

**REGULAR MEETING
LOCKHART CITY COUNCIL**

SEPTEMBER 6, 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
Pam Larison, Finance Director
Julie Bowermon, Civil Service/HR Director
Dan Gibson, City Planner
Cean Charles, EMS Director

Connie Constancio, City Secretary
Victoria Maranan, Public Information Officer
Sean Kelley, Public Works Director
Mike Kamerlander, Economic Dev. Director
David Fowler, Senior Planner

Citizens/Visitors Addressing the Council: Kevin Heller, CEO of Ziegenfelder, LLC; Dan Ross of Red Oak Development Group; Brad Laughlin of Garden Gate Holdings

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. 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. Conduct interview of Municipal Court Presiding Judge candidate.

Mayor White announced that the Council would enter Executive Session at 6:32 p.m.

Mayor White announced that the Council would enter Open Session at 7:40 p.m.

B. DISCUSS THE MINUTES OF THE CITY COUNCIL MEETINGS OF AUGUST 2, 2022, AUGUST 16, 2022 AND AUGUST 25, 2022.

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

C. DISCUSS REVISED JOINT ELECTION AGREEMENT FOR ELECTION SERVICES WITH CALDWELL COUNTY ELECTIONS ADMINISTRATOR TO CONDUCT THE CITY OF LOCKHART'S NOVEMBER 8, 2022 GENERAL ELECTION.

Ms. Constancio stated that on March 1, 2022, the City Council approved a contract for joint election services with the Caldwell County Elections Administrator to conduct the City of Lockhart's General Election on November 8, 2022. Since that date, Kimber Daniels, Caldwell County Elections Administrator, informed staff that the County's Attorney has revised the Joint Election Agreement. After comparing and reviewing the agreements, the revised agreement adds details about the election, such as

early voting dates and times, and requires each participating entity to sign the document. Details about the costs of services remain the same. The City of Lockhart will pay a 10% Administrative Fee of the total cost of the election plus a ratio formula shared between participating entities. There was discussion.

D. DISCUSS CHAPTER 380 AGREEMENT WITH THE ZIEGENFELDER CO. TO PROVIDE INCENTIVES FOR ECONOMIC DEVELOPMENT.

Mr. Kamerlander stated that based in Wheeling, WV, the Ziegenfelder Company is a private, family-owned frozen novelty manufacturer that focuses on producing the highest quality frozen ice treats. Its signature item, Budget Saver Assorted Twin Pops, is commonly referred to as the "Rainbow Array™". They are a significant manufacturer of twin pops with production facilities in Wheeling, WV; Chino, CA; and Denver, CO.

Details are as follows:

Employment: 100

Investment: \$39 million

Facility Size: 96,000 square feet

Status: Company is under contract for land in Lockhart Industrial Park III. The company has indicated that it intends to close quickly.

The incentive before Council is for 5 years beginning in year 2 with the following schedule:

Year 2: 80% rebate of real and personal property taxes

Year 3: 75%

Year 4: 66%

Year 5: 66%

Year 6: 33%

The net benefit to the City of Lockhart over 10 years is estimated to be \$1.67 million. The County Commissioners Court will also be considering an incentive at its next Court meeting.

Kevin Heller, CEO of Ziegenfelder stated that his company looked at other cities while scouting a new location to expand the business, and decided to choose Lockhart because of the welcoming community and the ease of working with city staff.

E. DISCUSSION REGARDING RESOLUTION 2022-32 FOR AN ECONOMIC DEVELOPMENT PERFORMANCE AGREEMENT AND PROPERTY SALE AGREEMENT FOR 2.468 ACRES IN LOCKHART INDUSTRIAL PARK II WITH WARELOCK PARTNERS 2, LLC.

