

**REGULAR MEETING
LOCKHART CITY COUNCIL**

JULY 7, 2020

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 Derrick David Bryant
Councilmember Kara McGregor
Councilmember Brad Westmoreland

Staff present:

Steven Lewis, City Manager
Will Trevino, City Attorney

Connie Constancio, City Secretary
Miles Smith, Public Information Officer

Citizens/Visitors Addressing the Council: Cody Kimbell, 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:

DISCUSSION ONLY

A. DISCUSS ORDINANCE 2020-14 CALLING A GENERAL ELECTION ON NOVEMBER 3, 2020 FOR THE PURPOSE OF ELECTING ONE MAYOR; ONE COUNCILMEMBER DISTRICT 3; AND, ONE COUNCILMEMBER DISTRICT 4; ESTABLISHING EARLY VOTING LOCATION; ORDERING NOTICE OF ELECTION TO BE GIVEN AS PRESCRIBED BY LAW; MAKING PROVISIONS FOR THE CONDUCT OF THE ELECTION; AND AUTHORIZING THE JOINT ELECTION AGREEMENT WITH THE CALDWELL COUNTY ELECTIONS ADMINISTRATOR.

Ms. Constancio stated that the City Council positions up for election on November 3, 2020 are Mayor, District 3, and District 4 Councilmembers. The Caldwell County Elections Administrator (County EA) will be conducting the November 3, 2020 election for several entities that includes the City of Lockhart. The Ordinance provides details about the election and indicates that the City will contract with the County EA to conduct the election. City of Lockhart will receive applications for a place on the ballot, post and publish notices, prepare ballot language, be available to direct voters to the correct polling locations, and assist the County EA with all aspects of the election as necessary. The filing period for a place on the ballot is July 18 – August 17. Early voting will be conducted October 19 – October 30 at the Scott Annex Building at 1403 Blackjack Street in Lockhart. The County EA reported that Election Day polling locations would not be confirmed in time to include in the City's Order of the General Election therefore, staff will return with Election Day polling locations when they are available. Ms. Constancio recommended approval. There was discussion.

B. DISCUSS RECOMMENDATION TO AWARD BID TO FUQUAY INC., OF NEW BRAUNFELS, TEXAS, IN THE AMOUNT OF \$383,166.50 FOR THE 2020 STREET IMPROVEMENTS PROJECT TO INCLUDE STREET IMPROVEMENTS TO SOUTH MAIN STREET FROM CENTER STREET TO STATE PARK ROAD, SOUTH COMMERCE STREET FROM PIN OAK STREET TO BLACKJACK STREET, SOUTH BLANCO STREET FROM WEST SAN ANTONIO STREET TO PRAIRIE LEA STREET, WEST PRAIRIE LEA STREET FROM SOUTH BLANCO STREET TO SOUTH CHURCH STREET AND BEE STREET FROM SOUTH GUADALUPE STREET TO SOUTH COMMERCE STREET. APPOINTING THE MAYOR TO SIGN ALL CONTRACTUAL DOCUMENTS.

Mr. Kelley stated that these street repairs are part of the 2020 Street Improvements Project approved by City Council on September 17, 2019 as part of a 3-year plan to make enhancements on various streets. During that meeting, Council authorized the use of an additional \$400,000 of unassigned funds to make repairs to the streets that were to be paved in the following year's budget. Unfortunately, due to the recent financial uncertainty caused by the COVID-19 pandemic, this money had to be reallocated. Although these additional streets will not be able to be resurfaced this summer, they are budgeted as previously anticipated in the Fiscal Year 2020-2021 budget. Bids were advertised in compliance with State law for the construction of the 2020 Street Improvement Project. Four bids were received ranging from \$380,905.50 to \$632,231. 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.

