

**LOCKHART CITY COUNCIL
REGULAR MEETING**

JANUARY 20, 2015

6:30 P.M.

CLARK LIBRARY-MASONIC BUILDING, 217 SOUTH MAIN STREET, 3rd FLOOR, LOCKHART, TEXAS

Council present:

Mayor Pro-Tem Angie Gonzales-Sanchez
Councilmember Juan Mendoza
Councilmember Kenny Roland

Mayor Lew White
Councilmember John Castillo
Councilmember Benny Hilburn
Councilmember Jeffry Michelson

Staff present:

Vance Rodgers, City Manager
Peter Gruning, City Attorney
Sandra Mauldin, Economic Dev. Director
Sean Kelley, Water/Wastewater Superintendent

Connie Constancio, City Secretary
Jeff Hinson, Finance Director
Dan Gibson, City Planner

Citizens/Visitors Addressing the Council: Bill West, Eduardo Montana, and John Smith of the Guadalupe-Blanco River Authority; Oscar Fogle of the Guadalupe-Blanco River Trust; Charles Scheler of TRC Solutions; and, Travis Branch, 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:

A. DISCUSSION AFTER PRESENTATION REGARDING FUTURE WATER SUPPLIES IN THE CENTRAL TEXAS AREA BY MR. BILL WEST WITH THE GUADALUPE-BLANCO RIVER AUTHORITY (GBRA).

Bill West of the Guadalupe-Blanco River Authority provided information about future water supplies in the Central Texas area that included topics about the Mid-Basin Water Supply Project, GBRA Mid-Basin timetable and water supply study, and costs associated with the water supply projects. There was discussion.

B. DISCUSSION AFTER PRESENTATION REGARDING WETLANDS MITIGATION PROJECT BY MR. BILL WEST OR STAFF WITH THE GUADALUPE-BLANCO RIVER TRUST.

Bill West and Oscar Fogle provided an update about the Wetlands Mitigation Project of which the Guadalupe-Blanco River Trust (GBRT) will manage and maintain after the Texas Department of Transportation officially conveys the property to GBRT. There was discussion.

C. DISCUSSION AFTER PRESENTATION BY CITY ENGINEER CHARLES SCHELER AND CITY MANAGER REGARDING PROPOSED DRAINAGE IMPROVEMENT PROJECTS FOR COUNCIL CONSIDERATION IN THE MESQUITE-BRADEN-WICHITA AREA, RICHLAND DRIVE, EAST MARKET-WALNUT STREET AREA, PINE-COMAL-ASH AREA, CENTURY OAKS, DOWNTOWN, AND THE SOUTH MEDINA-MLK AREA AND POSSIBLE FUNDING SOURCES.

Charles Scheler of TRC Solutions provided information about the proposed drainage improvements throughout the City of Lockhart as presented in regards to the areas as listed. There was discussion.

Travis Branch, 1009 Braden provided information about how their neighborhood was affected with drainage problems when it rains heavily.

D. DISCUSS CITY COUNCIL MINUTES OF THE JANUARY 6, 2015 MEETING.

Mayor White requested corrections to the City Council minutes of the January 6, 2015 meeting. There were none.

E. DISCUSS RATIFYING THE AUTOMATIC REVERSION OF THE MH MANUFACTURED HOME DISTRICT ZONING CLASSIFICATION AS PROVIDED IN SECTION 64-196(M) OF THE LOCKHART CODE OF ORDINANCES BY ORDERING AN AMENDMENT OF THE OFFICIAL ZONING MAP TO RECLASSIFY AN APPROXIMATELY 0.36-ACRE PARCEL IN THE BYRD LOCKHART LEAGUE, ABSTRACT NO. 17, OWNED BY ANNA BURMUDEZ AND KENNETH PRICE AND LOCATED AT 810 NORTH BLANCO STREET, FROM MH MANUFACTURED HOME DISTRICT TO RMD RESIDENTIAL MEDIUM DENSITY DISTRICT.

Mr. Gibson stated that Section 64-196(m) of the zoning ordinance provides that individual lots within the city presently zoned MH and not within a manufactured home subdivision or manufactured home park shall revert to the predominant zoning district classification adjacent to said lot upon removal, or by cessation of occupancy by utility disconnection in excess of 30 days of an existing mobile or manufactured home thereon. Because the two mobile homes that were previously on the subject property have been removed, the zoning has now reverted to RMD, which is the surrounding district classification. Section 64-196(m) further states that the City Council shall ratify such action by an agenda item ordering a corresponding amendment of the zoning map. No notice or hearing is required other than notification to the owner of the property. The RMD zoning classification allows either a site-built single family dwelling or a duplex to be constructed on a parcel of this size. There was discussion.

