

**LOCKHART CITY COUNCIL  
REGULAR MEETING**

**AUGUST 17, 2010**

**6:30 P.M.**

**Council present:**

Mayor Pro-Tem Frank Estrada  
Councilmember Kenny Roland  
Councilmember Richard Wieland

Mayor Ray Sanders  
Councilmember Paul Gomez  
Councilmember Lew White  
Councilmember Richard Banks

**Staff present:**

Vance Rodgers, City Manager  
Peter Gruning, City Attorney  
Sandra Mauldin, Economic Dev. Coordinator  
Dan Gibson, City Planner

Connie Rodriguez, City Secretary  
Jerry Doyle, Fire Chief  
M.L. Richards, Electric Superintendent  
Lee Weatherford, Public Works Dir.

**Citizens/Visitors Addressing the Council:** Diane Miller of Envision Central Texas, and Carlton Pape, Chief Appraiser of the Caldwell County Appraisal District.

**Work Session 6:30 p.m.**

Mayor Sanders opened the work session and advised the Council, staff and the audience that staff would provide information and explanations about the following items:

**A. PRESENTATION AND DISCUSSION BY ENVISION CENTRAL TEXAS ABOUT THE CENTRAL TEXAS GREENPRINT FOR GROWTH.**

Diane Miller presented the Envision Central Texas Greenprint for Growth project and provided information about several upcoming events. There was discussion.

**B. DISCUSS CITY COUNCIL MINUTES FOR THE JULY 29, 2010 AND AUGUST 5, 2010 MEETINGS.**

Mayor Sanders requested corrections to the City Council minutes for the July 29, 2010 and August 5, 2010 meetings. There were corrections to the August 5, 2010 minutes.

**C. DISCUSS MEMORANDUM OF UNDERSTANDING BETWEEN CITY OF LOCKHART AND LOCKHART INDEPENDENT SCHOOL DISTRICT CONCERNING SCHOOL RESOURCE OFFICER FOR 2010-2011 SCHOOL YEAR.**

Captain Roescher stated that the Memorandum of Understanding was to provide a School Resource Officer (SRO) to the Lockhart Independent School District (LISD) for the 2010-2011 school year. The LISD would pay for 178 days of the officer's wage for the school year. The SRO would be utilized at several LISD campuses.

**D. DISCUSS RESOLUTION 2010-16 STATING THE INTENT OF THE CITY OF LOCKHART TO APPLY FOR FINANCIAL ASSISTANCE FROM THE TEXAS DEPARTMENT OF TRANSPORTATION FOR LOCKHART MUNICIPAL AIRPORT MAINTENANCE AND REHABILITATION IMPROVEMENTS AND COMMITTING TO MONETARY MATCH REQUIREMENTS.**

Mr. Rodgers stated that because the City of Lockhart accepted the "first State/Federal assistance dollar" for building and extending the airport facilities, maintenance and rehabilitation of the assets is required. The Texas Department of Transportation, Aviation Division, has notified the City that maintenance and rehabilitation improvements for the Lockhart Municipal Airport must be

programmed with 10 percent match requirements. The resolution commits \$7,600 for the Fiscal Year 2010-2011 budget period and \$84,700 for the Fiscal Year 2011-2012.

**E. DISCUSS RESOLUTION 2010-17 DISAPPROVING OF THE 2011 ADOPTED BUDGET OF THE CALDWELL COUNTY APPRAISAL DISTRICT.**

Mr. Rodgers stated that the Caldwell County Appraisal District (CCAD) has submitted their 2011 adopted budget for City Council's approval or disapproval. If the City Council chooses to approve the budget, then the resolution should be voted down. If the City Council chooses to disapprove the budget, then the resolution stating the disapproval must be approved and submitted to the secretary of the board within 30 days after the budget's adoption date.

There was discussion regarding the Caldwell County Appraisal District's budget.

