REGULAR MEETING
LOCKHART CITY COUNCIL **FEBRUARY 6, 2024** **6:30 P.M.**

CLARK LIBRARY ANNEX-COUNCIL CHAMBERS, 217 SOUTH MAIN STREET, 3RD FLOOR, LOCKHART, TEXAS

Council present:
Mayor Lew White
Councilmember John Castillo
Councilmember Brad Westmoreland
Councilmember Juan Mendoza
Councilmember John Lairsen
Councilmember Jeffry Michelson
Mayor Pro-Tem Angie Gonzales-Sanchez

Staff present:
Steve Lewis, City Manager
Brad Bullock, City Attorney
Joseph Resendez, Assistant City Manager
David Fowler, Planning Director
Sean Kelley, Public Works Director
Julie Bowermon, City Secretary/HR Director
Gary Williamson, Police Chief
Travis Hughes, Parks Director
Evan Olszewski, Planner

Citizens/Visitors Addressing the Council: Mike Kamerlander of the Greater San Marcos Partnership; Gandolf Burrus of Grant Development Services; Elle Cross; Brian Limas; and Ivan Karpov.

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 REGARDING SECTION 3 REQUIREMENTS FOR THE RECENTLY AWARDED COMMUNITY DEVELOPMENT BLOCK GRANT FROM THE DEPARTMENT OF AGRICULTURE FOR THE REPLACEMENT OF RESIDENTIAL WATER METERS.
Mr. Kelley stated that Gandolf Burrus of Grant Development Services will provide a detailed presentation about the grant and project requirements.

Gandolf Burrus with Grant Development Services stated that in late 2021, the City applied and was awarded a CDBG Grant in the amount of $350,000 to replace residential water meters in the City's distribution system. Replacing the aging meters in the City's system will improve unidentified water losses and enhance billing accuracy. This project consists of replacing approximately 950 residential water meters, about 20% of the water meters in the system. The local match for this project is $70,000 (20%) and is budgeted in the current budget. Construction plans for this project are complete. This project is anticipated to be fully completed during 2024. Section 3 requirements apply to all TxCDBG grants. Tonight's presentation regarding Section 3 is necessary to fulfill all requirements of the grant. Section 3 of the Housing and Urban Development (HUD) Act of 1968 requires that, to the greatest extent feasible, economic opportunity generated by CDBG funds and other HUD assistance, most importantly employment, is directed to low- and very low-income persons, particularly those who are recipients of government assistance for housing, as well as residents of the community in which the federal funds are spent. Federal rules do not require grant recipients (the City) to contract or subcontract with Section 3 business, nor do the rules require hiring Section 3 workers. However, grant recipients must be able to demonstrate that, where possible, contracting, employment and training opportunities were made available to workers and businesses meeting Section 3 designation criteria. There was discussion.

B. DISCUSS RESOLUTION 2024-05 AUTHORIZING THE APPROVAL OF THE FOLLOWING DOCUMENTS, POLICIES, PROCEDURES, AND PROCLAMATION ASSOCIATED WITH THE TEXAS DEPARTMENT OF AGRICULTURE (TDA) COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT CDV21-0093 AS REQUIRED BY THE CIVIL RIGHTS REQUIREMENTS OF TITLE I OF THE HOUSING AND COMMUNITY DEVELOPMENT ACT AND FAIR HOUSING LAW.
1. CITIZEN PARTICIPATION PLAN AND GRIEVANCE PROCEDURES;
2. EXCESSIVE FORCE POLICY;
3. FAIR HOUSING POLICY;
4. SECTION 504 POLICY AND GRIEVANCE PROCEDURES;
5. CODE OF CONDUCT POLICY;
6. SECTION 3 ECONOMIC OPPORTUNITY;
7. LIMITED ENGLISH PROFICIENCY; AND
8. ACTIVITY TO AFFIRMATIVELY FURTHER FAIR HOUSING CHOICE.
Mr. Kelley stated that in late 2020, the City Council authorized submission of a CDBG grant application for the replacement of residential water meters. Grant Development Services thereafter submitted the application for the grant in the amount of $350,000. On January 6, 2023, the City was informed that Lockhart was awarded the grant that will replace approximately 950 aging residential water meters. These documents are another portion of the grant requirements in which the City must take actions to ensure that no person or group is denied benefits such as employment, training, housing and contracts generated by the CDBG activity, on the basis of race, color, religion, sex, national origin, age, or disability. The Resolution contains the statement that, in accordance with Section 504 of the Rehabilitation Act of 1973, the City of Lockhart does not discriminate on the basis of disability and agrees to ensure that qualified individuals with disabilities have access to programs and activities that receive federal funds.

