

PUBLIC NOTICE

AGENDA

LOCKHART CITY COUNCIL AND LOCKHART ECONOMIC DEVELOPMENT CORPORATION JOINT MEETING

TUESDAY, SEPTEMBER 6, 2011

CITY HALL – GLOSSERMAN ROOM
308 WEST SAN ANTONIO STREET

6:30 P.M.

WORK SESSION (No Action)

Work session will be held to receive briefings and to initially discuss all items contained on the Agenda posted for 7:30 p.m. Generally, this work session is to simplify issues as it relates to the agenda items. No vote will be taken on any issue discussed or reviewed during the work session.

DISCUSSION ONLY

- A. Discussion regarding Resolution 2011-14 of the Lockhart City Council proposing a 4A type project under Section 4B of the Texas Economic Development Corporation Act of 1979, for assistance up to \$11,700 for project development and the creation of primary jobs by M&M Machine Works at Lockhart Industrial Park II.
- B. Discuss City Council minutes for the August 11, 2011, August 16, 2011 and August 18, 2011 meetings.
- C. Discuss request by the Lockhart Little League (LLL) to renew with one minor amendment their lease agreement with the City of Lockhart for the use and management of fields and facilities at the Lockhart Sports Complex at 700 Carver Street and allowing the City Manager to sign the renewal agreement which is for five (5) years.
- D. Discuss Ordinance 2011-15 amending Chapter 6, Alcoholic Beverages, Section 6-2(a) and 6-2(b), to change the Alcoholic Beverage license and permit fee from an annual fee to a two (2) year fee.
- E. Discuss Ordinance 2011-16 changing certain City election polling places for the Joint Election of the City of Lockhart and Caldwell County to be held on November 8, 2011 in order to comply with the consolidation of precincts and polling places by Caldwell County.
- F. Discuss the submittal of a grant application by the Lockhart Fire Department through the Department of Homeland Security's Assistance to Firefighters' Grant program.
- G. Discussion regarding an appeal by property owners at 730 Bois D'Arc to the decision of the Construction Board of Appeals to grant a variance request with stipulations that they add a support concrete beam around the perimeter to the porch that their unlicensed contractor constructed without a permit and without a pre-pour inspection: the concrete for the porch does not meet minimum construction standards.
- H. Discussion regarding possible direction to the City Manager to prepare an ordinance that restricts and/or prohibits chickens and/or roosters in all or select zoned areas of the City of Lockhart.
- I. Discussion regarding Council's nominee(s) selection for Director on the Caldwell County Appraisal District Board so staff can prepare a nominee(s) resolution for Council's consideration for the September 20, 2011 meeting.

7:30 P.M. REGULAR MEETING

JOINT MEETING – LOCKHART CITY COUNCIL AND LOCKHART ECONOMIC DEVELOPMENT CORPORATION

1. **CALL TO ORDER**
City Council - Mayor Ray Sanders
Lockhart Economic Development Corporation - Sharyl Ruiz, Chair
2. **INVOCATION, PLEDGE OF ALLEGIANCE**
Councilmember John Castillo
3. **CITIZENS/VISITORS COMMENTS**
(The purpose of this item is to allow citizens an opportunity to address the City Council on issues that are not on the agenda. No discussion can be carried out on the citizen/visitor comment.)
4. **PUBLIC HEARING - CITY COUNCIL AND LOCKHART ECONOMIC DEVELOPMENT CORPORATION ACTION**
 - A. Hold public hearings on the City of Lockhart and Lockhart Economic Development Corporation Fiscal Year 2011-2012 budgets.
 - B. Announce that the Lockhart City Council is scheduled to vote on the City of Lockhart budget and tax rate for Fiscal Year 2011-2012 on Tuesday, September 20, 2011 at the City of Lockhart Council Chambers, Glosserman Room, 308 West San Antonio Street, Lockhart, Texas 78644 at 7:30 p.m.
 - C. Presentation, discussion and/or action to consider approval of the Lockhart Economic Development Corporation's Multi-Year Financial Plan.
5. **CITY COUNCIL/LOCKHART ECONOMIC DEVELOPMENT CORPORATION DISCUSSION AND/OR ACTION.**
 - A. Discussion and/or action by Lockhart Economic Development Corporation to consider approval of Resolution 2011-2 of the Lockhart Economic Development Corporation proposing a 4A type project under Section 4B of the Texas Economic Development Corporation Act of 1979, for assistance up to \$11,700 for project development and the creation of primary jobs by M&M Machine Works at Lockhart Industrial Park II.
 - B. Discussion and/or action by Lockhart City Council to consider approval of Resolution 2011-14 of the Lockhart City Council proposing a 4A type project under Section 4B of the Texas Economic Development Corporation Act of 1979, for assistance up to \$11,700 for project development and the creation of primary jobs by M&M Machine Works at Lockhart Industrial Park II.
6. **LOCKHART ECONOMIC DEVELOPMENT CORPORATION -ADJOURNMENT.**

