

**REGULAR MEETING  
LOCKHART CITY COUNCIL**

**NOVEMBER 15, 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  
Kevin Lunsford, Interim Police Chief

Connie Constancio, City Secretary  
Victoria Maranan, Public Information Officer  
Sean Kelley, Public Works Director  
David Fowler, Senior Planner  
Travis Hughes, Parks Director

**Citizens/Visitors Addressing the Council:** Tyler Sanderson and Oscar Fogle of the Guadalupe-Blanco River Trust; and Citizens: Robert Parker, Caroline Kiefer, Len Gabbay, Crystal Nudirez, Dionne Robertson, Levi Garrett, and Robert Steinbomer.

**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:

**A. PRESENTATION OF A CERTIFICATE OF APPRECIATION TO MS. BEVERLY HAUG RECOGNIZING HER SERVICE AS THE DIRECTOR OF THE LOCKHART HOUSING AUTHORITY FOR ALMOST 42 YEARS.**

Mayor White presented a Certificate of Appreciation to Ms. Beverly Haug and thanked her for her loyal service to the community. Ms. Haug thanked the Council and expressed her appreciation to the Housing Board and to the community during her tenure as the Director of the Lockhart Housing Authority.

Mayor White introduced Interim Police Chief Kevin Lunsford to the City of Lockhart.

**B. PRESENTATION BY THE GUADALUPE-BLANCO RIVER TRUST (GBRT) TO GIVE AN UPDATE ABOUT THE PLUM CREEK WETLANDS PRESERVE.**

Tyler Sanderson of the Guadalupe-Blanco River Trust provided an update about the Plum Creek Wetlands Preserve. There was discussion.

Oscar Fogle, Vice President of the GBRT provided information about funding opportunities.

**C. DISCUSS MINUTES OF THE NOVEMBER 1, 2022 AND NOVEMBER 7, 2022 COUNCIL MEETINGS.**

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

**D. DISCUSS CONFIRMATION OF CIVIL SERVICE COMMISSION MEMBER REAPPOINTMENT OF MR. RAYMOND SANDERS FOR A THREE (3) YEAR TERM AS RECOMMENDED BY THE CITY MANAGER.**

Mr. Lewis stated that in 2017, Mr. Sanders was appointed to fill the unexpired term of long time serving Civil Service Commissioner Mr. Doug Shomette. That term expired January 1, 2020. Mr. Sanders was then reappointed for an additional three (3) year term which will expire January 1, 2023. Mr. Sanders has graciously agreed to continue serving on the commission for an additional three (3) year term expiring January 1, 2026. Mr. Lewis recommended approval.

**E. DISCUSS RESOLUTION 2022-38 OF THE CITY COUNCIL OF THE CITY OF LOCKHART, TEXAS AUTHORIZING THE LOCKHART ECONOMIC DEVELOPMENT CORPORATION TO SALE PROPERTY AND AUTHORIZING ITS PRESIDENT TO NEGOTIATE AND ENTER INTO SALES CONTRACTS, EXECUTE A DEED OR DEEDS CONVEYING LAND AND ALL OTHER DOCUMENTS PURSUANT TO THE SALE OF PROPERTY LOCATED WITHIN LOCKHART INDUSTRIAL PARK III PREVIOUSLY ACQUIRED FOR A PROJECT BEING KNOWN AS PROJECT FUTURE.**

Mr. Lewis stated that City Council approved Resolution 2020-29 authorizing the negotiation and purchase of 75.04 acres of property pursuant to a Lockhart Economic Development project known as "Project Future." Portions of the property purchased pursuant to "Project Future" is now commonly known as the Lockhart Industrial Park III. The Board of the Lockhart Economic Development Corporation and City Council have approved the sale(s) of certain lots pursuant to the continued development of the industrial park. Title underwriters committing to the condition and status of land require a formal resolution approving the sale of the 75.04 acres as a whole. Mr. Lewis recommended approval.

**F. DISCUSS RESOLUTION 2022-39 AUTHORIZING THE CITY MANAGER TO ENTER INTO AN UPDATED ADVANCE FUNDING AGREEMENT (AFA) WITH THE TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT) FOR BRIDGE REPLACEMENT OR REHABILITATION FOR THE NORTH BLANCO STREET BRIDGE OVER TOWN BRANCH CREEK.**

Mr. Kelley stated that on June 7, 2022, City Council approved Resolution 2022-25, entering an (AFA) with TxDOT for the rehabilitation or replacement of the Blanco Street Bridge. On August 30, 2022, this item was taken to the Texas Transportation Commission and was approved as a project to replace the bridge. TxDOT has also increased the City's match portion from \$5,500 to \$6,100. This is primarily attributed to adjusted material quantities and the rising cost of materials. Due to rising costs and newly issued State Control-Section-Job Order Number (116292), it is necessary to adopt a revised resolution in support of the North Blanco Street Bridge Replacement Project. The project is still slated for design and replacement in FY 2026. City staff and TxDOT will continue to inspect and monitor the bridge until the bridge's replacement takes place. Mr. Kelley recommended approval.

