

**LOCKHART CITY COUNCIL
REGULAR MEETING**

JULY 5, 2016

6:30 P.M.

**CLARK LIBRARY ANNEX-COUNCIL CHAMBERS, 217 SOUTH MAIN STREET, 3rd FLOOR,
LOCKHART, TEXAS**

Council present:

Councilmember John Castillo
Councilmember Benny Hilburn
Councilmember Brad Westmoreland

Mayor Lew White
Councilmember Juan Mendoza
Councilmember Jeffry Michelson

Council absent:

Mayor Pro-Tem Angie Gonzales-Sanchez

Staff present:

Vance Rodgers, City Manager
Peter Gruning, City Attorney

Connie Constancio, City Secretary
Jeff Hinson, Finance Director

Citizens/Visitors Addressing the Council: None.

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 21, 2016.

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

B. DISCUSS RECOMMENDATION TO APPROVE BID FOR TREE TRIMMING MAINTENANCE CONTRACT WITH THE ARBOR EXPERTS OF WEBSTER, TEXAS, IN THE AMOUNT OF \$32,077.00, AND APPOINTING THE MAYOR TO SIGN THE AGREEMENT IF APPROVED. [FORM 1295=2016-07-05-15]

Mr. Rodgers stated that public bids were advertised for tree trimming maintenance around high voltage electric lines in accordance with State law. This service helps prevent electrical outages caused by tree limbs in the primary lines. Although three companies expressed interest, only one bid was received. The tasks involve providing supervision, personnel, equipment, and traffic control to trim trees, treat the exposed cuts, and removing all cut limbs. The Arbor Experts of Webster, Texas, submitted a bid for \$32,077.00. The company has not done work for the City of Lockhart in the past yet the three references checked were very favorable. The company has the experienced personnel and equipment and has provided proof of general liability and workers' compensation coverage. Mr. Rodgers recommended approval.

C. DISCUSS CHANGE ORDER #1 WITH NIGHTHAWK CONSTRUCTION EXTENDING THE 18" WATER TRANSMISSION LINE BY 295 LINEAR FEET UNDER THE 2015 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) WATER IMPROVEMENT PROJECT WHICH WILL INCREASE THE CONTRACT BY \$19,543.75, AND AUTHORIZING THE MAYOR TO SIGN ALL REQUIRED DOCUMENTS IF APPROVED.

Mr. Rodgers stated that Change Order #1 extends by 295 linear feet the amount of 18" water transmission line to be placed under the current contract with Nighthawk Construction at a cost of \$19,543.75. CDBG funds will cover these costs. Mr. Rodgers recommended approval.

D. DISCUSS CHANGE ORDER #2 WITH NIGHTHAWK CONSTRUCTION EXTENDING THE 18" WATER TRANSMISSION LINE BY 600 LINEAR FEET UNDER THE 2015 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) WATER IMPROVEMENTS PROJECT WHICH WILL INCREASE THE CONTRACT WITH APPROVAL OF CHANGE ORDER #1 BY AN ADDITIONAL \$39,750, AND AUTHORIZING THE MAYOR TO SIGN ALL REQUIRED DOCUMENTS IF APPROVED.

Mr. Rodgers stated that Change Order #2 extends by 600 linear feet the amount of 18" water transmission line under the current Nighthawk Construction contract (after approval of Change Order #1) by \$39,750. The total contract increase proposed with Change Orders #1 and #2 being approved will be 23.8%. State law allows up to 25% without additional bidding. 2015 Certificates of Obligation water project funds will cover these costs. Mr. Rodgers recommended approval.

E. DISCUSS ORDINANCE 2016-17 WHEREBY THE LOCKHART CITY COUNCIL DIRECTS TEXAS GAS SERVICE COMPANY (TGS) TO FILE A STATEMENT OF INTENT SUBSEQUENT TO RECEIVING FINAL APPROVAL OF GAS UTILITY RATES IN PENDING GAS UTILITIES DOCKET NO. 1052; THE TGS PROPOSAL COMBINES THE CENTRAL TEXAS SERVICE AREA (CTSA) AND THE SOUTH TEXAS SERVICE AREA (STSA) RESULTING IN LOWER GAS RATES FOR THE CITY OF LOCKHART AND SIX OTHER CITIES IN THE STSA.

Mr. Rodgers stated that Texas Gas Service has proposed to combine the CTSA (Austin, Bee Cave, Cedar Park, Dripping Springs, Kyle, Lakeway, Rollingwood, Sunset Valley, and West Lake Hills) with the STSA (Lockhart, Luling, Gonzales, Cuero, Yoakum, Shiner, and Nixon) which will result in proposed rate reductions, if approved by the Texas Railroad Commission, in STSA residential gas service rates by 11.2% and in STSA commercial gas service rates by 30%, and with less reductions for large commercial and industrial accounts.

Mr. Rodgers pointed out revisions to the Ordinance 2016-17, as recommended by Peter Gruning, City Attorney. There was discussion. Mr. Rodgers recommended approval.

