

**REGULAR MEETING
LOCKHART CITY COUNCIL**

JUNE 15, 2021

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

Connie Constancio, City Secretary
Victoria Maranan, Public Information Officer
Sean Kelley, Public Works Director
Dan Gibson, City Planner

Citizens/Visitors Addressing the Council: Shanna Ramzinski of Caldwell County Appraisal District; Jason Eeds, Mike Urrutia and Eduardo Montana of Guadalupe-Blanco River Authority; Paul Leventis of Brazos Trace; and Citizens Doug Spillmann and Fred Wiegand.

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. PRESENTATION AND DISCUSSION REGARDING THE CALDWELL COUNTY APPRAISAL DISTRICT'S APPRAISAL AND COLLECTION BUDGETS FOR FISCAL YEAR 2021 2022.

Ms. Larison stated that the Chief Appraiser of the Caldwell County Appraisal District (CCAD) presents the CCAD's upcoming budget to the Council annually. She requested acceptance of the proposed budget. She stated that the CCAD will present their 2022 budget, not the 2021 budget as listed on the agenda.

Shanna Ramzinski, Chief Appraiser of the CCAD provided information regarding the CCAD budget.

B. PRESENTATION AND DISCUSSION REGARDING THE PROPOSED FISCAL YEAR 2021-2022 BUDGET BY GUADALUPE-BLANCO RIVER AUTHORITY (GBRA) FOR THE LOCKHART WATER AND WASTEWATER TREATMENT PLANTS.

Ms. Larison stated that annually Representatives of the Guadalupe-Blanco River Authority (GBRA) present their proposed Lockhart water and wastewater budget for the upcoming fiscal year to Council. In 2000, the City of Lockhart executed a Water Treatment Plant Operating Contract with GBRA. The City owns and operates a waterworks system comprised of six wells, pipelines, a water treatment plant, and a water distribution system. The City determined that GBRA could provide the most feasible services to treat and deliver water to the distribution system. In 1992, the City of Lockhart and GBRA executed a Regional Wastewater Treatment Contract in which the parties agreed that GBRA would construct and operate a new wastewater treatment facility for the city, later to be known as the FM 20 Wastewater Treatment Plant. In 2016, a new contract between the City of Lockhart and GBRA was executed for GBRA to provide the most feasible sewage services by receiving, treating, and disposing of wastewater collected by the sanitary sewer collection system of the city. She introduced Representatives of GBRA that would provide details about the proposed Fiscal Year 2021-2022 GBRA budgets.

Jason Eeds of GBRA provided information and there was discussion regarding their budgets.

Mike Urrutia of GBRA provided information about how they are working to improve uninterrupted treatment of water during winter storms.

C. DISCUSS BUDGET AMENDMENT TO THE WASTEWATER FUND FOR FISCAL YEAR 2020-2021 AND APPROVING BUDGET AMENDMENT #54, AS OUTLINED IN ORDINANCE 2021-16.

Ms. Larison stated that during budget discussion for Fiscal Year 2021-2022 budget, the Guadalupe-Blanco River Authority (GBRA) presented the city two capital rehabilitation projects. The project to repair the grit classifier at FM 20 Wastewater plant has been moved out to Fiscal Year 2022-2023. The second project was for the rehabilitation of the sledge filter press that is in need of repairs. Staff agreed that this project is imperative to the continued operations of the wastewater treatment plant and has placed it in the City Manager's proposed budget for Fiscal Year 2021-2022.

On Friday, June 8, 2021, GBRA contacted the city and requested that the sludge filter project be moved into the current fiscal year because of excess revenues from the septic hauler receipts. GBRA estimated that these revenues that are returned to the City of Lockhart by way of end of year refunds will be \$162,000. Of this amount, GBRA would like to repair the sludge filter press as soon as possible with Council's approval of a budget amendment for \$70,000. Ms. Larison recommended approval.

D. DISCUSS PROPOSED CONTRACT AMENDMENT TO A CONTRACT EMPLOYMENT AGREEMENT WITH CHARLES E. LAURENCE, M.D. AS CITY HEALTH OFFICER.

