

**REGULAR MEETING
LOCKHART CITY COUNCIL**

MARCH 19, 2024

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
Councilmember Jeffry Michelson

Mayor Lew White
Councilmember Brad Westmoreland
Councilmember John Lairsen
Mayor Pro-Tem Angie Gonzales-Sanchez

Staff present:

Steve Lewis, City Manager
Joseph Resendez, Assistant City Manager
Sean Kelley, Public Works Director
Erin Westmoreland, Municipal Court Manager
David Fowler, City Planner

Brad Bullock, City Attorney
Julie Bowermon, City Secretary
Randy Jenkins, Fire Chief
Bob Leos, Electric Superintendent
Gary Williamson, Police Chief

Citizens/Visitors Addressing the Council: Lockhart High School CTE members; Mike Brooks of BrooksWatson & Company; Citizens: Jessie Hernandez, Patsy Jervas, and April Hope.

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 A PROCLAMATION DECLARING MARCH 19, 2024 AS CESAR CHAVEZ FARM WORKER APPRECIATION DAY.

Mayor White presented a proclamation to members of the CTE Program of Lockhart High School.

B. PRESENTATION AND DISCUSSION OF THE CITY OF LOCKHART AND THE LOCKHART ECONOMIC DEVELOPMENT CORPORATION'S FISCAL YEAR 2022-23 ANNUAL COMPREHENSIVE FINANCIAL REPORT (ANNUAL FINANCIAL AUDIT) BY BROOKSWATSON & COMPANY, PLLC., AN INDEPENDENT PUBLIC ACCOUNTING FIRM.

Mr. Resendez stated that according to City of Lockhart's Home Rule Charter, Article 3, Section 3.14 - Audit of City books and accounts, the City shall have its records and accounts audited annually and shall have an annual financial statement prepared based on the audit. In addition, Section 3.14 states that the accountant shall not maintain or keep any of the city's accounts or records and shall not perform the city's annual audit for more than five years in succession. This is the third year for BrooksWatson & Company, PLLC to perform the City's annual audit. City staff is currently working with BrooksWatson & Company, PLLC to extend audit services through FYE 2025. This mutually desired agreement will be brought to City Council at a future meeting. BrooksWatson & Company, PLLC has issued an unqualified (clean) opinion. An unqualified opinion is presumed to be free from material misstatements and fairly represents its financial results, financial position, and cash flows. The Annual Comprehensive Financial Report for FYE 2023 includes three sections: Introduction, Financial, and Statistical. The transmittal letter is one of the legal requirements for the annual report that typically includes the local government's profile, provides

an economic update on the local economy, lists any major initiatives undertaken by the local government and states that the financial reports are management's responsibility. The financial section includes all necessary financial information, narratives explaining financials, and an auditor's report. The third section is the statistical section. It outlines financial trends, revenue capacity, debt capacity, demographic information and other operating indicators about the local government. The City has been awarded a Certificate of Achievement for Excellence in Financial Reporting from the Government Finance Officers Association (GFOA) for four consecutive years. The current Annual Comprehensive Financial Report for FYE 2023 will be submitted to the GFOA to determine eligibility for another certificate.

Mike Brooks of BrooksWatson & Company provided details about the completed annual financial audit.

C. DISCUSS ANNUAL REVIEW OF THE CITY OF LOCKHART EMERGENCY WARNING SYSTEM POLICIES WHICH INCLUDES THE OUTDOOR WARNING SIRENS (OWS) AND THE REGIONAL NOTIFICATION SYSTEM (RNS) IN PARTNERSHIP WITH THE CAPITAL AREA COUNCIL OF GOVERNMENTS (CAPCOG).