F. DISCUSSION AFTER PRESENTATION OF THE PROPOSED FISCAL YEAR 2016-2017 BUDGET TO CITY COUNCIL AND SETTING TUESDAY, SEPTEMBER 6, 2016 AS THE DATE FOR THE PUBLIC HEARING REGARDING THE PROPOSED FISCAL YEAR 2016-2017 BUDGET.

Mr. Hinson stated that the City Manager is presenting the proposed Fiscal Year 2016-2017 budget to the City Council as required by the City Charter. He requested that the Council officially set and announce the date of the public hearing on September 6, 2016.

G. DISCUSSION REGARDING PROPOSED FISCAL YEAR 2016-2017 GENERAL FUND DEPARTMENT BUDGETS AND PROPOSED FUNDING SOURCES.

Mr. Hinson and Mr. Rodgers provided information about the General Fund department budgeted and proposed funding sources.

H. DISCUSSION REGARDING PROPOSED FISCAL YEAR 2016-2017 BUDGETS FOR ELECTRIC, WATER, WASTEWATER, SOLID WASTE, AIRPORT, AND EMERGENCY SERVICES DEPARTMENTS AND PROPOSED FUNDING SOURCES.

Mr. Hinson and Mr. Rodgers provided information about the budgets and proposed funding sources.

I. DISCUSSION REGARDING PRESENTATION SCHEDULE FOR DEPARTMENTAL BUDGETS TO BE CONSIDERED BY COUNCIL.

Mr. Hinson and Mr. Rodgers presented the schedule for departmental budgets to be considered by Council.

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.

Mayor White announced that Mayor Pro-Tem Sanchez was out of town and would not be at tonight's meeting.

ITEM 2. INVOCATION, PLEDGE OF ALLEGIANCE.

Invocation - Ministerial Alliance.

Pledge of Allegiance to the United States and Texas flags.

ITEM 3. CITIZENS/VISITORS COMMENTS.

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

ITEM 4. CONSENT AGENDA.

Councilmember Hilburn requested that consent agenda item 4A be pulled. He stated that he will abstain from voting on the June 21, 2016 minutes because he was not present at that meeting.

Councilmember Michelson made a motion to approve consent agenda items 4B, 4C, 4D, and 4E. Councilmember Hilburn seconded. The motion passed by a vote of 6-0.

The following are the consent agenda items that were approved:

- 4B: Approve recommendation to approve bid for tree trimming maintenance contract with The Arbor Experts of Webster, Texas, in the amount of \$32,077.00, and appointing the Mayor to sign the agreement if approved. [Form 1295=2016-07-05-15]
- 4C: Approve Change Order #1 with Nighthawk Construction extending the 18" water transmission line by 295 linear feet under the 2015 Community Development Block Grant (CDBG) Water Improvement Project which will increase the contract by \$19,543.75, and authorizing the Mayor to sign all required documents if approved.

- 4D: Approve Change Order #2 with Nighthawk Construction extending the 18" water transmission line by 600 linear feet under the 2015 Community Development Block Grant (CDBG) Water Improvements Project which will increase the contract with approval of Change Order #1 by an additional \$39,750, and authorizing the Mayor to sign all required documents if approved.
- 4E: Approve Ordinance 2016-17, as amended, whereby the Lockhart City Council directs Texas Gas Service Company (TGS) to file a statement of intent subsequent to receiving final approval of gas utility rates in pending Gas Utilities Docket No. 1052; the TGS proposal combines the Central Texas Service Area (CTSA) and the South Texas Service Area (STSA) resulting in lower gas rates for the City of Lockhart and six other cities in the STSA.

ITEM 4-A. APPROVE MINUTES OF THE CITY COUNCIL MEETING OF JUNE 21, 2016.

Councilmembers Hilburn and Castillo stated that they would abstain when voting on this item because they were not present at the meeting.

Councilmember Michelson made a motion to approve the City Council minutes of June 21, 2016. Councilmember Westmoreland seconded. The motion passed by a vote of 4-0-2, with Councilmembers Hilburn and Castillo abstaining.

ITEM 5-A. DISCUSSION AND/OR ACTION FOR PRESENTATION OF THE PROPOSED FISCAL YEAR 2016-2017 BUDGET TO CITY COUNCIL AND SETTING TUESDAY, SEPTEMBER 6, 2016 AS THE DATE FOR THE PUBLIC HEARING REGARDING THE PROPOSED FISCAL YEAR 2016-2017 BUDGET.

Councilmember Hilburn made a motion to set the public hearing regarding the proposed Fiscal Year 2016-2017 budget on Tuesday, September 6, 2016. Councilmember Mendoza seconded. The motion passed by a vote of 6-0.

ITEM 5-B. DISCUSSION AND/OR ACTION REGARDING PROPOSED FISCAL YEAR 2016-2017 GENERAL FUND DEPARTMENT BUDGETS AND PROPOSED FUNDING SOURCES.

