

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
Peter Gruning, City Attorney

Connie Constancio, City Secretary
Dan Gibson, City Planner

Citizens/Visitors Addressing the Council: Oscar Fogle and Carrie Kasnicka of the Guadalupe-Blanco River Trust; Kevin Patteson of the Guadalupe-Blanco River Authority; and, Citizens Joe Alan Perez, Hal Davis, Jackie Zapien, and Frank Estrada.

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 JUNE 5, 2018.

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

B. DISCUSS ORDINANCE 2018-16 UPDATING CHAPTER 54, ARTICLE IV, OF THE CITY CODE OF ORDINANCES, ENTITLED HOTEL OCCUPANCY TAX TO REFLECT CHANGES IN THE STATE LAW REGARDING DEFINITIONS, EXEMPTIONS, AND PENALTIES.

Mr. Gruning stated that the ordinance updates the City's current ordinance to reflect recent changes in the State law regarding hotel occupancy tax. Mr. Gruning recommended approval.

C. DISCUSS ORDINANCE 2018-17 AMENDING SECTION 10-17, KEEPING OF FOWL, OF THE LOCKHART CODE OF ORDINANCES, TO REMOVE THE WORD "GANDERS" AND REPLACING IT WITH "GEESE".

Mr. Rodgers stated that the ordinance is required to eliminate conflict in the current ordinance that has caused some problems in Animal Control enforcement. Mr. Rodgers recommended approval. There was discussion.

D. DISCUSS AWARD OF BID IN THE AMOUNT OF \$33,517 TO TRAVIS INDUSTRIES OF SAN ANTONIO, TEXAS, FOR MAINTENANCE PROJECT THAT INCLUDES THE SANDBLASTING, PRIMING AND PAINTING OF TWO AERATOR TOWERS AND SUPPORTING STRUCTURES AT THE LOCKHART WATER PLANT AND APPOINTING THE MAYOR TO SIGN REQUIRED DOCUMENTS.

Mr. Rodgers stated that this maintenance project is part of the Water Plant Improvements that was approved by Council on June 5, 2018. The two aerator towers and supporting structures must be sandblasted, primed and painted to ensure they keep their integrity for years to come. These aerator towers introduce air into the water entering the plant; by doing so they remove dissolved gases and oxidize dissolved metals found

naturally in water so that they can be removed. This company is insured and has a good reputation for performing this type of work. Mr. Rodgers recommended approval.

E. DISCUSS THE PURCHASE OF A LEEBOY 500T TRAILER MOUNTED ASPHALT DISTRIBUTER FROM ROMCO EQUIPMENT COMPANY OF ROUND ROCK THROUGH BUYBOARD TO BE USED BY THE STREET DEPARTMENT FOR TACKING (APPLYING OIL) FOR STREET PAVING AND PATCHING OPERATIONS.

Mr. Rodgers stated that this equipment will allow the Street Department to properly tack or apply oil for paving and repair work performed on city streets. It will be safer and provide better quality applications. The life of the equipment is expected to be at least 15 years. The BuyBoard has the best price of \$18,575. Mr. Rodgers recommended approval.

F. DISCUSSION AFTER UPDATE PRESENTATION BY GUADALUPE-BLANCO RIVER TRUST (GBRT) REGARDING THE SH 130 WETLANDS MITIGATION SITE DEVELOPMENT PROCESS.

Oscar Fogle, Board of Director, GBRT, introduced Carrie Kasnicka, Executive Director of the GBRT to give the update regarding the SH 130 Wetlands mitigation site development process.

Ms. Kasnicka provided information and there was discussion regarding the following:

- Benefits of land conservation and preserving Plum Creek Wetland preserve.
- Primary management goals.
- Progress of various important steps taken since the last report of April 2017.
- GBRT mission statement.
- Progress in 2018.
- In May 2018, Texas Parks and Wildlife Department awarded the GBRT \$200,000 for funding towards the Plum Creek Wetland Preservation Community Trail.

G. DISCUSSION AFTER PRESENTATION REGARDING NEW LONG RANGE WATER SUPPLY UPDATE BY GUADALUPE-BLANCO RIVER AUTHORITY (GBRA).