Mr. Kamerlander stated that the economic development performance agreement is for a possible speculative building collaboration project for the 2.468-acres of land owned by the Lockhart Economic Development Corporation (LEDC) in Industrial Park II. Since this is only for the construction of new spec buildings, it is hard to pinpoint the entire value of the project and the jobs that will be created as a result although staff would expect at least \$1.5 million estimate at full buildout. This performance agreement and contract match the terms from the first deal with this development group for the 5-acres previously owned by LEDC across from this land. The LEDC closed on that transaction on July 29th. The facility size: Up to 20,000 square feet. This performance agreement was discussed and unanimously passed by the LEDC Board at its August 8th board meeting. The property sale contract does not place a time constraint on the construction itself. This would be done with an economic development performance agreement which is needed to offer the price below. The developer says his intentions are to complete

construction within a year of contract and to try to coordinate it with the project on the recently acquired 5-acres across the street. Incentives: The board approved the offer of \$1.50/square foot land cost for the 2.468 acres owned by LEDC in Industrial Park II. The total revenue generated by the sale of the land to LEDC would be \$161,259.12. Mr. Kamerlander recommended approval. There was discussion.

F. DISCUSSION REGARDING ORDINANCE 2022-40 ADOPTING THE CITY OF LOCKHART'S ANNUAL OPERATING BUDGET FOR FISCAL YEAR 2022-2023 AND APPROPRIATING RESOURCES, BEGINNING OCTOBER 1, 2022, ENDING SEPTEMBER 30, 2023, FOR THE CITY OF LOCKHART, CALDWELL COUNTY, TEXAS AND THE LOCKHART ECONOMIC DEVELOPMENT CORPORATION AND ADOPTING THE CITY'S INVESTMENT POLICY, FINANCIAL POLICY, AND FUND BALANCE - STABILIZATION AND EXCESS OF RESERVES POLICIES.

Ms. Larison stated that in accordance with the provisions of Article IX, Section 9.09 of the City of Lockhart Charter - a vote is required for adoption; the budget shall be adopted by the favorable vote of a majority of the members of the whole City Council. This budget also sets forth the fiduciary policies for the City of Lockhart and the Lockhart Economic Development Corporation for the fiscal year October 1, 2022 and ending September 30, 2023. This ordinance will adopt the City's Investment Policy, Financial Policy, and the Fund Balance - Stabilization and Excess of Reserve Policy. The City of Lockhart's Investment Policy must be adopted annually by ordinance according to the City's Charter, Chapter 2256, Section 2256.005. Two additions were added to the City of Lockhart's Financial Policy. Upon completion of the Fiscal Year 2020-2021 audit, the City's external auditor, Brooks Watson & Company, made two recommendations which involved additions to the City's Financial Policy. The first concerns uncollectible debt and the second is a GASB 87 statement dealing with capital leasing. The budget for Fiscal Year 2022-2023 includes the revised City of Lockhart Financial Policy with the recommended additions. This agenda item allows for the City Council to suggest any budget allocations or deletions to the budget before a vote is taken. If no additional allocations or deletions are presented, action can be taken to adopt the Fiscal Year 2022-2023 Annual Operating Budget for the City of Lockhart, Caldwell County, Texas and the Lockhart Economic Development Corporation. There was discussion.

G. DISCUSSION REGARDING ORDINANCE 2022-41 LEVYING MAINTENANCE AND OPERATIONS PROPERTY TAXES FOR THE USE AND SUPPORT OF THE CITY OF LOCKHART, TEXAS AND INTEREST AND SINKING PROPERTY TAXES FOR THE DEBT SERVICE OBLIGATIONS OF THE CITY OF LOCKHART, CALDWELL COUNTY, TEXAS FOR FISCAL YEAR 2023, BEGINNING OCTOBER 1, 2022 AND ENDING SEPTEMBER 30, 2023.