**G. DISCUSS ORDINANCE 2022-61 OF THE CITY COUNCIL OF THE CITY OF LOCKHART, TEXAS AMENDING THE PERSONNEL POLICIES OF THE CITY OF LOCKHART ADDING SECTION 4-6 (13) SICK LEAVE POOL PROGRAM POLICY; PROVIDING FOR SEVERABILITY; PROVIDING FOR PUBLICATION AND PROVIDING AN EFFECTIVE DATE.**

Ms. Bowermon stated that from time to time City employees may experience a catastrophic illness or injury resulting in a need for additional time off in excess of their available paid sick/personal leave. Currently, City employees cannot donate or share their unused sick leave time with other City employees. There has been a request to consider creating a policy that allows employees to donate or

share unused sick leave with other employees that are experiencing a catastrophic illness or injury. This proposed Ordinance 2022-61 would establish a sick leave donation program policy that is strictly voluntary. This will be a new program available to City employees. As employees become familiar with the new benefit and start utilizing the program, it is anticipated that there will be future requests for amendments and/or adjustments to the program to better tailor the system to our organization. For the purposes of this policy, catastrophic illness or injury is defined as a medical condition of the employee or an immediate family member that will require the prolonged/extended absence of the employee from duty and will result in a substantial loss of income to the employee due to the exhaustion of all paid leave available. An immediate family member is defined as a spouse, child or parent. There was discussion.

#### **H. DISCUSS FOLLOW UP TO PARK & RECREATION CAPITAL AND OPERATIONAL PROJECTS.**

Mayor White announced that the item would be discussed during the work session.

#### **I. DISCUSS AUTHORIZING THE CITY MANAGER TO SEEK PROPOSALS FOR THE DEVELOPMENT OF A SPACE NEEDS ASSESSMENT FOR CITY HALL.**

Ms. Larison stated that during the City Council Retreat in March 2022, the consensus of the Council and staff was to perform a space study on City of Lockhart office locations and buildings. In preparation for the 2022-2023 Annual Operating Budget, \$30,000 was allocated to begin this process. With the recent move of administrative staff to the new office location at 105 S. Colorado St. and the resulting available space at City Hall, staff would like to begin the Request for Proposal (RFP) process for a space study at City Hall.

The RFP would include architectural and design work to allow for the most beneficial and efficient use of space for:

1. Review and analyze current workspace and flow,
2. The remaining departments at City Hall, which include Utility Billing, Finance, Planning and Zoning, and Building Permits and Inspections,
3. Workspace and backroom space optimization, and
4. Layout alternatives for storage and additional future employees.

Mr. Lewis stated that the RFP will be ready to be released soon. There was discussion.

#### **J. DISCUSS THE NOMINATION OF LUCY KNIGHT TO THE ZONING BOARD OF ADJUSTMENT BY COUNCILMEMBER JEFFRY MICHELSON WITH A TERM TO EXPIRE IN NOVEMBER 2023.**

Councilmember Michelson requested that Lucy Knight be appointed to the Zoning Board of Adjustment.

#### **K. DISCUSS THE NOMINATION OF MARCIA PROCTOR TO THE ZONING BOARD OF ADJUSTMENT BY MAYOR LEW WHITE WITH A TERM TO EXPIRE IN NOVEMBER 2023.**

Mayor White requested that Marcia Proctor be appointed to the Zoning Board of Adjustment.

RECESS: Mayor White announced that the Council would recess for a break at 7:15 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.**

Councilmember Bryant 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 regarding an item that is not on the agenda. There were none.

**ITEM 4-A. HOLD A PUBLIC HEARING ON APPLICATION ZC-22-29 BY ROBERT D. PARKER AND DISCUSSION AND/OR ACTION TO CONSIDER ORDINANCE 2022-60 FOR A ZONING CHANGE FROM AO AGRICULTURAL-OPEN SPACE DISTRICT AND RLD RESIDENTIAL LOW DENSITY DISTRICT TO RMD RESIDENTIAL MEDIUM DENSITY DISTRICT ON A TOTAL OF 17.478 ACRES IN THE CORNELIUS CRENSHAW LEAGUE & LABOR, ABSTRACT NO. 68, LOCATED AT 1503 WEST SAN ANTONIO STREET (SH 142).**

Mayor White opened the public hearing at 7:35 p.m.

