

**LOCKHART CITY COUNCIL
REGULAR MEETING**

OCTOBER 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
Rob Tobias, Economic Development Director

Connie Constancio, City Secretary
Jeff Hinson, Finance Director

Citizens/Visitors Addressing the Council:

Representatives of CASA of Central Texas and Joel Gammage, Citizen.

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:

PRESENTATION ONLY

A. PRESENTATION OF A PROCLAMATION TO ROSA HERNANDEZ DECLARING OCTOBER 17, 2017 AS "ROSA HERNANDEZ DAY" IN HONOR OF RECOGNIZING HER VOLUNTEER SERVICE AS AN ADVOCATE FOR A COUNTLESS NUMBER OF CHILDREN THROUGH THE CASA OF CENTRAL TEXAS ORGANIZATION FOR 20 YEARS.

Mayor White presented a proclamation to Rosa Hernandez and thanked her for her dedication to the children in our community. Representatives of CASA of Central Texas also thanked Ms. Hernandez for her dedication.

DISCUSSION ONLY

A. DISCUSS MINUTES OF THE CITY COUNCIL MEETING OF SEPTEMBER 19, 2017 AND SEPTEMBER 26, 2017.

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

B. DISCUSS 4TH QUARTER FISCAL YEAR 2017 INVESTMENT REPORT.

Mr. Hinson stated that the Texas Public Investment Act requires local governments to review and accept a Quarterly Investment Report for each quarterly reporting period of the year. He provided the following information about the 4th Quarter Fiscal Year 2017 report, ending September 30, 2017:

- Quarterly Investment Report.
- Investment Portfolio Summary.
- Cash Accounts.
- Marketable Securities Transaction Summary.
- Investment Pool Transactions Summary.
- Certificates of Deposit Transaction Summary.
- Investment Pools.
- Banks of the Ozarks Collateralization – Standard and Poor’s Ratings

C. DISCUSS AGREEMENT BETWEEN THE NUECES RIVER AUTHORITY, PLUM CREEK WATERSHED PARTNERSHIP, AND THE CITY OF LOCKHART WHEREBY THE NUECES RIVER AUTHORITY, A GOVERNMENTAL ENTITY, PROVIDES PROFESSIONAL ENGINEERING SERVICES IN AN AMOUNT NOT TO EXCEED \$12,000 FOR EVALUATING RIPARIAN (AREAS ADJACENT TO STREAMS) CONDITIONS, DELIVERING RIPARIAN EDUCATION PROGRAMS AND DEVELOPMENT OF A QUALITY ASSURANCE PROJECT PLAN (QUAPP) FOR TOWN BRANCH WHICH IS REQUIRED BY THE GRANT RECEIVED FROM THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY (TCEQ) BY THE CITY OF LOCKHART, AND APPOINTING THE CITY MANAGER TO SIGN THE AGREEMENT, IF APPROVED.

Mr. Rodgers stated that the City of Lockhart needs professional services of an engineering firm that has expertise in evaluating riparian conditions, delivering riparian education, and for developing a QUAPP. The Nueces River Authority is a governmental entity like GBRA and has the expertise required for needs of the City of Lockhart for grants. The main reason for pursuing the grant is to reduce e-coli in Town Branch by removing harmful plants and replacing them with plants and grasses that will help to naturally reduce harmful contaminants. Mr. Rodgers recommended approval. There was discussion.

D. DISCUSS INTERLOCAL AGREEMENT WITH CAPITAL AREA EMERGENCY COMMUNICATIONS DISTRICT FOR GOOD AND SERVICES ASSOCIATED WITH THE DELIVERY OF 911 SERVICE OR THE PUBLIC SAFETY ANSWERING POINT (PSAP) FOR THE CITY OF LOCKHART AT A COST NOT TO EXCEED \$1,000, AND APPOINTING THE MAYOR TO SIGN THE AGREEMENT.

