REGULAR MEETING
LOCKHART CITY COUNCIL MAY 3, 2022 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
Sean Kelley, Public Works Director
Julie Bowermon, HR/Civil Service Director
Randy Jenkins, Fire Chief
Connie Constancio, City Secretary
Victoria Maranan, Public Information Officer
Pam Larison, Finance Director
David Fowler, Senior Planner

Citizens/Visitors Addressing the Council: William Wachel of TRC Engineers; Kylie Mycock and Bobby Eichholz of Rialto Studio; Apryl Germany of Ascension Seton Edgar B. Davis Hospital; Erin Kubatzky, Senior Operations Manager and Neil Maris, Event Producer of *Texas Monthly*; and Citizens: Ron Faulstich; Travis Faulstich; Trent Brough; Parind Vora; Riley Baldus; Donna Daniels; Srinivasa Prasad Kunche, Rosario Rodriguez.

Work Session 6:30 p.m.
Mayor White announced that Mayor Pro-Tem Sanchez will be late to the meeting. He 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 DOWNTOWN REVITALIZATION FINAL CONCEPTUAL DESIGN REPORT FROM TRC ENGINEERS, INC. AND RIALTO STUDIO.
William Wachel of TRC Engineers, Kylie Mycock and Bobby Eichholz of Rialto Studio provided a detailed update report regarding the Downtown Revitalization project.

There was discussion regarding the preliminary design Options 1A and 1B.

Mayor Pro-Tem Sanchez arrived at 6:45 p.m.

Mayor White requested the following to address the Council:

Ron Faulstich, 121 Nueces Street, expressed opposition of the Plaza and about reducing parking spaces in the downtown square. He recommended increasing parking in the downtown district instead of reducing it. He requested approval of Plan 1B without the Plaza.

Travis Faulstich, business owner on San Antonio Street, expressed opposition of the Plaza and about reducing parking in the downtown area. He recommended approval of Option 1B without the Plaza.

Trent Brough, 111 E. San Antonio Street, stated that he is opening a law office in the downtown district. He stated that he believes that the Plaza would be detrimental to the businesses because it reduces parking options in storefronts. He recommended approval of Option 1B without the Plaza.

Parind Vora, 519 W. San Antonio Street, asked a few questions: 1) were the individuals that completed the survey all Caldwell County residents; 2) was a survey conducted of the downtown businesses; and, 3) were driving and pedestrian counts conducted? He spoke in opposition of the Plaza. He stated that there is also a lack of adequate handicap parking spaces, and he spoke in opposition of reducing parking spaces. He stated that he believed that the consultants should have requested feedback from the downtown business owners while developing the downtown revitalization plan.

Mr. Wachel stated that they will work on assuring that the maximum number of parking spaces are included in the downtown renovation project. There was discussion.

There was discussion about several opportunities that citizens were given to provide feedback and to be involved in the revitalization project.

RECESS: Mayor White announced that the Council would recess for a break at 7:25 p.m.

REGULAR MEETING

ITEM 1. CALL TO ORDER.
Mayor Lew White called the meeting to order at 7:43 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.

Riley Baldus, 601 Flores, provided details about a planned development, "The Lockhart Ridge Garden Homes Community".

Donna Daniels, 420 W. Prairie Lea, suggested Plan 1A for the downtown revitalization project because she believes that it is very pedestrian friendly.

ITEM 4-A. HOLD A PUBLIC HEARING ON APPLICATION ZC-22-13 BY SRINIVASA PRASAD KUNCHE ON BEHALF OF CAM-TX HOLDINGS, LLC, AND DISCUSSION AND/OR ACTION TO CONSIDER ORDINANCE 2022-14 FOR A ZONING CHANGE FROM *CHB HEAVY BUSINESS DISTRICT* TO *RHD RESIDENTIAL HIGH DENSITY DISTRICT* ON LOT 2, BLOCK 1, MOSO SUBDIVISION, CONSISTING OF 0.613 ACRES LOCATED AT 1203 BLACKJACK STREET (FM 20).

