

**REGULAR MEETING
LOCKHART CITY COUNCIL**

NOVEMBER 1, 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
David Fowler, Senior Planner

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

Citizens/Visitors Addressing the Council: William Wachel of TRC Engineers and Kylie Mycock of Rialto Studios; and Clifton Jones of 142 Partnership.

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 UPDATE BY TRC ENGINEERING AND RIALTO STUDIO REGARDING THE DOWNTOWN REVITALIZATION PROJECT. (30% DESIGN REPORT)

Mr. Kelley stated that TRC will be providing a project update at the 30% design milestone. At this stage, the major design elements are defined. Also, the baseline budget, schedule, and cost estimate are established. The progress report by TRC Engineering and Rialto Studio will also address the following:

- Geotechnical Report, Surveying and Photometric Outcome
- Updated Project Cost Estimate
- Refined Project Limits
- Results of 30% Design Plans
- Stakeholder Meeting Take Aways
- Proposed Construction Phasing

Mr. Kelley stated that the Stakeholder meeting feedback is a result of TRC's individual meetings with downtown business owners that were held the week of October 17-20. Finally, in January 2023, staff will receive the 60% plans from TRC that will include utility plans, identifying potential conflicting components, and to refine the material quantities needed for the project. Council will be updated about the progress shortly thereafter.

William Wachel of TRC Engineers and Kylie Mycock of Rialto Studios provided the update.

B. DISCUSS MINUTES OF THE OCTOBER 18, 2022 AND OCTOBER 24, 2022 COUNCIL MEETINGS.

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

C. DISCUSS RESOLUTION 2022-35 APPROVING THE CITY OF LOCKHART 2022 CERTIFIED APPRAISAL ROLL FOR THE TAX YEAR 2022.

Ms. Larison stated that Section 26.09 of the Property Tax Code requires approval by the City Council of the City of Lockhart for the Certified Appraisal Roll, with tax amount presented by the Caldwell County Appraisal District for the 2022 tax year. The 2022 Certified Appraisal Roll contains final amounts due totaling \$7,059,211.33 (\$1,764,745.23 for Debt Service). Ms. Larison recommended approval. There was discussion.

D. DISCUSS THE 4TH QUARTER FISCAL YEAR 2022 INVESTMENT REPORT.

Ms. Larison stated that the Texas 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 4th Quarter Investment Report for Fiscal Year 2022, ending September 30, 2022. Ms. Larison recommended approval.

E. DISCUSS A PROFESSIONAL SERVICES AGREEMENT BETWEEN THE CITY OF LOCKHART, TEXAS AND GRANT DEVELOPMENT SERVICES FOR THE U.S. DEPARTMENT OF COMMERCE- ECONOMIC DEVELOPMENT ADMINISTRATION GRANT (08-79-05656) TO PROVIDE PROFESSIONAL SERVICES (GRANT ADMINISTRATION) TO SUPPORT THE CONSTRUCTION OF APPROXIMATELY 2.5 MILES OF WASTEWATER LINE TO THE LOCKHART INDUSTRIAL PARK III AND APPOINTING THE MAYOR TO SIGN THE CONTRACTUAL AGREEMENT FOR PROFESSIONAL SERVICES, IF APPROVED.

Mr. Kelley stated that the City of Lockhart was awarded an Economic Development Administration (EDA) Grant from the U.S. Department of Commerce in the amount of \$2,100,000 to install approximately 2.5 miles of wastewater lines between the Larrimore Wastewater Treatment Plant and the new Lockhart Industrial Park. This grant requires the use of and funds professional services to administer the grant. Three grant administration firms were solicited to submit proposals for administrative and planning services. The Grant Administration Evaluation Team (Sean Kelley-Public Works Director, Joe Chavira-Water/Wastewater Supervisor, and John Eddleton-Street Supervisor) reviewed two project specific proposals from qualified grant administration firms using qualification criteria. The firm selected by the Evaluation Team as the most qualified was Grant Development Services. The evaluation of proposals is provided for the Council's review. Mr. Kelley recommended approval. There was discussion.