Mr. Rodgers stated that the Capital Area Emergency Communications District provided goods and services for Lockhart's 9-1-1 system. This is often referred to as the PSAP or Public Safety Answer Point. The cost is not to exceed \$1,000 for the Fiscal Year 2017-2018 period. Mr. Rodgers recommended approval. There was discussion.

E. DISCUSS RESOLUTION 2017-16 APPROVING A TYPE B PROJECT UNDER SECTION 4B OF THE TEXAS ECONOMIC DEVELOPMENT CORPORATION ACT OF 1979, AS AMENDED, FOR FUNDING OF CHUNILAL, INC., DBA SCHLOTZSKY'S, IN AN AMOUNT NOT TO EXCEED \$72,166, TO EMPLOY A MINIMUM OF 15 FULL-TIME EQUIVALENT EMPLOYEES WITH AN AVERAGE ANNUAL WAGE OF \$16,416 AND AN ESTIMATED CAPITAL INVESTMENT OF \$1.4 MILLION OVER THE THREE-YEAR CONTRACTUAL PERIOD FOR LAND, BUILDING AND RELATED IMPROVEMENTS LOCATED AT 111 N. COLORADO STREET.

Mr. Tobias stated that the Lockhart Economic Development Corporation (LEDC) held the required public hearing and unanimously approved LEDC Resolution 2017-16 at its board meeting on April 17, 2017. The LEDC received input from representatives of Chunilal, input from staff, and reviewed the Economic Impact Data Sheet. Mr. Tobias recommended approval. There was discussion.

Mayor White announced that the Resolution would be read twice during the regular meeting.

Mr. Rodgers stated that the project is adjacent to the historic district not in the historic district as mentioned in the caption of the agenda item.

F. DISCUSS CHAPTER 380 ECONOMIC DEVELOPMENT AGREEMENT WITH CHUNILAL, INC., DBA SCHLOTZSKY'S, IN AN AMOUNT NOT TO EXCEED \$19,050, WHEREBY THE COMPANY AGREES TO EXPAND ITS BUSINESS INTO THE CITY OF LOCKHART HISTORIC DISTRICT AND TO INVEST AN ESTIMATED \$1.4 MILLION IN BUILDINGS, EQUIPMENT, AND INFRASTRUCTURE, EXCLUDING LAND AND AGREES TO EMPLOY A MINIMUM OF 15 FULL-TIME EQUIVALENT (FTE) JOBS WITH AN AVERAGE ANNUAL WAGE OF \$16,416 PER YEAR THROUGHOUT THE TERM OF THE AGREEMENT.

Mr. Tobias stated that the investment would attract a national franchise to the downtown historic district and continue to reduce the \$7 million retail leakage being realized as of the last retail study. Sales per unit are estimated at over \$600,000. Annual payroll is estimated at over \$246,240. The City would also realize an increase in traffic counts in this fast-emerging corridor and facilitate the attraction of other retail and restaurants in or near the historic district, a long-term goal. This investment would also expand the portfolio of Chunilal's assets in the City. The Chapter 380 agreement reflects a tax rebate for three years. Mr. Tobias recommended approval. There was discussion.

G. DISCUSS MINOR REVISIONS TO THE 380 ECONOMIC DEVELOPMENT AGREEMENT BETWEEN THE CITY OF LOCKHART AND LOCKHART EMERGENCY CARE CENTER, LLC, (LECC) APPROVED ON SEPTEMBER 5, 2017, WHEREBY THE COMPANY AGREES TO EXPAND ITS BUSINESS INTO THE CITY OF LOCKHART AND TO INVEST AN ESTIMATED \$5.8 MILLION IN BUILDINGS, EQUIPMENT AND INFRASTRUCTURE, EXCLUDING LAND, AND TO EMPLOY A MINIMUM OF THIRTY (30) NEW FULL-TIME EQUIVALENT (FTE) JOBS WITH AN AVERAGE WAGE OF \$30.00 PER HOUR THROUGH THE TERM OF THE AGREEMENT AND EMPLOY AT LEAST 39 FTE JOBS BY THE 10TH YEAR IN EXCHANGE FOR PROPERTY TAX REBATES POTENTIALLY AMOUNTING TO \$265,785 OVER A TEN (10) YEAR PERIOD, AND APPOINTING THE MAYOR TO SIGN THE AGREEMENT IF APPROVED.