There was brief discussion. No action was taken.

ITEM 5-C. DISCUSSION AND/OR ACTION REGARDING PROPOSED FISCAL YEAR 2016-2017 BUDGETS FOR ELECTRIC, WATER, WASTEWATER, SOLID WASTE, AIRPORT, AND EMERGENCY SERVICES DEPARTMENTS AND PROPOSED FUNDING SOURCES.

There was no action taken.

ITEM 5-D. DISCUSSION AND/OR ACTION REGARDING PRESENTATION SCHEDULE FOR DEPARTMENTAL BUDGETS TO BE CONSIDERED BY COUNCIL.

Councilmember Castillo made a motion to approve the schedule of presentations of departmental budgets. Councilmember Westmoreland seconded. The motion passed by a vote of 6-0.

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

Mayor White requested appointments to various boards, commissions or committees.

Councilmember Castillo stated that he will make an appointment to the Board of Adjustment during the next meeting.

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

- Update- US 183 widening project, Hickory to Blackjack: west side drainage trunk main near completion between White Oak and Blackjack; curbs and sidewalks being placed.
- Update: Contracts with Qro-Mex Construction on Richland Drive.
- Update: Summer Reading Program at Library; lots of children and events.
- Update: Water crew replacing old water mains on Walnut and North Church Streets near completion.
- Update: Placement of large water main bores under SH 142 near City Line Road.
- Update: Land and building contracts with Pure Castings and Hill Country Foodworks are near completion as they finalize their retrofit designs for 2 industrial park properties.
- Report: July 5 Fireworks Event in City Park.
- Report: Planning Department continues to be very busy with re-zonings, preliminary plats, final plats, and variance requests.
- Report: Supervisors are reminding crews to have sufficient water and/or electrolytes, and to take breaks during these very hot days; also being warned to drink water in lieu of soft drinks which often contribute to dehydration.
- Report: Last Wednesday, ATT's fiber optics contractor broke a city water main on the west side of US 183 south restricting water service to the Golden Age Home and residents on Sunset Drive; repairs took about 2 ½ hours. This break caused reports of "yellow stained" water in some areas which was cured by flushing fire hydrants.
- Sandra Mauldin, Economic Development Director, has announced her retirement effective September 1, 2016.
- Mr. Rodgers reminded citizens that if the trunk of a tree is not in the right of way, it is the responsibility of the property owner to trim it. He also reminded citizens not to trim a tree that is at the height of the utility line; call the Electric Distribution Department to trim the tree to avoid a possible power outage.

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

Councilmember Westmoreland thanked all involved with the successful Fireworks display on July 3. He suggested that everyone consider setting their thermostats at 74 degrees to assist in avoiding a citywide blackout.

Councilmember Mendoza thanked all involved with the successful Fireworks display on July 3. He announced that the Carver Restoration Committee is hosting a reunion on July 9 at the American Legion at 12(noon).

Councilmember Hilburn thanked all involved with the successful Fireworks display on July 3.

Councilmember Castillo thanked all involved with the fireworks display. Congratulations to the Carver Restoration Committee for another reunion.

Councilmember Michelson thanked all involved with the successful fireworks display. He also encouraged everyone to keep hydrated during these very hot days.

Mayor White also thanked all involved with the successful fireworks display. He thanked everyone for their patience during the Highway 183 improvement project. He announced that a few new businesses are scheduled to open in Lockhart in the near future which will allow local residents to work closer to home. City is offering free fans to senior citizens with a Summer Fan Program. Fans can be picked up at City Hall.

ITEM 8. EXECUTIVE SESSION IN ACCORDANCE WITH THE PROVISIONS OF THE GOVERNMENT CODE, TITLE 5, SUBCHAPTER D, SECTION 551.074 – TO DELIBERATE THE APPOINTMENT, EMPLOYMENT, EVALUATION, REASSIGNMENT, DUTIES, DISCIPLINE, OR DISMISSAL OF A PUBLIC OFFICER OR EMPLOYEE; OR TO HEAR A COMPLAINT OR CHARGE AGAINST AN OFFICER OR EMPLOYEE.

Mayor White announced that the Council would enter Executive Session at 7:52 p.m. for discussion regarding the City Manager's contract.

ITEM 9. OPEN SESSION.

Mayor White announced that the Council would enter Open Session at 8:25 p.m. for discussion and/or action regarding the City Manager's contract.

Councilmember Hilburn made a motion to extend the City Manager's contract to December 1, 2017. Councilmember Michelson seconded. The motion passed by a vote of 6-0.

ITEM 10. ADJOURNMENT.

Councilmember Mendoza made a motion to adjourn the meeting. Councilmember Westmoreland seconded. The motion passed by a vote of 6-0. The meeting was adjourned at 8:25 p.m.

PASSED and APPROVED this the 19th day of July 2016.

CITY OF LOCKHART



Lew White, Mayor

ATTEST:



Connie Constancio, TRMC
City Secretary

