

**REGULAR MEETING
LOCKHART CITY COUNCIL**

JUNE 20, 2023

6:30 P.M.

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

Council present:

Councilmember John Castillo
Councilmember Juan Mendoza

Mayor Lew White
Councilmember Brad Westmoreland
Councilmember Jeffry Michelson

Council absent:

Mayor Pro-Tem Angie Gonzales-Sanchez
Councilmember Kara McGregor

Staff present:

Steve Lewis, City Manager	Monte Akers, City Attorney
David Fowler, Planning Director	Sean Kelley, Public Works Director
Julie Bowermon, Civil Service/HR Director	Keeli Michna, Staff Accountant
Mike Kamerlander, Interim Economic Development Director	
Gary Williamson, Police Chief	

Citizens/Visitors Addressing the Council: Jay Garner of Garner Economics; Cari Borremans of the Hays-Caldwell Women's Center; Kelly Franke of Combined Community Action; Diane Coker of the Lockhart Area Senior Citizen's Center; Nicole Douglass of CASA of Central Texas; Meredith Jakovich of the Caldwell County Food Bank; Jason Eeds of GBRA; and, Len Gabbay, Citizen.

Work Session 6:30 p.m.

Mayor White announced that Mayor Pro-Tem Sanchez and Councilmember McGregor will not be attending the meeting. 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 BY GARNER ECONOMICS OF A REVISED TARGET INDUSTRY STRATEGY FOR THE LOCKHART ECONOMIC DEVELOPMENT CORPORATION.

Mr. Kamerlander stated that in 2020, the Lockhart Economic Development Corporation (LEDC) contracted with Garner Economics to develop a 5-year economic development strategy. Jay Garner and his team spent five months interviewing residents and collecting data to provide a Target Industry Strategy which was adopted by both the LEDC and City Council in 2020. LEDC has been operating from this plan for the last three years. Given the accelerated pace of development in Lockhart, staff recommended and the Board approved an expenditure in the Fiscal Year 2022-2023 LEDC budget to complete an update of the strategy. Garner Economics began its work on the revisions in February and Mr. Garner will present those changes this evening. Items in the original strategy such as an industrial park have been completed and the emergence of a viable megasite nearby have all occurred since 2020. Given those changes, two new targets are being recommended for implementation over the next three years.

Jay Garner of Garner Economics provided a revised Target Industry Strategy which included the following topics:

- Lockhart Progress Report Card
- Assets and Challenges Assessment
- Economic and Community Assessment
- Target Business Sectors
- Recommendations – Asset Development, Product Development
 - Continue the City's efforts to grow its industrial land inventory to accommodate the needs of the targeted industry sectors.
 - Enhance Lockhart's Quality of Place by developing assets needed to enhance the City's quality of life (hotel recruitment).
- Recommendations – Execute Effectively, Organizational
 - Create a Convention and Visitor's Bureau (CVB) in Lockhart focused on visitor recruitment and hospitality product
- Demographics and Community Trends

B. PRESENTATION BY NON-PROFIT ORGANIZATIONS REQUESTING FUNDING FOR AN ANNUAL CONTRIBUTION FROM THE CITY OF LOCKHART FOR FISCAL YEAR 2023-2024.

Ms. Michna stated that on April 17, 2023, non-profit organizations that offer services to the City of Lockhart residents were contacted about the upcoming Fiscal Year 2023-2024 request for funding.

Each organization was asked to provide the following information:

- Mission and benefit statement.
- Current financial statements.
- Uses of prior City contribution.
- FY 2023-24 request and how those funds are to be spent.

Cari Borremans of the Hays-Caldwell Women's Center (HCWC) provided information about how their organization provides services to the community. She stated that the HCWC was requesting a contribution in the amount of \$8,900.

Kelly Franke of Combined Community Action – Senior Nutrition (CCA) provided information about how their organization provides meals to elderly citizens in the community. She stated that the CCA was requesting a contribution in the amount of \$8,000.

Diane Coker of the Lockhart Area Senior Citizen's Center (LASCC) provided information about how their organization provides services to the community. She stated that the LASCC was requesting a contribution in the amount of \$4,462.