C. DISCUSS CITY COUNCIL MINUTES OF THE FEBRUARY 21, 2023 MEETING.
Mayor White requested corrections to the minutes. There were none.

D. DISCUSS ENTERING AN ADVANCE FUNDING AGREEMENT (AFA) WITH THE TEXAS DEPARTMENT OF TRANSPORTATION AUTHORIZING CITY CONTRIBUTIONS FOR SIGNAL/TRAFFIC IMPROVEMENTS TO THE INTERSECTION OF WEST SAN ANTONIO STREET AND MOCKINGBIRD LANE AND AUTHORIZING THE MAYOR TO SIGN ALL CONTRACTUAL DOCUMENTS, IF APPROVED.
Mr. Kelley stated that since August 2023, staff has consulted with Texas Department of Transportation (TxDOT) to discuss the potential partnering with TxDOT to make improvements to the intersection of West San Antonio Street and Mockingbird Lane to alleviate bottle-necking at the intersection. On September 19, 2023, staff updated Council on the potential partnership for improvements to this intersection and was directed to bring back an Advance Funding Agreement (AFA) for Council consideration. Currently, there is an 80'ROW on SH 142, which can accommodate the widening of pavement to a single 12' driving lane in each direction on SH142 (one eastbound and one westbound) and one 12' center turning lane for a total of three lanes. The proposed improvement will stretch out 0.15 miles east and west from the intersection (approximately 800' east and west). Additional improvements at this intersection include reconnecting pedestrian accesses, connecting to driveways in the affected area, 1,100 linear feet of curb & gutter, and permanent traffic signal installation with arm-masts. City-owned utility conflicts such as water and wastewater have to be resolved by the City if discovered. TxDOT will handle

engineering and design for the project, handle the bidding and award, conduct construction inspections on the improvements and produce as-built plans upon completion. TxDOT's participation in this project has an approximate value of $180,000-$200,000 if the City were to design and bid the project. If the City authorizes the AFA, the City will agree to fund the construction of the project up to but not to exceed $1,000,000. The attached preliminary estimate of $926,787.40 from TxDOT explains the quantities necessary to complete the project. Should the City fund the construction of the project for $1,000,000, TxDOT will cover any overruns in their scope and refund any money back should the project come in under budget. TxDOT has also temporarily postponed the repaving of SH 142 from SH130 to downtown so that it may be collaborated with this project. The 2024 repaving project along with the Mockingbird/W. San Antonio project can be expected to take place in late 2025/early 2026 should the City agree to the terms. There was discussion.

E. DISCUSS RESOLUTION 2024-03 ALLOWING THE POLICE DEPARTMENT TO APPLY FOR THE PATROL LAPTOP TECHNOLOGY IMPROVEMENT PROJECT GRANT THROUGH THE CAPITAL AREA COUNCIL OF GOVERNMENTS (CAPCOG) AND DESIGNATING THE CITY MANAGER AS THE AUTHORIZED OFFICIAL.

Chief Williamson stated that the police department wishes to apply for a Criminal Justice Division (CJD) Grant through the Capital Area Council of Governments (CAPCOG) to replace twenty (20) laptops for patrol cars. The current laptops are over six (6) years old and contain the minimum amount of memory required to run the operating system after a recent update. The in-car laptops are a link to law enforcement databases and used to verify people's identity, check registrations on vehicles, check serial numbers for stolen items, write reports, and more. The total for the twenty (20) laptops with extended warranties is $110,577.23. There are no matching funds required. There was discussion.

