

PUBLIC NOTICE
AGENDA
LOCKHART CITY COUNCIL
January 4, 2022

CLARK LIBRARY ANNEX-COUNCIL CHAMBERS
217 SOUTH MAIN STREET, 3RD FLOOR
LOCKHART, TEXAS

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 issues discussed or reviewed during the work session.

DISCUSSION ONLY

- A. Recognize the Lockhart High School Cross Country and Volleyball Teams. 4-5
- B. Presentation and update by Guadalupe-Blanco River Authority (GBRA) regarding Carrizo Groundwater Supply Project. 6-7
- C. Discuss City Council minutes of the December 14, 2021 and December 21, 2021 meetings. 8-19
- D. Discuss City Manager signing a two-year agreement with Community Action, Inc. for the Comprehensive Energy Assistance Program (CEAP). 20-26
- E. Discuss Resolution 2022-01 appointing Mayor Lew White as the City of Lockhart's Clean Air Coalition Representative, as required in Article II of the Clean Air Coalition of the Capital Area Council of Governments by-laws. 27-34
- F. Discuss Ordinance 2022-01 regarding amendment of Section 50-3 of Chapter 50 of the Lockhart Code of Ordinances to establish maintenance responsibilities for public sidewalks and cost sharing program for sidewalk reconstruction or repairs. 35-39
- G. Discuss amending Chapter 64 "Zoning" of the Lockhart Code of Ordinances, Article VII "Zoning Districts and Standards", Section 64-197 "Regulations Common To All Or Several Districts", Subsection (g)(2) "Additional Parking Requirements Within Residential Districts" to require covered parking for detached single-family dwellings and provide reasonable standards for such parking; and amending Chapter 64 "Zoning", Appendix I "Specific Requirements For Residential Development Types" to modify the heading of the Minimum Off-street Parking column; and provide direction to staff.. 40-44
- H. Discussion regarding matters related to COVID-19. 45-64

- I. Discussion regarding the procedures for Board and Commission appointments.

65-75

7:30 P.M. REGULAR MEETING

1. CALL TO ORDER

Mayor Lew White

2. INVOCATION, PLEDGE OF ALLEGIANCE

Invocation. Pledge of Allegiance to the United States and Texas flags.

3. PUBLIC COMMENT

The purpose of this item is to allow the public an opportunity to address the City Council on issues that are or are not on the agenda. No discussion can be carried out on the citizen/visitor comment about items not on the agenda. Comments are limited to three minutes per speaker.

4. CONSENT AGENDA

- A. Approve City Council minutes of the December 14, 2021 and December 21, 2021 meetings.
- B. Authorize the City Manager to sign a two-year agreement with Community Action, Inc. for the Comprehensive Energy Assistance Program (CEAP).
- C. Approve Resolution 2022-01 appointing Mayor Lew White as the City of Lockhart's Clean Air Coalition Representative, as required in Article II of the Clean Air Coalition of the Capital Area Council of Governments by-laws.

76-87

88-94

95-102

5. DISCUSSION/ACTION ITEMS

- A. Discussion and/or action to consider Ordinance 2022-01 regarding amendment of Section 50-3 of Chapter 50 of the Lockhart Code of Ordinances to establish maintenance responsibilities for public sidewalks and cost sharing program for sidewalk reconstruction or repairs.
- B. Discuss amending Chapter 64 "Zoning" of the Lockhart Code of Ordinances, Article VII "Zoning Districts and Standards", Section 64-197 "Regulations Common To All Or Several Districts", Subsection (g)(2) "Additional Parking Requirements Within Residential Districts" to require covered parking for detached single-family dwellings and provide reasonable standards for such parking; and amending Chapter 64 "Zoning", Appendix I "Specific Requirements For Residential Development Types" to modify the heading of the Minimum Off-street Parking column; and provide direction to staff..

103-107

108-112

- C. Discussion regarding matters related to COVID-19. 113-132
D. Discussion regarding the procedures for Board and Commission appointments. 133-143
E. Discussion and/or action regarding appointments to various boards, commissions or committees. 144-152

6. **CITY MANAGER'S REPORT, PRESENTATION AND POSSIBLE ACTION**

- Update regarding Animal Shelter.
- Information regarding Christmas Tree Recycling Program.

7. **COUNCIL AND STAFF COMMENTS - ITEMS OF COMMUNITY INTEREST**

8. **ADJOURNMENT**

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.

Posted on the bulletin board in the Municipal Building, 308 West San Antonio Street, Lockhart, Texas, on the 30th day of December, 2021 at 2:30 p.m.

CERTIFICATE OF ACHIEVEMENT

Presented to

 **LOCKHART LIONS BOYS
CROSS COUNTRY TEAM**

Hereby enthusiastically applauds the team for its
extraordinary achievement for placing in the UIL
Class 5A Cross Country meet!

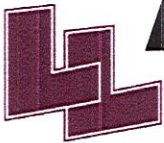
Presented this the 4th day of January 2022.

CITY OF
Lockhart
TEXAS

Lew White
Mayor

CERTIFICATE OF ACHIEVEMENT

Presented to

 **LOCKHART LADY LIONS
VOLLEYBALL TEAM**

**Hereby enthusiastically applauds the team for its
extraordinary achievement for winning the Playoffs!**

Presented this the 4th day of January 2022.

CITY OF
Lockhart
TEXAS

**Lew White
Mayor**

City of Lockhart, Texas

Council Agenda Item Cover Sheet

COUNCIL MEETING DATE: January 4, 2022

AGENDA ITEM CAPTION: Presentation and update by Guadalupe-Blanco River Authority (GBRA) regarding Carrizo Groundwater Supply Project.

ORIGINATING DEPARTMENT AND CONTACT: Public Works - Sean Kelley

ACTION REQUESTED: Other

BACKGROUND/SUMMARY/DISCUSSION:

Presentation by GBRA updating the progress regarding Carrizo Groundwater Supply Project.

- Project Overview
- Design and Construction Schedule
- Well Field and Transmission Line Update
- Water Treatment Plant
- Pipeline Segments
- Lockhart's Delivery Point and, Pipeline
- Booster Station Update
- Easement Acquisition Progress

GBRA will present information on a PowerPoint during the Council meeting.

PROJECT SCHEDULE (if applicable): Project Completion Spring 2023

AMOUNT & SOURCE OF FUNDING:

Funds Required: N/A

Account Number: N/A

Funds Available: N/A

Account Name: N/A

FISCAL NOTE (if applicable): N/A

PREVIOUS COUNCIL ACTION: N/A

COMMITTEE/BOARD/COMMISSION ACTION: N/A

STAFF RECOMMENDATION/REQUESTED MOTION: N/A

City of Lockhart, Texas

**Council Agenda Item
Cover Sheet**

LIST OF SUPPORTING DOCUMENTS:

**LOCKHART CITY COUNCIL
SPECIAL MEETING**

DECEMBER 14, 2021

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 Jeffry Michelson

Mayor Lew White
Councilmember Derrick David Bryant
Councilmember Kara McGregor
Councilmember Brad Westmoreland

Staff present:

Steven Lewis, City Manager
Monte Akers, City Attorney
Pam Larison, Finance Director
Dan Gibson, City Planner

Connie Constancio, City Secretary
Victoria Maranan, Public Information Officer
Sean Kelley, Public Work Director

Citizens/Visitors Addressing the Council: Jim Meredith, Amy Anton, Alexandra Worthington, Winn Smith, and Brian Alvey.

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:

ITEM 1. CALL TO ORDER.

Mayor Lew White called the meeting to order at 6:30 p.m.

ITEM 2-A. HOLD A PUBLIC HEARING ON APPLICATION ZC-21-20 BY JIM MEREDITH ON BEHALF OF TERRY KELLEY, AND DISCUSSION AND/OR ACTION TO CONSIDER ORDINANCE 2021-40 FOR A ZONING CHANGE FROM RMD RESIDENTIAL MEDIUM DENSITY DISTRICT AND AO AGRICULTURE--OPEN SPACE DISTRICT TO PDD PLANNED DEVELOPMENT DISTRICT ON 16.17 ACRES IN THE CORNELIUS CRENSHAW SURVEY, ABSTRACT NO. 68, AND LOCATED AT 1712 WEST SAN ANTONIO STREET (SH 142), INCLUDING BY-REFERENCE ADOPTION OF A PDD DEVELOPMENT PLAN FOR KELLEY VILLAS.

Mayor Pro-Tem Sanchez arrived at the meeting.

Mayor White opened the public hearing at 6:30 p.m.

Mr. Gibson stated that the applicant proposes a development consisting of 160 dwelling units in the form of 80 duplex condominiums whereby the owner/residents will own their individual structures, while all of the land area will be owned and maintained in common by a property owners' association. The duplexes will not be on individual lots, though, so the entire development is one large lot and, therefore, comparable to a multifamily development. The primary difference is that, in an apartment complex, four or more dwelling units are typically grouped into one or more buildings, whereas in this development there are only two units per building. The internal street will be private, similar to the internal circulation in a large apartment complex. The RHD Residential High Density zoning classification could be used for this development, but it would deviate too much from the future land use designation on the Land Use Plan

map, and would not provide any guarantee to residents of nearby homes as to the specific characteristics of the proposed development. The proposed density of ten units per acre is relatively high, so the best option for accommodating the condominium style of duplexes subject to a specific layout and density is the PDD classification, which is useful for developments that have unusual characteristics and may require deviations from the normal zoning and/or subdivision standards. In return for such flexibility, the PDD requires more of a commitment on the part of the developer in terms of the site layout, land uses, and amenities. Unlike conventional zoning classifications, which cannot have conditions attached, the PDD classification is subject to the conditions represented by the development plan. The development plan is adopted with the zoning change, and thereafter cannot be changed except through the normal rezoning process. The PDD development plan (PDD-21-03) and preliminary plat (PP-21-08) have been approved by the Planning and Zoning Commission. Mr. Gibson stated that the Planning and Zoning Commission recommends approval, and that staff recommends approval subject to PDD Development Plan PDD-21-03 for Kelley Villas. There was discussion.

Mayor White requested the applicant to address the Council.

Jim Meredith, Austin, applicant, provided information regarding the development plans. There was discussion.

Mayor White expressed concern about the lack of another way in or out of the proposed development. Mr. Gibson reminded the Council that the Windridge Subdivision adjacent to the subject property will be expanded to allow additional ingress and egress options for that subdivision. There was discussion.

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

Amy Anton, Lockhart, Realtor, spoke in favor of the zoning change. She stated that she believes that Lockhart needs lower cost homes.

Mayor White requested additional citizens to address the Council in favor of the zoning change. There were none. He requested citizens to address the Council against the zoning change. There were none. He closed the public hearing at 7:07 p.m.

Councilmember Mendoza spoke in favor of the zoning change. He stated that he believes the development is an opportunity to entice the Texas Department of Transportation to expand Highway 142.

Councilmember Bryant addressed his concern about the development not having two ways in or out of the subdivision.

Councilmember Michelson agreed with the concerns about the lack of a second way to get in or out of the subdivision, yet he is in favor of the zoning change because he believes that the property would eventually be developed.

Councilmember McGregor agreed with the concerns about the lack of a second way in or out of the subdivision. She stated that potential buyers could be the deciding factor about the entrance/exit issue.

Mayor Pro-Tem Sanchez stated that she agrees with the concerns expressed by other Councilmembers, yet she too believes that additional affordable housing is needed in the community.

Councilmember Westmoreland stated that this might be a way to entice the Texas Department of Transportation to improve the traffic flow on Highway 142 in the area. He spoke in favor of the proposed zoning change.

Mayor White expressed concern about one method of ingress and egress of the proposed subdivision.

Councilmember Mendoza made a motion to approve Ordinance 2021-40, as presented. Mayor Pro-Tem Sanchez seconded. The motion passed by a vote of 5-2, with Mayor White and Councilmember Bryant opposing.

ITEM 2-B. RECEIVE PUBLIC COMMENT, DISCUSSION, AND/OR ACTION TO TERMINATE PARKLETS PROGRAM OR TO ADOPT ORDINANCE NO. 2021-41 TO IMPLEMENT REVISED PARKLETS PROGRAM.

Mr. Akers stated that the first issue is whether to continue or terminate the parklets program. If the Council decides not to continue, additional discussion ceases. If the Council chooses to continue the parklets program, changes to the proposed Ordinance would include a definite fact about whether sidewalks are considered as part of the parklet. Also, the proposed Ordinance provides that parklets shall have an “annual inspection” which he recommended to be changed to “inspections” to allow multiple inspections, if necessary. There was discussion regarding how many parklets would be allowed per block.

Mr. Lewis stated that on October 19, 2021, City Council directed staff to explore an ongoing Parklet Program. Since then, City staff and the City Attorney have researched how cities’ approach are addressing the possible conversion of the temporary parklets into a more routine practice. With that said, a number of themes are found that need to be addressed. These can be summarized in the following policy considerations: Administrative; Enforcement; Duration/Location/Concentration; Design Review and Maintenance; Future Paving, Drainage/Utility Construction; and Fees/Cost.

Administrative

At this time, there is one parklet licensed. However, should this program be expanded, additional staff time will be required to process applications for presentation to the Council and to communicate with applicants through a permit application, review, approval, and inspection process. All licenses will be issued by the Council unless it delegates authority to the City Manager or staff to do so.

Enforcement

If the parklet program continues, mechanisms for enforcement and a specific process to address violations will be required which may entail regular inspections and a compliance process.

Duration/Location/Concentration

The impacts, restrictions, and structure of an ongoing program needs to be addressed. These considerations include:

- How long will the program last? The draft ordinance proposes one-year licenses that may be renewed for one additional year.
- What types of businesses qualify? The draft ordinance does not currently specify.
- How many licenses can/should be issued? The draft ordinance proposes no more than two per block face, each covering no more than two parking spaces except in the case of business owners' agreement.
- Where can parklets be located? The draft ordinance allows parklets only in the Commercial Central Business District, which covers the courthouse square plus from one-half of one full block all the way around the square.

Design Review and Maintenance

Parklets should be safe, functional, and aesthetically pleasing. Applicants will be required to provide a specific site plan for installation.

Future Paving, Drainage, and Utility Construction

Extending the program would require planning on how to treat parklets when the time is needed to install necessary drainage, roadwork/utility improvements. This is a relatively immediate issue given the City's planned downtown revitalization projects.

Fees/Cost

If an on-going program is desired, the private commercial use of publicly funded spaces needs to be addressed. The draft ordinance proposes \$1,000 per parklet per year.

Conclusion

During the pandemic, Council granted staff the ability to issue property license agreements for parklets. In order to increase capacity when indoor seating was limited for bars and restaurants, parklets were allowed. Now with the expiration of certain pandemic requirements, code amendments are required to allow parklets to continue to operate. The draft ordinance would allow an expanded use of parklets within city-owned right-of-way.

Mayor White requested the Council's discussion about parklets.

Mayor Pro-Tem Sanchez stated that she believes that additional planning about the parklets should be considered before a parklet program is implemented. She does not believe that the program should proceed at this time, but it should be considered in the future.

Councilmember McGregor spoke in favor of the parklets program to allow portable parklets that will need to be removed when necessary.

Councilmember Michelson expressed concerns about liability and the downtown revitalization project impacting the construction of a parklet. He stated that he does not believe that the parklets should continue at this time, possibly after completion of the downtown revitalization project.

Councilmember Bryant stated that he does not support continuing the parklet program at this time due to liability and safety concerns. He also suggested that the program be included in the downtown revitalization program or considered after completion of the downtown revitalization project.

Councilmember Westmoreland spoke in favor of the parklets program. He stated that he does not see an issue with continuing the parklets program.

Councilmember Mendoza spoke in favor of the parklets program. He stated that he did not see many additional businesses in the downtown area installing a parklet.

Mayor White requested citizens to address the Council:

Alexandra Worthington, 101 E. San Antonio St., spoke in favor of continuing the parklets program. She stated that many tourists and citizens appreciate the parklet.

Mayor White requested additional citizens to address the Council.

Winn Smith, Austin, Texas, of the Lockhart Chamber of Commerce requested that the City share parklet options with them to allow them to relay information to tourists or visitors that inquire about outdoor dining amenities.

Brian Alvey, Lockhart, suggested that the parklet ordinance be very specific to provide details such as whether using parking spaces, parklet size allowances, etc.

Mayor White stated that the Council should provide a decision about how a public right-of-way can be used. He stated that he is not in favor of continuing the parklet program at this time.

Mayor Pro-Tem Sanchez made a motion to terminate the Parklet Program. Councilmember Bryant seconded. The motion passed by a vote of 4-3, with Councilmembers Mendoza, McGregor and Westmoreland opposing.

ITEM 3. 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; SETTLEMENT OFFER; OR LEGAL MATTERS SUBJECT TO ATTORNEY/CLIENT PRIVILEGE. Consultation with City Attorney to seek legal advice on matters subject to the attorney-client privilege.

Mayor White announced that the Council would enter Executive Session at 7:54 p.m.

ITEM 4. OPEN SESSION - Discussion and/or action regarding matters discussed in Executive Session.

Mayor White announced that the Council would enter Open Session at 8:30 p.m. There was no action.

ITEM 5. 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 8:31 p.m.

PASSED and APPROVED this the 4th day of January 2022.

CITY OF LOCKHART

Lew White, Mayor

ATTEST:

Connie Constancio, TRMC
City Secretary

**LOCKHART CITY COUNCIL
REGULAR MEETING**

DECEMBER 21, 2021

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 Jeffry Michelson

Mayor Lew White
Councilmember Derrick David Bryant
Councilmember Kara McGregor
Councilmember Brad Westmoreland

Staff present:

Steven Lewis, City Manager
Monte Akers, City Attorney
Sean Kelley, Public Works Director

Connie Constancio, City Secretary
Victoria Maranan, Public Information Officer
Dan Gibson, City Planner

Citizens/Visitors Addressing the Council: Bill Barton of Lennar Homes; Citizens: Glen Senate, Kerry Gaddis, and Timoteo Juarez, Jr.

Work Session 6:30 p.m.

Mayor White announced that Councilmember Michelson will not be in attendance. He opened the work session and advised the Council, staff and the audience that staff would provide information and explanations about the following items:

DISCUSSION ONLY

A. DISCUSS CITY COUNCIL MINUTES OF DECEMBER 7, 2021.

Mayor White requested corrections to the minutes. There were none.

B. DISCUSS FUEL BID AWARD TO SCHMIDT & SONS, INC. WITH A PROFIT MARGIN OF 5 CENTS PER GALLON FOR GASOLINE AND 5 CENTS PER GALLON FOR DIESEL OVER THE OIL PRICE INFORMATION SERVICES (OPIS) PRICE FROM AUSTIN, TEXAS, RACK, POSTED WEEKLY, AND APPOINTING THE MAYOR TO SIGN APPROVAL DOCUMENTS.

Mr. Kelley stated that fuel bids were sought in compliance with State Law. The City uses about 40,000 gallons of gasoline and 26,000 gallons of diesel per year. A total of two bids were received for the annual fuel delivery contract. The overall best bid was submitted by Golden West Oil Company, but Schmidt & Sons, Inc. is within 5% of the lowest bid. Since local companies are also allowed an additional 5% consideration in their bid submittals, Schmidt & Sons, Inc., of Lockhart may be awarded the bid at \$0.050 per gallon for gasoline and \$0.050 per gallon for diesel. Besides being a local company, Schmidt & Sons provides additional benefits by providing 24-hour emergency fuel supplies from their facility on Patton Road when the City fuel systems are down due to maintenance or repairs. Mr. Kelley recommended approval. There was discussion.

C. DISCUSS ONE YEAR RENEWAL TO THE EXISTING CONTRACT WITH GENE BAGWELL, DBA, MAINTENANCE MANAGEMENT OF SAN MARCOS, TEXAS FOR CEMETERY MAINTENANCE MOWING SERVICES IN THE WEST SECTION OF THE LOCKHART MUNICIPAL BURIAL PARK ON NORTH COLORADO STREET IN THE AMOUNT OF \$53,248.40 AND APPOINTING THE MAYOR TO SIGN THE CONTRACTUAL DOCUMENT IF APPROVED.

Mr. Kelley stated that the existing contract was awarded in 2009. Mr. Bagwell has maintained the City cemetery for the past 20 years and has done a commendable job, especially in the areas of customer service. This company has multiple Cemetery mowing maintenance contracts including the City of San Marcos, City of Austin and the State Veteran's Land Board. This contract does have cost adjustments to the base bid price based on the annual June Consumer Price Index, with a maximum increase or decrease amount of 3%. The City can cancel the proposed contract with a 30-day written notice to the contractor as written in Section 12 of the existing contract. General liability and workers compensation insurances that cover the City of Lockhart are requirements of this contract. Mr. Kelley recommended approval. There was discussion.

D. DISCUSS SEMI-ANNUAL REPORT FROM THE IMPACT FEE ADVISORY COMMITTEE CONCERNING THE STATUS OF IMPLEMENTATION OF CHAPTER 31 "IMPACT FEES" OF THE LOCKHART CODE OF ORDINANCES WITH REGARD TO WATER, WASTEWATER, AND ROAD IMPACT FEES, AND DISCUSSION AND/OR ACTION TO CONSIDER THE NEED TO UPDATE OR REVISE THE LAND USE ASSUMPTIONS, CAPITAL IMPROVEMENT PLANS (CIP'S), AND IMPACT FEES.

Mr. Gibson stated that in accordance with State law, the Impact Fee Advisory Committee has an ongoing role in monitoring and evaluating implementation of the impact fee capital improvement plans, and submitting semi-annual reports to City Council. The Committee met on December 8th to consider their 39th semi-annual report since impact fees were originally adopted on January 15, 2002. The current total balance of all impact fee accounts is \$3,085,031. Total impact fee revenue during this six-month period was \$462,014, and there were no expenditures of impact fees in any of the accounts for this period. State law requires that qualified consultants be retained every five years to update the land use assumptions, CIP's, and fees. The most recent impact fee update was completed and adopted in 2017, so the statutory five-year update will be due in 2022. The Council does have the option of deciding that an update of the land use assumptions, capital improvement plans, and impact fees is not necessary. In such case, the City can go another five years without an update or, if the need arises, can choose to do an update at any time before the next five years are up. If the Council does decide that an update is not necessary, a notice of that decision must be published three consecutive times in the newspaper. The notice will state that anyone potentially affected by the impact fees can contact the City within 60 days of the decision and request that the update be done anyway, in which case the City has no choice but to do the update. If nobody requests an update, then the decision not to do an update takes effect. If the Council wishes to do the five-year update, then consultants will need to be hired soon so that their reports can be finished in time to be adopted by the City Council during 2022. There was discussion.

E. DISCUSSION REGARDING PETITION FOR RATE ADJUSTMENT FILED BY CENTRAL TEXAS REFUSE LLC DATED NOVEMBER 17, 2021 AS OUTLINED IN RESOLUTION 2021-23.

Mayor White stated that Central Texas Refuse withdrew their petition for a rate adjustment, therefore the item has been pulled from the agenda.

F. DISCUSSION REGARDING MATTERS RELATED TO COVID-19.

Mayor White stated that the Governor's office has taken away the City's ability to require face coverings. He encouraged everyone to stay safe, be cautious and to wear face coverings.

Mayor White announced that the Council would recess for a break at 6:52 p.m.

REGULAR MEETING

ITEM 1. CALL TO ORDER.

Mayor Lew White opened the public hearing at 7:15 p.m.

ITEM 2. INVOCATION, PLEDGE OF ALLEGIANCE

Councilmember McGregor gave the Invocation and led the Pledge of Allegiance to the United States and Texas flags.

ITEM 3. PUBLIC COMMENT

Mayor White requested citizens to address the Council regarding an issue that is not on the agenda. There were none.

ITEM 4-A. HOLD A PUBLIC HEARING ON APPLICATIONS ZC-21-19 AND PDD-21-02 BY KEITH SCHAUER, P.E., ON BEHALF OF JESCO CONSTRUCTION, INC., AND DISCUSSION AND/OR ACTION TO CONSIDER ORDINANCE 2021-41 FOR A ZONING CHANGE FROM RMD RESIDENTIAL MEDIUM DENSITY DISTRICT TO PDD PLANNED DEVELOPMENT DISTRICT, INCLUDING BY-REFERENCE ADOPTION OF A PDD DEVELOPMENT PLAN FOR JESCO SUBDIVISION, ON 9.186 ACRES IN THE JAMES GEORGE SURVEY, ABSTRACT NO. 9, AND LOCATED AT 920 TRINITY STREET.

Mayor White opened the public hearing at 7:32 p.m.

Mr. Gibson stated that a duplex subdivision was originally proposed for the subject property, and a final plat was approved in February 2020, but it was never recorded because the public improvements were not constructed. A different type of development is now proposed that will essentially use the same street and lot layout that was previously approved, although the need for additional access easements requires revisions to the approved final plat. The current RMD zoning allows only one principal structure per lot, so one duplex building per lot complies with that limit. However, the new proposal is to have two detached single-family dwellings on most of the lots, which is not allowed because they would constitute more than one principal building on the same lot. The lots cannot be simply divided so that each single-family dwelling would be on its own lot because the new lots would not meet the minimum width and area dimensions required in the RMD district. Because there is no other conventional residential district that would allow two or more detached dwellings on the size of lots in this proposed subdivision, the only option for allowing two or more detached residential dwellings per lot is the PDD classification, which accommodates developments that have unusual characteristics and may require deviations from the normal zoning and/or subdivision standards. In return for such flexibility, the PDD requires more commitment on the part of the developer in terms of the site layout, land uses, and amenities. Unlike conventional zoning classifications, which cannot have conditions attached, the PDD classification is subject to the conditions represented by the development plan. The development plan is adopted with the zoning change, and thereafter cannot be changed except through the normal rezoning process. The PDD

development plan (PDD-21-02) and revised final plat (FP-21-11) were submitted with the zoning change application. At their December 8th meeting, the Planning and Zoning Commission denied the final plat, consistent with their recommendation for denial of the zoning change and PDD development plan. If the Council approves the zoning change, subject to the accompanying PDD development plan, staff will place a reconsideration of the final plat on the agenda of the next Planning and Zoning Commission meeting. The PDD development plan shows a subdivision consisting of one single-family dwelling on one lot, two detached single-family dwellings on each of 29 lots, and three detached single-family dwellings on each of three lots. All units will be narrow two-story buildings with single-car garages and driveways. The total of 68 dwelling units on 9.186 acres results in a gross density of 7.4 units per acre, which is well within the medium density range and is exactly the same as the previously proposed duplex subdivision. Each dwelling unit will be a condominium where the owner/residents will own their individual structures, while all of the land area will be owned and maintained in common by a property owners' association. The parkland on Lot 1, Block B, and the combined stormwater detention and park/open-space lot on Lot 11, Block A, will be owned and maintained by the City except for mowing, which will be done by the property owners' association. The developer will provide a children's playscape with at least four activity components under a shade structure, plus at least two park benches. Sidewalks will be provided along all lot frontages.

There was discussion regarding the types of houses to be built, drainage and the lack of a second or third way out of the proposed subdivision.

Mayor White requested the applicant to address the Council.

Bill Barton, Lennar Homes, provided information regarding the subdivision that includes a park and playground. He provided details about the houses that will be built and privacy efforts. He requested approval of the zoning change. There was discussion.

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

Kerry Gaddis, 826 Trinity Street, stated that he was originally opposed to the proposed zoning change. After the Planning and Zoning Commission, he conducted research about the proposed development and changed his mind to support the project. He stated that he believes that because the development Homeowners Association would provide lawn maintenance, etc., it would allow young professionals to own a home and not have to worry about the yard maintenance.

Tim Juarez, Jr., 1203 Trinity Street, stated that he was originally opposed to the zoning change and that he has talked with many residents in the area. He stated that after conducting additional research of the proposed development, he is in favor of the development because the homes would be owner occupied, noise and privacy efforts would be accommodated, and because there is one way in or out of the subdivision, which he believes would control traffic. He stated that he is in favor of the development if the homes are 100 percent owner occupied.

Mayor White requested citizens in favor of or against the zoning change to address the Council. There were none. He closed the public hearing at 8:20 p.m.

Councilmember McGregor asked if the developer or the City could require that the homes be owner occupied. Mr. Akers stated that the authority of the short term rental issue would be that of the Homeowners Association. Mr. Barton replied that they could request that the homeowner's association take a vote about the owner occupancy requirement.

Mayor White expressed concern about the lack of a second way in or out of the subdivision.

Mayor Pro-Tem Sanchez thanked the long-time residents for their input. She spoke in favor of the proposed development because she believes it would be an added improvement to neighborhood.

Councilmember Mendoza spoke in favor of the zoning change. He stated that he supports single-family homes instead of duplexes and that he appreciates that the proposed development will have sidewalks and a playground.

There was additional discussion regarding prohibition of short term rentals in the subdivision. Mr. Lewis stated that another option that the Council could take is to table the item to allow additional changes to the proposed PDD or vote to deny the zoning change and PDD. Mr. Akers recommended that if the Council tables the item, that the motion be to a date specific meeting to return with revised PDD plans. Mr. Barton requested that the Council vote on the item today since they are on a time constraint schedule for a feasibility study and scheduling with the builder.

Glen Senate, owner of the property, stated that they are on a time schedule to begin construction but that the January 4 meeting would suffice, if necessary. There was discussion.

Mayor Pro-Tem Sanchez made a motion to approve 2021-41 and PDD 21-02, as presented. Councilmember Mendoza seconded. The motion passed by a vote of 4-2, with Mayor White and Councilmember McGregor opposing.

ITEM 5. CONSENT AGENDA.

Councilmember McGregor made a motion to approve consent agenda items 5A, 5B and 5C. Mayor Pro-Tem Sanchez seconded. The motion passed by a vote of 6-0.

The following are the consent agenda items that were approved:

- 5A: Approve City Council minutes of December 7, 2021.
- 5B: Approve fuel bid award to Schmidt & Sons, Inc. with a profit margin of 5 cents per gallon for gasoline and 5 cents per gallon for diesel over the Oil Price Information Services (OPIS) price from Austin, Texas, RACK, posted weekly, and appointing the Mayor to sign approval documents.
- 5C: Approve one year renewal to the existing contract with Gene Bagwell, dba, Maintenance Management of San Marcos, Texas for cemetery maintenance mowing services in the West Section of the Lockhart Municipal Burial Park on North Colorado Street in the amount of \$53,248.40 and appointing the Mayor to sign the contractual document if approved.

ITEM 6-A. DISCUSSION AND/OR ACTION TO CONSIDER ACCEPTING THE SEMI-ANNUAL REPORT FROM THE IMPACT FEE ADVISORY COMMITTEE CONCERNING THE STATUS OF IMPLEMENTATION OF CHAPTER 31 "IMPACT FEES" OF THE LOCKHART CODE OF ORDINANCES WITH REGARD TO WATER, WASTEWATER, AND ROAD IMPACT FEES, AND DISCUSSION AND/OR ACTION TO CONSIDER THE NEED TO UPDATE OR REVISE THE LAND USE ASSUMPTIONS, CAPITAL IMPROVEMENT PLANS (CIP'S), AND IMPACT FEES.

Councilmember Westmoreland made a motion to approve the semi-annual report from the Impact Fee Advisory Committee, and to authorize an update or revision of the land use assumptions, capital improvement plans and impact fees. Councilmember Bryant seconded. The motion passed by a vote of 6-0.

ITEM 6-B. DISCUSSION AND/OR ACTION REGARDING PETITION FOR RATE ADJUSTMENT FILED BY CENTRAL TEXAS REFUSE LLC DATED NOVEMBER 17, 2021 AS OUTLINED IN RESOLUTION 2021-23.

Mayor White announced that the item was pulled from the agenda.

ITEM 6-C. DISCUSSION REGARDING MATTERS RELATED TO COVID-19.

There was no discussion.

ITEM 6-D. DISCUSSION AND/OR ACTION REGARDING APPOINTMENTS TO VARIOUS BOARDS, COMMISSIONS OR COMMITTEES.

Mayor White requested appointments to boards and committees.

Councilmember Mendoza made a motion to appoint Juan Alvarez, Jr. to the Lockhart Economic Development Corporation. Councilmember Bryant seconded. The motion passed by a vote of 4-2, with Mayor White and Councilmember McGregor opposing.

Mayor White stated that a few citizens have expressed interest on serving on the Airport Advisory Board. He stated that airport improvements might be coming soon and he suggested that each Councilmember speak with their appointed members of the Airport Advisory Board to be assured that they qualify as a member.

ITEM 7. CITY MANAGER'S REPORT, PRESENTATION AND POSSIBLE ACTION.

- Fire Department updates.
- City Offices closed on December 23 & 24 in observance of Christmas Holidays and December 31 in observance of New Year's Holiday.

ITEM 8. COUNCIL AND STAFF COMMENTS - ITEMS OF COMMUNITY INTEREST

Councilmember Mendoza thanked citizens for a good 2021 year. He wished everyone a Merry Christmas and a Happy New Year.

Mayor Pro-Tem Sanchez expressed condolences to the families of Virginia Venglar, Florentina Munoz, Abraham Villegas and Albert Zaleski for their loss. She wished everyone Christmas Blessings and a prosperous New Year

Councilmember McGregor encouraged everyone to stay safe. Merry Christmas and Happy New Year to all.

Councilmember Bryant wished everyone a Merry Christmas and Happy New Year. He thanked staff for their work, and he encouraged everyone to be safe and take care.

Mayor White wished everyone Happy Holidays. He encouraged everyone to stay safe. He thanked staff for their hard work and dedication.

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. Conduct City Manager's evaluation.

Mayor White announced that the Council would enter Executive Session at 8:56 p.m.

ITEM 10. OPEN SESSION - DISCUSSION AND/OR ACTION TO CONSIDER RESOLUTION 2021-24 AUTHORIZING A SALARY ADJUSTMENT FOR CITY MANAGER STEVEN LEWIS AND ADDENDUM TO THE CITY MANAGER AGREEMENT DATED EFFECTIVE AUGUST 18, 2018 BY AND BETWEEN THE CITY OF LOCKHART AND STEVEN LEWIS.

Mayor White announced that the Council would enter Open Session at 9:42 p.m.

Councilmember Westmoreland read an addendum to the City Manager's agreement as follows:

At the sole option of the Manager, either at the end of each year of the term of this Agreement, at retirement, or when the Agreement is terminated, either voluntarily or involuntarily, the City shall pay the Manager for any accrued but unused vacation leave. This payment shall be in a lump sum computed on an hourly basis by dividing the Manager's then current salary by 2080 hours.

Mayor Pro-Tem Sanchez made a motion to increase the City Manager's salary to \$183,796 commencing October 1, 2021 and to approve an addendum to the City Manager's agreement as read by Councilmember Westmoreland above. Councilmember McGregor seconded. The motion passed by a vote of 6-0.

ITEM 11. ADJOURNMENT.

Mayor Pro-Tem Sanchez made a motion to adjourn the meeting. Councilmember Mendoza seconded. The motion passed by a vote of 6-0. The meeting was adjourned at 9:46 p.m.

PASSED and APPROVED this the 4th day of January 2022.

CITY OF LOCKHART

Lew White, Mayor

ATTEST:

Connie Constancio, TRMC
City Secretary

City of Lockhart, Texas

Council Agenda Item Cover Sheet

COUNCIL MEETING DATE: January 4, 2022

AGENDA ITEM CAPTION: Discuss City Manager signing a two-year agreement with Community Action, Inc. for the Comprehensive Energy Assistance Program (CEAP).

ORIGINATING DEPARTMENT AND CONTACT: Finance - Pam Larison

ACTION REQUESTED: Agreement

BACKGROUND/SUMMARY/DISCUSSION: Every two years, the City of Lockhart partners with Community Action, Inc. to help the residents of Lockhart with the electric portion of their utility bills through a program known as the Comprehensive Energy Assistance Program (CEAP). Community Action is funded by the Texas Department of Housing and Community Affairs to assist eligible individuals in Hays, Caldwell, and Blanco counties. Priority is given to low income households with high energy use, a high energy burden, or the presence of a child (age 5 or under), disabled, elderly individuals, or veterans. Other services that CEAP provides include energy education, needs assessment, budget counseling, and crisis-related purchase of portable heating and cooling units when available. CEAP does not help residents with water, wastewater, recycling, and solid waste fees, or deposits on new or existing accounts.

PROJECT SCHEDULE (if applicable):

AMOUNT & SOURCE OF FUNDING:

Funds Required:

Account Number:

Funds Available:

Account Name:

FISCAL NOTE (if applicable):

PREVIOUS COUNCIL ACTION:

COMMITTEE/BOARD/COMMISSION ACTION:

STAFF RECOMMENDATION/REQUESTED MOTION:

LIST OF SUPPORTING DOCUMENTS: Community Action Program Agreement



Community Action, Inc.
of Central Texas

DEVELOPING OPPORTUNITIES

RECEIVED
CITY OF LOCKHART

DEC 16 2021

December 9, 2021

RECVD. BY: _____
TIME RECVD: _____

Steven Lewis
City Manager
City of Lockhart
P. O. Box 239
Lockhart, TX 78664

**RE: Vendor Agreement
Comprehensive Energy Assistance Program (CEAP)**

Dear Mr. Lewis:

Community Action Inc. of Central Texas (CAI) administers the Comprehensive Energy Assistance Program (CEAP) as funded by the Texas Department of Housing and Community Affairs to assist eligible individuals in Hays, Caldwell, and Blanco counties with their electric, butane, propane, and natural gas bills.

The CEAP program will be administered in 2022-2024 with very few changes from previous years. Individuals will apply for assistance through our offices and will be screened for eligibility. After eligibility has been determined, CAI will notify your company in writing with the allotted amount of assistance to be provided. A payment will then be sent by CAI to your company as determined with the client.

In order for CAI to process payments for your company, we need a **current vendor agreement** on file. Enclosed is a copy of the vendor agreement with two signature pages. Please sign one and return it to our office by mail or fax before December 20, 2021.

We appreciate your cooperation and look forward to working with you to assist families in our communities. Please call me at (512)392-1161 ext. 309 if you have any questions or need additional information.

Sincerely,

Margery H. Marshall, NCRI, CCAP
Community Services Director

**MUNICIPAL UTILITY VENDOR AGREEMENT
COMPREHENSIVE ENERGY ASSISTANCE PROGRAM**

The purpose of the Comprehensive Energy Assistance Program ("CEAP") funded from the Low-Income Home Energy Assistance Program ("LIHEAP") grant is to maintain an energy supply to heat and cool the residences of eligible low-income clients.

The Energy Services provider, ("Vendor") agrees to honor the purpose of the CEAP grant and to accept pledges of payment from CEAP agencies only for certified customers to whom Vendor continues to provide energy services. The Energy Assistance Provider, ("Agency") agrees to make payments only for eligible low-income clients.

This vendor agreement is by and between:

City of Lockhart and

Energy Assistance Provider (Agency)

Community Action, Inc. of Central Texas

(Vendor)

Vendor and Agency agree to assist customers in the following counties: Hays, Caldwell and Blanco

This agreement shall be effective from the 20 day of Dec. 2021 for a period not to exceed two years from the effective date. Either party may terminate this agreement by written notice. Such written notice of termination shall not affect any obligation by either party incurred prior to the receipt of such notice. Notice shall be sent via certified mail with return receipt requested.

City of Lockhart

(Vendor Name)

P. O. Box 239, Lockhart, TX 78644

(Vendor Mailing Address)

Community Action, Inc. of Central Texas

(Agency Name)

PO Box 748, San Marcos, TX 78667-0748

(Agency Mailing Address)

The Agency named above represents and warrants to Vendor that it is a subrecipient of the Texas Department of Housing and Community Affairs ("TDHCA") and as such is authorized and has received funding from the TDHCA to provide bill payment assistance service for eligible low-income households.

The Vendor named above represents and warrants that it will apply any payments received from Agency to the account of the customer that the Agency has determined to be eligible under the CEAP guidelines and such is a "Certified Customer".

Vendor will, with reference to a Certified Customer:

- Extend the CEAP applicant's energy service for up to five business days while the Agency determines whether the CEAP applicant is eligible pursuant to the CEAP guidelines.
- Upon accepting pledge from Agency for Certified Customer, continue or restore energy service to Certified Customer with no increases in charges, service charges or other charges affecting the total cost of the bill.
- In the event the full past due balance is not paid by the Agency, the Certified Customer must pay the remaining balance on or before the disconnect date stated in the customer's Disconnect Notice in order to avoid disconnection or be eligible for reconnection. Nothing in this agreement requires the Vendor to reconnect the customer upon receipt of a pledge that does not cover the full past due balance or if the customer has already been disconnected by the time the pledge is received by the Vendor.
- Invoice the Certified Customer in accordance with Vendor's normal billing practices.
- Upon verbal or written request from Agency, provide at no cost to the Agency the Certified Customer's billing and usage history for previous twelve months, or available history plus monthly estimates if less than twelve months of billing history and usage is available. Vendor will transmit such billing history via electronic mail or facsimile as soon as possible, but no later than forty-eight hours following the request.
- Work with Agency and Certified Customer to explore the feasibility of offering flexible payment arrangements that may include, without limitation, waiving security deposits, reconnect fees, application fees, and all other fees whenever possible.
- Not discriminate against Certified Customer in price or services, including the availability of deferred payment plans, level or average payment plans, discount, budget, advance payment or other credit plans.
- Not refuse to provide energy service or otherwise discriminate in the marketing and provision of energy service to any Certified Customer because of race, creed, color, national origin, ancestry, sex, marital status, lawful source of income, level of income, disability, financial status, location of customer in an economically distressed geographic area, or qualification for low-income or energy-efficiency services.

- Allow Agency forty-five days from the date of the pledge to forward payment to the Vendor. Vendor agrees not to consider the portion of the Certified Customer's account to be paid by the Agency delinquent if said payment is received within the above mentioned forty-five day period and Vendor is provided with a verbal or signed pledge from the Agency within forty-five days of identifying a Certified Customer.
- Not interrupt service if Certified Customer enters into an agreement with the Vendor concerning how the Certified Customer will pay the balance owed Vendor and the Certified Customer is meeting the obligation under such agreement.
- If the Agency has paid for an initial deposit or similar refundable instrument, upon the termination of service to the Certified Customer, the Vendor shall return funds including interest (after any balance owed) to the Agency in accordance with 10 TAC §6.312(f).

The Agency will:

- Obtain written permission for Agency to request and have access to customer information, including confidential or personal account information, credit and payment history, from customers seeking Agency's assistance. Social Security numbers are not required for the CEAP program and may not be disclosed to Agency.
- Provide to Vendor, at Vendor's request, customer's written permission for Agency's access to customer information as stated above.
- Not provide pledges on behalf of a Certified Customer to Vendor without having adequate funds to pay such pledge.
- Pay pledges within forty-five days of making pledge to Vendor.
- Determine if a customer is a Certified Customer within five days of contacting Vendor.
- Provide Vendor a list of names, telephone numbers and e-mail addresses of Agency staff designated to make pledges on behalf of the Agency and Certified Clients, if requested from Vendor.

