

PUBLIC NOTICE

AGENDA

LOCKHART CITY COUNCIL

WEDNESDAY, NOVEMBER 4, 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 October 7, 2009 meeting.
- B. Discuss Resolution 2009-17 committing the City of Lockhart to maintaining any infrastructure, including but not limited to, sidewalks, trails, street markings and traffic signage that may be constructed under a Safe Routes To School (SRTS) grant award.
- C. Discuss Resolution 2009-19 approving the City of Lockhart's 2009 Appraisal Roll and Tax Amounts.
- D. Discuss awarding bid to Asphalt Paving Company of Austin, Inc., in the amount of \$1,537,314.34 for street improvements to be paid for with 2009 Certificate of Obligation funds received late this past summer.
- E. Discuss awarding bid to Johnson Oil Company, Inc., of Gonzales, Texas, to supply and deliver diesel and gasoline to the City of Lockhart for the next year at a profit margin of 6.25 cents per gallon above the weekly posted Oil Price Information Service (OPIS) price at Austin, Texas, referred to as RACK price.
- F. Discuss award of contract with Gene Bagwell, dba, Maintenance Management of San Marcos, Texas, for base bid of \$52,200 for annual maintenance of the older portions of the Lockhart Cemetery on US Highway 183.
- G. Discuss authorizing staff to apply for Energy and Conservation Block Grant (EECBG) funds up to \$50,000 that were allocated under the American Recovery and Reinvestment Act (ARRA).
- H. Discuss Ordinance 2009-31 amending Chapter 46 "Signs" of the Lockhart Code of Ordinances, revising Section 46-7 "Signs Exempt from Section 46-11".
- I. Presentation by Craig Kolls, President of Caldwell County Medical Assist Team, and discussion regarding budget report showing projected revenues and expenses for Fiscal Year 2010.
- J. Discuss Ordinance 2009-30 amending Chapter 40, Parks and Recreation of the City of Lockhart Code of Ordinances, to add Section 40-67, Skate Park Facility, for the purpose of authorizing resolutions establishing rules and regulations as may be approved by the City Council from time to time for use of any skate park facility under the control of the City of Lockhart as recommended by the Parks Advisory Board and ON-A-ROLL, Inc.

- K. Discuss Resolution 2009-18 adopting rules and regulations for spectators and uses of skate park facilities under the control of the City of Lockhart as authorized by passage of Ordinance 2009-30.
- L. Discussion regarding possible measures to be taken to encourage the Texas Department of Transportation to address drainage and pedestrian issues on FM 20 East (Blackjack), FM 20 West (Park Road), US Highway 183 (Colorado St), SH 142 (San Antonio St) and FM 2001 in the City limits.
- M. Discussion regarding the planned presentation by Austin Community College at the next City Council meeting on Tuesday, November 17, 2009.

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. CONSENT AGENDA

- A. Approve City Council minutes for the October 7, 2009 meeting.
- B. Approve Resolution 2009-17 committing the City of Lockhart to maintaining any infrastructure, including but not limited to, sidewalks, trails, street markings and traffic signage that may be constructed under a Safe Routes To School (SRTS) grant award.
- C. Approve Resolution 2009-19 approving the City of Lockhart's 2009 Appraisal Roll and Tax Amounts.
- D. Award bid to Asphalt Paving Company of Austin, Inc., in the amount of \$1,537,314.34 for street improvements to be paid for with 2009 Certificate of Obligation funds received late this past summer.
- E. Award bid to Johnson Oil Company, Inc., of Gonzales, Texas, to supply and deliver diesel and gasoline to the City of Lockhart for the next year at a profit margin of 6.25 cents per gallon above the weekly posted Oil Price Information Service (OPIS) price at Austin, Texas, referred to as RACK price.
- F. Approve award of contract with Gene Bagwell, dba, Maintenance Management of San Marcos, Texas, for base bid of \$52,200 for annual maintenance of the older portions of the Lockhart Cemetery on US Highway 183.
- G. Authorize staff to apply for Energy and Conservation Block Grant (EECBG) funds up to \$50,000 that were allocated under the American Recovery and Reinvestment Act (ARRA).
- H. Approve Ordinance 2009-31 amending Chapter 46 "Signs" of the Lockhart Code of Ordinances, revising Section 46-7 "Signs Exempt from Section 46-11".

5. DISCUSSION/ACTION ITEMS

- A. Presentation by Craig Kolls, President of Caldwell County Medical Assist Team, and discussion regarding budget report showing projected revenues and expenses for Fiscal Year 2010.
- B. Consider Ordinance 2009-30 amending Chapter 40, Parks and Recreation of the City of Lockhart Code of Ordinances, to add Section 40-67, Skate Park Facility, for the purpose of authorizing resolutions establishing rules and regulations as may be approved by the City Council from time to time for use of any skate park facility under the control of the City of Lockhart as recommended by the Parks Advisory Board and ON-A-ROLL, Inc.
- C. Consider Resolution 2009-18 adopting rules and regulations for spectators and uses of skate park facilities under the control of the City of Lockhart as authorized by passage of Ordinance 2009-30.
- D. Discussion and/or action regarding possible measures to be taken to encourage the Texas Department of Transportation to address drainage and pedestrian issues on FM 20 East (Blackjack), FM 20 West (Park Road), US Highway 183 (Colorado St), SH 142 (San Antonio St) and FM 2001 in the City limits.
- E. Discussion regarding the planned presentation by Austin Community College at the next City Council meeting on Tuesday, November 17, 2009.
- F. Appointments to various boards, commissions or committees.

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

- Skate Park Facility exhibition on Saturday, October 31.
- Safe Routes to School Plan approved by TxDOT – Finally have call for projects due November 30, 2009.
- 18" raw water main well line work scheduled in December or January.
- Wastewater and water main work on Cibilo and Nixon by City work forces.
- Status of flu on workforce.
- Municipal Court Week: Tuesday November 3rd, Proclamation Read by the Mayor at the Court and Mock Trial for High School Government Class. Thursday, November 5th – VIN Etching by the Sheriff's Combined Auto Theft Task Force. Friday, November 6th – Freedom Trail Chapter of TCCA business meeting, lunch, and educational session at the court. Educational session is "Driving on the Right Side of the Road" presented by TMCEC and TxDOT.
- Sundance Apartments final inspections this week.
- Rain and flooding issues.
- Water well conditions and San Marcos River flows at Luling.
- Carver School Historical Dedication Ceremony Saturday, October 31.
- Crack sealing contractor working in town.
- Dickens preparation underway and event schedules will be e-mailed soon.
- Caldwell County Veterans Council hosting a celebration of Veteran's Day to honor veterans on Saturday, November 7 at Cedar Hall, 11:30 a.m.

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

(**Items of Community Interest defined below)

8. **EXECUTIVE SESSION in accordance with in accordance with the provisions of the Government Code, Title 5, Subchapter D, 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.**

A. Conduct evaluation of the City Manager.

9. **OPEN SESSION**

A. Discussion and/or action regarding the evaluation of the City Manager.

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 30th day of October 2009 at 3:30 pm. 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