

**REGULAR MEETING
LOCKHART CITY COUNCIL**

MAY 15, 2018

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 Kara McGregor
Councilmember Brad Westmoreland

Staff present:

Vance Rodgers, City Manager
Dan Gibson, City Planner
Rob Tobias, Economic Development Director
Erin Westmoreland, Municipal Court Manager

Connie Constancio, City Secretary
Jeff Hinson, Finance Director
Sean Kelley, Water/Wastewater Superintendent

Citizens/Visitors Addressing the Council: Tim Condon, Representative of Lockhart Emergency Care Center; Chris Van Heerde of HMT Engineering; Dan Brouillette and Tu Anh Cloteaux of DR Horton; James Milsner, Realtor; Mike London, Austin Resident; and, Citizens James Starks, Robert Steinbomer, William Stanley, Rebecca Uitermarkt, and Tim Schuelke.

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 RESOLUTION 2018-09 RESCINDING RESOLUTION 2017-10 RELATED TO THE LOCKHART EMERGENCY CARE CENTER, LLC PROJECT AND ASSOCIATED PERFORMANCE AGREEMENT FUNDING UP TO \$393,000 FOR LAND, INFRASTRUCTURE, IMPROVEMENTS AND RELATED DEVELOPMENT COSTS THAT ARE REQUIRED OR SUITABLE FOR THE DEVELOPMENT, RETENTION OR EXPANSION OF FACILITIES TO PROMOTE OR DEVELOP NEW OR EXPANDED BUSINESS ENTERPRISES, AND TO CREATE AND MAINTAIN NEW JOBS.

Mr. Tobias stated that the Lockhart Economic Development Corporation (LEDC) rescinded Resolution 2018-02, the previous 4B economic development project proposed by Lockhart Emergency Care Center, LLC (LECC) in order to consider a new project with a larger scope. Council Resolution 2018-09 rescinds City Council Resolution 2017-10 for the original LECC project so that a new project can be considered by the City Council. Mr. Tobias recommended approval.

B. DISCUSS RESOLUTION 2018-10 APPROVING A TYPE B PROJECT UNDER SECTION 4B OF THE TEXAS ECONOMIC DEVELOPMENT CORPORATION ACT OF 1979, AS AMENDED, FOR FUNDING OF LOCKHART EMERGENCY CARE CENTER, LLC IN AN AMOUNT NOT TO EXCEED \$466,000 BASED ON A \$11.3 MILLION CAPITAL INVESTMENT (INCLUDES \$1.3 MILLION OF LAND PURCHASE) IN THE PROJECT WITH A MINIMUM OF 30 NEW FULL-TIME EQUIVALENT (FTE) JOBS AT AN AVERAGE HOURLY WAGE OF \$30.00 TO BE CREATED AND RETAINED FOR A MINIMUM OF TEN (10) YEARS.

Mr. Tobias stated that the LEDC held the required public hearing regarding the project and unanimously approved LEDC Resolution 2018-03 at its recent board meeting on April 23, 2018. The LEDC received input from representatives of LECC, inputs from staff, and reviewed the Economic Impact Data Sheet. Two readings of the Resolution are required during the regular meeting.

C. DISCUSS RESCINDING THE CHAPTER 380 ECONOMIC DEVELOPMENT PROGRAM AGREEMENT DATED OCTOBER 17, 2017 AND TO REPLACE WITH THE PROPOSED CHAPTER 380 AGREEMENT DATED MAY 15, 2018 BETWEEN THE CITY OF LOCKHART AND LOCKHART EMERGENCY CARE CENTER, LLC, WHEREBY THE COMPANY AGREES TO EXPAND ITS BUSINESS INTO THE CITY OF LOCKHART AND TO INVEST AN ESTIMATED \$10 MILLION IN BUILDING, EQUIPMENT AND INFRASTRUCTURE, EXCLUDING LAND, AND TO EMPLOY A MINIMUM OF THIRTY (30) NEW FULL-TIME EQUIVALENT JOBS WITH AN AVERAGE WAGE OF \$30.00 PER HOUR THROUGHOUT THE TERM OF THE AGREEMENT IN EXCHANGE FOR PROPERTY TAX REBATES POTENTIALLY AMOUNTING TO \$458,250 OVER A TEN (10) YEAR PERIOD.