The terms of any confidential transaction under this agreement or any other information exchanged by the Agency and Vendor relating to any transaction shall not be disclosed to any person not employed or retained by the Agency or Vendor, their affiliates, or brokers, except to the extent disclosure is 1) required by law; 2) necessary to disclose to the other party in connection with a dispute between the parties; 3) otherwise permitted by written consent of the other party; 4) required by guarantors to be disclosed; 5) information which must be disclosed to a third party to transmit energy; 6) to meet reliability council, regulatory, administrative, judicial, governmental, or regulated commodity exchange requirements where necessary; or 7) information which was or is hereafter in the public domain (except by breach of this Agreement).



Authorized Vendor Signature

Date

Typed Name of Authorized Signature

Title

Vendor (Area Code) Telephone Number

Vendor Email Address

Margery H. Marshall

Authorized Agency Signature

12/9/2021

Date

Margery H. Marshall, NCRI, CCAP

Community Services Director

Typed Name of Authorized Signature

Title

512-392-1161, ext. 309

Agency (Area Code) Telephone Number



Authorized Vendor Signature

Typed Name of Authorized Signature

Title

Vendor (Area Code) Telephone Number

Vendor Email Address

Margery H. Marshall
Authorized Agency Signature

12/9/2021
Date

Margery H. Marshall, NCRI, CCAP

Community Services Director

Typed Name of Authorized Signature

Title

512-392-1161, ext. 309

Agency (Area Code) Telephone Number

City of Lockhart, Texas

Council Agenda Item Cover Sheet

COUNCIL MEETING DATE: January 4, 2022

AGENDA ITEM CAPTION: Discuss Resolution 2022-01 appointing Mayor Lew White as the City of Lockhart's Clean Air Coalition Representative, as required in Article II of the Clean Air Coalition of the Capital Area Council of Governments by-laws.

ORIGINATING DEPARTMENT AND CONTACT: Administration - Steven Lewis

ACTION REQUESTED: Resolution

BACKGROUND/SUMMARY/DISCUSSION: The City Council initially appointed Mayor White in March 2018, and reappointed him in February 2020, as the City's representative to the Capital Area Council of Governments (CAPCOG) Clean Air Coalition (CAC) . Their by-laws indicate that Representatives to the CAC will include elected officials appointed by governing bodies for the general members of the CAC. Each general member's governing body appoints by resolution one elected official to serve on the Coalition and shall provide written notification to the CAPCOG staff liaison. The term of appointment for a member of the CAC shall begin on the date of appointment by the member's governing body, and will terminate December 31st in odd-numbered years. Mayor White's current term ends in December 2021.

If approved, Mayor White's term will continue until December 2023.

PROJECT SCHEDULE (if applicable): N/A

AMOUNT & SOURCE OF FUNDING:

Funds Required: N/A

Account Number: N/A

Funds Available: N/A

Account Name: N/A

FISCAL NOTE (if applicable): N/A

PREVIOUS COUNCIL ACTION: In March 2018, initial appointment and in February 2020, reappointed Mayor White.

COMMITTEE/BOARD/COMMISSION ACTION: N/A

STAFF RECOMMENDATION/REQUESTED MOTION: None. Discretion of the Council.

City of Lockhart, Texas

Council Agenda Item Cover Sheet

LIST OF SUPPORTING DOCUMENTS: Resolution, Clean Air Coalition By-laws.

RESOLUTION 2022-01

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOCKHART, TEXAS APPOINTING MAYOR LEW WHITE AS THE CITY OF LOCKHART'S CLEAN AIR COALITION REPRESENTATIVE, AS REQUIRED IN ARTICLE II OF THE CLEAN AIR COALITION OF THE CAPITAL AREA COUNCIL OF GOVERNMENTS BY-LAWS; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, The Central Texas Clean Air Coalition, herein after known as the "Clean Air Coalition" members are organizations that support the regional effort toward improvement of air quality in the Austin-Round Rock Metropolitan Statistical Area (MSA); and

WHEREAS, General members shall be local governments or Independent School Districts within the Austin-Round Rock MSA. The governing boards of general members must ratify the current clean air plan, commit to implementing selected emission reduction measures; and

WHEREAS, Representatives to the Clean Air Coalition will include elected officials appointed by governing bodies for the general members of the Clean Air Coalition; and

WHEREAS, Each general member's governing body appoints by resolution one elected official to serve on the Clean Air Coalition and shall provide written notification to the CAPCOG staff liaison.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LOCKHART, TEXAS:

Section 1: That the City Council of the City of Lockhart appoints Mayor Lew White as the City of Lockhart's Representative to the Clean Air Coalition with a term set to expire on December 31, 2023.

Section 2: That this Resolution shall take effect immediately upon its passage, and it is so resolved.

PASSED AND APPROVED by the City Council of the City of Lockhart this 4th day of January, 2022.

CITY OF LOCKHART

Lew White
Mayor

ATTEST:

APPROVED AS TO FORM:

Connie Constancio, TRMC
City Secretary

Monte Akers
City Attorney

**Central Texas Clean Air Coalition
of the
Capital Area Council of Governments**

Article I – Name, Purpose, Responsibilities

The Central Texas Clean Air Coalition, herein after known as the “CLEAN AIR COALITION”, is a voluntary, unincorporated association which became linked with the Capital Area Council of Governments (CAPCOG) by a resolution that was adopted November 13, 2002.

The purpose of the CLEAN AIR COALITION is:

- To develop, adopt and implement a clean air plan to achieve and maintain compliance with federal air quality standards in Bastrop, Caldwell, Hays, Travis and Williamson Counties;
- To establish and monitor a regional effort toward the improvement of air quality;
- To develop policies and strategies that will provide guidance for each of its independent governing bodies about actions that will achieve clean air in Central Texas;
- To work cooperatively to achieve clean air standards that will protect public health and yet allow local governments and other organizations the flexibility to select measures best-suited to their needs and resources; and
- To provide the CAPCOG Executive Committee with recommendations for administering funding provided by local sources for the purpose of supporting the regional air quality plan or program implementation, assessment, and improvement activities in Central Texas.

Article II – Membership

Members

CLEAN AIR COALITION members are organizations that support the regional effort toward improvement of air quality in the Metropolitan Statistical Area (MSA) for the Austin Urbanized Area, as defined by the Office of Management and Budget (OMB).

Membership Categories

There are two categories of membership for the CLEAN AIR COALITION: general members and supporting members.

General members shall be local governments or Independent School Districts (ISDs) within the MSA for the Austin Urbanized Area. The governing boards of general members must ratify the current clean air plan and commit to implementing selected emission reduction measures.

Supporting members shall act within their individual organizations to support the purpose of the CLEAN AIR COALITION and report their actions to the CLEAN AIR COALITION or CAPCOG liaison upon request.

CLEAN AIR COALITION OF THE CAPITAL AREA COUNCIL OF GOVERNMENTS BYLAWS

Supporting members are not required to appoint a representative to the CLEAN AIR COALITION meetings and are not allowed to vote.

While organizations other than local governments or school districts in the MSA may be supporting members, only local governments or ISDs in the MSA may participate in the CLEAN AIR COALITION as general members.

Changes in Membership Categories

Members may change their membership category if they meet eligibility requirements and are endorsed by a majority vote of the CLEAN AIR COALITION.

Representatives

Representatives to the CLEAN AIR COALITION will include elected officials appointed by governing bodies of the general members of the CLEAN AIR COALITION. Each general member's governing body appoints by resolution one elected official to serve on the Coalition and shall provide written notification to the CAPCOG staff liaison.

Terms

1. The term of appointment for a representative shall begin on the date of appointment by the representative's governing body, and will terminate December 31st in odd numbered years.
2. There is no limit to the number of times that a representative may be re-appointed. In the case of a vacancy, the CAPCOG staff liaison shall notify the representative's governing body and that body shall appoint a replacement

Vacancy

A vacancy occurs when:

1. A representative dies;
2. A representative's term expires and the representative is not reappointed;
3. A representative is no longer an elected official;
4. A representative resigns in writing to the Committee Chair with notification to the CAPCOG liaison; or
5. A representative is removed.

Attendance

1. Representatives are expected to attend all meetings; attendance records will be maintained.
2. If within one calendar year a representative misses (and does not send a proxy) two (2) consecutive meetings the member's governing body will be notified in writing. The representative's governing body will have the option of replacing the member, if appropriate.
3. A representative may designate a proxy to attend regular and special meetings in that representative's place. The proxy's attendance will be credited for the representative's annual

CLEAN AIR COALITION OF THE CAPITAL AREA COUNCIL OF GOVERNMENTS BYLAWS

attendance but will not be counted toward the quorum. The designated proxy will not be eligible to vote, but may participate in discussion as needed to communicate the support, concerns, or questions of the organization being represented.

4. If a representative is unable to attend a scheduled meeting, notification must be made to the CAPCOG Committee liaison at least two business days prior to the meeting for an absence to be excused.

New Members

CLEAN AIR COALITION membership may be expanded by majority vote of the CLEAN AIR COALITION. If a new member is eligible for more than one membership category, it may choose the membership category under which it wishes to participate.

Article III - Officers

Election

Election of a Chair and up to two (2) Vice-Chairs will occur at the first meeting of the calendar year, with the following representation:

- At least one (1) officer from a local governing bodies in Travis County;
- At least one (1) officer from a local governing body in either Williamson or Hays Counties; and
- Up to one (1) additional officer from a local governing body in any of the MSA counties.

If a city or ISD crosses county boundaries, it will be considered located in the county where the largest number of its residents reside.

Terms

1. Officers serve one-year terms.
2. Officers may serve a maximum of two (2) consecutive terms.
3. An officer may serve one-half of an unexpired term or less without it counting as a full term for the purposes of calculating term limits.

Vacancy

In the event an Officer is unable to fulfill his/her term, the CLEAN AIR COALITION may elect a replacement at the next regular meeting to serve the remainder of the term.

Duties

1. The Chair shall preside at all meetings of the CLEAN AIR COALITION.
2. Vice-Chairs shall perform all the duties of the Chair in the case of absence or disability and such other duties as may arise, from time to time, when required or requested by the CLEAN AIR COALITION.
3. In case the Chair and Vice-Chairs are absent or unable to perform their duties, the CLEAN AIR COALITION may appoint a Chair pro tem.

Other Officers

CLEAN AIR COALITION OF THE CAPITAL AREA COUNCIL OF GOVERNMENTS BYLAWS

The CLEAN AIR COALITION may elect other Officers from time to time to carry out its responsibilities. This may be done by a simple majority vote of the CLEAN AIR COALITION members at any regularly scheduled meeting where a quorum is present.

Article IV - Meetings

Regular Meetings

1. The CLEAN AIR COALITION shall meet on a day, time and place specified by the Chair of the CLEAN AIR COALITION.
2. Written notice, including an agenda, of each regular meeting shall be prepared by the CAPCOG liaison and mailed, or electronically transmitted, or hand-delivered to each CLEAN AIR COALITION representative at least five (5) business days before the meeting date.
3. The Chair has the discretion to allow meetings to be conducted via teleconference or video conference.

Special Meetings

1. The CLEAN AIR COALITION shall meet specially, if called by the CLEAN AIR COALITION Chair or requested in writing by at least one-third of the representatives, excluding vacancies.
2. A request by the membership for a special meeting must be in writing, addressed to the Chair, and describing the purpose or purposes of the meeting. Only business reasonably related to the purpose or purposes described in the request may be conducted at a special meeting.
3. Notice of any special meeting shall be given at least 72 hours prior to the special meeting.

Quorum and Action

1. Appointed representatives from jurisdictions located in three Counties constitute a quorum for conducting CLEAN AIR COALITION business.
2. A majority vote of the appointed representatives present at an established quorum meeting is necessary for action by the CLEAN AIR COALITION for the entire meeting.

Open Meetings and Records

1. All meetings of the CLEAN AIR COALITION shall be open to the public. It is the intention of the CLEAN AIR COALITION that meetings be open to the public.
2. Minutes or meeting notes of the CLEAN AIR COALITION meetings, documents distributed and other records are the property of CAPCOG and will be maintained in accordance with CAPCOG's Records Retention Schedule. These materials are available for public view, at the CAPCOG offices, upon receipt of a written request by the interested party.
3. Except where these bylaws require otherwise, *Robert's Rules of Order* shall govern the conduct of CLEAN AIR COALITION meetings.

Professional Conduct

CLEAN AIR COALITION representatives should maintain objectivity and professionalism when carrying out business of the CLEAN AIR COALITION. Committee members will not discriminate based on race, color, religion, sex, sexual orientation, gender identity, national origin, disability, or age. In the event that a Committee member acts in a manner which brings the work of the Committee into question or

CLEAN AIR COALITION OF THE CAPITAL AREA COUNCIL OF GOVERNMENTS BYLAWS

controversy, it shall be the responsibility of the CAPCOG Executive Director to address the incident and if appropriate, to recommend removal from the committee.

Sub-Committees:

The CLEAN AIR COALITION may create ad hoc committees or technical sub-committees as deemed appropriate.

Article V – Amendments by the Clean Air Coalition

Authority of the CLEAN AIR COALITION

CLEAN AIR COALITION may amend these bylaws at a regular or specially called meeting. The written text of a proposed amendment must be included with the notice of the meeting at which the amendment will be considered.

Effective Date

An Amendment to the bylaws takes effect when approved by the CLEAN AIR COALITION unless the amendment specifies a later effective date. Copies of amended bylaws will be distributed to CLEAN AIR COALITION representatives by the CAPCOG liaison.

Bylaws History

Adopted January 9, 2002

Amended October 15, 2003

Amended June 26, 2009

Amended May 8, 2013

Amended February 10, 2016

Amended May 8, 2019

City of Lockhart, Texas

Council Agenda Item Cover Sheet

COUNCIL MEETING DATE: January 4, 2022

AGENDA ITEM CAPTION: Discuss Ordinance 2022-01 regarding amendment of Section 50-3 of Chapter 50 of the Lockhart Code of Ordinances to establish maintenance responsibilities for public sidewalks and cost sharing program for sidewalk reconstruction or repairs.

ORIGINATING DEPARTMENT AND CONTACT: Public Works - Sean Kelley

ACTION REQUESTED: Ordinance

BACKGROUND/SUMMARY/DISCUSSION: Staff has received increasing inquiries about sidewalk replacement and maintenance. Unfortunately, current policies and ordinances lack the provisions to perform, delegate, and facilitate these requests. With the growing demand of the community, City Council has also been approached with requests to improve deteriorating sidewalks.

The current Lockhart Code of Ordinances provides the following:

Section 50--3, Curb and Gutter, Sidewalk Standards

The standards for the construction, maintenance and repair of all curbs and gutters and sidewalks within the city shall be as prescribed by the city manager and/or the city engineer from time to time.

Section. 50-6 (a) Intrusions and Obstructions in Public Sidewalks and Streets.

No person shall plant or grow any plant, hedge, shrub, or tree so that they or any placed landscaping shall intrude and obstruct any portion of a public sidewalk. All such plants and trees must be kept trimmed as not to cause an obstruction for pedestrians on public sidewalks. Limbs and growth from trees or plants of any type planted on private property shall be maintained by the property owner at a height of not less than seven feet above the public sidewalk and not less than 13 feet six inches in the public street area. The city retains the right to trim any limbs or growth from trees or plants of any type planted on public right-of-way and maintain a height of not less than 13 feet six inches above the surface of any street.

The proposed ordinance amendment to Section 50-3 of the Lockhart Code of Ordinances clarifies:

1. Sidewalk maintenance responsibility.
2. Establishes a procedure to identify eligible sidewalk projects.
3. Creates a cost sharing program.

City of Lockhart, Texas

Council Agenda Item Cover Sheet

The majority of surrounding cities that were surveyed (Bastrop, Gonzales, Kyle, San Marcos, Luling, New Braunfels, Seguin) have taken a similar approach to establishing responsibility of maintaining sidewalks. Many Texas cities offer a cost sharing option. The proposed ordinance integrates a 50/50 cost match between the City and the property owner if an eligible project is identified and if city funds are available for the match.

The City would continue to fully fund the expense of maintaining sidewalks and trails on or abutting City-owned properties.

PROJECT SCHEDULE (if applicable): N/A

AMOUNT & SOURCE OF FUNDING:

Funds Required: \$20,000

Account Number: 100-5633-935

Funds Available: \$20,000

Account Name: Sidewalks

FISCAL NOTE (if applicable): N/A

PREVIOUS COUNCIL ACTION: N/A

COMMITTEE/BOARD/COMMISSION ACTION: N/A

STAFF RECOMMENDATION/REQUESTED MOTION: The City attorney and staff respectfully support ordinance amendments to clarify sidewalk maintenance responsibilities and establish a cost share program for repairs and reconstructions.

LIST OF SUPPORTING DOCUMENTS: Ordinance 2022-01.

ORDINANCE NO. 2022-01

AN ORDINANCE OF THE CITY OF LOCKHART AMENDING SECTION 50-3 OF CHAPTER 50 OF THE LOCKHART CODE OF ORDINANCES TO ESTABLISH MAINTENANCE RESPONSIBILITIES FOR PUBLIC SIDEWALKS AND COST SHARING PROGRAM FO SIDEWALK RECONSTRUCTION OR REPAIRS; PROVIDING FOR PENALTIES FOR VIOLATION AND CLAUSES FOR REPEALER, SEVERABILITY, SAVINGS, PUBLICATION, AND EFFECTIVE DATE

WHEREAS, the City of Lockhart has sidewalks located throughout the City that provide access to schools, parks, and communities; and

WHEREAS, the City Council believes that these sidewalks enhance the beauty of the city and the quality of life for its citizens and visitors; and

WHEREAS, the City Council now deems it necessary to establish and clarify maintenance responsibilities for sidewalks within the City;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LOCKHART, TEXAS that:

SECTION 1: Recitals adopted. The foregoing recitals are adopted and incorporated herein for all purposes.

SECTION 2: Amendment. Section 50-3 of Chapter 50 of the Lockhart Code of Ordinances is hereby amended so that it shall hereafter read in its entirety as follows:

Sec. 50-3. Maintenance of sidewalk and street appurtenances: City cost share program.

- (a) **Duty of Owner.** It shall be the duty and obligation of all owners and occupants, of real property which abuts or upon which a sidewalk, driveway, or other way is located and used by the public, to keep and maintain such sidewalk, driveway, or way in a safe condition for use. Such sidewalks, driveway, or ways shall be maintained by the owner or occupant of such real property so as to be free of depressions, excavations, inequalities, obstacles, obstructions, encroachments, and tall weeds or grass located between the person's property line and the curb and/or street.
- (b) **City cost share program.** If revenues are available, the City may participate in the reconstruction or repair of a sidewalk with an eligible property owner on a 50/50 basis.
- (c) **Policies and procedures of the cost share program.** The City's 50/50 cost share program ("the program") shall operate as follows:
 - (1) **Eligible properties:** Property owners of the following types of owner-occupied properties are eligible to participate in the program: Single-family residents, duplexes, town homes and condominiums. Only sidewalks in City's public right-of-way are eligible. In no event will the City's cost share cover reconstruction or repairs to be performed on private property.
 - (2) **Eligible projects.** Sidewalk must contain 1 ½" or greater vertical trip hazard between panels, 1" or greater width separation between panels, and/or structural damage through the entire depth of the sidewalk panel. Cosmetic damages that are neither

structural failures or trip hazards are not eligible. Each project must be approved by the Public Works Director or designee.

- (3) Cost: The property owner's share of the cost under the program shall be one-half (1/2) of the total cost for the requested improvement, excluding cost for non-barrier ramps.
- (4) Trees: All trees located in the City's right-of-way shall be removed in conjunction with each project unless retention of a tree or tree in the right-of-way is approved by the Public Works Director or designee. The cost of removal shall be included in the estimate for each project.
- (5) Damage to improvements: The City shall not be responsible for damage that occurs to sprinkler systems, trees, shrubs, or other improvements in the City's right-of-way. It shall be the responsibility of the property owner to protect these improvements before and during reconstruction or repair.
- (6) Method of payment and assessment: The City or the City's contractor will perform the work and assess cost for the eligible project. The property owner shall make payment to the City in the full amount of their share before the reconstruction or repair commencements.
- (7) Rework: In the event the replaced sidewalk reconstructed through the program fails within one year of the completion of the replacement under the program, the City shall make the appropriate repairs, as determined to be necessary by the City, to the failed section at no additional cost to the property owner.
- (8) Refund and reimbursement:
 - (a) Refund. An abutting property owner may make a written request for a refund before initiation of the reconstruction or repair. In no event shall a refund be made after the City begins work.
 - (b) Reimbursement. Property owner shall be eligible for reimbursement of the portion of the cost of replacement or repair for work done in connection with the program if within two years of the completion of the replacement or repair, the City undertakes a capital improvement project and the sidewalk reconstructed or repaired through the program is replaced in connection with the capital improvement project. Reimbursement under this paragraph is available only in areas included in the capital improvement project on a pro rata basis.
- (d) Notice of Violation. Whenever it is determined that there are grounds for violation of any provision of this chapter, the building official shall give notice of such violation to the property owner, as hereinafter provided. Such notice shall:
 - (1) Be in writing;
 - (2) Include a statement of the reason for its issuance; and
 - (3) Allow a reasonable time for the performance of the act it requires.
- (e) Penalty. Any person violating the provisions in this section shall be guilty of a misdemeanor and shall be subject to a fine of up to \$500 for each day of such violation
- (f) Remedy by the City. In addition to the penalty provisions above provided for, resulting from violation of the provisions of this section, the City shall be entitled to enter upon and remove and/or trim as necessary eliminate any such public sidewalk from such obstruction and/or declare a sidewalk in violation of this section a public nuisance. City cost for labor, benefits, equipment, and materials associated with removing and/or replacing public

sidewalks shall be invoiced to the property owner of record. Should the property owner fail to pay the incurred City cost within 30 days of invoice, a lien shall be filed on the property for such amount plus ten percent of the amount of the invoice, plus the cost of the then current filing fee.

SECTION 3. Repealer. All provisions of the Code of Ordinances of the City of Lockhart in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict, and all other provisions of the Code of Ordinances of the City of Lockhart codified or uncoded, not in conflict with the provisions of this Ordinance shall remain in full force and effect.

SECTION 4. Severability. It is hereby declared to be the intention of the City Council that the components of this Ordinance are severable, and if any phrase, clause, sentence, or section of this Ordinance shall be declared unconstitutional or invalid by any court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any remaining component of this Ordinance.

SECTION 5. Publication. The City Secretary shall cause the caption of this ordinance to be published in a newspaper of general circulation according to law.

SECTION 6. Effective Date. This ordinance shall become effective and be in full force from the date of its passage.

PASSED AND ADOPTED on this the 4th day of January, 2022.

CITY OF LOCKHART

Lew White, Mayor

ATTEST:

APPROVED AS TO FORM:

Connie Constancio, TRMC, City Secretary

Monte Akers, City Attorney

City of Lockhart, Texas

Council Agenda Item Cover Sheet

COUNCIL MEETING DATE: January 4, 2022

AGENDA ITEM CAPTION: Discuss amending Chapter 64 "Zoning" of the Lockhart Code of Ordinances, Article VII "Zoning Districts and Standards", Section 64-197 "Regulations Common To All Or Several Districts", Subsection (g)(2) "Additional Parking Requirements Within Residential Districts" to require covered parking for detached single-family dwellings and provide reasonable standards for such parking; and amending Chapter 64 "Zoning", Appendix I "Specific Requirements For Residential Development Types" to modify the heading of the Minimum Off-street Parking column; and provide direction to staff..

ORIGINATING DEPARTMENT AND CONTACT: Development Services - Dan Gibson

ACTION REQUESTED: Other

BACKGROUND/SUMMARY/DISCUSSION: Staff recently became aware that the homebuilder that is developing the remaining sections of Summerside Subdivision is proposing to include homes with no covered parking. In the past 25 years, no new single-family residential subdivision has been developed with homes that do not have either a carport or garage. The lack of covered parking can have undesirable consequences in terms of the appearance and value of a neighborhood. In addition, having the extra parking space may reduce the parking of vehicles in the yard or in the public street. A draft ordinance is attached that amends the zoning ordinance to require covered parking for detached single-family dwellings (SF-1 and SF-2 residential development types), and provides standards for the location and appearance of covered parking that will, in effect, prohibit what is commonly known as "snout houses". In addition, an amendment is needed to Appendix I to make the column heading for minimum off-street parking in the table consistent with current practice, which is to allow covered parking to be counted as required off-street parking. That column heading currently excludes garages. The proposed zoning text amendment requires a recommendation by the Planning and Zoning Commission before the ordinance can be considered by the Council. The earliest that a public hearing for adoption of the ordinance can be held is the Council's February 1st agenda.

PROJECT SCHEDULE (if applicable): Not applicable.

AMOUNT & SOURCE OF FUNDING:

Funds Required:

Account Number:

Funds Available:

Account Name:

FISCAL NOTE (if applicable): Not applicable.

City of Lockhart, Texas

Council Agenda Item Cover Sheet

PREVIOUS COUNCIL ACTION: None.

COMMITTEE/BOARD/COMMISSION ACTION: None yet. Zoning text amendments require a recommendation from the Planning and Zoning Commission, which will be on the agenda of their January 26th meeting.

STAFF RECOMMENDATION/REQUESTED MOTION: Staff recommends the proposed wording in the draft ordinance. Following public notice and a public hearing and action at the Planning and Zoning Commission meeting, an amendment will be presented to the City Council on February 1, 2022.

LIST OF SUPPORTING DOCUMENTS: Covered parking draft zoning text amendment.

DRAFT

ORDINANCE 2022-__

AN ORDINANCE OF THE CITY OF LOCKHART, TEXAS, AMENDING CHAPTER 64 “ZONING”, OF THE CODE OF ORDINANCES, ARTICLE VII “ZONING DISTRICTS AND STANDARDS”, SECTION 64-197 “REGULATIONS COMMON TO ALL OR SEVERAL DISTRICTS”, SUBSECTION (g)(2) “ADDITIONAL PARKING REQUIREMENTS WITHIN RESIDENTIAL DISTRICTS”; AND AMENDING CHAPTER 64 “ZONING”, APPENDIX I “SPECIFIC REQUIREMENTS FOR RESIDENTIAL DEVELOPMENT TYPES”; PROVIDING FOR SEVERABILITY; PROVIDING A REPEALER; PROVIDING FOR PENALTY; PROVIDING FOR PUBLICATION; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, covered parking adds value and function to detached single-family dwellings compared to homes that do not have it; and,

WHEREAS, covered parking helps provide more off-street parking space than a driveway, alone, thereby reducing the possibility that vehicles will need to be parked in the public street; and,

WHEREAS, covered parking protects and extends the life of vehicles; and,

WHEREAS, covered parking can provide storage space out of the weather for items that are not typically kept inside the dwelling; and,

WHEREAS, covered parking should be designed and located such that it does not dominate or detract from the residential appearance and function of the front façade of detached single-family homes; and,

WHEREAS, the City Council has determined that the current lack of standards requiring covered parking for detached single-family dwellings can result in new single-family neighborhoods being developed with all vehicle parking being exposed to the weather and within view of residents and passers-by; and,

WHEREAS, detached single-family dwellings are classified in Chapter 64 “Zoning”, Article VII “Zoning Districts and Standards”, Section 64-196 “Establishment of Zoning Districts”, and in “Appendix I” as either the SF-1 residential development type which requires a minimum lot width of 65 feet and a minimum lot area of 8,500 square feet, or the SF-2 residential development type which requires a minimum lot width of 50 feet and a minimum lot area of 5,500 square feet.

WHEREAS, an amendment to Chapter 64 “Zoning”, Article VII “Zoning Districts and Standards” is proposed to require covered parking for the SF-1 and SF-2 residential development types, and provide reasonable standards to promote the attractive appearance and functionality of new homes; and,

DRAFT

WHEREAS, current practice has been to allow garages and carports to be counted toward the minimum required off-street parking, despite the fact that the Minimum Required Off-street Parking column of Appendix I “Specific Requirements for Residential Development Types” excludes garages for all types of residential development; and,

WHEREAS, an amendment is proposed to delete the exclusion of garages as counting toward the minimum required off-street parking, so that the current practice can be continued; and,

WHEREAS, the City Council has determined that such amendments serve a public purpose and the Council desires to amend the Code of Ordinances accordingly;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LOCKHART, TEXAS, THAT:

I. The foregoing recitals are approved and adopted herein for all purposes.

II. Chapter 64 “Zoning”, Article VII “Zoning Districts and Standards”, is hereby amended as follows, with all existing provisions not shown remaining unchanged:

Sec. 64-197. Regulations common to all or several districts.

(g) Minimum parking and loading requirements.

(2) Additional parking requirements in residential districts.

- a. Each dwelling unit of the SF-1 and SF-2 development type shall provide covered vehicle parking in the form of a carport or garage having a usable parking area, exclusive of storage or other functions, of at least 440 square feet (two vehicles) for the SF-1 development type or 220 square feet (one vehicle) for the SF-2 development type. Carports shall be provided with an integral enclosed storage room of at least 40 square feet. Garages and carports shall not extend closer to the front property line than the wall or covered porch of the front of the house that is closest to the front property line, and garage doors shall not occupy more than 40 percent of the width of the house.

III. Chapter 64 “Zoning”, Appendix I “Specific Requirements for Residential Development Types”, is hereby amended by changing the heading of the eleventh column to read as follows: “*Min. Off-street Parking Spaces Per Dwelling Unit (Note 3)*”.

DRAFT

IV. Severability: If any provision, section, clause, sentence, or phrase of this ordinance is for any reason held to be unconstitutional, void, invalid, or un-enforced, the validity of the remainder of this ordinance or its application shall not be affected, it being the intent of the City Council in adopting and of the Mayor in approving this ordinance that no portion, provision, or regulation contained herein shall become inoperative or fail by way of reasons of any unconstitutionality or invalidity of any other portion, provision or regulation.

V. Repealer: That all other ordinances, sections, or parts of ordinances heretofore adopted by the City of Lockhart in conflict with the provisions set out above in this ordinance are hereby repealed or amended as indicated.

VI. Penalty: Any person who violates any provision of this ordinance shall be guilty of a misdemeanor, and upon conviction shall be fined as provided in Section 1-8 of the City Code.

VII. Publication: That the City Secretary is directed to cause the caption of this ordinance to be published in a newspaper of general circulation according to law.

VIII. Effective Date. That this ordinance shall become effective and be in full force ten days from the date of its passage.

**PASSED, APPROVED, AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF LOCKHART, TEXAS,
ON THIS THE ____ DAY OF _____, 2022.**

CITY OF LOCKHART

Lew White
Mayor

ATTEST:

APPROVED AS TO FORM:

Connie A. Constancio, TRMC
City Secretary

Monte Akers
City Attorney

City of Lockhart, Texas

Council Agenda Item Cover Sheet

COUNCIL MEETING DATE: January 4, 2022

AGENDA ITEM CAPTION: Discussion regarding matters related to COVID-19.

ORIGINATING DEPARTMENT AND CONTACT: Administration - Steven Lewis, Monte Akers

ACTION REQUESTED: Other

BACKGROUND/SUMMARY/DISCUSSION: On May 18, 2021, Governor Abbot issued GA-36 that prohibited governmental entities from mandating face coverings or restricting activities in response to the COVID-19 disaster. As a result, the Lockhart City Council rescinded the Mayor's Declaration to require face coverings and encouraged citizens to continue to follow the CDC guidelines in regard to COVID-19.

Also, as a result of the Governor opening Texas on March 2, 2021 (GA-34), community events are back on schedule such as the Chisholm Trail Roundup, Fireworks show, and City venues such as the city splash pad are open to the public. Face coverings are not required during the events or at city facilities.

An update of COVID-19 orders and Council actions is attached.

Open Meetings Act Suspensions Terminate effective September 1, 2021

In March 2020, Governor Abbott's office granted the Attorney General's request to suspend certain open meetings statutes. The temporary suspension allows for telephonic or videoconference meetings of governmental bodies that are accessible to the public in an effort to reduce in-person meetings, thereby allowing governmental bodies and/or board commissions to hold a meeting virtually without a quorum being present at the meeting location.

On June 30, 2021, the Governor's office approved a request by the Attorney General to lift the open meetings suspensions effective at 12:01 a.m. on September 1, 2021. All Texas governmental bodies subject to the OMA must thereafter conduct their meetings in full compliance with the OMA as written in state law.

The following are provisions in the OMA suspension that will no longer be allowed effective September 1, 2021:

- 1) Video conferencing capability will change in that a member of the governing body or board can meet virtually but there must be a quorum physically present at the meeting location.
- 2) Telephone conference meetings will not be allowed to continue and are only allowed in an emergency.

On **August 29, 2021**, Governor Abbott issued a Declaration renewing the declaration of disaster stating that COVID-19 poses an imminent threat of disaster for all counties in Texas.

City of Lockhart, Texas

Council Agenda Item Cover Sheet

On October 11, 2021, Governor Abbott issued GA-40 prohibiting vaccine mandates, subject to legislative action.

This item is returned to Council for consideration, if necessary.

PROJECT SCHEDULE (if applicable): N/A

AMOUNT & SOURCE OF FUNDING:

Funds Required: N/A

Account Number: N/A

Funds Available: N/A

Account Name: N/A

FISCAL NOTE (if applicable): None.

PREVIOUS COUNCIL ACTION: N/A

COMMITTEE/BOARD/COMMISSION ACTION: N/A

STAFF RECOMMENDATION/REQUESTED MOTION: None.

LIST OF SUPPORTING DOCUMENTS: Update of COVID-19 orders and Council actions, GA-39, GA-38, Governor Abbott proclamation renewing the Declaration of Disaster, GA 40

HISTORY OF COVID-19 ORDERS/COUNCIL ACTIONS

On **September 1, 2020**, the City Council adopted Resolution 2020-20 renewing and adopting a requirement that commercial establishments in the City post a notice that facial coverings are a requirement of employees and persons entering such establishments. The requirement that such notice be posted shall remain in effect until terminated or amended by the City Council.

On **October 7, 2020**, Governor Greg Abbott issued Executive Order GA-32 to allow certain bars and similar establishments to operate at 50% capacity with permission from the County Judge. GA-32 increased the occupancy levels for all business establishments other than bars to 75%. GA-32 also provides that outdoor gatherings in excess of 10 people is prohibited unless the Mayor of the City in which the gathering is held, approves of the gathering, and such approval can be made subject to certain conditions or restrictions not inconsistent with GA-32.

Mayor's statement on reduced business capacity in Caldwell County. At 12:01 a.m. on Wednesday, January 13, 2021 the provisions of Governor Greg Abbott's Executive Order GA-32 that suspend elective surgeries, close bars and reduce business capacity to 50 percent went into effect in Lockhart and Caldwell County. This was occurring because under GA-32, these specific provisions took effect when a Trauma Service Area had seven consecutive days in which the number of COVID-19 hospitalized patients as a percentage of total capacity exceeded 15 percent. This was the case in Trauma Service Area O, which included Caldwell County.

COVID Relief Fund update. On January 19, 2021, the Council voted to offer a six-month forbearance to businesses that received a COVID-19 Recovery Loan in 2020. Council re-opened the COVID Relief Grants to small businesses for \$5,000 per business that qualifies. Restaurants and bars that were affected by the Governor's order earned higher points on the application process.

During the February 23, 2021 meeting, Chief Jenkins provided an update of COVID compliance for local businesses.

On **March 2, 2021**, Governor Abbot issued GA-34 that was effective March 10, 2021. It provides that the State no longer requires face covering and it does not allow local jurisdictions to require face coverings. GA-34 supercedes all orders issued by local officials that conflict with regard to services or local orders and provides that businesses and other establishments may require customers and employees to wear face coverings. The consensus of the Council was to leave the Mayor's Declaration in effect and to encourage citizens to continue to wear face coverings and to maintain a six foot distance.

On **May 13, 2021**, the CDC announced that fully vaccinated individuals no longer need to mask up or social distance indoors and outdoors, including crowds. Attached is information from the CDC about how to stay safe around individuals that are or are not fully vaccinated.

On **June 15, 2021**, the consensus of the Council was to continue virtual attendance at meetings.

On **June 30, 2021**, the Governor's office approved a request by the Attorney General to lift the temporary Open Meetings Act suspensions, effective at 12:01 a.m. on September 1, 2021. The change in virtual meetings is that a member of the governing body or board member may attend a meeting virtually but there must be a quorum physically present at the meeting location.

On **July 29, 2021**, Governor Abbott issued Executive Order 38, that combined several existing COVID-19 executive orders to promote statewide uniformity and certainty in the state's COVID-19 response. Governor Abbott stated that "The new Executive Order emphasizes that the path forward relies on personal responsibility rather than government mandates".

On **August 13, 2021**, TML provided the following information regarding actions taken by governmental entities and the Attorney General in regards to face coverings:

- **Mask Mandate Update:** Tuesday afternoon, two state district court judges in Dallas and Bexar counties granted local authorities in those jurisdictions temporary restraining orders blocking Governor Abbott's ban on mask mandates. In response to the rulings, the City of San Antonio issued a requirement for face coverings inside city facilities, and the Dallas County Judge issued an emergency order on Wednesday related to face coverings. Temporary restraining orders are by definition temporary and require further court proceedings to become permanent. TML will continue to monitor these developments. In related news, Houston's Mayor Sylvester Turner is requiring masks in city facilities when physical distancing is not doable.

Additionally, a number of large school districts ("ISDs") across the state, including Dallas ISD, Houston ISD, Austin ISD, Fort Worth ISD, and San Antonio ISD, are requiring masks on school property.

- **Attorney General Issues Two COVID-related opinions:** On August 11, the Attorney General released two opinions related to mask mandates and vaccines.
 1. In Opinion KP-0379, the Attorney General was asked whether COVID-19 vaccines could be required as a condition to enter a government building. Citing the Governor's Executive Order No. 38 as well as the recently passed S.B. 968, the Attorney General opined that government entities may not require COVID-19 vaccines as a condition to enter a government facility.
 2. In Opinion No. KP-0380, the Attorney General was asked to opine on the effect of the Governor's executive orders on federal requirements related to face coverings on public transit. The AG ultimately opined that he is unconvinced that CDC and TSA rules as well as federal law preempt the Governor's orders prohibiting mask mandates.

Please remember that Attorney General opinion are just that: opinions. They are legal guidance but do not carry the force of law or court order.

- **Counties Across Texas Seeing Rise in COVID-19 Threat Levels:** Over the last few weeks, we have reported on the rise in COVID-19 threat levels in counties and cities across the state. That rise continues, with Travis, Harris, Dallas, and Williamson counties, among others, back at the highest threat levels as the Delta variant spreads across the state and ICU bed availability drops.

On **August 29, 2021**, Governor Abbott issued a proclamation renewing the declaration stating that COVID-19 poses an imminent threat of disease for all counties in Texas.

On **August 25, 2021**, Governor Abbott issued GA-39 (attached), prohibiting governmental entities from compelling an individual to receive a COVID-19 vaccine regardless of full FDA approval, among other things.

The Governor also issued the following call to the Special Session of the Legislature:

Legislation regarding whether any State or Local Governmental entities in Texas can mandate that an individual receive a COVID-19 vaccine and, if so, what exemption should apply to such mandate.

On **October 11, 2021**, Governor Abbott issued GA-40 relating to prohibiting all entities of compelling receipt of a COVID-19 vaccine until the issue has been considered through legislation.



GOVERNOR GREG ABBOTT

August 25, 2021

Mr. Joe A. Esparza
Deputy Secretary of State
State Capitol Room 1E.8
Austin, Texas 78701

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
2 PM O'CLOCK

AUG 25 2021

Secretary of State

Dear Deputy Secretary Esparza:

Pursuant to his powers as Governor of the State of Texas, Greg Abbott has issued the following:

Executive Order No. GA-39 relating to prohibiting vaccine mandates and vaccine passports subject to legislative action.

The original executive order is attached to this letter of transmittal.

Respectfully submitted,


Gregory S. Davidson
Executive Clerk to the Governor

GSD/gsd

Attachment

Executive Order

BY THE
GOVERNOR OF THE STATE OF TEXAS

Executive Department
Austin, Texas
August 25, 2021

EXECUTIVE ORDER GA 39

*Relating to prohibiting vaccine mandates and vaccine passports
subject to legislative action.*

WHEREAS, I, Greg Abbott, Governor of Texas, issued a disaster proclamation on March 13, 2020, certifying under Section 418.014 of the Texas Government Code that the novel coronavirus (COVID-19) poses an imminent threat of disaster for all Texas counties; and

WHEREAS, in each subsequent month effective through today, I have renewed the COVID-19 disaster declaration for all Texas counties; and

WHEREAS, I have issued a series of executive orders aimed at protecting the health and safety of Texans, ensuring uniformity throughout Texas, and achieving the least restrictive means of combatting the evolving threat to public health; and

WHEREAS, COVID-19 vaccines are strongly encouraged for those eligible to receive one, but have always been voluntary for Texans; and

WHEREAS, I issued Executive Orders GA-35 and GA-38, addressing COVID-19 vaccines administered under an "emergency use authorization" by prohibiting vaccine mandates from governmental entities and by prohibiting "vaccine passports" from governmental entities and certain others; and

WHEREAS, subsequently, on August 23, 2021, while the legislature was already convened in a special session, the U.S. Food and Drug Administration (FDA) approved one of the COVID-19 vaccines for certain age groups, such that this vaccine is no longer administered under an emergency use authorization for those age groups; and

WHEREAS, while this COVID-19 vaccine is now FDA-approved for certain age groups, others are not yet approved and still are administered under an emergency use authorization; and

WHEREAS, through Chapter 161 of the Texas Health and Safety Code, as well as other laws including Chapters 38 and 51 of the Texas Education Code, the legislature has established its primary role over immunizations, and all immunization laws and regulations in Texas stem from the laws established by the legislature; and

WHEREAS, in other contexts where the legislature has imposed immunization requirements, it has also taken care to provide exemptions that allow people to opt out of being forced to take a vaccine; and

WHEREAS, given the legislature's primacy and the need to avoid a patchwork of regulations with respect to vaccinations, it is appropriate to maintain the status quo of

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
2 PM O'CLOCK

AUG 25 2021

prohibiting vaccine mandates through executive order while allowing the legislature to consider this issue while in session; and

WHEREAS, in this instance, given the legislature's prior actions, maintaining the status quo of prohibiting vaccine mandates and ensuring uniformity pending the legislature's consideration means extending the voluntariness of COVID-19 vaccinations to all COVID-19 vaccinations, regardless of regulatory status; and

WHEREAS, I am also adding this issue to the agenda for the Second Called Session of the legislature that is currently convened so that the legislature has the opportunity to consider this issue through legislation; and

WHEREAS, I will rescind this executive order upon the effective date of such legislation;

NOW, THEREFORE, I, Greg Abbott, Governor of Texas, by virtue of the power and authority vested in me by the Constitution and laws of the State of Texas, do hereby order the following on a statewide basis effective immediately:

1. No governmental entity can compel any individual to receive a COVID-19 vaccine. I hereby suspend Section 81.082(f)(1) of the Texas Health and Safety Code, and any other relevant statutes, to the extent necessary to ensure that no governmental entity can compel any individual to receive a COVID-19 vaccine.
2. State agencies and political subdivisions shall not adopt or enforce any order, ordinance, policy, regulation, rule, or similar measure that requires an individual to provide, as a condition of receiving any service or entering any place, documentation regarding the individual's vaccination status for any COVID-19 vaccine. I hereby suspend Section 81.085(i) of the Texas Health and Safety Code, and any other relevant statutes, to the extent necessary to enforce this prohibition. This paragraph does not apply to any documentation requirements necessary for the administration of a COVID-19 vaccine.
3. Any public or private entity that is receiving or will receive public funds through any means, including grants, contracts, loans, or other disbursements of taxpayer money, shall not require a consumer to provide, as a condition of receiving any service or entering any place, documentation regarding the consumer's vaccination status for any COVID-19 vaccine. No consumer may be denied entry to a facility financed in whole or in part by public funds for failure to provide documentation regarding the consumer's vaccination status for any COVID-19 vaccine.
4. Nothing in this executive order shall be construed to limit the ability of a nursing home, state supported living center, assisted living facility, or long-term care facility to require documentation of a resident's vaccination status for any COVID-19 vaccine.
5. This executive order shall supersede any conflicting order issued by local officials in response to the COVID-19 disaster. Pursuant to Section 418.016(a) of the Texas Government Code, I hereby suspend Sections 418.1015(b) and 418.108 of the Texas Government Code, Chapter 81, Subchapter E of the Texas Health and Safety Code, and any

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
2PM O'CLOCK

AUG 25 2021

other relevant statutes, to the extent necessary to ensure that local officials do not impose restrictions in response to the COVID-19 disaster that are inconsistent with this executive order.

