

**LOCKHART CITY COUNCIL
REGULAR MEETING**

JANUARY 17, 2017

6:30 P.M.

**CLARK LIBRARY ANNEX-COUNCIL CHAMBERS, 217 SOUTH MAIN STREET, 3rd FLOOR,
LOCKHART, TEXAS**

Council present:

Mayor Pro-Tem Angie Gonzales-Sanchez
Councilmember Juan Mendoza
Councilmember Jeffry Michelson

Mayor Lew White
Councilmember John Castillo
Councilmember Benny Hilburn
Councilmember Brad Westmoreland

Staff present:

Vance Rodgers, City Manager
Peter Gruning, City Attorney
Dan Gibson, City Planner

Connie Constancio, City Secretary
Jeff Hinson, Finance Director
Rob Tobias, Economic Development Director

Citizens/Visitors Addressing the Council: Citizens: Bernie Rangel, Jim Fleming, Rick Alonzo, and Chris Dailey.

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

A. DISCUSS MINUTES OF THE CITY COUNCIL MEETING OF JANUARY 3, 2017.

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

B. DISCUSS THE 1ST QUARTER FISCAL YEAR 2017 INVESTMENT REPORT.

Mr. Hinson provided details and there was discussion about the following:

- Quarterly Investment Report ending December 31, 2016
- Investment Portfolio Summary
- Cash Accounts (as reconciled to BOTO)
- Marketable Securities Transaction Summary
- Investment Pool Transactions Summary
- Certificates of Deposit Transaction Summary
- Investment Pools – Standard and Poor's Ratings
- Bank of the Ozarks Collateralization – Standard and Poor's Ratings

C. DISCUSS RESOLUTION 2017-01 NAMING JAMES BERTRAM AS THE CITY OF LOCKHART'S NOMINEE TO FILL A VACANT POSITION TO THE BOARD OF DIRECTORS OF THE CALDWELL COUNTY APPRAISAL DISTRICT.

Mayor White stated that the Resolution is a result of the City Council's vote to nominate James Bertram as the City of Lockhart's nominee to be placed on a future ballot to fill a vacant position on the Caldwell County Appraisal District's Board of Directors.

D. DISCUSS THE SELECTION OF TRC ENGINEERING AS THE BEST QUALIFIED PROFESSIONAL ENGINEERING SERVICES COMPANY TO ASSIST THE CITY IN ITS TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM (CDBG) APPLICATION PREPARATION AND PROJECT IMPLEMENTATION TO THE TEXAS DEPARTMENT OF AGRICULTURE FOR THE COMMUNITY DEVELOPMENT FUND CONTRACT, IF AWARDED, TO SUPPORT PUBLIC INFRASTRUCTURE (WATER AND/OR WASTEWATER) IMPROVEMENTS ACTIVITIES FOR THE CITY OF LOCKHART, AND APPOINTING THE MAYOR TO SIGN ANY REQUIRED DOCUMENTS FOR THE GRANT.

Mr. Rodgers stated that advertisements for qualified engineering services for the CDBG grant preparation and submittal were completed in compliance with requirements. Proposals were received from seven companies which were ranked using qualification criteria by two qualified people and then averaged. The firm submitting the best proposal was TRC Engineering which scored 93 1/2 points out of 100. A ranking summary was provided for the Council's review. Mr. Rodgers recommended approval. There was discussion.

E. DISCUSS THE SELECTION OF COMMUNITY DEVELOPMENT MANAGEMENT CO., INC., AS THE BEST QUALIFIED GRANT ADMINISTRATION SERVICES COMPANY TO ASSIST THE CITY IN ITS TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM (CDBG) APPLICATION PREPARATION AND PROJECT IMPLEMENTATION TO THE TEXAS DEPARTMENT OF AGRICULTURE FOR THE COMMUNITY DEVELOPMENT FUND CONTRACT, IF AWARDED, TO SUPPORT PUBLIC INFRASTRUCTURE (WATER AND/OR WASTEWATER) IMPROVEMENTS ACTIVITIES FOR THE CITY OF LOCKHART, AND APPOINTING THE MAYOR TO SIGN ANY REQUIRED DOCUMENTS FOR THE GRANT.