Mayor White opened the public hearing at 7:45 p.m.

Mr. Fowler stated that a multifamily residential development is proposed for the subject property and 1201 Blackjack to the east. As the subject property is zoned CHB Commercial Heavy Business, this use is not allowed on the site. To make multifamily development permitted, the applicant has requested a zoning change to RHD Residential High Density. The proposed RHD zoning classification is not consistent with the Medium Density Residential future land use that is designated for the subject lot and the lots to its immediate north, east, and west. However, the proposed RHD zoning would match the current zoning of the properties to the immediate north and west. At the Planning and Zoning Commission public hearing, no citizens spoke regarding the proposed zoning change. Mr. Fowler stated that the Planning and Zoning Commission and staff recommend approval.

Mayor White requested the applicant to address the Council.

Srinivasa Prasad Kunche stated that they plan to develop town homes on the property. 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 7:53 p.m.

Councilmember Mendoza made a motion to approve Ordinance 2022-14, as presented. Councilmember Westmoreland seconded. The motion passed by a vote of 7-0.

ITEM 4-B. HOLD A PUBLIC HEARING ON APPLICATION ZC-22-14 BY ROSARIO RODRIGUEZ, AND DISCUSSION AND/OR ACTION TO CONSIDER ORDINANCE 2022-15 FOR A ZONING CHANGE FROM *AO AGRICULTURAL-OPEN SPACE DISTRICT* TO *RMD RESIDENTIAL MEDIUM DENISTY DISTRICT* ON 5.001 ACRES OUT OF THE ESTHER BERRY SURVEY, A-1, LOCATED AT 2011 FM 1322.

Mayor White opened the public hearing at 7:54 p.m.

Mr. Fowler stated that the applicant proposes to locate a manufactured home on the subject property. This use is not permitted in the subject parcel's AO Agricultural-Open Space Zoning District. In order to facilitate the location of the manufactured home on the property, the applicant has submitted for a rezoning to RMD Residential Medium Density zoning. If the RMD rezoning were approved, a Specific Use Permit (SUP) would still be required prior to the manufactured home being permitted on the subject parcel. The subject parcel is 5.001 acres in size, and is designed as a family parcel for use of relatives of the owners of the larger 43.3-acre parent tract. The rest of the parent tract is zoned AO, as is most of the surrounding area within the city limits. Most of the immediate area is rural in character, but the Summerside residential subdivision will eventually build to FM 1322 on the parcel south of the parent tract. The proposed RMD zoning is consistent with the property's Medium Density Residential Comprehensive Land Use Plan map designation. So far, there has been no public opposition to the proposed zoning change. Mr. Fowler stated that the Planning and Zoning Commission and staff recommend approval.

Mayor White requested the applicant to address the Council.

Rosario Rodriguez, applicant, stated that he would like to place a manufactured home on his property so that his daughter can move close to the family. 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 8:00 p.m.

Mayor Pro-Tem Sanchez made a motion to approve Ordinance 2022-15, as presented. Councilmember McGregor seconded. The motion passed by a vote of 7-0.

ITEM 6-B. DISCUSSION AND CONSIDERATION BY THE CITY COUNCIL OF COMMENTS RECEIVED FROM THE PUBLIC REGARDING REDISTRICTING PLANS FOR CITY COUNCIL DISTRICTS, PLANS PROPOSED BY THE PUBLIC, INCLUDING POSSIBLE AMENDMENTS TO A PROPOSED PLAN, INCLUDING A PLAN DRAWING SESSION. *THE CITY COUNCIL MAY GO INTO EXECUTIVE SESSION PURSUANT TO TEXAS GOVERNMENT CODE, SECTION 551.071 TO RECEIVE ADVICE FROM LEGAL COUNSEL REGARDING THE CITY'S REDISTRICTING OBLIGATIONS.*

Mayor White announced that the Council would enter Executive Session to discuss redistricting at 8:03 p.m.

Mayor White announced that the Council would enter Open Session at 8:54 p.m.