Nicole Douglass of CASA of Central Texas provided information about how their organization assists children in the community. She stated that CASA was requesting a contribution in the amount of \$12,000.

Meredith Jakovich of the Caldwell County Christian Ministries (Caldwell County Food Bank - CCFB) stated that last year the organization completed a rebranding and was renamed as Caldwell County Food

Bank. She provided information about how their organization provides food to citizens in the community. She stated that the CCFB was requesting a contribution in the amount of \$10,000.

There was discussion regarding contributions to CARTS. Mayor White stated that CARTS is no longer a non-profit 501C3 organization and that they will request funding assistance during another council meeting.

C. PRESENTATION REGARDING THE PROPOSED FISCAL YEAR 2023-2024 BUDGET FOR GUADALUPE-BLANCO RIVER AUTHORITY (GBRA) FOR THE LOCKHART WATER AND WASTEWATER TREATMENT PLANTS.

Mr. Kelley stated that annually, representatives from GBRA present their Proposed Water and Wastewater Budget for the upcoming fiscal year to City Council for the operations and maintenance of the Lockhart Water and Wastewater Treatment Plants.

Jason Eeds of GBRA provided details about the proposed Fiscal Year 2023-2024 GBRA water and wastewater budgets. There was discussion.

D. DISCUSS AN ENGINEERING SERVICE PROPOSAL FROM TRC ENGINEERING FOR LEAD AND COPPER RULE REVISION IMPLEMENTATION PLAN.

Mr. Kelley stated that the Lead and Copper Rule (LCR) was originally published by the Environmental Protection Agency (EPA) in 1991. Since its original adoption, there have been modifications over the years to the rule to strengthen it by increasing testing and reporting requirements. The latest revision called the Lead and Copper Rule Revision (LCRR) must be implemented on or before October 16, 2024. The newest revision strengthens the existing Lead and Copper Rule by:

- Requiring inventory of both public and private lead service lines;
- Requiring planning to replace lead service lines;
- Improving sampling and corrosion control protocols;
- Expanding public outreach and public education;
- Requires water systems to add schools and child care facilities as testing sites.

The City is in compliance with current LCR and lead level results have remained under action levels. Until the implementation of the new Lead and Copper Rule Revision, the City's water system will continue to meet the current requirements for lead and copper testing, which tests thirty sites across the system every three years.

E. DISCUSS ADOPTING A POLICY FOR PUBLIC IMPROVEMENT DISTRICTS.

Mr. Akers stated that creation of a Public Improvement District ("PID") is a method by which funding of improvements for the development of a defined area may be accomplished which ensures that the owners benefiting by the improvements bear the cost through "assessments." Caldwell County adopted a PID Policy in 2021, and the City is currently working with a developer who desires that the City create a PID for a large mixed use development. Note that what is presented to the Council is a "policy" rather than an ordinance or resolution. It is meant to provide guidance to developers or others considering or proposing a PID, as well as City staff, to ensure that the procedures for creating a PID are consistent, but which can be modified or adjusted by the City, if appropriate for a particular project, without amending the policy. This matter was considered at the Council meeting on June 6, 2023 and was postponed in order to ascertain whether language was needed regarding developer change of ownership. While such language is appropriate for development agreements related to property in a PID, it will not serve a purpose in the PID policy.

F. DISCUSS ADOPTING A PROFESSIONAL SERVICES AGREEMENT BETWEEN THE CITY AND THE RED OAK DEVELOPMENT GROUP TO REIMBURSE THE CITY FOR PROFESSIONAL FEES INCURRED RELATING TO THE CONSIDERATION OF THE PROJECT.

Mr. Akers stated that the City is working with Red Oak Development Group regarding the creation of a Public Improvement District which will be funded through assessments against the benefitted property in the PID, which may include issuance of PID bonds. This Professional Services Agreement (aka Escrow Agreement) provides that the City's costs for consultants (engineering, legal, bond counsel and PID administration) will be paid by the developer, commencing with a payment of \$50,000, which shall be retained in a segregated account, and against which the City shall draw as costs are incurred. When the balance in the account is reduced to less than \$10,000, the developer shall be required to make additional payments in \$5,000 increments. Funds in the account shall be used solely to pay for professional services. There was discussion.