Mr. Tobias stated that the City is authorized by the 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 indicates the maximum amount of property tax rebates by year that will be paid to the company over a five-year period as long as the company complies with creating and maintaining 30 full-time equivalent jobs and the average wage of \$30.00 per hour for the ten-year period of the agreement. Failure to maintain the full-time equivalent jobs and the average wage will result in reduction of property tax rebate on a ratio basis. The tax rebate cannot include property tax paid on the land. Mr. Tobias recommended approval.

Tim Condon, Representative of LECC, stated that the project was revised to change the building plans to abide with Federal and State regulations for an emergency room because Federal and State regulations for a hospital requires additional square footage.

D. DISCUSS MINUTES OF THE CITY COUNCIL MEETING OF MAY 1, 2018.

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

E. DISCUSS 2ND QUARTER FISCAL YEAR 2018 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 information regarding the following topics in the 2nd Quarter Fiscal Year 2018 report:

- Quarterly Investment Report.
- Investment Portfolio Summary.
- Cash Accounts.
- Marketable Securities Transaction Summary.

- Investment Pool Transactions Summary.
- Certificates of Deposit Transaction Summary.
- Investment Pools.
- Bank of the Ozarks Collateralization.

F. DISCUSS RECOMMENDATION TO AWARD BID TO FUQUAY, INC., OF NEW BRAUNFELS, TEXAS, IN THE AMOUNT OF \$148,071.20 FOR STREET REPAIRS AND PAVING CONSISTING OF 980 SY OF 10" MILL, 980 SY OF 8" TYPE B BLACK BASE, 8,280 SY OF 2" HMAC, 7,300 SY OF UNDERSEAL ON MOCKINGBIRD LANE, SAN JACINTO STREET, CIBILO STREET AND PRAIRIE LEA STREET, AND APPOINTING THE MAYOR TO SIGN ALL CONTRACTUAL DOCUMENTS.

Mr. Kelley stated that these street repairs are part of the 2018 Street Improvements Projects previously approved by Council. Bids were advertised in compliance with State law for the paving and repairs of Mockingbird Lane, San Jacinto Street, Cibilo Street and Prairie Lea Street. Four bids were received ranging from \$148,071.20 to \$230,578. The lowest bid was submitted by Fuquay, Inc. This company has a commendable reputation in the construction business along with the personnel and equipment to get the job done successfully and on time. Mr. Kelley recommended approval. There was discussion.

G. DISCUSS A BUY BOARD PURCHASE OF A CASE 590SN BACKHOE FOR A PRICE OF \$103,725.64 TO BE PAID WITH 2015 CAPITAL OUTLAY FUNDS. THIS BACKHOE WOULD REPLACE A UNIT THAT IS MORE THAN 20 YEARS OLD.

Mr. Kelley stated that the oldest backhoe in the department's fleet was purchased back in 1997. It has been used for multiple 2015 certificates of obligation projects. This backhoe has undergone several repairs during this time including the replacement of multiple hydraulic components, several cylinder replacements, hose replacements and other various repairs. Staff uses these backhoes to repair water services, water mains, leaks at the well fields, sewer services, sewer mains, and maintenance projects for both water and wastewater. There is substantial savings by doing maintenance and replacement projects in-house. The savings by having city staff do these types of projects over the five years has totaled to approximately \$147,000. The capabilities of the new backhoe would include 4-wheel drive and an extendable rear backhoe boom. This new backhoe would be used for future water and wastewater projects, maintenance of the existing lines in town and could be used to save money by performing some of the certificates of obligation projects in-house. The best price for equipment is through Buy Board which has already gone through the public bidding process. The price for the unit is \$103,725.64. Mr. Kelley recommended approval. There was discussion.

H. DISCUSS APPOINTMENT OF ERIN WESTMORELAND AS ASSOCIATE MUNICIPAL COURT JUDGE.

Mr. Rodgers stated that Erin Westmoreland has almost eight years of experience in the Lockhart Municipal Court. She was promoted to Municipal Court Manager almost one year ago. There are times when Judge Coggins must be absent from the Court, and the Associate Judge can step in and handle the Court's business. If approved, Ms. Westmoreland would start her required training as soon as classes are available. The stipend for the additional duty would be \$500 per month as previously approved by Council. The City Manager has discussed this issue with Municipal Court Judge Coggins and he concurs with recommending Ms. Westmoreland's appointment. Mr. Rodgers recommended approval.

