

**REGULAR MEETING
LOCKHART CITY COUNCIL**

JULY 2, 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

Mayor Lew White
Councilmember Brad Westmoreland
Councilmember Jeffry Michelson

Council absent:

Councilmember John Lairsen
Mayor Pro-Tem Angie Gonzales-Sanchez

Staff present:

Steve Lewis, City Manager
Joseph Resendez, Assistant City Manager
David Fowler, Planning Director
Gary Williamson, Police Chief

Brad Bullock, City Attorney
Julie Bowermon, City Secretary
Sean Kelley, Public Works Director

Citizens/Visitors Addressing the Council: Gary Dickinson of the Lockhart Farmers Market; and, Jack Meredith, Natalie Roberts and other representatives of Masonwood Development.

Work Session 6:30 p.m.

Mayor White announced that Mayor Pro-Tem Sanchez and Councilmember Lairsen will not be present at 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. DISCUSSION AN AMENDMENT TO THE INTERLOCAL COOPERATION AGREEMENT BETWEEN CALDWELL COUNTY AND THE CITY OF LOCKHART TO AMEND THE HOURS OF OPERATION OF THE FARMERS AND ARTISANS MARKET OF LOCKHART.

Mr. Kelley stated that in March 2021, Caldwell County and the City of Lockhart entered into an Interlocal Cooperation Agreement (ILA) regarding the Lockhart Farmers Market being held on the downtown Square on Saturdays. The original agreement provided that the hours of the Market operations on the Square on Saturdays from 8:00am until 1:00pm with setup beginning at 7:30am, and all vendors shall be gone by 1:30pm. On July 6, 2021, City Council approved an amendment to the ILA, extending the hours by one hour, to allow the Market to operate on the Square on Saturdays from 8:00am to 2:00pm, with setup beginning at 7:30am and the vendors to be gone by 2:30pm. Similarly, a request by the Market's "Sponsor", the Farmers and Artisans Market of Lockhart, was received at the last City Council meeting during public comments by the Market's president. The request made was to extend the Market's hours by an additional 30-minutes. The president has stated that a majority of the downtown businesses have been polled and support a 30-minute extension to the closing time of the Market. If approved, all the other terms of the original ILA would remain in effect.

Gary Dickinson, Seawillow Road, of the Lockhart Farmers Market, stated that there are many visitors that want to visit the downtown businesses and the Farmers Market after eating lunch about 2:00 p.m. He stated that he believes that closing the Market at 2:30 p.m. would give the visitors time to shop.

There was discussion.

B. DISCUSS FUNDING ALLOCATIONS FOR NON-PROFIT AND SPECIAL INTEREST ORGANIZATIONS REQUESTING FUNDING FOR AN ANNUAL CONTRIBUTION FROM THE CITY OF LOCKHART FOR FISCAL YEAR 2024-2025.

Mr. Resendez stated that on June 18, 2024, the following Non-Profit Organizations presented their funding requests for Fiscal Year 2024-2025 (FYE 2025) to the City Council:

- Caldwell County Food Bank - \$5,000
- Ascension Seton Hays Foundation Care-A-Van - \$5,000
- CASA of Central Texas - \$12,000
- Combined Community Action - Meals on Wheels - \$8,000
- Hays-Caldwell Women's Center - \$10,000
- Lockhart Area Senior Citizen Center - \$4,000
- Take Me Home - Advocates for Transport - \$5,000

He stated that the Capital Area Rural Transportation System (CARTS) FYE 2025 is requesting funding in the amount of \$40,000 and the allocation to CARTS will be discussed at a future Council meeting as well as consideration of amending the current Interlocal Agreement (ILA).

The total amount of requests for contributions from the non-profit organizations totals \$49,000, without CARTS' funding request.

C. DISCUSS ADOPTING A PROFESSIONAL SERVICES AGREEMENT BETWEEN THE CITY AND MASONWOOD DEVELOPMENT GROUP TO REIMBURSE THE CITY FOR PROFESSIONAL FEES INCURRED RELATING TO THE CONSIDERATION OF THE EVERLY PROJECT.

Mr. Fowler stated that the City is working with Masonwood Development's Everly project regarding the creation of a Public Improvement District which will be funded through assessments against the benefitted property in the PID, which may include the issuance of PID bonds. This Professional Services Agreement, also known as an Escrow Agreement, provides that the City's costs for consultants including, but not limited to, engineering, legal, bond counsel and PID administration, will be paid by the developer, commencing with a payment of \$20,000, 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. The proposed development would be located on approximately 156 acres of land immediately west of the city limits, south of Borchert Loop and north of Maple Street/Boggy Creek. It is anticipated that the property will be annexed into the City and will be served by City water and sewer. The development is expected to be composed solely of single-family homes, with some park and amenity facilities on site. Correspondence with City staff has indicated that the development should have over 500 residential units.