This executive order supersedes only paragraph No. 2 of Executive Order GA-38, and does not supersede or otherwise affect the remaining paragraphs of Executive Order GA-38. This executive order shall remain in effect and in full force unless it is modified, amended, rescinded, or superseded by the governor. This executive order may also be amended by proclamation of the governor.



Given under my hand this the 25th
day of August, 2021.

A handwritten signature in black ink that reads "Greg Abbott".

GREG ABBOTT
Governor

ATTESTED BY:

A handwritten signature in black ink that reads "Joe A. Esparza".
JOE A. ESPARZA
Deputy Secretary of State

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
2PM O'CLOCK

AUG 25 2021



GOVERNOR GREG ABBOTT

July 29, 2021

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
3:15 PM O'CLOCK

JUL 29 2021

Secretary of State

Mr. Joe A. Esparza
Deputy Secretary of State
State Capitol Room 1E.8
Austin, Texas 78701

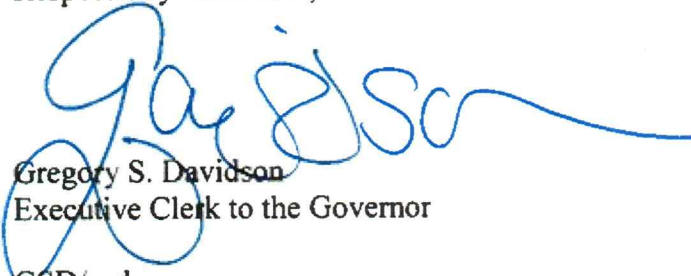
Dear Deputy Secretary Esparza:

Pursuant to his powers as Governor of the State of Texas, Greg Abbott has issued the following:

Executive Order No. GA-38 relating to the continued response to the COVID-19 disaster.

The original executive order is attached to this letter of transmittal.

Respectfully submitted,


Gregory S. Davidson
Executive Clerk to the Governor

GSD/gsd

Attachment

Executive Order

BY THE
GOVERNOR OF THE STATE OF TEXAS

Executive Department
Austin, Texas
July 29, 2021

EXECUTIVE ORDER GA 38

Relating to the continued response to the COVID-19 disaster.

WHEREAS, I, Greg Abbott, Governor of Texas, issued a disaster proclamation on March 13, 2020, certifying under Section 418.014 of the Texas Government Code that the novel coronavirus (COVID-19) poses an imminent threat of disaster for all Texas counties; and

WHEREAS, in each subsequent month effective through today, I have renewed the COVID-19 disaster declaration for all Texas counties; and

WHEREAS, from March 2020 through May 2021, I issued a series of executive orders aimed at protecting the health and safety of Texans, ensuring uniformity throughout Texas, and achieving the least restrictive means of combatting the evolving threat to public health by adjusting social-distancing and other mitigation strategies; and

WHEREAS, combining into one executive order the requirements of several existing COVID-19 executive orders will further promote statewide uniformity and certainty; and

WHEREAS, as the COVID-19 pandemic continues, Texans are strongly encouraged as a matter of personal responsibility to consistently follow good hygiene, social-distancing, and other mitigation practices; and

WHEREAS, receiving a COVID-19 vaccine under an emergency use authorization is always voluntary in Texas and will never be mandated by the government, but it is strongly encouraged for those eligible to receive one; and

WHEREAS, state and local officials should continue to use every reasonable means to make the COVID-19 vaccine available for any eligible person who chooses to receive one; and

WHEREAS, in the Texas Disaster Act of 1975, the legislature charged the governor with the responsibility "for meeting ... the dangers to the state and people presented by disasters" under Section 418.011 of the Texas Government Code, and expressly granted the governor broad authority to fulfill that responsibility; and

WHEREAS, under Section 418.012, the "governor may issue executive orders ... hav[ing] the force and effect of law;" and

WHEREAS, under Section 418.016(a), the "governor may suspend the provisions of any regulatory statute prescribing the procedures for conduct of state business ... if strict compliance with the provisions ... would in any way prevent, hinder, or delay necessary action in coping with a disaster;" and

WHEREAS, under Section 418.018(c), the "governor may control ingress and egress to

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and from a disaster area and the movement of persons and the occupancy of premises in the area;" and

WHEREAS, under Section 418.173, the legislature authorized as "an offense," punishable by a fine up to \$1,000, any "failure to comply with the [state emergency management plan] or with a rule, order, or ordinance adopted under the plan;"

NOW, THEREFORE, I, Greg Abbott, Governor of Texas, by virtue of the power and authority vested in me by the Constitution and laws of the State of Texas, do hereby order the following on a statewide basis effective immediately:

1. To ensure the continued availability of timely information about COVID-19 testing and hospital bed capacity that is crucial to efforts to cope with the COVID-19 disaster, the following requirements apply:
 - a. All hospitals licensed under Chapter 241 of the Texas Health and Safety Code, and all Texas state-run hospitals, except for psychiatric hospitals, shall submit to the Texas Department of State Health Services (DSHS) daily reports of hospital bed capacity, in the manner prescribed by DSHS. DSHS shall promptly share this information with the Centers for Disease Control and Prevention (CDC).
 - b. Every public or private entity that is utilizing an FDA-approved test, including an emergency use authorization test, for human diagnostic purposes of COVID-19, shall submit to DSHS, as well as to the local health department, daily reports of all test results, both positive and negative. DSHS shall promptly share this information with the CDC.
2. To ensure that vaccines continue to be voluntary for all Texans and that Texans' private COVID-19-related health information continues to enjoy protection against compelled disclosure, in addition to new laws enacted by the legislature against so-called "vaccine passports," the following requirements apply:
 - a. No governmental entity can compel any individual to receive a COVID-19 vaccine administered under an emergency use authorization. I hereby suspend Section 81.082(f)(1) of the Texas Health and Safety Code to the extent necessary to ensure that no governmental entity can compel any individual to receive a COVID-19 vaccine administered under an emergency use authorization.
 - b. State agencies and political subdivisions shall not adopt or enforce any order, ordinance, policy, regulation, rule, or similar measure that requires an individual to provide, as a condition of receiving any service or entering any place, documentation regarding the individual's vaccination status for any COVID-19 vaccine administered under an emergency use authorization. I hereby suspend Section 81.085(i) of the Texas Health and Safety Code to the extent necessary to enforce this prohibition. This paragraph does not apply to any documentation requirements necessary for the administration of a COVID-19 vaccine.
 - c. Any public or private entity that is receiving or will receive public funds through any means, including grants, contracts, loans, or other disbursements of taxpayer money, shall not require a consumer to provide, as a condition of receiving any service or entering any place, documentation regarding the consumer's vaccination status for any COVID-19 vaccine administered under an emergency use authorization. No consumer may be denied entry to a facility financed

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- in whole or in part by public funds for failure to provide documentation regarding the consumer's vaccination status for any COVID-19 vaccine administered under an emergency use authorization.
- d. Nothing in this executive order shall be construed to limit the ability of a nursing home, state supported living center, assisted living facility, or long-term care facility to require documentation of a resident's vaccination status for any COVID-19 vaccine.
 - e. This paragraph number 2 shall supersede any conflicting order issued by local officials in response to the COVID-19 disaster. I hereby suspend Sections 418.1015(b) and 418.108 of the Texas Government Code, Chapter 81, Subchapter E of the Texas Health and Safety Code, and any other relevant statutes, to the extent necessary to ensure that local officials do not impose restrictions in response to the COVID-19 disaster that are inconsistent with this executive order.
3. To ensure the ability of Texans to preserve livelihoods while protecting lives, the following requirements apply:
- a. There are no COVID-19-related operating limits for any business or other establishment.
 - b. In areas where the COVID-19 transmission rate is high, individuals are encouraged to follow the safe practices they have already mastered, such as wearing face coverings over the nose and mouth wherever it is not feasible to maintain six feet of social distancing from another person not in the same household, but no person may be required by any jurisdiction to wear or to mandate the wearing of a face covering.
 - c. In providing or obtaining services, every person (including individuals, businesses, and other legal entities) is strongly encouraged to use good-faith efforts and available resources to follow the Texas Department of State Health Services (DSHS) health recommendations, found at www.dshs.texas.gov/coronavirus.
 - d. Nursing homes, state supported living centers, assisted living facilities, and long-term care facilities should follow guidance from the Texas Health and Human Services Commission (HHSC) regarding visitations, and should follow infection control policies and practices set forth by HHSC, including minimizing the movement of staff between facilities whenever possible.
 - e. Public schools may operate as provided by, and under the minimum standard health protocols found in, guidance issued by the Texas Education Agency. Private schools and institutions of higher education are encouraged to establish similar standards.
 - f. County and municipal jails should follow guidance from the Texas Commission on Jail Standards regarding visitations.
 - g. As stated above, business activities and legal proceedings are free to proceed without COVID-19-related limitations imposed by local governmental entities or officials. This paragraph number 3 supersedes any conflicting local order in response to the COVID-19 disaster, and all relevant laws are suspended to the extent necessary to preclude any such inconsistent local orders. Pursuant to the legislature's command in Section 418.173 of the Texas Government Code and the State's emergency management plan, the imposition of any conflicting or inconsistent limitation by a local governmental entity or official constitutes a "failure to comply with" this executive order that is subject to a fine up to \$1,000.

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4. To further ensure that no governmental entity can mandate masks, the following requirements shall continue to apply:
- a. No governmental entity, including a county, city, school district, and public health authority, and no governmental official may require any person to wear a face covering or to mandate that another person wear a face covering; provided, however, that:
 - i. state supported living centers, government-owned hospitals, and government-operated hospitals may continue to use appropriate policies regarding the wearing of face coverings; and
 - ii. the Texas Department of Criminal Justice, the Texas Juvenile Justice Department, and any county and municipal jails acting consistent with guidance by the Texas Commission on Jail Standards may continue to use appropriate policies regarding the wearing of face coverings.
 - b. This paragraph number 4 shall supersede any face-covering requirement imposed by any local governmental entity or official, except as explicitly provided in subparagraph number 4.a. To the extent necessary to ensure that local governmental entities or officials do not impose any such face-covering requirements, I hereby suspend the following:
 - i. Sections 418.1015(b) and 418.108 of the Texas Government Code;
 - ii. Chapter 81, Subchapter E of the Texas Health and Safety Code;
 - iii. Chapters 121, 122, and 341 of the Texas Health and Safety Code;
 - iv. Chapter 54 of the Texas Local Government Code; and
 - v. Any other statute invoked by any local governmental entity or official in support of a face-covering requirement.

Pursuant to the legislature's command in Section 418.173 of the Texas Government Code and the State's emergency management plan, the imposition of any such face-covering requirement by a local governmental entity or official constitutes a "failure to comply with" this executive order that is subject to a fine up to \$1,000.

- c. Even though face coverings cannot be mandated by any governmental entity, that does not prevent individuals from wearing one if they choose.
5. To further ensure uniformity statewide:
- a. This executive order shall supersede any conflicting order issued by local officials in response to the COVID-19 disaster, but only to the extent that such a local order restricts services allowed by this executive order or allows gatherings restricted by this executive order. Pursuant to Section 418.016(a) of the Texas Government Code, I hereby suspend Sections 418.1015(b) and 418.108 of the Texas Government Code, Chapter 81, Subchapter E of the Texas Health and Safety Code, and any other relevant statutes, to the extent necessary to ensure that local officials do not impose restrictions in response to the

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COVID-19 disaster that are inconsistent with this executive order, provided that local officials may enforce this executive order as well as local restrictions that are consistent with this executive order.

- b. Confinement in jail is not an available penalty for violating this executive order. To the extent any order issued by local officials in response to the COVID-19 disaster would allow confinement in jail as an available penalty for violating a COVID-19-related order, that order allowing confinement in jail is superseded, and I hereby suspend all relevant laws to the extent necessary to ensure that local officials do not confine people in jail for violating any executive order or local order issued in response to the COVID-19 disaster.

This executive order supersedes all pre-existing COVID-19-related executive orders and rescinds them in their entirety, except that it does not supersede or rescind Executive Orders GA-13 or GA-37. This executive order shall remain in effect and in full force unless it is modified, amended, rescinded, or superseded by the governor. This executive order may also be amended by proclamation of the governor.



Given under my hand this the 29th
day of July, 2021.

A handwritten signature in black ink that reads "Greg Abbott".

GREG ABBOTT
Governor

ATTESTED BY:

A handwritten signature in black ink that reads "Joe A. Esparza".
JOE A. ESPARZA
Deputy Secretary of State

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
3:15 PM O'CLOCK

JUL 29 2021

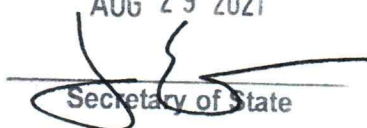


GOVERNOR GREG ABBOTT

August 29, 2021

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
3:30 PM O'CLOCK

AUG 29 2021


Secretary of State

Mr. Joe A. Esparza
Deputy Secretary of State
State Capitol Room 1E.8
Austin, Texas 78701

Dear Mr. Deputy Secretary:

Pursuant to his powers as Governor of the State of Texas, Greg Abbott has issued the following:

A proclamation renewing the declaration stating the novel coronavirus (COVID-19) poses an imminent threat of disaster for all counties in Texas.

The original proclamation is attached to this letter of transmittal.

Respectfully submitted,


Gregory S. Davidson
Executive Clerk to the Governor

GSD/gsd

Attachment

PROCLAMATION

BY THE

Governor of the State of Texas

TO ALL TO WHOM THESE PRESENTS SHALL COME:

WHEREAS, I, Greg Abbott, Governor of Texas, issued a disaster proclamation on March 13, 2020, certifying under Section 418.014 of the Texas Government Code that the novel coronavirus (COVID-19) poses an imminent threat of disaster for all counties in the State of Texas; and

WHEREAS, in each subsequent month effective through today, I have issued proclamations renewing the disaster declaration for all Texas counties; and

WHEREAS, I have issued executive orders and suspensions of Texas laws in response to COVID-19, aimed at protecting the health and safety of Texans and ensuring an effective response to this disaster; and

WHEREAS, a state of disaster continues to exist in all counties due to COVID-19;

NOW, THEREFORE, in accordance with the authority vested in me by Section 418.014 of the Texas Government Code, I do hereby renew the disaster proclamation for all counties in Texas.

Pursuant to Section 418.017, I authorize the use of all available resources of state government and of political subdivisions that are reasonably necessary to cope with this disaster.

Pursuant to Section 418.016, any regulatory statute prescribing the procedures for conduct of state business or any order or rule of a state agency that would in any way prevent, hinder, or delay necessary action in coping with this disaster shall be suspended upon written approval of the Office of the Governor. However, to the extent that the enforcement of any state statute or administrative rule regarding contracting or procurement would impede any state agency's emergency response that is necessary to cope with this declared disaster, I hereby suspend such statutes and rules for the duration of this declared disaster for that limited purpose.

In accordance with the statutory requirements, copies of this proclamation shall be filed with the applicable authorities.



IN TESTIMONY WHEREOF, I have hereunto signed my name and have officially caused the Seal of State to be affixed at my office in the City of Austin, Texas, this the 29th day of August, 2021.

A handwritten signature in black ink, reading "Greg Abbott", is written over a horizontal line.

GREG ABBOTT
Governor

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
3:30pm O'CLOCK

AUG 29 2021

Governor Greg Abbott
August 29, 2021

Proclamation
Page 2

ATTESTED BY:



JOE ESPARZA
Deputy Secretary of State

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
3:30pm O'CLOCK
AUG 29 2021



GOVERNOR GREG ABBOTT

October 11, 2021

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SECRETARY OF STATE
4:30 PM 'CLOCK

OCT 11 2021

Secretary of State

Mr. Joe A. Esparza
Deputy Secretary of State
State Capitol Room 1E.8
Austin, Texas 78701

Dear Deputy Secretary Esparza:

Pursuant to his powers as Governor of the State of Texas, Greg Abbott has issued the following:

Executive Order No. GA-40 relating to prohibiting vaccine mandates, subject to legislative action.

The original executive order is attached to this letter of transmittal.

Respectfully submitted,

A blue ink handwritten signature, appearing to read "G. Davidson", with a long horizontal flourish extending to the right.

Gregory S. Davidson
Executive Clerk to the Governor

GSD/gsd

Attachment

Executive Order

BY THE
GOVERNOR OF THE STATE OF TEXAS

Executive Department
Austin, Texas
October 11, 2021

EXECUTIVE ORDER GA 40

*Relating to prohibiting vaccine mandates,
subject to legislative action.*

WHEREAS, I, Greg Abbott, Governor of Texas, issued a disaster proclamation on March 13, 2020, certifying under Section 418.014 of the Texas Government Code that the novel coronavirus (COVID-19) poses an imminent threat of disaster for all Texas counties; and

WHEREAS, in each subsequent month effective through today, I have renewed the COVID-19 disaster declaration for all Texas counties; and

WHEREAS, I have issued a series of executive orders aimed at protecting the health and safety of Texans, ensuring uniformity throughout Texas, and achieving the least restrictive means of combatting the evolving threat to public health; and

WHEREAS, COVID-19 vaccines are strongly encouraged for those eligible to receive one, but must always be voluntary for Texans; and

WHEREAS, I issued Executive Orders GA-35, GA-38, and GA-39 to prohibit governmental entities and certain others from imposing COVID-19 vaccine mandates or requiring vaccine passports; and

WHEREAS, in yet another instance of federal overreach, the Biden Administration is now bullying many private entities into imposing COVID-19 vaccine mandates, causing workforce disruptions that threaten Texas's continued recovery from the COVID-19 disaster; and

WHEREAS, countless Texans fear losing their livelihoods because they object to receiving a COVID-19 vaccination for reasons of personal conscience, based on a religious belief, or for medical reasons, including prior recovery from COVID-19; and

WHEREAS, through Chapter 161 of the Texas Health and Safety Code, as well as other laws including Chapters 38 and 51 of the Texas Education Code, the legislature has established its primary role over immunizations, and all immunization laws and regulations in Texas stem from the laws established by the legislature; and

WHEREAS, the legislature has taken care to provide exemptions that allow people to opt out of being forced to take a vaccine for reasons of conscience or medical reasons; and

WHEREAS, I am adding this issue to the agenda for the Third Called Session of the legislature that is currently convened so that the legislature has the opportunity to consider this issue through legislation; and

WHEREAS, I will rescind this executive order upon the effective date of such legislation;

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OCT 11 2021

NOW, THEREFORE, I, Greg Abbott, Governor of Texas, by virtue of the power and authority vested in me by the Constitution and laws of the State of Texas, do hereby order the following on a statewide basis effective immediately:

1. No entity in Texas can compel receipt of a COVID-19 vaccine by any individual, including an employee or a consumer, who objects to such vaccination for any reason of personal conscience, based on a religious belief, or for medical reasons, including prior recovery from COVID-19. I hereby suspend all relevant statutes to the extent necessary to enforce this prohibition.
2. The maximum fine allowed under Section 418.173 of the Texas Government Code and the State's emergency management plan shall apply to any "failure to comply with" this executive order. Confinement in jail is not an available penalty for violating this executive order.
3. This executive order shall supersede any conflicting order issued by local officials in response to the COVID-19 disaster. Pursuant to Section 418.016(a) of the Texas Government Code, I hereby suspend Sections 418.1015(b) and 418.108 of the Texas Government Code, Chapter 81, Subchapter E of the Texas Health and Safety Code, and any other relevant statutes, to the extent necessary to ensure that local officials do not impose restrictions in response to the COVID-19 disaster that are inconsistent with this executive order.

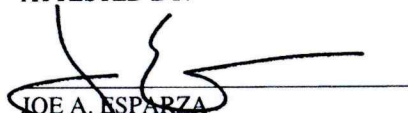
This executive order does not supersede Executive Orders GA-13, GA-37, GA-38, or GA-39. This executive order shall remain in effect and in full force unless it is modified, amended, rescinded, or superseded by the governor. This executive order may also be amended by proclamation of the governor.

Given under my hand this the 11th
day of October, 2021.



GREG ABBOTT
Governor

ATTESTED BY:


JOE A. ESPARZA
Deputy Secretary of State

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
4:30 PM O'CLOCK

OCT 11 2021

City of Lockhart, Texas

Council Agenda Item Cover Sheet

COUNCIL MEETING DATE: January 4, 2022

AGENDA ITEM CAPTION: Discussion regarding the procedures for Board and Commission appointments.

ORIGINATING DEPARTMENT AND CONTACT: Council - Mayor Lew White, Steven Lewis

ACTION REQUESTED: Other

BACKGROUND/SUMMARY/DISCUSSION:

Background

City government depends on residents who volunteer their time and expertise to participate in public service as members of boards and commissions. Citizen involvement is important to setting the direction for Lockhart's future. The City currently has 12 different Boards/Commissions to serve on.

Applications are accepted year-round and considered for vacancies that arise during the year.

Current Rules for Appointment and Method of Selection:
(See City Code Sections 2-209 and 2-210)

1. The process for selecting board/commission members is open to all Lockhart citizens. Interested citizens must apply for appointment and submit a completed application to the City Secretary.
2. No member of an appointed body shall serve on more than one quasi-judicial or advisory board/commission.
3. The Mayor and City Councilmembers nominate individuals to serve on board/commissions. Each nomination must be confirmed by a simple majority of the entire Council.
4. Generally there are seven members appointed to each board/commission corresponding with the seven members or places of the City Council. Exceptions are the Construction Board, Electric Board, Wayfinding Committee, and the HOT Advisory Board which consists of five members.
5. Terms of service shall be the same 3-year term as the Councilmember who nominated a person to serve. Exceptions are Board of Adjustment, LEDC and HOT Advisory Board members, which serve a 2-year term.

Discussion

Mayor White requested this agenda item to be scheduled for discussion only.

City of Lockhart, Texas

Council Agenda Item Cover Sheet

In order to standardize, clarify, and amend the existing practice relative to persons interested in applying for membership on a board/commission, the following considerations are provided for discussion:

1. Forms. The City Secretary shall prepare and maintain appropriate application forms to have available for persons interested in applying for membership on Board/Commissions.
2. Initial Appointment. All persons requesting appointment must complete the city application form (attached)
3. Nominee Qualifications. The City Secretary will verify that the nominee meets the applicable qualifications (residency, occupation, certifications, etc., as outlined in the attached document which reflects member qualifications for several board/commission appointments) in advance of scheduled appointments.
4. Filing Deadline. Mayor/Councilmember nominations must be submitted to the City Secretary at least 7 days prior to the scheduled City Council meeting at which the nomination will be considered.
5. Review/Action. All nominations or appointments to a Board/Commission will be placed on the City Council public agenda with the applicants' name, application (with personal information redacted), respective board/commission and term of the appointment.

PROJECT SCHEDULE (if applicable): N/A

AMOUNT & SOURCE OF FUNDING:

Funds Required: N/A

Account Number: N/A

Funds Available: N/A

Account Name: N/A

FISCAL NOTE (if applicable): N/A

PREVIOUS COUNCIL ACTION: N/A

COMMITTEE/BOARD/COMMISSION ACTION: N/A

STAFF RECOMMENDATION/REQUESTED MOTION: None. Discretion of the Council

LIST OF SUPPORTING DOCUMENTS: Board application, City of Lockhart Code, Secs 2-209 and 2-210, Board qualifications

CITY OF LOCKHART

ADVISORY BOARD/COMMISSION QUESTIONNAIRE/APPLICATION

NAME: _____ E-mail: _____

ADDRESS: _____ HOME#: _____

_____ WORK#: _____

OCCUPATION: _____ CELL# _____

EDUCATION (optional): _____

How long have you been a resident of Lockhart? _____

Are you a qualified voter of the City? Yes ___ No ___ VOTER REG. #: _____

PROFESSIONAL AND/OR COMMUNITY ACTIVITIES: _____

ADDITIONAL PERTINENT INFORMATION/REFERENCES: _____

I AM INTERESTED IN SERVING ON THE FOLLOWING BOARDS, COMMISSIONS, OR COMMITTEES:

(Please limit your selection to no more than three. List in order of preference: 1,2,3)

_____ Airport Advisory Board	_____ Electric Board
_____ Board of Adjustments & Appeals	_____ Historic Preservation Commission
_____ Construction Board of Appeals	_____ Library Board Advisory Bd.
_____ Economic Development Revolving Loan	_____ Parks and Recreation Advisory Bd.
_____ Economic Development Corp (1/2 Cent Sales Tax)	_____ Planning & Zoning Commission

Do you serve on any other board/commission/committee at this time? If so, please list:

Do you have any relative working for the City of Lockhart? Yes ___ No ___

Do you receive any direct compensation or gain from the City of Lockhart? Yes ___ No ___

Do you receive any direct compensation or gain from any other governmental body?

Yes ___ No ___ If yes, what type? _____

(Signature of Applicant)

(Date)

Return application to:
City of Lockhart
City Secretary's Office
PO Box 239
Lockhart, TX 78644

cconstancio@lockhart-tx.org

If you have any questions, please contact the City Secretary's Office at 512/398-3461.

Sec. 2-209. Rules for appointment.

The city council hereby sets the following rules:

- (1) Except as may be established by existing city ordinances/resolutions the process for selecting members shall be open to all Lockhart citizens, who must apply for appointment, to include those applying for reappointment. Reappointment shall not be deemed automatic.
- (2) Council shall seek to appoint the most qualified or best persons available, while also respecting the need for diverse community opinions.
- (3) No member of any appointed body shall serve on more than one quasi-judicial or advisory board or commission.
- (4) No appointed body shall deviate from its charge, deliberate items not on its agendas, or speak for the council or City of Lockhart without council authorization.
- (5) Subject to other qualifications as specifically required for membership on the below boards and commissions, the city council shall have the right (but not the duty) to appoint up to two members who are not Lockhart citizens but who are residents of Caldwell County to the Lockhart Airport Advisory Board, the Eugene Clark Library Board, and the construction board of appeals.

(Ord. No. 97-09, § 4, 5-20-97; Ord. No. 02-41, § 1, 11-5-02; Ord. No. 2012-17, § 1, 9-4-12)

Sec. 2-210. Method of selection; number of members; terms.

- (a) The mayor and city councilmembers shall nominate individuals to serve on boards and commissions. Each nomination shall then be confirmed by a simple majority of the entire city council.
- (b) Except as provided herein, there shall be seven members appointed to each board or commission corresponding with the seven members or places of the city council. Each city councilmember, except as provided herein, shall nominate a qualified person to serve in a place on an appointed body corresponding to their place on the council. At-large councilmembers shall be designated as places 5 and 6, and the mayor's position as place 7, for the purpose of this section. Nominations shall be made to fill vacant positions and/or positions whose terms have expired within 90 days of the event, such as a resignation or an election. Should any city councilmember fail to name an appointee to one of his/her corresponding places on any body within the above-described 90 days, another councilmember shall then have the privilege to nominate a person to fill that same position, as described in subsection (a). However, once that position becomes vacant again for any reason, the appointment shall revert to the place corresponding with the original city council seat/place number for nominations.
- (c) Beginning with the election in May, 1998, the council shall nominate and confirm four members to serve in places 1, 2, 5, 6 on each board and commission in accordance with subsections (a) and (b) above, and with the standards set in Ordinance Number 97-09, Governance Policies. With the election of May, 1999, the remaining three places shall be filled following the same procedure as above.
- (d) Terms of service on appointed bodies shall be the same three-year terms as the councilmember who nominates a person to serve. However, a person may be appointed to complete the unexpired term of a vacant position, due to a resignation, for example.
- (e) When a person has completed a term, or terms, of service and will be vacating a place, that person may continue to serve until a replacement is nominated and confirmed by the city council.
- (f) At the discretion of the majority of the city council, one Caldwell County resident who is also an owner of real property within any local historic district may be appointed as a full member to the historical preservation commission.

-
- (g) Exceptions to the above regulations shall be all volunteer/special purpose/ad hoc committees appointed from time to time by the city council and the zoning board of adjustments, whose members shall serve two-year terms in accordance with V.T.C.A., Local Government Code § 211.008. All other provisions of this section, and Ordinance No. 97-09 which do not conflict with the chapters establishing these bodies shall be applicable.

(Ord. No. 97-10, §§ 1, 2, 6-3-97; Ord. No. 97-12, § I(G), 7-15-97; Ord. No. 98-18, § I, 8-4-98; Ord. No. 98-32, § I, 11-17-98; Ord. No. 98-36, § 1(a), 12-15-98; Ord. No. 00-23, § 1, 9-5-00)

The following are NOTES regarding appointments to several boards that have certain criteria that should be met, such as qualifications or number to serve on the board. Boards that are not listed below have a seven member board and are open to any citizen without qualifications.	
NOTES: AIRPORT ADVISORY BOARD	Sec. 4-26. Membership; appointments. The Lockhart Airport Advisory Board shall be composed of seven members to be appointed in accordance with section 2-210. At least five members must currently be or have been flight rated, and two members may be appointed as at-large members. Members shall serve three-year terms, such terms coinciding with the council position making the appointment. Sec. 4-28. Eligibility for board membership. No person having a financial interest in any commercial carrier by air, or in any concession, right or privilege to conduct any business or render any service for compensation upon the premises of the Lockhart Municipal Airport shall be eligible for membership on the Lockhart Airport Advisory Board. Sec. 4-32. Limitations of authority. The Lockhart Municipal Airport Advisory Board shall not have authority to incur or create any debt in connection with airport operations; nor shall the board be empowered to enter into any contract, leases, or other legal obligations binding upon the City of Lockhart; nor shall the board have authority to hire airport personnel or direct airport personnel in the execution of their duties.
NOTES: CONSTRUCT ION BOARD APPOINTME NTS	<i>Section B101.4, Board Decision,</i> is amended to read as follows: The construction board of adjustments and appeals shall have the power, as further defined in Appendix B, to hear appeals of decisions and interpretations of the building official and consider variances of the technical codes; and to conduct hearings on determinations of the building official regarding unsafe or dangerous buildings, structures and/or service systems, and to issue orders in accordance with the procedures beginning with section 12-442 of this Code [of Ordinances]. <i>Section B101.2, Membership of Board,</i> is amended to read as follows: Each District Council member and the Mayor shall appoint one member to the Construction Board of Appeals making it a five (5) member board and each Councilmember at Large shall appoint an alternate. The term of office of the board members shall be three (3) years, such terms coinciding with the council position making the appointment. The two (2) alternates shall also serve the term coinciding with the council position making the appointments. Vacancies shall be filled for an unexpired term in the manner in which the original appointments are required to be made. Board members shall consist of members who are qualified by experience and/or training to pass on matters pertaining to building construction and are not employees of the City of Lockhart.

NOTES: ELECTRIC BOARD APPOINTMENTS	Sec. 12-132. Members. (a) Appointments to the examining and supervisory board of electricians and appeals shall conform to section 2-210 except that the board shall consist of five persons with one being appointed by each district council member and one by the mayor. Each member shall serve three-year terms with such terms to coincide with the council position making the appointment. (b) Each board member shall reside within the county and such board shall include one member who shall be a building contractor; one layman; two members shall be master electricians who are currently licensed by the city; and one member shall be either a building contractor or master electrician licensed by the city. There shall be two ex-officio members, one who shall be the city electrical inspector, and one shall be the fire marshal. Sec. 12-133. Officers and quorum. The members of the examining and supervising board of electricians and appeals shall select a chairman and secretary. A quorum shall consist of three members.
NOTES: HISTORIC PRESERVATION COMMISSION	Sec. 28-3. Historical preservation commission. (b) The commission shall consist of seven members, appointed by the city council in accordance with section 2-210, who shall whenever possible meet one or more of the following qualities: (1) A registered architect, planner or representative of a design profession, (2) A registered professional engineer in the State of Texas, (3) A member of a nonprofit historical organization of Caldwell County, (4) A local licensed real estate broker or member of the financial community, (5) An owner of an historic landmark residential building, (6) An owner or tenant of a business property that is an historic landmark or in an historic district, (7) A member of the Caldwell County Historical Commission.
NOTES: PARKS ADVISORY BOARD	Sec. 40-133. Members. (a) The board shall consist of seven members appointed in accordance with section 2-210 to serve three years terms, such terms to coincide with the council position making the appointment and two alternates shall also be appointed by the mayor and mayor pro-tem, one each. The two alternates shall also serve the term coinciding with the council position making the appointments. Vacancies shall be filled for an unexpired term in the manner in which the original appointments are required to be made. (Ordinance 06-08, adopted February 7, 2006)

NOTES: Lockhart Economic Dev Corp	LEDC Bylaws – Article II. Board of Directors Section 1. Powers, Number and Term of Office a. The property and affairs of the Corporation shall be managed and controlled by a Board of Directors (The “Board”) under the guidance and direction of the Lockhart City Council and, subject to the restrictions imposed by law, by the Articles of Incorporation, and by these Bylaws the Board shall exercise all of the powers of the Corporation. b. The Board shall consist of seven directors, each of whom shall be appointed by the City Council of the City. Each director shall occupy a place (individually the “Place” and collectively, the “Places”) as designated herein. Places 1-4 are designated for Councilmember Directors from Councilmember Districts 1 through 4 respectively. In the event that a particular Councilmember from said District is unable or unwilling to serve in the capacity as a Director, that Councilmember shall have the right to nominate a non-councilmember for approval and appointment. Places 5-7 are designated for Citizen Member Directors. c. The directors constituting the first Board shall be those directors named in the Articles of Incorporation. Successor directors shall have the qualifications, shall be of the classes of directors, and shall be appointed to the terms set forth in the Articles of Incorporation. d. Any director may be removed from office by the City Council at will.
NOTES: ORDINANCE RE: ALL BOARD, COMMISSIO N APPOINTME NTS	Sec. 2-209. - Rules for appointment. The city council hereby sets the following rules: (1) Except as may be established by existing city ordinances/resolutions the process for selecting members shall be open to all Lockhart citizens, who must apply for appointment, to include those applying for reappointment. Reappointment shall not be deemed automatic. (2) Council shall seek to appoint the most qualified or best persons available, while also respecting the need for diverse community opinions. (3) No member of any appointed body shall serve on more than one quasi-judicial or advisory board or commission. (4) No appointed body shall deviate from its charge, deliberate items not on its agendas, or speak for the council or City of Lockhart without council authorization. (5) Subject to other qualifications as specifically required for membership on the below boards and commissions, the city council shall have the right (but not the duty) to appoint up to two members who are not Lockhart citizens but who are residents of Caldwell County to the Lockhart Airport Advisory Board, the Eugene Clark Library Board, and the Construction Board of Appeals. Section 2-210. Method of selection; number of members; terms. (a) The mayor and city councilmembers shall nominate individuals to serve on boards and commissions. Each nomination shall then be confirmed by a simple majority of the entire city council. (b) Except as provided herein, there shall be seven members appointed to each board or commission corresponding with the seven members or places of the city council. Each city councilmember, except as provided herein, shall nominate a

qualified person to serve in a place on an appointed body corresponding to their place on the council. At-large councilmembers shall be designated as places 5 and 6, and the mayor's position as place 7, for the purpose of this section. Nominations shall be made to fill vacant positions and/or positions whose terms have expired within 90 days of the event, such as a resignation or an election. Should any city councilmember fail to name an appointee to one of his/her corresponding places on any body within the above described 90 days, another councilmember shall then have the privilege to nominate a person to fill that same position, as described in subsection (a). However, once that position becomes vacant again for any reason, the appointment shall revert to the place corresponding with the original city council seat/place number for nominations.

- (c) Beginning with the election in May, 1998, the council shall nominate and confirm four members to serve in places 1, 2, 5, 6 on each board and commission in accordance with subsections (a) and (b) above, and with the standards set in Ordinance Number 97-09, Governance Policies. With the election of May, 1999, the remaining three places shall be filled following the same procedure as above.
- (d) Terms of service on appointed bodies shall be the same three-year terms as the councilmember who nominates a person to serve. However, a person may be appointed to complete the unexpired term of a vacant position, due to a resignation, for example.
- (e) When a person has completed a term, or terms, of service and will be vacating a place, that person may continue to serve until a replacement is nominated and confirmed by the city council.
- (f) **At the discretion of the majority of the city council, one Caldwell County resident who is also an owner of real property within any local historic district may be appointed as a full member to the historical preservation commission.**
- (g) Exceptions to the above regulations shall be all volunteer/special purpose/ad hoc committees appointed from time to time by the city council and the zoning board of adjustments, whose members shall serve two-year terms in accordance with V.T.C.A., Local Government Code § 211.008. All other provisions of this section, and ordinance number 97-09 which do not conflict with the chapters establishing these bodies shall be applicable.

Sec. 2-212. Removal and resignation of members.

- (a) All board, commission and committee members serve at the pleasure of the city council and may be removed from office with or without cause at the discretion of the city council.
- (b) Board, commission and committee members may resign from office at any time by filing a written resignation, dated and signed by the member, with the City Secretary. Such resignation shall take effect upon receipt by the City Secretary without further action by the city council. If the city council appoints a new member to replace the resigned member, the new member shall be appointed to serve out the remainder of the resigned member's term.

NOTES: WAYFINDING SIGNAGE AND COMMUNITY BRANDING AD-HOC (Est. 01/02/2018)	Committee will assist City Planner/Development Services with wayfinding signage and community branding tasks. Committee will consist of up to five members appointed by the Council. NOTE: First Branding and Wayfinding Committee disbanded/dissolved on December 18, 2018. UPDATE: Second Branding and Wayfinding Committee appointed on March 5, 2019.
NOTES: HOTEL OCCUPANCY TAX ADVISORY BOARD (Est. 12-3- 2019)	Sec. 54-127 MEMBERSHIP AND MEETING FREQUENCY a. The HOT Advisory Board should consist of five (5) members. b. Members shall consist of the following, the appointment of whom shall be confirmed by the City Council i. A lodging facility representative; ii. The City Manager or his/her designee; iii. A former member of the City Council; and iv. Two citizens nominated by Mayor. c. The HOT Advisory Board shall meet at least quarterly for allocation of funds and post-event reviews. d. Three Board members shall constitute a quorum. e. Each Board member shall serve a term of two years. f. Vacancies on the Board shall be filled by appointment by the City Council for the remainder of the existing term. Sec. 54-128 PURPOSE AND RESPONSIBILITY a. The legislative functions of the city council shall in no way be delegated to the HOT Advisory Board. The HOT Advisory Board shall be considered a special purpose advisory committee. b. The purposes and responsibility of the HOT Advisory Board shall be: i. To receive, review, and evaluate applications from organizations requesting HOT funds; ii. To recommend allocation of HOT funds (as authorized by the Texas Tax Code, Chapter 351) to the City Council; iii. To review the actual expenditures of HOT Funds; iv. To offer suggestions for improvements or changes to the use or administration of HOT funds; and v. To submit an annual report to the City Council that identifies approved expenditures by the City for the preceding year, reviews such approved expenditures in the context of compliance with state laws regarding the use of HOT funds, and evaluates the effectiveness of the approved HOT expenditures and the program.

Sec. 54-129 HOT FUND GRANT PROCESS AND POST-EVENT REPORTING

- a. Applications for funding will be considered at each meeting. Completed applications must be received ten (10) days prior to a meeting of the Board at which it will be reviewed.
- b. Applicants will be notified of the award of funds following approval by the City Council of the award, at which time one-half of approved funding will be awarded.
- c. The Board shall produce guidelines for approved applicants regarding a post-event report from each such applicant that demonstrates qualified expenditures
- d. A post-event report from each approved applicant is required in order for the applicant to receive final payment.

Sec. 54-130 HOT FUND GRANT PROCESS GUIDELINES.

In considering the grant of HOT Funds, the Board and City Council shall:

- i. Ensure that each funding requests for HOT revenues is for one or more statutorily defined purpose;
- ii. Establish and implement a policy of properly utilizing 100% of available HOT funds each year;
- iii. Consider whether funding should be based on a formula for pre-determined activities consistent with authorized uses (e.g. advertising, arts, signage, historical restoration/preservation);
- iv. Consider funding approaches that will allow for equitable funding
- v. opportunities for new as well as established events and activities; and
- vi. Consider eligibility criteria beyond the Tax Code requirements (e.g. limiting grants to 25% of the total event budget or disallowing/limiting use of HOT funds for events' programs that occur on a regular (e.g. monthly) basis.

