recommendations to come back to the City Council.
- M. Discussion regarding several aspects of the special election process regarding filling the vacancy for the unexpired term of the Office of Mayor from May 2010 until November 2011.

**7:30 P.M. REGULAR MEETING**

**1. CALL TO ORDER**

Mayor James Bertram

**2. INVOCATION, PLEDGE OF ALLEGIANCE**

Councilman Richard Wieland

**3. PRESENTATION**

A. Presentation of a proclamation declaring February 21 – 27, 2010 as Severe Weather Awareness Week in Texas.

**4. CITIZENS/VISITORS COMMENTS**

(The purpose of this item is to allow citizens an opportunity to address the City Council on issues that are not on the agenda. No discussion can be carried out on the citizen/visitor comment.)

**5. PUBLIC HEARING/COUNCIL ACTION**

- A. Hold a public hearing on a request by James and Connie Amaya for a Zoning Change amending the Official Zoning Map from IH Industrial Heavy District and CHB Commercial Heavy Business District to CHB Commercial Heavy Business District on 0.333 acre in the James George League, Abstract No. 9, located at 1306 South Commerce Street (FM 1322). [ZC-10-01]
- B. Consider approval of Ordinance 2010-05 amending the Official Zoning Map of the City of Lockhart, Texas, to reclassify the property known as 0.333 acre in the James George League, Abstract No. 9, and located at 1306 South Commerce Street (FM 1322), from IH Industrial Heavy District and CHB Commercial Heavy Business District to CHB Commercial Heavy Business District.
- C. Hold a public hearing on a request by Joshua Szott on behalf of Calvin Homann for a Zoning Change amending the Official Zoning Map from CCB Commercial Central Business District to CHB Commercial Heavy Business District on Lots 5 and 6, Block 24, Original Town of Lockhart, consisting of 0.313 acre located at 101 North Colorado Street (US 183). [ZC-10-02]
- D. Consider approval of Ordinance 2010-06 amending the Official Zoning Map of the City of Lockhart, Texas, to reclassify the property known as part of Lots 5 and 6, Block 24, Original Town of Lockhart, consisting of 0.313 acre located at 101 North Colorado Street (US 183), from CCB Commercial Central Business District to CHB Commercial Heavy Business District.
- E. Hold a public hearing and consider an appeal by Chuan Kim (Frank) Lai of the Planning and Zoning Commission denial of his request for a Specific Use Permit to allow a Recreational Vehicle Park for two recreational vehicles in the CHB Commercial Heavy Business District on approximately 0.19 acre located at 1405 South Commerce Street (FM 1322).

**6. CONSENT AGENDA**

- A. Approve City Council minutes for the January 19, 2010 meeting.
- B. Approve Ordinance 2010-07 amending Section II, Subsection 2-1, of the City's Personnel Policies Manual to provide for residency requirements for certain city employees involved in public health and safety services during emergencies.
- C. Approve proposal by PSC of Houston, Texas, to provide Household Hazardous Waste (HHW) Collection and Disposal Services to be held on April 10, 2010, at an estimated cost of \$14,448 and possibly additional HHW days during a 5-year period with dates to be determined in compliance with State and Federal laws.

- D. Award bid to Future Telecom, Inc., of Mesquite, Texas, for a placement of 8" and 12" water mains and required casings for SH 130 at US Highway 183 in the amount of \$417,000 of which 88 percent will be reimbursable.
- E. Award bid to Rockin Q Construction of San Marcos, Texas, for the placement of water and wastewater casings along SH 130 from US Highway 183 to Boggy Creek (Maple Street) Road in the amount of \$402,762 of which approximately 10 percent will be reimbursable.
- F. Approve Quitclaim Deeds to the Texas Department of Transportation (TxDOT) for 1.256795 acres of City water supply easements valued collectively at \$11,237.31 abandonment of the City water mains within those easements, and authorizing the Mayor to sign the necessary documents.
- G. Accept recovery funds on two properties on the tax resale list as recommended by attorneys working with the Caldwell County Appraisal District.
- H. Approve contractual lease agreement with the Caldwell County Christian Ministries (CCCM) Food Pantry for the east bottom wing of the old hospital building and approving the City Manager to sign the lease.
- I. Approve Resolution 2010-02 approving the Lockhart Economic Development Corporation submitting an application to the Texas Leverage Fund for funding the Advitech, Inc. project up to \$600,000.00 for project development, construction, maintenance, and/or operating services.
- J. Approve Resolution 2010-03 amending the hourly rate of compensation for Precinct Election Judges and Clerks for General and Special Elections for the City of Lockhart.

