

**LOCKHART CITY COUNCIL
REGULAR MEETING**

JANUARY 6, 2015

6:30 P.M.

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

Council present:

Councilmember John Castillo
Councilmember Benny Hilburn
Councilmember Jeffry Michelson

Mayor Lew White
Councilmember Juan Mendoza
Councilmember Kenny Roland

Council absent:

Mayor Pro-Tem Angie Gonzales-Sanchez

Staff present:

Vance Rodgers, City Manager
Peter Gruning, City Attorney
Sandra Mauldin, Economic Dev. Director
Lee Weatherford, Public Works Director
Library Staff

Connie Constancio, City Secretary
Jeff Hinson, Finance Director
Julie Bowermon, Civil Service Director
Bertha Martinez, Library Director

Citizens/Visitors Addressing the Council: Fletcher Clark, Citizen; Ryan Beard of Texas Disposal Systems; and, Michael Lavengco and Ben Bentura with Central Texas Refuse, Inc.

Work Session 6:30 p.m.

Mayor White announced that Mayor Pro-Tem Sanchez would not be able to attend the meeting.

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:

PRESENTATION

A. PRESENTATION OF SPECIAL RECOGNITION OF ALL VOLUNTEERS AND CITY EMPLOYEES INVOLVED WITH THE 25TH ANNUAL DICKENS IN LOCKHART EVENT.

Mayor White and Bertha Martinez, Director of Library Services, announced that the following volunteers will receive special Certificates of Recognition for their dedication in assisting with the 25th Annual Dickens event in Lockhart:

Lydia Adams, Kathy Bellamy, Don Brewer, Michelle Brewer, Johnny Castanon, Cory Cuellar, Gerald Cuellar, Mary Eisenberg, Dick Fox, Jeannie Fox, John Griffin, Jodi King, Mr. & Mrs. Lynn Kramer, Bobby Leos, Shelly Maas, Marty Martinez, Mark Nichols, Margi O'Neill, Margaret Riddle, Mark Riggin, Stephanie Wilson Riggin, Josh Rodgers, Sylvia Salazar, Barbara Shelton, Kenneth Sneed, Dianne Stevenson, Lisa Torres, Bert Trejo, Liz Wales, Donnie Wilson, Felicity Winnett, Rick Winnett, Christina Zuniga, Friends of the Library, Irving Club, Lockhart Chamber of Commerce, and Pegasus School.

Mayor White presented a plaque to Stephanie Wilson Riggin and Felicity Winnett for their dedication and committed efforts to assist the Library Staff with many aspects in coordinating the successful 25th Annual Dickens' event in Lockhart held in December 2014. (Ms. Winnett was not available to receive the plaque.) Mayor White and the Council expressed commendation to the Library Staff and the volunteers for their dedication to the community.

DISCUSSION ONLY

A. DISCUSS CITY COUNCIL MINUTES FOR THE DECEMBER 16, 2014 MEETING.

Mayor White requested corrections to the City Council minutes for the December 16, 2014 meeting. There were none.

B. DISCUSS BID AWARD BID TO SCHMIDT AND SONS, INC., OF LOCKHART, TEXAS TO SUPPLY AND DELIVER GASOLINE (PLUS) AND DIESEL TO THE CITY OF LOCKHART FOR THE NEXT YEAR AT A MARGIN OF \$0.04 CENTS PER GALLON/GASOLINE (PLUS); \$0.05 CENTS PER GALLON/DIESEL ABOVE THE WEEKLY POSTED OIL PRICE INFORMATION SERVICE (OPIS) PRICE AT AUSTIN, TEXAS, REFERRED TO AS THE RACK PRICE, AND APPOINTING THE MAYOR TO SIGN THE CONTRACT, IF APPROVED.

Mr. Weatherford stated that public bids were sought to supply and deliver diesel and plus gasoline with the bid award to be based on the lowest margin above the OPIS price. Three bids were received with Schmidt and Sons, Inc., providing the lowest bid. The term of the contract is for one year from approval of the City Council. Mr. Weatherford recommended approval.

C. DISCUSS BID AWARD TO BILLY HOUSTON, OF LOCKHART, TEXAS, TO PROVIDE MOWING MAINTENANCE SERVICES FOR THE LOCKHART MUNICIPAL AIRPORT DURING THE 2014-2015 FISCAL YEAR.

Mr. Weatherford stated public bids were sought to provide mowing services for the Lockhart Municipal Airport with only one bid being received. Billy Houston submitted a bid in the amount of \$1,225 per mowing to mow all areas as noted in the bid package. The term of the contract is for one year from approval of the City Council. Services will be used as needed. Mr. Weatherford recommended approval.