**LOCKHART CITY COUNCIL
SPECIAL MEETING**

DECEMBER 14, 2021

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 Jeffry Michelson

Mayor Lew White
Councilmember Derrick David Bryant
Councilmember Kara McGregor
Councilmember Brad Westmoreland

Staff present:

Steven Lewis, City Manager
Monte Akers, City Attorney
Pam Larison, Finance Director
Dan Gibson, City Planner

Connie Constancio, City Secretary
Victoria Maranan, Public Information Officer
Sean Kelley, Public Work Director

Citizens/Visitors Addressing the Council: Jim Meredith, Amy Anton, Alexandra Worthington, Winn Smith, and Brian Alvey.

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:

ITEM 1. CALL TO ORDER.

Mayor Lew White called the meeting to order at 6:30 p.m.

ITEM 2-A. HOLD A PUBLIC HEARING ON APPLICATION ZC-21-20 BY JIM MEREDITH ON BEHALF OF TERRY KELLEY, AND DISCUSSION AND/OR ACTION TO CONSIDER ORDINANCE 2021-40 FOR A ZONING CHANGE FROM RMD RESIDENTIAL MEDIUM DENSITY DISTRICT AND AO AGRICULTURE--OPEN SPACE DISTRICT TO PDD PLANNED DEVELOPMENT DISTRICT ON 16.17 ACRES IN THE CORNELIUS CRENSHAW SURVEY, ABSTRACT NO. 68, AND LOCATED AT 1712 WEST SAN ANTONIO STREET (SH 142), INCLUDING BY-REFERENCE ADOPTION OF A PDD DEVELOPMENT PLAN FOR KELLEY VILLAS.

Mayor Pro-Tem Sanchez arrived at the meeting.

Mayor White opened the public hearing at 6:30 p.m.

Mr. Gibson stated that the applicant proposes a development consisting of 160 dwelling units in the form of 80 duplex condominiums whereby the owner/residents will own their individual structures, while all of the land area will be owned and maintained in common by a property owners' association. The duplexes will not be on individual lots, though, so the entire development is one large lot and, therefore, comparable to a multifamily development. The primary difference is that, in an apartment complex, four or more dwelling units are typically grouped into one or more buildings, whereas in this development there are only two units per building. The internal street will be private, similar to the internal circulation in a large apartment complex. The RHD Residential High Density zoning classification could be used for this development, but it would deviate too much from the future land use designation on the Land Use Plan

map, and would not provide any guarantee to residents of nearby homes as to the specific characteristics of the proposed development. The proposed density of ten units per acre is relatively high, so the best option for accommodating the condominium style of duplexes subject to a specific layout and density is the PDD classification, which is useful for developments that have unusual characteristics and may require deviations from the normal zoning and/or subdivision standards. In return for such flexibility, the PDD requires more of a commitment on the part of the developer in terms of the site layout, land uses, and amenities. Unlike conventional zoning classifications, which cannot have conditions attached, the PDD classification is subject to the conditions represented by the development plan. The development plan is adopted with the zoning change, and thereafter cannot be changed except through the normal rezoning process. The PDD development plan (PDD-21-03) and preliminary plat (PP-21-08) have been approved by the Planning and Zoning Commission. Mr. Gibson stated that the Planning and Zoning Commission recommends approval, and that staff recommends approval subject to PDD Development Plan PDD-21-03 for Kelley Villas. There was discussion.

Mayor White requested the applicant to address the Council.

Jim Meredith, Austin, applicant, provided information regarding the development plans. There was discussion.

Mayor White expressed concern about the lack of another way in or out of the proposed development. Mr. Gibson reminded the Council that the Windridge Subdivision adjacent to the subject property will be expanded to allow additional ingress and egress options for that subdivision. There was discussion.

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

Amy Anton, Lockhart, Realtor, spoke in favor of the zoning change. She stated that she believes that Lockhart needs lower cost homes.

Mayor White requested additional citizens to address the Council in favor of the zoning change. There were none. He requested citizens to address the Council against the zoning change. There were none. He closed the public hearing at 7:07 p.m.

Councilmember Mendoza spoke in favor of the zoning change. He stated that he believes the development is an opportunity to entice the Texas Department of Transportation to expand Highway 142.

Councilmember Bryant addressed his concern about the development not having two ways in or out of the subdivision.

Councilmember Michelson agreed with the concerns about the lack of a second way to get in or out of the subdivision, yet he is in favor of the zoning change because he believes that the property would eventually be developed.

Councilmember McGregor agreed with the concerns about the lack of a second way in or out of the subdivision. She stated that potential buyers could be the deciding factor about the entrance/exit issue.

Mayor Pro-Tem Sanchez stated that she agrees with the concerns expressed by other Councilmembers, yet she too believes that additional affordable housing is needed in the community.

Councilmember Westmoreland stated that this might be a way to entice the Texas Department of Transportation to improve the traffic flow on Highway 142 in the area. He spoke in favor of the proposed zoning change.

Mayor White expressed concern about one method of ingress and egress of the proposed subdivision.

Councilmember Mendoza made a motion to approve Ordinance 2021-40, as presented. Mayor Pro-Tem Sanchez seconded. The motion passed by a vote of 5-2, with Mayor White and Councilmember Bryant opposing.

ITEM 2-B. RECEIVE PUBLIC COMMENT, DISCUSSION, AND/OR ACTION TO TERMINATE PARKLETS PROGRAM OR TO ADOPT ORDINANCE NO. 2021-41 TO IMPLEMENT REVISED PARKLETS PROGRAM.

Mr. Akers stated that the first issue is whether to continue or terminate the parklets program. If the Council decides not to continue, additional discussion ceases. If the Council chooses to continue the parklets program, changes to the proposed Ordinance would include a definite fact about whether sidewalks are considered as part of the parklet. Also, the proposed Ordinance provides that parklets shall have an “annual inspection” which he recommended to be changed to “inspections” to allow multiple inspections, if necessary. There was discussion regarding how many parklets would be allowed per block.

Mr. Lewis stated that on October 19, 2021, City Council directed staff to explore an ongoing Parklet Program. Since then, City staff and the City Attorney have researched how cities’ approach are addressing the possible conversion of the temporary parklets into a more routine practice. With that said, a number of themes are found that need to be addressed. These can be summarized in the following policy considerations: Administrative; Enforcement; Duration/Location/Concentration; Design Review and Maintenance; Future Paving, Drainage/Utility Construction; and Fees/Cost.

Administrative

At this time, there is one parklet licensed. However, should this program be expanded, additional staff time will be required to process applications for presentation to the Council and to communicate with applicants through a permit application, review, approval, and inspection process. All licenses will be issued by the Council unless it delegates authority to the City Manager or staff to do so.

Enforcement

If the parklet program continues, mechanisms for enforcement and a specific process to address violations will be required which may entail regular inspections and a compliance process.

Duration/Location/Concentration

The impacts, restrictions, and structure of an ongoing program needs to be addressed. These considerations include:

- How long will the program last? The draft ordinance proposes one-year licenses that may be renewed for one additional year.
- What types of businesses qualify? The draft ordinance does not currently specify.
- How many licenses can/should be issued? The draft ordinance proposes no more than two per block face, each covering no more than two parking spaces except in the case of business owners' agreement.
- Where can parklets be located? The draft ordinance allows parklets only in the Commercial Central Business District, which covers the courthouse square plus from one-half of one full block all the way around the square.

Design Review and Maintenance

Parklets should be safe, functional, and aesthetically pleasing. Applicants will be required to provide a specific site plan for installation.

Future Paving, Drainage, and Utility Construction

Extending the program would require planning on how to treat parklets when the time is needed to install necessary drainage, roadwork/utility improvements. This is a relatively immediate issue given the City's planned downtown revitalization projects.

Fees/Cost

If an on-going program is desired, the private commercial use of publicly funded spaces needs to be addressed. The draft ordinance proposes \$1,000 per parklet per year.

Conclusion

During the pandemic, Council granted staff the ability to issue property license agreements for parklets. In order to increase capacity when indoor seating was limited for bars and restaurants, parklets were allowed. Now with the expiration of certain pandemic requirements, code amendments are required to allow parklets to continue to operate. The draft ordinance would allow an expanded use of parklets within city-owned right-of-way.

Mayor White requested the Council's discussion about parklets.

Mayor Pro-Tem Sanchez stated that she believes that additional planning about the parklets should be considered before a parklet program is implemented. She does not believe that the program should proceed at this time, but it should be considered in the future.

Councilmember McGregor spoke in favor of the parklets program to allow portable parklets that will need to be removed when necessary.

Councilmember Michelson expressed concerns about liability and the downtown revitalization project impacting the construction of a parklet. He stated that he does not believe that the parklets should continue at this time, possibly after completion of the downtown revitalization project.

Councilmember Bryant stated that he does not support continuing the parklet program at this time due to liability and safety concerns. He also suggested that the program be included in the downtown revitalization program or considered after completion of the downtown revitalization project.

Councilmember Westmoreland spoke in favor of the parklets program. He stated that he does not see an issue with continuing the parklets program.

Councilmember Mendoza spoke in favor of the parklets program. He stated that he did not see many additional businesses in the downtown area installing a parklet.

Mayor White requested citizens to address the Council:

Alexandra Worthington, 101 E. San Antonio St., spoke in favor of continuing the parklets program. She stated that many tourists and citizens appreciate the parklet.

Mayor White requested additional citizens to address the Council.

Winn Smith, Austin, Texas, of the Lockhart Chamber of Commerce requested that the City share parklet options with them to allow them to relay information to tourists or visitors that inquire about outdoor dining amenities.

Brian Alvey, Lockhart, suggested that the parklet ordinance be very specific to provide details such as whether using parking spaces, parklet size allowances, etc.

Mayor White stated that the Council should provide a decision about how a public right-of-way can be used. He stated that he is not in favor of continuing the parklet program at this time.

Mayor Pro-Tem Sanchez made a motion to terminate the Parklet Program. Councilmember Bryant seconded. The motion passed by a vote of 4-3, with Councilmembers Mendoza, McGregor and Westmoreland opposing.

ITEM 3. 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; SETTLEMENT OFFER; OR LEGAL MATTERS SUBJECT TO ATTORNEY/CLIENT PRIVILEGE. Consultation with City Attorney to seek legal advice on matters subject to the attorney-client privilege.

Mayor White announced that the Council would enter Executive Session at 7:54 p.m.

ITEM 4. OPEN SESSION - Discussion and/or action regarding matters discussed in Executive Session.

Mayor White announced that the Council would enter Open Session at 8:30 p.m. There was no action.

ITEM 5. 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 8:31 p.m.

PASSED and APPROVED this the 4th day of January 2022.

CITY OF LOCKHART

Lew White, Mayor

ATTEST:

Connie Constancio, TRMC
City Secretary

**LOCKHART CITY COUNCIL
REGULAR MEETING**

DECEMBER 21, 2021

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 Jeffry Michelson

Mayor Lew White
Councilmember Derrick David Bryant
Councilmember Kara McGregor
Councilmember Brad Westmoreland

Staff present:

Steven Lewis, City Manager
Monte Akers, City Attorney
Sean Kelley, Public Works Director

Connie Constancio, City Secretary
Victoria Maranan, Public Information Officer
Dan Gibson, City Planner

Citizens/Visitors Addressing the Council: Bill Barton of Lennar Homes; Citizens: Glen Senate, Kerry Gaddis, and Timoteo Juarez, Jr.

Work Session 6:30 p.m.

Mayor White announced that Councilmember Michelson will not be in attendance. He opened the work session and advised the Council, staff and the audience that staff would provide information and explanations about the following items:

DISCUSSION ONLY

A. DISCUSS CITY COUNCIL MINUTES OF DECEMBER 7, 2021.

Mayor White requested corrections to the minutes. There were none.

B. DISCUSS FUEL BID AWARD TO SCHMIDT & SONS, INC. WITH A PROFIT MARGIN OF 5 CENTS PER GALLON FOR GASOLINE AND 5 CENTS PER GALLON FOR DIESEL OVER THE OIL PRICE INFORMATION SERVICES (OPIS) PRICE FROM AUSTIN, TEXAS, RACK, POSTED WEEKLY, AND APPOINTING THE MAYOR TO SIGN APPROVAL DOCUMENTS.

Mr. Kelley stated that fuel bids were sought in compliance with State Law. The City uses about 40,000 gallons of gasoline and 26,000 gallons of diesel per year. A total of two bids were received for the annual fuel delivery contract. The overall best bid was submitted by Golden West Oil Company, but Schmidt & Sons, Inc. is within 5% of the lowest bid. Since local companies are also allowed an additional 5% consideration in their bid submittals, Schmidt & Sons, Inc., of Lockhart may be awarded the bid at \$0.050 per gallon for gasoline and \$0.050 per gallon for diesel. Besides being a local company, Schmidt & Sons provides additional benefits by providing 24-hour emergency fuel supplies from their facility on Patton Road when the City fuel systems are down due to maintenance or repairs. Mr. Kelley recommended approval. There was discussion.

C. DISCUSS ONE YEAR RENEWAL TO THE EXISTING CONTRACT WITH GENE BAGWELL, DBA, MAINTENANCE MANAGEMENT OF SAN MARCOS, TEXAS FOR CEMETERY MAINTENANCE MOWING SERVICES IN THE WEST SECTION OF THE LOCKHART MUNICIPAL BURIAL PARK ON NORTH COLORADO STREET IN THE AMOUNT OF \$53,248.40 AND APPOINTING THE MAYOR TO SIGN THE CONTRACTUAL DOCUMENT IF APPROVED.

Mr. Kelley stated that the existing contract was awarded in 2009. Mr. Bagwell has maintained the City cemetery for the past 20 years and has done a commendable job, especially in the areas of customer service. This company has multiple Cemetery mowing maintenance contracts including the City of San Marcos, City of Austin and the State Veteran's Land Board. This contract does have cost adjustments to the base bid price based on the annual June Consumer Price Index, with a maximum increase or decrease amount of 3%. The City can cancel the proposed contract with a 30-day written notice to the contractor as written in Section 12 of the existing contract. General liability and workers compensation insurances that cover the City of Lockhart are requirements of this contract. Mr. Kelley recommended approval. There was discussion.

D. DISCUSS SEMI-ANNUAL REPORT FROM THE IMPACT FEE ADVISORY COMMITTEE CONCERNING THE STATUS OF IMPLEMENTATION OF CHAPTER 31 "IMPACT FEES" OF THE LOCKHART CODE OF ORDINANCES WITH REGARD TO WATER, WASTEWATER, AND ROAD IMPACT FEES, AND DISCUSSION AND/OR ACTION TO CONSIDER THE NEED TO UPDATE OR REVISE THE LAND USE ASSUMPTIONS, CAPITAL IMPROVEMENT PLANS (CIP'S), AND IMPACT FEES.

Mr. Gibson stated that in accordance with State law, the Impact Fee Advisory Committee has an ongoing role in monitoring and evaluating implementation of the impact fee capital improvement plans, and submitting semi-annual reports to City Council. The Committee met on December 8th to consider their 39th semi-annual report since impact fees were originally adopted on January 15, 2002. The current total balance of all impact fee accounts is \$3,085,031. Total impact fee revenue during this six-month period was \$462,014, and there were no expenditures of impact fees in any of the accounts for this period. State law requires that qualified consultants be retained every five years to update the land use assumptions, CIP's, and fees. The most recent impact fee update was completed and adopted in 2017, so the statutory five-year update will be due in 2022. The Council does have the option of deciding that an update of the land use assumptions, capital improvement plans, and impact fees is not necessary. In such case, the City can go another five years without an update or, if the need arises, can choose to do an update at any time before the next five years are up. If the Council does decide that an update is not necessary, a notice of that decision must be published three consecutive times in the newspaper. The notice will state that anyone potentially affected by the impact fees can contact the City within 60 days of the decision and request that the update be done anyway, in which case the City has no choice but to do the update. If nobody requests an update, then the decision not to do an update takes effect. If the Council wishes to do the five-year update, then consultants will need to be hired soon so that their reports can be finished in time to be adopted by the City Council during 2022. There was discussion.

E. DISCUSSION REGARDING PETITION FOR RATE ADJUSTMENT FILED BY CENTRAL TEXAS REFUSE LLC DATED NOVEMBER 17, 2021 AS OUTLINED IN RESOLUTION 2021-23.

Mayor White stated that Central Texas Refuse withdrew their petition for a rate adjustment, therefore the item has been pulled from the agenda.

F. DISCUSSION REGARDING MATTERS RELATED TO COVID-19.

Mayor White stated that the Governor's office has taken away the City's ability to require face coverings. He encouraged everyone to stay safe, be cautious and to wear face coverings.

Mayor White announced that the Council would recess for a break at 6:52 p.m.

REGULAR MEETING**ITEM 1. CALL TO ORDER.**

Mayor Lew White opened the public hearing at 7:15 p.m.

ITEM 2. INVOCATION, PLEDGE OF ALLEGIANCE

Councilmember McGregor gave the Invocation and led the Pledge of Allegiance to the United States and Texas flags.

ITEM 3. PUBLIC COMMENT

Mayor White requested citizens to address the Council regarding an issue that is not on the agenda. There were none.

ITEM 4-A. HOLD A PUBLIC HEARING ON APPLICATIONS ZC-21-19 AND PDD-21-02 BY KEITH SCHAUER, P.E., ON BEHALF OF JESCO CONSTRUCTION, INC., AND DISCUSSION AND/OR ACTION TO CONSIDER ORDINANCE 2021-41 FOR A ZONING CHANGE FROM RMD RESIDENTIAL MEDIUM DENSITY DISTRICT TO PDD PLANNED DEVELOPMENT DISTRICT, INCLUDING BY-REFERENCE ADOPTION OF A PDD DEVELOPMENT PLAN FOR JESCO SUBDIVISION, ON 9.186 ACRES IN THE JAMES GEORGE SURVEY, ABSTRACT NO. 9, AND LOCATED AT 920 TRINITY STREET.

Mayor White opened the public hearing at 7:32 p.m.

Mr. Gibson stated that a duplex subdivision was originally proposed for the subject property, and a final plat was approved in February 2020, but it was never recorded because the public improvements were not constructed. A different type of development is now proposed that will essentially use the same street and lot layout that was previously approved, although the need for additional access easements requires revisions to the approved final plat. The current RMD zoning allows only one principal structure per lot, so one duplex building per lot complies with that limit. However, the new proposal is to have two detached single-family dwellings on most of the lots, which is not allowed because they would constitute more than one principal building on the same lot. The lots cannot be simply divided so that each single-family dwelling would be on its own lot because the new lots would not meet the minimum width and area dimensions required in the RMD district. Because there is no other conventional residential district that would allow two or more detached dwellings on the size of lots in this proposed subdivision, the only option for allowing two or more detached residential dwellings per lot is the PDD classification, which accommodates developments that have unusual characteristics and may require deviations from the normal zoning and/or subdivision standards. In return for such flexibility, the PDD requires more commitment on the part of the developer in terms of the site layout, land uses, and amenities. Unlike conventional zoning classifications, which cannot have conditions attached, the PDD classification is subject to the conditions represented by the development plan. The development plan is adopted with the zoning change, and thereafter cannot be changed except through the normal rezoning process. The PDD

development plan (PDD-21-02) and revised final plat (FP-21-11) were submitted with the zoning change application. At their December 8th meeting, the Planning and Zoning Commission denied the final plat, consistent with their recommendation for denial of the zoning change and PDD development plan. If the Council approves the zoning change, subject to the accompanying PDD development plan, staff will place a reconsideration of the final plat on the agenda of the next Planning and Zoning Commission meeting. The PDD development plan shows a subdivision consisting of one single-family dwelling on one lot, two detached single-family dwellings on each of 29 lots, and three detached single-family dwellings on each of three lots. All units will be narrow two-story buildings with single-car garages and driveways. The total of 68 dwelling units on 9.186 acres results in a gross density of 7.4 units per acre, which is well within the medium density range and is exactly the same as the previously proposed duplex subdivision. Each dwelling unit will be a condominium where the owner/residents will own their individual structures, while all of the land area will be owned and maintained in common by a property owners' association. The parkland on Lot 1, Block B, and the combined stormwater detention and park/open-space lot on Lot 11, Block A, will be owned and maintained by the City except for mowing, which will be done by the property owners' association. The developer will provide a children's playscape with at least four activity components under a shade structure, plus at least two park benches. Sidewalks will be provided along all lot frontages.

There was discussion regarding the types of houses to be built, drainage and the lack of a second or third way out of the proposed subdivision.

Mayor White requested the applicant to address the Council.

Bill Barton, Lennar Homes, provided information regarding the subdivision that includes a park and playground. He provided details about the houses that will be built and privacy efforts. He requested approval of the zoning change. There was discussion.

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

Kerry Gaddis, 826 Trinity Street, stated that he was originally opposed to the proposed zoning change. After the Planning and Zoning Commission, he conducted research about the proposed development and changed his mind to support the project. He stated that he believes that because the development Homeowners Association would provide lawn maintenance, etc., it would allow young professionals to own a home and not have to worry about the yard maintenance.

Tim Juarez, Jr., 1203 Trinity Street, stated that he was originally opposed to the zoning change and that he has talked with many residents in the area. He stated that after conducting additional research of the proposed development, he is in favor of the development because the homes would be owner occupied, noise and privacy efforts would be accommodated, and because there is one way in or out of the subdivision, which he believes would control traffic. He stated that he is in favor of the development if the homes are 100 percent owner occupied.

Mayor White requested citizens in favor of or against the zoning change to address the Council. There were none. He closed the public hearing at 8:20 p.m.

Councilmember McGregor asked if the developer or the City could require that the homes be owner occupied. Mr. Akers stated that the authority of the short term rental issue would be that of the Homeowners Association. Mr. Barton replied that they could request that the homeowner's association take a vote about the owner occupancy requirement.

Mayor White expressed concern about the lack of a second way in or out of the subdivision.

Mayor Pro-Tem Sanchez thanked the long-time residents for their input. She spoke in favor of the proposed development because she believes it would be an added improvement to neighborhood.

Councilmember Mendoza spoke in favor of the zoning change. He stated that he supports single-family homes instead of duplexes and that he appreciates that the proposed development will have sidewalks and a playground.

There was additional discussion regarding prohibition of short term rentals in the subdivision. Mr. Lewis stated that another option that the Council could take is to table the item to allow additional changes to the proposed PDD or vote to deny the zoning change and PDD. Mr. Akers recommended that if the Council tables the item, that the motion be to a date specific meeting to return with revised PDD plans. Mr. Barton requested that the Council vote on the item today since they are on a time constraint schedule for a feasibility study and scheduling with the builder.

Glen Senate, owner of the property, stated that they are on a time schedule to begin construction but that the January 4 meeting would suffice, if necessary. There was discussion.

Mayor Pro-Tem Sanchez made a motion to approve 2021-41 and PDD 21-02, as presented. Councilmember Mendoza seconded. The motion passed by a vote of 4-2, with Mayor White and Councilmember McGregor opposing.

ITEM 5. CONSENT AGENDA.

Councilmember McGregor made a motion to approve consent agenda items 5A, 5B and 5C. Mayor Pro-Tem Sanchez seconded. The motion passed by a vote of 6-0.

The following are the consent agenda items that were approved:

- 5A: Approve City Council minutes of December 7, 2021.
- 5B: Approve fuel bid award to Schmidt & Sons, Inc. with a profit margin of 5 cents per gallon for gasoline and 5 cents per gallon for diesel over the Oil Price Information Services (OPIS) price from Austin, Texas, RACK, posted weekly, and appointing the Mayor to sign approval documents.
- 5C: Approve one year renewal to the existing contract with Gene Bagwell, dba, Maintenance Management of San Marcos, Texas for cemetery maintenance mowing services in the West Section of the Lockhart Municipal Burial Park on North Colorado Street in the amount of \$53,248.40 and appointing the Mayor to sign the contractual document if approved.

ITEM 6-A. DISCUSSION AND/OR ACTION TO CONSIDER ACCEPTING THE SEMI-ANNUAL REPORT FROM THE IMPACT FEE ADVISORY COMMITTEE CONCERNING THE STATUS OF IMPLEMENTATION OF CHAPTER 31 "IMPACT FEES" OF THE LOCKHART CODE OF ORDINANCES WITH REGARD TO WATER, WASTEWATER, AND ROAD IMPACT FEES, AND DISCUSSION AND/OR ACTION TO CONSIDER THE NEED TO UPDATE OR REVISE THE LAND USE ASSUMPTIONS, CAPITAL IMPROVEMENT PLANS (CIP'S), AND IMPACT FEES.

Councilmember Westmoreland made a motion to approve the semi-annual report from the Impact Fee Advisory Committee, and to authorize an update or revision of the land use assumptions, capital improvement plans and impact fees. Councilmember Bryant seconded. The motion passed by a vote of 6-0.

ITEM 6-B. DISCUSSION AND/OR ACTION REGARDING PETITION FOR RATE ADJUSTMENT FILED BY CENTRAL TEXAS REFUSE LLC DATED NOVEMBER 17, 2021 AS OUTLINED IN RESOLUTION 2021-23.

Mayor White announced that the item was pulled from the agenda.

ITEM 6-C. DISCUSSION REGARDING MATTERS RELATED TO COVID-19.

There was no discussion.

ITEM 6-D. DISCUSSION AND/OR ACTION REGARDING APPOINTMENTS TO VARIOUS BOARDS, COMMISSIONS OR COMMITTEES.

Mayor White requested appointments to boards and committees.

Councilmember Mendoza made a motion to appoint Juan Alvarez, Jr. to the Lockhart Economic Development Corporation. Councilmember Bryant seconded. The motion passed by a vote of 4-2, with Mayor White and Councilmember McGregor opposing.

Mayor White stated that a few citizens have expressed interest on serving on the Airport Advisory Board. He stated that airport improvements might be coming soon and he suggested that each Councilmember speak with their appointed members of the Airport Advisory Board to be assured that they qualify as a member.

ITEM 7. CITY MANAGER'S REPORT, PRESENTATION AND POSSIBLE ACTION.

- Fire Department updates.
- City Offices closed on December 23 & 24 in observance of Christmas Holidays and December 31 in observance of New Year's Holiday.

ITEM 8. COUNCIL AND STAFF COMMENTS - ITEMS OF COMMUNITY INTEREST

Councilmember Mendoza thanked citizens for a good 2021 year. He wished everyone a Merry Christmas and a Happy New Year.

Mayor Pro-Tem Sanchez expressed condolences to the families of Virginia Venglar, Florentina Munoz, Abraham Villegas and Albert Zaleski for their loss. She wished everyone Christmas Blessings and a prosperous New Year

Councilmember McGregor encouraged everyone to stay safe. Merry Christmas and Happy New Year to all.

Councilmember Bryant wished everyone a Merry Christmas and Happy New Year. He thanked staff for their work, and he encouraged everyone to be safe and take care.

Mayor White wished everyone Happy Holidays. He encouraged everyone to stay safe. He thanked staff for their hard work and dedication.

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. Conduct City Manager's evaluation.

Mayor White announced that the Council would enter Executive Session at 8:56 p.m.

ITEM 10. OPEN SESSION - DISCUSSION AND/OR ACTION TO CONSIDER RESOLUTION 2021-24 AUTHORIZING A SALARY ADJUSTMENT FOR CITY MANAGER STEVEN LEWIS AND ADDENDUM TO THE CITY MANAGER AGREEMENT DATED EFFECTIVE AUGUST 18, 2018 BY AND BETWEEN THE CITY OF LOCKHART AND STEVEN LEWIS.

Mayor White announced that the Council would enter Open Session at 9:42 p.m.

Councilmember Westmoreland read an addendum to the City Manager's agreement as follows:

At the sole option of the Manager, either at the end of each year of the term of this Agreement, at retirement, or when the Agreement is terminated, either voluntarily or involuntarily, the City shall pay the Manager for any accrued but unused vacation leave. This payment shall be in a lump sum computed on an hourly basis by dividing the Manager's then current salary by 2080 hours.

Mayor Pro-Tem Sanchez made a motion to increase the City Manager's salary to \$183,796 commencing October 1, 2021 and to approve an addendum to the City Manager's agreement as read by Councilmember Westmoreland above. Councilmember McGregor seconded. The motion passed by a vote of 6-0.

ITEM 11. ADJOURNMENT.

Mayor Pro-Tem Sanchez made a motion to adjourn the meeting. Councilmember Mendoza seconded. The motion passed by a vote of 6-0. The meeting was adjourned at 9:46 p.m.

PASSED and APPROVED this the 4th day of January 2022.

CITY OF LOCKHART

Lew White, Mayor

ATTEST:

Connie Constancio, TRMC
City Secretary

City of Lockhart, Texas

Council Agenda Item Cover Sheet

COUNCIL MEETING DATE: January 4, 2022

AGENDA ITEM CAPTION: Authorize the City Manager to sign a two-year agreement with Community Action, Inc. for the Comprehensive Energy Assistance Program (CEAP).

ORIGINATING DEPARTMENT AND CONTACT: Finance - Pam Larison

ACTION REQUESTED: Agreement

BACKGROUND/SUMMARY/DISCUSSION: Every two years, the City of Lockhart partners with Community Action, Inc. to help the residents of Lockhart with the electric portion of their utility bills through a program known as the Comprehensive Energy Assistance Program (CEAP). Community Action is funded by the Texas Department of Housing and Community Affairs to assist eligible individuals in Hays, Caldwell, and Blanco counties. Priority is given to low income households with high energy use, a high energy burden, or the presence of a child (age 5 or under), disabled, elderly individuals, or veterans. Other services that CEAP provides include energy education, needs assessment, budget counseling, and crisis-related purchase of portable heating and cooling units when available. CEAP does not help residents with water, wastewater, recycling, and solid waste fees, or deposits on new or existing accounts.

PROJECT SCHEDULE (if applicable):

AMOUNT & SOURCE OF FUNDING:

Funds Required:

Account Number:

Funds Available:

Account Name:

FISCAL NOTE (if applicable):

PREVIOUS COUNCIL ACTION:

COMMITTEE/BOARD/COMMISSION ACTION:

STAFF RECOMMENDATION/REQUESTED MOTION:

LIST OF SUPPORTING DOCUMENTS: Community Action Program Agreement



Community Action, Inc.
of Central Texas

DEVELOPING OPPORTUNITIES

RECEIVED
CITY OF LOCKHART

DEC 16 2021

December 9, 2021

RECVD. BY: _____
TIME RECVD: _____

Steven Lewis
City Manager
City of Lockhart
P. O. Box 239
Lockhart, TX 78664

**RE: Vendor Agreement
Comprehensive Energy Assistance Program (CEAP)**

Dear Mr. Lewis:

Community Action Inc. of Central Texas (CAI) administers the Comprehensive Energy Assistance Program (CEAP) as funded by the Texas Department of Housing and Community Affairs to assist eligible individuals in Hays, Caldwell, and Blanco counties with their electric, butane, propane, and natural gas bills.

The CEAP program will be administered in 2022-2024 with very few changes from previous years. Individuals will apply for assistance through our offices and will be screened for eligibility. After eligibility has been determined, CAI will notify your company in writing with the allotted amount of assistance to be provided. A payment will then be sent by CAI to your company as determined with the client.

In order for CAI to process payments for your company, we need a **current vendor agreement** on file. Enclosed is a copy of the vendor agreement with two signature pages. Please sign one and return it to our office by mail or fax before December 20, 2021.

We appreciate your cooperation and look forward to working with you to assist families in our communities. Please call me at (512)392-1161 ext. 309 if you have any questions or need additional information.

Sincerely,

Margery H. Marshall, NCRI, CCAP
Community Services Director

**MUNICIPAL UTILITY VENDOR AGREEMENT
COMPREHENSIVE ENERGY ASSISTANCE PROGRAM**

The purpose of the Comprehensive Energy Assistance Program ("CEAP") funded from the Low-Income Home Energy Assistance Program ("LIHEAP") grant is to maintain an energy supply to heat and cool the residences of eligible low-income clients.

The Energy Services provider, ("Vendor") agrees to honor the purpose of the CEAP grant and to accept pledges of payment from CEAP agencies only for certified customers to whom Vendor continues to provide energy services. The Energy Assistance Provider, ("Agency") agrees to make payments only for eligible low-income clients.

This vendor agreement is by and between:

City of Lockhart and

Energy Assistance Provider (Agency)

Community Action, Inc. of Central Texas

(Vendor)

Vendor and Agency agree to assist customers in the following counties: Hays, Caldwell and Blanco

This agreement shall be effective from the 20 day of Dec. 2021 for a period not to exceed two years from the effective date. Either party may terminate this agreement by written notice. Such written notice of termination shall not affect any obligation by either party incurred prior to the receipt of such notice. Notice shall be sent via certified mail with return receipt requested.

City of Lockhart

(Vendor Name)

P. O. Box 239, Lockhart, TX 78644

(Vendor Mailing Address)

Community Action, Inc. of Central Texas

(Agency Name)

PO Box 748, San Marcos, TX 78667-0748

(Agency Mailing Address)

The Agency named above represents and warrants to Vendor that it is a subrecipient of the Texas Department of Housing and Community Affairs ("TDHCA") and as such is authorized and has received funding from the TDHCA to provide bill payment assistance service for eligible low-income households.

The Vendor named above represents and warrants that it will apply any payments received from Agency to the account of the customer that the Agency has determined to be eligible under the CEAP guidelines and such is a "Certified Customer".

Vendor will, with reference to a Certified Customer:

- Extend the CEAP applicant's energy service for up to five business days while the Agency determines whether the CEAP applicant is eligible pursuant to the CEAP guidelines.
- Upon accepting pledge from Agency for Certified Customer, continue or restore energy service to Certified Customer with no increases in charges, service charges or other charges affecting the total cost of the bill.
- In the event the full past due balance is not paid by the Agency, the Certified Customer must pay the remaining balance on or before the disconnect date stated in the customer's Disconnect Notice in order to avoid disconnection or be eligible for reconnection. Nothing in this agreement requires the Vendor to reconnect the customer upon receipt of a pledge that does not cover the full past due balance or if the customer has already been disconnected by the time the pledge is received by the Vendor.
- Invoice the Certified Customer in accordance with Vendor's normal billing practices.
- Upon verbal or written request from Agency, provide at no cost to the Agency the Certified Customer's billing and usage history for previous twelve months, or available history plus monthly estimates if less than twelve months of billing history and usage is available. Vendor will transmit such billing history via electronic mail or facsimile as soon as possible, but no later than forty-eight hours following the request.
- Work with Agency and Certified Customer to explore the feasibility of offering flexible payment arrangements that may include, without limitation, waiving security deposits, reconnect fees, application fees, and all other fees whenever possible.
- Not discriminate against Certified Customer in price or services, including the availability of deferred payment plans, level or average payment plans, discount, budget, advance payment or other credit plans.
- Not refuse to provide energy service or otherwise discriminate in the marketing and provision of energy service to any Certified Customer because of race, creed, color, national origin, ancestry, sex, marital status, lawful source of income, level of income, disability, financial status, location of customer in an economically distressed geographic area, or qualification for low-income or energy-efficiency services.

- Allow Agency forty-five days from the date of the pledge to forward payment to the Vendor. Vendor agrees not to consider the portion of the Certified Customer's account to be paid by the Agency delinquent if said payment is received within the above mentioned forty-five day period and Vendor is provided with a verbal or signed pledge from the Agency within forty-five days of identifying a Certified Customer.
- Not interrupt service if Certified Customer enters into an agreement with the Vendor concerning how the Certified Customer will pay the balance owed Vendor and the Certified Customer is meeting the obligation under such agreement.
- If the Agency has paid for an initial deposit or similar refundable instrument, upon the termination of service to the Certified Customer, the Vendor shall return funds including interest (after any balance owed) to the Agency in accordance with 10 TAC §6.312(f).

The Agency will:

- Obtain written permission for Agency to request and have access to customer information, including confidential or personal account information, credit and payment history, from customers seeking Agency's assistance. Social Security numbers are not required for the CEAP program and may not be disclosed to Agency.
- Provide to Vendor, at Vendor's request, customer's written permission for Agency's access to customer information as stated above.
- Not provide pledges on behalf of a Certified Customer to Vendor without having adequate funds to pay such pledge.
- Pay pledges within forty-five days of making pledge to Vendor.
- Determine if a customer is a Certified Customer within five days of contacting Vendor.
- Provide Vendor a list of names, telephone numbers and e-mail addresses of Agency staff designated to make pledges on behalf of the Agency and Certified Clients, if requested from Vendor.

The terms of any confidential transaction under this agreement or any other information exchanged by the Agency and Vendor relating to any transaction shall not be disclosed to any person not employed or retained by the Agency or Vendor, their affiliates, or brokers, except to the extent disclosure is 1) required by law; 2) necessary to disclose to the other party in connection with a dispute between the parties; 3) otherwise permitted by written consent of the other party; 4) required by guarantors to be disclosed; 5) information which must be disclosed to a third party to transmit energy; 6) to meet reliability council, regulatory, administrative, judicial, governmental, or regulated commodity exchange requirements where necessary; or 7) information which was or is hereafter in the public domain (except by breach of this Agreement).



Authorized Vendor Signature

Date

Typed Name of Authorized Signature

Title

Vendor (Area Code) Telephone Number

Vendor Email Address

Margery H. Marshall

Authorized Agency Signature

12/9/2021

Date

Margery H. Marshall, NCRI, CCAP

Community Services Director

Typed Name of Authorized Signature

Title

512-392-1161, ext. 309

Agency (Area Code) Telephone Number



Authorized Vendor Signature

Typed Name of Authorized Signature

Title

Vendor (Area Code) Telephone Number

Vendor Email Address

Margery H. Marshall
Authorized Agency Signature

12/9/2021
Date

Margery H. Marshall, NCRI, CCAP

Community Services Director

Typed Name of Authorized Signature

Title

512-392-1161, ext. 309

Agency (Area Code) Telephone Number

City of Lockhart, Texas

Council Agenda Item Cover Sheet

COUNCIL MEETING DATE: January 4, 2022

AGENDA ITEM CAPTION: Approve Resolution 2022-01 appointing Mayor Lew White as the City of Lockhart's Clean Air Coalition Representative, as required in Article II of the Clean Air Coalition of the Capital Area Council of Governments by-laws.

ORIGINATING DEPARTMENT AND CONTACT: Administration - Steven Lewis

ACTION REQUESTED: Resolution

BACKGROUND/SUMMARY/DISCUSSION: The City Council initially appointed Mayor White in March 2018, and reappointed him in February 2020, as the City's representative to the Capital Area Council of Governments (CAPCOG) Clean Air Coalition (CAC) . Their by-laws indicate that Representatives to the CAC will include elected officials appointed by governing bodies for the general members of the CAC. Each general member's governing body appoints by resolution one elected official to serve on the Coalition and shall provide written notification to the CAPCOG staff liaison. The term of appointment for a member of the CAC shall begin on the date of appointment by the member's governing body, and will terminate December 31st in odd-numbered years. Mayor White's current term ends in December 2021.

If approved, Mayor White's term will continue until December 2023.

PROJECT SCHEDULE (if applicable): N/A

AMOUNT & SOURCE OF FUNDING:

Funds Required: N/A

Account Number: N/A

Funds Available: N/A

Account Name: N/A

FISCAL NOTE (if applicable): N/A

PREVIOUS COUNCIL ACTION: In March 2018, initial appointment and in February 2020, reappointed Mayor White.

COMMITTEE/BOARD/COMMISSION ACTION: N/A

STAFF RECOMMENDATION/REQUESTED MOTION: None. Discretion of the Council.

City of Lockhart, Texas

Council Agenda Item Cover Sheet

LIST OF SUPPORTING DOCUMENTS: Resolution, Clean Air Coalition By-laws.

RESOLUTION 2022-01

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOCKHART, TEXAS APPOINTING MAYOR LEW WHITE AS THE CITY OF LOCKHART'S CLEAN AIR COALITION REPRESENTATIVE, AS REQUIRED IN ARTICLE II OF THE CLEAN AIR COALITION OF THE CAPITAL AREA COUNCIL OF GOVERNMENTS BY-LAWS; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, The Central Texas Clean Air Coalition, herein after known as the "Clean Air Coalition" members are organizations that support the regional effort toward improvement of air quality in the Austin-Round Rock Metropolitan Statistical Area (MSA); and

WHEREAS, General members shall be local governments or Independent School Districts within the Austin-Round Rock MSA. The governing boards of general members must ratify the current clean air plan, commit to implementing selected emission reduction measures; and

WHEREAS, Representatives to the Clean Air Coalition will include elected officials appointed by governing bodies for the general members of the Clean Air Coalition; and

WHEREAS, Each general member's governing body appoints by resolution one elected official to serve on the Clean Air Coalition and shall provide written notification to the CAPCOG staff liaison.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LOCKHART, TEXAS:

Section 1: That the City Council of the City of Lockhart appoints Mayor Lew White as the City of Lockhart's Representative to the Clean Air Coalition with a term set to expire on December 31, 2023.

Section 2: That this Resolution shall take effect immediately upon its passage, and it is so resolved.

PASSED AND APPROVED by the City Council of the City of Lockhart this 4th day of January, 2022.

CITY OF LOCKHART

Lew White
Mayor

ATTEST:

APPROVED AS TO FORM:

Connie Constancio, TRMC
City Secretary

Monte Akers
City Attorney

**Central Texas Clean Air Coalition
of the
Capital Area Council of Governments**

Article I – Name, Purpose, Responsibilities

The Central Texas Clean Air Coalition, herein after known as the “CLEAN AIR COALITION”, is a voluntary, unincorporated association which became linked with the Capital Area Council of Governments (CAPCOG) by a resolution that was adopted November 13, 2002.

The purpose of the CLEAN AIR COALITION is:

- To develop, adopt and implement a clean air plan to achieve and maintain compliance with federal air quality standards in Bastrop, Caldwell, Hays, Travis and Williamson Counties;
- To establish and monitor a regional effort toward the improvement of air quality;
- To develop policies and strategies that will provide guidance for each of its independent governing bodies about actions that will achieve clean air in Central Texas;
- To work cooperatively to achieve clean air standards that will protect public health and yet allow local governments and other organizations the flexibility to select measures best-suited to their needs and resources; and
- To provide the CAPCOG Executive Committee with recommendations for administering funding provided by local sources for the purpose of supporting the regional air quality plan or program implementation, assessment, and improvement activities in Central Texas.

Article II – Membership

Members

CLEAN AIR COALITION members are organizations that support the regional effort toward improvement of air quality in the Metropolitan Statistical Area (MSA) for the Austin Urbanized Area, as defined by the Office of Management and Budget (OMB).

Membership Categories

There are two categories of membership for the CLEAN AIR COALITION: general members and supporting members.

General members shall be local governments or Independent School Districts (ISDs) within the MSA for the Austin Urbanized Area. The governing boards of general members must ratify the current clean air plan and commit to implementing selected emission reduction measures.