Jack Meredith, Natalie Roberts and other representatives of Masonwood Development provided details about the proposed development and there was discussion regarding the following:

- Thematic design
- Engineering
- Private and public use amenities

D. PRESENTATION BY POLICE CHIEF WILLIAMSON REGARDING HOMELESSNESS IN THE COMMUNITY.

Chief Williamson stated that in December 2023 and January 2024, the City met with community organizations and citizens concerning the homeless issue within Lockhart. The purpose of the meetings were to begin discussion of the homeless issue within the City. The first meeting included faith-based organizations, Blue Bonnet Trails Community Services (mental health provider) and Texas Workforce Solutions. The next meeting included business owners in the downtown business district. With the continued growth of Lockhart and tougher economic times, the City is receiving more complaints from the community concerning the homeless issue. While we need to be compassionate for those that are the least among us, we must also try to manage the homeless issue within the city. On June 28, 2024, the U.S. Supreme Court decided a case where the ruling allows local governments to enforce public-camping ordinances, with the Supreme Court highlighting the need for cities to have the flexibility to address homelessness while ensuring public safety and order.

He provided information and there was discussion regarding the following:

- What is homelessness?
- Homeless statistics.
- Current city ordinances about homelessness.
- State laws about homelessness.
- Effectiveness of homelessness on a city.
- Preliminary assessment by the Lockhart Police Department.
- Focus group meetings about homelessness.
- Strategies used to reduce homelessness.

There was discussion about homelessness in the community and about considering a Homelessness Assistance Program.

There was discussion about considering allocating funds in the next budget for overtime wages for the Lockhart Police Department to allow for research and consideration of implementing an Outreach Program for homelessness issues.

E. 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 October 2023-March 2024. New impact fee studies for water-wastewater and roads were adopted on May 2, 2023. As such, the most recent reporting period reflects a move towards predominantly collecting at new impact fee rates as existing projects have continued building but more new projects have begun construction. The vast majority of the fees were received

from the over 255 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 are only slightly down from the previous period, resulting in a record balance for the four accounts.

RECESS: Mayor White announced that the Council would recess for a break at 7:35 p.m.

ITEM 1. CALL TO ORDER.

Mayor Lew White called the meeting to order at 7:58 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. There were none.

ITEM 4-A. HOLD A PUBLIC HEARING, DISCUSSION, AND/OR ACTION REGARDING ORDINANCE 2024-14, PROPOSING AMENDMENTS TO CHAPTER 64 "ZONING" OF THE LOCKHART CODE OF ORDINANCES, AS FOLLOWS: AMEND ARTICLE I "IN GENERAL", SECTION 64-2 "DEFINITIONS", AND ARTICLE VII "ZONING DISTRICTS AND STANDARDS", SECTION 64-196 "ESTABLISHMENT OF ZONING DISTRICTS," TO ADD ADDITIONAL ZONING USE DEFINITIONS AND ASSIGN NEWLY-DEFINED USES TO EXISTING ZONING DISTRICTS.

Mayor White opened the public hearing at 8:00 p.m. and requested the staff background report.

Mr. Fowler stated that the proposed amendments to the zoning code are proposed to address the lack of definitions for numerous land uses and other terms used in Chapter 64. The proposed amendment also adds several important land uses that were not included in the zoning ordinance, adds or replaces two illustrations of zoning terms, and provides a comprehensive land use table. The proposed text amendments are designed to have the effect of making the zoning ordinance more conclusive and easier to understand.

Mayor White requested citizens in favor of or against the zoning text amendment to address the Council. There were none. He closed the public hearing at 8:07 p.m.

Councilmember Michelson made a motion to approve Ordinance 2024-14, as presented. Councilmember Westmoreland seconded. The motion passed by a vote of 5-0.

ITEM 5-A. DISCUSSION AND/OR ACTION TO CONSIDER AN AMENDMENT TO THE INTERLOCAL COOPERATION AGREEMENT BETWEEN CALDWELL COUNTY AND THE CITY OF LOCKHART TO AMEND THE HOURS OF OPERATION OF THE FARMERS AND ARTISANS MARKET OF LOCKHART.

Councilmember Westmoreland made a motion to approve the amendment to the Interlocal Cooperation Agreement with the Farmers and Artisans Market of Lockhart, as presented. Councilmember Mendoza seconded. The motion passed by a vote of 5-0.

