

**LOCKHART CITY COUNCIL
REGULAR MEETING**

NOVEMBER 14, 2019

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:

Steve Lewis, City Manager
Monte Akers, City Attorney
Pam Larison, Finance Director
Ernest Pedraza, Police Chief

Connie Constancio, City Secretary
Miles Smith, Public Information Officer
Sean Kelley, Public Works Director

Citizens/Visitors Addressing the Council: Citizens: Linda Barron and Johnny Barron, Jr., and Michael Strong of Blue Layer Innovative Technology.

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 ORDINANCE 2019-27 AMENDING CHAPTER 56, ARTICLE IX, WRECKERS, DIVISION 4, LIMITATIONS ON RATES FOR NON-CONSENT TOWS, INCREASING FEES FOR POLICE AUTHORIZED TOWS FROM AN ACCIDENT SCENE, POLICE AUTHORIZED TOW-IMPOUNDS AND ALL OTHER NON-CONSENT TOWS, AND ADDING A SECTION TO ESTABLISH PROCEDURES BY WHICH A TOWING COMPANY MAY REQUEST THAT A TOWING FEE STUDY BE PERFORMED.

Chief Pedraza stated that the towing companies are requesting that the city allow the same itemized fees as Caldwell County. There was discussion regarding the proposed itemized fee schedule.

Linda Barron, 1608 Meadow Lane, provided an explanation about the difference between consent and non-consent tow. She requested that the towing fees be itemized and listed to be the same as Caldwell County.

John Barron, Jr., 1608 Meadow Lane, spoke against the city monitoring towing fees and suggested that towing fees be regulated by each towing company since the State already mandates the maximum fees that they can charge.

B. DISCUSS ANALYSIS AND ALLOW THE CITY MANAGER TO NEGOTIATE AN AGREEMENT FOR INFORMATION TECHNOLOGY (IT) MANAGEMENT SERVICES WITH BLUE LAYER INNOVATIVE TECHNOLOGY SERVICES.

Ms. Larison provided information regarding the City's request for proposal (RFP) to solicit sealed bids for IT Management Services. Sealed bids were accepted until October 31, 2019. Bids were thereafter analyzed for the costs and benefits submitted in the RFPs of the top five (5) proposals. The criteria used for the analysis were: (1) Mandatory elements: independent and licensed in the State of Texas; professional personnel with experience in Public Safety System and Criminal Justice Information Services certification; no conflict of interest; and adhered to instruction in the RFP; (2) Technical Qualifications: expertise and experience and listed services to be provided in the RFP (i.e. desktop application support, server administrative support, network administrative support, security, and strategic planning); and, (3) Cost of Services. The term of the agreement (1-3 years) can be negotiated by the City. Fees are set according to cost per unit (i.e. desktop and servers units) and will only increase if the number of units increase. Ms. Larison recommended that the Council authorize the City Manager to negotiate and award bid for IT management with Blue Layer Innovative Technology Services. There was discussion.

Michael Strong of Blue Layer Innovative Technology provided information regarding their service such as the 24-hour monitoring services. There was discussion regarding on-site service. Mr. Strong replied that Blue Layer's corporate office is in Lubbock, Texas yet they do have satellite offices in San Antonio and Austin whereby on-site support would be available fairly quickly.

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 meeting to order 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. PUBLIC COMMENT.

Mayor White requested citizens to address the Council regarding an item that is not on the agenda. There were none.

ITEM 4-A. DISCUSSION AND/OR ACTION TO CONSIDER ORDINANCE 2019-27 AMENDING CHAPTER 56, ARTICLE IX, WRECKERS, DIVISION 4, LIMITATIONS ON RATES FOR NON-CONSENT TOWS, INCREASING FEES FOR POLICE AUTHORIZED TOWS FROM AN ACCIDENT SCENE, POLICE AUTHORIZED TOW-IMPOUNDS AND ALL OTHER NON-CONSENT TOWS, AND ADDING A SECTION TO ESTABLISH PROCEDURES BY WHICH A TOWING COMPANY MAY REQUEST THAT A TOWING FEE STUDY BE PERFORMED.