Chief Jenkins stated that severe weather is common in Central Texas from March through November. This includes the typical, peak severe thunderstorm and tornado months from March to June, and it includes the Atlantic hurricane season from June 1 to November 30. The purpose of this agenda item is to complete a routine annual review of the policy and make any needed amendments before the upcoming severe weather season. The current emergency warning system includes both outdoor and indoor warning methods. Outdoor Warning Sirens consisting of five (5) electro-mechanical rotating sirens strategically located throughout the city. The sirens are tested on the 1st Monday of each month at 1 p.m. and are maintained through an annual maintenance contract. Indoor warnings are managed through the CAPCOG Regional Notification System (WarnCentralTexas.org) which has been implemented for citizens to receive warnings and important information on phone (call or text), and computers (Email), to include automated weather warnings from the National Weather Service (NWS). Due to the age of the Outdoor Warning Sirens (2016), an upgrade to the server and software has been completed in 2024. A second manual activation control point was also added at dispatch. An upgrade to the battery chargers and batteries on three of the sites is also in progress. Outdoor Warning Sirens were activated once by staff on October 26, 2023, at 8:13 a.m. due to a tornado spotted on the ground by the Caldwell Co. Sheriff's Office and a Tornado Warning in Caldwell County issued by the NWS. The City of Lockhart currently has 13,062 contacts in WarnCentralTexas.org. There was discussion.

D. DISCUSS CITY COUNCIL MINUTES OF THE MARCH 21, 2023, APRIL 4, 2023, APRIL 18, 2023, AND MAY 2, 2023 MEETINGS.

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

E. DISCUSS A COST PARTICIPATION AND EASEMENT AGREEMENT WITH STICH INTERESTS, LLC FOR DEVELOPMENT OF A NEW WASTEWATER UTILITY EASEMENT AND AUTHORIZING CITY PARTICIPATION IN A PROJECT TO REPLACE AN AGING WASTEWATER LINE AT 519 WEST SAN ANTONIO STREET.

Mr. Kelley stated that the property at 519 West San Antonio Street has a public 8" and 6" wastewater line that serves residents along West San Antonio Street and was constructed over 60 years ago. This line is constructed of clay tile material and the manholes are constructed out of bricks, which was common at the time. While the line has not failed, it is in deteriorating condition and is in need of replacing. This was confirmed by both the property owner's plumber and the city inspecting the line with cameras. The property owner of 519 West San Antonio Street expressed concern about the line's condition and formally

requested the City's participation in the replacement of the wastewater line, since they have plans on developing the property and the existing condition of the pipeline may not withstand heavy equipment developing the site. Furthermore, at the time of the wastewater line's construction, the line was placed on the property, but no easement was granted. If the Council authorizes participation in the 8" Wastewater Line Replacement project, approximately 195' of 8" wastewater main will be replaced, two new concrete manholes will be installed, the crossing of the dry creek will be replaced, approximately 50 ft of 6" wastewater main will be oversized to an 8" wastewater main, improving flow, and a 275' by 15' utility easement will be dedicated to the City. The newly granted easement will also resolve an issue with the current alignment of the wastewater line that traverses diagonally through the property and will create a future opportunity to realign the portions of the wastewater main that currently go through the service station property west of the subject property. By entering this agreement, the City agrees to purchase the new easement at a cost of \$6,512.34, contribute up to half of the cost of construction of the new 8" wastewater main at a cost not to exceed \$12,615, and contribute the cost of oversizing 50' of 6" wastewater main to an 8" main. The developer, Stich Interests, LLC, will be responsible for coordinating the installation of the new wastewater line and dedicating the 275' by 15' public utility easement. During the construction, the City will conduct inspections of the new utility to ensure the utility meets all City Construction Standards. Upon satisfaction of completion and conveyance of the easement, the City shall pay its share as stated in the agreement.

F. DISCUSS INTERLOCAL COOPERATION CONTRACT WITH TEXAS DEPARTMENT OF PUBLIC SAFETY FOR THE FAILURE TO APPEAR PROGRAM (OMNI BASE.)

Ms. Westmoreland stated that the current contract with the Department of Public Safety was signed in February of 2020. This contract allows the court to add and collect \$10 on cases that went into the OMNI system. This program allows the court to put a hold on and prevent offenders from renewing their drivers license until they complete their obligations with the court.