Carlton Pape, Chief Appraiser of the Caldwell County Appraisal District, clarified that if governing bodies of a majority of the taxing units entitled to vote on the appointment of board members adopt resolutions disapproving the CCAD budget and file them with the secretary of the CCAD board within 30 days after its adoption, the CCAD budget does not take effect, and the board shall adopt a new budget within 30 days of the disapproval.

There was further discussion.

Mayor Sanders announced that there would be a recess 7:55 p.m.

**REGULAR MEETING**

**ITEM 1. CALL TO ORDER.**

Mayor Ray Sanders called the regular meeting of the Lockhart City Council to order on this date at 8:02 p.m.

**ITEM 2. INVOCATION, PLEDGE OF ALLEGIANCE.**

Councilman Paul Gomez gave the invocation and led the pledge of allegiance to the United States and Texas flags.

**ITEM 3-A. PRESENTATION AND DISCUSSION BY ENVISION CENTRAL TEXAS ABOUT THE CENTRAL TEXAS GREENPRINT FOR GROWTH.**

Mayor Sanders announced that the presentation was made during the work session.

**ITEM 4. CITIZENS/VISITORS COMMENTS.**

Mayor Sanders requested citizens to address the Council.

Dave Studer, 100 Hummingbird Lane, requested information about the proposed property tax rate. Mayor Sanders stated that public hearings would be held in reference to the proposed property tax rate on September 7 and September 14, 2010.

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

**ITEM 5. CONSENT AGENDA.**

Mayor Sanders announced that consent agenda items 5D and 5E would be pulled for further discussion.

Councilmember White made a motion to approve consent agenda items 5A, 5B and 5C. Mayor Pro-Tem Estrada seconded. The motion carried by a vote of 7-0.

The following are the consent agenda items that were approved:

- 5A: Approve City Council minutes for the July 29, 2010 and August 5, 2010 meetings, with corrections.
- 5B: Approve Memorandum of Understanding between City of Lockhart and Lockhart Independent School District concerning School Resource Officer for 2010-2011 school year.
- 5C: Approve Resolution 2010-16 stating the intent of the City of Lockhart to apply for financial assistance from the Texas Department of Transportation for Lockhart Municipal Airport maintenance and rehabilitation improvements and committing to monetary match requirements.

**ITEM 5-D: APPROVE RESOLUTION 2010-17 DISAPPROVING THE 2011 ADOPTED BUDGET OF THE CALDWELL COUNTY APPRAISAL DISTRICT.**

There was discussion.

Councilmember Banks made a motion to approve Resolution 2010-17 disapproving the 2011 adopted budget of the Caldwell County Appraisal District. Mayor Pro-Tem Estrada seconded. There was discussion. The motion carried by a vote of 7-0.

**ITEM 5-E: APPROVE ORDINANCE 2010-22 AMENDING POLLING PLACES FOR A JOINT GENERAL ELECTION OF THE CITY OF LOCKHART AND CALDWELL COUNTY TO BE HELD ON NOVEMBER 2, 2010.**

Ms. Rodriguez stated that on July 20, 2010 the City Council approved Ordinance 2010-20 that ordered the City's General Election to be held on November 2, 2010 along with the Joint Election with Caldwell County. Since that date, the County has changed the polling places for County precinct numbers 103 and 101 as listed in Ordinance 2010-20. She stated that the Caldwell County Commissioners Court would order their General Election for November 2, 2010 during their meeting on August 23 and that the proposed polling places for the County Precincts within the city limits would be as follows:

City District 1 includes Caldwell County Election Precincts

105 – Lockhart Evening Lions Club

220 Bufkin Lane, Lockhart

401 – St. Mark's Methodist Church Hall

602 E. Live Oak Street, Lockhart

City District 2 includes Caldwell County Election Precincts

106 – Lockhart Independent School District Community Education Center

520 North Pecos Street, Lockhart

402 – St. Mary's Catholic Church Hall

205 West Pecan Street, Lockhart

City District 3 includes Caldwell County Election Precincts

103 – First United Methodist Church

313 West San Antonio Street, Lockhart

400 – Grace Evangelical Lutheran Church

108 North Medina Street, Lockhart

City District 4 includes Caldwell County Election Precincts

100 – First Presbyterian Church Hall

119 North Commerce Street, Lockhart

101 –

406 – St. Johns United Baptist Church

103 Bufkin Lane, Lockhart

There was discussion.

