REGULAR MEETING
LOCKHART CITY COUNCIL **DECEMBER 19, 2023** **6:30 P.M.**

CLARK LIBRARY BUILDING, 217 SOUTH MAIN STREET, 1ST 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
Monte Akers, City Attorney
Joseph Resendez, Assistant City Manager
Julie Bowermon, City Secretary
David Fowler, Planning Director
Sean Kelley, Public Works Director
Travis Hughes, Parks Director
Gary Williamson, Police Chief
Bertha Martinez, Library Director
Victoria Burns, Public Information Officer

Citizens/Visitors Addressing the Council: Julian Salas-Porras and James Hemenes of Halff & Associates; Scott Wuest of Wuest Group; Mike Halligan, Citizen

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 OF THE PARKS MASTER PLAN UPDATE BY HALFF & ASSOCIATES.
Mr. Hughes stated that Halff & Associates was awarded a General Services Contract on March 1, 2023, and tasked with providing the City with an updated open-space master plan. The existing master plan was adopted on April 17, 2018. This 5-year update will be important when seeking grant funding for parks projects. He stated that Halff & Associates will give the update.

Julian Salas-Porras and James Hemenes of Halff & Associates provided information and there was discussion regarding the following:

- Parks Planning process
- Overview of 2018 Parks Master Plan
- Parks system
- Demographics
- Public engagement
- Assessment methods
- Park system inventory
- Level of service analysis
- Gap analysis
- Conditions assessment
- 2023 Parks Master Plan priorities
    - #1 Lions Park - renovations and improvements

- #2 City Park - renovations and improvements
- #3 Youth Sports Complex - renovations and improvements
- #4 Swimming Pool and splash pads - construction and new outdoor pool
- #5 Indoor Recreation Center - creating the city's first recreation center
- #6 Trails Master Plan - develop the city's first trails master plan

- Lions Parks conceptual plan
- Implementation
- Funding resources
- Key takeaways of the plan
  - All the goals in this update are from the 2018 Master Plan
  - The actions in the implementation table were created for this planning process, the 2018 Master Plan did not have any action items. The 2018 Plan outlined a list of priority projects with cost estimations.
  - This update identifies six priority projects.
    - Three of the priority projects were crafted with the Parks and Recreation Department (Lion's Park, Indoor Rec Center, Swimming Pool and Splash Pad), and the last priority project was created due to the public's interest in community trails (Trails Master Plan).
    - The other two priority projects were carried over as priorities from the 2018 Plan (Youth Sports Complex and City Park).
  - City Park's classification changed to a community park classification, from a regional park classification.
  - Maple Street Park is now two parks, the Jason K LaFluer Soccer Complex (special use park) & Maple Street Park (neighborhood park)
  - Comanche Park presents an opportunity for addressing a gap in the level of service
  - Plan is TPWD compliant, eligible for local parks grants

There was discussion.

B. DISCUSS RENEWAL OF THE CEMETERY GROUNDS MOWING AND MAINTENANCE AGREEMENT.

Mr. Hughes stated that Gene Bagwell d/b/a Maintenance Management has been under contract to perform mowing and maintenance of the cemetery grounds since 2010. This was initially a 5-year agreement and has since been renewed annually. Maintenance Management is required to mow and trim the Lockhart Municipal Burial Park and Hooks Cemetery 22–24 times per year (an approximate area of 35 acres) and provide a minimum of two cemetery cleanups. They are also responsible for tree trimming and mowing on both sides of the fence along Hwy 183 and FM 672. There are no changes to the scope of work or fees in the agreement from last year to this year. There was discussion.

C. DISCUSS SEMI-ANNUAL REPORT CONCERNING THE STATUS OF IMPLEMENTATION OF CHAPTER 31, "IMPACT FEES" OF THE CODE OF ORDINANCES, AND ADVISE OF THE NEED TO UPDATE THE ORDINANCE, LAND USE ASSUMPTIONS, CAPITAL IMPROVEMENT PLANS, OR IMPACT FEES.