G. DISCUSS AGREEMENT WITH TECHLINE CONSTRUCTION, LLC FOR PROJECT 5B AS PART OF THE CITY OF LOCKHART'S FIVE-YEAR SYSTEM STUDY AND CAPITAL PLAN AS PREPARED BY THE LOWER COLORADO RIVER AUTHORITY (LCRA).

Mr. Leos stated that Techline Construction is the Lower Colorado River Authority's (LCRA) preferred contractor for projects because they are experienced with high voltage line repairs. Techline has conducted the majority of LCRA projects for the City of Lockhart since 1995. Project #5B is a "System Rehabilitation" project and part of the LCRA's five-year system study that will replace single strand copper conductor. These conductors have been shown to become brittle and break with age, causing outages. Project #5B will rebuild approximately 3,200 ft of power line on circuit LK30, along Pecos from Ash and connecting to circuit LK20 at China. Project 5A was approved at the January 2, 2024 Council meeting and near completion. Project 5C is anticipated to be completed in 2024. The project will begin in the second quarter of 2024 with an estimated completion date of the third quarter of 2024. Labor for Project #5B is an estimated total of \$215,200.00, and not to exceed \$221,000.00.

H. DISCUSS RESOLUTION 2024-09, DECLARING INTENT TO SEEK CERTIFICATION FROM THE INTERNATIONAL DARK SKY ASSOCIATION AND TO REGULATE OUTDOOR LIGHTING IN ACCORDANCE WITH THE REQUIREMENTS OF SECTION 3000.002 OF THE TEXAS LOCAL GOVERNMENT CODE.

Mr. Fowler stated that in 2021 the Texas Legislature passed an amendment to Section 3000.002 of the Local Government Code prohibiting cities from passing lighting ordinances restricting the use of any lighting fixture that is permitted in the International Building Code unless a city applies to the International

Dark Sky Association for review and approval of the lighting ordinance. This resolution will direct staff to apply for dark sky certification of the City's lighting ordinance passed in February 2024, thus satisfying the requirement. The certification process as outlined by the Dark Sky Association should take 1-3 years to complete. Depending upon the outcome of the Dark Sky review, some revisions to the recently passed ordinance may have to be made for the City to obtain certification. However, due to the resolution directing City staff to work to obtain certification, the ordinance will remain valid in the interim while the ordinance is under Dark Sky review.

I. DISCUSS ORDINANCE 2024-08 REGULATING SEXUAL OFFENDERS FROM LOITERING OR ESTABLISHING RESIDENCY AROUND LOCATIONS WHERE CHILDREN REGULARLY CONGREGATE.

Chief Williamson stated that there are currently about 35 Registered Sex Offenders living in Lockhart. The number grows every year. They are classified as low, moderate and high-risk offenders. While these offenders are on Parole or Probation, they must live with restrictions designed to help them not re-offend. Once they are off of Parole and Probation, the restrictions are lifted. Law enforcement has no authority where sex offenders, off of probation or parole, live or loiter. The Lockhart Police Department has received requests from local citizens to implement an ordinance to regulate sex offenders, such as has been done in other cities. Studies have shown that the recidivism rate for individuals required to register as sex offenders whose offenses were committed against children is alarmingly high based on a study performed by the U.S. Department of Justice, Office of Justice Programs, entitled "Recidivism of Adult Sex Offenders." The ordinance creates Child Safety Zones, places where children 17 years of age or younger congregate. The ordinance prohibits registered sex offenders from loitering within 300 feet or residing within 1,500 feet of a Child Safety Zone. Exceptions have been included for those who already have an established residence within 1,500 feet of a Child Safety Zone and for those conducting legitimate business within the child safety zone. The residence within the Child Safety Zone can be changed, if the Council desires. There was discussion.

J. DISCUSS RESOLUTION 2024-10 TO SELECT A GRANT ADMINISTRATION SERVICE PROVIDER TO COMPLETE AN APPLICATION AND WITH FUNDING, PROJECT IMPLEMENTATION FOR THE GENERAL LAND OFFICE (GLO) CDBG-MIT METHOD OF DISTRIBUTION PROJECT AND AUTHORIZE THE CITY MANAGER TO SIGN CONTRACT WITH SELECTED FIRM.