Mayor Pro-Tem Sanchez made a motion to approve Ordinance 2019-27, as amended to reflect the same itemized towing fees as Caldwell County's current fees. Councilmember Michelson seconded. The motion passed by a vote of 7-0.

ITEM 4-B. DISCUSSION AND/OR ACTION TO CONSIDER APPROVAL OF ANALYSIS AND ALLOW THE CITY MANAGER TO NEGOTIATE AN AGREEMENT FOR IT MANAGEMENT SERVICES WITH BLUE LAYER INNOVATIVE TECHNOLOGY SERVICES.

Mayor Pro-Tem Sanchez made a motion to award the bid to Blue Layer Innovative Technology Services and to allow the City Manager to negotiate an agreement with Blue Layer Innovative Technology Services for IT Management Services. Councilmember McGregor seconded. The motion passed by a vote of 7-0.

ITEM 4-C. DISCUSSION AND/OR ACTION REGARDING APPOINTMENTS TO VARIOUS BOARDS, COMMISSIONS OR COMMITTEES.

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

ITEM 5. CITY MANAGER'S REPORT, PRESENTATION AND POSSIBLE DISCUSSION.

- Tree of Angels ceremony – Monday, December 2 at 7:00 p.m. at First Lockhart Baptist Church.
- Dickens' Lighted parade will be on Friday, December 6 at 7:00 p.m. with festivities continuing December 7th.
- Light Up Lockhart and pictures with Santa on the Downtown Square on Sunday, December 8 at 3:30 p.m.
- Fire Department had five out of eight candidates pass the written and physical ability tests on November 2, 2019. Fire Department currently has three positions open. Interviews will begin soon.

ITEM 6. COUNCIL AND STAFF COMMENTS – ITEMS OF COMMUNITY INTEREST.

Councilmember Westmoreland invited everyone to the Lockhart Lions High School football playoff game.

Councilmember Mendoza thanked all that volunteered at the Keep Lockhart Beautiful clean up event this past weekend. He thanked Councilmember Castillo for his service to the community the past nine years.

Mayor Pro-Tem Sanchez expressed condolences to the families of Jorge Alanis, Brian Pesina and Consuela Estrada for their loss. She congratulated the Lockhart Lions for their accomplishment to the playoffs. She thanked John Castillo for his service to the community and wished him well in his future endeavors.

Councilmember McGregor wished everyone a Happy Thanksgiving. She thanked Councilmember John Castillo for his service and wished him well in his future endeavors.

Councilmember Castillo thanked Council and staff for working with him and the community for their confidence in him during his tenure as Councilmember. He wished all Happy Holidays.

Mayor White wished everyone a Happy Holiday and he wished the Lockhart Lions good luck.

Mayor Pro-Tem Sanchez expressed condolences to city employee David Jewell for the loss of his father.

ITEM 7. EXECUTIVE SESSION ITEMS

Mayor White announced that the Council would enter Executive Session to discuss the following items at 7:50 p.m.

EXECUTIVE SESSION IN ACCORDANCE WITH THE PROVISIONS OF THE GOVERNMENT CODE, TITLE 5, SUBCHAPTER D, SECTION 551.087 TO DELIBERATE OR FOR DISCUSSION REGARDING COMMERCIAL OR FINANCIAL INFORMATION THAT THE GOVERNMENTAL BODY HAS RECEIVED FROM A BUSINESS PROSPECT THAT THE GOVERNMENTAL BODY SEEKS TO HAVE LOCATE, STAY, OR EXPAND IN OR NEAR THE TERRITORY OF THE GOVERNMENTAL BODY AND WITH WHICH THE GOVERNMENTAL BODY IS CONDUCTING ECONOMIC DEVELOPMENT NEGOTIATIONS; OR TO DELIBERATE THE OFFER OF A FINANCIAL OR OTHER INCENTIVE TO A BUSINESS PROSPECT. Discussion regarding Economic Development negotiations with Project Al.

EXECUTIVE SESSION IN ACCORDANCE WITH THE PROVISIONS OF THE GOVERNMENT CODE, TITLE 5, SUBCHAPTER D, SECTION 551.086- TO DELIBERATE, VOTE, OR TAKE FINAL ACTION ON ANY COMPETITIVE MATTERS RELATING TO PUBLIC POWER UTILITIES. Discussion of entering into a contract with AEP regarding the City's wholesale electric power supply and customer supply obligation.

