

## **PUBLIC NOTICE**

### **AGENDA**

#### **LOCKHART CITY COUNCIL**

**TUESDAY, SEPTEMBER 15, 2009**

**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. Discuss City Council minutes for the September 1, 2009 meeting.
- B. Discuss City of Lockhart Emergency Medical Services (EMS) entering into a Memorandum of Agreement for emergency medical care with the Lockhart Secure Work Program Facility (GEO) and approving the City Manager to sign the agreement.
- C. Discuss updated City of Lockhart and Caldwell County Interlocal Agreement/Contract to provide Domestic Animal Services.
- D. Discuss Ordinance 2009-24 amending Chapter 48, Solid Waste, of the Code of Ordinances, to add Section 48:47, Recycling, Residential Voluntary Curbside Collection Service, establishing the once a week service and authorizing resolutions as approved and amended from time to time by the Council setting the fees for such service.
- E. Discuss Resolution 2009-13 which establishes fees for weekly residential curbside single stream recycling services based on customer participation levels and as authorized in Ordinance 2009-24.
- F. Discuss Resolution 2009-14 adopting an Investment Policy for the City of Lockhart, Texas.
- G. Discuss Ordinance 2009-23 changing the date for Regular City Elections from May to the November uniform election date beginning in 2010 and applying to each election thereafter and designating that the terms of the Councilmembers that expire in May 2010 are heldover to November 2010 and the terms for Councilmembers that expire in May 2011 are heldover to November 2011.
- H. Discussion regarding the trade of City owned property for Habitat for Humanities property considering the values of the properties and in the interest of the public purpose.
- I. Discuss nomination(s) for Director(s) to serve on the Caldwell County Appraisal District Board of Directors for the 2010-2011 term.
- J. Discussion regarding a possible ordinance banning cellular telephone texting of all types while driving within the City limits, as recommended by Councilmember Richard Banks.

- K. Presentation, workshop, discussion regarding the Fiscal Year 2009-2010 Proposed Budget, tax rate and related information.
- L. Discussion regarding maintenance and operating and capital budgets and funding.
- M. Discussion regarding Tentative Budget and Tax Rate Adoption Calendar.

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

**1. CALL TO ORDER**

Mayor James Bertram

**2. INVOCATION, PLEDGE OF ALLEGIANCE**

Mayor James Bertram

**3. 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.)

**4. PUBLIC HEARING/COUNCIL ACTION**

- A. Hold a public hearing on the City of Lockhart and Lockhart Economic Development Corporation Fiscal Year 2009-2010 budgets.
- B. Announce that the Lockhart City Council is scheduled to vote on the City of Lockhart budget for Fiscal Year 2009-2010 on Tuesday, September 29, 2009, at the City of Lockhart Council Chambers, 308 West San Antonio Street, Lockhart, Texas 78644 at 6:30 p.m.
- C. Presentation and consider approval of the Lockhart Economic Development Corporation's Multi-Year Financial Plan.
- D. Hold the second of two public hearings on a proposal to increase total tax revenues from properties on the tax roll in the preceding year by 3.082291 percent.
- E. Announce that the Lockhart City Council is scheduled to vote on the tax rate for Fiscal Year 2009-2010 on Tuesday, September 29, 2009, at the City of Lockhart Council Chambers, 308 West San Antonio Street, Lockhart, Texas, 78644 at 6:30 p.m.
- F. Hold a public hearing and consider granting a petition by Alejandro and Sylvia Gutierrez for approval of Ordinance annexing approximately 14 acres in the City of Lockhart Extraterritorial Jurisdiction out of a 19.367-acre tract in the Byrd Lockhart Survey, Abstract No. 17, together with the full width of the adjacent Lovers Lane (County Road 187) right-of-way, into the city limits and assigning thereto a zoning classification of AO Agricultural Open-Space District and amending the official zoning map accordingly.
- G. Consider approval of Ordinance 2009-25 annexing approximately 14 acres in the City of Lockhart extraterritorial jurisdiction out of a 19.367-acre tract in the Byrd Lockhart Survey, Abstract No. 17, to the City of Lockhart, Caldwell County, Texas, extending the boundaries of said City to include said territory together with the full width of the adjacent Lovers Lane (County Road 187) right-of-way, and assigning thereto a zoning classification of AO Agricultural-Open Space District and amending the Official Zoning Map accordingly, and conveying to the owners and future inhabitants of said property all of the rights and privileges of other citizens and binding said citizens by all acts and ordinances of the City.

