

**REGULAR MEETING  
LOCKHART CITY COUNCIL**

**AUGUST 18, 2020**

**6:30 P.M.**

**CLARK LIBRARY ANNEX-COUNCIL CHAMBERS, 217 SOUTH MAIN STREET, 3<sup>rd</sup> FLOOR,  
LOCKHART, TEXAS**

**Council present:**

Mayor Pro-Tem Angie Gonzales-Sanchez  
Councilmember Juan Mendoza  
Councilmember Jeffry Michelson

Mayor Lew White  
Councilmember Derrick David Bryant  
Councilmember Kara McGregor  
Councilmember Brad Westmoreland

**Staff present:**

Steven Lewis, City Manager  
Monte Akers, City Attorney  
Julie Bowermon, Civil Service/HR Director  
Mike Kamerlander, Economic Development Dir.

Connie Constancio, City Secretary  
Miles Smith, Public Information Officer  
Sean Kelley, Public Works Director  
Dan Gibson, City Planner

**Citizens/Visitors Addressing the Council:** In Person - Steffen Waltz of Dominion Advisors; Blayne Stansberry of Stansberry Engineering; Nicole Burnett of Golden Age Home; Fermin Islas, Frank Sanchez; and, Delia Sanchez, Citizens; and, Virtual - Nancy Berkley and Angele Yazbec of Evergreen Solutions

**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**

**B. DISCUSS MINUTES OF THE CITY COUNCIL MEETINGS OF JULY 27, 2020, JULY 28, 2020, AND AUGUST 4, 2020.**

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

**C. DISCUSSION REGARDING SETTING THE 2020 COMBINED MAINTENANCE AND OPERATION AND INTEREST AND SINKING PROPOSED PROPERTY TAX RATE FOR THE CITY OF LOCKHART. IF THE PROPOSED TAX RATE EXCEEDS EITHER THE NO NEW REVENUE RATE OR VOTER APPROVAL RATE (WHICHEVER IS LOWER), A RECORD VOTE MUST BE TAKEN TO PLACE A PROPOSAL TO ADOPT THE RATE ON THE AGENDA OF A FUTURE COUNCIL MEETING. IF MOTION PASSES, COUNCIL MUST SCHEDULE AND ANNOUNCE THE DATE, TIME, AND LOCATION OF ONE PUBLIC HEARING REGARDING THE PROPOSED TAX RATE SET BY COUNCIL.**

Ms. Larison stated that the action taken by Council is required by the State for adherence with the Truth-in-Taxation laws. Because Senate Bill 2 has limited the percentage increase from "No New Revenue" to "Voter Approval" rates by 3.5% (past years was 8%), the City's options to increase the tax rate are now limited to 1.23 cents. If the City Council were to choose to set the tax rate at the "No New Revenue" rate in Fiscal Year 2020-2021, then the option to "bank" the unused incremental rate and use it within the next three years. However, the 3-year look back cannot exceed 5 cents. If the Council chooses to set the tax rate over the "No New Revenue" rate, a record vote will need to be taken and the date and time of a public hearing will be announced to be held on September 1, 2020 at 7:30 p.m. in the Council Chambers located at the Clark Library Annex-Council Chambers, 217 South Main Street, Lockhart, Texas. A record vote will need to be taken today regarding the proposed tax rate. There was discussion.

**D. DISCUSS GUIDELINES AND ELIGIBILITY REQUIREMENTS FOR IMPLEMENTING THE EMERGENCY UTILITY BILL RELIEF GRANT PROGRAM TO ASSIST CITY OF LOCKHART'S INSIDE-CITY RESIDENTIAL UTILITY CUSTOMERS WHO ARE EXPERIENCING FINANCIAL HARDSHIPS DUE TO COVID-19 PANDEMIC TO PAY THEIR CITY OF LOCKHART PROVIDED UTILITY SERVICES BILL FOR THE MONTHS OF MARCH 2020, APRIL 2020, MAY 2020, AND JUNE 2020.**

