

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

Council present:

Councilmember John Castillo
Councilmember Juan Mendoza
Councilmember Jeffry Michelson

Mayor Lew White
Councilmember Brad Westmoreland
Councilmember John Lairsen
Mayor Pro-Tem Angie Gonzales-Sanchez

Staff present:

Steve Lewis, City Manager
Joseph Resendez, Assistant City Manager
David Fowler, Planning Director
Gary Williamson, Police Chief

Brad Bullock, City Attorney
Julie Bowermon, City Secretary
Sean Kelley, Public Works Director
Tatiana Salazar, Public Information Officer

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Citizens/Visitors Addressing the Council: Citizens: Pat Stroka, Len Gabbay, Samantha Benavides, Rebecca Allen, David Peyton, Josh Schafer and, Ronda Reagan.

REGULAR MEETING

ITEM 1. CALL TO ORDER

Mayor Lew White called the meeting to order at 6:30 p.m.

ITEM 2. INVOCATION, PLEDGE OF ALLEGIANCE

Mayor Lew White gave the invocation and led the Pledge of Allegiance to the United States and Texas flags.

ITEM 3-A. DISCUSSION AND/OR ACTION TO CONSIDER RESOLUTION 2025-03 REPEALING RESOLUTION 2024-37 REGARDING ACKNOWLEDGING ADOPTION OF THE LOCKHART FREEDOM ACT.

Mayor White requested the following citizens to address the Council:

Pat Stroka, 1204 Sierra Vista Cove, thanked the Council for returning the item for reconsideration. He stated that he believed that the citizens that voted in favor of Proposition A knew what they were voting for. He questioned the method that the City Attorney, City Council and the staff took in regard to informing the public about the legality of decriminalizing possession of small amounts of marijuana. He recommended that the city consider seeking other counsel in regard to the Lockhart Freedom Act issue.

Len Gabbay, 420 West Prairie Lea, pointed out his belief about two issues of the Lockhart City Council's actions: First, he disagreed with the police department's concern about the officers' discretion of probable cause of search and seizure if there is odor of marijuana; and, secondly, he suggested that the police department be given the direction about the probable cause discretion.

Samantha Benavides requested that the Council vote in favor of Resolution 2025-03, vote to uphold the will of the voters. She spoke in favor of the city going to court to fight for the will of the voters to decriminalize possession of small amounts of marijuana.

Rebecca Allen, 515 Wichita, spoke in favor of the will of the voters. She recommended that the city research options for housing for homeless citizens and volunteered to help with monetary needs.

David Peyton, 105 Cold Steel Road, Dale, spoke against the Lockhart Freedom Act. He spoke in favor of decriminalizing possession of small amounts of marijuana and of search and seizure if smelling marijuana. He expressed concern about police officers' inability to carry out the drug laws of the State of Texas and possibly facing lawsuits.

Josh Schaefer, 423 Center Street, expressed disappointment with the city's failure to uphold the will of the voters. He stated that he believes that police officers should uphold the City of Lockhart's drug laws and that the Texas Commission on Law Enforcement has not taken action on any issues involving decriminalizing the possession of small amounts of marijuana. He stated that the best chance of change is if cities get together to influence the Legislators to amend the law. He spoke in favor of the will of the voters.

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

Councilmember Lairsen stated that he continues to support the Lockhart Freedom Act. He was pleased that the Police Chief and City Attorney were able to share previous closed session discussions with the public. He stated that he supports the Lockhart Freedom Act because it is the will of the voters. He believes that the local and federal government should rectify the issue. He suggested that the city continue with allowing the courts to decide how to handle the issue. If the courts find that the decriminalization to be illegal, the city can thereafter revert. He stands in support of the Lockhart Freedom Act.

Councilmember Castillo stated that he will continue to support the will of the voters. He stated that he believes that the city will face a lawsuit regardless, either by the State of Texas or the organization. He thanked the citizens for voicing their opinions.

Councilmember Mendoza stated that he supports the will of the voters.

Mayor Pro-Tem Sanchez thanked the citizens for voicing their opinion. She stated that she understands and respects the wish of the voters. She stated that her vote on Resolution 2024-37 was because there were still issues that needed to be resolved. She believes that the decision about whether to decriminalize possession of small amounts of marijuana is the responsibility of the State of Texas.