Mr. Resendez stated that city staff issued a Request for Proposals (RFP) for professional grant administration services on February 1st, 2024 with an application deadline of February 15th, 2024. These proposals were solicited to procure a grant administration firm to assist the City in the application, implementation, and administration of the proposed waterline replacement project submitted to the Texas General Land Office (GLO) for consideration. Staff received four responses from the following grant administration service providers (alphabetical): Community Development Management Co., Langford Community Management Services (LCMS), GrantWorks, and Public Management, Inc (PMI). Each proposal was reviewed and scored by a three-person committee. Based on these results, staff is recommending a contract with Langford Community Management Services (LCMS). Based in Liberty Hill and serving Texas communities since 1983, LCMS has extensive experience with state and federal grant projects. They are a Woman Owned Business Enterprise (WBE) and a Certified Historically Underutilized Business (HUB) with the Texas Secretary of State's office. Staff have also been advised the designated personnel from LCMS assigned to our project have previous work experience as a former employee of the General Land Office (GLO) and will be on-site during pre-construction meetings to coordinate with engineering and the selected construction contractor. City Council approved a final

project scope and cost estimate for a proposed waterline replacement project at the February 6, 2024, Council meeting. The proposed project includes the replacement of 6 fire hydrants, 18 Isolations/gate valves, and 3,300 linear feet (LF) of 8" waterline. Further, this proposed project completes required utility line upgrades for the Blanco Street Bridge/TxDOT project and prepares the underlying utilities for future street overlay project consideration. 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. The public participation period began on February 9, 2024 and closed February 23, 2024. Postings to the city website and City Hall notification board were made available for public review. City Council also held a public hearing at the February 20, 2024 Council meeting as an opportunity for public input. Staff did not receive any public comments during this period. GLO funds have been appropriated to the City for eligible projects. However, an application must be submitted to access this funding.

K. DISCUSS RESOLUTION 2024-11 TO SELECT AN ENGINEERING FIRM TO ASSIST IN THE PROJECT IMPLEMENTATION INCLUDING DESIGN AND CONSTRUCTION OVERSIGHT FOR THE GENERAL LAND OFFICE (GLO) CDBG-MIT METHOD OF DISTRIBUTION PROJECT AND AUTHORIZE THE CITY MANAGER TO COMPLETE NEGOTIATIONS WITH SELECTED FIRM AND SIGN CONTRACT.

Mr. Resendez stated that city staff issued a Request for Qualifications (RFP) for engineering services on February 1, 2024 with an application deadline of February 15, 2024. These statements of qualification (SOQ) were solicited to procure an engineering services firm to assist the City in the application and implementation of the proposed waterline replacement project submitted to the Texas General Land Office (GLO) for consideration. Staff received four responses from the following engineering services firm (alphabetical): Doucet & Associates, Inc. (Doucet), KSA, Rakowitz Engineering & Surveying, and Schaumburg & Polk, Inc. (SPI). Each SOQ was reviewed and scored by a three-person committee. Based on these results, staff is recommending a contract with Doucet & Associates, Inc. (Doucet). Based in Austin and founded in 1992, Doucet has extensive experience with Central Texas municipal and county clients on drainage, transportation, water, and wastewater projects. Many of these previous regional projects also involved grant funding through the CDBG-Disaster Recovery (DR) and CDBG-Mitigation (MIT) programs. Previously, Doucet was the project engineer for the Lockhart Industrial Park III Utility Improvements. City Council approved a final project scope and cost estimate for a proposed waterline replacement project at the February 6th, 2024, Council meeting. The proposed project includes the replacement of 6 fire hydrants, 18 Isolations/gate valves, and 3,300 linear feet (LF) of 8" waterline. Further, this proposed project completes required utility line upgrades for the Blanco Street Bridge/TxDOT project and prepares the underlying utilities for future street overlay project consideration. 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. The public participation period began on February 9, 2024 and closed February 23, 2024. Postings to the city website and City Hall notification board were made available for public review. City Council also held a public hearing at the February 20, 2024 Council meeting as an opportunity for public input. Staff did not receive any public comments during this period. GLO funds have been appropriated to the City for eligible projects. However, an application must be submitted to access this funding.