Mr. Rodgers stated that advertisements for qualified administration services for the CDBG grant preparation and submittal were completed in compliance with requirements. Proposals were received from three companies which were ranked using qualification criteria by two qualified people and then averaged. The firm submitting the best proposal was Community Development Management Co., Inc., which scored 98 points out of 100. A ranking summary was provided for the Council's review. Mr. Rodgers recommended approval.

F. DISCUSS RESOLUTION 2017-02 OF THE CITY COUNCIL OF THE CITY OF LOCKHART, TEXAS, AUTHORIZING THE PROCUREMENT OF PROFESSIONAL SERVICES WITH TRC ENGINEERING, INC., FOR ENGINEERING SERVICES AND WITH COMMUNITY DEVELOPMENT MANAGEMENT COMPANY, INC. FOR PROJECT ADMINISTRATION FOR IMPLEMENTATION OF PROJECTS FUNDED THROUGH THE TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM (TXCDBG); AND AUTHORIZING THE MAYOR TO ACT AS THE CITY'S EXECUTIVE OFFICER AND AUTHORIZED REPRESENTATIVE IN ALL MATTERS PERTAINING TO THE EXECUTION OF CONTRACTS FOR PROFESSIONAL SERVICES.

Mr. Rodgers stated that the Resolution would confirm the Council's approval to procure professional services from TRC Engineering for engineering services and Community Development Management Co. for administration services. Mr. Rodgers recommended approval.

G. DISCUSS SUBMITTAL OF A COMMUNITY DEVELOPMENT PARTNERSHIP GRANT TO THE LOWER COLORADO RIVER AUTHORITY FOR \$25,000 TO INSTALL LIGHTING AT THE PARKING LOT AREAS AND THREE PLAYING FIELDS AT THE CPL. JASON K. LAFLEUR PARK WITH AN ESTIMATED IN-KIND LOCAL MATCH OF \$30,000 FOR MATERIALS, LABOR AND EQUIPMENT.

Mr. Rodgers stated that the multi-purpose fields are utilized by as many as 400 team players and many spectators on Saturdays during the playing season. Many spectators come from out of town to visit the facility. For safety reasons and to expand playing times, the \$25,000 would help install lighting at the parking lots and on at least three of the most used fields. The value of the local in-kind match of labor, equipment, and materials is estimated at \$30,000. Mr. Rodgers recommended approval. There was discussion.

Bernie Rangel, 1524 Parkview, spoke in support of the additional lighting. There was discussion about the grant match funding availability of which Mr. Rodgers replied that the grant match would be provided through in-kind services.

H. DISCUSS RE-SCHEDULING COUNCIL MEETINGS IN 2017 DUE TO A POSSIBLE CONFLICT (JULY 4-HOLIDAY; AUGUST 1-NATIONAL NIGHT OUT; AND NOVEMBER 7-ELECTION DAY).

Ms. Constancio provided information about the dates with conflicts.

The following dates were discussed in regards to rescheduling meetings:

- Tuesday, July 4, 2017 to be rescheduled to Thursday, July 6, 2017.
- National Night Out will be held on Tuesday, October 3, 2017 instead of Tuesday, August 1, 2017.
- Tuesday, October 3, 2017 meeting is cancelled and only one meeting will be held in October 2017 which will be October 17, 2017.
- Tuesday, November 7, 2017 meeting is rescheduled to Thursday, November 16, 2017 with the second meeting in November being held on November 21, 2017.

RECESS: Mayor White announced that the Council would recess for a break at 6:53 p.m.

REGULAR MEETING

ITEM 1. CALL TO ORDER.

Mayor Lew White called the regular meeting of the Lockhart City Council to order on this date at 7:30 p.m.

ITEM 2. INVOCATION, PLEDGE OF ALLEGIANCE.

Invocation - Ministerial Alliance.

Pledge of Allegiance to the United States and Texas flags.

ITEM 3. CITIZENS/VISITORS COMMENTS.