Ms. Westmoreland explained that the Presiding Judge's office hours are 9:00 am-12(noon), Monday through Thursday. In addition to using an Associate Court Judge during the Presiding Judge's absence, it would be beneficial to patrons to be able to see an Associate Judge to take care of their citations after the Judge's normal office hours.

There was discussion.

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

Councilmember Castillo gave the Invocation and led the Pledge of Allegiance to the United States and Texas flags.

ITEM 3. CITIZENS/VISITORS COMMENTS.

Mayor White requested citizens to address the Council on issues that are not listed on the agenda. There were none.

ITEM 6-E. APPROVE APPOINTMENT OF ERIN WESTMORELAND AS ASSOCIATE MUNICIPAL COURT JUDGE.

Mayor Pro-Tem Sanchez made a motion to appoint Erin Westmoreland as Associate Municipal Court Judge. Councilmember Westmoreland seconded. The motion passed by a vote of 7-0.

ITEM 4-A. HOLD A PUBLIC HEARING ON APPLICATION ZC-18-07 BY HMT ENGINEERING & SURVEYING ON BEHALF OF COTTONWOOD COMMONS, LLC FOR A ZONING CHANGE FROM RLD RESIDENTIAL LOW DENSITY DISTRICT TO PDD PLANNED DEVELOPMENT DISTRICT, INCLUDING APPLICATION PDD-18-02, A PLANNED DEVELOPMENT DISTRICT DEVELOPMENT PLAN FOR VINTAGE SPRINGS SUBDIVISION, PDD, A PROPOSED REPLAT OF LOT 1, BLOCK 2, AND LOT 2, BLOCK 1, TEXAS HERITAGE SUBDIVISION, CONSISTING OF A TOTAL OF 67.17 ACRES LOCATED AT 300 AND 411 MOCKINGBIRD LANE.

Mayor White opened the public hearing at 7:35 p.m. and requested the staff report.

Mr. Gibson stated that the PDD zoning classification is intended to accommodate developments with characteristics that may deviate from normal City standards. In return for such flexibility, the PDD requires an early commitment on the part of the developer in terms of the site layout, land uses, and amenities. Unlike conventional zoning classifications that cannot have conditions attached, the PDD classification is subject to the conditions represented by the development plan, which is adopted by-reference and cannot be charged except through the rezoning process. The subject property is proposed to be replatted into generous public open spaces and 270 residential lots that are smaller than the minimum required by our conventional residential zoning classifications. The proposed use is single-family detached residential, and the lots will be a minimum of 45 feet wide and 100 feet deep, although most lots will be 120 feet deep and corner lots will be at least 55 feet wide. The gross density of the subdivision is four dwelling units per

acre, which is considered low density and is, therefore, consistent with the Low Density Residential designation shown on the future land use plan map. The development would involve construction of Maple Street to provide access to San Jacinto Street, and the City is working with the developer to also complete the last remaining segment of Maple Street to connect to the dead end at the northeast corner of the Meadows at Clearfork Subdivision. Maple Street would then be continuous between San Jacinto Street and City Line Road. This will provide multiple routes not only for the residents of the subdivision, but also for residents of existing homes in the surrounding area. The development would consist of several detention ponds. He reminded the Council that a new subdivision is required to be engineered to improve drainage; not to make it worse. All streets, drainage, utilities, and parkland will meet City standards. In addition, sidewalks will be provided on both sides of all streets, even where not required, and a ten-foot wide hike/bike trail is proposed through an internal greenbelt in the approximate location shown on the City's sidewalk and trail plan. Although the lots will be narrow, the houses in this subdivision are proposed to average 1,700 square feet in floor area, with many being two-story. All houses will also have two-car garages. The minimum side building setbacks will be the same as required by the existing RLD zoning classification of the property. Various aesthetic standards and landscaping provisions are listed on the PDD Development Plan. These are amenities that the City doesn't require in the standard residential zoning districts. Owners of 29 percent of the land area within 200 feet of the subject property submitted letters of protest, so a minimum of six affirmative votes is required for approval. Mr. Gibson stated that the Planning and Zoning Commission voted 4-2 to recommend approval and that staff recommends approval.