ITEM 6-C. DISCUSSION AND CONSIDERATION OF AN EFFECTIVE DATE FOR A REDISTRICTING PLAN FOR CITY COUNCIL DISTRICTS.

There was no discussion.

ITEM 6-D. DISCUSSION OF, AND POSSIBLE ADOPTION OF A REDISTRICTING PLAN FOR CITY COUNCIL DISTRICTS AS OUTLINED IN RESOLUTION 2022-24.

Mayor Pro-Tem Sanchez made a motion to table the item until the next meeting and requested that the redistricting attorney, Syd Falk and Philip Ruiz of LULAC meet to discuss a redistricting drawing option to present to the Council. Councilmember McGregor seconded. The motion passed by a vote of 7-0.

ITEM 5. CONSENT AGENDA

Mayor White stated that the consent agenda items will be discussed separately because they were not discussed during the work session.

ITEM 5-A. APPROVE RENEWING AGREEMENT WITH JACK PEARCE, LLC WITH AN AMENDMENT FOR THE LEASING OF PROPERTIES LOCATED AT WEST MARKET STREET AND SOUTH COMMERCE STREET AND APPROVING THE MAYOR TO SIGN THE RENEWAL OF LEASE IF APPROVED.

Mr. Kelley stated that in early 2021, the City approached Jim and Amelia Smith (owners) to pursue leasing the vacant properties located on the southside of the downtown square for the purpose of creating a temporary park. The Smiths were excited to enter negotiations with the City for the establishment of a park on the vacant property. The property owners have plans to develop the property in the future, however they are eager to offer this space to benefit the community in the meantime. Over the past months, City staff has been assisting Texas Monthly with planning the proposed Texas World's Fair event in Lockhart in November 2022. During the planning sessions, Texas Monthly asked to incorporate the use of the downtown park during their event as a "Beer Hall". The current lease with the property owners prohibits alcohol on the property. The property owners were informed about the request to consume and sell alcohol on their property, and they have agreed to allow consumption and use of alcohol on the premises only during the November 2022 planned event. Sales and consumption of alcohol would remain prohibited on this property leading up to and after the event. The property lease renewal outlines sales and consumption

of alcohol during this planned event and retains all other previously agreed provisions in the agreement. The effective dates of this agreement would be May 3, 2022 to May 2, 2023, and would automatically renew for an additional one-year term on each anniversary date unless either party notifies the other in writing of intent not to renew at least 60 days prior to expiration of the then-current term. This lease may be terminated by the Lessee or the Lessor at any time with a sixty (60) day written notice to the other party. There was discussion.

Councilmember McGregor made a motion to approve the renewal agreement with Jack Pearce, LLC with an amendment for the leasing of properties located at West Market Street and South Commerce Street, as presented. Councilmember Mendoza seconded. The motion passed by a vote of 7-0.

ITEM 5-B. ACCEPTANCE OF THE 2ND QUARTER INVESTMENT REPORT FOR FISCAL YEAR 2021-22.

Ms. Larison stated that the Public Funds Investment Act requires local governments to review and accept Quarterly Investment Reports for each quarterly reporting period of the year. There was discussion regarding the 2nd Quarter for Fiscal Year 2022, ending March 31, 2022.

Councilmember Michelson made a motion to accept the 2nd Quarter Investment Report for Fiscal Year 2021-2022, as presented. Councilmember Westmoreland seconded. The motion passed by a vote of 7-0.

ITEM 6-A. DISCUSSION AND/OR ACTION REGARDING THE DOWNTOWN REVITALIZATION FINAL CONCEPTUAL DESIGN REPORT FROM TRC ENGINEERS, INC. AND RIALTO STUDIO.

There was discussion.

Councilmember Michelson made a motion to approve design conceptual plan 1B without the Plaza and to direct the consulting firms and staff to return with parking options. Mayor Pro-Tem Sanchez seconded. The motion passed by a vote of 7-0.