Kevin Patteson of GBRA stated that the long-range water supply plan is a mid-basin long range water plan that involves several phases. One phase is to develop ground water in Gonzales County that involves three participants: City of Lockhart, Goforth Special Utility District and New Braunfels Utilities. The plan also includes other phases to obtain additional ground water development, surface water and aquafer storage and recovery. He reported information pertaining to the long-range water supply update as follows:

PROJECT STATUS:

- Contracts with participants have been executed. GBRA has hired HDR to be the project manager. HDR has worked on several aspects such as evaluating water quality and developing preliminary information in the RFQ for modeling the well field and development of the well field along with environmental review that is required in the construction phase of the project. The project is on schedule to have water delivered by 2023.

FUNDING STATUS

- Submitting to Texas Water Development Board (TWDB) for their SWIFT program, which is a state subsidized loan program for water supply projects that are in the state water plant. The state subsidy allows for below market interest rates, favorable loan terms, and the opportunity to defer some of the principal repayments in the early years until the time where there is growth that has come onto the system. GBRA staff has been working with the TWDB on the application process, with the anticipation of a formal approval date in July 2018.

- Alliance Regional Water Authorities (Alliance) is also developing a groundwater project in locations not too far from the well field that GBRA is developing and with customers along the same route as GBRA's customers. After consideration, GBRA believed that it only made sense to jointly develop a project with alliance. There are three main goals to be able to move forward with developing a joint facility with alliance as follows: 1) cost savings for every entity involved; 2) permanent arrangement between Alliance and GBRA where neither party could be removed from the capacity of the project; and, 3) ability to future proof the project to be able to utilize what was being developed so that future phases of the mid-basin project could be developed to provide water to others. An agreement has been developed to accomplish each of the goals. Both GBRA and Alliance boards will review and consider execution of the agreement within the next two weeks. Approval of the agreement is anticipated by both GBRA and Alliance boards.

Mr. Rodgers commended GBRA and HDR and all involved with the long-range water supply project. There was discussion regarding the project.

H. DISCUSS ACCEPTANCE OF RETIREMENT DATE EXTENSION FOR CITY MANAGER.

Mayor White stated that Mr. Rodgers graciously extended the notice of intent to retire from June 30, 2018 to September 30, 2018. Due to circumstances with filling the City Manager's position, Mr. Rodgers submitted an updated notice for consideration by the Council that extends his retirement date to September 30, 2018. There was discussion.

RECESS: Mayor White announced that the Council would recess for a break at 7:15 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 McGregor 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 regarding an issue that is not on the agenda.

Joe Alan Perez, 408 Concho, stated that a few days ago he arrived at his home to find the animal control there for his dogs and police officers there to take his vehicles. He stated that he believes that he is being targeted. He requested additional time to repair his vehicles before they are towed. Mayor White replied that the Council is unable to discuss his issue and requested that he consult with the City Manager about an extension on removing the vehicles. Mr. Perez replied that he has talked with the City Manager and that he was told that he must be in compliance. Mayor White stated that the City Manager is the staff person that has the authority to work with staff to issue extensions for these types of situations and requested that Mr. Perez continue to discuss his issue with the City Manager.

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

ITEM 4-A. HOLD A PUBLIC HEARING ON APPLICATION ZC-18-09 BY GREEN ACRES HOUSING ON BEHALF OF HAL DAVIS FOR A ZONING CHANGE FROM MH MANUFACTURED HOME DISTRICT TO RMD RESIDENTIAL MEDIUM DENSITY DISTRICT ON LOTS 1 AND 2, BLOCK 1, COTTAGE ADDITION, LOCATED AT 1105 RED RIVER STREET.

Mayor White opened the public hearing at 7:36 p.m. and requested the staff report.

Mr. Gibson stated that the owner recently platted the subject property into two lots for the purpose of new residential development. The existing substandard mobile home and attached addition will be removed. He stated that utilities are currently connected. If utilities were to have been disconnected for 30 calendar days, the MH zoning would have automatically reverted to the zoning of the surrounding area, which in this case would be RMD. For lots of the size platted on this property, the requested RMD zoning classification allows either a single-family dwelling or a duplex on each lot. The subject property abuts RMD zoning on three sides, so the rezoning would simply relocate an existing zoning boundary. The east side of Red River Street across from the subject property is an area zoned RHD, which is a higher intensity classification that would not be adversely impacted by the proposed change from MH to RMD. The requested RMD zoning is consistent with the Land Use Plan map which shows medium density residential for the area. One letter of opposition and four protest forms have been submitted. At the Planning and Zoning Commission meeting, three people spoke against the rezoning and no one spoke in favor. The land area owned by the property owners protesting occupies 38 percent of the total area within 200 feet of the subject property. State law and our zoning ordinance provide that if written protests are received from the owners of 20 percent or more of the land area within 200 feet, an affirmative vote of at least a 3/4 majority (six votes) of the City Council is required in order to approve the zoning change. Mr. Gibson stated that staff and the Planning and Zoning Commission recommend approval.