Mr. Tobias stated that this item was being brought back to Council to accommodate a request by LECC to change some language in the already approved 380 Agreement. The language changes are not substantive. The City is authorized by Chapter 380, Texas Local Government Code, to promote state and local economic development and to stimulate business and commercial activity within the City. The proposed 380 Economic Development Program Agreement states the maximum amount of property tax rebates by year that will be paid to the company over a ten-year period, as long as the company complies with creating and maintaining 30 full-time equivalent (FTE) jobs and the average wage of \$30 per hour throughout the term of the agreement and employs at least 39 FTE jobs by the 10th year in exchange for property tax rebates potentially amounting to \$265,785 over a ten-year period. The dollar amount of the incentive changed also because of an error in the calculations. Mr. Tobias recommended approval. There was discussion.

H. DISCUSS GIFTING IN THE INTEREST OF A PUBLIC PURPOSE UNUSED SALVAGE FIRE DEPARTMENT RELATED EQUIPMENT TO THE TEXAS A&M FOREST SERVICE HELPING HANDS PROGRAM TO BE REFURBISHED AND DONATED TO SMALL FIRE DEPARTMENTS WITHIN TEXAS.

Mr. Rodgers stated that there are unused and outdated fire department equipment items that are taking up space at fire department storage areas. These items can be donated in the interest of a public purpose to the Texas A&M Forest Service Helping Hands Program which will refurbish most of the items and then donate them to small fire departments in need within Texas. The space in the storage area is needed. Mr. Rodgers recommended approval. There was discussion.

I. DISCUSS PROPOSED ENGINEERING SERVICES AGREEMENT WITH THE LOWER COLORADO RIVER AUTHORITY (LCRA) TO IDENTIFY LARGE ELECTRIC SYSTEM IMPROVEMENTS AND MAINTENANCE PROJECTS WITHIN THE SYSTEM OVER A FIVE-YEAR PERIOD BEGINNING JANUARY 1, 2018, AND APPOINTING THE MAYOR TO SIGN THE AGREEMENT.

Mr. Rodgers stated that LCRA has provided distribution electrical services for the City of Lockhart for more than 20 years. The current contract is about to expire on December 1, 2017. The services are paid through the wholesale power rate (3/100 of a penny). The anticipated cost of these engineering services over the next five years is \$110,000 which is billed on a monthly basis. These electrical engineering services are critical for City staff to make improvements and perform scheduled major maintenance to the current system helping to ensure a dependable electrical distribution system. If the City employed a staff electrical engineer, the salary plus benefits would be about \$160,000 per year. Mr. Rodgers recommended approval. There was discussion.

J. DISCUSS REQUEST BY THE CITY MANAGER AND BOB LEOS, ELECTRIC SUPERINTENDENT, TO CONSIDER APPROVAL OF AN INDEFINITE DELIVERY, INDEFINITE QUANTITY PROFESSIONAL ENGINEERING SERVICES AGREEMENT WITH CORBETT TECHNOLOGY FOR ENGINEERING SERVICES AS NEEDED AT A RATE NOT TO EXCEED \$125.00 PER HOUR, AND APPOINTING THE CITY MANAGER TO SIGN THE AGREEMENT IF APPROVED.

Mr. Rodgers stated that electric primary and secondary services provided by the City of Lockhart sometimes require difficult decisions that need to be evaluated by a qualified professional engineer to help assure staff that proposed improvements, repairs, and certain maintenance activities in the electrical system are safe and meet all good construction standards. Professional services would also be used as needed to review subdivision and commercial development electrical primary designs to make sure they comply with the City's construction standards. Corbett Technology was the engineering firm approved to design the lighting at the Corporal Jason K. LeFleur Sports Complex. Purchase orders would be issued for services in amounts not to exceed \$5,000. Mr. Rodgers recommended approval. There was discussion.