Ms. Larison stated that on April 22, 2020, the U.S. Department of Treasury issued guidance to State and Local Governments on the Coronavirus Relief Fund, under the CARES/CRF. Lockhart is eligible to receive up to \$753,895 and has received 20% upfront funding (\$152,779). One criterion listed under the CARES/CRF, is economic support expense. This expense item allows the City to form an Emergency Utility Bill Relief Program. The City of Lockhart has declared that the City's utility services are considered essential services to meet basic public health, sanitation, welfare, and public safety needs of its residents. Under this special utility bill assistance grant program, if an inside-City residential customer meets the program eligibility requirements, the Emergency Utility Bill Relief Grant will assist in paying for the customer's City of Lockhart utility bills for the months of March, April, May and June of 2020.

**A. PRESENTATION AND DISCUSSION WITH EVERGREEN SOLUTIONS REGARDING THE 2020 CITY OF LOCKHART CLASSIFICATION AND COMPENSATION STUDY.**

Ms. Bowermon stated that the adopted City of Lockhart 2019-2020 Strategic Priorities identified the need for a classification and compensation study. In the Fiscal Year 2019-2020 budget, Council approved a one-time expenditure for a classification and compensation study. Evergreen Solutions was selected to conduct the study. The study began in late January, and after enduring delays due to the COVID-19 pandemic, Evergreen Solutions has completed the study and findings. She introduced Nancy Berkley and Angele Yazbec of Evergreen Solutions.

Nancy Berkley and Angele Yazbec provided information and there was discussion regarding the following topics of the classification and compensation study:

- Study basics.
- Study process.
- Employee outreach.
- Current conditions.
- Compensation philosophy.
- Classification, compensation and benefits review.
- Proposed pay plans for all employees (civil service and non-civil service).
- Implementation for both civil service and non-civil service employees.
- Estimated annualized salary costs.

RECESS: Mayor White announced that the Council would recess for a break at 7:45 p.m.

**REGULAR MEETING**

**ITEM 1. CALL TO ORDER.**

Mayor Lew White called the meeting to order at 8:00 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. There were none.

**ITEM 4-A. HOLD A PUBLIC HEARING ON APPLICATION ZC-20-09 BY BLAYNE STANSBERRY ON BEHALF OF FERMIN AND MARY ISLAS FOR A ZONING CHANGE FROM RLD RESIDENTIAL LOW DENSITY DISTRICT AND CMB COMMERCIAL MEDIUM BUSINESS DISTRICT TO RHD RESIDENTIAL HIGH DENSITY DISTRICT ON 17.66 ACRES IN THE FRANCIS BERRY SURVEY, ABSTRACT NO. 2, LOCATED AT 211 WEST MLK, JR. INDUSTRIAL BOULEVARD.**

Mayor White opened the public hearing at 8:03 p.m.

Mr. Gibson stated that development of the subject property is proposed in conjunction with a new building to be constructed by the Golden Age Home on the west end of their property. The proposed development may contain independent senior living apartments, garden apartments, patio homes, town homes, duplexes, and/or single-family homes. The only zoning district that allows all these options is the RHD district. Consistent with the Thoroughfare Plan, South Medina Street will be extended southward from Hunters Pointe Subdivision through the property and connect to MLK, Jr. Industrial Blvd., and Sunset Drive will be extended westward from Southside Estates Addition to intersect the new segment of South Medina Street. Major concerns include traffic impacts on the existing segments of South Medina Street and Sunset Drive, the nonconforming and inadequate width and surface of MLK, Jr. Industrial Blvd, and the potential noise impact of the property being under the airport runway traffic pattern where aircraft are landing and departing at a low altitude. The current zoning pattern is already consistent with the Lockhart 2020 Land Use Plan so any changes to it such as this application would deviate from the City's planned land use pattern for the area. Six letters of protest of property owners within 200 feet were received, but are not enough to require more than a simple majority of affirmative votes to approve the proposed rezoning. Mr. Gibson stated that staff and the Planning and Zoning Commission recommend approval.

Mayor White requested the applicant to address the Council.