Mr. Lewis stated that in 2011, the City entered into a contract employment agreement with Charles Laurence, M.D. to act as the City Health Officer. City Charter and Code requires the Health Officer to be a physician within the State of Texas. Prior to 2011, Dr. Laurence served the community for approximately 15 years as the Emergency Medical Service Medical Director and the City Health Officer. The City Health Officer provides services such as establishing, maintaining, and enforcing quarantine orders, advise and assist with infection disease control, suppression and prevention services, and general sanitation. As Caldwell County has not established a County Health Department, the City Health Officer provides the necessary leadership for these responsibilities inside the city and coordinates with the Department of State Health Services, Public Health Region 7 in Temple, Texas. During the pandemic, Dr. Laurence acts as a key advisor and expert to elected officials and city staff. The fee for the services (\$700/month) has not been modified since 2011. Consequently, the monthly compensation is recommended to be increased to \$1,000/month, effective January 1, 2021. There was discussion.

E. DISCUSS MINUTES OF THE CITY COUNCIL MEETING OF MAY 25, 2021.

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

F. DISCUSS EXISTING CITY/STATE REGULATIONS CONCERNING THE PREVENTION OR REGULATION OF HOMELESSNESS.

Mr. Akers stated that in 2019 the City of Austin lifted a ban on camping, panhandling, and sitting in public areas, after which hundreds of homeless persons set up tents and other shelters in parks, under overpasses, and on other public property in the City. In response citizens petitioned for a referendum on reinstating the ban and on May 1, 2021, 57 percent of Austin voters approved reestablishment of criminal penalties for camping in public places. Due to the proximity of Lockhart to Austin, questions have been raised about the City's authority in the event that it experiences a significant influx of homeless persons. HB 1925, which becomes effective September 1, 2021, bans prohibition of camping statewide. The new law imposes a statewide ban on camping in a public place without the consent of the officer or agency having the legal

duty or authority to manage the public place. However, the new law also forbids local governments from prohibiting or discouraging enforcement of the public camping ban, provides that the Attorney General may bring suit against a local government that does so, and states that a local entity that does so may not receive any state grant funds for the fiscal year in which the local entity violated the new law. Furthermore, a local government may not designate a property to be used by homeless individuals to camp unless the plan for doing so is first approved by the Texas Department of Housing and Community Affairs. Trespass/Criminal trespass, Section 30.05, Tex. Penal Code, provides that a person commits a criminal offense if he or she enters or remains on the property of another without consent and following adequate notice. The section contains various amendments related to firearms, critical infrastructure, and other issues, but should be applicable to prevent homeless persons from occupying private or some types of public property without permission. He provided information regarding several sections of the Lockhart Code of Ordinances that may be applicable and effective in reducing or preventing the effects of homelessness.

Mayor White requested the current update about homelessness in Lockhart. Chief Pedraza stated that Lockhart does not have a serious issue with homeless individuals.

There was discussion regarding how to enforce homelessness.

Mayor White questioned people sleeping in their vehicles. Mr. Akers responded that sleeping in a vehicle would be considered a type of shelter and would not fall under the definition of homeless.

There was discussion regarding directing staff to return with an ordinance that clarifies definitions and regulations about homelessness.

G. DISCUSS MATTERS RELATED TO COVID-19, IF NECESSARY.

Mayor White stated that, due to the lack of individuals getting their vaccination at the Adams Gym, Caldwell County is considering eliminating it as a vaccination location effective June 20. There was discussion regarding posting all vaccination sites in the city on social media.

Mr. Lewis requested direction about whether to continue allowing virtual attendance of board members.

CONSENSUS: After discussion, the consensus of the Council was to continue to offer the virtual attendance option to boardmembers and citizens.

RECESS: Mayor White announced that the Council would recess for a break at 7:17 p.m.

REGULAR MEETING

ITEM 1. CALL TO ORDER.

Mayor Lew White called the meeting to order at 7:32 p.m.

ITEM 2. INVOCATION, PLEDGE OF ALLEGIANCE.

Councilmember Mendoza 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.

Colonel Fred Wiegand, 230 Wiegand Road, stated that he is willing to offer part of his land to allow the city to extend MLK, Jr. Industrial Blvd. to FM 20.