F. DISCUSS RESOLUTION 2022-36, SETTING THE DATE OF THE PUBLIC HEARING FOR THE ANNEXATION OF 197 ACRES OUT OF THE FRANCES BERRY SURVEY, ABSTRACT NUMBER 2, CALDWELL COUNTY, TEXAS, GENERALLY LOCATED SOUTH OF STATE PARK ROAD (FM 20), WEST OF TWIN ISLAND DRIVE, AND EAST OF ARENA ROAD.

Mr. Fowler stated that this item is the consideration of the resolution to set the public hearing date for the annexation of 197 acres of extraterritorial jurisdiction (ETJ) in the southwest part of the city, known as the "donut hole." The owners of nine parcels totaling approximately 221 acres in the area were each offered an annexation agreement that delayed annexation for 15 years, provided the landowners did not develop their property. The City Council approved these agreements on August 22, 2007. The owners of one parcel in the initial agreement subdivided their property subsequent to the agreement's approval, so

under the terms of the agreement, that property was annexed on January 9, 2015. The remaining properties cover 197 acres. As the annexation agreements have expired, the city can now annex the remaining properties. The proposed resolution would set the public hearing date for December 6, 2022, and authorize the city manager to create a service plan for the annexation area. The area to be annexed consists of eight parcels. Four of the parcels have frontage on State Park Road (FM 20). Water and wastewater are available to the annexation area from the State Park Road right-of-way as well as on streets within the Twin Island Estates subdivision. The Future Land Use map shows the area as mostly a combination of low and medium-density residential, with a commercial node indicated near the area that was annexed prior to the expiration of the agreement. The areas to the north and northeast of the subject properties are largely zoned RLD Residential Low Density District, while the areas to the west, south and southeast are all zoned AO Agricultural-Open Space District. Property owners in the area were notified by mail in letters stating the city's intent to annex and providing the intended annexation schedule. Mr. Fowler recommended approval. There was discussion.

G. DISCUSS ORDINANCE 2022-56 OF THE CITY COUNCIL OF THE CITY OF LOCKHART, TEXAS REPEALING UNCODIFIED ORDINANCE 2020-16 IN ITS ENTIRETY AND ADOPTING THIS ORDINANCE ESTABLISHING THE PAYMENT OF A MONETARY RECRUITMENT INCENTIVE FOR NEW POLICE OFFICER HIRES AND SETTING FORTH CRITERIA FOR THE INCENTIVE. (TABLED OCTOBER 18, 2022)

Ms. Bowermon stated that during the previous Council meeting on October 18, 2022, staff presented an ordinance to consider increasing the current police officer hiring incentive and a one-time retention incentive for current Lockhart police officers. During that meeting, Council authorized two one-time retention incentive payments to Lockhart Police Officers. The first incentive, in the amount of \$2,500 to be processed immediately and a second one-time retention incentive payment of \$2,500 to be processed no later than January 31, 2023. However, Council tabled the hiring incentive increase and requested that it be placed on the November 1, 2022 City Council agenda. There is a shortage across the nation of police officers. Lockhart is no different. In surveying surrounding law enforcement agencies, it is apparent that their compensation packages have been adjusted upward to address the shortage. A neighboring city and county law enforcement agency are reporting approximately 20 vacancies each. The intent of proposed Ordinance 2022-56 is to improve the City's ability to compete with surrounding agencies' competitive packages. It has been a challenge to recruit certified, qualified police officer applicants. The most recent police officer entrance exam was held October 22, 2022. Two certified police officers applied for the exam. The Police Department is currently evaluating the two applicants. The Police Department currently has four officer vacancies, one lieutenant vacancy, and one captain vacancy. The Department currently has four cadets attending police academies projected to graduate in early 2023. Starting December 1, 2022, the Police Department will also have two sergeant vacancies as a result of the newly created sergeant positions as a School Resource Officer and supervisory support for the Lockhart Animal Shelter. To improve recruitment of qualified certified police officers, proposed Ordinance 2022-56 increases the current hiring incentive from \$5,000 to \$10,000 beginning November 1, 2022. Officers accepting the hiring incentive will be required to sign an agreement to repay the incentive if they leave before completing two years as a Lockhart Police Officer. The hiring incentive would be paid out in two payments: \$5,000 at the time of hire and \$5,000 after successful completion of the department field training program. If any certified officers are hired from the October 22, 2022 exam (at which time the hiring incentive was \$5,000), staff respectfully asks that the recently approved \$5,000 retention incentive payment (\$2,500 and \$2,500) be extended to them as well, due to not being hired prior to the hiring incentive being increased. There was discussion.