Supporting members shall act within their individual organizations to support the purpose of the CLEAN AIR COALITION and report their actions to the CLEAN AIR COALITION or CAPCOG liaison upon request.

CLEAN AIR COALITION OF THE CAPITAL AREA COUNCIL OF GOVERNMENTS BYLAWS

Supporting members are not required to appoint a representative to the CLEAN AIR COALITION meetings and are not allowed to vote.

While organizations other than local governments or school districts in the MSA may be supporting members, only local governments or ISDs in the MSA may participate in the CLEAN AIR COALITION as general members.

Changes in Membership Categories

Members may change their membership category if they meet eligibility requirements and are endorsed by a majority vote of the CLEAN AIR COALITION.

Representatives

Representatives to the CLEAN AIR COALITION will include elected officials appointed by governing bodies of the general members of the CLEAN AIR COALITION. Each general member's governing body appoints by resolution one elected official to serve on the Coalition and shall provide written notification to the CAPCOG staff liaison.

Terms

1. The term of appointment for a representative shall begin on the date of appointment by the representative's governing body, and will terminate December 31st in odd numbered years.
2. There is no limit to the number of times that a representative may be re-appointed. In the case of a vacancy, the CAPCOG staff liaison shall notify the representative's governing body and that body shall appoint a replacement

Vacancy

A vacancy occurs when:

1. A representative dies;
2. A representative's term expires and the representative is not reappointed;
3. A representative is no longer an elected official;
4. A representative resigns in writing to the Committee Chair with notification to the CAPCOG liaison; or
5. A representative is removed.

Attendance

1. Representatives are expected to attend all meetings; attendance records will be maintained.
2. If within one calendar year a representative misses (and does not send a proxy) two (2) consecutive meetings the member's governing body will be notified in writing. The representative's governing body will have the option of replacing the member, if appropriate.
3. A representative may designate a proxy to attend regular and special meetings in that representative's place. The proxy's attendance will be credited for the representative's annual

CLEAN AIR COALITION OF THE CAPITAL AREA COUNCIL OF GOVERNMENTS BYLAWS

attendance but will not be counted toward the quorum. The designated proxy will not be eligible to vote, but may participate in discussion as needed to communicate the support, concerns, or questions of the organization being represented.

4. If a representative is unable to attend a scheduled meeting, notification must be made to the CAPCOG Committee liaison at least two business days prior to the meeting for an absence to be excused.

New Members

CLEAN AIR COALITION membership may be expanded by majority vote of the CLEAN AIR COALITION. If a new member is eligible for more than one membership category, it may choose the membership category under which it wishes to participate.

Article III - Officers

Election

Election of a Chair and up to two (2) Vice-Chairs will occur at the first meeting of the calendar year, with the following representation:

- At least one (1) officer from a local governing bodies in Travis County;
- At least one (1) officer from a local governing body in either Williamson or Hays Counties; and
- Up to one (1) additional officer from a local governing body in any of the MSA counties.

If a city or ISD crosses county boundaries, it will be considered located in the county where the largest number of its residents reside.

Terms

1. Officers serve one-year terms.
2. Officers may serve a maximum of two (2) consecutive terms.
3. An officer may serve one-half of an unexpired term or less without it counting as a full term for the purposes of calculating term limits.

Vacancy

In the event an Officer is unable to fulfill his/her term, the CLEAN AIR COALITION may elect a replacement at the next regular meeting to serve the remainder of the term.

Duties

1. The Chair shall preside at all meetings of the CLEAN AIR COALITION.
2. Vice-Chairs shall perform all the duties of the Chair in the case of absence or disability and such other duties as may arise, from time to time, when required or requested by the CLEAN AIR COALITION.
3. In case the Chair and Vice-Chairs are absent or unable to perform their duties, the CLEAN AIR COALITION may appoint a Chair pro tem.

Other Officers

CLEAN AIR COALITION OF THE CAPITAL AREA COUNCIL OF GOVERNMENTS BYLAWS

The CLEAN AIR COALITION may elect other Officers from time to time to carry out its responsibilities. This may be done by a simple majority vote of the CLEAN AIR COALITION members at any regularly scheduled meeting where a quorum is present.

Article IV - Meetings

Regular Meetings

1. The CLEAN AIR COALITION shall meet on a day, time and place specified by the Chair of the CLEAN AIR COALITION.
2. Written notice, including an agenda, of each regular meeting shall be prepared by the CAPCOG liaison and mailed, or electronically transmitted, or hand-delivered to each CLEAN AIR COALITION representative at least five (5) business days before the meeting date.
3. The Chair has the discretion to allow meetings to be conducted via teleconference or video conference.

Special Meetings

1. The CLEAN AIR COALITION shall meet specially, if called by the CLEAN AIR COALITION Chair or requested in writing by at least one-third of the representatives, excluding vacancies.
2. A request by the membership for a special meeting must be in writing, addressed to the Chair, and describing the purpose or purposes of the meeting. Only business reasonably related to the purpose or purposes described in the request may be conducted at a special meeting.
3. Notice of any special meeting shall be given at least 72 hours prior to the special meeting.

Quorum and Action

1. Appointed representatives from jurisdictions located in three Counties constitute a quorum for conducting CLEAN AIR COALITION business.
2. A majority vote of the appointed representatives present at an established quorum meeting is necessary for action by the CLEAN AIR COALITION for the entire meeting.

Open Meetings and Records

1. All meetings of the CLEAN AIR COALITION shall be open to the public. It is the intention of the CLEAN AIR COALITION that meetings be open to the public.
2. Minutes or meeting notes of the CLEAN AIR COALITION meetings, documents distributed and other records are the property of CAPCOG and will be maintained in accordance with CAPCOG's Records Retention Schedule. These materials are available for public view, at the CAPCOG offices, upon receipt of a written request by the interested party.
3. Except where these bylaws require otherwise, *Robert's Rules of Order* shall govern the conduct of CLEAN AIR COALITION meetings.

Professional Conduct

CLEAN AIR COALITION representatives should maintain objectivity and professionalism when carrying out business of the CLEAN AIR COALITION. Committee members will not discriminate based on race, color, religion, sex, sexual orientation, gender identity, national origin, disability, or age. In the event that a Committee member acts in a manner which brings the work of the Committee into question or

CLEAN AIR COALITION OF THE CAPITAL AREA COUNCIL OF GOVERNMENTS BYLAWS

controversy, it shall be the responsibility of the CAPCOG Executive Director to address the incident and if appropriate, to recommend removal from the committee.

Sub-Committees:

The CLEAN AIR COALITION may create ad hoc committees or technical sub-committees as deemed appropriate.

Article V – Amendments by the Clean Air Coalition

Authority of the CLEAN AIR COALITION

CLEAN AIR COALITION may amend these bylaws at a regular or specially called meeting. The written text of a proposed amendment must be included with the notice of the meeting at which the amendment will be considered.

Effective Date

An Amendment to the bylaws takes effect when approved by the CLEAN AIR COALITION unless the amendment specifies a later effective date. Copies of amended bylaws will be distributed to CLEAN AIR COALITION representatives by the CAPCOG liaison.

Bylaws History

Adopted January 9, 2002

Amended October 15, 2003

Amended June 26, 2009

Amended May 8, 2013

Amended February 10, 2016

Amended May 8, 2019

City of Lockhart, Texas

Council Agenda Item Cover Sheet

COUNCIL MEETING DATE: January 4, 2022

AGENDA ITEM CAPTION: Discussion and/or action to consider Ordinance 2022-01 regarding amendment of Section 50-3 of Chapter 50 of the Lockhart Code of Ordinances to establish maintenance responsibilities for public sidewalks and cost sharing program for sidewalk reconstruction or repairs.

ORIGINATING DEPARTMENT AND CONTACT: Public Works - Sean Kelley

ACTION REQUESTED: Ordinance

BACKGROUND/SUMMARY/DISCUSSION: Staff has received increasing inquiries about sidewalk replacement and maintenance. Unfortunately, current policies and ordinances lack the provisions to perform, delegate, and facilitate these requests. With the growing demand of the community, City Council has also been approached with requests to improve deteriorating sidewalks.

The current Lockhart Code of Ordinances provides the following:

Section 50--3, Curb and Gutter, Sidewalk Standards

The standards for the construction, maintenance and repair of all curbs and gutters and sidewalks within the city shall be as prescribed by the city manager and/or the city engineer from time to time.

Section. 50-6 (a) Intrusions and Obstructions in Public Sidewalks and Streets.

No person shall plant or grow any plant, hedge, shrub, or tree so that they or any placed landscaping shall intrude and obstruct any portion of a public sidewalk. All such plants and trees must be kept trimmed as not to cause an obstruction for pedestrians on public sidewalks. Limbs and growth from trees or plants of any type planted on private property shall be maintained by the property owner at a height of not less than seven feet above the public sidewalk and not less than 13 feet six inches in the public street area. The city retains the right to trim any limbs or growth from trees or plants of any type planted on public right-of-way and maintain a height of not less than 13 feet six inches above the surface of any street.

The proposed ordinance amendment to Section 50-3 of the Lockhart Code of Ordinances clarifies:

1. Sidewalk maintenance responsibility.
2. Establishes a procedure to identify eligible sidewalk projects.
3. Creates a cost sharing program.

City of Lockhart, Texas

Council Agenda Item Cover Sheet

The majority of surrounding cities that were surveyed (Bastrop, Gonzales, Kyle, San Marcos, Luling, New Braunfels, Seguin) have taken a similar approach to establishing responsibility of maintaining sidewalks. Many Texas cities offer a cost sharing option. The proposed ordinance integrates a 50/50 cost match between the City and the property owner if an eligible project is identified and if city funds are available for the match.

The City would continue to fully fund the expense of maintaining sidewalks and trails on or abutting City-owned properties.

PROJECT SCHEDULE (if applicable): N/A

AMOUNT & SOURCE OF FUNDING:

Funds Required: \$20,000

Account Number: 100-5633-935

Funds Available: \$20,000

Account Name: Sidewalks

FISCAL NOTE (if applicable): N/A

PREVIOUS COUNCIL ACTION: N/A

COMMITTEE/BOARD/COMMISSION ACTION: N/A

STAFF RECOMMENDATION/REQUESTED MOTION: The City attorney and staff respectfully support ordinance amendments to clarify sidewalk maintenance responsibilities and establish a cost share program for repairs and reconstructions.

LIST OF SUPPORTING DOCUMENTS: Ordinance 2022-01.

ORDINANCE NO. 2022-01

AN ORDINANCE OF THE CITY OF LOCKHART AMENDING SECTION 50-3 OF CHAPTER 50 OF THE LOCKHART CODE OF ORDINANCES TO ESTABLISH MAINTENANCE RESPONSIBILITIES FOR PUBLIC SIDEWALKS AND COST SHARING PROGRAM FO SIDEWALK RECONSTRUCTION OR REPAIRS; PROVIDING FOR PENALTIES FOR VIOLATION AND CLAUSES FOR REPEALER, SEVERABILITY, SAVINGS, PUBLICATION, AND EFFECTIVE DATE

WHEREAS, the City of Lockhart has sidewalks located throughout the City that provide access to schools, parks, and communities; and

WHEREAS, the City Council believes that these sidewalks enhance the beauty of the city and the quality of life for its citizens and visitors; and

WHEREAS, the City Council now deems it necessary to establish and clarify maintenance responsibilities for sidewalks within the City;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LOCKHART, TEXAS that:

SECTION 1: Recitals adopted. The foregoing recitals are adopted and incorporated herein for all purposes.

SECTION 2: Amendment. Section 50-3 of Chapter 50 of the Lockhart Code of Ordinances is hereby amended so that it shall hereafter read in its entirety as follows:

Sec. 50-3. Maintenance of sidewalk and street appurtenances: City cost share program.

- (a) **Duty of Owner.** It shall be the duty and obligation of all owners and occupants, of real property which abuts or upon which a sidewalk, driveway, or other way is located and used by the public, to keep and maintain such sidewalk, driveway, or way in a safe condition for use. Such sidewalks, driveway, or ways shall be maintained by the owner or occupant of such real property so as to be free of depressions, excavations, inequalities, obstacles, obstructions, encroachments, and tall weeds or grass located between the person's property line and the curb and/or street.
- (b) **City cost share program.** If revenues are available, the City may participate in the reconstruction or repair of a sidewalk with an eligible property owner on a 50/50 basis.
- (c) **Policies and procedures of the cost share program.** The City's 50/50 cost share program ("the program") shall operate as follows:
 - (1) **Eligible properties:** Property owners of the following types of owner-occupied properties are eligible to participate in the program: Single-family residents, duplexes, town homes and condominiums. Only sidewalks in City's public right-of-way are eligible. In no event will the City's cost share cover reconstruction or repairs to be performed on private property.
 - (2) **Eligible projects.** Sidewalk must contain 1 ½" or greater vertical trip hazard between panels, 1" or greater width separation between panels, and/or structural damage through the entire depth of the sidewalk panel. Cosmetic damages that are neither

structural failures or trip hazards are not eligible. Each project must be approved by the Public Works Director or designee.

- (3) Cost: The property owner's share of the cost under the program shall be one-half (1/2) of the total cost for the requested improvement, excluding cost for non-barrier ramps.
- (4) Trees: All trees located in the City's right-of-way shall be removed in conjunction with each project unless retention of a tree or tree in the right-of-way is approved by the Public Works Director or designee. The cost of removal shall be included in the estimate for each project.
- (5) Damage to improvements: The City shall not be responsible for damage that occurs to sprinkler systems, trees, shrubs, or other improvements in the City's right-of-way. It shall be the responsibility of the property owner to protect these improvements before and during reconstruction or repair.
- (6) Method of payment and assessment: The City or the City's contractor will perform the work and assess cost for the eligible project. The property owner shall make payment to the City in the full amount of their share before the reconstruction or repair commencements.
- (7) Rework: In the event the replaced sidewalk reconstructed through the program fails within one year of the completion of the replacement under the program, the City shall make the appropriate repairs, as determined to be necessary by the City, to the failed section at no additional cost to the property owner.
- (8) Refund and reimbursement:
 - (a) Refund. An abutting property owner may make a written request for a refund before initiation of the reconstruction or repair. In no event shall a refund be made after the City begins work.
 - (b) Reimbursement. Property owner shall be eligible for reimbursement of the portion of the cost of replacement or repair for work done in connection with the program if within two years of the completion of the replacement or repair, the City undertakes a capital improvement project and the sidewalk reconstructed or repaired through the program is replaced in connection with the capital improvement project. Reimbursement under this paragraph is available only in areas included in the capital improvement project on a pro rata basis.
- (d) Notice of Violation. Whenever it is determined that there are grounds for violation of any provision of this chapter, the building official shall give notice of such violation to the property owner, as hereinafter provided. Such notice shall:
 - (1) Be in writing;
 - (2) Include a statement of the reason for its issuance; and
 - (3) Allow a reasonable time for the performance of the act it requires.
- (e) Penalty. Any person violating the provisions in this section shall be guilty of a misdemeanor and shall be subject to a fine of up to \$500 for each day of such violation
- (f) Remedy by the City. In addition to the penalty provisions above provided for, resulting from violation of the provisions of this section, the City shall be entitled to enter upon and remove and/or trim as necessary eliminate any such public sidewalk from such obstruction and/or declare a sidewalk in violation of this section a public nuisance. City cost for labor, benefits, equipment, and materials associated with removing and/or replacing public

sidewalks shall be invoiced to the property owner of record. Should the property owner fail to pay the incurred City cost within 30 days of invoice, a lien shall be filed on the property for such amount plus ten percent of the amount of the invoice, plus the cost of the then current filing fee.

SECTION 3. Repealer. All provisions of the Code of Ordinances of the City of Lockhart in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict, and all other provisions of the Code of Ordinances of the City of Lockhart codified or uncoded, not in conflict with the provisions of this Ordinance shall remain in full force and effect.

SECTION 4. Severability. It is hereby declared to be the intention of the City Council that the components of this Ordinance are severable, and if any phrase, clause, sentence, or section of this Ordinance shall be declared unconstitutional or invalid by any court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any remaining component of this Ordinance.

SECTION 5. Publication. The City Secretary shall cause the caption of this ordinance to be published in a newspaper of general circulation according to law.

SECTION 6. Effective Date. This ordinance shall become effective and be in full force from the date of its passage.

PASSED AND ADOPTED on this the 4th day of January, 2022.

CITY OF LOCKHART

Lew White, Mayor

ATTEST:

APPROVED AS TO FORM:

Connie Constancio, TRMC, City Secretary

Monte Akers, City Attorney

City of Lockhart, Texas

Council Agenda Item Cover Sheet

COUNCIL MEETING DATE: January 4, 2022

AGENDA ITEM CAPTION: Discuss amending Chapter 64 "Zoning" of the Lockhart Code of Ordinances, Article VII "Zoning Districts and Standards", Section 64-197 "Regulations Common To All Or Several Districts", Subsection (g)(2) "Additional Parking Requirements Within Residential Districts" to require covered parking for detached single-family dwellings and provide reasonable standards for such parking; and amending Chapter 64 "Zoning", Appendix I "Specific Requirements For Residential Development Types" to modify the heading of the Minimum Off-street Parking column; and provide direction to staff..

ORIGINATING DEPARTMENT AND CONTACT: Development Services - Dan Gibson

ACTION REQUESTED: Other

BACKGROUND/SUMMARY/DISCUSSION: Staff recently became aware that the homebuilder that is developing the remaining sections of Summerside Subdivision is proposing to include homes with no covered parking. In the past 25 years, no new single-family residential subdivision has been developed with homes that do not have either a carport or garage. The lack of covered parking can have undesirable consequences in terms of the appearance and value of a neighborhood. In addition, having the extra parking space may reduce the parking of vehicles in the yard or in the public street. A draft ordinance is attached that amends the zoning ordinance to require covered parking for detached single-family dwellings (SF-1 and SF-2 residential development types), and provides standards for the location and appearance of covered parking that will, in effect, prohibit what is commonly known as "snout houses". In addition, an amendment is needed to Appendix I to make the column heading for minimum off-street parking in the table consistent with current practice, which is to allow covered parking to be counted as required off-street parking. That column heading currently excludes garages. The proposed zoning text amendment requires a recommendation by the Planning and Zoning Commission before the ordinance can be considered by the Council. The earliest that a public hearing for adoption of the ordinance can be held is the Council's February 1st agenda.

PROJECT SCHEDULE (if applicable): Not applicable.

AMOUNT & SOURCE OF FUNDING:

Funds Required:

Account Number:

Funds Available:

Account Name:

FISCAL NOTE (if applicable): Not applicable.

City of Lockhart, Texas

Council Agenda Item Cover Sheet

PREVIOUS COUNCIL ACTION: None.

COMMITTEE/BOARD/COMMISSION ACTION: None yet. Zoning text amendments require a recommendation from the Planning and Zoning Commission, which will be on the agenda of their January 26th meeting.

STAFF RECOMMENDATION/REQUESTED MOTION: Staff recommends the proposed wording in the draft ordinance. Following public notice and a public hearing and action at the Planning and Zoning Commission meeting, an amendment will be presented to the City Council on February 1, 2022.

LIST OF SUPPORTING DOCUMENTS: Covered parking draft zoning text amendment.

DRAFT

ORDINANCE 2022-__

AN ORDINANCE OF THE CITY OF LOCKHART, TEXAS, AMENDING CHAPTER 64 “ZONING”, OF THE CODE OF ORDINANCES, ARTICLE VII “ZONING DISTRICTS AND STANDARDS”, SECTION 64-197 “REGULATIONS COMMON TO ALL OR SEVERAL DISTRICTS”, SUBSECTION (g)(2) “ADDITIONAL PARKING REQUIREMENTS WITHIN RESIDENTIAL DISTRICTS”; AND AMENDING CHAPTER 64 “ZONING”, APPENDIX I “SPECIFIC REQUIREMENTS FOR RESIDENTIAL DEVELOPMENT TYPES”; PROVIDING FOR SEVERABILITY; PROVIDING A REPEALER; PROVIDING FOR PENALTY; PROVIDING FOR PUBLICATION; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, covered parking adds value and function to detached single-family dwellings compared to homes that do not have it; and,

WHEREAS, covered parking helps provide more off-street parking space than a driveway, alone, thereby reducing the possibility that vehicles will need to be parked in the public street; and,

WHEREAS, covered parking protects and extends the life of vehicles; and,

WHEREAS, covered parking can provide storage space out of the weather for items that are not typically kept inside the dwelling; and,

WHEREAS, covered parking should be designed and located such that it does not dominate or detract from the residential appearance and function of the front façade of detached single-family homes; and,

WHEREAS, the City Council has determined that the current lack of standards requiring covered parking for detached single-family dwellings can result in new single-family neighborhoods being developed with all vehicle parking being exposed to the weather and within view of residents and passers-by; and,

WHEREAS, detached single-family dwellings are classified in Chapter 64 “Zoning”, Article VII “Zoning Districts and Standards”, Section 64-196 “Establishment of Zoning Districts”, and in “Appendix I” as either the SF-1 residential development type which requires a minimum lot width of 65 feet and a minimum lot area of 8,500 square feet, or the SF-2 residential development type which requires a minimum lot width of 50 feet and a minimum lot area of 5,500 square feet.

WHEREAS, an amendment to Chapter 64 “Zoning”, Article VII “Zoning Districts and Standards” is proposed to require covered parking for the SF-1 and SF-2 residential development types, and provide reasonable standards to promote the attractive appearance and functionality of new homes; and,

DRAFT

WHEREAS, current practice has been to allow garages and carports to be counted toward the minimum required off-street parking, despite the fact that the Minimum Required Off-street Parking column of Appendix I “Specific Requirements for Residential Development Types excludes garages for all types of residential development; and,

WHEREAS, an amendment is proposed to delete the exclusion of garages as counting toward the minimum required off-street parking, so that the current practice can be continued; and,

WHEREAS, the City Council has determined that such amendments serve a public purpose and the Council desires to amend the Code of Ordinances accordingly;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LOCKHART, TEXAS, THAT:

I. The foregoing recitals are approved and adopted herein for all purposes.

II. Chapter 64 “Zoning”, Article VII “Zoning Districts and Standards”, is hereby amended as follows, with all existing provisions not shown remaining unchanged:

Sec. 64-197. Regulations common to all or several districts.

(g) Minimum parking and loading requirements.

(2) Additional parking requirements in residential districts.

- a. Each dwelling unit of the SF-1 and SF-2 development type shall provide covered vehicle parking in the form of a carport or garage having a usable parking area, exclusive of storage or other functions, of at least 440 square feet (two vehicles) for the SF-1 development type or 220 square feet (one vehicle) for the SF-2 development type. Carports shall be provided with an integral enclosed storage room of at least 40 square feet. Garages and carports shall not extend closer to the front property line than the wall or covered porch of the front of the house that is closest to the front property line, and garage doors shall not occupy more than 40 percent of the width of the house.

III. Chapter 64 “Zoning”, Appendix I “Specific Requirements for Residential Development Types”, is hereby amended by changing the heading of the eleventh column to read as follows: “*Min. Off-street Parking Spaces Per Dwelling Unit (Note 3)*”.

DRAFT

IV. Severability: If any provision, section, clause, sentence, or phrase of this ordinance is for any reason held to be unconstitutional, void, invalid, or un-enforced, the validity of the remainder of this ordinance or its application shall not be affected, it being the intent of the City Council in adopting and of the Mayor in approving this ordinance that no portion, provision, or regulation contained herein shall become inoperative or fail by way of reasons of any unconstitutionality or invalidity of any other portion, provision or regulation.

V. Repealer: That all other ordinances, sections, or parts of ordinances heretofore adopted by the City of Lockhart in conflict with the provisions set out above in this ordinance are hereby repealed or amended as indicated.

VI. Penalty: Any person who violates any provision of this ordinance shall be guilty of a misdemeanor, and upon conviction shall be fined as provided in Section 1-8 of the City Code.

VII. Publication: That the City Secretary is directed to cause the caption of this ordinance to be published in a newspaper of general circulation according to law.

VIII. Effective Date. That this ordinance shall become effective and be in full force ten days from the date of its passage.

**PASSED, APPROVED, AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF LOCKHART, TEXAS,
ON THIS THE ____ DAY OF _____, 2022.**

CITY OF LOCKHART

Lew White
Mayor

ATTEST:

APPROVED AS TO FORM:

Connie A. Constancio, TRMC
City Secretary

Monte Akers
City Attorney

City of Lockhart, Texas

Council Agenda Item Cover Sheet

COUNCIL MEETING DATE: January 4, 2022

AGENDA ITEM CAPTION: Discussion regarding matters related to COVID-19.

ORIGINATING DEPARTMENT AND CONTACT: Administration - Steven Lewis, Monte Akers

ACTION REQUESTED: Other

BACKGROUND/SUMMARY/DISCUSSION: On May 18, 2021, Governor Abbot issued GA-36 that prohibited governmental entities from mandating face coverings or restricting activities in response to the COVID-19 disaster. As a result, the Lockhart City Council rescinded the Mayor's Declaration to require face coverings and encouraged citizens to continue to follow the CDC guidelines in regard to COVID-19.

Also, as a result of the Governor opening Texas on March 2, 2021 (GA-34), community events are back on schedule such as the Chisholm Trail Roundup, Fireworks show, and City venues such as the city splash pad are open to the public. Face coverings are not required during the events or at city facilities.

An update of COVID-19 orders and Council actions is attached.

Open Meetings Act Suspensions Terminate effective September 1, 2021

In March 2020, Governor Abbott's office granted the Attorney General's request to suspend certain open meetings statutes. The temporary suspension allows for telephonic or videoconference meetings of governmental bodies that are accessible to the public in an effort to reduce in-person meetings, thereby allowing governmental bodies and/or board commissions to hold a meeting virtually without a quorum being present at the meeting location.

On June 30, 2021, the Governor's office approved a request by the Attorney General to lift the open meetings suspensions effective at 12:01 a.m. on September 1, 2021. All Texas governmental bodies subject to the OMA must thereafter conduct their meetings in full compliance with the OMA as written in state law.

The following are provisions in the OMA suspension that will no longer be allowed effective September 1, 2021:

- 1) Video conferencing capability will change in that a member of the governing body or board can meet virtually but there must be a quorum physically present at the meeting location.
- 2) Telephone conference meetings will not be allowed to continue and are only allowed in an emergency.

On **August 29, 2021**, Governor Abbott issued a Declaration renewing the declaration of disaster stating that COVID-19 poses an imminent threat of disaster for all counties in Texas.

City of Lockhart, Texas

Council Agenda Item Cover Sheet

On October 11, 2021, Governor Abbott issued GA-40 prohibiting vaccine mandates, subject to legislative action.

This item is returned to Council for consideration, if necessary.

PROJECT SCHEDULE (if applicable): N/A

AMOUNT & SOURCE OF FUNDING:

Funds Required: N/A

Account Number: N/A

Funds Available: N/A

Account Name: N/A

FISCAL NOTE (if applicable): None.

PREVIOUS COUNCIL ACTION: N/A

COMMITTEE/BOARD/COMMISSION ACTION: N/A

STAFF RECOMMENDATION/REQUESTED MOTION: None.

LIST OF SUPPORTING DOCUMENTS: Update of COVID-19 orders and Council actions, GA-39, GA-38, Governor Abbott proclamation renewing the Declaration of Disaster, GA 40

HISTORY OF COVID-19 ORDERS/COUNCIL ACTIONS

On **September 1, 2020**, the City Council adopted Resolution 2020-20 renewing and adopting a requirement that commercial establishments in the City post a notice that facial coverings are a requirement of employees and persons entering such establishments. The requirement that such notice be posted shall remain in effect until terminated or amended by the City Council.

On **October 7, 2020**, Governor Greg Abbott issued Executive Order GA-32 to allow certain bars and similar establishments to operate at 50% capacity with permission from the County Judge. GA-32 increased the occupancy levels for all business establishments other than bars to 75%. GA-32 also provides that outdoor gatherings in excess of 10 people is prohibited unless the Mayor of the City in which the gathering is held, approves of the gathering, and such approval can be made subject to certain conditions or restrictions not inconsistent with GA-32.

Mayor's statement on reduced business capacity in Caldwell County. At 12:01 a.m. on Wednesday, January 13, 2021 the provisions of Governor Greg Abbott's Executive Order GA-32 that suspend elective surgeries, close bars and reduce business capacity to 50 percent went into effect in Lockhart and Caldwell County. This was occurring because under GA-32, these specific provisions took effect when a Trauma Service Area had seven consecutive days in which the number of COVID-19 hospitalized patients as a percentage of total capacity exceeded 15 percent. This was the case in Trauma Service Area O, which included Caldwell County.

COVID Relief Fund update. On January 19, 2021, the Council voted to offer a six-month forbearance to businesses that received a COVID-19 Recovery Loan in 2020. Council re-opened the COVID Relief Grants to small businesses for \$5,000 per business that qualifies. Restaurants and bars that were affected by the Governor's order earned higher points on the application process.

During the February 23, 2021 meeting, Chief Jenkins provided an update of COVID compliance for local businesses.

On **March 2, 2021**, Governor Abbot issued GA-34 that was effective March 10, 2021. It provides that the State no longer requires face covering and it does not allow local jurisdictions to require face coverings. GA-34 supercedes all orders issued by local officials that conflict with regard to services or local orders and provides that businesses and other establishments may require customers and employees to wear face coverings. The consensus of the Council was to leave the Mayor's Declaration in effect and to encourage citizens to continue to wear face coverings and to maintain a six foot distance.

On **May 13, 2021**, the CDC announced that fully vaccinated individuals no longer need to mask up or social distance indoors and outdoors, including crowds. Attached is information from the CDC about how to stay safe around individuals that are or are not fully vaccinated.

On **June 15, 2021**, the consensus of the Council was to continue virtual attendance at meetings.

On **June 30, 2021**, the Governor's office approved a request by the Attorney General to lift the temporary Open Meetings Act suspensions, effective at 12:01 a.m. on September 1, 2021. The change in virtual meetings is that a member of the governing body or board member may attend a meeting virtually but there must be a quorum physically present at the meeting location.

On **July 29, 2021**, Governor Abbott issued Executive Order 38, that combined several existing COVID-19 executive orders to promote statewide uniformity and certainty in the state's COVID-19 response. Governor Abbott stated that "The new Executive Order emphasizes that the path forward relies on personal responsibility rather than government mandates".

On **August 13, 2021**, TML provided the following information regarding actions taken by governmental entities and the Attorney General in regards to face coverings:

- **Mask Mandate Update:** Tuesday afternoon, two state district court judges in Dallas and Bexar counties granted local authorities in those jurisdictions temporary restraining orders blocking Governor Abbott's ban on mask mandates. In response to the rulings, the City of San Antonio issued a requirement for face coverings inside city facilities, and the Dallas County Judge issued an emergency order on Wednesday related to face coverings. Temporary restraining orders are by definition temporary and require further court proceedings to become permanent. TML will continue to monitor these developments. In related news, Houston's Mayor Sylvester Turner is requiring masks in city facilities when physical distancing is not doable.

Additionally, a number of large school districts ("ISDs") across the state, including Dallas ISD, Houston ISD, Austin ISD, Fort Worth ISD, and San Antonio ISD, are requiring masks on school property.

- **Attorney General Issues Two COVID-related opinions:** On August 11, the Attorney General released two opinions related to mask mandates and vaccines.
 1. In Opinion KP-0379, the Attorney General was asked whether COVID-19 vaccines could be required as a condition to enter a government building. Citing the Governor's Executive Order No. 38 as well as the recently passed S.B. 968, the Attorney General opined that government entities may not require COVID-19 vaccines as a condition to enter a government facility.
 2. In Opinion No. KP-0380, the Attorney General was asked to opine on the effect of the Governor's executive orders on federal requirements related to face coverings on public transit. The AG ultimately opined that he is unconvinced that CDC and TSA rules as well as federal law preempt the Governor's orders prohibiting mask mandates.

Please remember that Attorney General opinion are just that: opinions. They are legal guidance but do not carry the force of law or court order.

- **Counties Across Texas Seeing Rise in COVID-19 Threat Levels:** Over the last few weeks, we have reported on the rise in COVID-19 threat levels in counties and cities across the state. That rise continues, with Travis, Harris, Dallas, and Williamson counties, among others, back at the highest threat levels as the Delta variant spreads across the state and ICU bed availability drops.

On **August 29, 2021**, Governor Abbott issued a proclamation renewing the declaration stating that COVID-19 poses an imminent threat of disease for all counties in Texas.

On **August 25, 2021**, Governor Abbott issued GA-39 (attached), prohibiting governmental entities from compelling an individual to receive a COVID-19 vaccine regardless of full FDA approval, among other things.

The Governor also issued the following call to the Special Session of the Legislature:

Legislation regarding whether any State or Local Governmental entities in Texas can mandate that an individual receive a COVID-19 vaccine and, if so, what exemption should apply to such mandate.

On **October 11, 2021**, Governor Abbott issued GA-40 relating to prohibiting all entities of compelling receipt of a COVID-19 vaccine until the issue has been considered through legislation.



GOVERNOR GREG ABBOTT

August 25, 2021

Mr. Joe A. Esparza
Deputy Secretary of State
State Capitol Room 1E.8
Austin, Texas 78701

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
2 PM O'CLOCK

AUG 25 2021

Secretary of State

Dear Deputy Secretary Esparza:

Pursuant to his powers as Governor of the State of Texas, Greg Abbott has issued the following:

Executive Order No. GA-39 relating to prohibiting vaccine mandates and vaccine passports subject to legislative action.

The original executive order is attached to this letter of transmittal.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "G. Davidson", with a long horizontal flourish extending to the right.

Gregory S. Davidson
Executive Clerk to the Governor

GSD/gsd

Attachment

Executive Order

BY THE
GOVERNOR OF THE STATE OF TEXAS

Executive Department
Austin, Texas
August 25, 2021

EXECUTIVE ORDER GA 39

*Relating to prohibiting vaccine mandates and vaccine passports
subject to legislative action.*

WHEREAS, I, Greg Abbott, Governor of Texas, issued a disaster proclamation on March 13, 2020, certifying under Section 418.014 of the Texas Government Code that the novel coronavirus (COVID-19) poses an imminent threat of disaster for all Texas counties; and

WHEREAS, in each subsequent month effective through today, I have renewed the COVID-19 disaster declaration for all Texas counties; and

WHEREAS, I have issued a series of executive orders aimed at protecting the health and safety of Texans, ensuring uniformity throughout Texas, and achieving the least restrictive means of combatting the evolving threat to public health; and

WHEREAS, COVID-19 vaccines are strongly encouraged for those eligible to receive one, but have always been voluntary for Texans; and

WHEREAS, I issued Executive Orders GA-35 and GA-38, addressing COVID-19 vaccines administered under an "emergency use authorization" by prohibiting vaccine mandates from governmental entities and by prohibiting "vaccine passports" from governmental entities and certain others; and

WHEREAS, subsequently, on August 23, 2021, while the legislature was already convened in a special session, the U.S. Food and Drug Administration (FDA) approved one of the COVID-19 vaccines for certain age groups, such that this vaccine is no longer administered under an emergency use authorization for those age groups; and

WHEREAS, while this COVID-19 vaccine is now FDA-approved for certain age groups, others are not yet approved and still are administered under an emergency use authorization; and

WHEREAS, through Chapter 161 of the Texas Health and Safety Code, as well as other laws including Chapters 38 and 51 of the Texas Education Code, the legislature has established its primary role over immunizations, and all immunization laws and regulations in Texas stem from the laws established by the legislature; and

WHEREAS, in other contexts where the legislature has imposed immunization requirements, it has also taken care to provide exemptions that allow people to opt out of being forced to take a vaccine; and

WHEREAS, given the legislature's primacy and the need to avoid a patchwork of regulations with respect to vaccinations, it is appropriate to maintain the status quo of

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AUG 25 2021

prohibiting vaccine mandates through executive order while allowing the legislature to consider this issue while in session; and

WHEREAS, in this instance, given the legislature's prior actions, maintaining the status quo of prohibiting vaccine mandates and ensuring uniformity pending the legislature's consideration means extending the voluntariness of COVID-19 vaccinations to all COVID-19 vaccinations, regardless of regulatory status; and

WHEREAS, I am also adding this issue to the agenda for the Second Called Session of the legislature that is currently convened so that the legislature has the opportunity to consider this issue through legislation; and

WHEREAS, I will rescind this executive order upon the effective date of such legislation;

NOW, THEREFORE, I, Greg Abbott, Governor of Texas, by virtue of the power and authority vested in me by the Constitution and laws of the State of Texas, do hereby order the following on a statewide basis effective immediately:

1. No governmental entity can compel any individual to receive a COVID-19 vaccine. I hereby suspend Section 81.082(f)(1) of the Texas Health and Safety Code, and any other relevant statutes, to the extent necessary to ensure that no governmental entity can compel any individual to receive a COVID-19 vaccine.
2. State agencies and political subdivisions shall not adopt or enforce any order, ordinance, policy, regulation, rule, or similar measure that requires an individual to provide, as a condition of receiving any service or entering any place, documentation regarding the individual's vaccination status for any COVID-19 vaccine. I hereby suspend Section 81.085(i) of the Texas Health and Safety Code, and any other relevant statutes, to the extent necessary to enforce this prohibition. This paragraph does not apply to any documentation requirements necessary for the administration of a COVID-19 vaccine.
3. Any public or private entity that is receiving or will receive public funds through any means, including grants, contracts, loans, or other disbursements of taxpayer money, shall not require a consumer to provide, as a condition of receiving any service or entering any place, documentation regarding the consumer's vaccination status for any COVID-19 vaccine. No consumer may be denied entry to a facility financed in whole or in part by public funds for failure to provide documentation regarding the consumer's vaccination status for any COVID-19 vaccine.
4. Nothing in this executive order shall be construed to limit the ability of a nursing home, state supported living center, assisted living facility, or long-term care facility to require documentation of a resident's vaccination status for any COVID-19 vaccine.
5. This executive order shall supersede any conflicting order issued by local officials in response to the COVID-19 disaster. Pursuant to Section 418.016(a) of the Texas Government Code, I hereby suspend Sections 418.1015(b) and 418.108 of the Texas Government Code, Chapter 81, Subchapter E of the Texas Health and Safety Code, and any

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other relevant statutes, to the extent necessary to ensure that local officials do not impose restrictions in response to the COVID-19 disaster that are inconsistent with this executive order.

This executive order supersedes only paragraph No. 2 of Executive Order GA-38, and does not supersede or otherwise affect the remaining paragraphs of Executive Order GA-38. This executive order shall remain in effect and in full force unless it is modified, amended, rescinded, or superseded by the governor. This executive order may also be amended by proclamation of the governor.



Given under my hand this the 25th
day of August, 2021.

A handwritten signature in black ink that reads "Greg Abbott".

GREG ABBOTT
Governor

ATTESTED BY:

A handwritten signature in black ink that reads "Joe A. Esparza".
JOE A. ESPARZA
Deputy Secretary of State

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2PM O'CLOCK

AUG 25 2021



GOVERNOR GREG ABBOTT

July 29, 2021

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JUL 29 2021

Secretary of State

Mr. Joe A. Esparza
Deputy Secretary of State
State Capitol Room 1E.8
Austin, Texas 78701

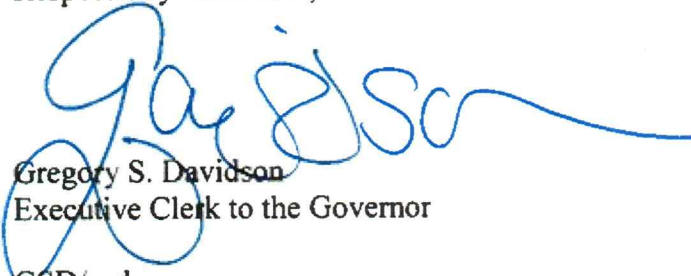
Dear Deputy Secretary Esparza:

Pursuant to his powers as Governor of the State of Texas, Greg Abbott has issued the following:

Executive Order No. GA-38 relating to the continued response to the COVID-19 disaster.

The original executive order is attached to this letter of transmittal.

Respectfully submitted,


Gregory S. Davidson
Executive Clerk to the Governor

GSD/gsd

Attachment

Executive Order

BY THE
GOVERNOR OF THE STATE OF TEXAS

Executive Department
Austin, Texas
July 29, 2021

EXECUTIVE ORDER GA 38

Relating to the continued response to the COVID-19 disaster.