F. DISCUSS RESOLUTION 2024-04 ALLOWING THE POLICE DEPARTMENT TO APPLY FOR THE BALLISTIC SHIELD PROJECT GRANT THROUGH THE OFFICE OF THE GOVERNOR (OOG) AND DESIGNATING THE POLICE CHIEF AS THE AUTHORIZED OFFICIAL.

Chief Williamson stated that the police department would like to add ten (10) ballistic shields for use in any possible response to an active shooter or barricaded subject situation. Ballistic shields offer an additional layer of protection for officers and can stop rifle rounds up to certain calibers. The total for this project is $18,509.70. There are no matching funds required.

G. DISCUSS RESOLUTION 2024-06 AUTHORIZING THE ADOPTION OF THE 2024 LOCKHART PARK, RECREATION, AND OPEN SPACE MASTER PLAN 5-YEAR UPDATE.

Mr. Hughes stated that the adopted 2018 Parks, Recreation, and Open Space Master Plan is over 5 years old. The Master Plan is integral to the planning of future projects and should be updated to reflect the most current needs of the Lockhart community. In addition, the city intends to seek grant funding for projects when appropriate, and most grant funding sources require that applicants provide Master Plans and demographic information that is less than 5 years old. Therefore, the city engaged Halff & Associates to update the Master Plan, which was presented at the December 19th City Council meeting. There was discussion.

H. DISCUSS 1ST QUARTER FINANCIAL REPORT FYE 2024.

Mr. Resendez stated that in an effort to keep the City Council updated and informed on the City of Lockhart's budget, a quarterly financial status report is presented that focuses on financial and operational performance and provides updates on revenues and expenditures for the remainder of the fiscal year. This financial management practice is recommended by the Government Finance Officers Association (GFOA). He presented detailed information about the 1st Quarter Financial report for fiscal year 2024.

I. DISCUSS A PROPOSED PROJECT FOR GRANT APPLICATION FOR FUNDING ALLOCATED FROM THE TEXAS GENERAL LAND OFFICE (GLO) FOR HAZARD MITIGATION PROJECTS.

Mr. Resendez stated that City Council provided staff direction at the January 16, 2024, City Council meeting to proceed with the development of a project scope and cost estimate for a proposed waterline replacement project. The proposed project includes the replacement of 6 fire hydrants, 18 isolation/gate valves, and 3,300 Linear Feet (LF) of 8" waterline. Further, this project completes required utility line upgrades for the Blanco Street Bridge TxDOT project and prepares the underlying utilities for future street overlay project consideration.

Construction:	$1,518,013	
Engineering:	$227,702	*15% of Construction Cost
Sub-Total:	$1,745,715	
Grant Administration:	$139,657	*8% of Total Project
Total:	**$1,885,372**	
GLO Funding:	$1,889,900	
Balance:	$4,528	

History

As previously discussed with City Council during the FY 2023-24 budget workshops, the City was appropriated $1,889,900 from the Texas General Land Office (GLO) for mitigation projects. Additional requirements mandate at least 50% of total funds ($945,000) must be spent on projects that directly benefit Low-and-Moderate-Income (LMI) persons within the city and a minimum 14-day public participation period. Funds have been appropriated to the City for eligible projects. However, an application must be submitted to access this funding. The project application deadline is Thursday, February 29th, 2024. There was discussion.

J. DISCUSS APPOINTMENTS, AND ANNOUNCEMENT OF NOMINATIONS, TO THE NEWLY ESTABLISHED ANIMAL SHELTER ADVISORY BOARD.

Mayor White stated that Council previously adopted Ordinance 2024-01 establishing the creation of a seven member Animal Shelter Advisory Board. Ordinance 2024-01 outlines member eligibility as well as board purpose, scope, and responsibility. Councilmembers were invited to submit names for nominations to the newly established Board.

Names Received to Date:
Susan Falgout
Alexandra Worthington
Adrea Theriot
Morgan Siewert, DVM
Caldwell County Commissioner B.J. Westmoreland
Police Chief Gary Williamson
Lockhart Animal Shelter Supervisor Nikole Lockard

K. DISCUSSION REGARDING THE NOMINATION OF NIGEL GUSDORF TO THE AIRPORT ADVISORY BOARD BY COUNCILMEMBER JUAN MENDOZA FOR A TERM TO EXPIRE IN NOVEMBER 2025.
Councilmember Juan Mendoza stated that he would like to nominate Nigel Gusdorf to be appointed to the Lockhart Airport Advisory Board.