F. DISCUSS THE 1ST QUARTER FISCAL YEAR 2015 INVESTMENT REPORT.

Mr. Hinson stated that the Texas Public Investment Act requires local governments to review and accept a Quarterly Investment Report for each quarterly reporting period of the year. He provided information about the first quarter fiscal year 2015 Investment Report, ending December 31, 2014. There was brief discussion.

G. DISCUSS ORDINANCE 2015-01 AMENDING CHAPTER 48 OF THE CODE OF ORDINANCES, CAPTIONED "SOLID WASTE", IN ORDER TO UPDATE DEFINITIONS, CLARIFY RECEPTABLE/BIN USE AND COLLECTION SERVICES, AND PROVIDE FOR COLLECTION RATES TO BE ESTABLISHED BY CITY COUNCIL RESOLUTION.

Mr. Rodgers stated that the amendments add/change some definitions and add/delete/alter other sections regarding solid waste services for consistencies, and they remove fee schedules which will, in the future, be established by City Council resolutions in lieu of having to change the ordinance each time rates are adjusted. Mr. Rodgers recommended approval. There was discussion.

H. DISCUSS RESOLUTION 2015-01 ESTABLISHING FEES TO REFLECT THE RECOVERY OF 5% VENDOR RATE INCREASES APPROVED RECENTLY FOR RESIDENTIAL SOLID WASTE COLLECTION, DISPOSAL, RECYCLING SERVICES, AND COMMERCIAL WASTE COLLECTION/DISPOSAL SERVICES AND ESTABLISHING FEES FOR OTHER SOLID WASTE SERVICES.

Mr. Rodgers stated that the Resolution establishes the new fees and rates to be charged for the collection and disposal of solid waste for residential and commercial customers in the City of Lockhart. For example, monthly residential rates would increase by 85 cents to \$18.00 per month with senior citizens and qualified disabled customer rates set at \$11.50 per month. This pass through recovers the rate increase charged by the waste collection provided. These rates have not increased in more than six years. Mr. Rodgers recommended approval. There was discussion.

I. DISCUSSION REGARDING THE TEXAS GAS SERVICE COMPANY (TGS) REQUESTED INTERIM RATE CHANGE UNDER THE STATE'S GAS RELIABILITY INFRASTRUCTURE PROGRAM (GRIP) BY WHICH THE COMPANY CAN RECOVER CAPITAL COSTS EXPENDED IN 2013.

Mr. Rodgers stated that Texas Gas Service (TGS) has filed an Interim Rate Adjustment Tariff under Section 104.301 of the Texas Utility Code. Based on legal advice by utility rate attorney firms in the past, there is nothing the cities can do other than delay the increase if the gas company's data shows the interim rate increases are justifiable. Lockhart City Council has already passed the resolution delaying the rate implementation increase. Peter Gruning, City Attorney, talked with the TGS attorney about the GRIP and the rights granted under the Texas Utility Code. The only way to stop the increase is to prove that the capital costs for the projects are unjustified. The City Manager has reviewed the TGS capital projects and their related cost information. The data seems reasonable considering the amount of work completed and appears to justify the GRIP. There was discussion.

J. DISCUSSION REGARDING A REQUEST BY CITY OF MARTINDALE IN THE INTEREST OF A PUBLIC PURPOSE TO OBTAIN LIBRARY SHELVING, BOOK CASES, COMPUTER DESKS, AND FURNITURE TO BE USED BY THE CITY IN A LIBRARY BEING SET UP; THE FURNITURE IS NO LONGER NEEDED AT THE DR. EUGENE CLARK LIBRARY.

Mr. Rodgers stated that the Administrator of the City of Martindale, with approval of Martindale City Council, has requested that the Lockhart City Council consider donating in the interest of a public purpose excess library shelving, book cases, computer desks, and furniture to be used by the City of Martindale in a library being set up. Mr. Rodgers recommended approval. There was discussion.

K. DISCUSSION REGARDING SETTING TIME AND DATE FOR COUNCIL GOALS MEETING.

There was discussion about holding the Council goals meeting on Tuesday, January 27, 2015 at 6:00 p.m.

RECESS: Mayor White announced that the Council would recess for a break at 8:21 p.m.

REGULAR MEETING

ITEM 1. CALL TO ORDER.

Mayor Lew White called the regular meeting of the Lockhart City Council to order on this date at 8:35 p.m.

ITEM 2. INVOCATION, PLEDGE OF ALLEGIANCE.

