

**REGULAR MEETING
LOCKHART CITY COUNCIL**

MAY 4, 2021

6:30 P.M.

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

Council present:

Mayor Lew White	Councilmember Derrick David Bryant
Councilmember Juan Mendoza	Councilmember Kara McGregor
Councilmember Jeffry Michelson	Councilmember Brad Westmoreland
Mayor Pro-Tem Angie Gonzales-Sanchez (arrived at 6:40 p.m.)	

Staff present:

Steven Lewis, City Manager	Connie Constancio, City Secretary
Monte Akers, City Attorney	Victoria Maranan, Public Information Officer
Pam Larison, Finance Director	Sean Kelley, Public Works Director
Randy Jenkins, Fire Chief	Bob Leos, Electric Superintendent
Dan Gibson, City Planner	

Citizens/Visitors Addressing the Council: Charles Kimbrough and David Mendez of Bickerstaff, Heath, Delgado & Acosta; Rachel Lingvai and Will Rhodes of Courthouse Nights; and Robert Steinbomer of Studio Steinbomer Architects and Interiors.

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. DISCUSS MINUTES OF THE CITY COUNCIL MEETING OF APRIL 13, 2021 AND APRIL 20, 2021.

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

B. DISCUSS ENGAGEMENT AGREEMENT BETWEEN THE CITY OF LOCKHART AND BICKERSTAFF, HEATH, DELGADO & ACOSTA, LLP TO PROVIDE LEGAL SERVICES FOR ALL ASPECTS ASSOCIATED WITH THE REDISTRICTING PROCESS.

Ms. Constancio stated that after completion of the Census every ten years, cities are required to review and redraw their voting district boundaries, if necessary. The Lockhart City Charter provides for this (attached). Since the redistricting process consists of many steps, staff believed that it was good timing to obtain legal services of a firm that would assist the City of Lockhart with meeting all the legal requirements associated with the redistricting process. During the 2010 redistricting process, the City of Lockhart, Caldwell County and Lockhart ISD used Bickerstaff, Heath, Delgado & Acosta's office to assist each entity with the redistricting process, which resulted in the current voting districts. Staff believes that Bickerstaff's office has extensive knowledge of the City's current voting districts that would give them an advantage to further assist with the upcoming redistricting process. David Mendez, Partner of the firm, assisted with redistricting in 2010. Mr. Mendez has been in touch with staff and has kept the City updated with the Census schedule and redistricting timeline that has changed due to delay of releasing Census data due to COVID-19. She provided a brief history about Mr. Mendez's legal background. In 2011, the City of Lockhart paid approximately \$30,000 to Bickerstaff's office for

redistricting services. The Council may also direct staff to seek Requests for Proposals for the services. However, very few firms can afford to develop this specialization if it is only going to be exercised once every ten years. Ms. Constancio introduced Charles Kimbrough and David Mendez of Bickerstaff's office to address the Council.

Charles Kimbrough of Bickerstaff, Heath, Delgado and Acosta provided a brief background of the firm's knowledge about the redistricting process.

David Mendez of Bickerstaff, Heath, Delgado and Acosta provided detailed information regarding the current redistricting timeline that has changed a few times due to issues of the Census data begin released due to COVID-19. There was discussion regarding the redistricting services that the firm provides to clients.

C. DISCUSS 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. Gibson stated that in accordance with State law, the Impact Fee Advisory Committee has an ongoing role in monitoring and evaluating implementation of the impact fee capital improvement plans, and submitting semi-annual reports to City Council. The Committee met on April 28 to consider their 38th semi-annual report since impact fees were originally adopted on January 15, 2002. The current total balance of all impact fee accounts is \$2,623,016. Total impact fee revenue during this six-month period was \$478,662, and there were no expenditures of impact fees in any of the accounts for this period. However, only \$178,087 of that was collected in fees and interest. The remaining different of \$306,575 was due to an auditor's journal entry to correct for expenses that were previously charged to the water impact fee fund, but restored to that account during this period to reflect the expenses being transferred to a bond account that was originally intended for those projects. Mr. Gibson stated that staff and the Impact Fee Advisory Committee recommend approval. There was discussion.

D. DISCUSS AGREEMENT WITH TECHLINE CONSTRUCTION TO COMPLETE ELECTRIC DISTRIBUTION WORK ON SOUTH MAIN STREET (PROJECT #9) AS PART OF THE CITY OF LOCKHART ELECTRIC SYSTEM STUDY 2017-2022.