L. ANNOUNCEMENT OF NOMINATION OF PATRICK STROKA TO THE ZONING BOARD OF ADJUSTMENT AND APPEALS BY COUNCILMEMBER JOHN LAIRSEN FOR A TERM TO EXPIRE IN NOVEMBER 2026.
Councilmember John Lairsen stated that he nominated Patrick Stroka to be appointed to the Zoning Board of Adjustment and Appeals.

RECESS: Mayor White announced that the Council would recess for a break at 7:20 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.

ITEM 3. PUBLIC COMMENT.
Mayor White requested citizens to address the Council.

Elle Cross stated that she is leading a campaign to distribute a petition to decriminalize low level marijuana possession in Lockhart. She stated that she is a part of an organization named Mano Amiga that recently led a similar campaign in San Marcos which was passed by the voters. She stated that a proposition to decriminalize low level marijuana in Lockhart might be on the November 2024 ballot.

Brian Limas, Lockhart, spoke in favor of decriminalizing low level marijuana possession in Lockhart.

ITEM 4-A. HOLD A PUBLIC HEARING AND DISCUSSION AND/OR ACTION ON APPLICATIONS ZC-23-09 AND PDD-23-01 BY PAMELA MCCLAIN MADERE OF JACKSON WALKER, LLP, AND DISCUSSION AND/OR ACTION TO CONSIDER APPROVAL OF ORDINANCE 2024-04 FOR A ZONING CHANGE FROM AO AGRICULTURAL-OPEN SPACE DISTRICT TO PDD PLANNED DEVELOPMENT DISTRICT AND A PDD DEVELOPMENT PLAN ON 53 ACRES IN THE CORNELIUS CRENSHAW SURVEY, ABSTRACT NO. 68 AND LOCATED AT 1925 FM 2001.

Mayor White opened the public hearing at 7:45 p.m. and requested the staff background report.

Mr. Fowler stated that this is an application to approve the zoning to Planned Development District (PDD) and approve the PDD Development Plan for a proposed industrial park of up to 877,000 square feet, anchored by a cold storage business to be located south and west of FM 2001 approximately 1,000 square feet north of SH 130. A PDD is requested because of some of the unconventional aspects of the cold storage building including building height, parking, and mechanical requirements. Other than the requested variations from City code, the development will follow the requirements of the Light Industrial (Li) zoning district. Additionally, the topography of the site, combined with the improvements and roadway dedication required along FM 2001 has led to a request to not require a sidewalk along FM 2001. The proposed PDD Development Plan also provides for specific landscaping improvements to screen the mechanical equipment and outdoor storage proposed as part of the development of the cold storage facility. Mr. Fowler stated that the Planning and Zoning Commission and staff recommend approval.

Mayor White requested the applicant to address the Council.

Ivan Karpov of Related Fund Management, the applicant, provided information about the plans to develop the property.

Mayor White requested citizens to address the Council. There were none. He closed the public hearing at 8:00 p.m.

Councilmember Michelson made a motion to approve Ordinance 2024-04, as presented. Councilmember Castillo seconded. The motion passed by a vote of 7-0.