Mr. Fowler stated that the applicant proposes to rezone the property from its current mix of AO Agricultural--Open Space District and RLD Residential Low Density District to RMD Residential Medium Density District to allow for the future development of a residential neighborhood similar in character to the subdivisions to the west. The site is located north of the West San Antonio Street corridor, between the Windridge and Woodlawn subdivisions. The surrounding area is mostly single-family residential, with the exception of two nearby parcels in the CMB Commercial Medium Business District and the AO-zoned areas to the north. The proposed zoning is one level of intensity higher than the parcel's Low Density Residential designation on the Future Land Use map. The property is served by City water and wastewater lines located in both the West San Antonio Street and Windridge Drive rights-of-way. The property has access to both West San Antonio Street and Windridge Drive, including a currently unused right-of-way leading to the property from West San Antonio Street. The property also has a corridor designated as a location for a hike/bike trail running roughly north-south through the eastern portion of the property. Due to the differing nature of the applicant's request for the property to be rezoned to RMD and the Planning and Zoning Commission's recommendation of RLD as an alternative classification, that would effectively rezone the AO-zoned part of the property to RLD, two ordinances have been included in the packet. Depending upon City Council's action, the ordinance reflecting the rezoning to either RMD or to RLD would be signed and executed.

Mayor White requested the applicant to address the Council.

Robert Parker, Creedmoor, stated that he is requesting a zoning change so that he can sell the property for development in the future. He reminded the Council that the majority of the neighborhood is zoned RMD. He requested approval of the RMD zoning.

Mayor White requested citizens in favor of the zoning change to address the Council. There were none.

Mayor White requested the following citizens against the zoning change to address the Council:

Caroline Kiefer, 200 E. Market St., spoke in favor of RLD zoning instead of RMD zoning. She stated that the property only has access through a parcel of land that is considered a flag pole, it will not have access to other streets, or another way to get out.

Len Gabbay, Lockhart, spoke against the RMD zoning change due to additional traffic congestion and drainage issues. He requested that the Council halt new development in the area.

Crystal Nudirez, Woodlawn Street, spoke in favor of the RLD zoning of the property. She expressed concern about the additional traffic and drainage problems in the area.

Dionne Robertson, Lockhart, spoke in favor of the RLD zoning of the property. She expressed concern about additional traffic congestion and drainage issues. She stated that she believed that Lockhart is growing too fast and suggested that the Council halt approving additional subdivisions in the area for the time being.

Levi Garrett, Lockhart, spoke against the zoning change.

Robert Steinbomer, Lockhart, stated that growth of the city should slow down. He expressed concern about supplying city services, such as water to the new homes. He recommended that the Council work on a 2030 Comprehensive plan.

Mayor White requested additional citizens to address the Council. There were none. He closed the public hearing at 8:13 p.m.

Mayor White stated that city staff is beginning the process of developing a 2030 Comprehensive Plan. Staff is also currently working on a plan to supply enough water and other infrastructure to the new subdivision developments.

There was discussion about pursuing TxDOT to expand Highway 142, especially in the area of 142 and Mockingbird to assist with traffic congestion.

Councilmember McGregor made a motion to approve Ordinance 2022-60, with the RLD zoning. Mayor Pro-Tem Sanchez seconded. The motion passed by a vote of 7-0.

#### **ITEM 6-B. DISCUSSION AND/OR ACTION REGARDING FOLLOW UP TO PARK & RECREATION CAPITAL AND OPERATIONAL PROJECTS.**

Mr. Hughes stated that the presentation is a follow-up of previous information that was provided by the Parks & Recreation Director on August 16, 2022. The presentation contains recommended next steps in fulfilling the short and long-term goals of the Department.

There was discussion regarding the creation of an Aquatics group.

#### **ITEM 5. CONSENT AGENDA.**

Councilmember Michelson made a motion to approve consent agenda items 5A, 5B, 5C, and 5D. Mayor Pro-Tem Sanchez 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 November 1, 2022 and November 7, 2022 Council meetings.
- 5B: Accept confirmation of Civil Service Commission member reappointment of Mr. Raymond Sanders for a three (3) year term as recommended by the City Manager.
- 5C: Approve Resolution 2022-38 of the City Council of the City of Lockhart, Texas authorizing the Lockhart Economic Development Corporation to sale property and authorizing its President to negotiate and enter into sales contracts, execute a deed or deeds conveying land and all other documents pursuant to the sale of property located within Lockhart Industrial Park III previously acquired for a project being known as Project Future.
- 5D: Approve Resolution 2022-39 authorizing the City Manager to enter into an updated Advance Funding Agreement (AFA) with the Texas Department of Transportation (TxDOT) for bridge replacement or rehabilitation for the North Blanco Street Bridge over Town Branch Creek.