Mr. Leos stated that the Lower Colorado River Authority (LCRA) prepared the 2017-2022 Lockhart Electric System Study. This study identified improvements necessary to maintain reliable service. The study also serves as a guideline for scheduling and implementing system construction projects. This project includes upgrading approximately 660 feet of existing overhead distribution line on feeder LK 40 to South Main Street and construction of approximately 400 feet of overhead distribution on South Main Street. Techline Construction is a LCRA preferred contractor for projects because they are experienced with high voltage line repairs. Techline has conducted the majority of distribution projects for the City of Lockhart since 1995. The proposed labor costs associated with this Agreement were reviewed by the City's consultant, Schneider Engineering, and found to be reasonable. Schneider Engineering also designed the project for the city. Mr. Leos recommended approval. There was discussion.

E. DISCUSSION REGARDING A REQUEST FROM RACHEL LINGVAI, RACH & RHODES PRESENTS, FOR CITY SUPPORT OF A MONTHLY MUSIC SERIES ON THE SQUARE TO BE HELD EVERY 3RD FRIDAY FROM MAY TO OCTOBER 2021.

Rachel Lingvai, 402 W. Prairie Lea and Will Rhodes, Blanco Street provided information regarding the Courthouse Nights music event that they request to be approved to be held on the 3rd Friday every month from May to October 2021. She stated that the event would be advertised as a “BYOB” and they are in hopes that visitors purchase food and shop at the businesses downtown. A Special Activity Permit (SAP) has been approved by the Lockhart Police Department and has been approved. Ms. Lingvai stated that Lieutenant Ybarra indicated that he did not believe that security was necessary since the event holders were not selling alcohol. They requested in-kind support from the City with items such as street closures, trash receptacles, a stage, street barricades, electric, security and volunteers to assist with cleanup after the event.

Mr. Kelley stated that the following criteria should be met to qualify for City in-kind support:

- A Special Activity Permit must be obtained from the Lockhart Police Department.
- The event must be a “city-wide community event”.
- If the event costs the City cash for anything, it must be pre-approved by the Council.
- In-kind services can include, but not limited to, trash cans, barricades, dumpsters, reasonable electrical services (110v), and reasonable water services.
- If alcohol is involved, security officers must be provided at the expense of the event holder and Texas Alcoholic Beverage Commission laws and the local alcohol related ordinances must be observed.
- All fire and food handling regulations are applicable.
- Approval of affected businesses must be obtained.
- All cleanup must be by the event holder.

There was discussion.

F. DISCUSSION REGARDING A” FIRE STATION #1 CONDITION REPORT” DETAILING THE EXISTING BUILDING CONDITION AND POTENTIAL LIFE SAFETY RENOVATIONS FROM STUDIO STEINBOMER ARCHITECTS AND INTERIORS, WILSON AND GIRGENTI MEP ENGINEERS, AND TSEN STRUCTURAL ENGINEERS.

Chief Jenkins stated that the primary purpose of the Fire Station No. 1 Condition Report is to document the portions of the existing building which may need functional updating and with more attention directed to important life-safety issues for occupants and the better protection of the building. The report summarizes the anticipated work actions and estimates associated costs for the items described in the report. The recommendations are intended not to alter the historic aspects of the building and limited to primarily inside the walls.

Brief updates:

Life Safety Upgrades. Automatic fire sprinkler suppression system throughout the building, fire/smoke sensing and alarm system, upgrades to hazardous electrical panels and switchgear, new air scrubbers for noxious gases in apparatus bays below sleeping areas, enhanced fire/smoke barrier between apparatus bays and sleeping area above, and enhanced emergency exiting from the second floor.

Enhanced Living and Working Quarters for Firefighters. Restroom on first floor renovated including exhaust air vent and reduced trip hazard, restroom on second floor completely renovated with new shower, finishes, and removal of existing furnace system, kitchen renovation to replace cabinets, appliances, and reorganize, relocation of furnace and ductwork from bathroom, remodel one bunk room sleeping quarters into three separate sleeping quarters, and new drop ceiling and LED lights throughout the remodel area and new floor finishes.

Exterior Upgrades. Repaint wood trim, touch up some brick masonry as needed.

Robert Steinbomer of Studio Steinbomer Architects and Interiors provided information regarding recommendations to enhance and improve the safety of Fire Station No. 1.