Mayor White thanked citizens for expressing their opinion. He believes that the Lockhart City Council followed the Lockhart's City Charter in regard to the proposition appearing on the ballot. The Lockhart City Charter also specifically states that the Lockhart City Council will not adopt policies that violate State law. He stated that he believes that citizens may have been misled that the Council can violate State law and that his position is that the City of Lockhart follow State law.

Councilmember Lairsen made a motion to approve Resolution 2025-03, as presented. There was no second vote to the motion.

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Mr. Bullock clarified that Resolution 2025-03 repeals Resolution 2024-37 acknowledged that state law prohibits cities from adopting policies that do not fully enforce drug laws, recognized that portions of the Lockhart Freedom Act could be preempted by state law, and called on state and federal legislators to address this discrepancy. Enforcement of the Lockhart Freedom Act would be determined by the Council at a future meeting. The City Charter continues to be in effect and the city does not have confirmation about the police officers' discretion on the issue. Enforcement is pending current court case rulings.

After discussion, Councilmember Lairsen rescinded his motion.

There was discussion about the clarity of Resolution 2025-03.

Councilmember Lairsen made a motion to approve Resolution 2025-03. Councilmember Castillo seconded. The motion failed by a vote of 3-4, with Mayor White, Mayor Pro-Tem Sanchez and Councilmembers Westmoreland and Michelson opposing.

RECESS: Mayor White announced that the Council would recess for a break at 7:35 p.m.

Mayor White reconvened the meeting at 7:50 p.m.

Councilmember Castillo left the meeting.

WORK SESSION

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 OF PROPOSED SIDEWALK ROUTES FOR APPLICATION TO TXDOT TRANSPORTATION ALTERNATIVES GRANT.

Mr. Fowler stated that TxDOT's 2025 Transportation Alternatives Set-Aside grant ("TA") program is accepting project proposals emphasizing "safety and mobility for non-motorized travelers". The program makes funds available for pedestrian infrastructure improvements. The City of Lockhart qualifies for the program at the 20% match level. Staff have prepared two proposals for \$1 million and \$2 million total project costs (\$200,000 and \$400,000 City contributions, respectively) for the expansion of sidewalks near the downtown core and enhancing connectivity to the schools on Center Street. These proposed programs of sidewalk addition are based on an estimated cost of \$115 per linear foot, as devised by the City Engineer. The proposed sidewalks will typically be four-foot-wide concrete paths. Route selection for the attached proposals were based on the City's 2023 preliminary application and recommendations from the *Lockhart Looking Forward* comprehensive plan (adopted 2024) and prioritizes segments with no existing sidewalks. TxDOT's TA program schedule requires a preliminary application showing the proposed routes and estimated budget on February 21, 2025. If this application is accepted, a detailed application with a full project budget, schedule, and schematics will be issued to the City for completion on April 16, 2025. Staff requests Council's review of the proposed routes and direction regarding submission of the preliminary application. There was discussion.

B. DISCUSS RESOLUTION 2025-04 TERMINATING THE CALDWELL VALLEY DEVELOPMENT AGREEMENT ON 426.85 ACRES LOCATED IN THE CITY'S EXTRATERRITORIAL JURISDICTION SOUTHWEST OF THE INTERSECTION OF FM 2720 AND COUNTY VIEW ROAD.

Mr. Fowler stated that the intent of this resolution is to terminate the Caldwell Valley Development Agreement to reflect a change in planned land use on the affected site. The Development Agreement was originally approved with the intent of a primarily residential MUD being created on the property. The request to terminate the development agreement has been made by Tract, a Colorado-based developer who plans to locate a data center in the vicinity, which would also include areas outside the City's jurisdiction. In the time since the development agreement was approved the MUD has never been created and no residential development has occurred on the property. The proposed termination of the Development Agreement will remove any constraints placed on the property found in the language of the agreement to allow the data center development to move forward. There was discussion.

C. DISCUSSION REGARDING RESOLUTION 2025-05 REQUESTING THAT THE TEXAS DEPARTMENT OF TRANSPORTATION PRESERVE THE CURRENT CONFIGURATION OF HIGHWAY STRIPING ALONG STATE HIGHWAY 142 FROM MEDINA STREET TO BLANCO STREET AS PART OF THE STATE HIGHWAY 142 IMPROVEMENTS PROJECT.