Mr. Fowler stated that the report covers April-September 2023. New impact fee studies for water-wastewater and roads were adopted on May 2, 2023. As such, the most recent reporting period reflects a blend of the old and new impact fee rates as existing projects have continued building and new projects have begun construction. The vast majority of the fees were received from the over 300 new houses permitted during the six-month reporting period, with the rest coming from one apartment development and several commercial projects. As a result of this high activity, fee receipts have broken previous records, resulting in a record balance for the four accounts. There was discussion.

D. REVIEW A PETITION OF ANNEXATION FROM GEORGE KRONENBERG III ON BEHALF OF MCCORMICK RANCH PARTNERS, LP AND DISCUSSION REGARDING RESOLUTION 2023-23, SETTING THE DATE FOR THE PUBLIC HEARING FOR THE ANNEXATION OF 53 ACRES OUT OF THE CRENSHAW CORNELIUS SURVEY, ABSTRACT 68. CALDWELL COUNTY, TEXAS, LOCATED ON THE SOUTH AND WEST SIDES OF FM 2001, APPROXIMATELY 1060 FEET NORTH OF SH 130.
Mr. Fowler stated that the developer of an industrial project to be located at the bend of FM 2001 where it curves from northbound to westbound north of SH 130 has requested the city to annex the property. The developer has requested 53 acres of the 172.8 acre subject property to be brought into the city. The property has water service through a 3-inch line located in the FM 2001 right-of-way. Wastewater service would need to be extended to the property at the developer's expense. There is however, a reimbursement agreement for the extension of wastewater service and upgrading of water lines that was approved by City Council in October 2023 as part of an economic development incentive. If the resolution setting the public hearing date is approved, the hearing will be held on January 16, 2024, and the annexation would be effective immediately if the ordinance and the accompanying annexation service agreement are approved. Due to recent changes in state annexation law, the annexation would not cause the City's extraterritorial jurisdiction to expand. Upon annexation, the property would be zoned AO, Agricultural-Open Space. To accommodate the proposed industrial uses, the developer has submitted a Planned Development District request.

E. DISCUSS PROCUREMENT OPTIONS FOR POLICE DEPARTMENT VEHICLE REPLACEMENTS, INCLUDING LEASING PROGRAM OPTIONS WITH ENTERPRISE FLEET MANAGEMENT.
Mr. Resendez stated that the City Council appropriated funding in the FY 2023 adopted budget for the procurement of six new police vehicles and associated radio and safety equipment. There are multiple options for procuring these vehicles - capital purchase, lease-purchase, or leasing program.

Chief Williamson provided information about the existing vehicles and their condition in the Lockhart Police Department.

There was discussion.

RECESS: Mayor White announced that the Council would recess for a break at 8:07 p.m.

<u>ITEM 1. CALL TO ORDER.</u>
Mayor Lew White called the meeting to order at 8:22 p.m.

<u>ITEM 2. INVOCATION, PLEDGE OF ALLEGIANCE.</u>
Mayor White 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.

Mike Halligan, 2466 FM 3148, Dale, Texas; expressed concerns regarding the homelessness population and a disconnect of community outreach and services available. He encouraged more be done to explore what services are available.

ITEM 4-A. HOLD A PUBLIC HEARING ON APPLICATION ZC-23-08 BY CAROLINE ECKERT WITH WUEST GROUP ON BEHALF OF LOCKHART 130 NORTH/SOUTH LTD AND DISCUSSION AND/OR ACTION TO CONSIDER ORDINANCE 2023-27 FOR A ZONING CHANGE FROM *RHD RESIDENTIAL HIGH DENSITY DISTRICT* TO *CHB COMMERCIAL HEAVY BUSINESS DISTRICT* ON A TOTAL OF 2.102 ACRES IN THE CORNELIUS CRENSHAW SURVEY, ABSTRACT NO. A-68, LOCATED AT 2500 WEST SAN ANTONIO STREET (SH 142).
Mayor White opened the public hearing at 8:28 p.m. and requested the staff background report.