ITEM 4-B. HOLD A PUBLIC HEARING AND DISCUSSION AND/OR ACTION REGARDING ORDINANCE 2024-05 PROPOSING TEXT AMENDMENTS TO CHAPTER 18 "ENVIRONMENT", CHAPTER 46 "SIGNS", CHAPTER 52 "SUBDIVISION REGULATIONS", AND CHAPTER 64 "ZONING" OF THE LOCKHART CODE OF ORDINANCES, AS FOLLOWS: AMEND CHAPTER 18 "ENVIRONMENT", ARTICLE III "NUISANCES", DIVISION 2 "OFFENSIVE CONDITIONS", SECTION 18-82 "PROHIBITED"; AMEND CHAPTER 46 "SIGNS", SECTION 46-6 "PROHIBITED SIGNS AND LOCATIONS"; AMEND CHAPTER 52 "SUBDIVISION REGULATIONS", ARTICLE V "DESIGN STANDARDS", SECTION 52-78 "STREETLIGHTS"; AMEND CHAPTER 64 "ZONING", ARTICLE I "IN GENERAL", SECTION 64-2 "DEFINITIONS"; ARTICLE VII "ZONING DISTRICTS AND STANDARDS", SECTION 64-197 "REGULATIONS COMMON TO ALL OR SEVERAL DISTRICTS.", SUBSECTION (G) "MINIMUM PARKING AND LOADING REQUIREMENTS"; ADD CHAPTER 64 "ZONING", ARTICLE VII "ZONING DISTRICTS AND STANDARDS", SECTION 64-197 "REGULATIONS COMMON TO ALL OR SEVERAL DISTRICTS.", SUBSECTION (J) "LIGHTING STANDARDS"; AND AMEND CHAPTER 64 "ZONING",

<u>ARTICLE VII "ZONING DISTRICTS AND STANDARDS", SECTION 64-198 "PERFORMANCE STANDARDS FOR COMMERCIAL AND INDUSTRIAL DISTRICTS.", SUBSECTION (C) "NUISANCES" TO ESTABLISH REVISED REQUIREMENTS AND STANDARDS FOR RESIDENTIAL AND COMMERCIAL LIGHTING, INCLUDE REFERENCES TO LIGHTING STANDARDS IN RELEVANT SECTIONS, AND INCLUDE UPDATED STREET LIGHTING POLICY.</u>
Mayor White opened the public hearing at 8:03 p.m. and requested the staff background report.

Mr. Fowler stated that the proposed text amendments are designed to strengthen the City's lighting ordinances in order to minimize glare, reduce lighting-related hazards and nuisances, and improve the overall appearance and effect of residential, commercial, and institutional lighting in the city. Although several chapters are affected, including Chapter 18, Environment, Chapter 46, Signs, and Chapter 52, Subdivision Regulations, the main impetus of the proposed text amendments is to place the majority of the lighting standards in Chapter 64, zoning. The proposed lighting standards will not only define the allowed types of lighting and the intensity of new lighting installations, they also create a mechanism for enforcement in cases where existing lighting sources pose a hazard to public safety or the quiet enjoyment of one's property. In addition to creating much more defined requirements and limits reflecting all types of commercial, residential, and institutional lighting, the ordinance also codifies the City streetlight policy, which was adopted in 2020 but never added to the Code of Ordinances. Mr. Fowler stated that the Planning and Zoning Commission and staff recommend approval.

Mayor White recommended that Council review the proposed amendments and to postpone action until the next Council meeting.

Mayor White requested citizens to address the Council. There were none. He closed the public hearing at 8:25 p.m.

<u>Councilmember Michelson made a motion to table the public hearing until the February 20, 2024 meeting at 7:30 p.m. Councilmember Lairsen seconded.</u> The motion passed by a vote of 7-0.

<u>ITEM 5. CONSENT AGENDA.</u>
<u>Councilmember Castillo made a motion to approve consent agenda items 5A, 5B, 5C, 5D and 5E. Councilmember Westmoreland seconded.</u> The motion passed by a vote of 7-0.

The following are the consent agenda items that were approved:

5-A. Approve Resolution 2024-05 authorizing the approval of the following documents, policies, procedures, and proclamation associated with the Texas Department of Agriculture (TDA) Community Development Block Grant (CDBG) Project CDV21-0093 as required by the Civil Rights requirements of Title I of the Housing and Community Development Act and Fair Housing Law.
1. Citizen Participation Plan and Grievance Procedures;
2. Excessive Force Policy;
3. Fair Housing Policy;
4. Section 504 Policy and Grievance Procedures;
5. Code of Conduct Policy;
6. Section 3 economic opportunity;
7. Limited English Proficiency; and 8. Activity to affirmatively Further Fair Housing Choice.

5-B. Approve City Council minutes of the February 21, 2023 meeting.