Mayor White requested the applicant to address the Council.

Hal Davis, 8703 Crystal Creek, Austin, applicant, stated that he believed that building two duplexes in the neighborhood would be an improvement. He manages additional rental properties in Lockhart and stated that he has removed the dilapidated shed to begin the cleanup process of the property. There was discussion regarding the requirements of potential new tenants of the residences, if the zoning change is approved. Mr. Davis and Jackie Zapien replied that passing credit and background checks are requirements of lease approval. Mr. Davis also stated that the duplexes would not be low-income based rentals. There was discussion. Ms. Zapien stated that she also believes that the new construction would attract responsible tenants/neighbors.

Councilmember Castillo expressed concern about unfavorable tenants of the existing home on the subject property. He also expressed disappointment that the applicant nor his representative appeared at the Planning and Zoning Commission to answer questions and address concerns about the proposed zoning change.

Mayor White requested citizens in favor of the zoning change to address the Council. There were none.

Mayor White requested the following citizen against the zoning change to address the Council:

Frank Estrada, 407 West China Street, spoke against the zoning change. He stated that the neighborhood has a problem with crime and drug abuse. The neighborhood believes that additional rental units would attract tenants that would add to the crime and drug abuse problem. He requested that the Council listen to the neighborhood and deny the zoning change because the majority are against it.

Mayor White requested additional citizens in favor of or against the zoning change to address the Council. There were none. He closed the public hearing at 8:16 p.m.

ITEM 4-B. DISCUSSION AND/OR ACTION TO CONSIDER ORDINANCE 2018-15 AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF LOCKHART, TEXAS, TO RECLASSIFY THE PROPERTY KNOWN AS LOTS 1 AND 2, BLOCK 1, COTTAGE ADDITION, LOCATED AT 1105 RED RIVER STREET, FROM MH MANUFACTURED HOME DISTRICT TO RMD RESIDENTIAL MEDIUM DENSITY DISTRICT.

Mayor White stated that the property is in a state of disrepair and that police records indicate that there have been several calls to the residence. He stated that he believes that new construction would increase the value of the neighborhood.

Mayor Pro-Tem Sanchez stated that she believes that a wooded area in the neighborhood contributes to crime activity in District 2. She stated that newly constructed housing might attract favorable tenants.

Councilmember Michelson stated that he does not believe that the Council can take the crime rate in the neighborhood into consideration when considering a zoning change. He stated that he believes that it is up to the neighborhood and the police to work together to clean up the crime. Newly constructed housing would be an improvement to what is currently on the property and it would be an opportunity to make an improvement in the neighborhood.

Councilmember McGregor stated that she believes that newly constructed housing would be an improvement in the neighborhood.

Councilmember Mendoza stated that Mr. Davis built duplexes on White Oak Street in District 1, which the neighborhood was against during the construction phase. The neighborhood now seems pleased with the duplexes and the tenants.

Mayor Pro-Tem Sanchez made a motion to approve Ordinance 2018-15, as presented. Councilmember Michelson seconded. The motion passed by a vote of 6-1, with Councilmember Castillo opposing.

ITEM 5. CONSENT AGENDA.

Councilmember Michelson made a motion to approve consent agenda items 5A, 5B, 5C, 5D and 5E. Mayor Pro-Tem Sanchez 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 June 5, 2018.
- 5B: Approve Ordinance 2018-16 updating Chapter 54, Article IV, of the City Code of Ordinances, entitled Hotel Occupancy Tax to reflect changes in the State law regarding definitions, exemptions, and penalties.
- 5C: Approve Ordinance 2018-17 amending Section 10-17, Keeping of Fowl, of the Lockhart Code of Ordinances, to remove the word "ganders" and replacing it with "geese".
- 5D: Approve award of bid in the amount of \$33,517 to Travis Industries of San Antonio, Texas, for maintenance project that includes the sandblasting, priming and painting of two aerator towers and supporting structures at the Lockhart Water Plant and appointing the Mayor to sign required documents.
- 5E: Approve the purchase of a LeeBoy 500T trailer mounted asphalt distributor from ROMCO Equipment Company of Round Rock through BuyBoard to be used by the Street Department for tacking (applying oil) for street paving and patching operations.