Mr. Kelley stated that on January 9, 2025, the Texas Department of Transportation (TxDOT) shared the 60% design plans with City Council related to an upcoming repaving project on SH142. Components of the paving project include restriping SH142 from Borchert Lane to Downtown and incorporating new 14' wide center turning lanes from Medina Street to Guadalupe Street, along with the traffic signal improvements and widening of Mockingbird Lane. During this council meeting no comments were received regarding the proposed center turning lanes. However, since the meeting, comments have been presented to councilmembers in regard to keeping the current configuration so that on-street parking would remain available from Medina Street to Guadalupe Street along SH142. TxDOT recognizes that changes to traffic patterns may take time to get used to; however, the TxDOT's recommendation for the new center turning lanes was to improve safety along the highway system and were to be placed in an area where no additional roadway modification was going to be necessary to accommodate the center turning lanes. Alternatively, city staff discussed options where center turning lanes would only be made available at intersecting streets from Medina Street to Guadalupe Street, but TxDOT recommendation was to keep continuous turning lanes for the duration of Medina Street to Guadalupe Street and declined an option to only have turning lanes at street intersections. TxDOT has been made aware that there may be opposition to the proposed center turn lanes. If approved, Resolution 2025-05 will request preservation of the current configuration of highway striping on SH142 from Medina Street to Blanco Street will be submitted to TxDOT for its consideration. The project is expected to enter the bidding process in late 2025, with construction expected to begin in 2026. There was discussion.

D. DISCUSSION REGARDING RESOLUTION 2025-06 APPROVING AN INTERLOCAL AGREEMENT WITH CALDWELL COUNTY FOR SUBDIVISION REGULATION OF JUNIPER SPRINGS (FORMERLY CLEARFORK RANCH) PHASES 9, 10, AND 16 WITHIN THE EXTRATERRITORIAL JURISDICTION OF THE CITY OF LOCKHART, ADDRESSED AS 3000 BORCHERT LOOP.

Mr. Fowler stated that this item is for the purpose of clarifying a revision to the Juniper Springs MUD Agreement to address a concern from Caldwell County regarding the assignment of review authority as the MUD develops. In the previous Amendment of the Consent Agreement, which City Council approved December 19, 2023, subdivision review authority was assigned solely to Caldwell County for Sections, 9, 10, and 16, which were outside of the Lockhart ETJ at the time of the amendment, while granting the City of Lockhart sole review authority for the portion of the MUD that was inside the City's ETJ at the time. As final plats for subdivisions within the MUD were submitted, County officials objected to the Amendment, stating it was passed without the County's review. The proposed interlocal agreement is designed to only affect the three sections that were not in the Lockhart ETJ at the time of the agreement, for which Caldwell

County would have exclusive review authority. The ILA would terminate upon approval of all permits and other administrative requirements related to development of the three sections. There was discussion.

REGULAR MEETING

Mayor White called the regular meeting to order at 8:20 p.m.

ITEM 4. PUBLIC COMMENT

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

ITEM 5-A. HOLD A PUBLIC HEARING AND CONSIDER APPROVAL OF ORDINANCE 2025-03, ANNEXING 84.981 ACRES OUT OF THE JOHN A. NEILL SURVEY, ABSTRACT 20, CALDWELL COUNTY, TEXAS, LOCATED EAST OF THE INTERSECTION OF FM 1322 AND CENTERPOINT ROAD AND ADDRESSED AS 2500 FM 1322.

Mayor White announced that the public hearing is postponed to the March 18, 2025 City Council meeting.

ITEM 5-B. HOLD A PUBLIC HEARING ON APPLICATION ZC-24-08 BY TALLEY J. WILLIAMS ON BEHALF OF BLACKJACK BLOCK, LLC AND DISCUSSION AND/OR ACTION ON ORDINANCE 2025-04 FOR A ZONING CHANGE FROM AO AGRICULTURAL-OPEN SPACE DISTRICT TO RMD RESIDENTIAL MEDIUM DENSITY DISTRICT ON 84.981 ACRES IN THE JOHN A. NEILL SURVEY, ABSTRACT NO. 20, LOCATED EAST OF THE INTERSECTION OF FM 1322 AND CENTERPOINT ROAD AND ADDRESSED AS 2500 FM 1322.