Invocation - Ministerial Alliance.

Pledge of Allegiance to the United States and Texas flags.

ITEM 3. CITIZENS/VISITORS COMMENTS.

Mayor White requested citizens to address the Council. There were none.

ITEM 4. CONSENT AGENDA.

Councilmember Roland made a motion to approve consent agenda items 4A, 4B, 4C, 4D, and 4E. Mayor Pro-Tem Sanchez 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 January 6, 2015 meeting.
- 4B: Ratify the automatic reversion of the MH Manufactured Home District zoning classification as provided in Section 64-196(m) of the Lockhart Code of Ordinances by ordering an amendment of the official zoning map to reclassify an approximately 0.36-acre parcel in the Byrd Lockhart League, Abstract No. 17, owned by Anna Burmudez and Kenneth Price and located at 810 North Blanco Street, from MH Manufactured Home District to RMD Residential Medium Density District.
- 4C: Accept the 1st Quarter Fiscal Year 2015 Investment Report.
- 4D: Approve Ordinance 2015-01 amending Chapter 48 of the Code of Ordinances, captioned "Solid Waste", in order to update definitions, clarify receptacle/bin use and collection services, and provide for collection rates to be established by City Council Resolution.
- 4E: Approve Resolution 2015-01 establishing fees to reflect the recovery of 5% vendor rate increases approved recently for residential solid waste collection, disposal, recycling services, and commercial waste collection/disposal services and establishing fees for other solid waste services.

ITEM 5-A. DISCUSSION AND/OR ACTION AFTER PRESENTATION REGARDING FUTURE WATER SUPPLIES IN THE CENTRAL TEXAS AREA BY MR. BILL WEST WITH THE GUADALUPE-BLANCO RIVER AUTHORITY (GBRA).

Mayor White announced that the presentation was made during the work session.

ITEM 5-B. DISCUSSION AND/OR ACTION AFTER PRESENTATION REGARDING WETLANDS MITIGATION PROJECT BY MR. BILL WEST OR STAFF WITH THE GUADALUPE-BLANCO RIVER TRUST.

Mayor White announced that the presentation was made during the work session. No action was required to taken on the item.

ITEM 5-C. DISCUSSION AND/OR ACTION AFTER PRESENTATION BY CITY ENGINEER CHARLES SCHELER AND CITY MANAGER REGARDING PROPOSED DRAINAGE IMPROVEMENT PROJECTS FOR COUNCIL CONSIDERATION IN THE MESQUITE-BRADEN-WICHITA AREA, RICHLAND DRIVE, EAST MARKET-WALNUT STREET AREA, PINE-COMAL-ASH AREA, CENTURY OAKS, DOWNTOWN, AND THE SOUTH MEDINA-MLK AREA AND POSSIBLE FUNDING SOURCES.

Mayor White announced that the presentation as made during the work session. No action was required to taken on the item.

ITEM 5-D. DISCUSSION AND/OR ACTION REGARDING THE TEXAS GAS SERVICE COMPANY (TGS) REQUESTED INTERIM RATE CHANGE UNDER THE STATE'S GAS RELIABILITY INFRASTRUCTURE PROGRAM (GRIP) BY WHICH THE COMPANY CAN RECOVER CAPITAL COSTS EXPENDED IN 2013.

Mayor White announced that the presentation was made during the work session. No action was required to taken on the item.

ITEM 5-E. DISCUSSION AND/OR ACTION REGARDING A REQUEST BY CITY OF MARTINDALE IN THE INTEREST OF A PUBLIC PURPOSE TO OBTAIN LIBRARY SHELVING, BOOK CASES, COMPUTER DESKS, AND FURNITURE TO BE USED BY THE CITY IN A LIBRARY BEING SET UP; THE FURNITURE IS NO LONGER NEEDED AT THE DR. EUGENE CLARK LIBRARY.

Councilmember Roland made a motion to approve in the interest of a public purpose to give Library shelving, book cases, computer desks, and furniture to be used by the City of Martindale in a Library being set up because the furniture is no longer needed at the Dr. Eugene Clark Library. Mayor Pro-Tem Sanchez seconded. The motion passed by a vote of 7-0.

ITEM 5-F. DISCUSSION AND/OR ACTION REGARDING SETTING TIME AND DATE FOR COUNCIL GOALS MEETING.

Councilmember Sanchez made a motion to hold a Council goals meeting on Tuesday, January 27, 2015 at 6:00 p.m. in the Council Chambers. Councilmember Michelson seconded. The motion passed by a vote of 7-0.

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

Mayor White requested appointments to various boards, commissions, or committees.