Ms. Larison stated that the proposed tax rate is \$0.6006 per \$100 of assessed value. The Ordinance describes the two required components of the tax rate: Maintenance and Operations (M&O) and Interest and Sinking (I&S). State law requires a statement regarding the amount by which taxes for maintenance and operations on a \$100,000 home will be raised. Based on the proposed tax rate, the maintenance and operations portion of the rate will be \$0.4504 per \$100 assessed value compared to last year's maintenance and operations rate of \$0.5254 per \$100 assessed value, resulting in a decrease of \$0.075 or 14.3%. The interest and sinking portion of the tax rate increased from \$0.1057 to \$0.1502 per \$100 assessed value, resulting in an increase of \$0.0445 or 42.3%. Therefore, there will be no increase in the maintenance and operations tax due on a \$100,000 home. The City of Lockhart's portion of a homeowner's property tax bill is only 27% of their total bill based on current tax rates. The remaining 73% of the tax bill is for property taxes charged by the other taxing jurisdictions, including the Lockhart Independent School District (42%), Caldwell County (29%), Farm-to-Market (0.004%), and Plum Creek Conservation District and

Groundwater tax (2.0%). Property taxes paid to the City of Lockhart make up approximately 37% of the City's General Fund revenues. Sales tax revenue makes up another 15%, while other fees and services cover the remaining 48%. The revenues from the General Fund provide maintenance and operational support for streets, parks, infrastructure, police and fire protection. The verbiage contained within this ordinance is in strict compliance with requirements of Section 26.05(b)(1)(B) of the Texas Tax Code. There was discussion.

H. DISCUSSION REGARDING ORDINANCE 2022-42 REPEALING UNCODIFIED ORDINANCE 2021-29 IN ITS ENTIRETY AND ADOPTING THIS ORDINANCE REGARDING THE CITY PERSONNEL POLICY MANUAL; REMOVING PERFORMANCE OR MERIT PAY FOR POLICE AND FIRE PERSONNEL AND ADOPTING A STEP PAY PLAN FOR POLICE AND FIRE DEPARTMENTS UNDER CIVIL SERVICE.

Ms. Bowermon stated that the Fiscal Year 2022-2023 Budget includes a 4% pay increase for all full-time and part-time regular City of Lockhart employees. In compliance with Civil Service, classified police and fire positions are paid per a step pay plan, which is set by ordinance. The proposed ordinance reflects increasing the step plans as included in the budget. There was discussion.

I. DISCUSSION REGARDING RESOLUTIONS TO CONSENT TO THE INCLUSION OF CITY ETJ LAND IN THE CALDWELL CO. MUD NO. 2. (RESOLUTION NO. 2022-30 FOR 32.486 ACRES REQUESTED BY JAKOVICH INTERESTS, LLC AND RESOLUTION NO. 2022-31 FOR 135.731 ACRES REQUESTED BY PH LAND HOLDINGS, LLC.)

Mr. Akers stated that State law requires that a city consent to the inclusion of land in its extraterritorial jurisdiction (ETJ) in a municipal utility district ("MUD"). On January 15, 2019, the City approved Resolution No. 2019-04 and a Consent Agreement for creation of "Clear Fork Ranch MUD," a portion of which would be in the City's ETJ. The Legislature subsequently changed the name of the MUD to the "Caldwell Co. MUD No. 2." The Consent Agreement provided that additional land could be included in the MUD only with the City's consent, and on August 12, 2022, the City received petitions for inclusion of two tracts in the ETJ, being 32.486 acres from Jakovich Interests, LLC, and 135.731 acres from PH Land Holdings, LLC, both of which tracts were addressed in the Consent Agreement, the latter being described therein as "Option Land". There was discussion.

RECESS: Mayor White announced that the Council would recess for a break at 7:58 p.m.

REGULAR MEETING

ITEM 1. CALL TO ORDER.

Mayor Lew White called the meeting to order at 8:10 p.m.

ITEM 2. INVOCATION, PLEDGE OF ALLEGIANCE.

Councilmember McGregor 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.