Mayor White announced that the public hearing is postponed to the March 18, 2025 City Council meeting.

ITEM 6-A. DISCUSSION AND/OR ACTION REGARDING PROPOSED SIDEWALK ROUTES FOR APPLICATION TO TXDOT TRANSPORTATION ALTERNATIVES GRANT.

Councilmember Michelson made a motion to approve the grant application for \$2million, as presented. Mayor Pro-Tem Sanchez seconded. The motion passed by a vote of 6-0.

ITEM 6-B. DISCUSSION AND OR/ACTION REGARDING RESOLUTION 2025-04 TERMINATING THE CALDWELL VALLEY DEVELOPMENT AGREEMENT ON 426.85 ACRES LOCATED IN THE CITY'S EXTRATERRITORIAL JURISDICTION SOUTHWEST OF THE INTERSECTION OF FM 2720 AND COUNTY VIEW ROAD.

Councilmember Lairsen made a motion to approve Resolution 2025-04, as presented. Councilmember Westmoreland seconded. The motion passed by a vote of 6-0.

ITEM 6-C. DISCUSSION AND/OR ACTION REGARDING RESOLUTION 2025-05 REQUESTING THAT THE TEXAS DEPARTMENT OF TRANSPORTATION PRESERVE THE CURRENT CONFIGURATION OF HIGHWAY STRIPING ALONG STATE HIGHWAY 142 FROM MEDINA STREET TO BLANCO STREET AS PART OF THE STATE HIGHWAY 142 IMPROVEMENTS PROJECT.

Mayor White requested the following to address the Council:

Ronda Reagan, 412 West San Antonio Street, spoke in favor of Resolution 2025-05. She stated that she does not believe that a turn lane would be beneficial on Highway 142 from Medina to Blanco Streets.

Councilmember Lairsen made a motion to approve Resolution 2025-05, as presented. Councilmember Westmoreland seconded. The motion passed by a vote of 6-0.

ITEM 6-D. DISCUSSION AND/OR POSSIBLE ACTION REGARDING RESOLUTION 2025-06 APPROVING AN INTERLOCAL AGREEMENT WITH CALDWELL COUNTY FOR SUBDIVISION REGULATION OF JUNIPER SPRINGS (FORMERLY CLEARFORK RANCH) PHASES 9, 10, AND 16 WITHIN THE EXTRATERRITORIAL JURISDICTION OF THE CITY OF LOCKHART, ADDRESSED AS 3000 BORCHERT LOOP.

Councilmember Westmoreland made a motion to approve Resolution 2025-06, as presented. Councilmember Michelson seconded. The motion passed by a vote of 6-0.

ITEM 7. CITY MANAGER'S REPORT, PRESENTATION AND POSSIBLE ACTION

- Lockhart EMS transition to ESD No. 5 completed.
- Texas Parks & Wildlife (TP&W) awards grant to Lockhart for aquatic facility.
- Update on LCRA's Timmerman Power Plant Construction.
- Coffee with a Cop - January event.

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

Mayor Pro-Tem Sanchez expressed condolences to families that have lost a loved one. She thanked all for their support during the loss of a member of her family. She congratulated the recipients of the Ermine Carter scholarship.

Councilmember Lairsen thanked city employees and public safety personnel for their work.

Councilmember Michelson expressed appreciation for the new fire truck. He asked citizens to continue to be patient during the downtown renovations.

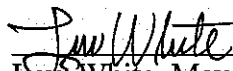
Mayor White also requested citizens to be patient during the downtown renovations. He thanked the project manager for working with the city to keep the renovation process as simple as possible for the community. He invited everyone to First Friday.

ITEM 9. ADJOURNMENT

Mayor Pro-Tem Sanchez made a motion to adjourn the meeting. Councilmember Mendoza seconded. The motion passed by a vote of 6-0. The meeting was adjourned at 8:34 p.m.

PASSED and APPROVED this the 20th day of January, 2026.

CITY OF LOCKHART


Lew White, Mayor

ATTEST:


Julie Bowermon
City Secretary