**ITEM 6-A. DISCUSSION AND/OR ACTION TO CONSIDER ORDINANCE 2022-61 OF THE CITY COUNCIL OF THE CITY OF LOCKHART, TEXAS AMENDING THE PERSONNEL POLICIES OF THE CITY OF LOCKHART ADDING SECTION 4-6 (13) SICK LEAVE POOL PROGRAM POLICY; PROVIDING FOR SEVERABILITY; PROVIDING FOR PUBLICATION AND PROVIDING AN EFFECTIVE DATE.**

Mayor Pro-Tem Sanchez made a motion to approve Ordinance 2022-61, as presented. Councilmember McGregor seconded. The motion passed by a vote of 7-0.

**ITEM 6-B. DISCUSSION AND/OR ACTION REGARDING FOLLOW UP TO PARK & RECREATION CAPITAL AND OPERATIONAL PROJECTS.**

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

**ITEM 6-C. DISCUSSION AND/OR ACTION TO CONSIDER AUTHORIZING THE CITY MANAGER TO SEEK PROPOSALS FOR THE DEVELOPMENT OF A SPACE NEEDS ASSESSMENT FOR CITY HALL.**

Mayor Pro-Tem Sanchez made a motion to authorize the City Manager to seek proposals for the development of a space needs assessment for City Hall. Councilmember Bryant seconded. The motion passed by a vote of 7-0.

**ITEM 6-D. DISCUSSION AND/OR ACTION TO CONSIDER THE NOMINATION OF LUCY KNIGHT TO THE ZONING BOARD OF ADJUSTMENT BY COUNCILMEMBER JEFFRY MICHELSON WITH A TERM TO EXPIRE IN NOVEMBER 2023.**

Councilmember Michelson made a motion to appoint Lucy Knight to the Zoning Board of Adjustment. Councilmember McGregor seconded. The motion passed by a vote of 7-0.

**ITEM 6-E. DISCUSSION AND/OR ACTION TO CONSIDER THE NOMINATION OF MARCIA PROCTOR TO THE ZONING BOARD OF ADJUSTMENT BY MAYOR LEW WHITE WITH A TERM TO EXPIRE IN NOVEMBER 2023.**

Mayor White made a motion to appoint Marcia Proctor to the Zoning Board of Adjustment. Councilmember McGregor seconded. The motion passed by a vote of 7-0.

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

- Special Meeting will be held on Monday, November 21st at 6:30 p.m. to canvass the City of Lockhart November 8, 2022 General Election and to swear-in newly elected officials.
- City offices closed for Thanksgiving Day (November 24) and the day after (November 25).
- Christmas Tree Lighting (December 2).
- *A Christmas to Remember* Lighted Christmas Parade (December 3).

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

Councilmember Westmoreland wished everyone a Happy Thanksgiving.

Councilmember Mendoza wished everyone a Happy Thanksgiving. He thanked Mayor White and all that helped with the Kiwanis 5K and 1K runs and the Keep Lockhart Beautiful Cleanup.

Mayor Pro-Tem Sanchez expressed condolences to the family of Betty Salazar for their loss. She wished the Lockhart Lions Varsity football team luck. She wished everyone a Happy Thanksgiving.

Councilmember McGregor thanked city staff for putting up holiday lights on the highways. She wished everyone a Happy Thanksgiving.

Councilmember Bryant thanked Mr. Hughes for the Parks update and stated that he is excited for the updates of city parks.

Councilmember Michelson welcomed Chief Lunsford to the Lockhart Police Department. He wished the Lockhart Lions Varsity football team the best of luck for another victory.

Mayor White wished the Lockhart Lion Varsity Football team luck, He welcomed Chief Lunsford to the Lockhart Police Department. He thanked citizens for attending the meeting to provide their input and stated that the Council would soon discuss the effect of the growth in Lockhart.

**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 9:05 p.m.

PASSED and APPROVED this the 20<sup>th</sup> day of December 2022.

**CITY OF LOCKHART**

  
Lew White, Mayor

ATTEST:

  
Connie Constancio, TRMC  
City Secretary