ITEM 4. OPEN SESSION REGARDING ITEM DISCUSSED IN EXECUTIVE SESSION. Discussion and/or action to consider the appointment of Municipal Court Presiding Judge and authorize staff to execute Professional Services Agreement.

Mayor White announced that the Professional Services Agreement would be considered during the next Council meeting.

ITEM 5-A. HOLD A PUBLIC HEARING FOR THE CITY OF LOCKHART AND THE LOCKHART ECONOMIC DEVELOPMENT CORPORATION FISCAL YEAR 2022-2023 BUDGET.

Mayor White opened the public hearing at 8:12 p.m.

Ms. Larison stated that the City Charter requires that the City Council hold one public hearing for the City of Lockhart Budget to allow for public comments. This is the final public hearing of the two recommended hearings to allow citizens an additional opportunity to comment on the proposed budget.

Mayor White requested citizens in favor of or against the proposed Fiscal Year 2022-2023 budget to address the Council. There were none. He closed the public hearing at 8:13 p.m.

ITEM 5-B. HOLD PUBLIC HEARING ON PROPOSED TAX RATE FOR 2022.

Mayor White opened the public hearing at 8:13 p.m.

Ms. Larison stated the City Council is required to hold a public hearing on the proposal to increase the tax revenues if the proposed tax rate exceeds the No New Revenue rate calculated by the Caldwell County Appraisal District. The public hearing is being held as a requirement by the Truth in Taxation laws of the State of Texas.

Mayor White requested citizens in favor of or against the proposed tax rate for 2022 to address the Council. There were none. He closed the public hearing at 8:15 p.m.

ITEM 5-C. HOLD A PUBLIC HEARING AND CONSIDER GRANTING A PETITION BY THOMAS STAUB ON BEHALF OF ROED PROP CO, LLC, AND DISCUSSION AND OR ACTION TO CONSIDER ORDINANCE 2022-36 ANNEXING 89.775 ACRES OUT OF THE J.A. NEILL SURVEY, ABSTRACT NUMBER 20, CALDWELL COUNTY, TEXAS LOCATED ON THE EAST SIDE OF FM 1322 APPROXIMATELY 2,600 FEET SOUTH OF SEAWILLOW ROAD, INCLUDING THE ADJACENT FM 1322 RIGHT-OF-WAY WHERE IT ABUTS THE CURRENT CITY LIMIT, APPROVING AN ANNEXATION SERVICE AGREEMENT FOR SAID PROPERTY, AND ASSIGNING THERETO A ZONING CLASSIFICATION OF AO AGRICULTURAL-OPEN SPACE DISTRICT AND AMENDING THE ZONING MAP ACCORDINGLY.

Mayor White opened the public hearing at 8:16 p.m.

Mr. Fowler stated that this item is to consider possible approval of an ordinance for the annexation of 89.775 acres located on the east side of FM 1322. The property is contiguous to the current city limits. The property is proposed to be developed as a residential subdivision. The property is uninhabited and is currently crop land. The property is not currently served by City of Lockhart water and wastewater utilities. As such, the extension of these services will be at the owner's expense, with a possible contribution by the city for a portion of the cost of the wastewater extension, including a force main and

lift station, needed to support the proposed development type. In accordance with the sections of Chapter 43 of the Texas Local Government Code pertinent to annexations petitioned by the landowner, notice of the public hearing was advertised in the August 18, 2022, issue of the Lockhart Post Register and posted on the City website continuously since August 18, 2022. Additionally, notification letters have been sent to Lockhart ISD, Caldwell County, Caldwell County ESD 4, and other affected public entities. No comments have been received as a result of the notifications. An Annexation Service Agreement is included as an attachment to the ordinance. The service agreement details all city services that will be available to the developer at the time of annexation. Water and wastewater are listed as not currently serving the property in the Service Agreement. Staff has received a letter from Aqua Texas stating they would not object to the City serving the property and allowing the City to serve the site once waterlines have been extended. As the result of the annexation, the property will be zoned AO, Agricultural-Open Space District, effective upon annexation. The property owner plans to seek a zoning change to develop the site as a residential subdivision. The proposed annexation will also cause the Lockhart extraterritorial jurisdiction (ETJ) to extend further to the southeast as a result of the expanded city limit this annexation would create. There was discussion.