G. DISCUSSION REGARDING A REPORT FROM STAFF ON ISSUES TO BE CONSIDERED FOR A NEW OR UPDATED COMPREHENSIVE PLAN.

Mr. Gibson stated that the Council had previously asked about the possibility of updating or replacing the Lockhart 2020 Comprehensive Plan. Staff met with the Planning and Zoning Commission to identify the general elements or subject areas in the plan that need revision, as well as new topics that could be included. There was discussion regarding several topics that the Planning and Zoning Commission recommended might need to be addressed in an updated or new comprehensive plan.

H. DISCUSS AMENDING STREETS ON THE STREET IMPROVEMENT PLAN FOR FISCAL YEAR 2020-2021.

Mr. Kelley stated that on September 17, 2019, the City Council approved a 3-year plan to make enhancements on various streets. An aggressive approach to the plan was taken by allocating the use of an additional \$400,000 this year in Unassigned Fund Balance One-Time Expenditures. Consequently, the city will have unused street paving funds this year. An amended plan is needed to ensure the use of the allocated fund for Capital Street Improvement in Fiscal Year 2020-2021. There was discussion regarding streets that were added to the plan. Once bids for the project are received, they will be returned to City Council for consideration for approval.

The street improvement plan for Fiscal Year 2020-2021 includes the following:

Remaining Streets

- Pendergrass St. (San Jacinto-Bluestem)
- Bluestem St. (Pendergrass-Lakeview)
- Lakeview St. (San Jacinto-Bluestem)
- Nueces St. (San Antonio-Bois D' Arc)

Added Streets

- Sunset St. (Colorado-End)
- La Feliciana Dr. (Clearfork-End)
- Aransas St. (White Oak-West End)
- Laredo St. (Colorado to Commerce)

Add Alternative if Funds Available

- 2nd St. (Chihuahua-Neches)
- 3rd St. (Chihuahua-Neches)
- 4th St. (Chihuahua-Neches)
- Monterey St. (Chihuahua-Neches)

The proposed street improvement plan for Fiscal Year 2021-2022 includes the following:

- San Jacinto St. (San Antonio-Clearfork)
- Willow St. (Pecos-Ash)
- Red River St. (Willow-Ash)
- W. Live Oak St. (Cibilo-Blanco)
- Center St. (Main-Cibilo)
- Plum St. (Cibilo to Blanco)
- N. Medina St. (Bois D' Arc- Peach)
- Pedernales St. (Neches-Sabine)

I. DISCUSS THE MAYOR'S DECLARATION OF LOCAL DISASTER REGARDING FACE COVERINGS, AND ADDRESSING OTHER MATTERS RELATED TO COVID-19, IF NECESSARY.

Mayor White announced that there was no action.

RECESS: Mayor White announced that the Council would recess for a break at 8:00 p.m.

REGULAR MEETING

ITEM 1. CALL TO ORDER.

Mayor Lew White called the meeting to order at 8:15 p.m.

ITEM 2. INVOCATION, PLEDGE OF ALLEGIANCE.

Councilmember Bryant 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. CONSENT AGENDA.

Councilmember Bryant requested that consent agenda item 4B be pulled for further discussion.

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

The following are the consent agenda items that were approved:

- 4A: Approve minutes of the City Council meeting of April 13, 2021 and April 20, 2021.
- 4C: Accept 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.
- 4D: Approve agreement with Techline Construction to complete electric distribution work on South Main Street (Project #9) as part of the City of Lockhart Electric System Study 2017-2022.

ITEM 4-B. APPROVE ENGAGEMENT AGREEMENT BETWEEN THE CITY OF LOCKHART AND BICKERSTAFF, HEATH, DELGADO & ACOSTA, LLP TO PROVIDE LEGAL SERVICES FOR ALL ASPECTS ASSOCIATED WITH THE REDISTRICTING PROCESS.

Councilmember Bryant requested information about seeking Requests for Proposals (RFP) for legal services associated with the redistricting process. Mr. Lewis explained that the RFP process could take up to 120 days and that it was the discretion of the Council as to whether to seek RFPs.

Mr. Akers stated that there are few attorney firms, including his firm, that offer redistricting legal services. He stated that he believed that Bickerstaff, Heath, Delgado and Acosta are a reputable firm in providing redistricting legal services.

Mayor Pro-Tem Sanchez made a motion to approve the Engagement Agreement with Bickerstaff, Heath, Delgado & Acosta to provide legal services for all aspects associated with the redistricting process. Councilmember Mendoza seconded. The motion passed by a vote of 6-1, with Councilmember Bryant opposing.