**7. DISCUSSION/ACTION ITEMS**

- A. Consider staff's recommended changes to the Lockhart Historical Preservation Ordinance, which if Council chooses, can be reflected in an ordinance form at a future meeting or taken to the Lockhart Historical Preservation Commission or the Ordinance Review ad-hoc Committee for consideration with recommendations to come back to the City Council.
- B. Discussion regarding several aspects of the special election process regarding filling the vacancy for the unexpired term of the Office of Mayor from May 2010 until November 2011.
- C. Conduct two required readings of Resolution 2009-22 pursuant to the Development Corporation Act of 1979 and prior to any expenditure in excess of \$10,000.
- D. Appointments to various boards, commissions or committees.

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

- Polonia Water Supply Corporation agreement to supply water to five of our customers for about 3 months during the critical construction around our water main at the SH 130 and Hwy 183 interchange.
- Residential Household Hazardous Waste Collections event set for Saturday, April 10, 2010.
- The 2010 Residential City Wide Clean-up Program will start the first Wednesday in April beginning in the Northwest section of the City and continue each following Wednesday during April.
- Thursday, February 18, from 6:30 to 8 pm, there will an open house of our citizens at the Lockhart Technology Center at 901 Bois D Arc Street to meet the staff, look at lab, and to see what classes are offered.
- Street, drainage, and water main replacement projects have all been adversely affected by the very wet weather. Schedules to be re-evaluated and provided to affected citizens.
- A conditional offer letter of employment for the Public Works Director position.
- Bonnie Townsend, Court Administrator, has successfully completed the Court Management program and achieved the status of Certified Court Manager.

- February 19, 2010 at 6:00-7:00 p.m. Celebrating Black History Month -Elizabeth Kahura from Kenya, South Africa will present story of Africa through song, dance and verse.
- February 26, 2010 the Irving Club presents author Julie Kenner at 2:00 p.m. in the Clark Building.

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

*(\*\*Items of Community Interest defined below)*

**10. COUNCIL COMMENTS**

A. Comments and possible discussion by Mayor Bertram:

- Update regarding the Capital Area Planning Council of Government's Executive Committee meeting and Homeland Security Grant award.

B. Comments and possible discussion by Councilmember Roland:

- 34<sup>th</sup> Annual Progressive Club Annual Banquet -Saturday, February 20, 6:30, Lions Club.

**11. ADJOURNMENT**

*\*\* Items of Community Interest includes: 1)expressions of thanks, congratulations or condolence; 2) information regarding holiday schedules; 3) an honorary or salutary recognition of a public official, public employee, or other citizen, except that a discussion regarding a change in the status of a person's public office or public employment is not an honorary or salutary recognition for purposes of this subdivision; 4) a reminder about an upcoming event organized or sponsored by the governing body; 5) information regarding a social, ceremonial, or community event organized or sponsored by an entity other than the governing body that was attended or is scheduled to be attended by a member of the governing body or an official employee of the municipality; and 6) announcements involving an imminent threat to the public health and safety of people in the municipality that has arisen after the posting of the agenda. (SB 1182 - effective 09/01/2009)*

**\* Once approved to be on the agenda, staff requests you register to speak prior to the meeting. Deadline for specific items on the agenda is Noon Tuesday prior to the Regular Meeting.**

If, during the course of the meeting, any discussion of any item on the agenda should be held in executive or closed session, the City Council will convene in such executive or closed session, in accordance with the provisions of the Government Code, Title 5, Subchapter D to consider one or more matters pursuant to the following:

Section 551.071. Private consultation with its attorney to seek advice about pending or contemplated litigation; and/or settlement offer; (2) and/or a matter in which the duty of the attorney to the government body under the Texas Disciplinary Rules of Professional Conduct of the State of Texas clearly conflicts with this chapter.

Section 551.072. To deliberate the purchase, exchange, lease or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person.

Section 551.073. To deliberate a negotiated contract for a prospective gift or donation to the state or the governmental body if deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person.

Section 551.074. To deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; or to hear a complaint or charge against an officer or employee.

Section 551.076. To deliberate the deployment, or specific occasions for implementation, of security personnel or devices.

Section 551.086. To deliberate vote or take final action on any competitive matters relating to public power utilities.

Section 551.087. To deliberate or discuss 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.

Section 551.088. To deliberate a test item or information related to a test item if the governmental body believes that the test item may be included in a test the governmental body administers to individuals who seek to obtain or renew a license or certificate that is necessary to engage in an activity.

After discussion of any matters in executive session, any final action or vote taken will be in public by the City Council.

**City Council shall have the right at anytime to seek legal advice in Executive Session from its Attorney on any agenda item, whether posted for Executive Session or not.**

I certify that the above notice of meeting was posted on the bulletin board in the Municipal Building, 308 West San Antonio Street, Lockhart, Texas, on the 12<sup>th</sup> day of February 2010 at 2:50pm. I further certify that the following News Media was properly notified of this meeting as stated above: Lockhart Post-Register



Connie Ortiz, TRMC, City Secretary