ITEM 6-E. DISCUSSION AND/OR ACTION TO CONSIDER ORDINANCE 2022-18 APPROVING BUDGET AMENDMENT 67 FOR THE PURCHASE OF A NEW FRAZER TYPE I AMBULANCE FOR LOCKHART EMS THROUGH FRAZER, LTD. UTILIZING THE HOUSTON-GALVESTON AREA COUNCIL (H-GAC) AS THE PROCUREMENT METHOD.

Chef Jenkins stated that Apryl Germany of Ascension Seton Edgar B. Davis/Lockhart EMS is present to answer questions, if necessary. He stated that the new Frazer Type I ambulance will be deployed front-line for medical emergencies in Lockhart and Caldwell County. The ambulance will replace one of the two front-line ambulances currently in service. The vehicle is a Type I ambulance with a Dodge Diesel F550 cab and chassis, a 12' all-aluminum patient module, back-up camera, LiquidSpring suspension, Mobile Electronic Power Solutions (MEPS) generator, Engel refrigerator, shore power, LED lighting, and horizontal O2 cylinder storage. It is best practice to remove an ambulance from the front-line to reserve after 5 years or approximately 150,000 miles. In reserve for up to 5 additional years or over 200,000 total miles, it is then replaced with a new ambulance, or the patient module is remounted on a new cab and chassis. Lockhart EMS typically has four ambulances in its fleet, two front-line and two in reserve. One of the four is currently in the process of a remount and the other three ambulances all have over 200,000 miles and are at least 5 years old. Medic 1 (2016) is currently at Siddons-Martin waiting on a cab and chassis for its remount. It was approved by the City Council on July 6, 2021, but due to shortage of inventory, it has not been completed. The estimated delivery is late summer 2022. The total cost to purchase the Type I ambulance as the specifications are written is $246,794. Once the ambulance is

completed, the city will have to arrange for it to be transported to Lockhart from the Houston Frazer manufacturing plant. A powered loading system and cot is also recommended to be purchased from Stryker for this Frazer Type I ambulance in a separate agenda item. Chief Jenkins recommended approval. There was discussion.

Councilmember Michelson made a motion to approve Ordinance 2022-18 for the purchase of an ambulance, as presented. Mayor Pro-Tem Sanchez seconded. The motion passed by a vote of 7-0.

ITEM 6-F. DISCUSSION AND/OR ACTION TO CONSIDER THE PURCHASE OF A POWERED LOADING SYSTEM AND POWERED COT THROUGH STRYKER MEDICAL TO BE INSTALLED IN A NEW FRAZER TYPE I AMBULANCE BEING PURCHASED FOR LOCKHART EMS.

Chief Jenkins stated that the "powered loading and cot system" is a method for managing the stretcher during loading and unloading in the ambulance, while increasing the safety of the patient and personnel. The powered loading system (Stryker MTS Power Load) and the powered ambulance cot (Stryker Power-PRO XT MTS) are for a new Frazer ambulance being purchased for Lockhart EMS. The cost includes the maintenance and service agreement for the powered loading system and cot. The powered loading and cot system is currently used on other Lockhart EMS ambulances and is the sole resource of Stryker Medical. The cost for the powered loading and cot system plus maintenance agreements is $58,131.04 plus approximately $500 to install by a separate vendor for a total of $58,631.04. Chief Jenkins recommended approval. There was discussion.

Councilmember Michelson made a motion to approve the purchase of a powered loading system and powered cot through Stryker Medical to be installed on a new Frazer Type I ambulance, as presented. Mayor Pro-Tem Sanchez seconded. The motion passed by a vote of 7-0.

ITEM 6-G. DISCUSSION AND/OR ACTION TO CONSIDER PROPOSED *TEXAS MONTHLY* 2022 BBQ WORLD'S FAIR EVENT SPONSORSHIP AGREEMENT FOR THE NOVEMBER 5 - 6, 2022 TEXAS MONTHLY BBQ WORLD'S FAIR EVENT.