RECESS: Mayor White announced that the Council would recess for a break at 7:40 p.m.

ITEM 1. CALL TO ORDER.

Mayor Lew White called the meeting to order at 7:55 p.m.

ITEM 2. INVOCATION, PLEDGE OF ALLEGIANCE.

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.

Jessie Hernandez, 603 Pecan Street, provided information about his experience with the Planning Department in regards to noise complaints during the First Friday events and that he was told that his location of business is not within the downtown area to be able to host First Friday events.

Patsy Jevas, 900 Silent Valley Road, expressed concern about rapid gun shots coming from the direction of the railroad tracks. She stated that several animals have been shot due to the rapid gun shots. She requested assistance from the Lockhart Police Department to help with safety concerns and to eliminate the gun shots.

April Hope, 606 Bois D'arc, requested assistance with transportation options out of town for doctor appointments.

ITEM 4. CONSENT AGENDA.

Mayor Pro-Tem Sanchez made a motion to approve consent agenda items 4A and 4B. Councilmember Castillo seconded. The motion passed by a vote of 7-0.

The following are the consent agenda items that were approved:

- 4A: Approve City Council minutes of the March 21, 2023, April 4, 2023, April 18, 2023, and May 2, 2023 meetings.
- 4B: Approve Interlocal Cooperation Contract with Texas Department of Public Safety for the Failure to Appear Program (OMNI base.)

ITEM 5-A. PRESENTATION, DISCUSSION AND/OR ACTION OF THE CITY OF LOCKHART AND THE LOCKHART ECONOMIC DEVELOPMENT CORPORATION'S FISCAL YEAR 2022-23 ANNUAL COMPREHENSIVE FINANCIAL REPORT (ANNUAL FINANCIAL AUDIT) BY BROOKSWATSON & COMPANY, PLLC., AN INDEPENDENT PUBLIC ACCOUNTING FIRM.

Councilmember Michelson made a motion to approve the Annual Comprehensive Financial Report, as presented. Councilmember Westmoreland seconded. The motion passed by a vote of 7-0.

ITEM 5-B. DISCUSSION AND/OR ACTION TO ENTER A COST PARTICIPATION AND EASEMENT AGREEMENT WITH STICH INTERESTS, LLC FOR DEVELOPMENT OF A NEW WASTEWATER UTILITY EASEMENT AND AUTHORIZING CITY PARTICIPATION IN A PROJECT TO REPLACE AN AGING WASTEWATER LINE AT 519 WEST SAN ANTONIO STREET.

Mayor Pro-Tem Sanchez made a motion to approve a cost participation and easement agreement with Stich Interests, LLC, as presented. Councilmember Lairsen seconded. The motion passed by a vote of 7-0.

ITEM 5-C. DISCUSSION AND/OR ACTION TO CONSIDER AN AGREEMENT WITH TECHLINE CONSTRUCTION, LLC FOR PROJECT 5B AS PART OF THE CITY OF LOCKHART'S FIVE-YEAR SYSTEM STUDY AND CAPITAL PLAN AS PREPARED BY THE LOWER COLORADO RIVER AUTHORITY (LCRA).

Councilmember Michelson made a motion to approve the agreement with Techline Construction for Project 5B, as presented. Mayor Pro-Tem Sanchez seconded. The motion passed by a vote of 7-0.

ITEM 5-D. DISCUSSION AND/OR POSSIBLE ACTION ON RESOLUTION 2024-09, DECLARING INTENT TO SEEK CERTIFICATION FROM THE INTERNATIONAL DARK SKY ASSOCIATION AND TO REGULATE OUTDOOR LIGHTING IN ACCORDANCE WITH THE REQUIREMENTS OF SECTION 3000.002 OF THE TEXAS LOCAL GOVERNMENT CODE.

