

**LOCKHART CITY COUNCIL
REGULAR MEETING**

JUNE 7, 2016

6:30 P.M.

**CLARK LIBRARY ANNEX-COUNCIL CHAMBERS, 217 SOUTH MAIN STREET, 3rd
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
Dan Gibson, City Planner

Connie Constancio, City Secretary
Jeff Hinson, Finance Director

Citizens/Visitors Addressing the Council: Members of the Lockhart Lady Lion Softball Team and Coaches of the Lockhart High School; Caldwell County EMS; Kyle Green and Jacob Cathey of Hill Country Foodworks; and, Citizens Roy Stephens and Oscar Barrera.

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. PRESENTATION OF CERTIFICATE ACKNOWLEDGING THE LOCKHART LADY VARSITY SOFTBALL TEAM FOR WINNING THE DISTRICT 27 5A CHAMPIONSHIP.

Mayor White presented a Certificate to the Lockhart Lady Lion Varsity Softball Team. Mayor and the Council commended the team for their honorable athletic accomplishments.

B. PRESENTATION OF A CERTIFICATE ACKNOWLEDGING CALDWELL COUNTY EMS FOR RECEIVING THE AMERICAN HEART ASSOCIATION'S 2016 MISSION: EMS LIFELINE-GOLD ACHIEVEMENT AWARD – EMS AGENCY.

Mayor White presented a Certificate to the Caldwell EMS acknowledging their receipt of the Gold Achievement Award. Mayor and the Council commended the EMS for their dedication to the safety of the citizens in the community.

DISCUSSION ONLY

A. DISCUSS MINUTES OF THE CITY COUNCIL MEETING OF MAY 17, 2016.

Mayor White requested corrections to the minutes. There were corrections.

B. DISCUSS AGREEMENT BY THE CALDWELL COUNTY APPRAISAL DISTRICT'S (CCAD) ATTORNEY WHEREBY THE CITY OF LOCKHART AGREES TO ACCEPT A BID OF \$1,735.44 AS SETTLEMENT FOR A CITY TAX DEBT OF \$4,394.03 ON THE PROPERTY AT 739 PEAR STREET THAT WAS FORECLOSED ON, AND APPOINTING THE MAYOR TO SIGN THE AGREEMENT, IF APPROVED.

Mr. Rodgers stated that the property was foreclosed on for non-payment of taxes and several times was put up for sale, but no bids were received. A bid has now been received that would allocate \$1,735.44 to the City of Lockhart of the \$4,394.03 due to the City. Mr. Rodgers recommended approval and stated that the City has no use for the property and getting it back on the tax rolls would be beneficial.

C. DISCUSS BID AWARD TO NIGHTHAWK CONSTRUCTION OF LOCKHART, TEXAS, FOR INSTALLATION OF 18" WATER TRANSMISSION MAIN FROM THE LOCKHART WATER TREATMENT PLANT FOR APPROXIMATELY 2,800 LINEAR FEET, INCLUDING ADDENDUM FOOTAGE, TO THE WEST IN THE AMOUNT OF \$249,157.50, AND AUTHORIZING THE MAYOR TO SIGN ALL CONTRACTUAL DOCUMENTS, IF APPROVED.

Mr. Rodgers stated that bid advertisements in compliance with State Law were sought for the installation of approximately 2,800 linear feet of an 18" water transmission line, including addendum for additional footage. Nineteen companies expressed interest in the project, but only 8 submitted bids. Bids ranged from \$319,208 to the low bid of \$249,157.50 as submitted by Nighthawk Construction of Lockhart. The company has been in business six years in Lockhart performing site work including the installation of utilities. The foreman for the project has more than 20 years of verifiable utility line experience. References for the company were very good. Mr. Rodgers recommended approval. There was discussion.

D. DISCUSS RECOMMENDATION BY GUADALUPE-BLANCO RIVER AUTHORITY (GBRA) TO AWARD BID IN THE AMOUNT OF \$79,485 TO ADVANCED WATER WELL TECHNOLOGIES OF CONVERSE, TEXAS, FOR MAJOR REPAIRS TO LOCKHART WATER WELL NUMBER 11 THAT WILL EXTEND THE LIFE AND PRODUCTIVITY OF THE WELL.