Ms. Bowermon stated that on January 18, 2022, City Council approved a proposal from *Texas Monthly* to host the Texas Monthly 2022 BBQ World's Fair in Lockhart on November 5 - 6, 2022. Since 2009, *Texas Monthly* has brought together BBQ enthusiasts at a BBQ festival held at the Long Center in Austin. As the event has evolved and grown, *Texas Monthly* proposed to relocate the festival to the Barbecue Capital of Texas: Lockhart. The event will be a 2-day weekend festival starting on Saturday, November 5, 2022 in the downtown area. The second day of the festival will be held at City Park. The city will contribute up to $25,000 of in-kind services including permitting assistance, emergency personnel staffing, use of the downtown streets and City Park, barricades and staffing for street closures, shuttle transportation, utilities, etc. Preparations for the November event have kicked off with *Texas Monthly* holding informational meetings with both Chambers, the Downtown Business Association, and several local businesses. *Texas Monthly* has offered Lockhart the opportunity of an event sponsorship for $28,700 to promote Lockhart with both print and video packages. The sponsorship fee includes $20,000 for one interactive visual storytelling feature and $8,700 for one full-page brand ad in *Texas Monthly* magazine. The proposed sponsorship agreement specifies event details and the City's in-kind service contributions, as well as the opportunity for the event sponsorship.

Erin Kubatzky, Senior Operations Manager and Neil Maris, Event Producer of *Texas Monthly* provided details about the events and the sponsorship opportunities of the BBQ Festival in Lockhart.

There was discussion and a request that *Texas Monthly* notify each of the downtown businesses about the downtown street closures on the Friday of the event. There was also discussion about the marketing and promotional features of the event.

Mayor White asked if the Council would like an item placed on a future agenda to consider a possible contribution in the amount of $28,000 for the event. There was discussion about the city logo being placed on all promotional ads in six *Texas Monthly* issues that are distributed to approximately $2 million subscribers.

Mayor White asked if city funds are available to cover the sponsorship cost. Ms. Bowermon replied that if the Council chose to be an event sponsor, $26,000 would be used from funds allocated for the KART Race that will no longer be held, in addition to hotel occupancy tax funds.

There was discussion.

Councilmember Westmoreland made a motion to approve the *Texas Monthly* 2022 BBQ World's Fair Event Sponsorship Agreement for the November 5-6, 2022 Texas Monthly BBQ World's Fair event, as presented. Councilmember McGregor seconded. The motion passed by a vote of 7-0.

PRESENTATION OF A PROCLAMATION DECLARING MAY 21, 2022 AS *KIDS TO PARKS DAY.*

Mayor White presented the proclamation to Travis Hughes, Parks and Recreation Director.

ITEM 6-I. DISCUSSION AND/OR ACTION TO CONSIDER ORDINANCE 2022-16 GRANTING A REVOCABLE LICENSE PURSUANT TO SECTIONS 10.10 AND 10.11 OF THE HOME RULE CHARTER OF THE CITY OF LOCKHART FOR THE ERECTION OF A GATE ACROSS NORTH PECOS STREET AT 1631 NORTH PECOS STREET.

Mr. Akers stated that the city was approached by the resident at 1631 N. Pecos asking to put back a gate and fence across the right-of-way in front of his house to prevent vehicles from using a private road in front of his home to Highway 183.

The following are a few issues to consider pertaining to the installation of the gate:

- A "No Outlet" sign is erected on Silent Valley Road on North Pecos Street.
- A "Dead End" sign is in front of the house at 1631 N. Pecos.
- The signs have not deterred vehicles from taking the road down to Highway 183.

The resident at 1631 North Pecos states that a fence and a gate had previously been erected on the property for 20 plus years and he wants to put it back. As provided in the Charter, the authority to erect the gate is fully revocable by the City at any time and for any reason.

Joseph Gonzales, 1631 North Pecos Street, requested approval to allow him to erect a gate across North Pecos Street. He stated that when he built his home, the city's building regulations required him to remove the gate.