LOCKHART CITY COUNCIL TO CONTINUE MEETING

7. **CONSENT AGENDA**

- A. Approve City Council minutes for the August 11, 2011, August 16, 2011 and August 18, 2011 meetings.
- B. Approve request by the Lockhart Little League (LLL) to renew with one minor amendment their lease agreement with the City of Lockhart for the use and management of fields and facilities at the Lockhart Sports Complex at 700 Carver Street and allowing the City Manager to sign the renewal agreement which is for five (5) years.
- C. Approve Ordinance 2011-15 amending Chapter 6, Alcoholic Beverages, Section 6-2(a) and 6-2(b), to change the Alcoholic Beverage license and permit fee from an annual fee to a two (2) year fee.
- D. Approve Ordinance 2011-16 changing certain City election polling places for the Joint Election of the City of Lockhart and Caldwell County to be held on November 8, 2011 in order to comply with the consolidation of precincts and polling places by Caldwell County.
- E. Approve the submittal of a grant application by the Lockhart Fire Department through the Department of Homeland Security's Assistance to Firefighters' Grant program.

8. **DISCUSSION/ACTION ITEMS**

- A. Discussion and/or action regarding an appeal by property owners at 730 Bois D'Arc to the decision of the Construction Board of Appeals to grant a variance request with stipulations that they add a support concrete beam around the perimeter to the porch that their unlicensed contractor constructed without a permit and without a pre-pour inspection: the concrete for the porch does not meet minimum construction standards.
- B. Discussion and/or action regarding possible direction to the City Manager to prepare an ordinance that restricts and/or prohibits chickens and/or roosters in all or select zoned areas of the City of Lockhart.
- C. Discussion and/or action regarding Council's nominee(s) selection for Director on the Caldwell County Appraisal District Board so staff can prepare a nominee(s) resolution for Council's consideration for the September 20, 2011 meeting.
- D. Appointments to various boards, commissions or committees.
- E. Presentation, discussion and/or action regarding Fiscal Year 2011-2012 Proposed Budget and related information.
- F. Discussion and/or action regarding maintenance and operation and capital budgets and funding.
- G. Discussion and/or action regarding Tentative Budget and Tax Rate Adoption Calendar.