Blayne Stansberry of Stansberry Engineering stated that she applied for the zoning change on behalf of Fermin and Mary Alice Islas. She offered to answer any questions pertaining to drainage, then referred to Mr. Islas to address the Council.

Fermin Islas, 1702 Meadow Lane, stated that several years ago, he agreed to grant an easement to the City to assist with drainage on Sunset Drive. He stated that he believes that Ms. Stansberry will address adequate drainage plans for the neighborhood. He requested approval of the zoning change.

Stephen Waltz of Dominion Advisors stated that Golden Age Home would like to build town homes or garden homes on the property for senior citizen residents. Part of the property would be dedicated for commercial use. He also believes that Blayne Stansberry, Engineer would create adequate drainage specifications for the entire neighborhood. There was discussion.

Mayor White requested citizens in favor of the zoning change to address the Council.

Nicole Burnett of Golden Age Home stated that they would like to build separate housing near the Home to enable future memory care patients to consider for their residence during their treatment instead of living in the Home. She spoke in favor of the zoning change.

Mayor White requested citizens against the zoning change to address the Council.

Frank Sanchez, Sunset Drive, expressed concerns about drainage. He stated that he hoped that the development would require adequate drainage improvements for Sunset Drive and Medina Street; and not make it worse. The only current access to Sunset Drive is Highway 183, which is extremely dangerous. He stated that the road extension to have another way to access the neighborhood would be an improvement.

Mayor White requested additional citizens in favor of or against the zoning change to address the Council. There were none. He closed the public hearing at 8:47 p.m.

**ITEM 4-B. DISCUSSION AND/OR ACTION TO CONSIDER ORDINANCE 2020-17 AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF LOCKHART, TEXAS, TO RECLASSIFY THE PROPERTY KNOWN AS 17.66 ACRES IN THE FRANCIS BERRY SURVEY, ABSTRACT NO. 2, LOCATED AT 211 WEST MLK, JR. INDUSTRIAL BOULEVARD, FROM RLD RESIDENTIAL LOW DENSITY DISTRICT AND CMB COMMERCIAL MEDIUM BUSINESS DISTRICT TO RHD RESIDENTIAL HIGH DENSITY DISTRICT.**

Mayor Pro-Tem Sanchez suggested that drainage improvements on both Sunset Drive and Medina Street be implemented, and that staff continue to pursue a traffic light at the intersection of Highway 183 and Sunset Drive.

Councilmember Michelson suggested that Sunset Drive be included in the next street improvement project.

Mayor Pro-Tem Sanchez made a motion to approve Ordinance 2020-17, as presented. Councilmember McGregor seconded. The motion passed by a vote of 7-0.

**ITEM 4-C. HOLD A PUBLIC HEARING ON THE CITY OF LOCKHART AND LOCKHART ECONOMIC DEVELOPMENT CORPORATION FISCAL YEAR 2020-2021 BUDGETS.**

Mayor White opened the public hearing at 8:55 p.m.

Ms. Larison stated that the City Charter requires that the City Council hold a public hearing for the Fiscal Year 2020-2021 City of Lockhart budget. Notice of the public hearings for the City of Lockhart and Lockhart Economic Development Corporation Fiscal Year 2020-2021 budgets was published in the Lockhart Post-Register on August 13, 2020.

Mayor White requested citizens to address the Council regarding the budgets. There were none. He closed the public hearing at 8:59 p.m.

**ITEM 5-A. PRESENTATION BY EVERGREEN SOLUTIONS AND DISCUSSION AND/OR ACTION REGARDING THE 2020 CITY OF LOCKHART CLASSIFICATION AND COMPENSATION STUDY.**

Mr. Lewis requested input and direction from the Council. There was discussion.

Mr. Lewis stated that a final report would be provided to the Council by the end of this week that will provide detailed information.

CONSENSUS: After discussion, the consensus of the Council was to schedule a special meeting on August 31, 2020 at 6:00 p.m. to continue discussion and to consider implementation of the plan.