Mr. Gruning suggested that since Ordinance 2010-22 as presented to the Council tonight did not list the polling place for county precinct 101, that it be brought back during the next meeting to allow the public to be informed about the change in the polling location. Ms. Rodriguez stated that the proposed polling location that the Caldwell County Commissioners' Court would consider for County Precinct 101 would be Sunchase Square Apartments, Community Room, 1001 South Guadalupe Street, Lockhart.

Councilmember Banks made a motion to table the item until the September 7, 2010 Council meeting. Mayor Pro-Tem Estrada seconded. The motion carried by a vote of 7-0.

**ITEM 6-A. DISCUSSION AND/OR ACTION TO CONSIDER ORDINANCE 2010-23 AMENDING CHAPTER 46 "SIGNS" OF THE LOCKHART CODE OF ORDINANCES REVISING SECTION 46-5 (A) TO EXEMPT SUBSEQUENT REUSE OF PERMANENT SUBSURFACE RECEPTACLES FOR REMOVABLE FREESTANDING BANNER SIGN AND SAIL BANNER POSTS OR POLES ORIGINALLY INSTALLED WITH A PERMIT, REVISING SECTION 46-7 (25) TO CLARIFY THE CURRENT EXEMPTION OF ALL INDOOR SIGNS VISIBLE THROUGH A WINDOW FROM A PUBLIC STREET, AND REVISING SECTION 46-10 (G) TO ALLOW SUBSURFACE RECEPTACLES FOR REMOVABLE FREESTANDING BANNER SIGN AND SAIL BANNER POSTS OR POLES.**

Mr. Gibson stated that the proposed amendments to the sign ordinance affect three different sections, but actually address just two issues. In December 2008, the Council adopted an amendment providing for permanent freestanding structures intended specifically for banners. Previously, banners had to be on existing building walls, fences, or existing sign structures. The current proposal is to amend sections 46-5(a) and 46-10(g) providing an additional option for permanent subsurface receptacles to support removable posts or poles for banners and sail banners, whereby a permit would be required only for the initial installation. In addition, in April 2009 the exemption for indoor signs in Section 46-7(25) was amended and has resulted in an apparent loophole that has led to inconsistency in the administration of the limit on the maximum allowable area of wall signs. The currently proposed amendment corrects that inconsistency without reverting back to the original language of this section before the April 2009 change.

Councilmember Gomez recommended that the sail banners be amended to allow four instead of three. There was discussion.

Councilmember Gomez made a motion to disapprove the proposed amendment to Section 46-7(25) in Ordinance 2010-23. Councilmember Roland seconded. There was discussion. The motion failed by a vote of 3-4, with Mayor Sanders, Mayor Pro-Tem Estrada and Councilmembers Wieland and Banks opposing.

Councilmember Gomez made a motion to approve Ordinance 2010-23 amending Chapter 46 of the Code of Ordinances with the amendment to allow four sail banners instead of three. Councilmember Roland seconded. The motion carried by a vote of 7-0.

Mayor Sanders stated that in the interest of time, he would allow Chief Doyle to make presentations. Chief Doyle presented Certificates of Appreciation to several members of the Lockhart Volunteer Fire Department and employees of the Lockhart Fire Department for their work in the acquisition of the new Fire Truck.