ITEM 5-A. DISCUSSION AND/OR ACTION TO CONSIDER A REQUEST FROM RACHEL LINGVAI, RACH & RHODES PRESENTS, FOR CITY SUPPORT OF A MONTHLY MUSIC SERIES ON THE SQUARE TO BE HELD EVERY 3RD FRIDAY FROM MAY TO OCTOBER 2021.

There was discussion.

Councilmember McGregor made a motion to approve the monthly music series on the downtown square to be held the 3rd Friday from May to October 2021 and to offer in-kind support to Rach & Rhodes Presents. Mayor Pro-Tem Sanchez. The motion passed by a vote of 7-0.

ITEM 5-B. DISCUSSION AND/OR ACTION ON A" FIRE STATION #1 CONDITION REPORT" DETAILING THE EXISTING BUILDING CONDITION AND POTENTIAL LIFE SAFETY RENOVATIONS FROM STUDIO STEINBOMER ARCHITECTS AND INTERIORS, WILSON AND GIRGENTI MEP ENGINEERS, AND TSEN STRUCTURAL ENGINEERS.

Mayor Pro-Tem Sanchez made a motion to approve the Fire Station No. 1 Condition Report, as presented. Councilmember Bryant seconded. The motion passed by a vote of 7-0.

ITEM 5-C. DISCUSSION AND/OR ACTION REGARDING A REPORT FROM STAFF ON ISSUES TO BE CONSIDERED FOR A NEW OR UPDATED COMPREHENSIVE PLAN.

There was discussion regarding engaging a consultant to proceed with updating the Comprehensive Plan. Mayor White stated that funding for a consultant will be discussed during budget workshops.

Councilmember McGregor made a motion to proceed with engaging a consultant to proceed with updating the Comprehensive Plan. Councilmember Westmoreland seconded. The motion passed by a vote of 7-0.

ITEM 5-D. DISCUSSION AND/OR ACTION TO CONSIDER AMENDING STREETS ON THE STREET IMPROVEMENT PLAN FOR FISCAL YEAR 2020-2021.

Mayor Pro-Tem Sanchez made a motion to approve the amendment to the Street Improvement Plan for Fiscal Year 2020-2021. Councilmember Mendoza seconded. The motion passed by a vote of 7-0.

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

There was no action.

Ms. Larison stated that the City of Lockhart has followed the Public Utility Commission's (PUC) recommendation to avoid utility service disconnections for non-payment since March 2020. She stated that utility revenue seems to be going back to normal. She suggested that the City return to carrying out utility disconnects for non-payment and to give the customer a 3-day notice instead of a 24-hour notice. The City offers several methods of payment options prior to disconnecting utilities, such as payment plans, Community Action, state utility payment assistance programs. She stated that staff will tag late payment utility customers and give them three days to make payment or setup payment arrangements before disconnecting utilities.

McGregor suggested that the disconnect policy remain a 3-day notice.

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

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

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

- CAMPO hosting on-line survey on a potential route that connects SH 130 and IH 35.
- Splash Pad opens May 1. Closed every Monday thereafter for maintenance.
- Keep Lockhart Beautiful replaced plants and landscaping at the "Square Park" damaged by the winter storm.
- Update regarding several Library events.

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

Councilmember Mendoza thanked Public Works staff for their hard work during the heavy rainstorms.

Mayor Pro-Tem Sanchez congratulated the Lockhart Varsity Baseball team for going to the playoffs and the Girls Varsity softball team for their achievement. She thanked teachers for their service and dedication and the Public Works staff for their work during the rainstorms. She congratulated the Hispanic Chamber for bringing back the Cinco de Mayo event this weekend. She congratulated the High School ROTC cadets for their accomplishments.

Councilmember McGregor congratulated the Lockhart High School seniors and wished them all the best of luck.

Councilmember Bryant expressed best wishes to the Hispanic Chamber for a successful Cinco de Mayo event. He thanked all that participated in the Earth Day events and all involved with and that attended the District 2 Neighborhood Watch meeting.

Councilmember Michelson wished the Hispanic Chamber a successful Cinco de Mayo event. He wished the Varsity Baseball team best of luck.


Mayor White wished the Hispanic Chamber a successful Cinco de Mayo. He stated that he attended the TML Health Insurance board meeting where it reflected a low increase in health insurance premiums.

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 9:09 p.m.

PASSED and APPROVED this the 18th day of May 2021.

CITY OF LOCKHART



Lew White, Mayor

ATTEST:



Connie Constancio, TRMC
City Secretary