**ITEM 5-C. DISCUSSION AND/OR ACTION REGARDING SETTING THE 2020 COMBINED MAINTENANCE AND OPERATION AND INTEREST AND SINKING PROPOSED PROPERTY TAX RATE FOR THE CITY OF LOCKHART. IF THE PROPOSED TAX RATE EXCEEDS EITHER THE NO NEW REVENUE RATE OR VOTER APPROVAL RATE (WHICHEVER IS LOWER), A RECORD VOTE MUST BE TAKEN TO PLACE A PROPOSAL TO ADOPT THE RATE ON THE AGENDA OF A FUTURE COUNCIL MEETING. IF MOTION PASSES, COUNCIL MUST SCHEDULE AND ANNOUNCE THE DATE, TIME, AND LOCATION OF ONE PUBLIC HEARING REGARDING THE PROPOSED TAX RATE SET BY COUNCIL.**

Ms. Larison provided explanation regarding the different tax rate assumption options. There was discussion.

Mayor White made a motion to set the No New Revenue Rate at 0.6354, which includes a debt rate of 0.0833 and a maintenance and operations rate of .5521 and authorize staff to place on the agenda for adoption by ordinance. Mayor Pro-Tem Sanchez seconded. The record vote is as follows:

Councilmember Jeffry Michelson – yes  
 Councilmember David Bryant – yes  
 Councilmember Kara McGregor – yes  
 Councilmember Brad Westmoreland - yes  
 Councilmember Juan Mendoza – yes  
 Mayor Pro-Tem Angie Gonzales-Sanchez – yes  
 Mayor Lew White – yes

**ITEM 5-B. DISCUSSION AND/OR ACTION TO CONSIDER MINUTES OF THE CITY COUNCIL MEETINGS OF JULY 27, 2020, JULY 28, 2020, AND AUGUST 4, 2020.**

Councilmember Michelson made a motion to approve the minutes. Mayor Pro-Tem Sanchez seconded. The motion passed by a vote of 7-0.

**ITEM 5-D. DISCUSSION AND/OR ACTION TO APPROVE GUIDELINES AND ELIGIBILITY REQUIREMENTS FOR IMPLEMENTING THE EMERGENCY UTILITY BILL RELIEF GRANT PROGRAM TO ASSIST CITY OF LOCKHART'S INSIDE-CITY RESIDENTIAL UTILITY CUSTOMERS WHO ARE EXPERIENCING FINANCIAL HARDSHIPS DUE TO COVID-19 PANDEMIC TO PAY THEIR CITY OF LOCKHART PROVIDED UTILITY SERVICES BILL FOR THE MONTHS OF MARCH 2020, APRIL 2020, MAY 2020, AND JUNE 2020.**

After discussion, the consensus of the Council was to add the bills due in July 2020.

Mayor Pro-Tem Sanchez made a motion to approve implementing the Emergency Utility Bill Relief Grant Program to assist City of Lockhart's inside-city residential utility customers who are experiencing financial hardships due to the COVID-19 pandemic and to pay their City of Lockhart provided utility services bill for the months of March 2020, April 2020, May 2020, June 2020 and July 2020. Councilmember Michelson seconded. The motion passed by a vote of 7-0.

**ITEM 5-E. DISCUSSION AND/OR ACTION REGARDING THE LOCKHART COVID-19 ECONOMIC RECOVERY FUND ACTIVITY UPDATE; PROVIDING OPPORTUNITY FOR DISCUSSION AND POSSIBLE AMENDMENTS TO THE PROGRAM TO ALLOCATE \$25,000 FROM THE PRINCIPAL FOR FURTHER RELIEF GRANTS.**

Mr. Kamerlander stated that the City Council established the COVID-19 Economic Recovery Program on April 7, 2020, which requires monthly updates. On May 5, 2020, Council amended the program to allocate \$25,000 from the fund for grants in the amount of \$2,500 to Lockhart businesses.