Mayor White requested citizens to address the Council regarding the annexation.

Dan Ross of Red Oak Development Group provided brief details about the proposed project. He requested approval.

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 8:20 p.m.

Mayor Pro-Tem Sanchez made a motion to approve granting the petition for annexation, and approving Ordinance 2022-36, as presented. Councilmember Westmoreland seconded. The motion passed by a vote of 7-0.

ITEM 5-D. HOLD A PUBLIC HEARING ON APPLICATION ZC-22-20 BY BRAD LAUGHLIN ON BEHALF OF GARDEN GATE HOLDINGS OF LOCKHART, LLC AND DISCUSSION AND/OR ACTION TO CONSIDER ORDINANCE 2022-43 REQUESTING A ZONING CHANGE FROM RMD RESIDENTIAL MEDIUM DENSITY DISTRICT TO RHD RESIDENTIAL HIGH DENSITY DISTRICT ON 0.679 ACRE CONSISTING OF ALL OF LOTS 5 AND 6 IN BLOCK 2, A PART OF BLOCK 3, AND A PART OF A 15' ALLEY SITUATED BETWEEN BLOCK 2 AND BLOCK 3 OF REED'S ADDITION, LOCATED AT 200 S. RIO GRANDE STREET AND 203 CONCHO STREET.

Mayor White opened the public hearing at 8:23 p.m.

Mr. Fowler stated that the applicant has stated an intent to build several single family dwellings on a single lot on the subject property. The site's current RMD zoning does not permit more than one principal structure on a single lot, so the RHD district is being sought to allow the proposed development. The proposed housing could be aimed either at Lockhart ISD faculty and staff or senior citizens. The proposed zoning is not consistent with the site's Future Land Use Plan map's Medium Density Residential designation, but the proposed housing would be similar to the Greens Apartments next door, which are under the same ownership as the subject parcel. There are additional multifamily developments in the vicinity, including the three-building Stone Ridge apartment complex across Concho Street to the east. Two nearby residents spoke expressing concerns regarding the proposed zoning change during the

public hearing. Mr. Fowler stated that the Planning and Zoning Commission and staff recommend approval.

Mayor White requested the applicant to address the Council.

Brad Laughlin of Garden Gate Holdings provided information about the development project. The goal of the project is to assist in providing additional single story housing for senior citizens and school staff in Lockhart.

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 8:30 p.m.

Councilmember McGregor made a motion to approve Ordinance 2022-43, as presented. Mayor Pro-Tem Sanchez seconded. The motion passed by a vote of 7-0,

ITEM 5-E. HOLD A PUBLIC HEARING AND DISCUSSION AND/OR ACTION TO CONSIDER A TEXT AMENDMENT IN CHAPTER 64 "ZONING", APPENDIX I "SPECIFIC REQUIREMENTS FOR RESIDENTIAL DEVELOPMENT TYPES", TO DELETE THE LAST SENTENCE IN THE REMARKS COLUMN FOR THE PH-1 AND PH-2 DEVELOPMENT TYPES SO THAT PATIO HOMES WILL BE ALLOWED ON LOTS CREATED AFTER THE DATE OF ADOPTION OF ORDINANCE NO. 90-30 AS WELL AS ON LOTS EXISTING PRIOR TO THAT DATE. WITHDRAWN

Mayor White announced that the public hearing about the zoning text amendment was withdrawn.

ITEM 7-F. DISCUSSION AND/OR ACTION TO CONSIDER THE SCOPE OF A NEW OR UPDATED COMPREHENSIVE PLAN.