Mr. Fowler stated that the requested zoning change is to allow for a larger commercially-zoned area on which a major convenience store with a fuel station could be located. The expansion of the CHB zoning is consistent with the future land use plan map. City water currently serves the site and the engineering plans to extend wastewater southward from the railroad tracks west of SH 130 have been approved. The site would have access to both the West San Antonio Street (SH 142) and southbound Cesar Chavez Parkway (SH 130) frontages. No correspondence has been received from the public regarding the proposed zoning change.

Mayor White requested the applicant to address the Council. Scott Wuest of Wuest Group offered to answer any questions regarding the project. There were none.

Mayor White requested citizens to address the Council. There were none. He closed the public hearing at 8:33 p.m.

Councilmember Michelson made a motion to approve Ordinance 2023-27, as presented. Councilmember Castillo seconded. The motion passed by a vote of 7-0.

6-E. CONSIDERATION AND ACTION ON PETITION FOR RELEASE OF 224.692 ACRES OF LAND FROM THE CITY'S ETJ BY CHISHOLM HILL, LP, WILLIAM J. MORGAN AND EDWARD D. MORGAN, PETITIONERS.
Mayor White announced, at the City Attorney recommendation, this item would be discussed later in the meeting during executive session.

6-F. CONSIDERATION AND ACTION TO AMEND THE CONSENT AGREEMENT FOR CREATION OF CLEAR FORK RANCH MUD (CALDWELL CO. MUD NO. 2) DATED JANUARY 16, 2019, FOR PERRY HOMES (JUNIPER SPRINGS) DEVELOPMENT.
Mayor White announced, at the City Attorney recommendation, this item would be discussed later in the meeting during executive session.

ITEM 5. CONSENT AGENDA.

Councilmember Lairsen stated he would like to complete a bidding process for cemetery grounds mowing and maintenance. There was discussion.

Mayor White announce the consent items would be voted on separately.

5-A. APPROVE RENEWAL OF THE CEMETERY GROUNDS MOWING AND MAINTENANCE AGREEMENT.

Councilmember Michelson made a motion to approve the renewal of the cemetery grounds moving and maintenance agreement, as presented. Mayor Pro-Tem Sancez seconded. The motion passed by a vote of 5-2 with Councilmembers Lairsen and Castillo opposing.

5B: ACCEPT SEMI-ANNUAL REPORT CONCERNING THE STATUS OF IMPLEMENTATION OF CHAPTER 31, "IMPACT FEES" OF THE CODE OF ORDINANCES, AND ADVISE OF THE NEED TO UPDATE THE ORDINANCE, LAND USE ASSUMPTIONS, CAPITAL IMPROVEMENT PLANS, OR IMPACT FEES.

Mayor Pro-Tem Sanchez made a motion to accept the semi-annual report, as presented. Councilmember Castillo seconded. The motion passed by a vote of 7-0.

ITEM 6-A. REVIEW OF A PETITION OF ANNEXATION FROM GEORGE KRONENBERG III ON BEHALF OF MCCORMICK RANCH PARTNERS, LP AND DISCUSSION AND/OR ACTION REGARDING RESOLUTION 2023-23, SETTING THE DATE FOR THE PUBLIC HEARING FOR THE ANNEXATION OF 53 ACRES OUT OF THE CRENSHAW CORNELIUS SURVEY, ABSTRACT 68. CALDWELL COUNTY, TEXAS, LOCATED ON THE SOUTH AND WEST SIDES OF FM 2001, APPROXIMATELY 1060 FEET NORTH OF SH 130.

Councilmember Lairsen made a motion to approve Resolution 2023-23, as presented. Councilmember Mendoza seconded. The motion passed by a vote of 7-0.

ITEM 6-B. DISCUSSION AND/OR ACTION REGARDING PROCUREMENT OPTIONS FOR POLICE DEPARTMENT VEHICLE REPLACEMENTS, INCLUDING LEASING PROGRAM OPTIONS WITH ENTERPRISE FLEET MANAGEMENT.