RECESS: Mayor White announced that the Council would recess for a break at 7:19 p.m.

REGULAR MEETING

ITEM 1. CALL TO ORDER.

Mayor Lew White called the meeting to order at 7:30 p.m.

ITEM 2. INVOCATION, PLEDGE OF ALLEGIANCE

Mayor Pro-Tem Sanchez 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. There were none.

ITEM 4-A. HOLD A PUBLIC HEARING ON APPLICATION ZC-22-28 BY BEN TOLSON OF AQUILA COMMERCIAL ON BEHALF OF CLIFTON JONES OF 142 PARTNERS, LLC, AND DISCUSSION AND/OR ACTION TO CONSIDER ORDINANCE 2022-59 FOR A ZONING CHANGE FROM AO AGRICULTURAL-OPEN SPACE DISTRICT TO 8.06 ACRES CMB COMMERCIAL MEDIUM BUSINESS DISTRICT AND 54.56 ACRES RHD RESIDENTIAL HIGH DENSITY DISTRICT ON A TOTAL OF 62.62 ACRES IN THE CORNELIUS CRENSHAW SURVEY, ABSTRACT NO. 68, FRANCIS CASTILLO SURVEY, ABSTRACT NO. 85, MARTIN MCFERRIN SURVEY, ABSTRACT NO. 204, AND WILLIAM HOUSE SURVEY, ABSTRACT NO. 15, LOCATED AT 132 CLARK LOOP.

Mayor White opened the public hearing at 7:31 p.m.

Mr. Fowler stated that the applicant is interested in developing the subject property as a mix of commercial and multi-family residential land uses. The current AO zoning does not allow for these uses, so a zoning change has been requested for CMB and RHD, which would allow the type of development desired. The applicant proposes to locate the CMB commercial zoning at the intersection of West San Antonio Street and FM 2720, while the multifamily area would largely be located along the north side of West San Antonio Street (FM 142). The proposed rezoning is partially consistent with the Future Land Use Map in that the area proposed for CMB is shown as part of a larger heavy commercial node, while the remainder of the property proposed for multifamily development in the RHD district is shown as Light-Medium Commercial. The property is adequately served by City water and wastewater, although the wastewater connection is north of the railroad tracks on the east side of FM 2720. The Texas Department of Transportation (TxDOT) would need to approve any vehicular access points and possibly require traffic mitigation for both West San Antonio Street and FM 2720. Mr. Fowler stated that the Planning and Zoning Commission and staff recommend approval.

Mayor White requested the applicant to address the Council.

Clifton Jones of 142 Partnership requested approval of the zoning change. He provided details about the plans of developing the property. The first phase would include apartment complexes with commercial businesses added in the future.

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 7:42 p.m.

Councilmember McGregor made a motion to approve Ordinance 2022-59, as presented. Councilmember Westmoreland seconded. The motion passed by a vote of 7-0.

ITEM 5. CONSENT AGENDA.

Councilmember Michelson made a motion to approve consent agenda items 5A, 5B, 5C, 5D and 5E. Councilmember Mendoza seconded. The motion passed by a vote of 7-0.