Mr. Gibson stated that this item is the first step in the process to adopt a new or updated comprehensive plan for Lockhart. It consists primarily of a summary of the items to be addressed in the content of the plan. It begins with background information about our current plan and how it has been used in the 22 years since it was adopted. Then, there is an outline of the major topics from the ten chapters of the current plan, with examples of issues addressed within each topic. The orange boxes contain suggested issues that could be included in a new plan that aren't covered in the current plan. Following the major topics from the current plan, there are three entirely new major topics or chapters listed that could also be included in the new plan. Finally, there is a summary of the typical major steps in the comprehensive planning process from establishing the scope to final adoption of the new plan by the City Council. There was discussion.

Mayor Pro-Tem Sanchez made a motion to authorize staff to proceed with the scope of a new or updated Comprehensive Plan. Councilmember Mendoza seconded. The motion passed by a vote of 7-0.

ITEM 6. CONSENT AGENDA.

Mayor Pro-Tem Sanchez made a motion to approve consent agenda items 6A, 6B and 6C. Councilmember McGregor seconded. The motion passed by a vote of 7-0.

The following are the consent agenda items that were approved:

6A: Approve minutes of the City Council meetings of August 2, 2022, August 16, 2022 and August 25, 2022.

- 6B: Approve revised Joint Election Agreement for Election Services with Caldwell County Elections Administrator to conduct the City of Lockhart's November 8, 2022 General Election.
- 6C: Approve Chapter 380 agreement with The Ziegenfelder Co. to provide incentives for economic development.

ITEM 7-A. DISCUSSION AND/OR ACTION REGARDING RESOLUTION 2022-32 FOR AN ECONOMIC DEVELOPMENT PERFORMANCE AGREEMENT AND PROPERTY SALE AGREEMENT FOR 2.468 ACRES IN LOCKHART INDUSTRIAL PARK II WITH WARELOCK PARTNERS 2, LLC.

Councilmember Michelson made a motion to approve Resolution 2022-32, as presented. Councilmember Westmoreland seconded. The motion passed by a vote of 7-0.

ITEM 7-B. DISCUSSION AND/OR ACTION OF THE CITY COUNCIL TO CONSIDER ORDINANCE 2022-40 ADOPTING THE CITY OF LOCKHART'S ANNUAL OPERATING BUDGET FOR FISCAL YEAR 2022-2023 AND APPROPRIATING RESOURCES, BEGINNING OCTOBER 1, 2022, ENDING SEPTEMBER 30, 2023, FOR THE CITY OF LOCKHART, CALDWELL COUNTY, TEXAS AND THE LOCKHART ECONOMIC DEVELOPMENT CORPORATION AND ADOPTING THE CITY'S INVESTMENT POLICY, FINANCIAL POLICY, AND FUND BALANCE - STABILIZATION AND EXCESS OF RESERVES POLICIES.

Councilmember McGregor made a motion to approve Ordinance 2022-40, as presented. Councilmember Michelson seconded. The motion passed by a vote of 7-0.

ITEM 7-C. DISCUSSION AND/OR ACTION TO CONSIDER ORDINANCE 2022-41 LEVYING MAINTENANCE AND OPERATIONS PROPERTY TAXES FOR THE USE AND SUPPORT OF THE CITY OF LOCKHART, TEXAS AND INTEREST AND SINKING PROPERTY TAXES FOR THE DEBT SERVICE OBLIGATIONS OF THE CITY OF LOCKHART, CALDWELL COUNTY, TEXAS FOR FISCAL YEAR 2023, BEGINNING OCTOBER 1, 2022 AND ENDING SEPTEMBER 30, 2023.