Councilmember Michelson made a motion to approve Ordinance 2022-16 granting a revocable license pursuant to Sections 10.10 and 10.11 of the Home Rule Charter of the City of Lockhart for the erection of a gate across North Pecos Street at 1631 North Pecos Street, as presented. Mayor Pro-Tem Sanchez seconded. The motion passed by a vote of 7-0.

ITEM 6-H. DISCUSSION AND/OR ACTION TO CONSIDER ORDINANCE 2022-17 APPROVING BUDGET AMENDMENT 66, TO ALLOCATE FUNDS FOR SERVICES PROVIDED BY AN INSURANCE SERVICES OFFICE (ISO) CONSULTANT TO ASSIST THE CITY OF LOCKHART IN PREVENTING A RETROGRESSION FROM A PUBLIC PROTECTION CLASSIFICATION (PPC) 3/3X TO A PPC 4/4X RESULTING FROM A ISO SURVEY CONDUCTED ON DECEMBER 8, 2021.

Chief Jenkins stated that ISO collects information on a community's public fire protection and analyses the data using their Fire Suppression Rating Schedule (FSRS). ISO then assigns a Public Protection Classification (PPC) from 1 to 10, with 1 being the best class available. Insurance companies then use the PPC rating to help establish appropriate premiums for residential and commercial properties. The fire protection systems which are evaluated include 911 Communications (9%), Fire Department (47%), Water Supply (38%), Community Risk Reduction (6%), and the Texas Exception. The potential rise in the cost of property insurance if the city regressed from an ISO PPC of 3/3X to a PPC of 4/4X is 9% for commercial properties and 3% for residential properties.

Mike Pietsch, P.E. Consulting Services, Inc. was retained on March 10, 2022 and developed a two-phase plan to stop the ISO retrogression as follows:

Phase I – Develop an ISO grading point total which should have resulted from the recent ISO survey, and develop a plan and report based on this grading point total in order to eliminate the regression. Cost $16,000. Phase I is complete.
Phase II – Assist the City of Lockhart with a ISO re-survey to eliminate the regression. Cost is $6,500. Phase II will be completed after all components of the improvement plan have been implemented.

Chief Jenkins stated that the City of Lockhart has submitted their improvement plan to the ISO regression specialist in New Jersey and the improvement plan has been approved. Once all components of the improvement plan have been completed, the ISO consultant will assist the city in presenting the information to ISO to stop the regression. The City of Lockhart will remain a PPC 3/3X until the entire improvement plan process is complete. Once the improvements have been accepted by ISO, a new PPC 3/3X letter will be issued by the State Fire Marshal. Typically, a city will be evaluated by ISO between 5 and 10 years from the last survey.

Councilmember McGregor made a motion to approve Ordinance 2022-17, approving budget amendment 66, as presented. Councilmember Bryant seconded. The motion passed by a vote of 7-0.

ITEM 6-J. DISCUSSION AND DIRECTION TO STAFF REGARDING POSSIBLE AMENDMENTS TO CHAPTER 64 REGARDING COVERED PARKING REQUIREMENTS IN SF-1 AND SF-2 RESIDENTIAL DEVELOPMENT TYPES.

Mr. Lewis stated that Councilmember McGregor requested that the item be on the agenda for discussion.

Councilmember McGregor stated that she requests consideration of extending the exemption of covered parking requirements for non-conforming lots that were platted prior to 1990.

Mr. Lewis stated that the current ordinance would require the property owner to apply for a variance to request a waiver of the required covered parking. Councilmember McGregor replied that her goal is to avoid requiring smaller lots plotted prior to 1990 from being required to apply for a variance or to be required to have covered parking. She requested that staff report a recommendation to Council about the waiver that includes information about how many nonconforming lots plotted before 1990 exist in the city limits.

There was discussion.

Councilmember McGregor made a motion to direct staff to present a possible amendment to Chapter 64 regarding covered parking requirements in SF-1 and SF-2 residential development types of smaller lots that were platted prior to 1990. Councilmember Mendoza seconded. The motion passed by a vote of 6-1, with Mayor White opposing.

