

**LOCKHART CITY COUNCIL  
REGULAR MEETING**

**JUNE 2, 2015**

**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 Jeffrey Michelson

Mayor Lew White  
Councilmember John Castillo  
Councilmember Benny Hilburn  
Councilmember Brad Westmoreland

**Staff present:**

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

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

**Citizens/Visitors Addressing the Council:** Gerald Payne, Citizen; Larry Ramirez, Assistant Superintendent of the Lockhart Independent School District; and, Carl Cisneros, President of the Lockhart Independent School District Board of Trustees.

**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:

**PRESENTATION ONLY**

**A. MAYOR WHITE READ A PROCLAMATION DECLARING JUNE 11-18, 2015 AS "NATIONAL NURSING ASSISTANTS' WEEK TO NURSING ASSISTANTS AT THE HEART OF CARING".**

**DISCUSSION ONLY**

**A. DISCUSS MINUTES OF THE CITY COUNCIL MEETING OF MAY 19, 2015.**

Mayor White requested corrections to the City Council minutes of the May 19, 2015 meeting. There were no corrections.

**B. DISCUSS REQUEST BY THE LOCKHART INDEPENDENT SCHOOL DISTRICT (LISD) TRUSTEE BOARD PRESIDENT CARL CISNEROS TO AMEND THE CURRENT COUNCIL CHAMBER USE MEMORANDUM OF AGREEMENT TO ALLOW FOOD AND DRINKS IN THE FIREPLACE ROOM WHICH IS USED BY THE LISD BOARD FOR CLOSED EXECUTIVE SESSIONS.**

After discussion, the majority of the Council believed it was best that the prohibition of food and beverages in the fireplace room remain for any and all organizations.

**C. DISCUSS CITY COUNCIL'S PRELIMINARY BUDGET & TAX RATE ADOPTION CALENDAR.**

There was discussion. The July 16, 2015 Council budget workshop was rescheduled to July 14, 2015.

**D. REPORT FROM CITY MANAGER ABOUT FLOODING EVENT ON MAY 24 AND MAY 25, 2015.**

Mr. Rodgers provided information about the areas in the city that were flooded. There was discussion.

RECESS: Mayor White announced that the Council would recess for a break at 6:58 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 – Councilmember Hilburn

Pledge of Allegiance to the United States and Texas flags.

**ITEM 3. CITIZENS/VISITORS COMMENTS.**

Mayor White requested citizens to address the Council.

Gerald Payne, 1302 Aspen, expressed concern about the flooding at his residence during heavy rains. He requested to be placed on a future agenda to allow dialogue with the Council. Mayor White requested that Mr. Payne discuss his concerns with the City Manager and that the City Manager report the outcome to the Council.

**ITEM 4-A. DISCUSSION AND/OR ACTION REGARDING MINUTES OF THE MAY 19, 2015 MEETING.**

Mayor Pro-Tem Sanchez made a motion to approve the City Council minutes of May 19, 2015. Councilmember Michelson seconded. The motion passed by a vote of 7-0.

**ITEM 4-B. DISCUSSION AND/OR ACTION REGARDING REQUEST BY THE LOCKHART INDEPENDENT SCHOOL DISTRICT (LISD) TRUSTEE BOARD PRESIDENT CARL CISNEROS TO AMEND THE CURRENT COUNCIL CHAMBER USE MEMORANDUM OF AGREEMENT TO ALLOW FOOD AND DRINKS IN THE FIREPLACE ROOM WHICH IS USED BY THE LISD BOARD FOR CLOSED EXECUTIVE SESSIONS.**

Larry Ramirez, Assistant Superintendent of the Lockhart ISD, thanked the Council for allowing the LISD Board of Trustees to use the Council Chambers for their board meetings. He requested that the LISD Board of Trustees be allowed to have food and drinks in the Fireplace Room.

Carl Cisneros, President of the LISD Board of Trustees, stated that the Board has many important upcoming projects and issues that would require the Board to meet more frequently. The meetings last a few hours and adjourn at late hours. He requested that the Board be allowed to have food and drinks in the fireplace room and suggested that the Board set up their table and chairs in the fireplace room during their meetings instead of using the conference table. The room would be clean and back to its original setting after each meeting.

There was discussion.

Councilmember Michelson made a motion to respectfully deny the request by the Lockhart Independent School District (LISD) Board of Trustee President, Carl Cisneros, to amend the current Council Chamber Use Memorandum of Agreement. Food and drinks will not be allowed in the Fireplace Room. Councilmember Hilburn seconded. The motion passed by a vote of 6-1, with Councilmember Castillo opposing.

**ITEM 4-C. DISCUSSION AND/OR ACTION FOR CITY COUNCIL TO CONSIDER PRELIMINARY BUDGET & TAX RATE ADOPTION CALENDAR.**

There was discussion.

Mayor White announced that the July 16, 2015 workshop would be rescheduled to July 14, 2015.

Mayor Pro-Tem Sanchez made a motion to approve the Budget & Tax Rate Adoption Calendar, as amended. Councilmember Hilburn seconded. The motion passed by a vote of 7-0.