K. DISCUSS ORDINANCE 2017-39 WHICH ADOPTS CITY OF LOCKHART ELECTRIC REVISED ELECTRIC SERVICE CONSTRUCTION STANDARDS FOR OVERHEAD AND UNDERGROUND ELECTRIC SERVICES WITHIN THE CITY AND ITS SERVICE AREA.

Mr. Rodgers stated that the current electric service construction standards for overhead and underground services are more than 15 years old and need to be updated to reflect current codes and local requirements. Drawings within the current standards are also outdated. This ordinance adopts the new standards and drawings. The revisions and new drawings will help electric contractors when performing work in the City and/or its service area. The drawings and specifications were reviewed by an electrical engineer, Lockhart's Chief Building Official Shane Mondin and Electric Superintendent Bob Leos. Mr. Rodgers recommended approval. There was discussion.

L. DISCUSS ORDINANCE 2017-41 ADOPTING A POLE ATTACHMENT AGREEMENT AND TECHNICAL DESIGN MANUAL TO REGULATE POLE ATTACHMENTS WITHIN THE CITY IN THE INTEREST OF PUBLIC RIGHT-OF-WAY MANAGEMENT.

Mr. Rodgers stated that the ordinance adopts a Pole Attachment and Technical Design Manual to regulate pole attachments within the City of Lockhart in compliance with Chapter 284 of the Texas Local Government Code which allows wireless network providers to install their wireless facilities in the City's public rights-of-way. Mr. Rodgers recommended approval.

M. DISCUSS ORDINANCE 2017-42 AMENDING THE LOCKHART CODE OF ORDINANCES, CHAPTER 58 – UTILITIES, BY ADDING ARTICLE VI, USE OF RIGHTS OF WAY BY WIRELESS NETWORK PROVIDERS; PROVIDING FOR PUBLIC RIGHT-OF-WAY MANAGEMENT; REGULATING THE USE, OCCUPANCY AND MAINTENANCE OF CITY RIGHTS-OF-WAY BY WIRELESS NETWORK PROVIDERS; PROVIDING THE PURPOSE; PROVIDING DEFINITIONS; REQUIRING COMPLIANCE WITH THE CITY DESIGN MANUAL AND APPLICABLE CODES FOR THE INSTALLATION OF NETWORK NODES AND NODE SUPPORT POLES; PROVIDING PROCEDURES FOR PERMITS; PROVIDING FOR PERMIT FEES AND ANNUAL PUBLIC RIGHT-OF-WAY RENTAL RATES; PROVIDING RESTRICTIONS ON PLACEMENT OF NETWORK NODES AND NODE SUPPORT POLES IN MUNICIPAL PARKS, RESIDENTIAL AREAS, HISTORIC DISTRICTS AND DESIGN DISTRICTS.

Mr. Rodgers stated that the Ordinance amends Chapter 58 – Utilities, by adding Article VI, Use of Rights-of-Way by Wireless Network Providers, which provides for right-of-way management, regulates the use, occupancy and maintenance of City rights-of-way, requires compliance with the City Design Manual and applicable codes, permit procedures, and other provisions to protect the City's rights-of-way. Mr. Rodgers recommended approval. There was discussion.

N. DISCUSS ORDINANCE 2017-40 AMENDING CHAPTER 22, FLOODS, SECTIONS 22-130, STORMWATER RUNOFF DESIGN SPECIFICATIONS TO INCLUDE ENGINEERING DESIGN FREQUENCIES OF 2, 20, 25, AND 100 YEAR EVENTS WHICH WILL BETTER CONTROL DETENTION POND STORM WATER RELEASES.

Mr. Rodgers stated that the current ordinance only requires consideration of engineering design frequencies of 100 years. To better control detention pond storm water releases, design frequencies need to include 2, 20, 25, and 100-year events. The smaller storm events now are not detained as they should be. This change will make the detention ponds more effective by better protecting those properties downstream. Mr. Rodgers recommended approval. There was discussion.