Mayor White made a motion that the maintenance and operations rate be adopted at \$0.4504 per \$100 of assessed value as indicated/listed in Ordinance 2022-41, thereby adopting said ordinance. Mayor White also made a motion that the interest and sinking rate be adopted at \$0.1502 per \$100 of assessed value as indicated/listed in Ordinance 2022-41, thereby adopting said ordinance. Councilmember Bryant seconded both motions. The motion passed by a vote of 7-0.

ITEM 7-D. DISCUSSION AND/OR ACTION TO CONSIDER ORDINANCE 2022-42 REPEALING UNCODIFIED ORDINANCE 2021-29 IN ITS ENTIRETY AND ADOPTING THIS ORDINANCE REGARDING THE CITY PERSONNEL POLICY MANUAL; REMOVING PERFORMANCE OR MERIT PAY FOR POLICE AND FIRE PERSONNEL AND ADOPTING A STEP PAY PLAN FOR POLICE AND FIRE DEPARTMENTS UNDER CIVIL SERVICE.

Mayor Pro-Tem Sanchez made a motion to approve Ordinance 2022-42, as presented. Councilmember Mendoza seconded. The motion passed by a vote of 7-0.

ITEM 7-E. CONSIDERATION AND ACTION TO APPROVE RESOLUTIONS TO CONSENT TO THE INCLUSION OF CITY ETJ LAND IN THE CALDWELL CO. MUD NO. 2. (RESOLUTION NO. 2022-30 FOR 32.486 ACRES REQUESTED BY JAKOVICH INTERESTS, LLC AND RESOLUTION NO. 2022-31 FOR 135.731 ACRES REQUESTED BY PH LAND HOLDINGS, LLC.)

Councilmember McGregor made a motion to approve Resolutions 2022-30 and 2022-31 consenting to the inclusion of city extraterritorial jurisdiction land in the Caldwell County MUD No. 2, as presented. Councilmember Michelson seconded. The motion passed by a vote of 7-0.

ITEM 7-G. DISCUSSION AND/OR ACTION TO CONSIDER ADOPTING AERONAUTICAL MINIMUM STANDARDS FOR COMMERCIAL AND NON-COMMERCIAL OPERATORS AT THE LOCKHART MUNICIPAL AIRPORT.

Mr. Kelley stated that the Lockhart Municipal Airport currently does not have adopted comprehensive minimum standards for commercial and non-commercial operations. Airport standards set forth the minimum requirements for individuals or entities wishing to provide aeronautical services to the public on a publicly-used airport. They must meet the minimum standards to provide those services. The minimum standards would be used to regulate conduct at the airport and specify provisions that will be included in the airport leases, permits or concession agreements, and apply uniformly to all persons operating at the airport.

Established minimum standards provide a host of benefits to municipal airports, such as:

- Safe operating environments.
- Higher quality of services for the public.
- Airport sponsors can avoid conflicts and political entanglements.
- Orderly and efficient development of the airport and its services.
- Helps maintain compliance with Federal Grant Assurances.
- Protects the airport sponsor by ensuring services provided maintain a minimum level of insurance coverage.

The proposed minimum standards provide the following:

- Ensures compliance with all Federal, State, and local laws, including building and applicable zoning codes.
- Fixed-Based Operator (FBO) Building sizes (Minimum of 2,000 SF).
- Hours of operation requirements for fueling (7 days a week, 9/hour day minimum).
- Equipment required for operations (fueling, etc.).
- Insurance requirements that meet FAA standards.
- Establishes an Airport Business Permit Application process that includes qualifications, consistency with the Municipal Airport Layout Plan, submission of a business plan and inclusion of a financial package that demonstrates the capital necessary to provide desired operations.
- Establishes guidelines for operating specific businesses such as sales, mechanics, rental services, charter services, aerial applicators, and washing services.
- Maintenance duties of each lessee (mowing, debris removal and free of hazards).
- Creates uniform leasing practices.
- Requires the commencement of construction on land leases to begin within one year of lease and completion of the minimum improvements to be completed within one year after construction commences.
- Protects the airport sponsor by ensuring services provided maintain a minimum level of insurance coverage.