Mr. Rodgers stated that Water Well #11 normally has a capacity to pump about 864,000 gallons of water per day; the pumping capacity of the well has dropped significantly over the past two months to around 200,000 gallons per day and is at times pumping a lot of water sand. This is one of Lockhart's best water wells. A major overhaul of the Well by the Guadalupe-Blanco River Authority (GBRA) engineers was strongly recommended to recover the desired Well productivity and to extend the life of the Well. Advertisements for bids were completed by GBRA in compliance with State Law. Five bids were submitted with the highest bid being \$89,800 and the lowest bid of \$79,485 submitted by Advanced Water Well Technologies. According to GBRA representatives, this company is well qualified to perform the work as specified. Mr. Rodgers recommended approval. There was discussion.

E. DISCUSS RESOLUTION 2016-11 RESCINDING, IN ITS ENTIRETY, RESOLUTION NO. 2006-26 THAT APPROVED AMERICAN PEW & BENCH, LLC AS A PROJECT UNDER SECTION 4B OF THE TEXAS ECONOMIC DEVELOPMENT CORPORATION ACT OF 1979, AMENDED, AND PROPOSED FUNDING IN AN AMOUNT NOT TO EXCEED \$75,000 FOR PROJECT DEVELOPMENT, CONSTRUCTION, MAINTENANCE OR OPERATING SERVICES SUITABLE FOR THE DEVELOPMENT, RETENTION OR EXPANSION OF MANUFACTURING AND INDUSTRIAL FACILITIES AS ALLOWED BY THE 4B LAW AND THAT MAY INCLUDE EXPENDITURES REQUIRED OR SUITABLE FOR INFRASTRUCTURE NECESSARY TO PROMOTE OR DEVELOP NEW OR EXPANDED BUSINESS ENTERPRISES.

Mr. Rodgers stated that American Pew & Bench is no longer in business and are no longer leasing 215 E. MLK, Jr. Industrial Blvd. Rescinding the project by Resolution would release the City of Lockhart from any financial liability. The Lockhart Economic Development Corporation also approved a Resolution rescinding the project on June 6, 2016. Mr. Rodgers recommended approval.

F. DISCUSS RESOLUTION 2016-10 RESCINDING, IN ITS ENTIRETY, RESOLUTION 2014-13 FUNDING A TYPE A PROJECT UNDER SECTION 4B OF THE TEXAS ECONOMIC DEVELOPMENT CORPORATION ACT OF 1979, AMENDED, THAT PROPOSED FUNDING OF THE PURE CASTINGS COMPANY PROJECT IN AN AMOUNT NOT TO EXCEED \$464,966.43 INCLUDING THE COST OF LAND AND IMPROVEMENTS, INFRASTRUCTURE IMPROVEMENTS, DEVELOPMENT AND IMPACT FEES, AND/OR BUILDING PERMIT FEES THAT ARE REQUIRED OR SUITABLE FOR THE DEVELOPMENT, RETENTION, OR EXPANSION OF MANUFACTURING AND INDUSTRIAL FACILITIES TO PROMOTE OR DEVELOP NEW OR EXPANDED BUSINESS ENTERPRISES, AND TO CREATE AND MAINTAIN AN AVERAGE OF AT LEAST 75 NEW PRIMARY JOBS DURING THE INITIAL FIVE YEAR PERIOD.

Mr. Rodgers stated that on December 8, 2014, Pure Castings Co. was approved as a Type A Project under 4B. The project included a proposal that they purchase 9.20 acres of land in Lockhart Industrial Park II to build a 40,000SF facility for the management and production of precision castings in ferrous and non-ferrous materials. The decline in the oil industry initiated a change in business plans for Pure Castings yet the company continues its expansion into Lockhart under new plans. Staff chose to completely rescind the previous project and to move forward with two new Type A projects that were approved in the previous Council meeting of May 17, 2016.

The Lockhart Economic Development Corporation also approved a Resolution rescinding the Type A project that was offered to Pure Castings Company in 2014 on June 6, 2016. Mr. Rodgers recommended approval. There was discussion.