O. DISCUSS CITY MANAGER'S RECOMMENDATION TO REJECT THE ONLY BID RECEIVED FOR FIRE STATION #3 CONSTRUCTION IN THE AMOUNT OF \$995,000 FROM COUNTYWIDE BUILDERS.

Mr. Rodgers stated that bids were sought in compliance with State law for the construction of a 3,400 square foot fire station behind Municipal Court and EMS on West San Antonio Street. Seven contractors contacted us and/or downloaded construction plans. Two local contractors picked up plans but only Countywide Builders submitted plans. Even if the bid was lowered by 25% as allowed by State law, the price would still be too high. Bids were expected to come in around \$600,000. Staff will work with the architect to re-evaluate the design and specifications and perform some "value engineering" on the project and possibly go out for bids again in about 30 to 45 days. Mr. Rodgers recommended approval to reject the bid. There was discussion.

P. DISCUSS GRANTING PERMISSION TO THE CITY MANAGER TO PURSUE A LONG TERM WATER AGREEMENT WITH THE GUADALUPE-BLANCO RIVER AUTHORITY (GBRA) ALONG WITH OTHER PUBLIC WATER SUPPLY ENTITIES FOR A LONG TERM FUTURE WATER SUPPLY SOURCE FOR LOCKHART TO BE OBTAINED IN THE SOUTHEASTERN PORTION OF CALDWELL COUNTY, AND TO BRING A PROPOSED AGREEMENT BACK TO COUNCIL FOR CONSIDERATION WITHIN THE NEXT 60 TO 120 DAYS.

Mr. Rodgers stated that the City of Lockhart has seven water wells. If all wells are operating, the well field can produce almost 3.2 million gallons of water per day (65% sustainability factor). The Luling water supply source can supply another .7 million gallons per day; the contract that supplies Luling water expires in 2027, but has a renewal provision. Lockhart does not get credit with the Texas Commission on Environmental Quality (TCEQ) for the Luling water since Lockhart is not an owner of any of water rights. Last year, Lockhart has a mean daily average of 1.87 million gallons per day and a peak of 2.45 million gallons in one day. With the projected residential and business growth, Lockhart will need more water in the future. Another consideration is that the current water plant was constructed in 1952 and its useful life can possibly be extended an additional 10 to 15 years with major repairs. Lockhart has an opportunity to partner with GBRA and possibly four more public water supply entities to obtain longer term future water in the southeastern portion of Caldwell County where it is plentiful and the quality is very good. It is possible that a water plant could be constructed there and treated water transported to all the communities involved in the project at a reasonable price considering the current prices and projected future demands in Central Texas. In initial discussions, the City Manager informed GBRA in initial discussion that Lockhart would be interested in securing up to 3,000 acre feet per year (978 million gallons a year) of water for future growth. Water is not going to get any cheaper and as Central Texas grows, the demand will dictate the higher prices. Mr. Rodgers requested approval. There was discussion.

Q. DISCUSS REQUEST BY JOEL GAMMAGE TO APPROVE CLOSURE OF SOUTH COMMERCE STREET FROM PRAIRIE LEA STREET TO US 183 SOUTH TO ACCOMMODATE THE CAR SHOW EVENT PLANNED THE FIRST WEEKEND IN FEBRUARY, 2018.

Mr. Rodgers stated that Mr. Gammage last appeared before the Council on September 20, 2017 regarding streets he wanted to close for the car show event in 2018. At that time, Council approved street closures as they have been in the past but not the closure of South Commerce from Prairie Lea to US 183 South. At that time, HEB officials appeared before Council and expressed serious concerns about the closure because of inconvenience for their patrons. There were others present that spoke in favor of the closure. Council did not approve the South Commerce closure but asked Mr. Gammage to meet with HEB officials and try to work out an agreement of some type that could be presented to the Council at this meeting in October. The City Manager met with Mr. Gammage several times since then in person and on the phone to discuss the event; the last meeting was on October 12. At that time, Mr. Gammage told the City Manager: quote "If I cannot have South Commerce closed between Prairie Lea and US 183 for the car show, I will cancel the event in Lockhart". The City Manager responded to Mr. Gammage that the South Commerce closure decision would be solely up to a majority of the Council. Mr. Gammage informed staff that he and other members would attend the meeting.