EXECUTIVE SESSION IN ACCORDANCE WITH THE PROVISIONS OF THE GOVERNMENT CODE, TITLE 5, SUBCHAPTER D, SECTION 551.071, PRIVATE CONSULTATION WITH ITS ATTORNEY TO SEEK ADVICE ABOUT PENDING OR CONTEMPLATED LITIGATION; AND/OR SETTLEMENT OFFER; (2) AND/OR A MATTER IN WHICH THE DUTY OF THE ATTORNEY TO THE GOVERNMENT BODY UNDER THE TEXAS DISCIPLINARY RULES OF PROFESSIONAL CONDUCT OF THE STATE OF TEXAS CLEARLY CONFLICTS WITH THIS CHAPTER. Consultation with City Attorney regarding National Prescription Opiate Litigation.

ITEM 8. OPEN SESSION.

Mayor white announced that the council would enter open session at 8:11 p.m. to consider the following items:

A. DISCUSSION AND/OR ACTION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS WITH PROJECT AL.

Mayor Pro-Tem Sanchez made a motion to authorize the City Manager to offer incentives to Project Al as discussed in executive session. Councilmember Westmoreland seconded. The motion passed by a vote of 7-0.

B. DISCUSSION AND/OR ACTION REGARDING A CONTRACT WITH AEP REGARDING THE CITY'S WHOLESALE ELECTRIC POWER SUPPLY AND CUSTOMER SUPPLY OBLIGATION.

Councilmember Michelson made a motion to authorize the City Manager to sign a new agreement with AEP through 2028. Councilmember McGregor seconded. The motion passed by a vote of 7-0.

C. DISCUSSION AND/OR ACTION REGARDING NATIONAL PRESCRIPTION OPIATE LITIGATION.

No action taken.

ITEM 9. COUNCIL ACTION REGARDING THE NOVEMBER 5, 2019 GENERAL ELECTION. DISCUSSION AND/OR ACTION TO CONSIDER RESOLUTION 2019-33 CANVASSING THE GENERAL ELECTION HELD ON NOVEMBER 5, 2019 FOR THE ELECTION OF COUNCILMEMBER DISTRICT 1, COUNCILMEMBER DISTRICT 2, AND TWO COUNCILMEMBERS AT-LARGE.

Councilmember Castillo read election results for District 1.

Councilmember Michelson read election results for District 2.

Councilmember McGregor read election results for At-Large.

Mayor White read the final election results for each candidate.

Mayor Pro-Tem Sanchez made a motion to approve Resolution 2019-33, as presented. Councilmember McGregor seconded. The motion passed by a vote of 7-0

The newly elected Councilmembers are as follows:

- Councilmember District 1 – Juan Mendoza
- Councilmember District 2 – Derrick David Ray Bryant
- Councilmember At-Large – Angie Gonzales-Sanchez
- Councilmember At-Large – Brad Westmoreland

ITEM 9-B. ADMINISTER OATH OF OFFICE TO NEWLY ELECTED COUNCILMEMBERS.

Judge Anita DeLeon administered the Oath of Office to Juan Mendoza as Councilmember District 1.

Judge Barbara Molina administered the Oath of Office to Derrick David Ray Bryant as Councilmember District 2.

Judge Barbara Molina administered the Oath of Office to Angie Gonzales-Sanchez as Councilmember At-Large.

Judge Chris Schneider administered the Oath of Office to Bradford Westmoreland as Councilmember At-Large.

Derrick David Ray Bryant took a seat at the Council dias as newly elected Councilmember District 2.

Mayor White presented a token of appreciation to outgoing Councilmember John Castillo and the Council thanked him for his service to the community and wished him well in his future endeavors.

ITEM 10. ADJOURNMENT.

Councilmember Mendoza made a motion to adjourn the meeting. Mayor Pro-Tem Sanchez seconded. The motion passed by a vote of 7-0. The meeting was adjourned at 8:30 p.m.

PASSED and APPROVED this the 3rd day of December 2019.

CITY OF LOCKHART



Lew White, Mayor

ATTEST:



Connie Constancio, TRMC, City Secretary