Since August 18, 2020, the Lockhart Economic Development Corporation staff (LEDC) received 22 applications for COVID-19 loans and have funded 17 with three pending for the next round. The total amount of funds remaining for loans is \$106,340. As a result of the loans, the city can count 86 jobs that are being retained in the Central Commercial Business District. Caldwell County and the Lockhart Chamber of Commerce also launched the "Lockhart Chamber of Commerce and Caldwell County Community Services Foundation Business Grant Assistance Program" to provide a one-time grant of up to \$2,500 to local businesses that qualify.

Mr. Kamerlander stated that staff recommends allocating another \$25,000 towards COVID-19 relief grants from the remaining balance of the COVID-19 Economic Relief Fund. Like the LEDC grant program in May, the city will fund 10 grants of \$2,500 each which will help 10 businesses in Lockhart as they continue to deal with the effects of the pandemic. Businesses that have previously received a COVID loan or grant from the city prior to this grant round opening will not be eligible for additional grant funds.

Mayor Pro-Tem Sanchez made a motion to authorize allocating another \$25,000 towards the COVID-19 Economic Recovery Program funds. Councilmember Bryant seconded. The motion passed by a vote of 7-0.

**ITEM 5-F. DISCUSSION AND/OR ACTION REGARDING THE POSSIBLE RENAMING OF ROBERT E. LEE STREET.**

Mayor White made a motion to direct staff to return with an Ordinance to rename Robert E. Lee Street to Red Tail Drive. Councilmember Michelson seconded. The motion passed by a vote of 7-0.

**ITEM 5-G. DISCUSSION AND/OR ACTION TO CONSIDER THE MAYOR'S DECLARATION OF LOCAL DISASTER REGARDING REQUIRING FACE COVERINGS, AND ADDRESSING OTHER MATTERS RELATED TO COVID-19, IF NECESSARY.**

Mayor White stated that local businesses are removing the notice about the face covering requirement and that businesses are being lenient about requiring their customers to wear their face covering. He encouraged everyone to continue to wear face coverings to keep the positive COVID cases at a minimum. There was discussion.

**ITEM 5-H. DISCUSSION AND/OR ACTION REGARDING APPOINTMENTS TO VARIOUS BOARDS, COMMISSIONS OR COMMITTEES.**

Mayor White requested appointments to boards or commissions. There were none.

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

- Police Sergeant promotional exam held August 13, 2020.
- Police Officer entrance exam for certified officers will be held August 22, 2020.
- Fire Engineer promotional exam will be held September 3, 2020.

- Public Works Updates:
  - The FM 20 Wastewater Treatment Plant permit has been renewed for five years with TCEQ effective July 30, 2020.
  - Staff will be advertising bids for two projects starting this week, Phase II of the Town Branch Trail and the sidewalk extension on South Colorado Street from South Park Village Apartments to the new traffic signal.
- Library Updates:
  - Story Walk at City Park will begin on August 24.
  - Grab-and-Go Curbside service and Virtual Storytime remain successful.

**ITEM 7. COUNCIL AND STAFF COMMENTS – ITEMS OF COMMUNITY INTEREST.**

Councilmember Mendoza thanked city staff and expressed appreciation for those that are working outdoors in the extreme heat.

Mayor Pro-Tem Sanchez expressed condolences to the family of Joseph Brandon Mayo for their loss. She congratulated D.T. White for his professional football nomination. She wished the teachers, school staff, parents and students the best of luck with the upcoming school year.

Councilmember McGregor encouraged everyone to wear their facial covering.

Councilmember Bryant thanked city staff for work in District 2. He wished students of all ages the best in the upcoming school year.

Councilmember Michelson wished everyone the best during the upcoming school year. He encouraged everyone to stay safe.

Mayor White stated that Jim and Winn Smith offered an empty lot on the downtown square for a covered seating area. Discussions have begun with Caldwell County and City of Luling about making a joint application for FEMA grant funds for an emergency shelter that could double as a community center. The NCCC quarterly meeting will be held on August 19, 2020.

**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 9:45 p.m.

PASSED and APPROVED this the 1<sup>st</sup> day of September 2020.

**CITY OF LOCKHART**

  
Lew White, Mayor

ATTEST:

  
Connie Constancio, TRMC  
City Secretary