Mr. Rodgers provided a comparison of the maps that reflect Mr. Gammage's original request for closing South Commerce Street and a recent update of the City Manager's suggestion to closing South Commerce Street from Prairie Lea to Live Oak or further South to the North side of the south HEB driveway entrance on South Commerce. There was discussion.

Joel Gammage of Hat Rods and Hatters told the Council that he was amending his original request to close South Commerce Street from Prairie Lea to US 183 South to closing it as recommended by the City Manager between Prairie Lea leaving the south HEB entrance on Commerce open and also leaving Hickory Street open. He stated that the entrances to participate in the car show have increased tremendously and that the additional street closure would be necessary to accommodate the show cars. He also agreed to leave Pecan Street open and SH 142 provided officers were stationed at Commerce and Main Street for pedestrian safety- He thanked the Council for their time and consideration and requested approval. There was discussion.

Councilmember Hilburn requested that a map of the street closures be provided as an insert in utility bills about one month prior to the event in February 2018.

RECESS: Mayor White announced that the Council would recess for a break at 7:48 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 8:00 p.m.

ITEM 2. INVOCATION, PLEDGE OF ALLEGIANCE.

Invocation – Councilmember Hilburn.

Pledge of Allegiance to the United States and Texas flags.

ITEM 3. CITIZENS/VISITORS COMMENTS.

Mayor White requested citizens to address the Council. There were none.

ITEM 4. CONSENT AGENDA.

Mayor White announced that consent agenda item 4E would be pulled from the consent agenda to allow the Resolution to be read twice.

Mayor Pro-Tem Sanchez made a motion to approve consent agenda items 4A, 4B, 4C, 4D, 4F, 4G, 4H, 4I, 4J, 4K, 4L, 4M, 4N, 4O, and 4P. Councilmember Hilburn seconded. The motion passed by a vote of 7-0.

The following are the consent agenda items that were approved:

4A: Approve minutes of the City Council meeting of September 19, 2017 and September 26, 2017.

4B: Accept 4th Quarter Fiscal Year 2017 Investment Report.

4C: Approve agreement between the Nueces River Authority, Plum Creek Watershed Partnership, and the City of Lockhart whereby the Nueces River Authority, a governmental entity, provides professional engineering services in an amount not to exceed \$12,000 for evaluating riparian (areas adjacent to streams) conditions, delivering riparian education programs and development of a Quality Assurance Project Plan (QUAPP) for Town Branch which is required by the grant received from the Texas Commission on Environmental Quality (TCEQ) by the City of Lockhart, and appointing the City Manager to sign the agreement, if approved.