WHEREAS, I, Greg Abbott, Governor of Texas, issued a disaster proclamation on March 13, 2020, certifying under Section 418.014 of the Texas Government Code that the novel coronavirus (COVID-19) poses an imminent threat of disaster for all Texas counties; and

WHEREAS, in each subsequent month effective through today, I have renewed the COVID-19 disaster declaration for all Texas counties; and

WHEREAS, from March 2020 through May 2021, I issued a series of executive orders aimed at protecting the health and safety of Texans, ensuring uniformity throughout Texas, and achieving the least restrictive means of combatting the evolving threat to public health by adjusting social-distancing and other mitigation strategies; and

WHEREAS, combining into one executive order the requirements of several existing COVID-19 executive orders will further promote statewide uniformity and certainty; and

WHEREAS, as the COVID-19 pandemic continues, Texans are strongly encouraged as a matter of personal responsibility to consistently follow good hygiene, social-distancing, and other mitigation practices; and

WHEREAS, receiving a COVID-19 vaccine under an emergency use authorization is always voluntary in Texas and will never be mandated by the government, but it is strongly encouraged for those eligible to receive one; and

WHEREAS, state and local officials should continue to use every reasonable means to make the COVID-19 vaccine available for any eligible person who chooses to receive one; and

WHEREAS, in the Texas Disaster Act of 1975, the legislature charged the governor with the responsibility "for meeting ... the dangers to the state and people presented by disasters" under Section 418.011 of the Texas Government Code, and expressly granted the governor broad authority to fulfill that responsibility; and

WHEREAS, under Section 418.012, the "governor may issue executive orders ... hav[ing] the force and effect of law;" and

WHEREAS, under Section 418.016(a), the "governor may suspend the provisions of any regulatory statute prescribing the procedures for conduct of state business ... if strict compliance with the provisions ... would in any way prevent, hinder, or delay necessary action in coping with a disaster;" and

WHEREAS, under Section 418.018(c), the "governor may control ingress and egress to

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JUL 29 2021

and from a disaster area and the movement of persons and the occupancy of premises in the area;" and

WHEREAS, under Section 418.173, the legislature authorized as "an offense," punishable by a fine up to \$1,000, any "failure to comply with the [state emergency management plan] or with a rule, order, or ordinance adopted under the plan;"

NOW, THEREFORE, I, Greg Abbott, Governor of Texas, by virtue of the power and authority vested in me by the Constitution and laws of the State of Texas, do hereby order the following on a statewide basis effective immediately:

1. To ensure the continued availability of timely information about COVID-19 testing and hospital bed capacity that is crucial to efforts to cope with the COVID-19 disaster, the following requirements apply:
 - a. All hospitals licensed under Chapter 241 of the Texas Health and Safety Code, and all Texas state-run hospitals, except for psychiatric hospitals, shall submit to the Texas Department of State Health Services (DSHS) daily reports of hospital bed capacity, in the manner prescribed by DSHS. DSHS shall promptly share this information with the Centers for Disease Control and Prevention (CDC).
 - b. Every public or private entity that is utilizing an FDA-approved test, including an emergency use authorization test, for human diagnostic purposes of COVID-19, shall submit to DSHS, as well as to the local health department, daily reports of all test results, both positive and negative. DSHS shall promptly share this information with the CDC.
2. To ensure that vaccines continue to be voluntary for all Texans and that Texans' private COVID-19-related health information continues to enjoy protection against compelled disclosure, in addition to new laws enacted by the legislature against so-called "vaccine passports," the following requirements apply:
 - a. No governmental entity can compel any individual to receive a COVID-19 vaccine administered under an emergency use authorization. I hereby suspend Section 81.082(f)(1) of the Texas Health and Safety Code to the extent necessary to ensure that no governmental entity can compel any individual to receive a COVID-19 vaccine administered under an emergency use authorization.
 - b. State agencies and political subdivisions shall not adopt or enforce any order, ordinance, policy, regulation, rule, or similar measure that requires an individual to provide, as a condition of receiving any service or entering any place, documentation regarding the individual's vaccination status for any COVID-19 vaccine administered under an emergency use authorization. I hereby suspend Section 81.085(i) of the Texas Health and Safety Code to the extent necessary to enforce this prohibition. This paragraph does not apply to any documentation requirements necessary for the administration of a COVID-19 vaccine.
 - c. Any public or private entity that is receiving or will receive public funds through any means, including grants, contracts, loans, or other disbursements of taxpayer money, shall not require a consumer to provide, as a condition of receiving any service or entering any place, documentation regarding the consumer's vaccination status for any COVID-19 vaccine administered under an emergency use authorization. No consumer may be denied entry to a facility financed

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- in whole or in part by public funds for failure to provide documentation regarding the consumer's vaccination status for any COVID-19 vaccine administered under an emergency use authorization.
- d. Nothing in this executive order shall be construed to limit the ability of a nursing home, state supported living center, assisted living facility, or long-term care facility to require documentation of a resident's vaccination status for any COVID-19 vaccine.
 - e. This paragraph number 2 shall supersede any conflicting order issued by local officials in response to the COVID-19 disaster. I hereby suspend Sections 418.1015(b) and 418.108 of the Texas Government Code, Chapter 81, Subchapter E of the Texas Health and Safety Code, and any other relevant statutes, to the extent necessary to ensure that local officials do not impose restrictions in response to the COVID-19 disaster that are inconsistent with this executive order.
3. To ensure the ability of Texans to preserve livelihoods while protecting lives, the following requirements apply:
- a. There are no COVID-19-related operating limits for any business or other establishment.
 - b. In areas where the COVID-19 transmission rate is high, individuals are encouraged to follow the safe practices they have already mastered, such as wearing face coverings over the nose and mouth wherever it is not feasible to maintain six feet of social distancing from another person not in the same household, but no person may be required by any jurisdiction to wear or to mandate the wearing of a face covering.
 - c. In providing or obtaining services, every person (including individuals, businesses, and other legal entities) is strongly encouraged to use good-faith efforts and available resources to follow the Texas Department of State Health Services (DSHS) health recommendations, found at www.dshs.texas.gov/coronavirus.
 - d. Nursing homes, state supported living centers, assisted living facilities, and long-term care facilities should follow guidance from the Texas Health and Human Services Commission (HHSC) regarding visitations, and should follow infection control policies and practices set forth by HHSC, including minimizing the movement of staff between facilities whenever possible.
 - e. Public schools may operate as provided by, and under the minimum standard health protocols found in, guidance issued by the Texas Education Agency. Private schools and institutions of higher education are encouraged to establish similar standards.
 - f. County and municipal jails should follow guidance from the Texas Commission on Jail Standards regarding visitations.
 - g. As stated above, business activities and legal proceedings are free to proceed without COVID-19-related limitations imposed by local governmental entities or officials. This paragraph number 3 supersedes any conflicting local order in response to the COVID-19 disaster, and all relevant laws are suspended to the extent necessary to preclude any such inconsistent local orders. Pursuant to the legislature's command in Section 418.173 of the Texas Government Code and the State's emergency management plan, the imposition of any conflicting or inconsistent limitation by a local governmental entity or official constitutes a "failure to comply with" this executive order that is subject to a fine up to \$1,000.

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SECRETARY OF STATE
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JUL 29 2021

4. To further ensure that no governmental entity can mandate masks, the following requirements shall continue to apply:
- a. No governmental entity, including a county, city, school district, and public health authority, and no governmental official may require any person to wear a face covering or to mandate that another person wear a face covering; provided, however, that:
 - i. state supported living centers, government-owned hospitals, and government-operated hospitals may continue to use appropriate policies regarding the wearing of face coverings; and
 - ii. the Texas Department of Criminal Justice, the Texas Juvenile Justice Department, and any county and municipal jails acting consistent with guidance by the Texas Commission on Jail Standards may continue to use appropriate policies regarding the wearing of face coverings.
 - b. This paragraph number 4 shall supersede any face-covering requirement imposed by any local governmental entity or official, except as explicitly provided in subparagraph number 4.a. To the extent necessary to ensure that local governmental entities or officials do not impose any such face-covering requirements, I hereby suspend the following:
 - i. Sections 418.1015(b) and 418.108 of the Texas Government Code;
 - ii. Chapter 81, Subchapter E of the Texas Health and Safety Code;
 - iii. Chapters 121, 122, and 341 of the Texas Health and Safety Code;
 - iv. Chapter 54 of the Texas Local Government Code; and
 - v. Any other statute invoked by any local governmental entity or official in support of a face-covering requirement.

Pursuant to the legislature's command in Section 418.173 of the Texas Government Code and the State's emergency management plan, the imposition of any such face-covering requirement by a local governmental entity or official constitutes a "failure to comply with" this executive order that is subject to a fine up to \$1,000.

- c. Even though face coverings cannot be mandated by any governmental entity, that does not prevent individuals from wearing one if they choose.
5. To further ensure uniformity statewide:
- a. This executive order shall supersede any conflicting order issued by local officials in response to the COVID-19 disaster, but only to the extent that such a local order restricts services allowed by this executive order or allows gatherings restricted by this executive order. Pursuant to Section 418.016(a) of the Texas Government Code, I hereby suspend Sections 418.1015(b) and 418.108 of the Texas Government Code, Chapter 81, Subchapter E of the Texas Health and Safety Code, and any other relevant statutes, to the extent necessary to ensure that local officials do not impose restrictions in response to the

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COVID-19 disaster that are inconsistent with this executive order, provided that local officials may enforce this executive order as well as local restrictions that are consistent with this executive order.

- b. Confinement in jail is not an available penalty for violating this executive order. To the extent any order issued by local officials in response to the COVID-19 disaster would allow confinement in jail as an available penalty for violating a COVID-19-related order, that order allowing confinement in jail is superseded, and I hereby suspend all relevant laws to the extent necessary to ensure that local officials do not confine people in jail for violating any executive order or local order issued in response to the COVID-19 disaster.

This executive order supersedes all pre-existing COVID-19-related executive orders and rescinds them in their entirety, except that it does not supersede or rescind Executive Orders GA-13 or GA-37. This executive order shall remain in effect and in full force unless it is modified, amended, rescinded, or superseded by the governor. This executive order may also be amended by proclamation of the governor.



Given under my hand this the 29th
day of July, 2021.

A handwritten signature in black ink that reads "Greg Abbott".

GREG ABBOTT
Governor

ATTESTED BY:

A handwritten signature in black ink that reads "Joe A. Esparza".
JOE A. ESPARZA
Deputy Secretary of State

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SECRETARY OF STATE
3:15 PM O'CLOCK

JUL 29 2021

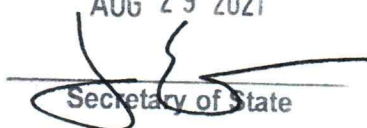


GOVERNOR GREG ABBOTT

August 29, 2021

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
3:30 PM O'CLOCK

AUG 29 2021


Secretary of State

Mr. Joe A. Esparza
Deputy Secretary of State
State Capitol Room 1E.8
Austin, Texas 78701

Dear Mr. Deputy Secretary:

Pursuant to his powers as Governor of the State of Texas, Greg Abbott has issued the following:

A proclamation renewing the declaration stating the novel coronavirus (COVID-19) poses an imminent threat of disaster for all counties in Texas.

The original proclamation is attached to this letter of transmittal.

Respectfully submitted,


Gregory S. Davidson
Executive Clerk to the Governor

GSD/gsd

Attachment

PROCLAMATION

BY THE

Governor of the State of Texas

TO ALL TO WHOM THESE PRESENTS SHALL COME:

WHEREAS, I, Greg Abbott, Governor of Texas, issued a disaster proclamation on March 13, 2020, certifying under Section 418.014 of the Texas Government Code that the novel coronavirus (COVID-19) poses an imminent threat of disaster for all counties in the State of Texas; and

WHEREAS, in each subsequent month effective through today, I have issued proclamations renewing the disaster declaration for all Texas counties; and

WHEREAS, I have issued executive orders and suspensions of Texas laws in response to COVID-19, aimed at protecting the health and safety of Texans and ensuring an effective response to this disaster; and

WHEREAS, a state of disaster continues to exist in all counties due to COVID-19;

NOW, THEREFORE, in accordance with the authority vested in me by Section 418.014 of the Texas Government Code, I do hereby renew the disaster proclamation for all counties in Texas.

Pursuant to Section 418.017, I authorize the use of all available resources of state government and of political subdivisions that are reasonably necessary to cope with this disaster.

Pursuant to Section 418.016, any regulatory statute prescribing the procedures for conduct of state business or any order or rule of a state agency that would in any way prevent, hinder, or delay necessary action in coping with this disaster shall be suspended upon written approval of the Office of the Governor. However, to the extent that the enforcement of any state statute or administrative rule regarding contracting or procurement would impede any state agency's emergency response that is necessary to cope with this declared disaster, I hereby suspend such statutes and rules for the duration of this declared disaster for that limited purpose.

In accordance with the statutory requirements, copies of this proclamation shall be filed with the applicable authorities.



IN TESTIMONY WHEREOF, I have hereunto signed my name and have officially caused the Seal of State to be affixed at my office in the City of Austin, Texas, this the 29th day of August, 2021.

A handwritten signature in black ink, reading "Greg Abbott", is written over a horizontal line.

GREG ABBOTT
Governor

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
3:30pm O'CLOCK

AUG 29 2021

Governor Greg Abbott
August 29, 2021

Proclamation
Page 2

ATTESTED BY:



JOE ESPARZA
Deputy Secretary of State

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SECRETARY OF STATE
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AUG 29 2021



GOVERNOR GREG ABBOTT

October 11, 2021

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SECRETARY OF STATE
4:30 PM 'CLOCK

OCT 11 2021

Secretary of State

Mr. Joe A. Esparza
Deputy Secretary of State
State Capitol Room 1E.8
Austin, Texas 78701

Dear Deputy Secretary Esparza:

Pursuant to his powers as Governor of the State of Texas, Greg Abbott has issued the following:

Executive Order No. GA-40 relating to prohibiting vaccine mandates, subject to legislative action.

The original executive order is attached to this letter of transmittal.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "G. Davidson", with a long horizontal flourish extending to the right.

Gregory S. Davidson
Executive Clerk to the Governor

GSD/gsd

Attachment

Executive Order

BY THE
GOVERNOR OF THE STATE OF TEXAS

Executive Department
Austin, Texas
October 11, 2021

EXECUTIVE ORDER GA 40

*Relating to prohibiting vaccine mandates,
subject to legislative action.*

WHEREAS, I, Greg Abbott, Governor of Texas, issued a disaster proclamation on March 13, 2020, certifying under Section 418.014 of the Texas Government Code that the novel coronavirus (COVID-19) poses an imminent threat of disaster for all Texas counties; and

WHEREAS, in each subsequent month effective through today, I have renewed the COVID-19 disaster declaration for all Texas counties; and

WHEREAS, I have issued a series of executive orders aimed at protecting the health and safety of Texans, ensuring uniformity throughout Texas, and achieving the least restrictive means of combatting the evolving threat to public health; and

WHEREAS, COVID-19 vaccines are strongly encouraged for those eligible to receive one, but must always be voluntary for Texans; and

WHEREAS, I issued Executive Orders GA-35, GA-38, and GA-39 to prohibit governmental entities and certain others from imposing COVID-19 vaccine mandates or requiring vaccine passports; and

WHEREAS, in yet another instance of federal overreach, the Biden Administration is now bullying many private entities into imposing COVID-19 vaccine mandates, causing workforce disruptions that threaten Texas's continued recovery from the COVID-19 disaster; and

WHEREAS, countless Texans fear losing their livelihoods because they object to receiving a COVID-19 vaccination for reasons of personal conscience, based on a religious belief, or for medical reasons, including prior recovery from COVID-19; and

WHEREAS, through Chapter 161 of the Texas Health and Safety Code, as well as other laws including Chapters 38 and 51 of the Texas Education Code, the legislature has established its primary role over immunizations, and all immunization laws and regulations in Texas stem from the laws established by the legislature; and

WHEREAS, the legislature has taken care to provide exemptions that allow people to opt out of being forced to take a vaccine for reasons of conscience or medical reasons; and

WHEREAS, I am adding this issue to the agenda for the Third Called Session of the legislature that is currently convened so that the legislature has the opportunity to consider this issue through legislation; and

WHEREAS, I will rescind this executive order upon the effective date of such legislation;

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SECRETARY OF STATE
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OCT 11 2021

NOW, THEREFORE, I, Greg Abbott, Governor of Texas, by virtue of the power and authority vested in me by the Constitution and laws of the State of Texas, do hereby order the following on a statewide basis effective immediately:

1. No entity in Texas can compel receipt of a COVID-19 vaccine by any individual, including an employee or a consumer, who objects to such vaccination for any reason of personal conscience, based on a religious belief, or for medical reasons, including prior recovery from COVID-19. I hereby suspend all relevant statutes to the extent necessary to enforce this prohibition.
2. The maximum fine allowed under Section 418.173 of the Texas Government Code and the State's emergency management plan shall apply to any "failure to comply with" this executive order. Confinement in jail is not an available penalty for violating this executive order.
3. This executive order shall supersede any conflicting order issued by local officials in response to the COVID-19 disaster. Pursuant to Section 418.016(a) of the Texas Government Code, I hereby suspend Sections 418.1015(b) and 418.108 of the Texas Government Code, Chapter 81, Subchapter E of the Texas Health and Safety Code, and any other relevant statutes, to the extent necessary to ensure that local officials do not impose restrictions in response to the COVID-19 disaster that are inconsistent with this executive order.

This executive order does not supersede Executive Orders GA-13, GA-37, GA-38, or GA-39. This executive order shall remain in effect and in full force unless it is modified, amended, rescinded, or superseded by the governor. This executive order may also be amended by proclamation of the governor.

Given under my hand this the 11th
day of October, 2021.



GREG ABBOTT
Governor

ATTESTED BY:


JOE A. ESPARZA
Deputy Secretary of State

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SECRETARY OF STATE
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OCT 11 2021

City of Lockhart, Texas

Council Agenda Item Cover Sheet

COUNCIL MEETING DATE: January 4, 2022

AGENDA ITEM CAPTION: Discussion regarding the procedures for Board and Commission appointments.

ORIGINATING DEPARTMENT AND CONTACT: Council - Mayor Lew White, Steven Lewis

ACTION REQUESTED: Other

BACKGROUND/SUMMARY/DISCUSSION:

Background

City government depends on residents who volunteer their time and expertise to participate in public service as members of boards and commissions. Citizen involvement is important to setting the direction for Lockhart's future. The City currently has 12 different Boards/Commissions to serve on.

Applications are accepted year-round and considered for vacancies that arise during the year.

Current Rules for Appointment and Method of Selection:
(See City Code Sections 2-209 and 2-210)

1. The process for selecting board/commission members is open to all Lockhart citizens. Interested citizens must apply for appointment and submit a completed application to the City Secretary.
2. No member of an appointed body shall serve on more than one quasi-judicial or advisory board/commission.
3. The Mayor and City Councilmembers nominate individuals to serve on board/commissions. Each nomination must be confirmed by a simple majority of the entire Council.
4. Generally there are seven members appointed to each board/commission corresponding with the seven members or places of the City Council. Exceptions are the Construction Board, Electric Board, Wayfinding Committee, and the HOT Advisory Board which consists of five members.
5. Terms of service shall be the same 3-year term as the Councilmember who nominated a person to serve. Exceptions are Board of Adjustment, LEDC and HOT Advisory Board members, which serve a 2-year term.

Discussion

Mayor White requested this agenda item to be scheduled for discussion only.

City of Lockhart, Texas

Council Agenda Item Cover Sheet

In order to standardize, clarify, and amend the existing practice relative to persons interested in applying for membership on a board/commission, the following considerations are provided for discussion:

1. Forms. The City Secretary shall prepare and maintain appropriate application forms to have available for persons interested in applying for membership on Board/Commissions.
2. Initial Appointment. All persons requesting appointment must complete the city application form (attached)
3. Nominee Qualifications. The City Secretary will verify that the nominee meets the applicable qualifications (residency, occupation, certifications, etc., as outlined in the attached document which reflects member qualifications for several board/commission appointments) in advance of scheduled appointments.
4. Filing Deadline. Mayor/Councilmember nominations must be submitted to the City Secretary at least 7 days prior to the scheduled City Council meeting at which the nomination will be considered.
5. Review/Action. All nominations or appointments to a Board/Commission will be placed on the City Council public agenda with the applicants' name, application (with personal information redacted), respective board/commission and term of the appointment.

PROJECT SCHEDULE (if applicable): N/A

AMOUNT & SOURCE OF FUNDING:

Funds Required: N/A

Account Number: N/A

Funds Available: N/A

Account Name: N/A

FISCAL NOTE (if applicable): N/A

PREVIOUS COUNCIL ACTION: N/A

COMMITTEE/BOARD/COMMISSION ACTION: N/A

STAFF RECOMMENDATION/REQUESTED MOTION: None. Discretion of the Council

LIST OF SUPPORTING DOCUMENTS: Board application, City of Lockhart Code, Secs 2-209 and 2-210, Board qualifications

CITY OF LOCKHART

ADVISORY BOARD/COMMISSION QUESTIONNAIRE/APPLICATION

NAME: _____ E-mail: _____

ADDRESS: _____ HOME#: _____

_____ WORK#: _____

OCCUPATION: _____ CELL# _____

EDUCATION (optional): _____

How long have you been a resident of Lockhart? _____

Are you a qualified voter of the City? Yes ___ No ___ VOTER REG. #: _____

PROFESSIONAL AND/OR COMMUNITY ACTIVITIES: _____

ADDITIONAL PERTINENT INFORMATION/REFERENCES: _____

I AM INTERESTED IN SERVING ON THE FOLLOWING BOARDS, COMMISSIONS, OR COMMITTEES:

(Please limit your selection to no more than three. List in order of preference: 1,2,3)

_____ Airport Advisory Board	_____ Electric Board
_____ Board of Adjustments & Appeals	_____ Historic Preservation Commission
_____ Construction Board of Appeals	_____ Library Board Advisory Bd.
_____ Economic Development Revolving Loan	_____ Parks and Recreation Advisory Bd.
_____ Economic Development Corp (1/2 Cent Sales Tax)	_____ Planning & Zoning Commission

Do you serve on any other board/commission/committee at this time? If so, please list:

Do you have any relative working for the City of Lockhart? Yes ___ No ___

Do you receive any direct compensation or gain from the City of Lockhart? Yes ___ No ___

Do you receive any direct compensation or gain from any other governmental body?

Yes ___ No ___ If yes, what type? _____

(Signature of Applicant)

(Date)

Return application to:
City of Lockhart
City Secretary's Office
PO Box 239
Lockhart, TX 78644

cconstancio@lockhart-tx.org

If you have any questions, please contact the City Secretary's Office at 512/398-3461.

Sec. 2-209. Rules for appointment.

The city council hereby sets the following rules:

- (1) Except as may be established by existing city ordinances/resolutions the process for selecting members shall be open to all Lockhart citizens, who must apply for appointment, to include those applying for reappointment. Reappointment shall not be deemed automatic.
- (2) Council shall seek to appoint the most qualified or best persons available, while also respecting the need for diverse community opinions.
- (3) No member of any appointed body shall serve on more than one quasi-judicial or advisory board or commission.
- (4) No appointed body shall deviate from its charge, deliberate items not on its agendas, or speak for the council or City of Lockhart without council authorization.
- (5) Subject to other qualifications as specifically required for membership on the below boards and commissions, the city council shall have the right (but not the duty) to appoint up to two members who are not Lockhart citizens but who are residents of Caldwell County to the Lockhart Airport Advisory Board, the Eugene Clark Library Board, and the construction board of appeals.

(Ord. No. 97-09, § 4, 5-20-97; Ord. No. 02-41, § 1, 11-5-02; Ord. No. 2012-17, § 1, 9-4-12)

Sec. 2-210. Method of selection; number of members; terms.

- (a) The mayor and city councilmembers shall nominate individuals to serve on boards and commissions. Each nomination shall then be confirmed by a simple majority of the entire city council.
- (b) Except as provided herein, there shall be seven members appointed to each board or commission corresponding with the seven members or places of the city council. Each city councilmember, except as provided herein, shall nominate a qualified person to serve in a place on an appointed body corresponding to their place on the council. At-large councilmembers shall be designated as places 5 and 6, and the mayor's position as place 7, for the purpose of this section. Nominations shall be made to fill vacant positions and/or positions whose terms have expired within 90 days of the event, such as a resignation or an election. Should any city councilmember fail to name an appointee to one of his/her corresponding places on any body within the above-described 90 days, another councilmember shall then have the privilege to nominate a person to fill that same position, as described in subsection (a). However, once that position becomes vacant again for any reason, the appointment shall revert to the place corresponding with the original city council seat/place number for nominations.
- (c) Beginning with the election in May, 1998, the council shall nominate and confirm four members to serve in places 1, 2, 5, 6 on each board and commission in accordance with subsections (a) and (b) above, and with the standards set in Ordinance Number 97-09, Governance Policies. With the election of May, 1999, the remaining three places shall be filled following the same procedure as above.
- (d) Terms of service on appointed bodies shall be the same three-year terms as the councilmember who nominates a person to serve. However, a person may be appointed to complete the unexpired term of a vacant position, due to a resignation, for example.
- (e) When a person has completed a term, or terms, of service and will be vacating a place, that person may continue to serve until a replacement is nominated and confirmed by the city council.
- (f) At the discretion of the majority of the city council, one Caldwell County resident who is also an owner of real property within any local historic district may be appointed as a full member to the historical preservation commission.

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- (g) Exceptions to the above regulations shall be all volunteer/special purpose/ad hoc committees appointed from time to time by the city council and the zoning board of adjustments, whose members shall serve two-year terms in accordance with V.T.C.A., Local Government Code § 211.008. All other provisions of this section, and Ordinance No. 97-09 which do not conflict with the chapters establishing these bodies shall be applicable.

(Ord. No. 97-10, §§ 1, 2, 6-3-97; Ord. No. 97-12, § I(G), 7-15-97; Ord. No. 98-18, § I, 8-4-98; Ord. No. 98-32, § I, 11-17-98; Ord. No. 98-36, § 1(a), 12-15-98; Ord. No. 00-23, § 1, 9-5-00)

The following are NOTES regarding appointments to several boards that have certain criteria that should be met, such as qualifications or number to serve on the board. Boards that are not listed below have a seven member board and are open to any citizen without qualifications.	
NOTES: AIRPORT ADVISORY BOARD	Sec. 4-26. Membership; appointments. The Lockhart Airport Advisory Board shall be composed of seven members to be appointed in accordance with section 2-210. At least five members must currently be or have been flight rated, and two members may be appointed as at-large members. Members shall serve three-year terms, such terms coinciding with the council position making the appointment. Sec. 4-28. Eligibility for board membership. No person having a financial interest in any commercial carrier by air, or in any concession, right or privilege to conduct any business or render any service for compensation upon the premises of the Lockhart Municipal Airport shall be eligible for membership on the Lockhart Airport Advisory Board. Sec. 4-32. Limitations of authority. The Lockhart Municipal Airport Advisory Board shall not have authority to incur or create any debt in connection with airport operations; nor shall the board be empowered to enter into any contract, leases, or other legal obligations binding upon the City of Lockhart; nor shall the board have authority to hire airport personnel or direct airport personnel in the execution of their duties.
NOTES: CONSTRUCT ION BOARD APPOINTME NTS	<i>Section B101.4, Board Decision,</i> is amended to read as follows: The construction board of adjustments and appeals shall have the power, as further defined in Appendix B, to hear appeals of decisions and interpretations of the building official and consider variances of the technical codes; and to conduct hearings on determinations of the building official regarding unsafe or dangerous buildings, structures and/or service systems, and to issue orders in accordance with the procedures beginning with section 12-442 of this Code [of Ordinances]. <i>Section B101.2, Membership of Board,</i> is amended to read as follows: Each District Council member and the Mayor shall appoint one member to the Construction Board of Appeals making it a five (5) member board and each Councilmember at Large shall appoint an alternate. The term of office of the board members shall be three (3) years, such terms coinciding with the council position making the appointment. The two (2) alternates shall also serve the term coinciding with the council position making the appointments. Vacancies shall be filled for an unexpired term in the manner in which the original appointments are required to be made. Board members shall consist of members who are qualified by experience and/or training to pass on matters pertaining to building construction and are not employees of the City of Lockhart.

NOTES: ELECTRIC BOARD APPOINTMENTS	Sec. 12-132. Members. (a) Appointments to the examining and supervisory board of electricians and appeals shall conform to section 2-210 except that the board shall consist of five persons with one being appointed by each district council member and one by the mayor. Each member shall serve three-year terms with such terms to coincide with the council position making the appointment. (b) Each board member shall reside within the county and such board shall include one member who shall be a building contractor; one layman; two members shall be master electricians who are currently licensed by the city; and one member shall be either a building contractor or master electrician licensed by the city. There shall be two ex-officio members, one who shall be the city electrical inspector, and one shall be the fire marshal. Sec. 12-133. Officers and quorum. The members of the examining and supervising board of electricians and appeals shall select a chairman and secretary. A quorum shall consist of three members.
NOTES: HISTORIC PRESERVATION COMMISSION	Sec. 28-3. Historical preservation commission. (b) The commission shall consist of seven members, appointed by the city council in accordance with section 2-210, who shall whenever possible meet one or more of the following qualities: (1) A registered architect, planner or representative of a design profession, (2) A registered professional engineer in the State of Texas, (3) A member of a nonprofit historical organization of Caldwell County, (4) A local licensed real estate broker or member of the financial community, (5) An owner of an historic landmark residential building, (6) An owner or tenant of a business property that is an historic landmark or in an historic district, (7) A member of the Caldwell County Historical Commission.
NOTES: PARKS ADVISORY BOARD	Sec. 40-133. Members. (a) The board shall consist of seven members appointed in accordance with section 2-210 to serve three years terms, such terms to coincide with the council position making the appointment and two alternates shall also be appointed by the mayor and mayor pro-tem, one each. The two alternates shall also serve the term coinciding with the council position making the appointments. Vacancies shall be filled for an unexpired term in the manner in which the original appointments are required to be made. (Ordinance 06-08, adopted February 7, 2006)

NOTES: Lockhart Economic Dev Corp	LEDC Bylaws – Article II. Board of Directors Section 1. Powers, Number and Term of Office a. The property and affairs of the Corporation shall be managed and controlled by a Board of Directors (The “Board”) under the guidance and direction of the Lockhart City Council and, subject to the restrictions imposed by law, by the Articles of Incorporation, and by these Bylaws the Board shall exercise all of the powers of the Corporation. b. The Board shall consist of seven directors, each of whom shall be appointed by the City Council of the City. Each director shall occupy a place (individually the “Place” and collectively, the “Places”) as designated herein. Places 1-4 are designated for Councilmember Directors from Councilmember Districts 1 through 4 respectively. In the event that a particular Councilmember from said District is unable or unwilling to serve in the capacity as a Director, that Councilmember shall have the right to nominate a non-councilmember for approval and appointment. Places 5-7 are designated for Citizen Member Directors. c. The directors constituting the first Board shall be those directors named in the Articles of Incorporation. Successor directors shall have the qualifications, shall be of the classes of directors, and shall be appointed to the terms set forth in the Articles of Incorporation. d. Any director may be removed from office by the City Council at will.
NOTES: ORDINANCE RE: ALL BOARD, COMMISSIO N APPOINTME NTS	Sec. 2-209. - Rules for appointment. The city council hereby sets the following rules: (1) Except as may be established by existing city ordinances/resolutions the process for selecting members shall be open to all Lockhart citizens, who must apply for appointment, to include those applying for reappointment. Reappointment shall not be deemed automatic. (2) Council shall seek to appoint the most qualified or best persons available, while also respecting the need for diverse community opinions. (3) No member of any appointed body shall serve on more than one quasi-judicial or advisory board or commission. (4) No appointed body shall deviate from its charge, deliberate items not on its agendas, or speak for the council or City of Lockhart without council authorization. (5) Subject to other qualifications as specifically required for membership on the below boards and commissions, the city council shall have the right (but not the duty) to appoint up to two members who are not Lockhart citizens but who are residents of Caldwell County to the Lockhart Airport Advisory Board, the Eugene Clark Library Board, and the Construction Board of Appeals. Section 2-210. Method of selection; number of members; terms. (a) The mayor and city councilmembers shall nominate individuals to serve on boards and commissions. Each nomination shall then be confirmed by a simple majority of the entire city council. (b) Except as provided herein, there shall be seven members appointed to each board or commission corresponding with the seven members or places of the city council. Each city councilmember, except as provided herein, shall nominate a

qualified person to serve in a place on an appointed body corresponding to their place on the council. At-large councilmembers shall be designated as places 5 and 6, and the mayor's position as place 7, for the purpose of this section. Nominations shall be made to fill vacant positions and/or positions whose terms have expired within 90 days of the event, such as a resignation or an election. Should any city councilmember fail to name an appointee to one of his/her corresponding places on any body within the above described 90 days, another councilmember shall then have the privilege to nominate a person to fill that same position, as described in subsection (a). However, once that position becomes vacant again for any reason, the appointment shall revert to the place corresponding with the original city council seat/place number for nominations.

- (c) Beginning with the election in May, 1998, the council shall nominate and confirm four members to serve in places 1, 2, 5, 6 on each board and commission in accordance with subsections (a) and (b) above, and with the standards set in Ordinance Number 97-09, Governance Policies. With the election of May, 1999, the remaining three places shall be filled following the same procedure as above.
- (d) Terms of service on appointed bodies shall be the same three-year terms as the councilmember who nominates a person to serve. However, a person may be appointed to complete the unexpired term of a vacant position, due to a resignation, for example.
- (e) When a person has completed a term, or terms, of service and will be vacating a place, that person may continue to serve until a replacement is nominated and confirmed by the city council.
- (f) **At the discretion of the majority of the city council, one Caldwell County resident who is also an owner of real property within any local historic district may be appointed as a full member to the historical preservation commission.**
- (g) Exceptions to the above regulations shall be all volunteer/special purpose/ad hoc committees appointed from time to time by the city council and the zoning board of adjustments, whose members shall serve two-year terms in accordance with V.T.C.A., Local Government Code § 211.008. All other provisions of this section, and ordinance number 97-09 which do not conflict with the chapters establishing these bodies shall be applicable.

Sec. 2-212. Removal and resignation of members.

- (a) All board, commission and committee members serve at the pleasure of the city council and may be removed from office with or without cause at the discretion of the city council.
- (b) Board, commission and committee members may resign from office at any time by filing a written resignation, dated and signed by the member, with the City Secretary. Such resignation shall take effect upon receipt by the City Secretary without further action by the city council. If the city council appoints a new member to replace the resigned member, the new member shall be appointed to serve out the remainder of the resigned member's term.

NOTES: WAYFINDING SIGNAGE AND COMMUNITY BRANDING AD-HOC (Est. 01/02/2018)	Committee will assist City Planner/Development Services with wayfinding signage and community branding tasks. Committee will consist of up to five members appointed by the Council. NOTE: First Branding and Wayfinding Committee disbanded/dissolved on December 18, 2018. UPDATE: Second Branding and Wayfinding Committee appointed on March 5, 2019.
NOTES: HOTEL OCCUPANCY TAX ADVISORY BOARD (Est. 12-3- 2019)	Sec. 54-127 MEMBERSHIP AND MEETING FREQUENCY a. The HOT Advisory Board should consist of five (5) members. b. Members shall consist of the following, the appointment of whom shall be confirmed by the City Council i. A lodging facility representative; ii. The City Manager or his/her designee; iii. A former member of the City Council; and iv. Two citizens nominated by Mayor. c. The HOT Advisory Board shall meet at least quarterly for allocation of funds and post-event reviews. d. Three Board members shall constitute a quorum. e. Each Board member shall serve a term of two years. f. Vacancies on the Board shall be filled by appointment by the City Council for the remainder of the existing term. Sec. 54-128 PURPOSE AND RESPONSIBILITY a. The legislative functions of the city council shall in no way be delegated to the HOT Advisory Board. The HOT Advisory Board shall be considered a special purpose advisory committee. b. The purposes and responsibility of the HOT Advisory Board shall be: i. To receive, review, and evaluate applications from organizations requesting HOT funds; ii. To recommend allocation of HOT funds (as authorized by the Texas Tax Code, Chapter 351) to the City Council; iii. To review the actual expenditures of HOT Funds; iv. To offer suggestions for improvements or changes to the use or administration of HOT funds; and v. To submit an annual report to the City Council that identifies approved expenditures by the City for the preceding year, reviews such approved expenditures in the context of compliance with state laws regarding the use of HOT funds, and evaluates the effectiveness of the approved HOT expenditures and the program.

Sec. 54-129 HOT FUND GRANT PROCESS AND POST-EVENT REPORTING

- a. Applications for funding will be considered at each meeting. Completed applications must be received ten (10) days prior to a meeting of the Board at which it will be reviewed.
- b. Applicants will be notified of the award of funds following approval by the City Council of the award, at which time one-half of approved funding will be awarded.
- c. The Board shall produce guidelines for approved applicants regarding a post-event report from each such applicant that demonstrates qualified expenditures
- d. A post-event report from each approved applicant is required in order for the applicant to receive final payment.

Sec. 54-130 HOT FUND GRANT PROCESS GUIDELINES.

In considering the grant of HOT Funds, the Board and City Council shall:

- i. Ensure that each funding requests for HOT revenues is for one or more statutorily defined purpose;
- ii. Establish and implement a policy of properly utilizing 100% of available HOT funds each year;
- iii. Consider whether funding should be based on a formula for pre-determined activities consistent with authorized uses (e.g. advertising, arts, signage, historical restoration/preservation);
- iv. Consider funding approaches that will allow for equitable funding
- v. opportunities for new as well as established events and activities; and
- vi. Consider eligibility criteria beyond the Tax Code requirements (e.g. limiting grants to 25% of the total event budget or disallowing/limiting use of HOT funds for events' programs that occur on a regular (e.g. monthly) basis.

LIST OF BOARD/COMMISSION VACANCIES

Updated: 12/22/2021

Board Name	Reappointments/Vacancies	Council member
Board of Adjustment	One Alternate position	Any Councilmember

APPLICATIONS RECEIVED TO BE ON A BOARD/COMMISSION

APPLICANT	BOARD REQUESTED	DATE RECEIVED	RESIDENCE DISTRICT
Adella Fernandez	1 st - LEDC 2 nd - Planning & Zoning 3 rd – Parks & Recreation	July 21, 2021	District 3
Lue Edward D. Baker	1 st – Historic Preservation Comm. 2 nd – Parks & Recreation 3 rd – Planning & Zoning	August 18, 2021	District 4
Dennis McCown	Historic Preservation Commission	October 21, 2021	District 2
Thomas Hughes	Airport Advisory Board	December 14, 2021	Caldwell County Resident
Daniel Koehler	Airport Advisory Board	December 17, 2021	District 4

The following are NOTES regarding appointments to several boards that have certain criteria that should be met, such as qualifications or number to serve on the board. Boards that are not listed below have a seven member board and are open to any citizen without qualifications.	
NOTES: AIRPORT ADVISORY BOARD	Sec. 4-26. Membership; appointments. The Lockhart Airport Advisory Board shall be composed of seven members to be appointed in accordance with section 2-210. At least five members must currently be or have been flight rated, and two members may be appointed as at-large members. Members shall serve three-year terms, such terms coinciding with the council position making the appointment. Sec. 4-28. Eligibility for board membership. No person having a financial interest in any commercial carrier by air, or in any concession, right or privilege to conduct any business or render any service for compensation upon the premises of the Lockhart Municipal Airport shall be eligible for membership on the Lockhart Airport Advisory Board. Sec. 4-32. Limitations of authority. The Lockhart Municipal Airport Advisory Board shall not have authority to incur or create any debt in connection with airport operations; nor shall the board be empowered to enter into any contract, leases, or other legal obligations binding upon the City of Lockhart; nor shall the board have authority to hire airport personnel or direct airport personnel in the execution of their duties.
NOTES: CONSTRUCTION BOARD APPOINTMENTS	<i>Section B101.4, Board Decision,</i> is amended to read as follows: The construction board of adjustments and appeals shall have the power, as further defined in Appendix B, to hear appeals of decisions and interpretations of the building official and consider variances of the technical codes; and to conduct hearings on determinations of the building official regarding unsafe or dangerous buildings, structures and/or service systems, and to issue orders in accordance with the procedures beginning with section 12-442 of this Code [of Ordinances]. <i>Section B101.2, Membership of Board,</i> is amended to read as follows: Each District Council member and the Mayor shall appoint one member to the Construction Board of Appeals making it a five (5) member board and each Councilmember at Large shall appoint an alternate. The term of office of the board members shall be three (3) years, such terms coinciding with the council position making the appointment. The two (2) alternates shall also serve the term coinciding with the council position making the appointments. Vacancies shall be filled for an unexpired term in the manner in which the original appointments are required to be made. Board members shall consist of members who are qualified by experience and/or training to pass on matters pertaining to building construction and are not employees of the City of Lockhart.
NOTES: ELECTRIC BOARD APPOINTMENTS	Sec. 12-132. Members. (a) Appointments to the examining and supervisory board of electricians and appeals shall conform to section 2-210 except that the board shall consist of five persons with one being appointed by each district council member and one by the mayor. Each member shall serve three-year terms with such terms to coincide with the council position making the appointment. (b) Each board member shall reside within the county and such board shall include one member who shall be a building contractor; one layman; two members shall be master electricians who are currently licensed by the city; and one member shall be either a building contractor or master electrician licensed by the city. There shall be two ex-officio members, one who shall be the city electrical inspector, and one shall be the fire marshal. Sec. 12-133. Officers and quorum. The members of the examining and supervising board of electricians and appeals shall select a chairman and secretary. A quorum shall consist of three members.
NOTES: HISTORIC PRESERVATION COMMISSION	Sec. 28-3. Historical preservation commission. (b) The commission shall consist of seven members, appointed by the city council in accordance with section 2-210, who shall whenever possible meet one or more of the following qualities: (1) A registered architect, planner or representative of a design profession, (2) A registered professional engineer in the State of Texas, (3) A member of a nonprofit historical organization of Caldwell County, (4) A local licensed real estate broker or member of the financial community, (5) An owner of an historic landmark residential building, (6) An owner or tenant of a business property that is an historic landmark or in an historic district, (7) A member of the Caldwell County Historical Commission.
NOTES: PARKS ADVISORY BOARD	Sec. 40-133. Members. (a) The board shall consist of seven members appointed in accordance with section 2-210 to serve three years terms, such terms to coincide with the council position making the appointment and two alternates shall also be appointed by the mayor and mayor pro-tem, one each. The two alternates shall also serve the term coinciding with the council position making the appointments. Vacancies shall be filled for an unexpired term in the manner in which the original appointments are required to be made. (Ordinance 06-08, adopted February 7, 2006)

NOTES: Lockhart Economic Dev Corp	LEDC Bylaws – Article II. Board of Directors Section 1. Powers, Number and Term of Office - The property and affairs of the Corporation shall be managed and controlled by a Board of Directors (The “Board”) under the guidance and direction of the Lockhart City Council and, subject to the restrictions imposed by law, by the Articles of Incorporation, and by these Bylaws the Board shall exercise all of the powers of the Corporation. - The Board shall consist of seven directors, each of whom shall be appointed by the City Council of the City. Each director shall occupy a place (individually the “Place” and collectively, the “Places”) as designated herein. Places 1-4 are designated for Councilmember Directors from Councilmember Districts 1 through 4 respectively. In the event that a particular Councilmember from said District is unable or unwilling to serve in the capacity as a Director, that Councilmember shall have the right to nominate a non-councilmember for approval and appointment. Places 5-7 are designated for Citizen Member Directors. - The directors constituting the first Board shall be those directors named in the Articles of Incorporation. Successor directors shall have the qualifications, shall be of the classes of directors, and shall be appointed to the terms set forth in the Articles of Incorporation. - Any director may be removed from office by the City Council at will.
NOTES: ORDINANCE RE: ALL BOARD, COMMISSION APPOINTMENTS	Sec. 2-209. - Rules for appointment. The city council hereby sets the following rules: - Except as may be established by existing city ordinances/resolutions the process for selecting members shall be open to all Lockhart citizens, who must apply for appointment, to include those applying for reappointment. Reappointment shall not be deemed automatic. - Council shall seek to appoint the most qualified or best persons available, while also respecting the need for diverse community opinions. - No member of any appointed body shall serve on more than one quasi-judicial or advisory board or commission. - No appointed body shall deviate from its charge, deliberate items not on its agendas, or speak for the council or City of Lockhart without council authorization. - Subject to other qualifications as specifically required for membership on the below boards and commissions, the city council shall have the right (but not the duty) to appoint up to two members who are not Lockhart citizens but who are residents of Caldwell County to the Lockhart Airport Advisory Board, the Eugene Clark Library Board, and the construction board of appeals. Section 2-210. Method of selection; number of members; terms. - The mayor and city councilmembers shall nominate individuals to serve on boards and commissions. Each nomination shall then be confirmed by a simple majority of the entire city council. - Except as provided herein, there shall be seven members appointed to each board or commission corresponding with the seven members or places of the city council. Each city councilmember, except as provided herein, shall nominate a qualified person to serve in a place on an appointed body corresponding to their place on the council. At-large councilmembers shall be designated as places 5 and 6, and the mayor's position as place 7, for the purpose of this section. Nominations shall be made to fill vacant positions and/or positions whose terms have expired within 90 days of the event, such as a resignation or an election. Should any city councilmember fail to name an appointee to one of his/her corresponding places on any body within the above described 90 days, another councilmember shall then have the privilege to nominate a person to fill that same position, as described in subsection (a). However, once that position becomes vacant again for any reason, the appointment shall revert to the place corresponding with the original city council seat/place number for nominations. - Beginning with the election in May, 1998, the council shall nominate and confirm four members to serve in places 1, 2, 5, 6 on each board and commission in accordance with subsections (a) and (b) above, and with the standards set in Ordinance Number 97-09, Governance Policies. With the election of May, 1999, the remaining three places shall be filled following the same procedure as above. - Terms of service on appointed bodies shall be the same three-year terms as the councilmember who nominates a person to serve. However, a person may be appointed to complete the unexpired term of a vacant position, due to a resignation, for example. - When a person has completed a term, or terms, of service and will be vacating a place, that person may continue to serve until a replacement is nominated and confirmed by the city council. - At the discretion of the majority of the city council, one Caldwell County resident who is also an owner of real property within any local historic district may be appointed as a full member to the historical preservation commission. - Exceptions to the above regulations shall be all volunteer/special purpose/ad hoc committees appointed from time to time by the city council and the zoning board of adjustments, whose members shall serve two-year terms in accordance with V.T.C.A., Local Government Code § 211.008. All other provisions of this section, and ordinance number 97-09 which do not conflict with the chapters establishing these bodies shall be applicable. Sec. 2-212. Removal and resignation of members. - All board, commission and committee members serve at the pleasure of the city council and may be removed from office with or without cause at the discretion of the city council. - Board, commission and committee members may resign from office at any time by filing a written resignation, dated and signed by the member, with the City Secretary. Such resignation shall take effect upon receipt by the City Secretary without further action by the city council. If the city council appoints a new member to replace the resigned member, the new member shall be appointed to serve out the remainder of the resigned member's term.