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

- Reminder that outside watering restrictions continue due to the lack of rain and one water well being down; outside watering can only be between 7 pm and 10 am two days per week.
- Update on water wells conditions and pumping.
- Wal-Mart groundbreaking ceremony.
- The City of Lockhart has been awarded \$ 275,000 for wastewater system improvements by the Texas Department of Rural Affairs; work should begin within the next 90 days.
- The 18" badly deteriorated water transmission main was completed last Wednesday, about 40 days ahead of original schedule; Raymond DeLeon is to be commended.
- Chief Doyle will be soliciting interest for a Junior Firefighter Cadet Program through Lockhart High School Students enrolled in grades 11 and 12; this is funded through the Federal Emergency Mitigation Agency (FEMA), a Staffing for Adequate Fire and Emergency Response (SAFER) grant.
- The Department of Justice preclearance (no objection) letter for the City's new single-member voting district plan was received August 17.
- Diez y Seis de Septiembre celebration event will be held in City Park beginning on Friday, September 16.
- Evening with the Authors will held on Saturday, October 1, at 624 W San Antonio Street, from 6 to 9 pm.
- The 4th Annual Plum Creek/Town Branch/Lockhart Springs Cleanup will be held rain or shine on Saturday, September 24, beginning at 9 am in City Park.
- A special ceremony in remembrance of the 10th anniversary of 9-11 will held in Lions Park on Sunday, September 11, beginning about 4 pm with Fire, EMS and Police Departments participating.
- Update on County Request of Proposals for Emergency Medical Services
- Pre-construction for sidewalk replacement held last week; contractor will start within next thirty (30) days.
- Bids were received for the proposed street work and are being analyzed for possible award consideration by Council at the September 20 meeting.
- Library advertisement of bids should go out within the next 10 days or so; had to wait on decision from Texas Commission Environmental Quality regarding backflow prevention devices.
- The City of Lockhart in conjunction with the Friends of the Brock Cabin submitted a grant application for \$ 25,000 to the Lower Colorado River Authority to help move and restore the cabin with no cash commitment from the City other than the funds raised by the Friends.
- Update on bat problems in the downtown area.
- The third movie in City Park is set for Saturday, September 10, (Despicable Me) starting at 8:30 pm.
- Last day for candidates to file for a place on the ballot for the November 8, 2011 election (positions=Mayor, District 3, and District 4) is Wednesday, September 7 by 5:00 p.m.

10. **COUNCIL AND STAFF COMMENTS – ITEMS OF COMMUNITY INTEREST**

*(**Items of Community Interest defined below)*

11. **ADJOURNMENT**

*** Items of Community Interest includes: 1) expressions of thanks, congratulations or condolence; 2) information regarding holiday schedules; 3) an honorary or salutary recognition of a public official, public employee, or other citizen, except that a discussion regarding a change in the status of a person's public office or public employment is not an honorary or salutary recognition for purposes of this subdivision; 4) a reminder about an upcoming event organized or sponsored by the governing body; 5) information regarding a social, ceremonial, or community event organized or sponsored by an entity other than the governing body that was attended or is scheduled to be attended by a member of the governing body or an official employee of the municipality; and 6) announcements involving an imminent threat to the public health and safety of people in the municipality that has arisen after the posting of the agenda. (SB 1182 - effective 09/01/2009)*

*** Once approved to be on the agenda, staff requests you register to speak prior to the meeting. Deadline for specific items on the agenda is Noon Tuesday prior to the Regular Meeting.**

If, during the course of the meeting, any discussion of any item on the agenda should be held in executive or closed session, the City Council will convene in such executive or closed session, in accordance with the provisions of the Government Code, Title 5, Subchapter D to consider one or more matters pursuant to the following:

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 government body under the Texas Disciplinary Rules of Professional Conduct of the State of Texas clearly conflicts with this chapter.

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.

Section 551.073. To deliberate a negotiated contract for a prospective gift or donation to the state or the governmental body if deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person.

Section 551.074. To deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; or to hear a complaint or charge against an officer or employee.

Section 551.076. To deliberate the deployment, or specific occasions for implementation, of security personnel or devices.

Section 551.086. To deliberate vote or take final action on any competitive matters relating to public power utilities.

Section 551.087. To deliberate or discuss regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations; or to deliberate the offer of a financial or other incentive to a business prospect.

Section 551.088. To deliberate a test item or information related to a test item if the governmental body believes that the test item may be included in a test the governmental body administers to individuals who seek to obtain or renew a license or certificate that is necessary to engage in an activity.

After discussion of any matters in executive session, any final action or vote taken will be in public by the City Council.

City Council shall have the right at anytime to seek legal advice in Executive Session from its Attorney on any agenda item, whether posted for Executive Session or not.

I certify that the above notice of meeting was posted on the bulletin board in the Municipal Building, 308 West San Antonio Street, Lockhart, Texas, on the 2nd day of September 2011 at 2:35 pm. I further certify that the following News Media was properly notified of this meeting as stated above: Lockhart Post-Register



Connie Rodriguez, TRMC
City Secretary