The following are the consent agenda items that were approved:

- 5A: Approve minutes of the October 18, 2022 and October 24, 2022 Council meetings.
- 5B: Approve Resolution 2022-35 approving the City of Lockhart 2022 Certified Appraisal Roll for the tax year 2022.
- 5C: Accept the 4th Quarter Fiscal Year 2022 Investment Report.
- 5D: Approve a Professional Services Agreement between the City of Lockhart, Texas and Grant Development Services for the U.S. Department of Commerce- Economic Development Administration Grant (08-79-05656) to provide professional services (grant administration) to support the construction of approximately 2.5 miles of wastewater line to the Lockhart Industrial Park III and appointing the Mayor to sign the contractual agreement for professional services, if approved.
- 5E: Approve Resolution 2022-36, setting the date of the public hearing for the annexation of 197 acres out of the Frances Berry Survey, Abstract Number 2, Caldwell County, Texas, generally located south of State Park Road (FM 20), west of Twin Island Drive, and east of Arena Road.

ITEM 6-A. DISCUSSION AND/OR ACTION REGARDING PRESENTATION AND UPDATE BY TRC ENGINEERING AND RIALTO STUDIO REGARDING THE DOWNTOWN REVITALIZATION PROJECT (30% DESIGN REPORT)

Councilmember Mendoza made a motion to accept the report. Councilmember McGregor seconded. The motion passed by a vote of 7-0.

ITEM 6-B. DISCUSSION AND/OR ACTION TO CONSIDER ORDINANCE 2022-56 OF THE CITY COUNCIL OF THE CITY OF LOCKHART, TEXAS REPEALING UNCODIFIED ORDINANCE 2020-16 IN ITS ENTIRETY AND ADOPTING THIS ORDINANCE ESTABLISHING THE PAYMENT OF A MONETARY RECRUITMENT INCENTIVE FOR NEW POLICE OFFICER HIRES AND SETTING FORTH CRITERIA FOR THE INCENTIVE. (TABLED OCTOBER 18, 2022)

Councilmember Bryant made a motion to approve Ordinance 2022-56, as presented. Councilmember Westmoreland seconded. The motion passed by a vote of 7-0.

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

- Dia de Los Muertos Celebration at the Square near the Library - November 4.
- Texas Monthly BBQ Fest - November 5-6.
- Election Day - November 8.
- City Offices closed for Veteran's Day - November 11.
- Update regarding filling the Police Chief vacancy.
- Update regarding the Texas Monthly BBQ Fest road closures.

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

Councilmember Westmoreland shared an experience about finding an old photo of a veteran, which the family was appreciative of receiving it.

Councilmember Mendoza encouraged everyone to vote. He stated that he attended a tour of the Bluebonnet Electric building.

Mayor Pro-Tem Sanchez expressed best wishes to the Lockhart Lions football team. She congratulated the Special Olympians for a successful event. She wished all candidates best of luck during the November 8, 2022 General Election.

Councilmember McGregor thanked all for public safety measures that kept everyone safe on Halloween.

Councilmember Bryant thanked city staff for their work. He thanked LISD staff and students for their dedication.

Councilmember Michelson thanked staff for their work during the Texas Monthly BBQ event.

Mayor White thanked staff for their work. He congratulated the Lockhart Lions football team for making the playoffs. He wished all candidates best of luck and he encouraged everyone to vote.

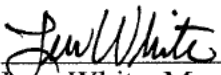
Mayor Pro-Tem Sanchez congratulated Margaret Sanchez for being acknowledged for giving 49 plus years of service as a Lockhart ISD teacher, whom will continue teaching.

ITEM 9. 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 8:00 p.m.

PASSED and APPROVED this the 15th day of November 2022.

CITY OF LOCKHART


Lew White, Mayor

ATTEST:


Connie Constancio, TRMC
City Secretary