**ITEM 4-D. DISCUSSION AND/OR ACTION REGARDING REPORT FROM CITY MANAGER ABOUT FLOODING EVENT ON MAY 24 AND MAY 25, 2015.**

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

**ITEM 4-E. DISCUSSION AND/OR ACTION REGARDING APPOINTMENTS TO VARIOUS BOARDS, COMMISSIONS OR COMMITTEES.**

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

**ITEM 5. CITY MANAGER'S REPORT, PRESENTATION AND POSSIBLE DISCUSSION.**

- Update: US Hwy 183 expansion project: Storm water contractor work.
- Update: Staff will continue to evaluate flood damages especially around bridges and box culverts, and reports of property flooding.
- Report: New water main line work in Phase II of US 183 Widening.
- Report: The filming of the HBO series "Leftovers" will continue and could last until October of this year. More downtown filming is scheduled with proper notices to businesses.
- Report: Fashion Glass and Mirror grand opening not scheduled yet.
- Report: Building permit issued to Fogle Storage & Lock for large expansion of their business on State Park Road.
- Report: Saturday, May 30, Chihuahua Neighborhood Block Party.
- Report: Splash Pad was opened some during the Memorial Day weekend, but was used little because of inclement weather conditions.
- Reminder: Brush chipping services are behind between 4 and 5 weeks due to all the wet weather and trimming done by residents; mowing schedules behind also.
- Reminder: Swimming pool will not open this year until after Chisholm Trail; Reasons: longer school year and not having enough certified life guards; staff working on plan to certify more youth that are interested in becoming life guards. Splash pad will

**ITEM 6. COUNCIL AND STAFF COMMENTS – ITEMS OF COMMUNITY INTEREST.**

Councilmember Westmoreland thanked the community for being patient with the film crew that is in Lockhart for the next few months.

Councilmember Mendoza thanked city staff for working hard at doing what they could to keep the citizens safe during the recent flooding. He thanked Mr. Lewis for hosting the Neighborhood Block party and the Council and staff for opening the Splash Pad for the citizens.

Mayor Pro-Tem Sanchez expressed condolences to the families of Minnie Petrosky and Esperanza Rangel for their loss. She congratulated the graduating class of 2015 and wished Councilmember John Castillo's parents a Happy Anniversary.

Councilmember Hilburn thanked the citizens for their patience with the traffic congestion during the Highway 183 renovation project and with the street closures and traffic during the HBO filming.

Councilmember Castillo expressed condolences to the families that lost a loved one recently. He invited all to attend the BBQ cook of this coming weekend and he thanked city staff for their hard work during the recent floods.

Councilmember Michelson also thanked citizen for their patience during the filming and highway renovation. He thanked staff for their hard work during the recent floods. He congratulated Robert Lewis for hosting a very successful neighborhood party on May 30.

Mayor White also thanked staff for their hard work during the recent floods. He thanked Martin Ritchey, Caldwell County Emergency Management Coordinator for his hard work in informing the public about emergency situations. He suggested that staff pursue purchasing a replacement emergency siren for Lockhart. Mr. Rodgers replied that it is scheduled to be purchased and installed in late fall. Mayor White thanked Adrianna Sparks for donating a picture that she took during the Kart Race at the Courthouse. Capital Area Council of Governments is offering free Open Government training to all that are interested. He invited everyone to attend the BBQ cook off and Chisholm Trail Roundup events.

**EXECUTIVE SESSIONS:** Mayor White announced and read Items 7, 8, and 9 and stated that the Council would enter Executive Session regarding those items at 8:15 p.m.

**ITEM 7. EXECUTIVE SESSION in accordance with the provisions of the Government Code, Title 5, Subchapter D, Section 551.071- private consultation with its attorney to seek advice about pending or contemplated litigation; and/or settlement offer; (2) and/or a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State of Texas clearly conflicts with this chapter.** Consultation with City Attorney to discuss pending litigation relating to *Pablo Develasco vs Caldwell County, Texas*, Cause No. 15-O-030 in the 421<sup>st</sup> District Court in Caldwell County, Texas.

Mayor White announced that the Council went into Executive Session on this item at 8:15 p.m. and completed Executive Session at 8:20 p.m.

**ITEM 8. EXECUTIVE SESSION in accordance with the provisions of the Government Code, Title 5, Subchapter D, Section 551.072 – to deliberate the purchase, exchange, lease or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person.** Discussion regarding the possible acquisition of property related to drainage.

Mayor White announced that the Council went into Executive session on this item at 8:20 p.m. and completed Executive Session at 8:45 p.m.

**ITEM 9. EXECUTIVE SESSION in accordance with the provisions of the Government Code, Title 5, Subchapter D, Section 551.074 – to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee.** Discussion regarding the City Manager's contract.

Mayor White announced that the Council went into Executive Session on this item at 8:45 p.m. and completed Executive Session at 9:00 p.m.

**ITEM 10. OPEN SESSION.**

Mayor White announced that the Council would go into Open Session at 9:02 p.m. regarding the following items:

**A. Discussion and/or action regarding pending litigation relating to Pablo Develasco vs Caldwell County, Texas, Cause No. 15-O-030 in the 421<sup>st</sup> District Court in Caldwell County, Texas.**

There was no action.

**B. Discussion and/or action regarding the possible acquisition of property related to drainage.**

Mayor Pro-Tem Sanchez made a motion to authorize city staff to proceed with negotiations for acquisition of property related to drainage. Councilmember Castillo seconded. The motion passed by a vote of 7-0.

**C. Discussion and/or action regarding the City Manager's contract.**

Councilmember Hilburn made a motion to approve the extension of the City Manager's contract to December 6, 2016. Councilmember Michelson seconded. The motion passed by a vote of 7-0.

**ITEM 11. 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 9:07 p.m.

PASSED and APPROVED this the 16<sup>th</sup> day of June 2015.



CITY OF LOCKHART

Lew White  
Lew White, Mayor

ATTEST:

Connie Constancio  
Connie Constancio, TRMC  
City Secretary