D. DISCUSS TEMPORARY CLOSURES OF AND PROHIBITING PARKING, AS NEEDED ON THE FOLLOWING STREETS IN THE DOWNTOWN AREA ON MARCH 5, 6, 7, AND 8, 2015, FOR THE TEXAS LONE STAR GRAND PRIX KART RACE INCLUDING THE: 100-300 BLOCKS OF S. COMMERCE, 100-300 BLOCKS OF N. COMMERCE, 100-200 BLOCKS OF E. WALNUT, 100 BLOCK OF E. LIVE OAK, 100 BLOCK OF W. LIVE OAK, 300 BLOCK OF S. CHURCH, 100 BLOCK OF W. PRAIRIE LEA, 100 BLOCK OF E. PRAIRIE LEA, 100 TO 300 BLOCKS OF S. MAIN, 100 BLOCK OF W. MARKET, 100 TO 200 BLOCKS OF E. MARKET, AND THE 100 BLOCK OF E. SAN ANTONIO, EAST BOUND AND WITH NO PARKING ON THE WEST BOUND SIDE; SOME CLOSURES TO BEGIN ON THURSDAY EVENING MARCH 5TH, WITH STREETS TO BE OPEN FOR TRAFFIC BY 6 A.M. ON MONDAY, MARCH 9, 2015.

Mr. Rodgers stated that it is necessary to officially close the above captioned streets as needed for race preparation and for the race event. Special reserved parking has been identified for residents and business employees that will not have access to their normal parking areas. Letters will be sent to businesses and residents regarding reserved parking. Mr. Rodgers recommended approval. There was discussion.

E. DISCUSS COUNCIL'S DIRECTION TO THE CITY MANAGER TO MEET WITH MR. UMESH PATEL ABOUT THE HOTEL PROJECT AND COUNCIL'S POSSIBLE CONSIDERATION OF WITHDRAWING THE TAX ABATEMENT FOR THE HOTEL PROJECT WHICH STAFF WAS DIRECTED TO PURSUE UNTIL SUCH A TIME THAT MR. PATEL IS READY TO PURSUE THE PROJECT.

Mr. Rodgers stated that he recently met again with Mr. Patel about the hotel project. Mr. Patel reiterated that the project of a new hotel would not start until justified, which could be 18 months or more. Mr. Patel was reminded that the Council did not approve a tax abatement on June 4, 2014, as there are numerous statutory steps to be taken in order to do so, but they approved directing City staff to pursue a 7-year 100% tax abatement process with him with provisions involving ten (10) new jobs at \$25,000 per job annually to be maintained during the proposed agreement period. Mr. Patel asked if he could pursue or request another tax abatement if Council withdrew the tax abatement, and he was told that he could. There was discussion.

F. DISCUSS THE CITY MANAGER'S RECOMMENDED NEGOTIATED FIVE YEAR CONTRACT EXTENSION WITH CENTRAL TEXAS REFUSE (CTR) (WHICH HAS NOT RAISED RATES IN MORE THAN 6 YEARS) TO INCLUDE A 5% RATE INCREASE IN MARCH, 2015, AND AN ANNUAL 2.5% INCREASE BEGINNING IN OCTOBER, 2016, PLUS CONSUMER PRICE INDEX (CPI) INCREASES BOTH OF WHICH CANNOT EXCEED 5% PER YEAR FOR THE DURATION OF THE EXTENDED CONTRACT, FOR TRASH DISPOSAL AND RECYCLING SERVICES WHICH INCLUDE THE FOLLOWING: CONTINUE ONCE A WEEK RESIDENTIAL TRASH PICKUP PROVIDING 95 GALLON OR 35 GALLON CONTAINERS, CONTINUE COMMERCIAL TRASH DUMPSTER SERVICES, PROVIDE DISABLED CITIZEN GARAGE DOOR PICKUPS AT THE SENIOR RATE, CONTINUE THE DISCOUNT RATE FOR SENIORS, CONTINUE ANNUAL SPRING RESIDENTIAL CLEAN UP EVENT AT NO CHARGE, CONTINUE PICKING UP ½ CUBIC YARD OF BULKY ITEMS, PROVIDE A 42 CUBIC YARD COMPACTOR UNIT AT THE RECYCLING CENTER FOR SINGLE STREAM RECYCLING REDUCING LABOR COSTS, PROVIDE A 95 GALLON RECYCLING CART FOR SUBSCRIPTION CUSTOMERS IN LIEU OF THE 18 GALLON OPEN TOP CONTAINERS, AND PROVIDE A MECHANISM TO COLLECT AND PROCESS ELECTRONIC RECYCLING ITEMS; APPOINTING THE MAYOR TO SIGN THE NEW CONTRACT EXTENSION IF APPROVED.