ITEM 6-K. CONSIDER AND TAKE ACTION TO AUTHORIZE THE MAYOR TO EXECUTE A TOWER USE LICENSE WITH BROUSSARD TOWER RENTALS, INC. TO CONTINUE THE CITY'S USE OF THE RADIO TOWER LOCATED AT 1511 EAST MARKET ST. WITHIN THE CITY OF LOCKHART FOR THE PURPOSES OF POLICE, FIRE, EMS AND OTHER CITY RELATED COMMUNICATIONS; AND TO AUTHORIZE THE MAYOR TO EXECUTE A TOWER USE LICENSE WITH CLEARVIEW TOWER COMPANY III, LLC. TO CONTINUE THE CITY'S USE OF A RADIO TOWER LOCATED NEAR LULING, TX KNOWN AS IRON MOUNTAIN FOR THE SAME PURPOSES AS ABOVE.

Ms. Larison stated that this item is about renewing an existing agreement that has been in place since the early 1990s. Kent Broussard Tower Rentals, Inc. is in the process of selling all their assets to Clearview Tower Company III, LLC and has already sold the Iron Mountain (Luling) tower to them. The new agreements will maintain the status quo, but they more clearly identify the price structure and lease terms. On April 19, 2022, Council voted to postpone the approval of these agreements because staff had some last-minute questions for the current and future owners which have since been answered. Ms. Larison recommended approval.

Mayor Pro-Tem Sanchez made a motion to approve the Tower Use Licenses, as presented. Councilmember Bryant seconded. The motion passed by a vote of 7-0.

ITEM 6-L. DISCUSSION REGARDING MATTERS RELATED TO COVID-19.

There was no discussion.

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

- City of Lockhart FY 2022 Mid-Year Financial report.
- Update regarding city facility upgrades and subdivision developments.
- CARTS Ribbon cutting ceremony on May 2 at 12:00 p.m. at City Hall.
- Update about CARTS NOW.
- Update on Iron Ox grand opening.
- Cinco de Mayo events - May 6 and 7.

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

Councilmember Mendoza invited all to the Cinco de Mayo celebration.

Mayor Pro-Tem Sanchez expressed condolences to the families of Tommy Chesser, Jesse Perez, Sylvia Estrada, and Gary Smith for their loss. She wished the Hispanic Chamber good luck for a successful Cinco de Mayo event. She expressed Happy Mother's day blessings.

Councilmember McGregor invited all to Cinco de Mayo and First Friday events downtown this weekend. Courthouse Nights has returned with Lockhart's James Mcmurtry playing at the next event.

Councilmember Bryant wished the Hispanic Chamber good luck on a successful Cinco de Mayo event.

Councilmember Michelson thanked Iron Ox for a tour of their facility.

Mayor White wished the Hispanic Chamber good luck on a successful Cinco de Mayo event. Happy Mother's Day to all.

ITEM 9. EXECUTIVE SESSION IN ACCORDANCE WITH THE PROVISIONS OF THE GOVERNMENT CODE, TITLE 5, SUBCHAPTER D, SECTION 551.071 TO CONSULT WITH THE CITY ATTORNEY, AND 551.087 REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS, IN CONNECTION WITH LEGAL ADVICE AND OPTIONS FOR ACTION REGARDING POSSIBLE AMENDMENT OR REPLACEMENT OF AN EXISTING CHAPTER 380 AGREEMENT AND INCENTIVES TO BE PROVIDED TO A BUSINESS PROSPECT.
Mayor White announced that the Council would enter Executive Session at 10:13 p.m.

ITEM 10. OPEN SESSION. Discussion and/or action regarding matters discussed in Executive Session.
Mayor White announced that the Council would enter Open Session at 10:40 p.m. There was no action taken.

ITEM 11. 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 10:41 p.m.

PASSED and APPROVED this the 17th day of May 2022.

CITY OF LOCKHART

Lew White, Mayor

ATTEST:

Connie Constancio, TRMC
City Secretary

CITY OF LOCKHART TEXAS