REGULAR MEETING
LOCKHART CITY COUNCIL JANUARY 17, 2023 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 Brad Westmoreland
Mayor Lew White
Councilmember John Castillo
Councilmember Jeffry Michelson

Council absent:
Councilmember Kara McGregor

Staff present:
Steven Lewis, City Manager
Monte Akers, City Attorney
Julie Bowermon, Civil Service/HR Director
David Fowler, Senior Planner
Connie Constancio, City Secretary
Victoria Maranan, Public Information Officer
Dan Gibson, City Planner
Mike Kamerlander, Economic Development Dir.

Citizens/Visitors Addressing the Council: None.

Work Session 6:30 p.m.
Mayor White announced that Councilmember Kara McGregor will not be attending the meeting due to an illness. 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 REGARDING REVISIONS TO THE U.S. ENVIRONMENTAL PROTECTION AGENCY LEAD AND COPPER RULE.
Mr. Kelley provided an overview of Lead and Copper Rule Revisions that go into effect October 16, 2024. There was discussion.

B. DISCUSS ORDINANCE 2023-03 AMENDING CHAPTER 52 "SUBDIVISION REGULATIONS" OF THE CODE OF ORDINANCES, UPDATING, ADDING, DELETING, CORRECTING, OR CLARIFYING VARIOUS PROVISIONS THROUGHOUT THE ENTIRE CHAPTER; PROVIDING FOR SEVERABILITY; PROVIDING A REPEALER; PROVIDING FOR PENALTY; PROVIDING FOR PUBLICATION; AND ESTABLISHING AN EFFECTIVE DATE.
Mr. Gibson stated that comprehensive amendments are proposed to Chapter 52 "Subdivision Regulations" of the Lockhart Code of Ordinances. The primary reasons for this are: 1) To ensure compliance with changes in State law that affect subdivision platting standards and procedures; 2) Address various issues where staff and the Commission have over a period of years identified the need for clarification of existing provisions or the addition of entirely new provisions; and, 3) To clean up, delete, or relocate existing text to improve readability, to better express the intent of certain provisions, or to otherwise facilitate enforcement of the chapter. The amendments affect most of the sections in Chapter 52, so the proposed ordinance consists of the entire chapter, instead of just the provisions being changed. Essentially, this

replaces the current Subdivision Regulations with a new document. Mr. Gibson stated that the Planning and Zoning Commission and staff recommend approval. There was discussion.

C. DISCUSS THE SELECTION OF TRC ENGINEERING RELATIVE TO THE U.S. DEPARTMENT OF COMMERCE - ECONOMIC DEVELOPMENT ADMINISTRATION GRANT (08-79-05656) TO PROVIDE PROFESSIONAL SERVICES TO DESIGN AND CONSTRUCT APPROXIMATELY 2.5 MILES OF WASTEWATER LINE TO THE LOCKHART INDUSTRIAL PARK III.

Mr. Kelley stated that the City of Lockhart was awarded an Economic Development Administration (EDA) Grant (08-79-05656) 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 III. This grant requires the use of professional engineering services to design and construct the grant funded project. Advertisements for qualified engineering services for the EDA Grant were prepared and submittals were completed in compliance with the grant requirements. Proposals were received from one company which was scored using qualification criteria by the EDA Grant Evaluation Team (Sean Kelley, Joe Chavira and John Eddleton). The firm that submitted a proposal for consideration was TRC, Inc, which scored 270 out of a maximum of 300. TRC's proposal displayed projects similar to the proposed project, has considerable experience and has the capacity to perform the engineering services in a timely manner. There was discussion.

RECESS: Mayor White announced that the Council would recess for a break at 7:22 p.m.

REGULAR MEETING

ITEM 1. CALL TO ORDER.

Mayor Lew White called the meeting to order at 7:35 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.

Mayor White and the Council thanked Dan Gibson, City Planner and Connie Constancio, City Secretary for their service to the community. He announced that both Mr. Gibson and Ms. Constancio will retire from the City of Lockhart the end of the month, January 2023.

ITEM 3. PUBLIC COMMENT.

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

ITEM 4-A. HOLD A PUBLIC HEARING AND DISCUSSION/ACTION TO CONSIDER ORDINANCE 2023-02 AMENDING CHAPTER 64 "ZONING" OF THE CODE OF ORDINANCE'S, SECTION 64-2 "DEFINITIONS", TO DELETE OR REVISE EXISTING DEFINITIONS, AND TO ADD NEW DEFINITIONS OF VARIOUS LAND USES; AND TO REVISE SECTION 64-196(B), 64-196(C), 64-196(D), 64-196(E), 64-196(F), 64-196(G), 64-196(H), 64-196(I), 64-196(J), 64-196(K), AND 64-196(L), TO DELETE OR REVISE EXISTING LAND USES, AND ADD NEW LAND USES, LISTED AS ALLOWED BY-RIGHT OR AS A SPECIFIC USE IN THE AO, PI, RLD, RMD, RHD, CLB, CCB, CMB, CHB, IL, AND IH ZONING DISTRICTS.

Mayor White opened the public hearing at 7:43 p.m.