G. DISCUSSION REGARDING THE CURRENT RESTRICTIONS APPLICABLE TO FLAGPOLE HEIGHTS, SIZES OF FLAGS, AND POSSIBLE DIRECTION TO STAFF REGARDING AN AMENDED ORDINANCE.

Mayor White stated that a variance in regards to a flagpole being a height of 50 feet for a business on Highway 183 was previously denied by the Board of Adjustment. He suggested that if an ordinance amendment is approved that it limits the display of the United States or Texas flags. He also pointed out several issues in favor of or against increasing the height of the flagpole.

Councilmember Hilburn, Councilmember Castillo, and Mayor Pro-Tem Sanchez spoke against the consideration of amending the sign ordinance to allow a 50 foot flagpole.

Councilmember Mendoza spoke in favor of requesting the Planning and Zoning Commission to review the sign ordinance to recommend an amendment to allow a 50 foot flagpole.

Mayor White asked if Councilmember Michelson should abstain from discussion. Mr. Gruning stated that Councilmember Michelson was not required to abstain because the proposed ordinance amendment would affect the entire city and because the ordinance amendment is not specific to Councilmember Michelson's property.

Councilmember Michelson spoke in favor of consideration of amending the sign ordinance to allow a 50 foot flagpole to display the United States or Texas flags.

There was discussion.

H. DISCUSS RESOLUTION 2016-12 APPROVING A TYPE A PROJECT UNDER SECTION 4B OF THE TEXAS ECONOMIC DEVELOPMENT CORPORATION ACT OF 1979, AS AMENDED, FUNDING HILL COUNTRY FOODWORKS, LLC IN AN AMOUNT NOT TO EXCEED \$95,000 INCLUDING BUILDING AND LAND LOCATED AT 215 E. MLK, JR. INDUSTRIAL BLVD. AND THAT CERTAIN 1.806 ACRES ADJACENT TO THE EAST BOTH OF WHICH ARE DESCRIBED AS LOTS 4A AND 4B, OF THE AMENDING PLAT FOR THE RESUBDIVISION OF LOT 4, BLOCK 1, AND LOTS 6, 7 AND 15, BLOCK 2, OF THE AMENDING PLAT FOR THE RESUBDIVISION PLAT OF LOCKHART INDUSTRIAL PARK II, REVISION NO. 2, IMPROVEMENTS AND PROFESSIONAL SERVICES.

Mr. Rodgers stated that the Lockhart Economic Development Corporation approved a Resolution on June 6, 2016 approving the project. He stated that this Type A project for Hill Country Foodworks LLC is for the building at 215 E. MLK, Jr. Industrial Blvd. and that certain 1.806 acres of land adjacent to the east property line and proposes the sale of land, purchase of the building, and professional services in an amount not to exceed \$95,000 for the creation of 25 primary jobs identified as Full Time Equivalent employees, for the development retention, or expansion of a manufacturing and industrial facility necessary to promote or develop a new or expanded business enterprise. Mr. Rodgers recommended approval.

Mr. Gruning pointed out a correction to the Resolution.

There was discussion.

I. DISCUSS CHAPTER 380 REBATE OF CITY PROPERTY TAX TO HILL COUNTRY FOODWORKS LLC ON THEIR NEW FACILITY LOCATED IN THE CITY OF LOCKHART AT 215 E. MLK, JR. INDUSTRIAL BLVD. AND THAT CERTAIN 1.806 ACRES ADJACENT TO THE EAST BOTH OF WHICH ARE DESCRIBED AS LOTS 4A AND 4B, OF THE AMENDING PLAT FOR RESUBDIVISION OF LOT 4, BLOCK 1, AND LOTS 6, 7 AND 15, BLOCK 2, OF THE AMENDING PLAT FOR THE RESUBDIVISION PLAT LOCKHART INDUSTRIAL PARK II, REVISION NO. 2., PROPOSED TO BE OFFERED TO THE COMPANY FOR LOCATING THEIR FACILITY IN LOCKHART AND CREATING 25 PRIMARY JOBS TO STIMULATE BUSINESS AND COMMERCIAL ACTIVITY IN THE CITY, AND TO APPOINT THE MAYOR TO SIGN ALL CONTRACTS FOR THE COUNCIL.