Councilmember Lairsen made a motion to approve Resolution 2024-09, as presented. Councilmember Westmoreland seconded. The motion passed by a vote of 6-1, with Councilmember Mendoza opposing.

ITEM 5-E. DISCUSSION AND/OR ACTION TO CONSIDER ORDINANCE 2024-08 REGULATING SEXUAL OFFENDERS FROM LOITERING OR ESTABLISHING RESIDENCY AROUND LOCATIONS WHERE CHILDREN REGULARLY CONGREGATE.

Mayor Pro-Tem Sanchez made a motion to approve Ordinance 2024-08 with the Child Safety Zone distance to be a 2,000 foot boundary. Councilmember Lairsen seconded. The motion passed by a vote of 7-0.

ITEM 5-F. DISCUSSION AND/OR POSSIBLE ACTION ON RESOLUTION 2024-10 TO SELECT A GRANT ADMINISTRATION SERVICE PROVIDER TO COMPLETE AN APPLICATION AND WITH FUNDING, PROJECT IMPLEMENTATION FOR THE GENERAL LAND OFFICE (GLO) CDBG-MIT METHOD OF DISTRIBUTION PROJECT AND AUTHORIZE THE CITY MANAGER TO SIGN CONTRACT WITH SELECTED FIRM.

Councilmember Michelson made a motion to approve Resolution 2024-10, as presented. Councilmember Westmoreland seconded. The motion passed by a vote of 7-0.

ITEM 5-G. DISCUSSION AND/OR POSSIBLE ACTION ON RESOLUTION 2024-11 TO SELECT AN ENGINEERING FIRM TO ASSIST IN THE PROJECT IMPLEMENTATION INCLUDING DESIGN AND CONSTRUCTION OVERSIGHT FOR THE GENERAL LAND OFFICE (GLO) CDBG-MIT METHOD OF DISTRIBUTION PROJECT AND AUTHORIZE THE CITY MANAGER TO COMPLETE NEGOTIATIONS WITH SELECTED FIRM AND SIGN CONTRACT.

Councilmember Lairsen made a motion to approve Resolution 2024-11, as presented. Councilmember Castillo seconded. The motion passed by a vote of 7-0.

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

- Police Lieutenant promotional exam will be held March 20, 2024.
- KidFish at City Park rescheduled to March 23rd at 9:00 a.m. - 12:00 p.m.
- Citywide Spring Clean Up Program on Saturday, March 23, 2024.
- Splash pads are scheduled to open March 30, 2024.
- Animal Shelter Improvements Update.

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

Councilmember Mendoza wished everyone good luck during the KidFish event.

Mayor Pro-Tem Sanchez expressed condolences to the family of Edna Roland for their loss. She congratulated the Hispanic Chamber for their successful event and to the Lockhart ISD for new Elementary School No. 6. She congratulated the Lockhart Electric Department for being awarded the business of the year through the Hispanic Chamber.

Councilmember Lairsen congratulated the Hispanic Chamber for a successful banquet, the Lockhart ISD for beginning the planning of the new Elementary School, and the Gaslight Baker Theatre for their upcoming events.

Councilmember Castillo congratulated the Hispanic Chamber for a successful banquet. He wished the Fur Ball event success this weekend. He thanked city staff.

Councilmember Michelson congratulated the Hispanic Chamber for a successful banquet. He thanked city employees.

Mayor White congratulated the Hispanic Chamber for a successful banquet. He stated that the prison Warden offered a tour of the facility to Councilmembers.

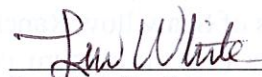
ITEM 8. ADJOURNMENT

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 8:30 p.m.

PASSED and APPROVED this the 4th day of 2025.



CITY OF LOCKHART


Lew White, Mayor

ATTEST:


Julie Bowermon
City Secretary