Mr. Kelley stated that all new contracts will be written to the standards applicable at the time. If a new contract gives an economic advantage to a new FBO, the City may renegotiate its contract with the disadvantaged FBO. Existing lease agreements will remain in place as described in their current lease agreement, no modification will be required on existing FBO's and land leases. There was discussion,

Mayor Pro-Tem Sanchez made a motion to approve adoption of Aeronautical Minimum Standards for Commercial and Non-Commercial operators at the Lockhart Municipal Airport. Councilmember McGregor seconded. The motion passed by a vote of 7-0.

ITEM 7-H. DISCUSSION AND/OR ACTION TO CONSIDER THE SELECTION OF FOUR CANDIDATES FOR PLACES 6-9 OF THE TML INTERGOVERNMENTAL RISK POOL BOARD OF TRUSTEES.

Mayor White recommended selecting the following:

Place 6 - Allison Hayward

Place 7 – Mary Dennis

Place 8 – Mike Land

Place 9 – Opeal Mauldin-Jones

Mayor White made a motion to mark the ballot as indicated above. Councilmember Michelson seconded. The motion passed by a vote of 7-0.

ITEM 7-I. DISCUSSION AND/OR ACTION TO CONSIDER THE NOMINATION OF YOLANDA STREY TO THE LOCKHART ECONOMIC DEVELOPMENT CORPORATION BY COUNCILMEMBER DAVID BRYANT WITH A TERM TO EXPIRE IN NOVEMBER 2022.

Mayor Pro-Tem Sanchez made a motion to appoint Yolanda Strey to the Lockhart Economic Development Corporation. Councilmember Bryant seconded. The motion passed by a vote of 7-0.

ITEM 7-J. DISCUSSION AND/OR ACTION TO CONSIDER THE NOMINATION OF THOMAS HUGHES TO THE AIRPORT ADVISORY BOARD BY COUNCILMEMBER KARA MCGREGOR WITH A TERM TO EXPIRE IN NOVEMBER 2023.

Councilmember McGregor made a motion to appoint Thomas Hughes to the Airport Advisory Board. Mayor Pro-Tem Sanchez seconded. The motion passed by a vote of 7-0.

ITEM 7-K. DISCUSSION REGARDING MATTERS RELATED TO COVID-19.

There was no discussion.

ITEM 8. CITY MANAGER'S REPORT, PRESENTATION AND POSSIBLE ACTION.

- Cemetery Cleanup - October 3-7.
- Citywide Bulk Cleanup - Saturday, October 15.
- Splash Pad closes September 30th.

ITEM 9. COUNCIL AND STAFF COMMENTS - ITEMS OF COMMUNITY INTEREST.

Councilmember Mendoza congratulated Lisa Contreras for accomplishments in boxing. He invited citizens to contact him with concerns.

Mayor Pro-Tem Sanchez expressed condolences to the families of Barbara Kay Smith Stroud, Raul Caudillo, Abraham Serrato, Jr., Hippolito "Polo" Ruiz, and Jimmy Rector for their loss. She wished the Lions Varsity football team best of luck and she invited all to the Diez y Seis event next weekend.

Councilmember Bryant wished the Hispanic Chamber good luck for a successful Diez y Seis event next weekend.

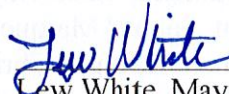
Mayor White requested that an item be placed on the next agenda recognizing the Lockhart ISD Board of Trustees for being awarded the Region 13 Board of the Year by the Texas Association of School Administrators. He also invited all to attend presentation of a proclamation during the Diez y Seis event. He wished the Lockhart Lions football team luck.

ITEM 10. 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 9:22 p.m.

PASSED and APPROVED this the 18th day of October 2022.

CITY OF LOCKHART


Lew White, Mayor

ATTEST:



Connie Constancio, TRMC
City Secretary