**ITEM 6-B. DISCUSS AND TAKE APPROPRIATE ACTION REGARDING ADOPTION OF THE 2010 COMBINED MAINTENANCE AND OPERATION AND INTEREST AND SINKING PROPOSED PROPERTY TAX RATE FOR THE CITY OF LOCKHART. IF PROPOSED TAX RATE EXCEEDS THE ROLLBACK RATE OR THE EFFECTIVE TAX RATE (WHICHEVER IS LOWER), A RECORD VOTE MUST BE TAKEN TO PLACE A PROPOSAL TO ADOPT THE RATE ON THE AGENDA OF A FUTURE COUNCIL MEETING. IF MOTION PASSES, COUNCIL MUST SCHEDULE AND ANNOUNCE THE DATE, TIME AND PLACE OF TWO (2) PUBLIC HEARINGS REGARDING THE PROPOSED TAX RATE.**

Councilmember Banks made a motion to set the proposed tax rate at the rollback rate of \$0.7292. Councilmember Wieland seconded. The motion carried by a vote of 7-0.

The record vote is as follows:

FOR the tax rate at \$0.7292/\$100 valuation

Mayor Ray Sanders  
Mayor Pro-Tem Estrada  
Councilmember Kenny Roland  
Councilmember Lew White  
Councilmember Richard Banks  
Councilmember Richard Wieland  
Councilmember Paul Gomez

Mr. Rodgers announced that the 2010 interest and sinking property tax rate would be set at 11.60 cents/\$100 and the 2010 maintenance and operation property tax rate would be set at 61.32 cents/\$100.

Mayor Sanders announced that the public hearings regarding the tax rate would be held on September 7, 2010 at 7:30 p.m. and on September 14, 2010 at 6:30 p.m.

**ITEM 6-C. APPOINTMENTS TO VARIOUS BOARDS, COMMISSIONS OR COMMITTEES.**

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

**ITEM 6-D. DISCUSSION AND/OR ACTION REGARDING PRESENTATION AND WORKSHOP OF FISCAL YEAR 2010-2011 PROPOSED BUDGET AND RELATED INFORMATION.**

There was no discussion.

**ITEM 6-E. DISCUSSION AND/OR ACTION REGARDING MAINTENANCE AND CAPITAL BUDGETS AND FUNDING.**

There was no discussion.

**ITEM 6-F. DISCUSSION AND/OR ACTION REGARDING TENTATIVE BUDGET AND TAX RATE ADOPTION CALENDAR.**

Mayor Sanders announced that public hearings regarding the tax rate would be held on September 7, 2010 at 7:30 p.m. and on September 14, 2010 at 6:30 p.m.

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

- Water Dept continues with water main replacement on Frio between Prairie Lea and Cibilo; water services will be done next; temporary surface patches will be done.
- TDRA Grant contractor continues water main and service replacements on west end of Bois d'Arc and then will move to Pedernales.
- SH 130 utility sleeve 97% complete.
- Public bids for placement of 12" water main from FM 2001 to SH 130/Hwy 183 interchange going out soon.
- Permanent asphalt repairs of Bois d'Arc after bad curb replacement from Rio Grande to Medina is scheduled.
- Replacement of the large raw water transmission main between water wells 3 and 11 is now complete.
- Recommended selection of architect for animal shelter will be on September 7<sup>th</sup> Council Agenda.
- Fire truck delivery.
- Preparation for school start up.
- Brush chipping schedule and status.
- Brock Cabin fund raiser event.
- Seton Taking Care of Tiny Texans Gala event benefiting Children Car-a-Van.

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

Councilmember White announced a fundraiser event scheduled to Save the Brock Cabin.

Councilmember Banks announced the Smooches for Pooches benefit on August 21, 2010 beginning at 6 a.m.

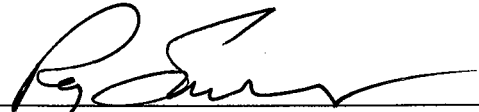
**ITEM 9. ADJOURNMENT.**

Councilmember Wieland made a motion to adjourn the meeting. Councilmember Roland seconded. The motion carried by a vote of 7-0. The meeting was adjourned at 9:39 p.m.

PASSED and APPROVED this the 7<sup>th</sup> day of September 2010.



CITY OF LOCKHART

  
\_\_\_\_\_  
Ray Sanders, Mayor

ATTEST:

  
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Connie Rodriguez, TRMC, City Secretary