ITEM 6-A. DISCUSSION AND/OR ACTION AFTER UPDATE PRESENTATION BY GUADALUPE-BLANCO RIVER TRUST (GBRT) REGARDING THE SH 130 WETLANDS MITIGATION SITE DEVELOPMENT PROCESS.

Mayor White announced that the presentation was made during the work session.

ITEM 6-B. DISCUSSION AND/OR ACTION AFTER PRESENTATION REGARDING NEW LONG RANGE WATER SUPPLY UPDATE BY GUADALUPE-BLANCO RIVER AUTHORITY (GBRA).

Mayor White announced that the presentation was made during the work session.

ITEM 6-C. DISCUSSION AND/OR ACTION TO CONSIDER ACCEPTANCE OF RETIREMENT DATE EXTENSION FOR CITY MANAGER.

Councilmember McGregor made a motion to accept extending the date of the City Manager's retirement to September 30, 2018. Mayor Pro-Tem Sanchez seconded. The motion passed by a vote of 7-0.

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

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

ITEM 7. 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. 100% complete; paving pending.
- Update: Summer Reading Program underway; commendable reports.
- Update: The City Swimming Pool had a successful opening day on June 12th with 266 people visiting. A few new lounge chairs have been added this year around the pool. The pool goers seem to really enjoy them.
- Update: Parks Board Meeting is scheduled for Thursday, June 21st. Members will be finalizing the prioritization of projects/upgrades for each park mentioned in the Parks and Recreation Open Space Master Plan so that recommendation can be taken to Council. They have finished prioritizing the large multiuse parks and only lack the smaller parks.
- Update: Street Crews will start asphalt overlays next week on North Pecos Street from Bois D'Arc Street to the south dead-end and Comal Street from Willow Street to Ash Street.
- Update: Fuquay will start their paving projects around July 9th; notices will be put out for residents and business.
- Update: Water Crews will start replacing an old 2" water main in the alley of South Main Street in-between West San Antonio Street and Market Street behind First Lockhart National Bank; we have had several leaks in this alley over the years which sometimes leaks water in the basements. The rest of the downtown alleys already have new PVC.
- Update: Finance, Dept. Heads, and City Manager continue to work on the first draft of the proposed FY 18-19 Budget to be presented to Council on July 5.
- Report: 2018 CTR Event and parade.
- Report: Officer Stephen Parra will host "Coffee with Cops" on Saturday, June 30 from 8:00-11:00 am at McDonalds.
- Report: There have been many complaints regarding rental properties. If tenants provide their complaint in writing to the city, either the city manager or the building official will go to the residence and see if the issues of concern can be addressed.

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

Councilmember Westmoreland congratulated the Lockhart Chamber of Commerce for a successful Chisholm Trail Roundup (CTR).

Councilmember Mendoza congratulated the Lockhart Chamber of Commerce for a successful CTR and to the District 1 Pride for a successful Juneteenth picnic.

Mayor Pro-Tem Sanchez congratulated the Lockhart Chamber of Commerce for a successful CTR. She expressed condolences to the family of Dennis Placke for the loss of his father and get well wishes to Mary Gonzales-Martinez. She expressed best wishes to the City of Luling for a successful Watermelon Thump.

Councilmember McGregor congratulated the Lockhart Chamber of Commerce for a successful CTR. She provided a brief update regarding the Branding and Wayfinding committee’s progress. Their goal is to have a presentation to the Council on July 17, 2018.

Councilmember Castillo thanked staff for their work during the CTR and he congratulated the Lockhart Chamber of Commerce for another successful CTR event. He encouraged citizens to participate and get involved in meetings when there are issues that they are concerned about.

Councilmember Michelson congratulated the Lockhart Chamber of Commerce for a successful CTR.

Mayor White also congratulated the Lockhart Chamber of Commerce for a successful CTR. He reminded Council that the July 3rd council meeting was rescheduled to July 5th to allow everyone to attend the fireworks show.

ITEM 9. 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 8:44 p.m.


PASSED and APPROVED this the 17th day of July 2018.

CITY OF LOCKHART



Lew White, Mayor

ATTEST:



Connie Constancio, TRMC
City Secretary