Mayor White requested the applicant to address the Council.

Chris Van Heerde of HMT Engineering and Surveying requested that consideration of the zoning change be tabled so that the applicants would have time to have a separate meeting with the area residents, and he provided details regarding the following:

- Subdivision options that included a view of the preliminary plat.
- Playgrounds.
- Dog parks.
- Hike and bike trails.
- Detention ponds.
- Lot sizes.
- Multiple routes in and out of the proposed subdivision.

Dan Brouillette of DR Horton provided the following details regarding the homes to be built:

- Various house plans with several square footage options and sale prices.
- Examples of various cottage style themes and paint colors.
- Various hardiplank style options such as board and batten, shanker shingle and lap siding.
- Viewed examples of the existing homes in the Cottonwood Creek subdivision in San Marcos that would also be built in the proposed Vintage Springs Subdivision.

James Milsner, 100 East Whitestone Blvd., Cedar Park, real estate agent for the property owner, stated that the property owners would like the property to be developed for families. The property owner also donated the property for Bluebonnet Elementary and for the sidewalk right of way.

There was discussion regarding access in and out of the proposed subdivision.

Tu Anh Cloteaux of DR Horton stated that existing subdivisions with homes built by DR Horton in other cities have a home owners association. She stated that she is not aware of those homeowners having any issues with the neighborhood or with traffic near a school. Also, the space between homes in the proposed subdivision in Lockhart would be 15 feet.

RECESS: Mayor White announced that the Council would recess for a break at 9:11 p.m.

Mayor White announced that the Council would reconvene the meeting at 9:19 p.m.

Mayor White requested citizens in favor of the zoning change to address the Council.

Mike London, 1306 Winsted Lane, Austin, TX, spoke in favor of the proposed development. He stated that he is in the process of moving to downsize and thought that he would not like a smaller DR Horton home. After touring a DR Horton home, he was pleased with their open floor plan and realized that he would be comfortable in the smaller home. He stated that fear depends on exposure to the facts and that the fears may not be justified.

Mayor White requested citizens against the zoning change to address the Council.

James Starks, 401 San Jacinto, spoke against the zoning change and stated that he believes that the quality of their neighborhood would decrease with the additional homes. He stated that the neighborhood was under the impression that the item would be tabled and that if they knew that the Council was going to continue with the public hearing, many more citizens would have come to the meeting to express opposition. He requested that the zoning change be denied and that the lots remain zoned RLD.

Robert Steinbomer, 321 San Jacinto, spoke against the zoning change. He stated that his home floods now with extreme heavy rains and believes that the development might increase the instances of flooding. He requested that any development in the area follow the residential low density zoning as outlined in the Lockhart 2020 Comprehensive Plan. He also stated that the traffic would significantly increase in the neighborhood. The neighborhood was under the impression that the item was going to be tabled. Had the others known that the Council was going to continue with the public hearing, the Council Chambers would be filled with citizens in opposition.

William Stanley, 1232 Spruce, spoke against the zoning change. He stated that he hand delivered a letter at City Hall today addressed to Council providing many reasons that he is opposed to the zoning change. He stated that he believed that the detention ponds would be dangerous for children and that they should be fenced. He also stated that the homes would be too close together and that he is surprised that Council was continuing with the public hearing after the neighborhood was informed that the item would be tabled. He suggested that the developers meet with the neighborhood to answer questions and concerns before the Council takes action.

Rebecca Uitermarkt, 514 Christophers Cove, spoke against the zoning change. She expressed concern about possible flooding at her house because water currently reaches about one-half inch from her back door during heavy rains. She stated that she believes that the development would direct more water to flow into her backyard thereby causing indoor flooding. She also stated that the schools surrounding the neighborhood are already at the maximum student capacity.

Tim Schuelke, 502 St. Thomas, spoke against the zoning change. He stated that they purchased the home based on the current residential low density zoning surrounding his home to remain. He also expressed concern about the detention ponds and stated that he believed that additional traffic would be dangerous. The schools surrounding the neighborhood are already at the maximum student capacity.