G. DISCUSS RESOLUTION 2023-10 AUTHORIZING THE FILING OF A GRANT APPLICATION WITH CAPCOG FOR A REGIONAL SOLID WASTE GRANTS PROGRAM GRANT, AND AUTHORIZING THE MAYOR TO ACT ON BEHALF OF THE CITY OF LOCKHART IN ALL MATTERS RELATED TO THE APPLICATION; AND PLEDGING THAT IF A GRANT IS RECEIVED THE CITY OF LOCKHART WILL COMPLY WITH THE GRANT REQUIREMENTS OF THE CAPCOG, THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY AND THE STATE OF TEXAS.

Mr. Kelley stated that the Capital Area Council of Governments (CAPCOG) sent out a Call for Projects for FY 2023 for solid waste management equipment or community collection events. CAPCOG anticipates having a total of \$50,000 to \$60,000 available for funding, and each award will range from \$10,000 to \$25,000 per entity. CAPCOG is also prioritizing equipment purchases over collection events for this round of funding. There was a tight submission deadline of June 16th to be eligible for grant funds. Purchasing a new 20hp cardboard baler was selected for the grant submission. If awarded the maximum funding amount of \$25,000, the grant would cover most of the \$28,100 cost to purchase a new baler. This grant does not require a match. However, any remaining funds required for equipment purchase would need to be covered by the receiving entity. If the City is not awarded the solid waste grant, the City would still be eligible for funding in the next grant cycle that begins in September of 2023.

H. DISCUSS THE SEMI-ANNUAL REPORT FROM THE IMPACT FEE ADVISORY COMMITTEE CONCERNING THE STATUS OF IMPLEMENTATION OF CHAPTER 31 "IMPACT FEES" OF THE LOCKHART CODE OF ORDINANCES WITH REGARD TO WATER, WASTEWATER, AND ROAD IMPACT FEES.

Mr. Fowler stated that in accordance with State law, the Impact Fee Advisory Committee has an ongoing role in monitoring and evaluating implementation of the water, wastewater, and road impact capital improvement plans (CIP's), and submitting semi-annual reports to the City Council. The Committee met on June 14th to consider their 42nd semi-annual report since impact fees were originally adopted on January 15th, 2002. The total impact fee revenue during the period covered by this report was \$1,379,075, and the only expenditures from the impact fee accounts during that time were periodic payments of invoices to the impact fee consultants. Because the new impact fees were adopted May 2, 2023, there are no new recommendations from the Committee. More information is contained in the attached semi-annual report from the Impact Fee Advisory Committee, which is for the period from October 1, 2022 to April 1, 2023.

I. DISCUSS THE PROPOSED EMERGENCY SERVICES DISTRICT NO. 5 PETITION, PUBLIC HEARING, AND ELECTION.

Mr. Akers stated that on June 13, 2023 the Caldwell County Commissioners Court met and discussed/considered a petition that has been received by the County for Emergency Services District No. 5. The Commissioners Court unanimously passed Resolution 18-2023 setting a public hearing to receive comments regarding the petition to be held at 9:30 a.m. on June 26, 2023. Also, during the Commissioners Court meeting, the petition was certified by the County and Judge Haden spoke about the goal of having a county wide system for EMS explaining that while the County gives support to both the Lockhart and Luling EMS systems no ambulances are presently stationed in the County. Cean Charles, the director the City of Lockhart - Caldwell County EMS, also spoke during the meeting explaining that the Ascension contract for EMS services was ending. Director Charles further provided potential benefits of having a county wide system to provide a superior EMS service.

Mr. Akers requested a determination about whether a city representative should offer pertinent testimony at the public hearing scheduled for June 26, 2023. Mayor White stated that a Councilmember will attend the public hearing.

RECESS: Mayor White announced that the Council would recess for a break at 8:10 p.m.

REGULAR MEETING

ITEM 1. CALL TO ORDER.

Mayor Lew White called the meeting to order at 8:25 p.m.

ITEM 2. INVOCATION, PLEDGE OF ALLEGIANCE.

Councilmember Castillo 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.

Len Gabbay, 420 W. Prairie Lea Street, expressed sympathy to the families of two volunteer firefighters that were killed in a car accident in Lockhart on June 20, 2022.