5-C. Approve Resolution 2024-03 allowing the police department to apply for the Patrol Laptop Technology Improvement Project grant through the Capital Area Council of Governments (CAPCOG) and designating the City Manager as the Authorized Official.
5-D. Approve Resolution 2024-04 allowing the police department to apply for the Ballistic Shield Project grant through the Office of the Governor (OOG) and designating the Police Chief as the Authorized Official.
5-E. Accept 1st Quarter Financial Report FYE 2024.

ITEM 6-A. DISCUSSION AND/OR ACTION TO CONSIDER ENTERING AN ADVANCE FUNDING AGREEMENT (AFA) WITH THE TEXAS DEPARTMENT OF TRANSPORTATION AUTHORIZING CITY CONTRIBUTIONS FOR SIGNAL/TRAFFIC IMPROVEMENTS TO THE INTERSECTION OF WEST SAN ANTONIO STREET AND MOCKINGBIRD LANE AND AUTHORIZING THE MAYOR TO SIGN ALL CONTRACTUAL DOCUMENTS, IF APPROVED.

Mayor Pro-Tem Sanchez made a motion to approve the Advance Funding Agreement with TxDOT, as presented. Councilmember Castillo seconded. The motion passed by a vote of 7-0.

ITEM 6-B. DISCUSSION AND/OR ACTION TO CONSIDER RESOLUTION 2024-06 AUTHORIZING THE ADOPTION OF THE 2024 LOCKHART PARK, RECREATION, AND OPEN SPACE MASTER PLAN 5-YEAR UPDATE.

Councilmember Larisen made a motion to approve Resolution 2024-06, as presented. Councilmember Westmoreland seconded. The motion passed by a vote of 7-0.

ITEM 6-C. DISCUSSION AND/OR ACTION TO CONSIDER A PROPOSED PROJECT FOR GRANT APPLICATION FOR FUNDING ALLOCATED FROM THE TEXAS GENERAL LAND OFFICE (GLO) FOR HAZARD MITIGATION PROJECTS.

Councilmember Michelson made a motion to approve the project for grant application for funding allocated from the Texas General Land Office for hazard mitigation projects, as presented. Councilmember Castillo seconded. The motion passed by a vote of 7-0.

ITEM 6-D. DISCUSSION AND/OR ACTION REGARDING APPOINTMENTS, AND ANNOUNCEMENT OF NOMINATIONS, TO THE NEWLY ESTABLISHED ANIMAL SHELTER ADVISORY BOARD.

Councilmember Lairsen made a motion to approve nominating the appointments to the newly established Animal Shelter Advisory Board as discussed during the work session. Mayor Pro-Tem Sanchez seconded. The motion passed by a vote of 7-0.

ITEM 6-E. DISCUSSION AND/OR ACTION REGARDING THE NOMINATION OF NIGEL GUSDORF TO THE AIRPORT ADVISORY BOARD BY COUNCILMEMBER JUAN MENDOZA FOR A TERM TO EXPIRE IN NOVEMBER 2025.

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

ITEM 6-F. ANNOUNCEMENT OF NOMINATION OF PATRICK STROKA TO THE ZONING BOARD OF ADJUSTMENT AND APPEALS BY COUNCILMEMBER JOHN LAIRSEN FOR A TERM TO EXPIRE IN NOVEMBER 2026.

Mayor White announced that action on the appointment would be considered during the next meeting.

ITEM 6-G. CONSIDERATION AND ACTION REGARDING PETITION FOR RELEASE OF 101.8 ACRES OF LAND FROM ETJ, LOCATED AT 542 FM 672, LOCKHART, TEXAS 78644 FROM THE CITY'S ETJ BY DONALD A. O'NEIL, PETITIONER.
Mayor White stated that the item would be considered in Executive Session.

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

- New hours of service at the Lockhart Recycling Center.
- Update on ESD No. 5 activities.
- Update on the January 20th Police Officer entrance exam.
- Update on the Comprehensive Plan Steering Committee activities.
- KidFish at City Park on March 16th at 9:00 a.m.