Mayor White requested additional citizens against the zoning change to address the Council. There were none. He closed the public hearing at 9:35 p.m.

Mayor White announced that HMT Engineering requested that the item be tabled until the June 5, 2018 Council meeting to allow them the opportunity to meet with the area residents to discuss issues of concern. Mayor White also clarified that if there was a notice distributed to the neighborhood that indicated that the item would be tabled, it was not created by or distributed by the City.

ITEM 4-B. DISCUSSION AND/OR ACTION TO CONSIDER ORDINANCE 2018-11 AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF LOCKHART, TEXAS, TO RECLASSIFY THE PROPERTY KNOWN AS LOT 1, BLOCK 2, AND LOT 2, BLOCK 1, TEXAS HERITAGE SUBDIVISION, CONSISTING OF A TOTAL OF 67.17 ACRES LOCATED AT 300 AND 411 MOCKINGBIRD LANE, FROM RLD RESIDENTIAL LOW DENSITY DISTRICT TO PDD PLANNED DEVELOPMENT DISTRICT, INCLUDING A PLANNED DEVELOPMENT DISTRICT DEVELOPMENT PLAN FOR VINTAGE SPRINGS SUBDIVISION PLANNED DEVELOPMENT DISTRICT (PDD).

Mayor Pro-Tem Sanchez made a motion to table the item until the June 5, 2018 Council meeting. Councilmember McGregor seconded.

Councilmember McGregor stated that she hoped that the developers, builder and neighborhood could work together to establish a suitable subdivision that is acceptable to everyone affected.

Dan Brouillette of DR Horton requested that citizens with concerns provide him their name and address to allow them to send notification about an upcoming neighborhood meeting to discuss concerns about the development. Mr. Gibson stated that he also has the names and addresses of property owners within 200 feet and of those that expressed opposition at the Planning and Zoning Commission.

VOTE: The motion passed by a vote of 7-0.

ITEM 5-A. DISCUSSION AND/OR ACTION TO CONSIDER RESOLUTION 2018-09 RESCINDING RESOLUTION 2017-10 RELATED TO THE LOCKHART EMERGENCY CARE CENTER, LLC PROJECT AND ASSOCIATED PERFORMANCE AGREEMENT FUNDING UP TO \$393,000 FOR LAND, INFRASTRUCTURE, IMPROVEMENTS AND RELATED DEVELOPMENT COSTS THAT ARE REQUIRED OR SUITABLE FOR THE DEVELOPMENT, RETENTION OR EXPANSION OF FACILITIES TO PROMOTE OR DEVELOP NEW OR EXPANDED BUSINESS ENTERPRISES, AND TO CREATE AND MAINTAIN NEW JOBS.

Mayor Pro-Tem Sanchez made a motion to approve Resolution 2018-09, as presented. Councilmember Michelson seconded. The motion passed by a vote of 7-0.

ITEM 5-B. CONDUCT FIRST READING AND DISCUSSION REGARDING RESOLUTION 2018-10 APPROVING A TYPE B PROJECT UNDER SECTION 4B OF THE TEXAS ECONOMIC DEVELOPMENT CORPORATION ACT OF 1979, AS AMENDED, FOR FUNDING OF LOCKHART EMERGENCY CARE CENTER, LLC IN AN AMOUNT NOT TO EXCEED \$466,000 BASED ON A \$11.3 MILLION CAPITAL INVESTMENT (INCLUDES \$1.3 MILLION OF LAND PURCHASE) IN THE PROJECT WITH A MINIMUM OF 30 NEW FULL-TIME EQUIVALENT (FTE) JOBS AT AN AVERAGE HOURLY WAGE OF \$30.00 TO BE CREATED AND RETAINED FOR A MINIMUM OF TEN (10) YEARS.

Mr. Tobias read Resolution 2018-10 in its entirety.

ITEM 6. CONSENT AGENDA.

Mayor White requested that consent agenda item 6D be pulled for additional discussion.

Mayor Pro-Tem Sanchez made a motion to approve consent agenda items 6A, 6B, and 6C. Councilmember Westmoreland seconded. The motion passed by a vote of 7-0.

The following are the consent agenda items that were approved:

6A: Approve minutes of the City Council meeting of May 1, 2018.