Mr. Rodgers stated that by locating the Hill Country Foodworks, LLC in the City of Lockhart, the Company will create new jobs, generate new sales tax revenues, and add improvements to real property and personal property and inventory subject to ad valorem tax assessment. Providing an economic development program to the Company pursuant to Texas Local Government Code, Chapter 380 as an incentive to locate its Central Texas operations in the City of Lockhart will serve a public purpose by promoting local economic development and stimulating business and commercial activity in the City.

Mayor White requested Representatives of Hill Country Foodworks to address the Council.

Kyle Green and Jacob Cathey of Hill Country Foodworks thanked the Council for considering their business to locate in Lockhart. Their business is expanding and they need a larger facility. There was discussion about Hill Country Foodworks' employment policies.

RECESS: Mayor White announced that the Council would recess for a break at 7:25 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 7:43 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-A. HOLD A PUBLIC HEARING ON APPLICATION ZC-16-03 BY CRUZ REYNA FOR A ZONING CHANGE FROM AO AGRICULTURAL-OPEN SPACE DISTRICT TO RLD RESIDENTIAL LOW DENSITY DISTRICT FOR 5.01 ACRES IN THE JAMES GEORGE SURVEY, ABSTRACT NO. 9, LOCATED AT 1545 LOVER'S LANE.

Mayor White opened the public hearing at 7:46 p.m. and requested the staff report.

Mr. Gibson stated that the subject property currently contains one single-family dwelling. The applicant wishes to subdivide the property into two or more lots, which would allow the construction of additional single-family dwellings. The property is not wide enough to accommodate more than one lot having the minimum lot width of 200 feet required by the existing AO zoning. The requested RLD zoning has a much narrower minimum lot width of 65 feet, which would provide more flexibility in the layout of lots. The size and shape of the property is such that a subdivision consisting of 14 or 15 lots served by a new interior street could be developed if the owner desired. There is existing RLD zoning adjacent to the west portion of the south property line. The remainder of the area around the property is zoned AO but is designated on the Land Use Plan map as future low density, residential, which corresponds to the requested RLD zoning classification. The requested RLD zoning classification is consistent with the Low Density Residential future land use map designation of the property. If the zoning change is denied, the tract would remain zoned AO and be limited to only the existing house unless a zoning variance is requested and approved to reduce the 200-foot minimum lot width standard, or unless a new

internal street is constructed to provide access to another lot that is at least 200 feet wide. One letter of opposition was received from an owner of property across the street. However, no one other than the applicant appeared at the Planning and Zoning Commission public hearing. Mr. Gibson stated that the Planning and Zoning Commission and staff recommend approval.

There was discussion.

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

Roy Stephens, Developer, spoke in favor of the zoning change. He stated that he will assist Mr. Reyna, applicant, with the project and that all homes will be built to the City of Lockhart's specifications.

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

Oscar Barrera, 1546 Lover's Lane, spoke in favor of the zoning change yet spoke against allowing modular homes to be built in the proposed subdivision and requested that only stick built homes be allowed.

Mayor White requested additional citizens to address the Council. There were none. He closed the public hearing at 8:01 p.m.

ITEM 4-B. DISCUSSION AND/OR ACTION TO CONSIDER ORDINANCE 2016-15 AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF LOCKHART, TEXAS, TO RECLASSIFY THE PROPERTY KNOWN AS 5.01 ACRES IN THE JAMES GEORGE SURVEY, ABSTRACT NUMBER 9, LOCATED AT 1545 LOVER'S LANE, FROM AO AGRICULTURAL-OPEN SPACE DISTRICT TO RLD RESIDENTIAL LOW DENSITY DISTRICT.

Councilmember Hilburn made a motion to approve Ordinance 2016-15, as presented. Mayor Pro-Tem Sanchez seconded. The motion passed by a vote of 7-0.