There was discussion regarding assignment of new vehicles and take-home vehicles.

Councilmember Michelson made a motion to approve replacement of vehicles through the Enterprise Management (EFM) lease program as presented. Councilmember Castillo seconded. The motion passed by a vote of 7-0.

ITEM 6-C. DISCUSSION AND/OR ACTION REGARDING THE NOMINATION OF JERRY HAUG TO THE HISTORICAL PRESERVATION COMMISSION BY COUNCILMEMBER JOHN LAIRSEN FOR A TERM TO EXPIRE IN NOVEMBER 2026.

There was discussion regarding the board appointment process.

CONSENSUS: After discussion, the consensus of the Council was to put this item on the next Council agenda for action.

ITEM 6-D. CONSIDERATION AND ACTION TO ADOPT ORDINANCE 2023-28 CREATING AN ANIMAL SHELTER ADVISORY BOARD.

Mr. Akers stated that at the Council meeting of December 5, 2023, Councilmember Lairsen proposed creation of an animal shelter advisory board. After discussion, staff was directed to bring back a report regarding options for such a board, a statement of its duties, and related issues. The draft ordinance provides compliance with city ordinances.

There was discussion.

CONSENSUS: After discussion, the consensus of the Council to move forward with the creation of an animal shelter advisory board and return with composition of the board and board responsibilities during the next meeting.

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

- Special City Council meeting will be held January 9, 2024 to discuss growth management issues regarding water and sewer utilities and transportation matters.
- City has received GFOA Recognition for Excellence in Financial Reporting for FY '21-'22.
- Downtown Revitalization Project Guide is now available.
- City's solid waste contractor, CTR, has been acquired by Republic Services.
- Live Christmas Tree recycling.
- City offices closed December 22 and December 25 for Christmas, and January 1 for the New Year.

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

Councilmember Mendoza wished everyone a Merry Christmas and Happy New Year.

Mayor Pro-Tem Sanchez thanked several organizations for their support of helping give Christmas to needy children during the holiday season. She expressed condolences to families that have lost a loved one. She wished everyone Happy Holidays.

Councilmember Lairsen congratulated the Gaslight-Baker Theater for their sold-out 2 performances. He wished everyone Happy Holidays.

Councilmember Castillo wished city employees a Happy Holiday. He thanked Monte Akers for his service as City Attorney and congratulated him on his retirement. He welcomed Mr. Bullock as the new City Attorney. He wished everyone good health.

Councilmember Michelson wished everyone Happy Holidays and congratulated Monte Akers on his retirement.

Mayor White wished everyone safe and Happy Holidays. He congratulated Monte Akers on his retirement.

ITEM 9. 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..

Mayor White announced that the Council would enter Executive Session at 9:30 p.m. to discuss the following:

A. Discussion with City Attorney regarding a petition for release of property from the extraterritorial jurisdiction of the City of Lockhart.
B. Receive legal advice regarding Consent Agreement for creation of Clear Fork Ranch MUD (Caldwell Co. MUD No. 2) dated January 16, 2019, for Perry Homes (Juniper Springs) development.

ITEM 10. OPEN SESSION

Mayor White announced that the Council would enter Open Session at 9:52 p.m. to consider the following:

A. Discussion and/or action regarding a petition for release of property from the extraterritorial jurisdiction of the City of Lockhart.
There was no action.

B. Discussion and/or action regarding Consent Agreement for creation of Clear Fork Ranch MUD (Caldwell Co. MUD No. 2) dated January 16, 2019, for Perry Homes (Juniper Springs) development.
Mayor Pro-Tem Sanchez made a motion to approve the Consent Agreement, as presented. Councilmember Lairsen seconded. The motion passed by a vote of 7-0.

ITEM 11. 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 9:55 p.m.

PASSED and APPROVED this the 18th day of February, 2025.

CITY OF LOCKHART

Lew White

Lew White, Mayor

CITY OF LOCKHART TEXAS

ATTEST:

Julie Bowermon

Julie Bowermon
City Secretary