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

Board of Adjustment – Wayne Reeder
 Construction Board – John Lairsen
 Economic Development Revolving Loan – Yolanda Castillo Strey
 Economic Development ½ Cent Sales Tax – Morris Alexander
 Electric Board – James Paul Denny
 Historical Preservation Commission – Kathy McCormick
 Library Board – Donaly Brice
 Parks & Recreation – Russell Wheeler
 Planning & Zoning Commission – Steve Visage

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

- Meeting: A neighborhood meeting, primarily bounded by 1st, 5th, Neches, and Chihuahua Streets, hosted by the Lockhart Police Department is being planned within the next 30-45 days to solicit neighborhood concerns and to share information about resources available to help address neighborhood concerns.
- Update: US Hwy 183 expansion project: water and waste-water work process; City electric work complete; Gas, AT&T and TWC work still in progress; storm water contractor work.

- Update: Governor's Community Achievement Award grant application (\$160,000) through the Beautification Committee/Keep Lockhart Beautiful Board Members is being written with Nick Dornak, Mike McGregor and Sandra Mauldin leading the research and documentation for the grant.
- Update: Preparations continue for the 2015 Lone Star Grand Prix Kart Race to be held (Saturday and Sunday), March 7 and 8, 2015, with some street closures beginning Thursday evening around the Courthouse. Letters will be mailed to all affected businesses and residents and with parking accommodation information.
- Update: Interviews for a replacement for Fire Chief Doyle have been conducted and the City Manager is interviewing finalists.
- Report: A public hearing will be held on Monday, January 26, at 5:15 at City Hall regarding a Texas Department Agriculture grant under the Texas Community Development Block Grant Program for funding a water transmission line from the water plant to about ½ way into town.
- Report: Annual Martin Luther King, Jr, march event from Councilmember Roland.
- Report: Rededication event for Dr. Eugene Clark Library celebrating the restoration and expansion of the facility held Saturday, January 17, at 2 p.m.
- Reminder: Annual Lockhart Chamber of Commerce Event in San Marcos, Saturday, January 24, 2015.
- Reminder: Friday, January 30, 2-4 p.m., Fire Chief Jerry Doyle retirement ceremony in the Council Chambers at the Library Annex after 43 years of service.
- Reminder: The Hot Rods and Hatters car show will be held February 7 in downtown Lockhart. Cars starting at 8 a.m. with live entertainment co-sponsored by the City of Lockhart Downtown Revitalization Events Committee.
- Reminder: Annual Progressive Club event Saturday, February 21, 2015, at 6:30 p.m. at the Lion Club.
- Evening with the Songwriter events begins January 27, 2015.
- Future Agenda Items: Drainage Projects for neighborhoods and Downtown; Water and Sewer Major Projects and Funding; Ordinance Changes regarding concrete slab designs and banner/sail banner signage; Wayfinding Signs/Branding; proposed LCRA contract changes.

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

Mayor Pro-Tem Sanchez expressed condolences to the families of Ricky O'Balle and Roy Williams for their loss. She commended the staff and volunteers for their dedication to the successful rededication of the Library. She thanked the family of Dr. Philip Wales for their contributions to the Library. She thanked all that attended and participated in the annual MLK march.

Councilmember Mendoza thanked all that attended and all who participated in the MLK march. He thanked the Planning Department and Planning and Zoning Commission for the informative meeting about subdivision regulations.

Councilmember Castillo thanked the Library staff and volunteers for a successful rededication to the Library. He thanked all that attended and participated in the successful MLK march. Thanks to staff for informative drainage issue problems and possible solutions. He expressed condolences to Mr. Rodgers and the family of a friend who passed away this weekend.

Councilmember Roland thanked staff, citizens and Council for their support and participation in the successful MLK march event. He requested that the naming of Cesar Chavez Highway be considered at a future Council meeting for discussion about rededicating the name to a different area in Lockhart on a city street.

Councilmember Michelson congratulated staff and volunteers in the successful rededication to the Library and those involved with the very successful MLK march.

Mayor White expressed condolences to the family of Roy Williams for their loss. He thanked Library staff and volunteers for their very successful rededication event and thanked Dr. Philip Wales' family for their generosity in donating to the Library. He thanked Council for serving the community. He reminded all that the Lockhart Chamber of Commerce banquet will be held Saturday, January 31, 2015 in San Marcos.

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 9:00 p.m.

PASSED and APPROVED this the 17th day of February 2015.

CITY OF LOCKHART



Lew White

Lew White, Mayor

ATTEST:

Connie Constancio

Connie Constancio, TRMC
City Secretary