C. DISCUSS THE MAYOR'S DECLARATION OF LOCAL DISASTER TO REQUIRE COMMERCIAL ESTABLISHMENTS IN THE CITY TO REQUIRE FACIAL COVERING OF THE NOSE AND MOUTH OF ALL EMPLOYEES AND VISITORS OF THE AGE OF 10 AND OLDER, AND ADDRESSING OTHER MATTERS RELATED TO COVID-19, IF NECESSARY.

Mayor White announced that there was no action to be taken and that Lockhart would continue to follow Governor Abbot's Executive Order GA-29 requiring facial covering. He provided an update regarding the COVID-19 cases in Caldwell County.

ITEM 7. 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; SETTLEMENT OFFER; OR LEGAL MATTERS SUBJECT TO ATTORNEY/CLIENT PRIVILEGE. Discussion with City Attorney to receive legal advice regarding the Lockhart Housing Authority structures.

Mayor White announced that the Council would enter Executive Session at 6:42 p.m.

Mayor White announced that the Council would enter Open Session at 7:45 p.m. and that consideration about the Executive Session item would be considered during the regular meeting.

REGULAR MEETING

ITEM 1. CALL TO ORDER.

Mayor Lew White called the meeting to order at 7:45 p.m.

ITEM 2. INVOCATION, PLEDGE OF ALLEGIANCE.

Mayor Pro-Tem Sanchez gave the Invocation and led the Pledge of Allegiance to the United States and Texas flags.

ITEM 3. PUBLIC COMMENT.

Mayor White requested the following to address the Council:

Cody Kimbell, 404 E. Market Street, requested that the City Council consider making the City Cemetery the new location for the Confederate monument currently on the Courthouse lawn. The County Commissioners Court has established an ad-hoc committee to make recommendations about whether to relocate the monument. Mr. Kimbell stated that his request to the City is to attempt to have an option for the ad-hoc committee to consider as a possible relocation area.

ITEM 4-A. DISCUSSION AND/OR ACTION TO CONSIDER ORDINANCE 2020-14 CALLING A GENERAL ELECTION ON NOVEMBER 3, 2020 FOR THE PURPOSE OF ELECTING ONE MAYOR; ONE COUNCILMEMBER DISTRICT 3; AND, ONE COUNCILMEMBER DISTRICT 4; ESTABLISHING EARLY VOTING LOCATION; ORDERING NOTICE OF ELECTION TO BE GIVEN AS PRESCRIBED BY LAW; MAKING PROVISIONS FOR THE CONDUCT OF THE ELECTION; AND AUTHORIZING THE JOINT ELECTION AGREEMENT WITH THE CALDWELL COUNTY ELECTIONS ADMINISTRATOR.

Mayor Pro-Tem Sanchez made a motion to approve Ordinance 2020-14, as presented and to approve the Joint Election Agreement. Councilmember Michelson seconded. The motion passed by a vote of 7-0.

ITEM 4-B. DISCUSSION AND/OR ACTION REGARDING RECOMMENDATION TO AWARD BID TO FUQUAY INC., OF NEW BRAUNFELS, TEXAS, IN THE AMOUNT OF \$383,166.50 FOR THE 2020 STREET IMPROVEMENTS PROJECT TO INCLUDE STREET IMPROVEMENTS TO SOUTH MAIN STREET FROM CENTER STREET TO STATE PARK ROAD, SOUTH COMMERCE STREET FROM PIN OAK STREET TO BLACKJACK STREET, SOUTH BLANCO STREET FROM WEST SAN ANTONIO STREET TO PRAIRIE LEA STREET, WEST PRAIRIE LEA STREET FROM SOUTH BLANCO STREET TO SOUTH CHURCH STREET AND BEE STREET FROM SOUTH GUADALUPE STREET TO SOUTH COMMERCE STREET. APPOINTING THE MAYOR TO SIGN ALL CONTRACTUAL DOCUMENTS.

Councilmember Michelson made a motion to award the bid to Fuquay, Inc., as presented. Mayor Pro-Tem Sanchez seconded. The motion passed by a vote of 7-0.