- 4D: Approve Interlocal Agreement with Capital Area Emergency Communications District for good and services associated with the delivery of 911 service or the Public Safety Answering Point (PSAP) for the City of Lockhart at a cost not to exceed \$1,000, and appointing the Mayor to sign the agreement.
- 4F: Approve Chapter 380 Economic Development Agreement with Chunilal, Inc., DBA Schlotzsky's, in an amount not to exceed \$19,050, whereby the company agrees to expand its business into the City of Lockhart Historic District and to invest an estimated \$1.4 million in buildings, equipment, and infrastructure, excluding land and agrees to employ a minimum of 15 full-time equivalent (FTE) jobs with an average annual wage of \$16,416 per year throughout the term of the agreement.
- 4G: Approve minor revisions to the 380 Economic Development Agreement between the City of Lockhart and Lockhart Emergency Care Center, LLC, (LECC) approved on September 5, 2017, whereby the Company agrees to expand its business into the City of Lockhart and to invest an estimated \$5.8 million in buildings, equipment and infrastructure, excluding land, and to employ a minimum of thirty (30) new full-time equivalent (FTE) jobs with an average wage of \$30.00 per hour through the term of the Agreement and employ at least 39 FTE jobs by the 10th year in exchange for property tax rebates potentially amounting to \$265,785 over a ten (10) year period, and appointing the Mayor to sign the agreement if approved.
- 4H: Approve gifting in the interest of a public purpose unused salvage fire department related equipment to the Texas A&M Forest Service Helping Hands Program to be refurbished and donated to small fire departments within Texas.
- 4I: Approve proposed Engineering Services Agreement with the Lower Colorado River Authority (LCRA) to identify large electric system improvements and maintenance projects within the system over a five-year period beginning January 1, 2018, and appointing the Mayor to sign the agreement.
- 4J: Approve request by the City Manager and Bob Leos, Electric Superintendent, to consider approval of an Indefinite Delivery, Indefinite Quantity Professional Engineering Services Agreement with Corbett Technology for engineering services as needed at a rate not to exceed \$125.00 per hour, and appointing the City Manager to sign the agreement if approved.
- 4K: Approve Ordinance 2017-39 which adopts City of Lockhart Electric revised Electric Service Construction Standards for Overhead and Underground Electric Services within the City and its service area.
- 4L: Approve Ordinance 2017-41 adopting a Pole Attachment Agreement and Technical Design Manual to regulate pole attachments within the city in the interest of public right-of-way management.
- 4M: Approve Ordinance 2017-42 amending the Lockhart Code of Ordinances, Chapter 58 – Utilities, by adding Article VI, use of rights of way by wireless network providers; providing for public right-of-way management; regulating the use, occupancy and maintenance of city rights-of-way by wireless network providers; providing the purpose; providing definitions; requiring compliance with the city design manual and applicable codes for the installation of network nodes and node support poles; providing procedures for permits; providing for permit fees and annual public right-of-way rental rates; providing restrictions on placement of network nodes and node support poles in municipal parks, residential areas, historic districts and design districts.
- 4N: Approve Ordinance 2017-40 amending Chapter 22, Floods, Sections 22-130, Stormwater Runoff Design Specifications to include engineering design frequencies of 2, 20, 25, and 100-year events which will better control detention pond storm water releases.
- 4O: Approve City Manager's recommendation to reject the only bid received for Fire Station #3 construction in the amount of \$995,000 from Countywide Builders.
- 4P: Approve granting permission to the City Manager to pursue a long-term water agreement with the Guadalupe-Blanco River Authority (GBRA) along with other public water supply entities for a long term future water supply source for Lockhart to be obtained in the southeastern portion of Caldwell County, and to bring a proposed agreement back to Council for consideration within the next 60 to 120 days.

ITEM 4-E: APPROVE RESOLUTION 2017-16 APPROVING A TYPE B PROJECT UNDER SECTION 4B OF THE TEXAS ECONOMIC DEVELOPMENT CORPORATION ACT OF 1979, AS AMENDED, FOR FUNDING OF CHUNILAL, INC., DBA SCHLOTZSKY'S, IN AN AMOUNT NOT TO EXCEED \$72,166, TO EMPLOY A MINIMUM OF 15 FULL-TIME EQUIVALENT EMPLOYEES WITH AN AVERAGE ANNUAL WAGE OF \$16,416 AND AN ESTIMATED CAPITAL INVESTMENT OF \$1.4 MILLION OVER THE THREE-YEAR CONTRACTUAL PERIOD FOR LAND, BUILDING AND RELATED IMPROVEMENTS LOCATED AT 111 N. COLORADO STREET.

Mayor White announced that Resolution 2017-16 would be read twice.

Mr. Tobias read Resolution 2017-16, in its entirety two times.

Mayor Pro-Tem Sanchez made a motion to approve Resolution 2017-16, as presented. Councilmember Mendoza seconded. The motion passed by a vote of 7-0.