ITEM 5-A. CONDUCT THE FIRST OF TWO REQUIRED READINGS OF RESOLUTION 2016-12, IN ITS ENTIRETY, AND DISCUSSION REGARDING APPROVING A TYPE A PROJECT UNDER SECTION 4B OF THE TEXAS ECONOMIC DEVELOPMENT CORPORATION ACT OF 1979, AS AMENDED, FUNDING HILL COUNTRY FOODWORKS LLC IN AN AMOUNT NOT TO EXCEED \$95,000 INCLUDING BUILDING AND LAND LOCATED AT 215 E. MLK, JR. INDUSTRIAL BLVD. AND THAT CERTAIN 1.806 ACRES ADJACENT TO THE EAST BOTH OF WHICH ARE DESCRIBED AS LOTS 4A AND 4B OF THE AMENDING PLAT FOR THE RESUBDIVISION OF LOT 4, BLOCK 1, AND LOTS 6, 7 AND 15, BLOCK 2, OF THE AMENDING PLAT FOR THE RESUBDIVISION PLAT OF LOCKHART INDUSTRIAL PARK II, REVISION NO. 2, IMPROVEMENTS, AND PROFESSIONAL SERVICES.

Mr. Hinson conducted the 1st reading of Resolution 2016-12, in its entirety.

ITEM 6. CONSENT AGENDA.

Councilmember Hilburn made a motion to approve consent agenda items 6A as amended, 6B, 6C, 6D, 6E, and 6F. Councilmember Michelson seconded. The motion passed by a vote of 7-0.

The following are the consent agenda items that were approved:

- 6A: Approve minutes of the City Council meeting of May 17, 2016, as amended.
- 6B: Approve agreement by the Caldwell County Appraisal District's (CCAD) Attorney whereby the City of Lockhart agrees to accept a bid of \$1,735.44 as settlement for a City tax debt of \$4,394.03 on the property at 739 Pear Street that was foreclosed on, and appointing the Mayor to sign the agreement, if approved.
- 6C: Approve bid award to Nighthawk Construction of Lockhart, Texas, for installation of 18" water transmission main from the Lockhart Water Treatment Plant for approximately 2,800 linear feet, including addendum footage, to the west in the amount of \$249,157.50, and authorizing the Mayor to sign all contractual documents, if approved.
- 6D: Approve recommendation by Guadalupe-Blanco River Authority (GBRA) to award bid in the amount of \$79,485 to Advanced Water Well Technologies of Converse, Texas, for major repairs to Lockhart Water Well Number 11 that will extend the life and productivity of the well.
- 6E: Approve Resolution 2016-11 rescinding, in its entirety, Resolution No. 2006-26 that approved American Pew & Bench, LLC as a project under Section 4B of the Texas Economic Development Corporation Act of 1979, amended, and proposed funding in an amount not to exceed \$75,000 for project development, construction, maintenance or operating services suitable for the development, retention or expansion of manufacturing and industrial facilities as allowed by the 4B law and that may include expenditures required or suitable for infrastructure necessary to promote or develop new or expanded business enterprises.
- 6F: Approve Resolution 2016-10 rescinding, in its entirety, Resolution 2014-13 funding a Type A project under Section 4B of the Texas Economic Development Corporation Act of 1979, amended, that proposed funding of the Pure Castings Company project in an amount not to exceed \$464,966.43 including the cost of land and improvements, infrastructure improvements, development and impact fees, and/or building permit fees that are required or suitable for the development, retention, or expansion of manufacturing and industrial facilities to promote or develop new or expanded business enterprises, and to create and maintain an average of at least 75 new primary jobs during the initial five year period.

ITEM 7-A. DISCUSSION AND/OR ACTION REGARDING THE CURRENT RESTRICTIONS APPLICABLE TO FLAGPOLE HEIGHTS, SIZES OF FLAGS, AND POSSIBLE DIRECTION TO STAFF REGARDING AN AMENDED ORDINANCE.

Councilmember Mendoza made a motion to direct staff to create an amendment to the sign ordinance pertaining to restrictions applicable to flagpole heights and allowable sizes and types of flags. Councilmember Westmoreland seconded. The motion failed by a vote of 3-3-1, with Councilmembers Hilburn, Sanchez, and Castillo opposing and Councilmember Michelson abstaining.