ITEM 5-B. DISCUSSION AND/OR ACTION REGARDING FUNDING ALLOCATIONS FOR NON-PROFIT AND SPECIAL INTEREST ORGANIZATIONS REQUESTING FUNDING FOR AN ANNUAL CONTRIBUTION FROM THE CITY OF LOCKHART FOR FISCAL YEAR 2024-2025.

Councilmember Michelson made a motion to approve allocation of funds as listed below. Councilmember Westmoreland seconded. The motion passed by a vote of 5-0.

Caldwell County Food Bank - \$5,000
Ascension Seton Hays Foundation Care-A-Van - \$5,000
CASA of Central Texas - \$12,000
Combined Community Action - Meals on Wheels - \$8,000
Hays-Caldwell Women's Center - \$10,000
Lockhart Area Senior Citizen Center - \$4,000
Take Me Home - Advocates for Transport - \$5,000

ITEM 5-C. DISCUSSION AND/OR ACTION TO CONSIDER ADOPTING A PROFESSIONAL SERVICES AGREEMENT BETWEEN THE CITY AND MASONWOOD DEVELOPMENT GROUP TO REIMBURSE THE CITY FOR PROFESSIONAL FEES INCURRED RELATING TO THE CONSIDERATION OF THE EVERLY PROJECT.

Councilmember Mendoza made a motion to approve the Professional Services Agreement with Masonwood Development Group, as presented and to approve Exhibits A and B as included in the City Council agenda packet. Councilmember Castillo seconded. The motion passed by a vote of 5-0.

ITEM 5-D. DISCUSSION AND/OR ACTION REGARDING PRESENTATION BY POLICE CHIEF WILLIAMSON REGARDING HOMELESSNESS IN THE COMMUNITY.

Councilmember Westmoreland made a motion to approve the Lockhart Police Department to establish a Community Response team amongst the Police Officers and appropriate staff. Funding of the team to be discussed during the budget session. Councilmember Mendoza seconded. The motion passed by a vote of 5-0.

ITEM 5-E. DISCUSSION AND CONSIDERATION TO ACCEPT THE 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.

Councilmember Michelson made a motion to accept the semi-annual report, as presented. Councilmember Mendoza seconded. The motion passed by a vote of 5-0.

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

- Update on Caldwell County's Capital Improvement Plan Open Houses: June 29 and July 2.
- Fireworks Extravaganza at City Park on July 3.
- July 5 – First Friday event.
- Update on TXDOT's plans for FM 2720 improvements.
- Update regarding Rise Broadband fiber construction project.
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- Update regarding TXDOT Aviation's upcoming runway/taxiway resurfacing project at the Lockhart Municipal Airport.
- Movies in the Park – Saturday, July 13.

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

Councilmember Westmoreland wished everyone a good time at the fireworks show.

Councilmember Mendoza stated that he attended the informative Caldwell County's capital improvements program meeting. He reminded citizens to keep their pets indoors during the fireworks event.

Councilmember Castillo wished the Lockhart Chamber good luck for another successful fireworks event. He thanked the Editor of the Post-Register for publishing clarification about his comments about the Election process. He thanked citizens for their support in his efforts to stand up for the citizens. He wished everyone a safe 4th of July holiday.

Councilmember Michelson wished everyone a happy and safe 4th of July holiday.

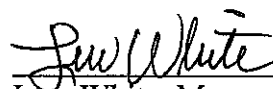
Mayor White reminded citizens that free box fans are still available for senior citizens at City Hall. He wished everyone a safe 4th of July holiday and invited everyone to attend the fireworks event.

ITEM 8. ADJOURNMENT

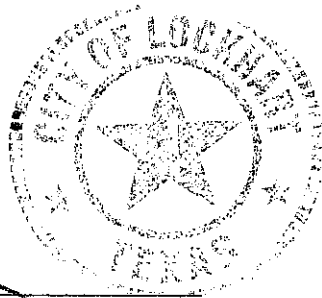
Councilmember Mendoza made a motion to adjourn the meeting. Councilmember Westmoreland seconded. The motion passed by a vote of 5-0. The meeting was adjourned at 8:30 p.m.

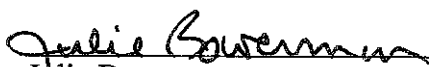
PASSED and APPROVED this the 3rd day of June, 2025.

CITY OF LOCKHART


Lew White, Mayor

ATTEST:




Julie Bowermon
City Secretary