Mr. Gibson stated that Section 64-93(c)(7) of the Zoning Ordinance allows the Planning and Zoning Commission to determine the appropriate zoning or use classification where a proposed activity is not listed as a use permitted by-right or as a specific use in any zoning district. The Commission's determination is enforceable until it can be codified by the City Council adopting an actual Zoning Ordinance amendment. This item is for approval of determinations that have been made from 2011 through 2022, but which have not yet been codified. In addition, staff has added several changes to clarify some other uses that are already listed in the Zoning Ordinance, but which have occasionally led to confusion due to the way they are worded. Also included are changes and additions to definitions associated with some of the uses being added or clarified. Mr. Gibson stated that the Planning and Zoning Commission and staff recommend approval. There was discussion.

Mayor White requested citizens to address the Council regarding the zoning text amendments. There were none. He closed the public hearing at 7:53 p.m.

Councilmember Castillo left the meeting.

Councilmember Mendoza made a motion to approve Ordinance 2023-02, as presented. Councilmember Westmoreland seconded. The motion passed by a vote of 5-0.

ITEM 5-A. DISCUSSION/ACTION TO CONSIDER ORDINANCE 2023-03 AMENDING CHAPTER 52 "SUBDIVISION REGULATIONS" OF THE CODE OF ORDINANCES, UPDATING, ADDING, DELETING, CORRECTING, OR CLARIFYING VARIOUS PROVISIONS THROUGHOUT THE ENTIRE CHAPTER; PROVIDING FOR SEVERABILITY; PROVIDING A REPEALER; PROVIDING FOR PENALTY; PROVIDING FOR PUBLICATION; AND ESTABLISHING AN EFFECTIVE DATE.

Councilmember Westmoreland made a motion to approve Ordinance 2023-03, as presented. Councilmember Mendoza seconded. The motion passed by a vote of 5-0.

ITEM 5-B. DISCUSSION AND/OR ACTION TO SELECT TRC ENGINEERING RELATIVE TO THE U.S. DEPARTMENT OF COMMERCE - ECONOMIC DEVELOPMENT ADMINISTRATION GRANT (08-79-05656) TO PROVIDE PROFESSIONAL SERVICES TO DESIGN AND CONSTRUCT APPROXIMATELY 2.5 MILES OF WASTEWATER LINE TO THE LOCKHART INDUSTRIAL PARK III.

Councilmember Michelson made a motion to approve the selection of TRC Engineering to provide professional services for the U.S. Department of Commerce Economic Development Administrative grant, as presented. Councilmember Mendoza seconded. The motion passed by a vote of 5-0.

ITEM 6. CITY MANAGER'S REPORT, PRESENTATION AND POSSIBLE ACTION.

- Spring bulk pickup event: Saturday, March 25, 7 a.m.
- 2023 Sidewalk Improvements Project.
- CDBG Grant award for water meter replacements.

ITEM 7. COUNCIL AND STAFF COMMENTS - ITEMS OF COMMUNITY INTEREST.

Councilmember Westmoreland thanked District 1 Pride and all involved with the successful MLK march.

Councilmember Mendoza thanked District 1 Pride and all involved with the successful MLK march. He congratulated La Cantera restaurant for being in business for six years.

Mayor Pro-Tem Sanchez expressed condolences to the families of Bob Harvey, Barbara Reed, Susie Tanguma, Carolyn Frizell, Lupita Trejo, Antonia Hernandez, and Philip Hernandez, Jr. for their loss. She thanked District 1 Pride and all involved with the successful MLK march.

Councilmember Michelson thanked District 1 Pride and all involved with the successful MLK march. He thanked Mr. Gibson and Ms. Constancio for their service during their tenure with the City of Lockhart.

Mayor White also thanked District 1 Pride and all involved with the successful MLK march. He thanked Mr. Gibson and Ms. Constancio for their service during their tenure with the City of Lockhart and wished them best in their future endeavors.

ITEM 8. EXECUTIVE SESSION IN ACCORDANCE WITH THE PROVISIONS OF THE GOVERNMENT CODE, TITLE 5, SUBCHAPTER D, SECTION 551.071, PRIVATE CONSULTATION WITH ITS ATTORNEY TO SEEK ADVICE ABOUT PENDING OR CONTEMPLATED LITIGATION; SETTLEMENT OFFER; OR LEGAL MATTERS SUBJECT TO ATTORNEY/CLIENT PRIVILEGE. Seek legal advice from City Attorney regarding Emergency Medical Services.
Mayor White announced that the Council would enter Executive Session at 8:07 p.m.

ITEM 9. OPEN SESSION. Discussion and/or action regarding matters discussed in Executive Session.
Mayor White announced that the Council would enter Open Session at 8:28 p.m. There was no action.

ITEM 10. ADJOURNMENT.
Mayor Pro-Tem Sanchez made a motion to adjourn the meeting. Councilmember Mendoza seconded. The motion passed by a vote of 5-0. The meeting was adjourned at 8:29 p.m.

PASSED and APPROVED this the 7th day of February, 2023.

CITY OF LOCKHART

Lew White
Lew White, Mayor

ATTEST:

Julie Bowermon
Julie Bowermon
Deputy City Secretary

CITY OF LOCKHART TEXAS