ITEM 7-B. CONDUCT THE SECOND OF TWO REQUIRED READINGS, AND DISCUSSION AND/OR ACTION TO CONSIDER APPROVAL OF RESOLUTION 2016-12 APPROVING A TYPE A PROJECT UNDER SECTION 4B OF THE TEXAS ECONOMIC DEVELOPMENT CORPORATION ACT OF 1979, AS AMENDED, FUNDING HILL COUNTRY FOODWORKS, LLC IN AN AMOUNT NOT TO EXCEED \$95,000 INCLUDING BUILDING AND LAND LOCATED AT 215 E. MLK, JR. INDUSTRIAL BLVD. AND THAT CERTAIN 1.806 ACRES ADJACENT TO THE EAST BOTH OF WHICH ARE DESCRIBED AS LOTS 4A AND 4B, OF THE AMENDING PLAT FOR THE RESUBDIVISION OF LOT 4, BLOCK 1, AND LOTS 6, 7 AND 15, BLOCK 2, OF THE AMENDING PLAT FOR THE RESUBDIVISION PLAT OF LOCKHART INDUSTRIAL PARK II, REVISION NO. 2, IMPROVEMENTS AND PROFESSIONAL SERVICES.

Mr. Hinson conducted the second reading of Resolution 2016-12, in its entirety.

ITEM 7-C. DISCUSSION AND/OR ACTION REGARDING CHAPTER 380 REBATE OF CITY PROPERTY TAX TO HILL COUNTRY FOODWORKS LLC ON THEIR NEW FACILITY LOCATED IN THE CITY OF LOCKHART AT 215 E. MLK, JR. INDUSTRIAL BLVD. AND THAT CERTAIN 1.806 ACRES ADJACENT TO THE EAST BOTH OF WHICH ARE DESCRIBED AS LOTS 4A AND 4B, OF THE AMENDING PLAT FOR RESUBDIVISION OF LOT 4, BLOCK 1, AND LOTS 6, 7 AND 15, BLOCK 2, OF THE AMENDING PLAT FOR THE RESUBDIVISION PLAT LOCKHART INDUSTRIAL PARK II, REVISION NO. 2., PROPOSED TO BE OFFERED TO THE COMPANY FOR LOCATING THEIR FACILITY IN LOCKHART AND CREATING 25 PRIMARY JOBS TO STIMULATE BUSINESS AND COMMERCIAL ACTIVITY IN THE CITY, AND TO APPOINT THE MAYOR TO SIGN ALL CONTRACTS FOR THE COUNCIL.

Mayor Pro-Tem Sanchez made a motion to approve the Chapter 380 Rebate, as presented. Councilmember Michelson seconded. The motion passed by a vote of 7-0.

ITEM 7-B. CONDUCT THE SECOND OF TWO REQUIRED READINGS, AND DISCUSSION AND/OR ACTION TO CONSIDER APPROVAL OF RESOLUTION 2016-12 APPROVING A TYPE A PROJECT UNDER SECTION 4B OF THE TEXAS ECONOMIC DEVELOPMENT CORPORATION ACT OF 1979, AS AMENDED, FUNDING HILL COUNTRY FOODWORKS, LLC IN AN AMOUNT NOT TO EXCEED \$95,000 INCLUDING BUILDING AND LAND LOCATED AT 215 E. MLK, JR. INDUSTRIAL BLVD. AND THAT CERTAIN 1.806 ACRES ADJACENT TO THE EAST BOTH OF WHICH ARE DESCRIBED AS LOTS 4A AND 4B, OF THE AMENDING PLAT FOR THE RESUBDIVISION OF LOT 4, BLOCK 1, AND LOTS 6, 7 AND 15, BLOCK 2, OF THE AMENDING PLAT FOR THE RESUBDIVISION PLAT OF LOCKHART INDUSTRIAL PARK II, REVISION NO. 2, IMPROVEMENTS AND PROFESSIONAL SERVICES.

Councilmember Hilburn made a motion to approve Resolution 2016-12, as amended. Mayor Pro-Tem Sanchez seconded. The motion passed by a vote of 7-0.

ITEM 7-D. DISCUSSION AND/OR ACTION REGARDING APPOINTMENTS TO VARIOUS BOARDS, COMMISSIONS OR COMMITTEES.

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

Mayor Pro-Tem Sanchez made a motion to appoint Chris Schexnayder to the Parks Advisory Board. Councilmember Mendoza seconded. The motion passed by a vote of 7-0.