ITEM 4-A. POSTPONE PUBLIC HEARING REGARDING APPLICATION ZC-23-03 BY MONTE J. GUIDRY REQUESTING A ZONING CHANGE FROM CHB COMMERCIAL HEAVY BUSINESS DISTRICT TO RMD RESIDENTIAL MEDIUM DENSITY DISTRICT ON A TOTAL OF 0.205 ACRES IN THE BYRD LOCKHART LEAGUE, ABSTRACT NO. 17, LOCATED AT 1013 NORTH COLORADO STREET (US 183) UNTIL JULY 18, 2023 AT 7:30 PM.

Mayor announced the public hearing will be postponed. There was no action.

ITEM 4-B. HOLD A PUBLIC HEARING, DISCUSSION AND/OR ACTION ON ORDINANCE 2023-11 AMENDING CHAPTER 64 "ZONING" OF THE LOCKHART CODE OF ORDINANCES, INCLUDING: 1) SECTION 64-2, "DEFINITIONS", BY ADDING NEW DEFINITIONS RELATED TO TREES, AND, 2) SECTION 64-197, "REGULATIONS

COMMON TO ALL OR SEVERAL DISTRICTS”, ADDING NEW SUBSECTION (H) “RESIDENTIAL LANDSCAPING REQUIREMENTS,” TO SET MINIMUM LANDSCAPING STANDARDS FOR ALL RESIDENTIAL DEVELOPMENT TYPES, AND ADDING NEW SUBSECTION (I) “RESIDENTIAL DESIGN STANDARDS,” TO ESTABLISH MINIMUM RESIDENTIAL DESIGN REQUIREMENTS.

Mayor White opened the public hearing at 8:36 p.m. He requested the staff background report.

Mr. Fowler stated that this ordinance is a product of the discussions at the joint workshops of City Council and the Planning and Zoning Commission held in late 2022 and early 2023. City staff had noted that there were no residential landscaping or design requirements in Chapter 64, the zoning ordinance. Staff drafted landscaping standards based upon provisions found in other cities' ordinances. The main product of the landscaping provisions is the requirement for all residential development types to have a minimum number of shade trees planted on the various residential development types, and for those shade trees to be at least three inches in caliper. For single-family development types, the requirement ranges from 3 shade trees required for SF-1 lots to one tree per residential unit in townhouse developments. For multifamily developments, shade trees would be required along street frontages, near parking spaces and surrounding residential buildings. The landscaping language also requires shrub beds for all types of residential buildings. The ordinance language regarding residential design is intended as a first step towards more comprehensive design requirements. However, the restriction of repeating the same house exterior within six lots on the same side of a street or three lots on the opposite side of the street should be an important first step towards ensuring that residential neighborhoods have a variety of facades to avoid monotony in new developments. Future steps will include detailed design options for single and multi-family developments and covered parking requirements for multi-family developments.

Mayor White requested citizens to address the Council regarding the zoning text amendments. There were none. He closed the public hearing at 8:50 p.m.

Councilmember Castillo made a motion to approve Ordinance 2023-11, as presented. Councilmember Westmoreland seconded. The motion passed by a vote of 5-0.

ITEM 5. CONSENT AGENDA

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

The following are the consent agenda items that were approved:

- 5-A: Accept the semi-annual report from the Impact Fee Advisory Committee concerning the status of implementation of Chapter 31 “Impact Fees” of the Lockhart Code of Ordinances with regard to water, wastewater, and road impact fees.
- 5-B: Approve Resolution 2023-10 authorizing the filing of a grant application with CAPCOG for a regional solid waste grants program grant, and authorizing the Mayor to act on behalf of the City of Lockhart in all matters related to the application; and pledging that if a grant is received the City of Lockhart will comply with the grant requirements of the CAPCOG, the Texas Commission on Environmental Quality and the State of Texas.

ITEM 6-A. PRESENTATION AND CONSIDER NON-PROFIT ORGANIZATIONS REQUESTING FUNDING FOR AN ANNUAL CONTRIBUTION FROM THE CITY OF LOCKHART FOR FISCAL YEAR 2023-2024.

Mayor White announced that the allocation of funds would be considered during the second meeting in July.