Mayor White requested the following citizens to address the Council:

Jim Fleming, 1602 Windridge Drive, thanked the City Council and the City of Lockhart staff for installing a sidewalk from Windridge Subdivision to Bluebonnet Elementary. He thanked Councilmember Castillo and Mr. Rodgers for working on additional signs for pedestrian safety.

Rick Alonzo, 1006 South Commerce, spoke in favor of installing the lights at the soccer fields and stated that he believed it would benefit the city by enhancing safety in the community.

ITEM 4-A. HOLD A PUBLIC HEARING ON APPLICATION ZC-17-01 BY JAMES KNIGHT ON BEHALF OF 2HK, LLC, AND DISCUSSION AND/OR ACTION TO CONSIDER A ZONING CHANGE FROM RLD RESIDENTIAL LOW DENSITY DISTRICT AND RMD RESIDENTIAL MEDIUM DENSITY DISTRICT TO CMB COMMERCIAL MEDIUM BUSINESS DISTRICT FOR 2.24 ACRES IN THE CORNELIUS CRENSHAW SURVEY, ABSTRACT NO. 68, LOCATED AT 1511 WEST SAN ANTONIO STREET (SH 142). [WITHDRAWN BY APPLICANT]

Mayor White announced that the public hearing has been cancelled because the applicant withdrew their request for a zoning change.

ITEM 4-B. HOLD A PUBLIC HEARING ON APPLICATION ZC-17-02 BY JAMES KNIGHT ON BEHALF OF 2HK, LLC, AND DISCUSSION AND/OR ACTION TO CONSIDER A ZONING CHANGE FROM RLD RESIDENTIAL LOW DENSITY DISTRICT AND RMD RESIDENTIAL MEDIUM DENSITY DISTRICT TO CMB COMMERCIAL MEDIUM BUSINESS DISTRICT FOR 2.63 ACRES IN THE CORNELIUS CRENSHAW SURVEY, ABSTRACT NO. 68, LOCATED AT 1601 WEST SAN ANTONIO STREET (SH 142). [WITHDRAWN BY APPLICANT]

Mayor White announced that the public hearing has been cancelled because the applicant withdrew their request for a zoning change.

ITEM 4-C. HOLD A PUBLIC HEARING ON APPLICATION ZC-17-03 BY 8330 JONES ROAD, LLC, AND CHRIS DAILEY, ON BEHALF OF LARRY TAYLOR FOR A ZONING CHANGE FROM AO AGRICULTURAL-OPEN SPACE DISTRICT TO IL INDUSTRIAL LIGHT DISTRICT FOR 6.677 ACRES IN THE FRANCIS BERRY SURVEY, ABSTRACT NO. 2, LOCATED AT 2201 MAPLE STREET.

Mayor White opened the public hearing at 7:38 p.m. and requested the staff report.

Mr. Gibson stated that the applicant desires to establish an electrical contractor office and storage facility on the subject tract. There is no industrial or commercial zoning in the vicinity. However, on the south side of Maple Street, east of SH 130, there is a large tract zoned PDD for which the PDD development plan includes areas designated for commercial and light industrial land uses. The only existing development in the area other than the electrical substation across the street is the single-family dwelling on the south side of Maple Street, approximately 500 feet west of the subject tract. Because traffic generated by development on the subject tract will likely use only the portion of Maple Street between the driveway and Cesar Chavez Parkway (SH 130 frontage road), it will not affect the portion of the street abutting the residential property. Various other impacts could be expected by uses allowed in the IL district, but the generally rural nature of the area on the west side of SH 130 minimizes the chances of a negative affect on existing development. The highway, itself, provides a significant buffer for any

development on the east side. The requested IL zoning classification is not consistent with the Lockhart 2020 Future Land Use Plan map, which designates the subject tract as Parks and Open Space, Agriculture/Rural Development, and Floodplain. The Parks and Open Space designation is meant to be part of a greenbelt containing a hike and bike trail along the west side of SH 130. The trail is shown in the Lockhart 2020 Comprehensive Plan Maps, so the applicant or owner will be required to construct the segment abutting the property in order to comply with the subdivision standards. No opposition to the zoning change has been expressed. Mr. Gibson stated that the Planning and Zoning Commission and staff recommend approval.