**5. CONSENT AGENDA**

- A. Approve City Council minutes for the September 1, 2009 meeting.
- B. Approve City of Lockhart Emergency Medical Services (EMS) entering into a Memorandum of Agreement for emergency medical care with the Lockhart Secure Work Program Facility (GEO) and approving the City Manager to sign the agreement.
- C. Approve updated City of Lockhart and Caldwell County Interlocal Agreement/Contract to provide Domestic Animal Services.
- D. Approve Ordinance 2009-24 amending Chapter 48, Solid Waste, of the Code of Ordinances, to add Section 48:47, Recycling, Residential Voluntary Curbside Collection Service, establishing the once a week service and authorizing resolutions as approved and amended from time to time by the Council setting the fees for such service.
- E. Approve Resolution 2009-13 which establishes fees for weekly residential curbside single stream recycling services based on customer participation levels and as authorized in Ordinance 2009-24.
- F. Approve Resolution 2009-14 adopting an Investment Policy for the City of Lockhart, Texas.
- G. Approve Ordinance 2009-23 changing the date for Regular City Elections from May to the November uniform election date beginning in 2010 and applying to each election thereafter and designating that the terms of the Councilmembers that expire in May 2010 are heldover to November 2010 and the terms for Councilmembers that expire in May 2011 are heldover to November 2011.

**6. DISCUSSION/ACTION ITEMS**

- A. Discussion and/or action regarding the trade of City owned property for Habitat for Humanities property considering the values of the properties and in the interest of the public purpose.
- B. Consider nomination(s) for Director(s) to serve on the Caldwell County Appraisal District Board of Directors for the 2010-2011 term.
- C. Discussion and/or action regarding a possible ordinance banning cellular telephone texting of all types while driving within the City limits, as recommended by Councilmember Richard Banks.
- D. Presentation, workshop, discussion and/or action regarding the Fiscal Year 2009-2010 Proposed Budget, tax rate and related information.
- E. Discussion regarding maintenance and operating and capital budgets and funding.
- F. Discussion and/or action regarding Tentative Budget and Tax Rate Adoption Calendar.
- G. Appointments to various boards, commissions or committees.

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

- A. 2<sup>nd</sup> Annual Town Branch and Lockhart Springs Cleanup scheduled for Saturday, September 19.
- B. Safe Routes to School Plan approved by Texas Department of Transportation – Finally have call for projects due November 30, 2009.
- C. Movies in the Park on September 19 (Kung Fu Panda).
- D. Vote on Fiscal Year 2009-2010 Budget September 29, 6:30 p.m.
- E. Update on subscription residential curbside recycling service to begin Wednesday, October 7 with containers being delivered on Saturday, October 3 with instruction flyers.
- F. Diez y Seis event on the square report.
- G. Green Street wastewater main extension in progress.
- H. Huddle House Restaurant construction progress; slab complete.
- I. First Lockhart Baptist Church rehabilitation of the old Wuest/Super S store.
- J. National Night Out, Tuesday, October 6; City Council meeting moved to Wednesday, October 7.
- K. No second meeting in October, Texas Municipal League in Ft. Worth.

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

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

**9. COUNCIL COMMENTS**

- A. Comments and possible discussion by Councilmember Roland:
  - a. Discussion regarding temporarily reducing and/or eliminating permit fees to help stimulate more construction.

**10. 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 11<sup>th</sup> day of September 2009 at \_\_\_\_\_ . 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