ITEM 8. COUNCIL AND STAFF COMMENTS - ITEMS OF COMMUNITY INTEREST
Mayor Pro-Tem Sanchez expressed condolences to families that have lost a loved one. She congratulated the Hispanic Chamber for a successful banquet as well as the recipients of awards. She congratulated the Carter Foundation for a successful event. She thanked the Lockhart Police Department for working with the school on a recent issue at Lockhart High School.

Councilmember Lairsen also thanked all that assisted with the incident at Lockhart High School.

Councilmember Castillo expressed condolences to families that have lost a loved one. He thanked all that assisted with the incident at Lockhart High School.

Councilmember Michelson thanked staff for their work. He congratulated the recipients of awards at the Hispanic Chamber banquet.

EXECUTIVE SESSIONS
Mayor White announced that the Council would enter Executive Session at 8:48 p.m. to discuss the items listed below in agenda items 9 and 10:

ITEM 9. EXECUTIVE SESSION IN ACCORDANCE WITH THE PROVISIONS OF THE GOVERNMENT CODE, TITLE 5, SUBCHAPTER D, SECTION 551.087 TO DELIBERATE OR FOR DISCUSSION REGARDING COMMERCIAL OR FINANCIAL INFORMATION THAT THE GOVERNMENTAL BODY HAS RECEIVED FROM A BUSINESS PROSPECT THAT THE GOVERNMENTAL BODY SEEKS TO HAVE LOCATE, STAY, OR EXPAND IN OR NEAR THE TERRITORY OF THE GOVERNMENTAL BODY AND WITH WHICH THE GOVERNMENTAL BODY IS CONDUCTING ECONOMIC DEVELOPMENT NEGOTIATIONS; OR TO DELIBERATE THE OFFER OF A FINANCIAL OR OTHER INCENTIVE TO A BUSINESS PROSPECT.

A. Discussion regarding economic development negotiations with Project Celebration.
B. Discussion regarding economic development negotiations with Project Holiday.
C. Discussion regarding economic development negotiations with Project Lifesaver.

ITEM 10. 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 LEGAL MATTERS SUBJECT TO ATTORNEY/CLIENT PRIVILEGE.

A. Discussion with City Attorney regarding Petition for Release of 101.8 acres of land from ETJ, located at 542 FM 672, Lockhart, Texas 78644 from the City's ETJ by Donald A. O'Neil, Petitioner.

B. Consultation with attorney to seek legal advice regarding an interlocal cooperation agreement between Caldwell County Emergency Services District No. 5.

ITEM 11. OPEN SESSION.
Mayor White announced that the Council would enter Open Session at 10:10 p.m.

A. Discussion and/or action regarding economic development negotiations with Project Celebration.
There was no action.

B. Discussion and/or action regarding economic development negotiations with Project Holiday.
There was no action.

C. Discussion and/or action regarding economic development negotiations with Project Lifesaver.
There was no action.

D. Discussion and/or action regarding Petition for Release of 101.8 acres of land from ETJ, located at 542 FM 672, Lockhart, Texas 78644 from the City's ETJ by Donald A. O'Neil, Petitioner.
Mayor White made a motion that the Petition for Release of 101.8 acres located in the ETJ at 542 FM 672, Lockhart, Texas to remove property from the city's extraterritorial jurisdiction be denied because it is the city's position that SB 2038 is an unconstitutional delegation of legislative authority and it conflicts with the city's grant of legislative discretion under Local Government Code 42.023. The city does not consent to remove the property from its ETJ pursuant to Section 42.023. Councilmember Michelson seconded. The motion passed by a vote of 7-0.

E. Discussion and/or action regarding an interlocal cooperation agreement between Caldwell County Emergency Services District No. 5.
Mayor White made a motion to authorize the city attorney to negotiate an interlocal agreement with the Caldwell County Emergency Services District No. 5. Mayor Pro-Tem Sanchez seconded. The motion passed by a vote of 7-0.

ITEM 12. 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 10:14 p.m.

PASSED and APPROVED this the 2nd day of April, 2024.

CITY OF LOCKHART

Lew White

Lew White, Mayor

ATTEST:

Julie Bowermon

Julie Bowermon
City Secretary

CITY OF LOCKHART TEXAS