NOTES: PARKS MASTER PLAN STEERING COMMITTEE (Est. 09/05/2017)	Committee to have 8-10 members as follows: • Councilmembers • City staff • Two Parks Advisory Board members • Business owners • Civic Organization members Committee will assist Burditt Consultants to perform tasks outlined in the Parks Master Plan.
NOTES: AD-HOC COMMITTEE – ST. PAUL UNITED CHURCH OF CHRIST PROPERTY (Est. 09/05/2017)	Committee will consist of at least one appointment from Mayor and each Councilmember. The Committee will make recommendations to the Council about the use of the property at 728 S. Main.
NOTES: WAYFINDING SIGNAGE AND COMMUNITY BRANDING AD-HOC (Est. 01/02/2018)	Committee will assist City Planner/Development Services with wayfinding signage and community branding tasks. Committee will consist of up to five members appointed by the Council. NOTE: First Branding and Wayfinding Committee disbanded/dissolved on December 18, 2018. UPDATE: Second Branding and Wayfinding Committee appointed on March 5, 2019.

NOTES:
HOTEL
OCCUPANCY
TAX ADVISORY
BOARD
(Est. 12-3-
2019)

Sec. 54-127 MEMBERSHIP AND MEETING FREQUENCY

- a. The HOT Advisory Board should consist of five (5) members.
- b. Members shall consist of the following, the appointment of whom shall be confirmed by the City Council
 - i. A lodging facility representative;
 - ii. The City Manager or his/her designee;
 - iii. A former member of the City Council; and
 - iv. Two citizens nominated by Mayor.
- c. The HOT Advisory Board shall meet at least quarterly for allocation of funds and post-event reviews.
- d. Three Board members shall constitute a quorum.
- e. Each Board member shall serve a term of two years.
- f. Vacancies on the Board shall be filled by appointment by the City Council for the remainder of the existing term.

Sec. 54-128 PURPOSE AND RESPONSIBILITY

- a. The legislative functions of the city council shall in no way be delegated to the HOT Advisory Board. The HOT Advisory Board shall be considered a special purpose advisory committee.
- b. The purposes and responsibility of the HOT Advisory Board shall be:
 - i. To receive, review, and evaluate applications from organizations requesting HOT funds;
 - ii. To recommend allocation of HOT funds (as authorized by the Texas Tax Code, Chapter 351) to the City Council;
 - iii. To review the actual expenditures of HOT Funds;
 - iv. To offer suggestions for improvements or changes to the use or administration of HOT funds; and
 - v. To submit an annual report to the City Council that identifies approved expenditures by the City for the preceding year, reviews such approved expenditures in the context of compliance with state laws regarding the use of HOT funds, and evaluates the effectiveness of the approved HOT expenditures and the program.

Sec. 54-129 HOT FUND GRANT PROCESS AND POST-EVENT REPORTING

- a. Applications for funding will be considered at each meeting. Completed applications must be received ten (10) days prior to a meeting of the Board at which it will be reviewed.
- b. Applicants will be notified of the award of funds following approval by the City Council of the award, at which time one-half of approved funding will be awarded.
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- d. A post-event report from each approved applicant is required in order for the applicant to receive final payment.

Sec. 54-130 HOT FUND GRANT PROCESS GUIDELINES.

In considering the grant of HOT Funds, the Board and City Council shall:

- i. Ensure that each funding requests for HOT revenues is for one or more statutorily defined purpose;
- ii. Establish and implement a policy of properly utilizing 100% of available HOT funds each year;
- iii. Consider whether funding should be based on a formula for pre-determined activities consistent with authorized uses (e.g. advertising, arts, signage, historical restoration/preservation);
- iv. Consider funding approaches that will allow for equitable funding
- v. opportunities for new as well as established events and activities; and
- vi. Consider eligibility criteria beyond the Tax Code requirements (e.g. limiting grants to 25% of the total event budget or disallowing/limiting use of HOT funds for events' programs that occur on a regular (e.g. monthly) basis.

COUNCILMEMBER BOARD/COMMISSION APPOINTMENTS

PAGE 5

Updated: 12/22/2021

Councilmember	Board/Commission	Appointee	Date Appointed
Mayor – Lew White	Airport Board	John Hinnekamp	01/19/21
	Board of Adjustment	Mike Annas	01/19/21
	Construction Board	Raymond DeLeon	01/19/21
	Ec Dev. Corp. ½ Cent Sales Tax	Alan Fielder, Vice-Chair	01/19/21
	Electric Board	Joe Colley, Chair	01/19/21
	Historical Preservation	John Lairsen	01/19/21
	Library Board	Stephanie Riggins	01/19/21
	Parks and Recreation	Karla Tate	02/02/21
	Planning & Zoning	Ron Peterson	01/19/21
	ETJ Rep-Impact Fee Adv Comm	Larry Metzler	01/19/21
District 1 – Juan Mendoza	Airport Board	Larry Burrier	03/07/17
	Board of Adjustment	Lori Rangel	03/07/17
	Construction Board	Mike Votee	12/17/19
	Eco Dev. Corp, ½ Cent Sales Tax	Juan Alvarez, Jr.	12/21/21
	Electric Board	Frank Gomillion	12/17/19
	Historical Preservation	Christine Ohlendorf	06/02/20
	Library Board	Shirley Williams	12/17/19
	Parks and Recreation	Linda Thompson-Bennett	03/07/17
	Planning & Zoning	Chris St. Leger	12/17/19 CM McGregor on behalf of Councilman Mendoza
District 2– David Bryant	Airport Board	Todd Blomerth	05/05/20
	Board of Adjustment	Shawn Martinez	03/17/21
	Construction Board	Oscar Torres	10/20/20
	Eco Dev. Corp. ½ Cent Sales Tax	David Bryant	09/21/21
	Electric Board	James Briceno	10/20/20
	Historical Preservation	Ron Faulstich	10/20/20
	Library Board	Quartermetra Hughes	10/20/20
	Parks and Recreation	Lonnie Jones	04/06/21
	Planning & Zoning	Manuel Oliva	10/20/20
District 3 – Kara McGregor	Airport Board	Ray Chandler	02/06/18

COUNCILMEMBER BOARD/COMMISSION APPOINTMENTS

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Updated: 12/22/2021

	Board of Adjustment Construction Board Eco Dev. Corp. ½ Cent Sales Tax Electric Board Historical Preservation Library Board Parks and Recreation Planning & Zoning	Anne Clark, Vice-Chair Kirk Smith (Alternate) Jerry West, Vice-Chair Sally Daniel John Voigt Ronda Reagan Jean Clark Fox, Chair Warren Burnett Philip McBride, Chair	02/23/21 12/05/17 01/19/21 01/05/21 01/19/21 01/19/21 01/19/21 01/19/21 01/19/21
District 4 - Jeffry Michelson	Airport Board Board of Adjustment Construction Board Eco Dev. Corp. ½ Cent Sales Tax Electric Board Historical Preservation Library Board Parks and Recreation Planning & Zoning	Mark Brown, Vice-Chair Wayne Reeder Rick Winnett Doug Foster Ian Stowe Michel Royal Donaly Brice Russell Wheeler Rick Arnic	03/07/17 12/15/20 12/05/17 11/17/20 12/15/20 07/07/20 12/15/20 12/15/20 12/15/20
Mayor Pro-Tem (At-Large) – Angie Gonzales-Sanchez	Airport Board Board of Adjustment Construction Board Eco Dev. Corp. ½ Cent Sales Tax Historical Preservation Library Board Parks and Recreation Planning & Zoning	Andrew Reyes Laura Cline, Chair Paul Martinez Alfredo Munoz Ray Ramsey Jodi King Lee Parra Philip Ruiz, Vice-Chair	01/07/20 01/07/20 01/07/20 01/07/20 07/07/20 01/07/20 08/17/21 01/07/20

COUNCILMEMBER BOARD/COMMISSION APPOINTMENTS

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Updated: 12/22/2021

At-Large - Brad Westmoreland	Airport Board Board of Adjustment Construction Board (Alternate) Eco Dev. Corp. ½ Cent Sales Tax Historical Preservation Library Board Parks and Recreation Planning & Zoning	Jayson “Tex” Cordova Severo Castillo Gary Shafer Frank Estrada Richard Thomson Rebecca Lockhart Dennis Placke Brad Lingvai	02/04/20 02/04/20 02/04/20 02/04/20 02/04/20 02/04/20 02/04/20 02/04/20
	Charter Review Commission (Five member commission) Term – 24 months after appointment	Ray Sanders Bill Hernandez Roland Velvin Elizabeth Raxter Alan Fielder	03/01/16 – Michelson 03/01/16 – Michelson 03/01/16 – Michelson 03/01/16 – Hilburn 03/15/16 – Hilburn
	Sign Review Committee (no longer meeting)	Gabe Medina Neto Madrigal Terry Black Kenneth Sneed Johnny Barron, Jr. Tim Clark	03/17/15 - Mayor Pro-Tem Sanchez 04/21/15 – Councilmember Mendoza 12/19/17– Councilmember McGregor 03/17/15 – Mayor White 03/17/15 – Councilmember Castillo 03/17/15– Councilmember Michelson
	Parks Master Plan Steering Committee (8-10 members)	Albert Villalapando Dennis Placke Nita McBride Rebecca Pulliam Bernie Rangel Derrick David Bryant Beverly Anderson Carl Ohlendorf Beverly Hill	09/05/17 – Parks Bd appointee 09/05/17 – Parks Bd appointee 12/05/17– McGregor 09/19/17– Michelson 09/19/17 – Castillo 09/19/17 - Sanchez 09/19/17 - Mendoza 09/19/17 – Westmoreland 09/19/17 – Mayor White

COUNCILMEMBER BOARD/COMMISSION APPOINTMENTS

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Updated: 12/22/2021

	Church Property Ad-hoc Committee (7 members)	Amelia Smith Jackie Westmoreland Todd Blomerth Andy Govea Terry Black Jane Brown Raymond DeLeon Dyral Thomas	09/05/17 – Westmoreland 09/05/17 – Westmoreland 09/05/17 – Mayor White 09/1917 – Sanchez 12/19/17 – McGregor 09/19/17 – Michelson 09/20/17 – Castillo 09/22/17 – Mendoza
	Wayfinding Signage and Community Branding Ad-Hoc Committee (5 members) THIS COMMITTEE WAS - RE-ESTABLISHED ON MARCH 5, 2019	Roy Watson Ronda Reagan Sally Daniel Rob Ortiz Bobby Herzog	03/05/19 03/05/19 03/05/19 03/05/19 03/05/19 Appointed by Mayor with consensus of Council
	HOT Advisory Bd	Ray Sanders Alfredo Munoz Archana “Archie” Gandhi Roxanne Rix Steve Lewis and Pam Larison Sally Daniel (Alternate) Janet Grigar (Alternate)	All members appointed by consensus of the Council on 12/03/2019



City of Lockhart

2020-2021 Strategic Priorities

Prepared by:



City of Lockhart

Summary

On January 17 & 18, 2020 the City of Lockhart hosted two half-day planning sessions to develop goals and strategies for the next 2 years. Some of these goal areas were internal, whereas others were external. The following is the process used to reach the conclusions for the plan.

The process began with a preliminary phone meeting between the facilitator and Steve Lewis, City Manager, to go over key issues facing the City, understand the programs and projects underway through the community, and to prepare the agenda and format for the planning retreat.

The first portion of the strategic planning process began on Friday, January 17, 2020 with the City Manager and the City of Lockhart Management Team. The facilitator began by asking the Management Team participants what their expectations for discussion for the day were. She then conducted a group brainstorm exercise called Start/Stop/Continue that lists the things that need to begin happening, stop happening, and are mission-critical and must continue regardless of circumstances.

The facilitator then guided the Management Team through 2020-2021 goal and strategy development to recommend to the City Council the following day.

On Saturday, January 18, 2020, the City Council and City Manager convened to review, revise, and establish priorities related to the recommendations generated the day before by the Management Team. Prior to the review, the facilitator asked the City Council to list their expectations for discussion for the day.

The following are the results.

Management Team Expectations for the Day's Discussion Topics

- Holistic view of the City
- Understanding other departments better
- Council to continue to be open to new ideas
- As the city grows, facilities and staff must keep up
- Next comprehensive master plan
- Establish an IT 3-5-year plan to keep current
- Replace phone systems and phone equipment
- Discuss records storage
- What is there for teens and tweens to do?
- Need administrative assistance
- Public Information Officer – keep information on point, factual, and streamlining voice: sharing voice vs. many voices
- Law enforcement: recruitment and administrative assistance
- Stick to implementing plan
- Fire equipment replacement plan and funding
- Achieve “needs” so we can work on “wants” for the future
- Customer service needs additional staff – same staffing level as 1000 accounts ago
- Technology training needed in Library (provide for public)
- Additional Library storage needed
- Electric services study needed and replace needed items
- Salary and compensation study to begin soon – want council to support and fund the results of the study

City Council Expectations for the Day's Discussion Topics

- Improve work environment for staff
- Accomplish unfinished business from last strategic plan
- 142 & I-130 development
- Low-hanging fruit and larger longer-term goals
- Eliminate the red tape
- Look ahead to see what's next
- Balance citizen needs and staff needs
- Keep on track
- Prepare for quality growth
- Neighborhood beautification
- City Hall facilities
- Discuss hospital/after-hours clinic
- Hear staff recommendations

Start/Stop/Continue

The facilitator guided the Management Team through an exercise that challenged them to brainstorm things that the City really needed to begin doing, what they should stop doing that could be a waste of resources, and what must they continue doing, regardless of circumstances. Below are their responses. Note that there are no right or wrong items; these are merely individuals' opinions about the things that should and shouldn't change in Lockhart. Just because one person has a certain opinion on a topic, that does not imply anyone else shared that opinion.

Start

- Long-term street paving plan (paving/resurfacing)
- Electrical system study
- Formal grantsmanship program
- Records storage facility
- Digitize public works and utility records/maps
- Establish fee schedule for fire plan reviews and inspections
- Review development related fees
- Improve customer service at Police Department and Utilities Department by increasing administrative staff
- Start a Main Street Program
- New City facilities (abolish sewer smell)
- Consider a 4-day/10-hour work week option
- Annual review of facility maintenance, i.e. HVAC systems, etc.
- Make Parks Department into Parks and Recreation Department (start recreation program)
- Review and fund vehicle replacement fund
- Expand/improve airport facilities
- Figuring out how to generate more general fund revenues to pay for items on this “start” list

Stop

- Printing reports – use digital reports when we can
- The waste in Archives
- Excessive paperwork related to personnel (consider paper reduction techniques instead)
- Making new employees wait 6 months to take time off/sick days/etc (other cities do 3 months)
- Excessive engine idling of city vehicles
- Worrying about other departments and focus on making your own team better
- Picking up commercial recycling for free
- Hanging highway banners for free
- Circulating city council department head reports monthly (do quarterly instead)
- Workshop portion of council meetings unless needed (they run too long)
- Referencing the past as “we have always done it that way” (we can be more innovative)

Continue

- Effective communication with customers/website
- Planning for the future
- Maintaining hiring standards
- Improving community amenities finding external funding sources
- Succession planning and cross-training
- Staff meetings
- Learning new ways of doing things
- Employee longevity and retention efforts
- Good customer service
- Acknowledging staff accomplishments
- Great teamwork
- Parks improvements/parks master plan
- Efforts on wayfinding program
- Replacing aged power lines
- Planning and engineering for downtown paving and drainage improvements
- Providing utilities to areas of anticipated future growth and development
- Planning for future industrial parks
- Accreditation for Police and Fire Departments

Recommendations from Staff:

The following items were recommendations from staff to city council. Items that have a checkbox (R) had agreement of city council the following day. The one item with no checkbox was rolled to consideration for 2022.

- ☒ Create and adopt 5-7-year paving/resurfacing plan (roads and sidewalks)
- ☒ Lockhart Police Department to conduct Active Shooter training for all City staff and elected officials and review official safety procedures for council meetings
- ☒ Explore asking the county for grant writer assistance
- ☒ Establish fee schedule for fire plan reviews and inspections
- ☒ Considering increasing existing fees for applications and development fees
- ☒ Develop an Airport Business Plan
- ☒ Research options for additional records storage
- ☒ Transition staff department reports from monthly to quarterly
- ☒ Pursue agenda management process and software
- ☐ Streamline paper processes where possible/evaluate software options
 - Utility billing
 - Applications
 - Council, boards, commissions:
 - Packets
 - Minutes

Goal Development from City Council:

The following items were items identified by council to move forward on for 2020-2021:

- Establish a Hospital with an Emergency Room in town
- Sell church property
- Create resources via Lockhart EDC for proactive outreach to quality builders for additional housing
- Create a Youth Advisory Board to explore options around youth programs/activities
- Adopt a TIF (tax increment financing) policy prior to project being submitted
- Implement downtown drainage improvements
- Develop fiber down 142, 183, and the Central Business District
- Traffic safety improvements: turn lanes and traffic lights
- Consider submitting a multi-year street bond program to voters
- Begin TXDOT safety projects
- Promote a Neighborhood Watch Program
- Promote beautification projects through teamwork
- Clean up trash/enforcement
- Enhance lower income districts/beautification efforts

Progress Reporting

The following icons are used to document progress of the following goals and strategies:

	= Completed
	= On Target or In Progress
	= Not on Target

Goal 1: Economic Development / Planning

Strategies	2019-2020 Progress	2020-2021 Progress
1. Continue to partner with LISD and local youth organizations to encourage careers in local emergency services (Fire and Police)	 Partner with Boy Scouts to develop Police Explorer Program. Fire personnel attend and participate in LISD career days.	
2. Better collaborate with downtown stakeholders and both Chambers of Commerce		
3. Complete updating our development ordinances	 Revised Engineering Standards – presented to Council January 2020. Subdivision Regulations to follow.	

4. Consider development tools to facilitate attraction / recruitment to SH 130 corridor	 IEDC business park development study completed. Future consideration by LEDC.	
5. Bring utilities, assist assembling parcels, rezoning tracts along SH 130/142 and become shovel-ready	 Mostly done. Site development will facilitate the remainder.	
6. Pursue prospects and developers and create a BRE (business retention and expansion) program	 Hiring a second Economic Development practitioner.	
7. Start investing in more property for growth	 IEDC study.	
8. Explore next industrial park	 IEDC study.	
9. HOT (Hotel Occupancy Tax) Funds – board to develop and adopt new process to collect payments from B&Bs	 HOT Advisory Board created. Board training and funding processes under review.	
10. Adopt and implement the Economic Development Strategic Plan (currently underway by Garner Economics) by Q4 2020	 LEDC Board hired Garner Economics January 2020	
11. Robust LEDC website	 Underway with EDsuite contract.	
12. Create resources via Lockhart EDC for proactive outreach to quality builders for additional housing	<i>N/A Brand new/created in 2020</i>	

Strategies	2019-2020 Progress	2020-2021 Progress
13. Adopt a TIF (tax increment financing) policy prior to project being submitted	<i>N/A Brand new/created in 2020</i>	
14. Develop fiber down 142, 183, and the Central Business District	<i>N/A Brand new/created in 2020</i>	

Goal #1 KPIs / Metrics:

- ☒ Did we partner with LISD & other youth organizations to encourage emergency services careers?
- ☐ Did we collaborate with downtown stakeholders and both Chambers of Commerce?
- ☐ Did we completely update our development ordinances?
- ☐ Did we brainstorm development tools for SH-130 development?
- ☐ Did we bring utilities and assemble parcels along SH-130?
- ☐ Did we develop shovel-ready development sites?
- ☐ Did we market those sites to prospective investors?
- ☐ Did we develop plans for our next industrial park?
- ☐ Did we revamp the way HOT funds are structured?
- ☐ Did we develop and implement an Economic Development Strategic Plan?
- ☐ Did the Lockhart EDC revamp their website to better attract investment?
- # of quality home builders the Lockhart EDC proactively reached out to in 2020-2021? _____
- ☐ Did we adopt a new TIF policy?

of miles of new fiber optics laid in Lockhart in 2020-2021? _____

Goal 2: Quality of Life / Quality of Facilities

Strategies	2019-2020 Progress	2020-2021 Progress
1. Invest money to improve the appearance of our town (streets, parks, entry signs)	 Doubled street resurfacing funds in FY 20; Parks Master Plan projects.	
2. Conduct and implement a Space Study of City Buildings and facilities including City Hall	 Budget established for FY 20 Space Study. RFP under development.	
3. Improve the image of City facilities as needed and conduct cosmetic improvements in the meantime	 See No. 2 above.	
4. Update, renovate, and construct City facilities as needed, based on the space study. Realize that remodel of Central Fire Station is likely next.	 Electrical panel upgrade at the Water Treatment Plant; Budget established for FY 20 Space Study; Fire Station No. 2 completed.	
5. Implement the Parks Master Plan, improving the quality of life for the community. What is in Phase 2: splash pad, restroom renovations, dog park, picnic shelter upgrades, and tree planting initiatives	 Multiple Phase I projects underway.	
6. Conduct a citywide quality of life citizen survey and ask council to fund.	 Allocate funds in FY 20-21; assign project to PIO.	
7. Establish a Hospital with an Emergency Room in town	<i>N/A Brand new/created in 2020</i>	
8. Sell church property	<i>N/A Brand new/created in 2020</i>	
9. Create a Youth Advisory Board to explore options around youth programs/activities	<i>N/A Brand new/created in 2020</i>	
10. Implement downtown drainage improvements	<i>N/A Brand new/created in 2020</i>	

Strategies	2019-2020 Progress	2020-2021 Progress
11. Consider submitting a multi-year street bond program to voters	<i>N/A Brand new/created in 2020</i>	
12. Promote beautification projects through teamwork	<i>N/A Brand new/created in 2020</i>	
13. Clean up trash/enforcement citywide	<i>N/A Brand new/created in 2020</i>	
14. Enhance lower income districts with beautification efforts	<i>N/A Brand new/created in 2020</i>	

Goal #2 KPIs / Metrics:

\$ amount invested in streets in 2019? \$ _____

\$ amount invested in parks in 2019? \$ _____

\$ amount invested in gateway entry signs in 2019? \$ _____

\$ amount invested in streets in 2020? \$ _____

\$ amount invested in parks in 2020? \$ _____

\$ amount invested in gateway entry signs in 2020? \$ _____

Which facilities did we improve the image of? _____

☐ Did we implement elements of the Parks Master Plan?

☐ Did we secure quotes on a Space Study of City buildings including City Hall?

of City-owned buildings we renovated or retrofitted? _____

☐ Did we conduct a citywide quality of life citizen survey?

☐ Did we address levels of service based on the citizen responses we received?

☐ Did we address levels of satisfaction based on the citizen responses we received?

☐ Did we address areas for improvement based on the citizen responses we received?

☐ Did we court hospital providers?

☐ Did we sell the church property?

☐ Did we create a Youth Advisory Board?

☐ Did we implement downtown drainage improvements?

☐ Did we fully investigate issuing a street bond?

☐ Did we fully enforce trash clean up around town?

☐ Did we specifically target lower income neighborhoods for new beautification projects?

Goal 3: Staffing / Personnel

Strategies	2019-2020 Progress	2020-2021 Progress
1. Consider hiring additional personnel (engineer, IT, etc.)	 In FY 20, staffing levels were increased by 2 full-time and 1 part-time positions.	
2. Conduct a staffing study that includes evaluating efficiencies and compensation	 Classification and Compensation Study underway.	
3. Right size staffing levels city-wide based on study results	 No funding was allocated for such a study; discuss need/timing of study during FY 20-21 budget process.	
4. Consider starting salaries that compete with surrounding communities	 Classification and Compensation Study underway.	
5. Be consistent with staff development / policies / purchasing procedures	 Comprehensive Purchasing Policy under development (anticipated to be complete 1 st quarter of 2020). Revision of City Personnel Policy underway.	
6. Implement a staff development program (be consistent)	 House Bill 3834 mandated cybersecurity training for all employees with computer access and elected officials – cybersecurity training program underway.	

Strategies	2019-2020 Progress	2020-2021 Progress
7. Start developing / preparing current staff to take on leadership roles within the organization in the future. Work on succession planning: add Fire, add Electric, add Streets, and add Animal Control.	 Emphasis on leadership training for police personnel, cross training of job duties underway in Finance Department.	
8. Recruit and attract more bi-lingual staff	 No funding was allocated to recruit bi-lingual staff; explore possible options during FY 20-21 budget process and the classification and compensation study.	
9. Customer service / experience excellence training for the Utility and Planning Development teams	 Training budgeted item in FY 20 for Utility Customer Services staff.	

Goal #3 KPIs / Metrics:

of new positions in 2019? _____

☐ # of new positions in 2020 and 2021? _____☐ Did we perform a staffing efficiency/compensation study?☐ Did we right-size our salaries based on that study by the end of 2020?☐ Did we develop new consistent policies and procedures regarding professional development of staff?☐ Did we develop new consistent policies and procedures regarding purchasing/procurement?☐ Did we create and implement a new staff development program to ensure everyone has training opportunities?☐ Did we begin grooming current staff for future leadership roles?☐ How many staff do we have on a leadership track by the end of 2020?

of new employees added in 2019 through 2021 who are bilingual? _____

☐ Did we deliver Customer Experience Excellence training to every City employee?

Goal 4: Procedures / IT Management and Services

Strategies	2019-2020 Progress	2020-2021 Progress
1. Improve technology / create specific strategies to have better IT support based on Assessment results	 New outside IT management team hired; Strategic plan for current and emerging issues (cyber) near completion.	
2. Upgrade all technology-related issues as recommended – desktops, servers, software, equipment, and peripherals. \$100K will pay for equipment, \$20K is licensing agreement costs.	 City-wide replacement of desktops with current operating systems complete; new servers in current fiscal year.	
3. Create a 5-year rolling IT equipment replacement plan	 See above notes 1 and 2.	
4. Provide superior service by keeping technology up to date and being able to communicate with the public (keep an open line of communication through website.) Purchase next modules: INCODE	 New PIO hired. Increased social media updates. INCODE permits and inspections software module implemented to track permit and inspections progress; online access to permit applications and tracking underway.	
5. Upgrade the server system	 Desktop operating systems upgrade 100% complete. Server upgrades in progress.	
6. Streamline technology hardware, software processes within the City, based on Assessment recommendations	 Ongoing and FY 20-21.	

Strategies	2019-2020 Progress	2020-2021 Progress
7. Upgrade all equipment and software and be trained on specific software to be used to maximum potential and determine which staff will require which trainings.	 Current year 2020 departmental goal.	
8. Explore implementing downtown Wi-Fi	 To be addressed in 2020 or 2021. Explore options with the Downtown Business Association and both Chambers of Commerce.	

Goal #4 KPIs / Metrics:

- ☐ Did we secure top quality technology support across all departments by the end of 2020?
- ☐ Did we upgrade our desktop computers?
- % of employees who received upgraded computers by the end of 2020 (from 2018 numbers)? _____
- ☐ Did we upgrade our servers?
- ☐ Did we upgrade our computer software, subscriptions, and licenses?
- ☐ Did we upgrade our peripherals?
- ☐ Did we upgrade our other technology equipment?
- ☐ Did we establish an IT policy for updates and replacements that will keep us up-to-date from now through the future?
- ☐ Did we upgrade our City server system?
- ☐ Did we streamline our City technology processes?
- ☐ Did we secure training for staff to use all new equipment properly and efficiently?
- ☐ Did we investigate implementing WiFi throughout Downtown Lockhart?

Goal 5: Public Safety

Strategies	2019-2020 Progress	2020-2021 Progress
1. Provide quality public safety to all citizens of Lockhart		
a. Develop a specific Retention Strategy first	 City-wide classification and compensation study underway. Fire: Council approved 7% salary adjustment in FY 19-20. Police: all officers to attend leadership training, host ceremonial recognition events, retention strategy under development.	
b. Continue to implement hiring strategies we developed such as Fire and Police.	 Fire: Use of recruitment video; developing recruitment flyer for use with LISD and the public; career day with Lockhart High School students; Fire Chief to serve on LISD Career and Technical Education Advisory Committee. Police: In 2019, Lockhart Police Officers visited with police cadets attending the AACOG Academy and made presentations to 2 classes of prospective candidates. In 1 st quarter of 2020, LPD will make presentations to the CAPCOG Academy currently in progress.	

Strategies	2019-2020 Progress	2020-2021 Progress
c. Long-term public safety facility planning for Station #1.	 Completed Fire Station No. 2. Analysis and cost estimate to remodel and upgrade Fire Station No. 1 underway.	
d. Develop an equipment replacement schedule. Seek funding for existing equipment (fire apparatus and patrol cars) replacements.	 Developed an ambulance replacement schedule with Caldwell County and Seton. Upgrades to two-way radios (portables and mobiles) underway.	
e. Continue to ensure use of best practices / standards (research best practices, then implement)	 Fire: Fire Department is preparing an emergency management tabletop exercise for City staff. Police: Upgraded Police Officer body-worn cameras to 3 rd generation models.	
f. Evaluate Accreditation opportunities	 Fire: Reviewing the Texas Fire Chief's Association (TFCA) accreditation process before formal enrollment. Police: Currently reviewing the 166 Texas Law Enforcement Best Practices. Will submit for recognition in the 3 rd quarter of 2020.	

Strategies	2019-2020 Progress	2020-2021 Progress
g. Traffic safety improvements: turn lanes and traffic lights	<i>N/A Brand new/created in 2020</i>	
h. Begin TXDOT safety projects	<i>N/A Brand new/created in 2020</i>	
i. Promote a Neighborhood Watch Program	<i>N/A Brand new/created in 2020</i>	

Goal #5 KPIs / Metrics:

of new law enforcement officers hired in 2019? _____

of new law enforcement officers hired in 2020? _____

of new law enforcement officers hired in 2021? _____

% law enforcement officers retained? _____ %

of new firefighters hired in 2019? _____

of new firefighters hired in 2020? _____

of new firefighters hired in 2021? _____

% firefighters retained? _____ %

☐ Did we develop a long-term public safety facilities plan?☐ Did we develop a public safety equipment replacement schedule?☐ Did we implement that new replacement schedule?☐ Did we research and record best practices across the country regarding public safety policy?☐ Did we make any modifications to our public safety policies based on that research?☐ Did we explore and evaluate Accreditation opportunities?☐ Did we implement new turn lane and traffic light improvements in 2020-2021?☐ Did we begin the TXDOT safety projects?☐ Did we proactively promote a Neighborhood Watch Program for Lockhart?

Conclusion

At the end of the planning retreat, the facilitator reminded all the participants that these goals would only be achieved if they held true to their commitments today to implement these specific strategies and tactics.

She reminded them that they are one team working toward one vision. The city council and management team agreed to use this document regularly throughout 2020 and 2021 to track progress and measure accomplishments.



City of Lockhart

2019-2020 Strategic Priorities

Prepared by:



City of Lockhart

Summary

On February 1 & 2, 2019 the City of Lockhart hosted two half-day planning sessions to develop goals and strategies for the next 2 years. Some of these goal areas were internal, whereas others were external. The following is the process used to reach the conclusions for the plan.

The process began with a preliminary phone meeting between the facilitator and Steve Lewis, City Manager, to go over key issues facing the City, understand the programs and projects underway through the community, and to prepare the agenda and format for the planning retreat.

The first portion of the strategic planning process began on Friday, February 1, 2019 with the City Manager and the City of Lockhart Management Team. The facilitator began by asking the Management Team participants what their expectations for discussion for the day were. She then took the team through a SWOT (Strengths, Weaknesses, Opportunities, & Threats) Analysis. The next group exercise was a brainstorm called Start/Stop/Continue that lists the things that need to begin happening, stop happening, and are mission-critical and must continue regardless of circumstances.

The facilitator then guided the Management Team through 2019-2020 goal and strategy development to recommend to the City Council the following day.

On Saturday, February 2, 2019, the City Council and City Manager convened to review, revise, and establish priorities related to the recommendations generated the day before by the Management Team. Prior to the review, the facilitator asked the City Council to list their expectations for discussion for the day.

The following are the results.

Management Team Expectations for the Day's Discussion Topics

- That City Council will take what we say seriously
- Consider all staff in decisions
- Hear each other's goals
- Live by the plans we create / develop
- That Council develop goals / priorities based on sound data / research
- Focus
- Consider quality of life as over-arching goal
- Discuss business attraction vs. recruitment
- Being prepared for growth
- Facilities improvements
- Facilities maintenance
- How do we give back to those who need extra help?
- Smart land use practices
- Discuss Tourists/Tourism – what is there for kids to do while in town visiting family?

City Council Expectations for the Day's Discussion Topics

- Capitalize on Tourism
- Discuss Wi-Fi
- Capitalize on BBQ Capital of Texas
- Cleaning up of unsightly properties (residential)
- Work in unity today
- Serve our community
- Focus
- To discuss Economic Development targeting technology jobs
- Industrial Park is full – now what?
- Cleaning up of City properties / facilities
- Actually implement our goals
- Discuss the direction of Economic Development
- Think bigger / think change / embrace change
- Develop our identity
- Attractive gateway signage
- Employee wages
- Technology infrastructure

SWOT Analysis

The facilitator guided the participants through an analysis of their current Strengths, the current Weaknesses or Challenges they are facing, Opportunities that may come their way in the future, and Threats that are possible to occur in the future. Note that there are no right or wrong answers here and no implication of likelihood. This is simply a brainstorm of the opinions of the participants to get them thinking about goals in the next portion. The Management Team listed their responses first, then the City Council added additional items the following day.

Strengths

- Historic district
- County seat
- BBQ Capital of Texas
- Location to highways
- Tourism
- Small town (family-oriented)
- Growing – room for more
- Desire to manage growth
- Good development process
- Proximity to Austin
- Comparable housing prices
- Existing capacity of utilities
- Easy mobility
- Economic Development Sales tax
- Clark Library
- Baker Theatre
- Ease of developing land (flat)
- Employees who experience long tenure
- Volunteers
- CTR (Chisholm Trail Roundup) & other local events
- Community support
- Recognizable court house
- Movies / film production (TFC)
- Long-term water planning
- High-level financial planning
- Competitive building / development fees
- “Real” city with well-managed growth
- New energy
- Proximity to large cities / airport
- New residents – new ideas – changing priorities
- Diversity
- First Friday Downtown Event

Weaknesses / Challenges

- Incentives – Economic Development lack of use
- Technology – aging equipment and software
- Infrastructure
- Facilities – condition / maintenance
- Competitive salaries within region
- Training opportunities
 - Professional development
 - Budget
- Closed minds – have always done it this way
- Tourism
- Managing growth
- Need for succession planning
- Public perception influencing job applicant pool
- Weak tax base
- Limited in-town post-secondary educational opportunities
- Lack of retail
- Lack of entertainment (kids)
- Limited grocery options
- City-owned property
- College
- Venue / convention center
- Lack of hotels
- Entryways to community
- Not using TIF financing
- Emerging downtown organization
- How to effectively support increasing, ever-growing number of festivals
 - Create packages for vendors and festivals
- No city recreation programs
- In-kind services
- Very limited public transportation services
- Outdated web information
- Poor communication with citizens

Opportunities

- Expand airport (hangars)
 - Install AWOS (Automated Weather Observing System)
- Improve working conditions of employees
- Proximity to Austin
- Implement first phase of parks master plan
- SH-130 has great properties but not city-owned property
- Undeveloped lots on Square and north / northwest of Square
- Long-tenured elected leadership
- Increase community involvement
- To develop positive relationship with County, School, and organizations
- Quality economic growth
- Franchise recreational or entertainment venues (theaters, bowling, outlets, concerts, water parks)
- Community college campus
- Increased communication needed with ISD for school planning, infrastructure, etc.
- Expand walking / biking opportunities for exercise and community involvement
- Lockhart Springs (natural spring)
- Lockhart State Park transfer to City
- Potential residential development around golf course
- Development within historic district
- School district growth
- Housing growth
- Business growth
- St. Paul Church and other redevelopment opportunities
- Hospital / medical facilities
- Public bathrooms downtown
- Develop Industrial Park
- More involvement with San Marcos Greater Partnership
- Partnership with Austin Chamber
- EDC \$ will go further today than in 2 years (spec buildings, parking)

Threats

- Economic recession
- Voter turnout
- Government shutdown
- Citizen input
- Natural disaster
- Leadership in government
- Lack of economic development direction
- Competition from other cities
- Lack of resources
- Building maintenance
- Technology – cyber security
- Surging population
- Infrastructure improvement
- Maintaining reputation
- Planning without follow through
- Lack of educated workforce – skilled labor
- Crime
- Lack of workforce – people
- Retention and hiring
- Youth retention
- School quality
- Lack of industry
- Lack of racial unity
- Micro-managing
- Other utilities providers
- Homeless services – transportation
- Types of future growth

Start/Stop/Continue

The facilitator guided the Management Team through an exercise that challenged them to brainstorm things that the City really needed to begin doing, what they should stop doing that could be a waste of resources, and what must they continue doing, regardless of circumstances. Below are their responses. Note that there are no right or wrong items; these are merely individuals' opinions about the things that should and shouldn't change in Lockhart. Just because one person has a certain opinion on a topic, that does not imply anyone else shared that opinion.

Start

- Space allocation study
- Renovate City buildings – construct
- Downtown bathrooms
- Improve salaries – salary survey
- Staff development program / policies / procedures
- Consistency in purchasing
 - Revamp purchasing policy
- Replacing capital equipment / vehicles – vehicle fund
- Mandatory single stream recycling
- IT department, in-house City Engineer
- New technology in terms of equipment, network, server, software
- Re-assess who is in charge of downtown redevelopment
 - Name which entity (or entities) funds downtown redevelopment initiatives
 - Name which entity (or entities) manages downtown redevelopment initiatives
- 2020 Comprehensive Master Plan Update that includes a future land use plan and map

Stop

- In-house utility billing (consider outsourcing)
- Outsourcing IT (consider bringing in-house)
- Repetitive useless paperwork (paperwork/policies must be updated and streamlined)
- Increasing overtime in fire and police (hire more to fix this issue)
- Using outdated equipment
- Hand -picking collections of recycled goods (business pick up)
- Laying asphalt driveway approaches for “free”
- Demolition of condemned houses – stop doing in-house (needs to be outsourced)

Continue

- Meeting with County, City, School, Chamber, EDC
- Implementing 2020 Plan and Updates
- Attracting businesses – growth
- Providing superior service
- Redeveloping Downtown
- Implement Parks Master Plan
- Being a great place to work
- Public investments along SH-130
- Supporting festivals / movie projects
- Financial planning
- Embracing tourism

Goal 1: Economic Development / Planning

Strategies
1. Partner with LISD and local youth organizations to encourage careers in local emergency services (Fire and Police)
2. Reassess who is in charge of managing and funding downtown development and tourism
3. Attract a post-secondary education campus / facility
4. Complete updating our development ordinances
5. Consider development tools to facilitate attraction / recruitment to SH 130 corridor
6. Bring utilities, assist assembling parcels, rezoning tracts along SH 130
a) Shovel ready
b) Pursue prospects
7. Start investing in more property for growth
8. Explore next industrial park
9. HOT (Hotel Occupancy Tax) Funds – revamp structure
10. Economic Development Strategic Plan
11. Robust LEDC website

Goal #1 KPIs / Metrics:

- ☐ Did we partner with LISD & other youth organizations to encourage emergency services careers?
- ☐ Did we reassess downtown development and tourism initiatives and who leads each?
- ☐ Did we initiate efforts to attract a post-secondary educational institution or facility to Lockhart?
- ☐ Did we completely update our development ordinances?
- ☐ Did we brainstorm development tools for SH-130 development?
- ☐ Did we bring utilities and assemble parcels along SH-130?
- ☐ Did we develop shovel-ready development sites?
- ☐ Did we market those sites to prospective investors?
- ☐ Did we develop plans for our next industrial park?
- ☐ Did we revamp the way HOT funds are structured?
- ☐ Did we develop and implement an Economic Development Strategic Plan?
- ☐ Did the Lockhart EDC revamp their website to better attract investment?

Goal 2: Quality of Life / Quality of Facilities

Strategies
1. Invest money to improve the appearance of our town (streets, parks, entry signs)
2. Conduct a Space Study of City Buildings and facilities including City Hall
3. Improve the image of City facilities as needed
4. Update, renovate, and construct City facilities as needed
5. Implement the Parks Master Plan, improving the quality of life for community
6. Conduct a citywide quality of life citizen survey

Goal #2 KPIs / Metrics:

\$ amount invested in streets in 2019 and 2020? \$ _____

\$ amount invested in parks in 2019 and 2020? \$ _____

\$ amount invested in gateway entry signs in 2019 and 2020? \$ _____

of City facilities we improved the appearance of? _____

☐ Which facilities did we improve the image of?