6B: Accept 2nd Quarter Fiscal Year 2018 Investment Report.

6C: Approve recommendation to award bid to Fuquay, Inc., of New Braunfels, Texas, in the amount of \$148,071.20 for street repairs and paving consisting of 980 SY of 10" Mill, 980 SY of 8" Type B Black Base, 8,280 SY of 2" HMAC, 7,300 SY of Underseal on Mockingbird Lane, San Jacinto Street, Cibilo Street and Prairie Lea Street, and appointing the Mayor to sign all contractual documents.

ITEM 6-D. APPROVE A BUY BOARD PURCHASE OF A CASE 590SN BACKHOE FOR A PRICE OF \$103,725.64 TO BE PAID WITH 2015 CAPITAL OUTLAY FUNDS. THIS BACKHOE WOULD REPLACE A UNIT THAT IS MORE THAN 20 YEARS OLD.

Mayor White requested Tim Schuelke to address the council.

Tim Schuelke, 502 St. Thomas, stated that he believed that the city should have solicited quotes from all vendors instead of going through the Buy Board. He stated that he believed that another vendor should be given an opportunity to bid on a backhoe which he believes is of better quality than what was selected.

Mr. Rodgers explained that the Buy Board solicits bids on behalf of governmental entities. He explained that a Case product was selected because the old backhoe was also a Case machine which has been very dependable. Mr. Rodgers stated that the city also reviewed bids on the backhoe by the HGAC and the State purchasing board.

Mayor Pro-Tem Sanchez made a motion to approve the purchase of a backhoe up to the price of \$103,725.64. Councilmember Michelson seconded. The motion passed by a vote of 7-0.

ITEM 7-A. CONDUCT SECOND READING AND DISCUSSION AND/OR ACTION REGARDING RESOLUTION 2018-10 APPROVING A TYPE B PROJECT UNDER SECTION 4B OF THE TEXAS ECONOMIC DEVELOPMENT CORPORATION ACT OF 1979, AS AMENDED, FOR FUNDING OF LOCKHART EMERGENCY CARE CENTER, LLC IN AN AMOUNT NOT TO EXCEED \$466,000 BASED ON A \$11.3 MILLION CAPITAL INVESTMENT (INCLUDES \$1.3 MILLION OF LAND PURCHASE) IN THE PROJECT WITH A MINIMUM OF 30 NEW FULL-TIME EQUIVALENT (FTE) JOBS AT AN AVERAGE HOURLY WAGE OF \$30.00 TO BE CREATED AND RETAINED FOR A MINIMUM OF TEN (10) YEARS.

Mr. Tobias read Resolution 2018-10 in its entirety.

Councilmember Michelson made a motion to approve Resolution 2018-10, as presented. Councilmember Castillo seconded. The motion passed by a vote of 7-0.

ITEM 7-B. DISCUSSION AND/OR ACTION REGARDING RESCINDING THE CHAPTER 380 ECONOMIC DEVELOPMENT PROGRAM AGREEMENT DATED OCTOBER 17, 2017 AND TO REPLACE WITH THE PROPOSED CHAPTER 380 AGREEMENT DATED MAY 15, 2018 BETWEEN THE CITY OF LOCKHART AND LOCKHART EMERGENCY CARE CENTER, LLC, WHEREBY THE COMPANY AGREES TO EXPAND ITS BUSINESS INTO THE CITY OF LOCKHART AND TO INVEST AN ESTIMATED \$10 MILLION IN BUILDING, EQUIPMENT AND INFRASTRUCTURE, EXCLUDING LAND, AND TO EMPLOY A MINIMUM OF THIRTY (30) NEW FULL-TIME EQUIVALENT JOBS WITH AN AVERAGE WAGE OF \$30.00 PER HOUR THROUGHOUT THE TERM OF THE AGREEMENT IN EXCHANGE FOR PROPERTY TAX REBATES POTENTIALLY AMOUNTING TO \$458,250 OVER A TEN (10) YEAR PERIOD.