Mr. Rodgers stated that Central Texas Refuse (CTR) has provided commendable trash disposal services for Lockhart citizens and businesses for more than about 10 years. CTR has not asked for a rate increase in more than six years. Through negotiations, the City Manager has secured a proposed agreement that includes all the services listed in the caption above in exchange for a 5% increase in rates beginning in March 2015 and additional rate increases of 2.5% plus the June Consumer Plus Index (CPI), both of which are not to exceed 5% for subsequent years, beginning October 1, 2016. Information obtained via the Open Records Request process about rates being charged to other cities by other vendors was discussed. An example is the City of Kyle, which has a long term contract, has more than 9,000 customers (2.5 times as many as Lockhart) and is being charged \$18.01 per customer for residential services which includes a mandatory recycling fee of \$5.40. Even if the recycling fee is subtracted, the residential trash disposal fee is \$12.61 per month compared to Lockhart's CTR rate of \$10.40 currently being charged. With the proposed CTR increase, Lockhart's residential rate would only increase to \$11.01. After looking at the rates charged to other cities by another trash disposal vendor, the conclusion is that CTR rates proposed are fair especially considering the commendable services provided by the company. He also pointed out that although the other competitive vendor advised Council that it should not to do a multi-year contract, that same vendor currently has several multi-year contracts with built-in increases with several surrounding cities. Mr. Rodgers also provided legal information that the bid process is not required by State Law for solid waste services in the interest of a public purpose which is public health.

There was discussion about whether to bid services or to extend the contract for five additional years.

Mr. Rodgers recommended approval of the five year waste disposal contract extension with CTR with the increases and new services as outlined in the caption on the agenda.

RECESS: Mayor White announced that the Council would recess for a break at 7:09 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 7:30 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 the following citizens to address the Council:

Fletcher Clark thanked the staff of the Dr. Eugene Clark Library for accommodating the *Evenings with the Authors* events for the past few years. He also thanked the citizens for supporting the event.

Ryan Beard of Texas Disposal Systems requested that the Council direct staff to request bids for the solid waste disposal/collection services.

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

ITEM 4. CONSENT AGENDA.

Councilmember Michelson made a motion to approve consent agenda items 4A, 4B, 4C, and 4D. Councilmember Roland seconded. The motion carried by a vote of 6-0.

The following are the consent agenda items that were approved:

4A: Approve City Council minutes for the December 16, 2014 meeting.

4B: Award bid to Schmidt and Sons, Inc., of Lockhart, Texas to supply and deliver Gasoline (Plus) and Diesel to the City of Lockhart for the next year at a margin of \$0.04 cents per gallon/Gasoline (Plus); \$0.05 cents per gallon/Diesel above the Weekly Posted Oil Price Information Service (OPIS) price at Austin, Texas, referred to as the RACK price, and appointing the Mayor to sign the contract, if approved.

4C: Award bid to Billy Houston, of Lockhart, Texas, to provide mowing maintenance services for the Lockhart Municipal Airport during the 2014-2015 Fiscal Year.

4D: Approve temporary closures of and prohibiting parking, as needed on the following streets in the downtown area on March 5, 6, 7, and 8, 2015, for the Texas Lone Star Grand Prix Kart Race including the: 100-300 blocks of S. Commerce, 100-300 blocks of N. Commerce, 100-200 blocks of E. Walnut, 100 block of E. Live Oak, 100 block of W. Live Oak, 300 block of S. Church, 100 block of W. Prairie Lea, 100 block of E. Prairie Lea, 100 to 300 blocks of S. Main, 100 block of W. Market, 100 to 200 blocks of E. Market, and the 100 block of E. San Antonio, east bound and with no parking on the west bound side; some closures to begin on Thursday evening March 5th, with streets to be open for traffic by 6 a.m. on Monday, March 9, 2015.

ITEM 5-A. DISCUSSION AND/OR ACTION REGARDING COUNCIL'S DIRECTION TO THE CITY MANAGER TO MEET WITH MR. UMESH PATEL ABOUT THE HOTEL PROJECT AND COUNCIL'S POSSIBLE CONSIDERATION OF WITHDRAWING THE TAX ABATEMENT FOR THE HOTEL PROJECT WHICH STAFF WAS DIRECTED TO PURSUE UNTIL SUCH A TIME THAT MR. PATEL IS READY TO PURSUE THE PROJECT.

Councilmember Hilburn made a motion to withdraw the offer to Mr. Umesh Patel to pursue a tax abatement that was offered in June 2013, and to direct staff to cease the tax abatement process and to invite him to re-apply for a tax abatement if or when he pursues the new hotel project in the future. Councilmember Michelson seconded. There was discussion. The motion carried by a vote of 5-1, with Councilmember Castillo opposing.