Chris Dailey, 4374 Raymond Stotzer Parkway, College Station, stated that they would like to expand their company by opening another branch in Lockhart. SH 130 was a major factor in their decision to locate in Lockhart because of the easy access to surrounding communities. He provided information about their business plan to expand services and to offer employment opportunities in Lockhart.

Mayor White requested citizens to address the Council that were in favor of or against the zoning change. There were none. He closed the public hearing at 7:53 p.m.

ITEM 4-D. DISCUSSION AND/OR ACTION TO CONSIDER ORDINANCE 2017-02 AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF LOCKHART, TEXAS, TO RECLASSIFY THE PROPERTY KNOWN AS 6.677 ACRES IN THE FRANCIS BERRY SURVEY, ABSTRACT NO. 2, LOCATED AT 2201 MAPLE STREET, FROM AO AGRICULTURAL-OPEN SPACE DISTRICT TO IL INDUSTRIAL LIGHT DISTRICT.

Mayor Pro-Tem Sanchez made a motion to approve Ordinance 2017-02, as presented. Councilmember Hilburn seconded. The motion passed by a vote of 7-0.

ITEM 5. CONSENT AGENDA.

Mayor Pro-Tem Sanchez made a motion to approve consent agenda items 5A, 5B, 5C, 5D, 5E, 5F, and 5G. Councilmember Michelson seconded. The motion passed by a vote of 7-0.

The following are the consent agenda items that were approved:

- 5A: Approve minutes of the City Council meeting of January 3, 2017.
- 5B: Accept the 1st Quarter Fiscal Year 2017 Investment Report.
- 5C: Approve Resolution 2017-01 naming James Bertram as the City of Lockhart's nominee to fill a vacant position to the Board of Directors of the Caldwell County Appraisal District.
- 5D: Approve the selection of TRC Engineering as the best qualified Professional Engineering Services company to assist the City in its Texas Community Development Block Grant Program (CDBG) application preparation and project implementation to the Texas Department of Agriculture for the Community Development Fund contract, if awarded, to support Public infrastructure (water and/or wastewater) improvements activities for the City of Lockhart, and appointing the Mayor to sign any required documents for the grant.
- 5E: Approve the selection of Community Development Management Co., Inc., as the best qualified Grant Administration Services company to assist the City in its Texas Community Development Block Grant Program (CDBG) application preparation and project implementation to the Texas Department of Agriculture for the Community Development Fund contract, if awarded, to support Public infrastructure (water and/or wastewater) improvements activities for the City of Lockhart, and appointing the Mayor to sign any required documents for the grant.

- 5F: Approve Resolution 2017-02 of the City Council of the City of Lockhart, Texas, authorizing the procurement of Professional Services with TRC Engineering, Inc., for engineering services and with Community Development Management Company, Inc. for project administration for implementation of projects funded through the Texas Community Development Block Grant Program (TxCDBG); and authorizing the Mayor to act as the City's Executive Officer and authorized Representative in all matters pertaining to the execution of contracts for Professional Services.
- 5G: Approve submittal of a Community Development Partnership Grant to the Lower Colorado River Authority for \$25,000 to install lighting at the parking lot areas and three playing fields at the Cpl. Jason K. LaFleur Park with an estimated in-kind local match of \$30,000 for materials, labor and equipment.

ITEM 6-A. DISCUSSION AND/OR ACTION TO CONSIDER RE-SCHEDULING COUNCIL MEETINGS IN 2017 DUE TO A POSSIBLE CONFLICT (JULY 4-HOLIDAY; AUGUST 1-NATIONAL NIGHT OUT; AND NOVEMBER 7-ELECTION DAY).

There was discussion about the 2017 Council meetings to be rescheduled as follows:

- July 4 rescheduled to July 6.
- National Night Out was changed from August 1 to October 3.
- The first meeting in October is cancelled; with October 17 being the only meeting in October 2017.
- November 7 rescheduled to November 16.

Mayor Pro-Tem Sanchez made a motion to approve rescheduling the 2017 Council meetings as mentioned above. Councilmember Hilburn seconded. The motion passed by a vote of 7-0.