Mr. Rodgers announced that the company has applied for a building permit and that plans have been approved. A groundbreaking ceremony will be held soon.

ITEM 5-A. DISCUSSION AND/OR ACTION REGARDING REQUEST BY JOEL GAMMAGE TO APPROVE CLOSURE OF SOUTH COMMERCE STREET FROM PRAIRIE LEA STREET TO US 183 SOUTH TO ACCOMMODATE THE CAR SHOW EVENT PLANNED THE FIRST WEEKEND IN FEBRUARY, 2018.

There was discussion regarding the car show's contributions to the community, notifying residents and businesses on Commerce Street about the street closure and to assure accommodation of parking for those affected by the street closures.

Mayor Pro-Tem Sanchez made a motion to approve the request by Joel Gammage to close South Commerce Street from Prairie Lea Street to the south but not to block the south HEB entrance off South Commerce Street leaving Hickory Street open as recommended by the City Manager to accommodate the car show event planned the first weekend in February 2018. The motion passed by a vote of 7-0.

Mr. Gammage stated that alcohol will not be sold during the 2018 or future car show events. The Downtown Revitalization Committee coordinates and manages the water and soda booth and all proceeds of the sales are allocated to that organization. He thanked the Council for their support.

ITEM 5-B. DISCUSSION AND/OR ACTION REGARDING APPOINTMENTS TO VARIOUS BOARDS, COMMISSIONS OR COMMITTEES.

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

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

- Update: Work 50% complete by Smith Contracting on Ash, Comal, Pine Street drainage project putting in storm water system first.
- Update: Work 75% complete for Evans Constructions installation of the large wastewater main along the north side of the railroad tracks near SH 130, north of SH 142.
- Update: US 183 Interceptor ditches 80% complete.
- Update: Work complete on replacing the bad 18" raw water transmission main in the well fields.
- Update: Corporal Jason K. LaFleur Sports Complex parking and field lighting work is progressing; rain has slowed down progress.

- Reminder: The Parks Master Plan Update Steering Committee has met twice and more meetings to come with public input.
- Reminder: Next Council meeting on November 16.
- Report: National Night Out.
- Report: Hill Country Cook-off Event.
- Report: Cross Country District Meet held in City Park.
- Election Day is November 7. Early voting is October 23 – November 3.

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

Councilmember Mendoza invited everyone to attend a Lockhart Independent School District student leadership council day on November 1 in the Council Chambers.

Mayor Pro-Tem Sanchez congratulated the Hill Country Cook-off (HCCO) for a successful event. She expressed condolences to the family of Susan Ewald Helka for their loss.

Councilmember Michelson thanked all that hosted and attended a National Night Out event.

Councilmember Hilburn announced that tonight would be the last council meeting that he will participate in as a Councilmember. The reasons are that he did not seek re-election of District 3 and that he will be out of town during the November 16 meeting. He thanked the citizens and District 3 for electing him to serve on the Council the last five years. He also thanked staff for their work and council for working with him.

Mayor White thanked Mr. Hilburn for his service and his dedication to the community, Council and staff.

Councilmember Westmoreland thanked Mr. Hilburn for his dedication and guidance during his tenure on the City Council.

Mayor White thanked the HCCO for a successful event. He wished Hat Rod and Hatters luck on a successful car show and he congratulated Texas Hatters on their 90th year celebration. *Speaking of the Dead* event will be held on October 20 and 21 at the City Cemetery. He encouraged citizens to vote; early voting will be conducted October 23 – November 3 at the Scott Annex at 1403 Blackjack. Election day is November 7.

ITEM 8. ADJOURNMENT.

Mayor Pro-Tem Sanchez made a motion to adjourn the meeting. Councilmember Mendoza seconded. The motion carried by a vote of 7-0. The meeting was adjourned at 8:39 p.m.

PASSED and APPROVED this the 16th day of November 2017.

ATTEST:

Connie Constancio
 Connie Constancio, TRMC, City Secretary

CITY OF LOCKHART

Lew White
 Lew White, Mayor