Mr. Tobias stated that in October 2017, the Council approved a Chapter 380 Agreement on the Lockhart Emergency Care Center project that is being returned with revisions to the project. The proposed revised 380 Economic Development Program Agreement states that the maximum amount of property tax rebates by year that will be paid to the company over a five-year period as long as the company complies with creating and maintaining 30 full-time equivalent jobs and the average wage of \$30.00 per hour for the ten-year period of the agreement. Failure to maintain the full-time equivalent jobs and the average wage will result in reduction in property tax rebate on a ratio basis. The tax rebate cannot include property tax paid on the land. Mr. Tobias recommended approval.

Councilmember McGregor made a motion to rescind the Chapter 380 Economic Development Program Agreement dated October 17, 2017 and to replace it with the Chapter 380 Economic Development Program Agreement dated May 15, 2018, as presented. Councilmember Castillo seconded. The motion passed by a vote of 7-0.

ITEM 7-C. DISCUSSION AND/OR ACTION REGARDING APPOINTMENTS TO VARIOUS BOARDS, COMMISSIONS OR COMMITTEES.

Mayor White requested appointments to boards and commissions.

Councilmember Castillo made a motion to appoint Oscar Torres to the Construction Board. Mayor Pro-Tem Sanchez seconded. The motion passed by a vote of 7-0.

There were no additional appointments.

ITEM 8. CITY MANAGER'S REPORT, PRESENTATION AND POSSIBLE DISCUSSION.

- Update: City Wastewater Crew is completing reroute of new sewer main on N. Church Street north of Pecan Street which was planned when the two sewer lift stations in the area were eliminated on previous projects.
- Update: Library personnel have started preparation for the popular Summer Reading Program.
- Update: Beginning June 1, Utility payments will be accepted at the Municipal Court drive-thru; all other utility related services will still be at City Hall or on line.
- Update: Preparation meetings for CTR events have begun.
- Update: City Pool will open June 12; Splash Pad opened on May 1.
- Update: Clearfork Meadows Phase III infrastructure is now complete and KB Homes has started two units.
- Update: The City will again have the Summer Fan Program; donations are welcomed.
- Update: Bids will go out soon for new large water mains on the west side of town that will feed the new water tower to be placed near SH 130 and FM 2001 and on FM 2720 to extend water main south.
- Update: Staff has been meeting with GBRA engineers about connectivity options for the planned new large water main coming from the new well field area near the Bastrop County Line.
- Report: Cinco de Mayo event downtown.

ITEM 9. COUNCIL AND STAFF COMMENTS – ITEMS OF COMMUNITY INTEREST.

Councilmember Westmoreland congratulated the Hispanic Chamber for a successful Cinco de Mayo celebration. He stated that the Gig 'Em/Hook 'Em Group raised \$2,500 per school for scholarships at the 10th annual golf tournament this past weekend.

Councilmember Mendoza congratulated the Hispanic Chamber for a successful Cinco de Mayo celebration. He congratulated the graduates of 2018. He expressed condolences to the Hill, Gutierrez and Martinez families for their loss.

Mayor Pro-Tem Sanchez congratulated the Hispanic Chamber for a successful Cinco de Mayo celebration and the Hays-Caldwell Women's Center for a successful gala and fundraiser. She expressed condolences to the families of Mark Martinez, Aurelia Gutierrez and Jose Leija for their loss. She congratulated the graduating class of 2018.

Councilmember McGregor congratulated Schlotzsky's for a successful grand opening. She encouraged citizens to support the Library.

Councilmember Castillo expressed condolences to those that have lost a loved one. He congratulated the Hispanic Chamber for a successful Cinco de Mayo and both the Hispanic and Lockhart Chambers for the collaborate efforts on upcoming events. He congratulated the graduating class of 2018. He thanked staff for their hard work.

Councilmember Michelson agreed with the comments previously announced.

Mayor White thanked the Hispanic Chamber for a successful Cinco de Mayo event. The Lockhart Chamber is beginning to work on the Chisholm Trail Roundup (CTR) and he invited citizens to volunteer. He requested that the Council and citizens consider the adopted ordinances when it comes to future development.

Mr. Rodgers announced that Tina Ramsey was recently hired as the Victim Assistance Coordinator.

Mayor White reminded the Council about City Manager interviews this weekend.

ITEM 10. 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 10:16 p.m.

PASSED and APPROVED this the 5th day of June 2018.

CITY OF LOCKHART



Lew White, Mayor

ATTEST:



Connie Constancio, TRMC
City Secretary