ITEM 5-B. DISCUSSION AND/OR ACTION REGARDING THE CITY MANAGER'S RECOMMENDED NEGOTIATED FIVE YEAR CONTRACT EXTENSION WITH CENTRAL TEXAS REFUSE (CTR) (WHICH HAS NOT RAISED RATES IN MORE THAN 6 YEARS) TO INCLUDE A 5% RATE INCREASE IN MARCH, 2015, AND AN ANNUAL 2.5% INCREASE BEGINNING IN OCTOBER, 2016, PLUS CONSUMER PRICE INDEX (CPI) INCREASES BOTH OF WHICH CANNOT EXCEED 5% PER YEAR FOR THE DURATION OF THE EXTENDED CONTRACT, FOR TRASH DISPOSAL AND RECYCLING SERVICES WHICH INCLUDE THE FOLLOWING: CONTINUE ONCE A WEEK RESIDENTIAL TRASH PICKUP PROVIDING 95 GALLON OR 35 GALLON CONTAINERS, CONTINUE COMMERCIAL TRASH DUMPSTER SERVICES, PROVIDE DISABLED CITIZEN GARAGE DOOR PICKUPS AT THE SENIOR RATE, CONTINUE THE DISCOUNT RATE FOR SENIORS, CONTINUE ANNUAL SPRING RESIDENTIAL CLEAN UP EVENT AT NO CHARGE, CONTINUE PICKING UP ½ CUBIC YARD OF BULKY ITEMS, PROVIDE A 42 CUBIC YARD COMPACTOR UNIT AT THE RECYCLING CENTER FOR SINGLE STREAM RECYCLING REDUCING LABOR COSTS, PROVIDE A 95 GALLON RECYCLING CART FOR SUBSCRIPTION CUSTOMERS IN LIEU OF THE 18 GALLON OPEN TOP CONTAINERS, AND PROVIDE A MECHANISM TO COLLECT AND PROCESS ELECTRONIC RECYCLING ITEMS; APPOINTING THE MAYOR TO SIGN THE NEW CONTRACT EXTENSION IF APPROVED.

There was discussion.

Councilmember Hilburn made a motion to approve the contract extension to Central Texas Refuse for five years, as presented. Councilmember Mendoza seconded. The motion carried by a vote of 5-1, with Councilmember Castillo opposing.

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.
- Updates:
 - Fashion Glass & Mirror Project.
 - Pure Casting Company in the Industrial Park II.
 - Lockhart Motor Company new facility on US 183 S, Site plan under review with architects.
 - Food Court on S Colorado, 2 Units covered with restrooms and pave parking.
 - Two new medical treatment facilities; weather has been a factor.
 - Windridge Subdivision expansion; review of proposed plans about complete.

- Invitation: Mayor and City Council are invited to attend and participate in the Planning and Zoning Commission meeting on Wednesday, January 14, at 7 pm, in the Glosserman Room, which will be devoted primarily to updating the zoning ordinance; the Commission will eventually make recommendations to the Council about the adoption of an updated zoning ordinance in one or more phases; the meeting will be posted for the Mayor and Council to attend.
- Invitation: On Saturday, January 17, at 2 pm, in the Council Chambers, there will be a rededication event for Dr. Eugene Clark Library celebrating the restoration and expansion of the facility.
- Future Agenda Items: Presentation by Mr. Bill West, CEO, of the Guadalupe-Blanco River Authority about long-term water needs for Central Texas and an update on the Guadalupe-Blanco River Trust wetlands mitigation site project; Drainage Projects for neighborhoods and Downtown; Water and Sewer Major Projects and Funding; Ordinance Changes regarding concrete slab designs and banner/sail banner signage; proposed LCRA contract changes.

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

Councilmember Mendoza wished everyone a Happy New Year.

Councilmember Hilburn wished everyone a Happy New Year.

Councilmember Castillo wished everyone a Happy New Year and expressed condolences to the Pastrano family for their loss.

Councilmember Roland invited everyone to attend the annual Martin Luther King, Jr. March that will be held on January 19. He requested that the street sweeper cover District 1 to clear the leaves from the drains.

Councilmember Michelson also wished everyone a Happy New Year.

Mayor White encouraged Councilmembers to attend the upcoming neighborhood meeting. He stated that a goals setting workshop will be scheduled soon.

ITEM 8. ADJOURNMENT.

Councilmember Mendoza made a motion to adjourn the meeting. Councilmember Hilburn seconded. The motion carried by a vote of 6-0. The meeting was adjourned at 8:08 p.m.

PASSED and APPROVED this the 20th day of January 2015.



CITY OF LOCKHART

Lew White
Lew White, Mayor

ATTEST:

Connie Constancio
Connie Constancio, TRMC, City Secretary