ITEM 8. CITY MANAGER'S REPORT, PRESENTATION AND POSSIBLE DISCUSSION.

- Update- US 183 widening project, Hickory to Blackjack: west side drainage truck main started between Hickory and Blackjack; some rain delays.
- Update: Contracts with Qro-Mex Construction on Richland Drive and rain delays; most rain May in history at Austin-Bergstrom Regional Airport.
- Update: Preparation for Chisholm Trail Annual Event in City Park and parade on Saturday, June 11.
- Update: BBQ Cook-off to be rescheduled due to rain events.
- Update: Summer Reading Program at Library.
- Update: Leaks in exterior brick walls at Clark Library Annex.
- Update: Water crew replacing and put in new water mains on Walnut and North Church Streets.
- Reminder: Movie in the Park – “Minions”, June 18th at City Park.

ITEM 9. COUNCIL AND STAFF COMMENTS – ITEMS OF COMMUNITY INTEREST.

Councilmember Westmoreland invited everyone to the Chisholm Trail Roundup (CTR) this weekend and reminded everyone to be safe.

Councilmember Mendoza also reminded everyone to be safe during CTR.

Mayor Pro-Tem Sanchez expressed condolences to the families of Mrs. Cruz Mendez and Ray Sedwick, Jr. for their loss. She congratulated the graduating class of 2016. Happy Father's Day to all fathers.

Councilmember Castillo wished the Lockhart Chamber of Commerce good luck for a successful CTR event. Good luck to the Lockhart Little League Allstars during the championship baseball and softball tournaments. Happy Father's Day. He expressed condolences to the family of Joey Borja for their loss.

Councilmember Michelson wished the Lockhart Chamber of Commerce good luck during the CTR event.

Mayor White invited everyone to attend the CTR events this weekend.

ITEM 10. 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.

Mayor White announced that the Council would enter **Executive Session** at 8:35 p.m. for discussion regarding the following:

A. Discussion regarding the purchase of right of way and drainage easement for reconstruction of East Walnut Street west of Carver Street.

B. Discussion regarding the purchase of utility easements needed north and south of the railroad right of way east and west of SH 130.

ITEM 12. OPEN SESSION.

Mayor White announced that the Council would enter **Open Session** at 8:55 p.m. for discussion and/or action regarding the following:

A. Discussion and/or action regarding needed right of way and drainage easement for reconstruction of East Walnut Street west of Carver Street and granting approval to the City Manager to negotiate under specified terms for obtaining the right of way and drainage easement in the interest of a public purpose.

Mayor Pro-Tem Sanchez made a motion to authorize the City Manager to continue negotiations for the purchase of the right of way and drainage easement. Councilmember Castillo seconded. The motion passed by a vote of 7-0.

B. Discussion and/or action regarding utility easements needed north and south of the railroad right of way east and west of SH 130 and granting approval to the City Manager to negotiate under specified terms the obtaining of the easements as discussed in executive session in the interest of a public purpose.

Councilmember Hilburn announced that he would abstain from discussion and/or voting on this item.

Mayor Pro-Tem Sanchez made a motion to authorize the City Manager to continue negotiations for the purchase of the utility easements. Councilmember Castillo seconded. The motion passed by a vote of 6-0-1, with Councilmember Hilburn abstaining.

ITEM 11. 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.

Mayor White announced that the Council would enter **Executive Session** at 9:00 p.m. for discussion regarding the following:

- A. Discussion with City Attorney regarding pending or contemplated litigation and to receive legal advice while preserving the attorney-client privilege.**

OPEN SESSION

Mayor White announced that the Council would enter into **Open Session** at 9:45 p.m. for discussion and/or action regarding the following:

- A. Discussion and/or action regarding pending or contemplated litigation and to receive legal advice while preserving the attorney-client privilege.**

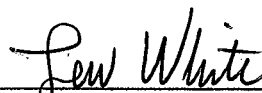
There was no action taken.

ITEM 13. 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 21st day of June 2016.

CITY OF LOCKHART



Lew White, Mayor

ATTEST:



Connie Constancio, TRMC, City Secretary