ITEM 4-A. HOLD A PUBLIC HEARING ON APPLICATION ZC-21-07 BY BRAZOS TRACE, LLC, ON BEHALF OF RUSSELL L. STRANDTMANN, JANICE L. KEEN AND CHARLES D. SPILLMAN FOR A ZONING CHANGE FROM AO AGRICULTURAL-OPEN SPACE DISTRICT TO 6.464 ACRES CMB COMMERCIAL MEDIUM BUSINESS DISTRICT, 8.969 ACRES RHD RESIDENTIAL HIGH DENSITY DISTRICT, AND 43.193 ACRES RMD RESIDENTIAL MEDIUM DENSITY DISTRICT ON A TOTAL OF 58.626 ACRES IN THE CORNELIUS CRENSHAW SURVEY, ABSTRACT NO. 68, AND LOCATED IN THE 1800-2000 BLOCKS OF WEST SAN ANTONIO STREET (SH 142).

Mayor White opened the public hearing at 7:35 p.m.

Dan Gibson stated that the applicant proposes a mixture of commercial, medium density residential, and high density residential development. It will include an extension of Windsor Boulevard through this subdivision, and provide for future extension into a residential subdivision being planned for the property adjacent to the east. This is a large subdivision that is proposed to include a mixture of land uses that will be reasonably compatible with the existing development on all sides, with the only significant incompatibility being where the proposed RHD zoning at the front of the property is next to a parcel zoned AO and containing a single-family dwelling. Some uses allowed in the RHD district might have negative impacts due to the difference in land use intensity, but that can be mitigated somewhat with a screening fence between the two areas. The proposed RMD zoning classification is consistent with the corresponding Land Use Plan map designation of Medium Density Residential of the subject property. The proposed CMB and RHD classifications represent a deviation from the City's land use plan for the area. One person other than the applicant spoke in favor of the zoning change at the Planning and Zoning Commission hearing, and one person expressed her concerns about potential traffic congestion being caused by residents and business customers of the proposed development. Mr. Gibson stated that the Planning and Zoning Commission and staff recommend approval.

Mayor White requested the applicant to address the Council.

Paul Leventis, 9007 Sandstone Drive, College Station, applicant, provided information regarding the drainage and stated that the development would consist of multi-family units and apartments, not single-family homes. There was discussion regarding the development plans.

Doug Spillmann, 1701 Silent Valley Road, stated that his property is where the detention pond will be constructed for the new development. He requested approval of the zoning change.

Mayor White requested citizens in favor of or against the zoning change to address the Council. There were none. He closed the public hearing at 8:04 p.m.

ITEM 4-B. DISCUSSION AND/OR ACTION TO CONSIDER ORDINANCE 2021-15 AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF LOCKHART, TEXAS, TO RECLASSIFY THE PROPERTY KNOWN AS 58.626 ACRES IN THE CORNELIUS CRENSHAW SURVEY, ABSTRACT NO. 68, LOCATED IN THE 1800-2000 BLOCKS OF WEST SAN ANTONIO STREET (SH 142), FROM AO AGRICULTURAL-OPEN SPACE DISTRICT TO 6.464 ACRES CMB COMMERCIAL MEDIUM BUSINESS DISTRICT, 8.969 ACRES RHD RESIDENTIAL HIGH DENSITY DISTRICT, AND 43.193 ACRES RMD RESIDENTIAL MEDIUM DENSITY DISTRICT.

Councilmember McGregor made a motion to approve Ordinance 2021-15, as presented. Councilmember Michelson seconded. The motion passed by a vote of 7-0.

ITEM 5-A. DISCUSSION REGARDING THE CALDWELL COUNTY APPRAISAL DISTRICT'S (CCAD) APPRAISAL AND COLLECTION BUDGETS FOR FISCAL YEAR 2022.

Councilmember Michelson made a motion to approve the CCAD Fiscal Year 2022 budget. Councilmember Westmoreland seconded. The motion passed by a vote of 7-0.

ITEM 5-B. DISCUSSION REGARDING THE PROPOSED FISCAL YEAR 2021-2022 BUDGET BY GUADALUPE-BLANCO RIVER AUTHORITY (GBRA) FOR THE LOCKHART WATER AND WASTEWATER TREATMENT PLANTS.