ITEM 6-B. DISCUSSION AND/OR ACTION REGARDING APPOINTMENTS TO VARIOUS BOARDS, COMMISSIONS OR COMMITTEES.

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

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

- Update: US Hwy 183 expansion project, Blackjack to Wal-Mart; drainage design.
- Update: Drainage work continues on Mesquite, Braden, Wichita, and Vega Street areas; detention ponds and other work about 85% complete; patching and paving of streets should be completed within the next 30 days, weather-permitting.
- Update: E. Walnut Street Neighborhood Drainage Project, utility clearance work almost completed; still waiting on telephone and gas clearances.
- Update: Bid advertisements for the Ash, Comal, and Pine Street Drainage Project are planned this month; utility clearances by the gas company are pending; City crews working on water/sewer clearances; a neighborhood meeting will be set up before the project starts.
- Update: Hill Country Food Works has submitted plans to expand 215 E. MLK by 90%; closing on the LEDC property should be within next 30 days.
- Update: Working with seven (7) other project developers of varying types most of which are near SH 130.

- Update: LEDC unanimously approved a emergency health care facility with beds project under 4B Texas Economic Development Law with Arete Healthcare subject to Council's approval: the site is between SH 142 and Borchert Lane, east of City Line Road; the initial estimated investment is more than \$7 million; will be bringing project to Council in February for consideration of approval of the project and a proposed 380 Tax Rebate Agreement.
- Reminder: Lockhart Chamber of Commerce Annual Banquet is Saturday, January 28, at Embassy Suites in San Marcos.
- Reminder: Hot Rods & Hatters Car Show – Feb 3-4, downtown.
- Reminder: Job Fair at the Library – Thurs, January 19 from 11am – 2pm.
- Report: Dr. Martin Luther King, Jr Unity March held Monday.
- Report: Our Comptroller in the Finance Department for the past 18 years, Ms. Stephanie House, will be retiring at the end of the month; a retirement reception will be held for her on January 27, between 1 – 2:30 pm at the Glosserman Room at City Hall.

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

Councilmember Mendoza expressed condolences to the families who have recently lost a loved one. He thanked District 1 Pride and all of the volunteers for a successful MLK, Jr. event.

Mayor Pro-Tem Sanchez expressed condolences to the families of Mary Williams, David Ohlendorf, Isaac Garcia and Lauren Garcia for their loss. She congratulated and thanked all involved with the successful MLK, Jr. event.

Councilmember Hilburn thanked all involved with the successful MLK, Jr. event. He expressed condolences to the Ohlendorf family for their loss.

Councilmember Castillo expressed condolences to families who have lost a loved one. He thanked all involved with the successful MLK, Jr. event. He also thanked staff for their work on the infrastructure improvement projects.

Councilmember Michelson thanked all involved with the successful MLK, Jr. event. He thanked employees of the city for their work.

Mayor White also thanked all involved with the successful MLK, Jr. event. He congratulated the Lockhart Chamber for another upcoming annual banquet and wished the Joel Gammage for a successful car show. He thanked Stephanie House for her dedication during her employment with the City and wished her well in her retirement.

ITEM 9. EXECUTIVE SESSION 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 - Discussion regarding the appointment of the Chief of Police by the City Manager with confirmation by the City Council.

Mayor White announced that the Council would enter Executive Session at 8:10 p.m.

ITEM 10. OPEN SESSION - Discussion and/or action regarding confirmation of the City Manager's appointment of Mr. Ernest Pedraza as the Chief of Police for the City of Lockhart.

Mayor White announced that the Council would enter Open Session at 9:02 p.m.

Mayor Pro-Tem Sanchez made a motion to confirm the City Manager's appointment of Mr. Ernest Pedraza as the Chief of Police for the City of Lockhart. Councilmember Michelson seconded. The motion passed by a vote of 7-0.

ITEM 11. 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 9:07 p.m.

PASSED and APPROVED this the 7th day of February 2017.



CITY OF LOCKHART

Lew White

Lew White, Mayor

ATTEST:

Connie Constancio

Connie Constancio, TRMC
City Secretary