ITEM 4-C. DISCUSSION AND/OR ACTION TO CONSIDER THE MAYOR'S DECLARATION OF LOCAL DISASTER TO REQUIRE COMMERCIAL ESTABLISHMENTS IN THE CITY TO REQUIRE FACIAL COVERING OF THE NOSE AND MOUTH OF ALL EMPLOYEES AND VISITORS OF THE AGE OF 10 AND OLDER, AND ADDRESSING OTHER MATTERS RELATED TO COVID-19, IF NECESSARY.

Mayor White announced that the City would follow Governor Abbott's Executive Orders GA-28, amended GA-28, and GA-29. There was no action.

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

Mayor White requested appointments to boards or committees.

Mayor Pro-Tem Sanchez made a motion to appoint Ray Ramsey to the Lockhart Historical Preservation Commission. Councilmember McGregor seconded. The motion passed by a vote of 7-0.

Councilmember Michelson made a motion to appoint Michel Royal to the Lockhart Historical Preservation Commission. Mayor Pro-Tem Sanchez seconded. The motion passed by a vote of 7-0. Mayor White requested additional appointments to boards or committees. There were none.

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

- Update regarding October 2019– June 2020 Financial Report.
- Update regarding paving projects by TxDOT for roadways on FM 2001 from US 183 to SH 21 and FM 20 from US 183 to Lockhart State Park.
- The Town Branch Trail Phase I has been completed. City Engineer is fine tuning the design and bid form for the Town Branch Trail Phase II. Phase II is expected to bid in August and is scheduled to be completed before 2021.
- The booster pumps for the Maple Street Elevated Water Tower have been installed. Contractors are currently making the electrical improvements to finalize the project.
- City Hall closed city lobby to walk-in traffic on July 2. Utility payments can be made on-line, by phone, thru the utility payment drop box, or at Municipal Court drive-thru.
- Library Updates:
 - Library is closed to the public and continues Curbside service and answering reference questions.
 - Virtual Summer Reading Club continues on the second week. A total of 195 students and 38 adults are registered.
 - Virtual Entertainers scheduled to perform for the virtual summer reading club.
 - Library staff is creating a virtual birthday card wishing our awesome Library a Happy 120th Birthday. The Library's birthday is July 6, 2020.
- Preparations continue for the November 3, 2020 General Election for the positions of Mayor and Councilmembers in Districts 3 and 4. Candidate filing period is July 18 thru August 17. October 6 is last day to register to vote in this election. Early voting will be from October 19 thru October 30.

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

Councilmember Westmoreland encouraged everyone to stay safe.

Councilmember Mendoza expressed condolences to the family of former City employee, Walter Dzenowski for their loss.

Mayor Pro-Tem Sanchez congratulated Mayor Lew White for celebrating his 40th Anniversary as a practicing dentist in Lockhart.

Councilmember McGregor encouraged everyone to stay safe. She thanked board volunteers for their commitment to the community.

Councilmember Bryant encouraged everyone to stay safe. He congratulated Mayor White for his 40th years of practicing dentistry.

Councilmember Michelson also encouraged everyone to stay safe. He congratulated Mayor White.

Mayor White asked if the Council wanted to discuss the Confederate monument on the Courthouse lawn relocating to the City Cemetery at a future meeting. After brief discussion, the consensus of the Council was to wait for the Commissioners Court to approach the City with the request. Mayor White thanked all for their kind words and stated that he has enjoyed being a part of the Lockhart community.

ITEM 8. OPEN SESSION - Discussion and/or action regarding the Lockhart Housing Authority structures.

Mayor Pro-Tem Sanchez made a motion to authorize staff to issue a cease and desist letter to the Lockhart Housing Authority, seeking enforcement of the City's Code of Ordinances within 60 days. Councilmember McGregor seconded. The motion passed by a vote of 7-0.

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 8:05 p.m.

PASSED and APPROVED this the 21st day of July 2020.

CITY OF LOCKHART



Lew White, Mayor

ATTEST:



Connie Constancio, TRMC
City Secretary