Mayor Pro-Tem Sanchez made a motion to approve GBRA's Fiscal Year 2021-2022 Lockhart Water and Wastewater budgets. Councilmember Bryant seconded. The motion passed by a vote of 7-0.

ITEM 5-C. DISCUSSION AND/OR ACTION TO CONSIDER A BUDGET AMENDMENT TO THE WASTEWATER FUND FOR FISCAL YEAR 2020-2021 AND APPROVING BUDGET AMENDMENT #54, AS OUTLINED IN ORDINANCE 2021-16.

Councilmember McGregor made a motion to approve budget amendment #54/Ordinance 2021-16, as presented. Mayor Pro-Tem Sanchez seconded. The motion passed by a vote of 7-0.

ITEM 5-D. DISCUSSION AND/OR ACTION REGARDING PROPOSED CONTRACT AMENDMENT TO A CONTRACT EMPLOYMENT AGREEMENT WITH CHARLES E. LAURENCE, M.D. AS CITY HEALTH OFFICER.

Councilmember Michelson made a motion to approve the amendment to the Employment Agreement with Charles E. Laurence, M.D., as presented. Mayor Pro-Tem Sanchez seconded. The motion passed by a vote of 7-0.

ITEM 5-E. DISCUSSION AND/OR ACTION TO CONSIDER MINUTES OF THE CITY COUNCIL MEETING OF MAY 25, 2021.

Mayor Pro-Tem Sanchez made a motion to approve the minutes. Councilmember Mendoza seconded. The motion passed by a vote of 7-0.

ITEM 5-F. DISCUSSION AND REVIEW OF EXISTING CITY/STATE REGULATIONS CONCERNING THE PREVENTION OR REGULATION OF HOMELESSNESS.

CONSENSUS: After discussion, the consensus of the Council was to direct staff to return an amended ordinance that combines ordinances and clarifies definitions about homelessness.

ITEM 5-G. DISCUSSION AND/OR ACTION TO CONSIDER ADDRESSING MATTERS RELATED TO COVID-19, IF NECESSARY.

CONSENSUS: After discussion, the consensus of the Council was to continue to offer virtual attendance at City Council and City board/commission meetings.

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

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

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

- Splash Pad re-opens after the Chisholm Trail Roundup on June 15.
- Movies in the Park this summer: June 19, July 17, and August 7.
- Fireworks Extravaganza – Saturday, July 3 at City Park.
- Fire Department update regarding apparatus delivery dates and FEMA reimbursements.
- Library updates.
- Regulations concerning unattended donation/collection boxes.

Mayor Pro-Tem Sanchez stated that she received citizen comments about debris at the splash pad. She requested that trash receptacles be placed near the seating area at the splash pad.

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

Councilmember Westmoreland thanked all involved with Chisholm Trail Roundup (CTR) and stated that he was glad to see everyone out at a community event.

Councilmember Mendoza thanked all involved with the CTR event. He thanked staff for cleaning up the unattended collection box areas.

Mayor Pro-Tem Sanchez thanked all involved with CTR and she congratulated the CTR coronations. She expressed condolences to Jessie Cruz and his family for the loss of their mother. She congratulated all involved with the successful Running with the Bulls event. Happy Birthday to Councilmember Michelson.

Councilmember McGregor stated that she appreciated all organizations working together to coordinate successful community events.

Councilmember Bryant congratulated all involved with the successful CTR events. He encouraged adults to also get involved with Library reading programs. He wished all fathers a Happy Father's Day and encouraged everyone to stay safe.

Councilmember Michelson congratulated all that attended and participated in CTR.

Mayor White thanked all involved with the successful CTR. He reminded everyone about the Courthouse Nights music event this weekend and the fireworks display on July 3 at City Park. Happy Birthday to Councilmember Michelson. He encouraged everyone to be mindful of conserving energy during the summer.

ITEM 8. 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 8:26 p.m.

PASSED and APPROVED this the 6th day of July 2021.

CITY OF LOCKHART



Lew White, Mayor

ATTEST:



Connie Constancio, TRMC
City Secretary