ITEM 6-B. PRESENTATION AND CONSIDER THE PROPOSED FISCAL YEAR 2023-2024 BUDGET FOR GUADALUPE-BLANCO RIVER AUTHORITY (GBRA) FOR THE LOCKHART WATER AND WASTEWATER TREATMENT PLANTS.

Councilmember Westmoreland made a motion to approve GBRA's Fiscal Year 2023-2024 budgets, as presented. Councilmember Castillo seconded. The motion passed by a vote of 5-0.

ITEM 6-C. DISCUSSION AND/OR ACTION REGARDING AN ENGINEERING SERVICE PROPOSAL FROM TRC ENGINEERING FOR LEAD AND COPPER RULE REVISION IMPLEMENTATION PLAN.

Councilmember Michelson made a motion to approve the Engineering Service proposal, as presented. Councilmember Mendoza seconded. The motion passed by a vote of 5-0.

ITEM 6-D. DISCUSSION AND/OR ACTION TO ADOPT A POLICY FOR PUBLIC IMPROVEMENT DISTRICTS.

Councilmember Castillo made a motion to adopt a policy for public improvement districts, as presented. Councilmember Westmoreland seconded. The motion passed by a vote of 5-0.

ITEM 6-E. DISCUSSION AND/OR ACTION TO ADOPT A PROFESSIONAL SERVICES AGREEMENT BETWEEN THE CITY AND THE RED OAK DEVELOPMENT GROUP TO REIMBURSE THE CITY FOR PROFESSIONAL FEES INCURRED RELATING TO THE CONSIDERATION OF THE PROJECT.

Councilmember Westmoreland made a motion to approve a professional services agreement between the City of Lockhart and the Red Oak Development Group, as presented. Councilmember Mendoza seconded. The motion passed by a vote of 5-0.

ITEM 6-F. DISCUSSION AND/OR ACTION TO CONSIDER THE PROPOSED EMERGENCY SERVICES DISTRICT NO. 5 PETITION, PUBLIC HEARING, AND ELECTION.

Councilmember Michelson made a motion to attend the public hearing on June 26, 2023. Councilmember Mendoza seconded. The motion passed by a vote of 5-0.

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

- SH 142 Truck Route update.
- Lockhart Airport FBO update.
- \$100,000 donation by Ronald A. Seeliger to the Dr. Eugene Clark Library.
- Police Officer entrance exam scheduled for July 22.
- July 8th - Movie in the Park, The Super Mario Bros. Movie.
- Fireworks Extravaganza at City Park on July 3.
- Reminder: There will not be a City Council meeting on the first Tuesday of July due to the July 4th holiday. City offices will be closed Tuesday, July 4. The next City Council meeting is scheduled for July 18.

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

Councilmember Westmoreland congratulated the Lockhart Chamber for a successful 50th Chisholm Trail Roundup.

Councilmember Mendoza congratulated the Lockhart Chamber for a successful Chisholm Trail Roundup and all events in June. He encouraged Councilmembers to attend a workshop held by Denton and Navarro Law Firm on July 28th.

Councilmember Castillo congratulated the Lockhart Chamber for a successful Chisholm Trail Roundup and the class reunions that were held that weekend. He thanked all involved with the Juneteenth event. He encouraged everyone to stay hydrated during the hot weather. He congratulated the Little League for finishing their All-Star games.

Councilmember Michelson congratulated the Lockhart Chamber for a successful 50th Chisholm Trail Roundup and to all involved with the successful Juneteenth event. He expressed condolences to the family of Bill Schroeder for their loss.

Mayor White congratulated the Lockhart Chamber for a successful Chisholm Trail Roundup and all involved with the successful Juneteenth event. He expressed condolences to the family of Bill Schroeder for their loss. He encouraged individuals that qualified for a free fan to go to City Hall.

ITEM 9. ADJOURNMENT

Councilmember Mendoza made a motion to adjourn the meeting. Councilmember Westmoreland seconded. The motion passed by a vote of 5-0. The meeting was adjourned at 9:07 p.m.

PASSED and APPROVED this the 16th day of April, 2024.

ATTEST:


Julie Bowermon
City Secretary



CITY OF LOCKHART


Lew White, Mayor