☐ Did we implement elements of the Parks Master Plan?

☐ Did we secure quotes on a Space Study of City buildings including City Hall?

☐ How many City-owned buildings did we renovate or retrofit?

☐ Did we conduct a citywide quality of life citizen survey?

☐ Did we address levels of service based on the citizen responses we received?

☐ Did we address levels of satisfaction based on the citizen responses we received?

☐ Did we address areas for improvement based on the citizen responses we received?

Goal 3: Staffing / Personnel

Strategies
1. Consider hiring additional personnel (engineer, IT, etc.)
2. Conduct a staffing study that includes evaluating efficiencies and compensations
3. Right size staffing levels city-wide based on study results
3. Consider starting salaries that compete with surrounding communities
4. Be consistent with staff development / policies / purchasing procedures
5. Implement a staff development program (be consistent)
6. Start developing / preparing current staff to take on leadership roles within the organization in the future
7. Bi-lingual staff
8. Customer service / experience excellence training

Goal #3 KPIs / Metrics:

of new positions in 2019 and 2020? _____

- ☐ Did we perform a staffing efficiency/compensation study?
- ☐ Did we right-size our salaries based on that study by the end of 2020?
- ☐ Did we develop new consistent policies and procedures regarding professional development of staff?
- ☐ Did we develop new consistent policies and procedures regarding purchasing/procurement?
- ☐ Did we create and implement a new staff development program to ensure everyone has training opportunities?
- ☐ Did we begin grooming current staff for future leadership roles?
- ☐ How many staff do we have on a leadership track by the end of 2020?

of new employees added in 2019 and 2020 who are bilingual? _____

- ☐ Did we deliver Customer Experience Excellence training to every City employee?

Goal 4: Procedures / IT / Software and Hardware

Strategies
1. Conduct a Technology Assessment that yields specific recommendations
2. Improve technology / create specific strategies to have better IT support based on Assessment results
3. Upgrade all technology-related issues as recommended – desktops, servers, software, equipment, and peripherals
4. Start replacing old equipment
5. Provide superior service by keeping technology up to date and being able to communicate with the public (keep an open line of communication through website)
6. Carefully weigh all the pros and cons of considering bringing IT in-house
7. Upgrade the operating system
8. Streamline technology hardware, software processes within the City, based on Assessment recommendations
9. Upgrade all equipment and software and be trained on specific software to be used to maximum potential
10. Explore implementing downtown Wi-Fi

Goal #4 KPIs / Metrics:

- ☐ Did we conduct a Technology Assessment?
- ☐ Did we secure top quality technology support across all departments by the end of 2020?
- ☐ Did we upgrade our desktop computers?
- % of employees who received upgraded computers by the end of 2020 (from 2018 numbers)? _____
- ☐ Did we upgrade our servers?
- ☐ Did we upgrade our computer software, subscriptions, and licenses?
- ☐ Did we upgrade our peripherals?
- ☐ Did we upgrade our other technology equipment?
- ☐ Did we establish an IT policy for updates and replacements that will keep us up-to-date from now through the future?
- ☐ Did we carefully weigh all the pros and cons of keeping IT outsourced vs. bringing it in-house?
- ☐ Did we upgrade our City operating system?
- ☐ Did we streamline our City technology processes?
- ☐ Did we secure training for staff to use all new equipment properly and efficiently?
- ☐ Did we investigate implementing WiFi throughout Downtown Lockhart?

Goal 5: Public Safety

Strategies
1. Provide quality public safety to all citizens of Lockhart
a) Develop a specific Retention Strategy first
b) Develop a specific Hiring Strategy
c) Long-term public safety facility planning
d) Develop an equipment replacement schedule
e) Ensure use of best practices / standards (research best practices, then implement)
f) Evaluate Accreditation opportunities

Goal #5 KPIs / Metrics:

of new law enforcement officers hired in 2019?

of new law enforcement officers hired in 2020?

% law enforcement officers retained?

of new firefighters hired in 2019?

of new firefighters hired in 2020?

% firefighters retained?

☐ Did we develop a long-term public safety facilities plan?

☐ Did we develop a public safety equipment replacement schedule?

☐ Did we implement that new replacement schedule?

☐ Did we research and record best practices across the country regarding public safety policy?

☐ Did we make any modifications to our public safety policies based on that research?

☐ Did we explore and evaluate Accreditation opportunities?

Conclusion

At the end of the planning retreat, the facilitator reminded all the participants that these goals would only be achieved if they held true to their commitments today to implement these specific strategies and tactics.

She reminded them that they are one team working toward one vision. The participants agreed to use this document regularly throughout 2019 and 2020 to track progress and measure accomplishments.

CITY COUNCIL FY 18-19 GOALS (FINAL COMBINED)

PRIORITY ORDER

COUNCILMEMBER	PRIORITY	FY 18-19 GOALS
CASTILLO	1	Infrastructure Improvements: streets
GONZALES-SANCHEZ	1	Hire A City Manager
MCGREGOR	1	Economic development, creating and retaining jobs, grocery campaign.
MENDOZA	1	Pay Raise City Employees.
MICHELSON	1	Public relations position/ get the word out about Lockhart (promoting)
WESTMORELAND	1	Infrastructure Improvements: streets
WHITE	1	Economic development, creating and retaining jobs, grocery campaign.
CASTILLO	2	Economic development, creating and retaining jobs, grocery campaign.
GONZALES-SANCHEZ	2	All Department Heads to Budget Salary Increases for all City Employees.
MCGREGOR	2	Work with LISD to establish a community recreation center at the Adams Gym, per under Parks
MENDOZA	2	Economic development, creating and retaining jobs, grocery campaign.
MICHELSON	2	Signage in Lockhart (highway, downtown, and toll) / Wayfinding, branding,,,))
WESTMORELAND	2	Signage in Lockhart (highway, downtown, and toll) / Wayfinding, branding,,,))
WHITE	2	Public relations position
CASTILLO	3	Continued police community committee involvement, neighborhood watch, gang awareness
GONZALES-SANCHEZ	3	Infrastructure: Continue City Infrastructure: Drainage, Street Repairs, Completion of Curbing, Brighter Lighting in Neighborhoods
MCGREGOR	3	Prepare Fire Station #3 (so we can have existing station remodeled)
MENDOZA	3	Continued police community committee involvement, neighborhood watch, gang awareness
MICHELSON	3	Prepare Fire Station #3 (so we can have existing station remodeled)
WESTMORELAND	3	More enforcement of codes directed at unsightly properties
WHITE	3	Wayfinding, branding, develop new entry sign and city markers
CASTILLO	4	City Facilities: Maintenance and repairs Economic Development: Recruit more businesses especially retail and continue efforts; contact existing and vacant building owners to see if they are willing to work with the City of Lockhart to bring retail businesses and specialty shops, as well as industrial. Purchase buildings and land when on the market for possible new businesses for the city.
GONZALES-SANCHEZ	4	Public relations position work with social media/ get the word out about Lockhart
MCGREGOR	4	City Facilities: Maintenance and repairs
MENDOZA	4	

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CITY COUNCIL FY 18-19 GOALS (FINAL COMBINED)

PRIORITY ORDER

COUNCILMEMBER	PRIORITY	FY 18-19 GOALS
MICHELSON	4	Refurbish City Hall inside (making it more inviting)
WESTMORELAND	4	Move forward with St Paul property project
WHITE	4	Park improvements- consider medium to long range plan for Town Branch development
CASTILLO	5	Affordable housing
		Police Task Force: Budget extra funds for a Police Task Force, a Narcotics Officer and a Mental Health Officer to address any drug and gang related problems and mental issues our city is being faced not only on the East side of our city but citywide. Budget for updated training for our police officers. There is a lot of training that is free but a lot additional money for registration fees and course material.
GONZALES-SANCHEZ	5	
MCGREGOR	5	Free public wifi on the square
MENDOZA	5	Parks improvements
MICHELSON	5	Continued police community committee involvement, neighborhood watch, gang awareness
WESTMORELAND	5	Angled parking downtown: N Main and N Commerce Sts(change during downtown drainage project)
WHITE	5	Continued police community committee involvement, neighborhood watch, gang awareness
CASTILLO	6	Wellness for employees

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CITY COUNCIL FY 18-19 GOALS

Category Order and Comments by City Manager

Council agreed at February 13 meeting that each Councilmember will submit at least 5 category goals in priority order to the City Manager to be considered by Council at first meeting in March, 2018

CM INITIALS	PRIORITY #	GOALS IDENTIFIED BY COUNCIL FOR FY 18-19: SORTED BY CATEGORY FINAL LIST BY COUNCIL PRIORITIZED BY CATEGORY: SUBMIT TO CITY MGR BY MARCH 1 PLEASE	SUGGESTED FUNDING SOURCE BY COUNCILMEMBER	SORTED BY CATEGORY
		Improve communication between City and Chamber of Commerce	In-House	Chamber
		City Facilities	GF	City Bldgs
		Refurbish City Hall inside (making it more inviting)	Gen Fund	City Bldgs
		Prepare Fire Station 3 (so we can have main station remodeled)	Gen Fund	City Bldgs
		Hire A City Manager. Hire a City Manager that is Well Rounded and Experienced and Will Help our City to Continue to Grow for the right and positive reasons. To hire a City Manager that will allow our Department Heads to Grow and Improve Our Departments with their recommended suggestions not only from our department heads but from our employees. Working Smarter not Harder.	GF	City Manager
		More code enforcement of codes directed at unsightly properties	In-House	Code Enforc
		Continue demo of unsafe structures and pursue liens aggressively	GF	Code Enforc
		Convention Center. Our city is growing and there are too many events, programs and conferences that are going to other surrounding areas to have these events and those surrounding area businesses are benefitting and money is being spent in those areas instead on money being spent in our city. Granted, we do have meeting facilities in our city but these meeting facilities do not accomodate the number of people for the above events that have been mentioned.	GF	Convention Center
		Downtown improvements-lighting, pedestrian safety, south plaza idea? Sculpture? Sidewalk mosaics?	GF	Downtown
		Economic development, creating and retaining jobs, grocery campaign	general fund, LEDC	Econo Devl
		Economic Development	GF	Econo Devl
		Expand economic development (by helping to spread the word & being more involved)	Gen Fund	Econo Devl
		Economic Development: Recruit more businesses especailly retail and continue efforts; contact existing and vacant building owners to see if they are willing to work with the City of Lockhart to bring retail businesses and speciality shops, as well as industrial. Purchase buildings and land when on the market for possible new businesses for the city. Art Galleries and Music Venues have increased within our downtown area and though many many not appreciate these type of business and or venues, it is good for our downtown and its livelihood. Let's work on getting more of the speciality shops and boutiques in or around the sqare.	GF	Econo Devl
		Pay raise across the board	GF	Employees
		All Department Heads to Budget Salary Increases for all City Employees.	GF	Employees
		Wellness for employees	GF	Employees
		Employee: Possible additional Employee Holiday Time Off-Alternating System. Even though this has been discussed and the reasons for why it cannot be done, I would like to see a time off altenating system, especailly during the holidays. I did appreciate that the city employees were allowed to stay home during our icy, sleet and snow days. The safety of our employees is very important.	GF	Employees
		Subdivision developemnt to attract more businesses to Lockhart. Increase the number of homes, apartments, housing. Our city is growing with new citizens wanting to make Lockhart their home but due to the number of housing available, they wait and or possibly lose interest.	GF	Housing
		Infrastructure	GF	Infrastructure
		Infrastructure improvement- uncurbed streets, street rehab	GF	Infrastructure
		Improve Streets (repairs)	In-House	Infrastructure

CM INITIALS	PRIORITY #	GOALS IDENTIFIED BY COUNCIL FOR FY 18-19: SORTED BY CATEGORY FINAL LIST BY COUNCIL PRIORITIZED BY CATEGORY: SUBMIT TO CITY MGR BY MARCH 1 PLEASE	SUGGESTED FUNDING SOURCE BY COUNCILMEMBER	SORTED BY CATEGORY
		Infrastructure: Continue City Infrastructure: Drainage, Street Repairs, Completion of Curbing, Brighter Lighting in Neighborhoods	GF	Infrastructure
		Angled parking for N Main and N Commerce Streets (change during downtown project)	In-House	Parking Downtown
		Parking around and surrounding the square. Issues with larger vehicles parked in areas that are narrow and that make it hard to see oncoming traffic. Our city is growing and we have been very fortunate with our parking however, it is a concern especially when you have the bigger and wider trucks that are parked in an area that is for a moderate size car. It becomes a hazard and a blind spot when trying to reverse out of the parking space and a blind spot for any and all pedestrians.	GF	Parking Downtown
		Continue to work on City Park improvements	Gen Fund	Parks
		Revive all City parks	Grants	Parks
		Work with USD to establish a community recreation center at Adams Gym, perhaps under Parks (PUBLIC HEALTH/PARKS)	General Fund/Parks & Rec	Parks
		Add 3 positions to the Parks Department, to help facilitate other improvements (PARKS)	General Fund/Parks & Rec	Parks
		Park improvements - consider medium to long range Town branch development	GF	Parks
		Develop a dog park as part of the Stueve Lane Monte Vista Tract (PARKS/ANIMAL SHELTER/PUBLIC HEALTH)	General Fund/Parks & Rec	Parks
		Parks Improvements: Purchase and update the park equipment to provide safe and fun filled parks for all to use.	GF	Parks
		Start Planning for 2040 plan	GF	Planning
		Police	GF	Police
		Continued Police Community committee involvement, neighborhood watch, gang awareness	GF	Police
		Work with Police Department to bring back drug enforcement program	Gen Fund	Police
		Get back to Neighborhood Townhall Meetings	GF	Police
		Police Task Force: Budget extra funds for a Police Task Force, a Narcotics Officer and a Mental Health Officer to address any drug and gang related problems and mental issues our city is being faced not only on the East side of our city but citywide. Budget for updated training for our police officers. There is a lot of training that is free but a lot of additional money for registration fees and course material. I am grateful that the Police Department did invest in our Drug Dog and is being utilized by the school as well.	GF	Police
		High School cadet programs for police, fire, EMS	GF	Police/Fire
		Public relations position to deal with social media	GF	Public Relations
		Get the word out about Lockhart (promoting, hiring a Public Relations person)	Gen Fund	Public Relations
		Sidewalk repair and expansion	GF	Sidewalks
		Signage in Lockhart (highway, downtown, and toll road)	Gen Fund	Signage
		Wayfinding, branding - develop new entry sign and city property markers	GF	Signage
		Move Forward with St Paul property project	In-House	St Paul Gift
		Develop an oral history project to support a future "Walking Tour" app for Lockhart (ECONOMIC DEV/DOWNTOWN)	General Fund/Fundraising	Tourism
		More Events to Attract Tourism in Lockhart and Include Way Finding Signage (Hotels and Restaurants). Added events, especially the events that are free to the public do very well for the city as well as for the businesses and tourism. I welcome new events to the city but need to be selective in the events that we do host.	GF	Tourism
		Create a Good Neighbor program (Lockhart Utility Customers can add an additional amount to utility bill to help others)	GF	Utility Customers

CM INITIALS	PRIORITY #	GOALS IDENTIFIED BY COUNCIL FOR FY 18-19: SORTED BY CATEGORY	SUGGESTED FUNDING SOURCE BY COUNCILMEMBER	SORTED BY CATEGORY
		FINAL LIST BY COUNCIL PRIORITIZED BY CATEGORY: SUBMIT TO CITY MGR BY MARCH 1 PLEASE		
		Access to Municipal Court for Utility Payments	In-House	Utility Customers
		Free public wifi on the square as part of the redevelopment on the North side (ECONOMIC DEV/DOWNTOWN)	CAPCOG Grant?	Wifi
		Free public wifi on the square as part of the redevelopment on the North side	GF	Wifi

CM INITIALS	PRIORITY #	GOALS IDENTIFIED BY COUNCIL FOR FY 18-19: SORTED BY CATEGORY	SUGGESTED FUNDING SOURCE BY COUNCILMEMBER	SORTED BY CATEGORY	CITY MANAGER COMMENTS
BW	7	Improve communication between City and Chamber of Commerce	In-House	Chamber	City Staff works together with Chambers on all their events by being a co-sponsor with many in-kind services. Robert Tobias attends their meetings and periodically makes presentations about Economic Development issues.
JC	4	City Facilities	GF	City Bldgs	Budget for roofs and major repairs
JEFF M	5	Refurbish City Hall inside (making it more inviting)	Gen Fund	City Bldgs	Working on it; repairs to ceiling in progress, restrooms to be refurbished and replace signage with more informative directions.
JEFF M	7	Prepare Fire Station 3 (so we can have main station remodeled)	Gen Fund	City Bldgs	New plans will be prepared working with new Chief who has different ideas than the previous Chief
AGS	1	Hire A City Manager. Hire a City Manager that is Well Rounded and Experienced and Will Help our City to Continue to Grow for the right and positive reasons. To hire a City Manager that will allow our Department Heads to Grow and Improve Our Departments with their recommended suggestions not only from our department heads but from our employees. Working Smarter not Harder.	GF	City Manager	I concur. The current City Mgr has rode back of garbage trucks, climbed electrical poles, worked water/sewer/asphalt/concrete projects, and has been a utility collections clerk, and during these experiences learned the value of suggestions for change that comes from employees in such positions. All department heads/supervisors are encouraged to listen to employees who have constructive ideas that would benefit in performing assigned tasks. City Mgr has also learned there are employees who keep there hands in their pockets and talk while everyone else is working and these are the same ones who are often found to be dishonest in their paperwork, sleep on the job, and have a poor attendance record.
BW	1	More code enforcement of codes directed at unsightly properties	In-House	Code Enforc	Will continue to address as complaints come in and as found during investigation outings.
LW	8	Continue demo of unsafe structures and pursue liens aggressively	GF	Code Enforc	Will continue to address and City Attorney exploring process to recover demolition costs
AGS	11	Convention Center. Our city is growing and there are too many events, programs and conferences that are going to other surrounding areas to have these events and those surrounding area businesses are benefitting and money is being spent in those areas instead on money being spent in our city. Granted, we do have meeting facilities in our city but these meeting facilities do not accommodate the number of people for the above events that have been mentioned.	GF	Convention Center	HOT funds and/or Bond Issue. Maintenance funds will be a minimum of \$150,000 annually not including director's salary, utilities, and insurance.
LW	9	Downtown improvements-lighting, pedestrian safety, south plaza idea? Sculpture? Sidewalk mosaics?	GF	Downtown	CAPCOG/CO project will address
LW	1	Economic development, creating and retaining jobs, grocery campaign	general fund, LEDC	Econo Devl	Robert Tobias working with several companies now
JC	2	Economic Development	GF	Econo Devl	See above

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CM INITIALS	PRIORITY #	GOALS IDENTIFIED BY COUNCIL FOR FY 18-19: SORTED BY CATEGORY	SUGGESTED FUNDING SOURCE BY COUNCILMEMBER	SORTED BY CATEGORY	CITY MANAGER COMMENTS
JEFF M	3	Expand economic development (by helping to spread the word & being more involved)	Gen Fund	Econo Devl	Robert Tobias is involved with the San Marcos Partnership, local chambers, and with downtown businesses on a regular basis. Leads from the Governor's office and the Austin Chamber are also pursued as applicable.
AGS	4	Economic Development: Recruit more businesses especially retail and continue efforts; contact existing and vacant building owners to see if they are willing to work with the City of Lockhart to bring retail businesses and specialty shops, as well as industrial. Purchase buildings and land when on the market for possible new businesses for the city. Art Galleries and Music Venues have increased within our downtown area and though many not appreciate these type of business and or venues, it is good for our downtown and its livelihood. Let's work on getting more of the specialty shops and boutiques in or around the square.	GF	Econo Devl	The problem is that many of the property owners downtown do not have the funds to customize their buildings to support specialty shops which most the time are not willing to spend money on a building. Rob Tobias is exploring ways to address this issue.
JUAN M	1	Pay raise across the board	GF	Employees	Estimated Costs Including Benefits: For each 1% for non-civil service= \$52,000 For each 1% for civil service = \$28,000
AGS	2	All Department Heads to Budget Salary Increases for all City Employees.	GF	Employees	See above
JC	5	Wellness for employees	GF	Employees	City provides good health insurance (\$586 per month each) with wellness plans for employees; many Cities have stopped this benefit and only provide a stipend for insurance.
AGS	9	Employee: Possible additional Employee Holiday Time Off-Alternating System. Even though this has been discussed and the reasons for why it cannot be done, I would like to see a time off alternating system, especially during the holidays. I did appreciate that the city employees were allowed to stay home during our icy, sleet and snow days. The safety of our employees is very important.	GF	Employees	City employees with vacation leave and holiday time are off 23 days a year with pay which is more than a month of work days. The only holidays not given that we found are Columbus Day and Texas Independence Day. Employee safety is very important, however, some employees must come in to make conditions safe for residents and to respond to emergency conditions and that responsibility belongs to each department head who determines based on staff levels and skills time off during holiday times.
AGS	6	Subdivision development to attract more businesses to Lockhart. Increase the number of homes, apartments, housing. Our city is growing with new citizens wanting to make Lockhart their home but due to the number of housing available, they wait and or possibly lose interest.	GF	Housing	6 housing projects in place at different phases. City Manager recommended incentives to builders three years ago which Council approved and during the time it was in place it produced more housing. As a result, more engineering of subdivisions has begun.
JC	1	Infrastructure	GF	Infrastructure	\$400,000 or more yearly needed for streets
LW	2	Infrastructure improvement- uncurbed streets, street rehab	GF	Infrastructure	See above. It will take a major bond issue to address all streets that do not have curbs.
BW	3	Improve Streets (repairs)	In-House	Infrastructure	See above.

CM INITIALS	PRIORITY #	GOALS IDENTIFIED BY COUNCIL FOR FY 18-19: SORTED BY CATEGORY	SUGGESTED FUNDING SOURCE BY COUNCILMEMBER	SORTED BY CATEGORY	CITY MANAGER COMMENTS
AGS	3	Infrastructure: Continue City Infrastructure: Drainage, Street Repairs, Completion of Curbing, Brighter Lighting in Neighborhoods	GF	Infrastructure	For streets please see above. Brighter lighting is always a challenge in a city with so many trees. Lockhart still must comply with Senate Bill 5 which regulates power usage. Several cities have passed an ordinance that does not allow for the planting of trees within 15' of the right of way to improve lighting of streets and reduce tree trimming around power lines.
BW	4	Angled parking for N Main and N Commerce Streets (change during downtown project)	Ja-House	Parking Downtown	Scheduled with downtown improvements. Should also consider making 100 Blocks of N Main and N Commerce one-way and possibly consider other blocks downtown especially north/south streets.
AGS	10	Parking around and surrounding the square. Issues with larger vehicles parked in areas that are narrow and that make it hard to see oncoming traffic. Our city is growing and we have been very fortunate with our parking however, it is a concern especially when you have the bigger and wider trucks that are parked in an area that is for a moderate size car. It becomes a hazard and a blind spot when trying to reverse out of the parking space and a blind spot for any and all pedestrians.	GF	Parking Downtown	Scheduled with downtown improvements
JEFF M	2	Continue to work on City Park improvements	Gen Fund	Parks	Master Plan near complete
BW	2	Revive all City parks	Grants	Parks	Master Plan near complete
KM	2	Work with LISD to establish a community recreation center at Adams Gym, perhaps under Parks (PUBLIC HEALTH/PARKS)	General Fund/Parks & Rec	Parks	Mayor is visiting with LISD about this
KM	3	Add 3 positions to the Parks Department, to help facilitate other improvements (PARKS)	General Fund/Parks & Rec	Parks	Approx. \$100,000 to budget not including equipment and vehicles
LW	3	Park improvements - consider medium to long range Town branch development	GF	Parks	Bond issue needed
KM	4	Develop a dog park as part of the Stueve Lane Monte Vista Tract (PARKS/ANIMAL SHELTER/PUBLIC HEALTH)	General Fund/Parks & Rec	Parks	Estimate on this property is \$ 25000 using used fencing. Maintenance and insurance are also cost factors
AGS	8	Parks Improvements: Purchase and update the park equipment to provide safe and fun filled parks for all to use.	GF	Parks	Master Plan near complete
JUAN M	3	Start Planning for 2040 plan	GF	Planning	Needs to be done
JC	3	Police	GF	Police	Chief Pedraza is working on these issues. Recently issued update that was sent to Council.
LW	4	Continued Police Community committee involvement, neighborhood watch, gang awareness	GF	Police	See above
JEFF M	4	Work with Police Department to bring back drug enforcement program	Gen Fund	Police	See above
JUAN M	5	Get back to Neighborhood Townhall Meetings	GF	Police	Will get with Chief about this

R:\56 AMU\ Vance Files\1A Public Works\City Council\Goals and Objectives\FY 18-19\COUNCIL COMBINED FY 18-19 Goals

CM INITIALS	PRIORITY #	GOALS IDENTIFIED BY COUNCIL FOR FY 18-19: SORTED BY CATEGORY	SUGGESTED FUNDING SOURCE BY COUNCILMEMBER	SORTED BY CATEGORY	CITY MANAGER COMMENTS
AGS	5	Police Task Force: Budget extra funds for a Police Task Force, a Narcotics Officer and a Mental Health Officer to address any drug and gang related problems and mental issues our city is being faced not only on the East side of our city but citywide. Budget for updated training for our police officers. There is a lot of training that is free but a lot additional money for registration fees and course material. I am grateful that the Police Department did invest in our Drug Dog and is being utilized by the school as well.	GF	Police	Chief Pedraza reports that Lockhart has two certified mental health officers, and he feels there is sufficient funding for training. He also reports that a new Narcotics Officer would cost about \$90,000 for salary/benefits, training, a vehicle, and all required equipment.
LW	10	High School cadet programs for police, fire, EMS	GF	Police/Fire	Will visit with department heads again about this
LW	6	Public relations position to deal with social media	GF	Public Relations	Position would cost with benefits about \$45,000 annually and would need more tasks to perform.
JEFF M	6	Public relations position to deal with social media	GF	Public Relations	See above
LW	7	Sidewalk repair and expansion	GF	Sidewalks	Costs average about \$25 per linear foot
JEFF M	1	Signage in Lockhart (highway, downtown, and toll road)	Gen Fund	Signage	Wayfinding and Branding Committee in place
LW	5	Wayfinding, branding - develop new entry sign and city property markers	GF	Signage	See above
BW	5	Move Forward with St Paul property project	In-House	St Paul Gift	Working on costs associated with this projects which involve asbestos/lead paint survey and possible abatement, ADA restrooms, ADA entry ramp, kitchen changes, and other repairs.
KM	5	Develop an oral history project to support a future "Walking Tour" app for Lockhart	General Fund/Fundraising	Tourism	Could be part of the Wayfinding and Branding Committee tasks
AGS	7	More Events to Attract Tourism in Lockhart and Include Way Finding Signage (Hotels and Restaurants). Added events, especially the events that are free to the public do very well for the city as well as for the businesses and tourism. I welcome new events to the city but need to be selective in the events that we do host.	GF	Tourism	Chambers receive HOT funds for tourism and City co-sponsors events that contribute to tourism.
JUAN M	4	Create a Good Neighbor program (Lockhart Utility Customers can add an additional amount to utility bill to help others)	GF	Utility Customers	Have pursued this in the past. Requires a Board or Committee that is willing to take on the tasks of selecting who and how much help can be provided to customers. Some Cities allocate the funds to existing organization that is willing to take on the project.
BW	6	Access to Municipal Court for Utility Payments	In-House	Utility Customers	Working to this; advertisements and office training needed.
KM	1	Free public Wi-Fi on the square as part of the redevelopment on the North side (ECONOMIC DEV/DOWNTOWN)	CAPCOG Grant?	Wi-Fi	County Judge had indicated to Mayor that the County could do this.
JUAN M	2	Free public wifi on the square as part of the redevelopment on the North side	GF	Wifi	See Above

LOCKHART CITY COUNCIL FY 17-18 GOALS				
Category and Priority Order				
COUNCIL MEMBER	PRIORITY	GOALS IDENTIFIED BY COUNCIL FOR FY 17-18 (as submitted by Councilmembers)	SUGGESTED FUNDING SOURCE BY COUNCILMEMBER	CATEGORY
BH	3	Continue Improving City Cemetery	with GF Expiring debt saving and/or Cemetery Tax	CEMETERY
Jeff M	2	Refurbish City Hall in the inside (to make more inviting to the public) as well as doing some landscaping outside	General Fund	CITY BLDGS
BW	3	Spruce up and clean up City properies		CITY BLDGS
BH	4	Improve City Facilities Appearance		CITY BLDGS
JC	4	City Facilities		CITY BLDGS
AGS	10	Convention Center		CONVENTION CTR
JC	2	Crime		CRIME
AGS	4	Police Task Force: Budget extra funds for a Police Task Force, a Narcotics Officer and a Mental Health Officer to address any drug and gang related problems and mental issues our city is being faced not only on the East side of our city but citywide. Budget for updated training for our police officers. There is alot of training that is free but alot additonal money for registration fees and course material.		CRIME
Jeff M	4	Work with Police Department to bring back drug enforcement program		CRIME
LW	8	Fund for helping utility customers in need	???	CUSTOMER SERV
BW	2	Continue to change angle parking downtown: 200 Blk S Main, 100 Blk N Main, 100 Blk N Commerce, 200 Blk E Market; little time and expense invovled	??	DOWNTOWN
LW	2	Downtown improvements,bathrooms, electric, pedestrian safety, beautification, wifi, lighting		DOWNTOWN
AGS	9	Parking around and surrounding the square. Issues with larger vehicles parked in areas that are narrow and that make it hard to see oncoming traffic		DOWNTOWN
LW	1	Expanding economic development department, budget, office, staff?, marketing	General fund, LEDC	ECCONOMIC DEV
AGS	3	Economic Development: Recurit more businesses especailly retail and continue efforts; contact existing and vacant building owners to see if they are willing to work with the City of Lockhart to bring retail businesses and speciality shops, as well as industrial. Purchase buildings and land when on the market for possible new businesses for the city.		ECCONOMIC DEV
JC	3	Economic Development		ECCONOMIC DEV
AGS	5	Subdivision development to attract more businesses to Lockhart.		ECCONOMIC DEV
JM	5	Set up meetings with developers for more retail space shopping centers along US 183		ECCONOMIC DEV

LOCKHART CITY COUNCIL FY 17-18 GOALS				
Category and Priority Order				
COUNCIL MEMBER	PRIORITY	GOALS IDENTIFIED BY COUNCIL FOR FY 17-18 (as submitted by Councilmembers)	SUGGESTED FUNDING SOURCE BY COUNCILMEMBER	CATEGORY
AGS	6	More Events to Attract Tourism in Lockhart and Include Way Finding Signage (Hotels and Restaurants)		ECONOMIC DEV
AGS	1	All Department Heads to Budget Salary Increases for all City Employees.		EMPLOYEES
JM	1	City Employee Raises		EMPLOYEES
JM	2	House or fund gym membership/space (weight rm) in Senior Center area (cardio machine) for City employees		EMPLOYEES
AGS	8	Employee: Possible additional Employee Holiday Time Off-Alternating System. Even though this has been discussed and the reasons for why it cannot be done, I would like to see a time off alternating system, especailly during the holidays.		EMPLOYEES
BW	1	ENFORCE ordinances that pertain to unsightly properties all over town		ENFORCEMENT
Jeff M	1	Enforce city ordinance regarding residential property		ENFORCEMENT
Jeff M	3	Continue to work on City Park improvements		PARKS
JM	3	Do inventory of City properties to idenify areas for pocket parks	LEDC funds	PARKS
LW	3	Park improvements	General fund	PARKS
BH	5	Parks Improvements	General Fund	PARKS
JC	5	Parks		PARKS
AGS	7	Parks Improvemens: Purchase and update the park equipment to provide safe and fun filled parks for all to use.		PARKS
LW	7	Town branch cleanup and beautification	???	PARKS
JM	4	Start process of Funding Sidewalks east of 183 connecting to the US 183 sidewalks		SIDEWALKS
LW	6	sidewalk repair and expansion	general fund bond	SIDEWALKS
BH	1	IMPLEMENT SIGNAGE IN LOCKHART	General Fund (LEDC) and/or Hotel Tax	SIGNAGE
LW	4	wayfinding, branding	general fund	SIGNAGE
LW	5	Entry signs	general fund	SIGNAGE
Jeff M	6	Signage on Highway 183 and SH130 = directing people to Lockhart		SIGNAGE
BW	4	Pursue opportunity to move Senior Citizens' Center to St Paul United Church of Christ Property		SR CITIZENS CTR
JC	1	Roads	Grants or impact fees	STREETS/INFRAS
AGS	2	Infrastructure: Continue City Infrastructure: Drainage, Street Repairs, Completion of Curbing, Brighter Lighting in Neighborhoods		STREETS/INFRAS
BH	2	Continue improving City Streets	Increase Transportation Fund	STREETS/INFRAS
Jeff M	5	Continue to make improvements and redoing our city streets		STREETS/INFRAS

Lockhart City Council
FY 16-17 Goals
Revised 3-10-2016, 8:30 pm

Priority	Council Person	Goals Submitted	City Manager Comments
1	Castillo	Infrastructure	Complete 2015 CO projects and need budget of \$250,000 per year for streets, continue water and sewer main replacements; continue electric distribution maintenance plan-get new substation on line. Replace bad water raw water mains and find additional water for the future.
1	Gonzales-Sanchez	Department Heads to Budget Salary Increases for city employees so that we can keep our current city employees.	Est Cost Per % Increase Annually: Gen Fund (Not Civil Serv) \$ 29,000; Gen Fund Civil Serv \$ 24,000; Other/Utilities: \$ 15,000- Add'l
1	Hilburn	Improve City Cemetery with GF Expiring debt saving and/or Cemetery Tax	Cemetery Tax up to 5 cents allowed by State Law. Expiring GF debt committed to Police and Fire increased pay rates. (\$132,000)
1	Mendoza	Find ways to use activity center for multi-purpose use. (basketball, volleyball). Funding source: Different companies in town	If approved by Council staff would approach local businesses
1	Michelson	Continue to improve infrastructure (drainage, street repairs) throughout the city	Complete 2015 CO and budget \$250,000 per year for street materials
1	Westmoreland	Enforce ordinances that pertain to unsightly properties all over town. Make homeowners/residents (because some may be renters) take pride in their environment. It is an eyesore to drive around town and see overgrown properties, junked cars, and stacks of trash on porches, in yards and driveways. All levels of socio-economic residents in this town have shown evidence of being disrespectful to their environment.	City has no esthetics ordinance currently. The term "unsightly" is subjective and is difficult to prove in court.
1	White	Economic Development-expanding budget to get staff qualified to help Sandra with recruitment, working with LEDC to either build Spec building or invest in more property, Main St program to relieve Sandra of a lot of those duties	Main Street Program would require another person and funding to work with local businesses while Economic Development would conscentrate on new businesses and new jobs
2	Castillo	Economic Development	Need 12-15,000 sf of retail spaces with reasonable lease per sf and buildings that are 20 to 50,000 sf for industrial and maunufacturing
2	Gonzales-Sanchez	Infrastructure: Continue City Infrastructure: Drainage, Street Repairs, Completion of Curbing, Brighter Lighting in Neighborhoods	Complete 2015 CO projects and need budget of \$250,000 per year for streets, continue water and sewer main replacements; continue electric distribution maintenance plan-get new substation on line. Replace bad water raw water mains and find additional water for the future. Most streets that lack curbing will need to be totally reconstructed. Brighter LED lights being experimented with since costs have come down.
2	Hilburn	Implement City Signage	Initial required funds up to \$40,000 if City Crew does the work; total cost could be more than \$70,000
2	Mendoza	New Park equipment. Funding Source: Each Councilmember responsible for a park and finding funding sources	Estimate: \$ 400,000 annually over next 4 years based on input from Parks Board Advisory Board
2	Michelson	Continue to improve ways to attract businesses to Lockhart	Need more 12-15,000 sf of retail spaces with reasonable lease per sf and buildings that are 20 to 50,000 sf for industrial and maunufacturing
2	Westmoreland	Create a policy for the residency of future admininstrative positions to live within the Lockhart city limits. If an administrator wants to be employed by the City of Lockhart, they need to reside here. Sharing in the daily lives of our citizens seems crucial to making decisions about Lockhart. They are paid by city taxes.	It is not legal to require all department heads to live in the City limits; only the City Manager is required to do so. All non-24 emergency response employees must live within 25 mintues of City Limis
2	White	Continue street rehab	Need \$ 250,000 annually minimum for street work materials
3	Castillo	City Facilites	Not sure what this includes; can asses all departments for physical needs
3	Gonzales-Sanchez	Economic Development: Recurit more businesses especailly retail and continue efforts ; contact existing and vacant bldg owners to see if they are willing to work with City to bring these small retail businesses, as well as industrial; possibly purchasing two downtown county buildings when on the market for possible new businesses in the downtown area. Stronger platform with LEDC with methods to sell Lockhart and attract businesses.	LEDC could fund another report but the company says our numbers still should be good. Costs estimated \$22,500 for updating data and recruitment. Prime softgood companies constantly want to be on Highway 183 in 12-15,000 sf and at a reasonalbe cost per sf plus higher traffic counts.

Lockhart City Council
FY 16-17 Goals
Revised 3-10-2016, 8:30 pm

Priority	Council Person	Goals Submitted	City Manager Comments
3	Hilburn	Continue improving city streets: Increase Transportation Fund	Current transportation monthly rate is \$ 4 for residential and others; \$260,000 annual which helps fund labor and equipment, but is not sufficient for materials. Another \$250,000 for materials is needed annually.
3	Mendoza	Wi-Fi Free Zones Downtown Square. Funding source City Budget, School District, Downtown sponsors	Rough estimate is about \$12,000
3	Michelson	Refurbish City Hall	If atrium removed, add more offices estimated at \$45,000 and more outside landscaping estimated at \$ 5,000; elevator going in with improvements to restrooms and offices
3	Westmoreland	Approach interested and future businesses cordially. Stringent ordinances (and the way they are approached), scare off some businesses. Let's be friendly in a positive way.	City Mgr respectfully requests names of such businesses. He has met with 18 business representatives over past 15 months that were looking at Lockhart but did not come. Except for the non-residential exterior building esthetics ordinance, none of them indicated a problem with the current ordinances or with staff. The main problems were high land prices and the lack of "ready built retail and industrial buildings", and traffic counts were not high enough. Most thought the impact fee schedules were very reasonable compared to other cities. Will continue to work toward friendlier customer service with simplified ordinances.
3	White	Park master plan to consider park bond issue, recreation dept and staff issues	Master Plan estimate: \$ 45,000, recreation dept est at least \$ 60,000 for a recreational professional with another \$30,000 for equipment and materials
4	Castillo	Employees Wages	Est Cost Per % Increase Annually: Gen Fund (Not Civil Serv) \$ 29,000; Gen Fund Civil Serv \$ 24,000; Other/Utilities: \$ 15,000- Add'l Cost FY 16-17 due to Civil Serv Pay Plan Expansions already approved: \$ 132,000
4	Gonzales-Sanchez	Police Task Force: Budget extra funds to bring back a much needed Police Task Force to address any drug and gang related problems this city is being faced with especially on the East side of our city. Possibly ask the County to assist with funding.	Initial required funds up to \$40,000 if City Crew does the work; total cost could be more than \$70,000
4	Hilburn	Continue working on bringing industry to Lockhart: Continue supporting Ms. Mauldin	LEDC is will have sufficient funding to be more aggressive starting FY 16-17
4	Mendoza	Training Start up: Neighborhood Watch Training and Program: Police Budget	Have tried Neighborhood Watch Program in past but was not sustained because of lack of participation. Willing to try again.
4	Michelson	Improve signage on HWY 183 as well as SH130 = directing people to Lockhart	Possibly use of some of the KTB grant money
4	Westmoreland	Evaluate and/or change the degree of the angled parking along the 4 blocks off of the square. This would be: Main Street from Market to Prairie Lea Street; Main Street from San Antonio Street to Walnut Street; Commerce Street from Market Street to Prairie Lea Street, and Commerce Street from San Antonio Street to Walnut Street. These parking spaces were made before long vehicles were made! If there are cars parked on both sides of the streets, only one car can pass through at a time. Then it becomes a one lane street. I have witnessed a different angled parking arrangement, and it provides more room and is much safer for the drivers and pedestrians.	Estimate to black out existing thermoplastic markings, redefine layout, and apply new thermoplastic markings with angle parking = \$ 12,000; will probably lose 4 spaces per block. 2 on each side
4	White	Branding and wayfinding—may be included in #1	Initial required funds up to \$40,000 if City Crew does the work; total cost could be more than \$70,000
5	Castillo	Parks	Estimate: \$ 400,000 annually over next 4 years based on input from Parks Board Advisory Board
5	Gonzales-Sanchez	Subdivision development to attract more businesses to Lockhart	Working with 6 more subdivisions, either new or expanding, and possibly one more very large one northwest.
5	Hilburn	Improve tourism in Lockhart - City Council continue to work with and encourage Chambers of Commerce to be more involved	Council can make this directive to Chambers when dividing out HOT funds
5	Mendoza	Finding more funding for Retail Market Study. Zip code demographics with reports. Funding LEDC	LEDC could fund another report but the company says our numbers still should be good. Costs estimated \$22,500 for updating data and recruitment.

Lockhart City Council
FY 16-17 Goals
Revised 3-10-2016, 8:30 pm

Priority	Council Person	Goals Submitted	City Manager Comments
5	Michelson	Work with LEDC or someone equivalent to build a building to help attract business	Need more 12-15,000 sf of retail spaces with reasonable lease per sf. Most softgood retailers want 12-15,000 on Hwy 183 at a reasonable price and increased traffic volumes
5	White	Sidewalks to include lighting	Funding required; for example San Jacinto to Jr High estimate is \$130,000 just for materials along Maple walkway
6	Gonzales-Sanchez	More Events to Attract Tourism in Lockhart and Include Way Finding Signage (Hotels and Restaurants)	Initial required funds up to \$40,000 if City Crew does the work; total cost could be more than \$70,000. Chambers could use HOT for more tourism.
6	Michelson	Continue to work on City Park improvements	Estimate: \$ 400,000 annually over next 4 years based on input from Parks Board Advisory Board
6	White	Pursue possible ESD-EMS district	Legal issue with participation by County and City of Luling preferable
7	Gonzales-Sanchez	Parks Improvemens: Purchase more park equipment to provide safe and fun filled parks for all to use.	Estimate: \$ 400,000 annually over next 4 years based on input from Parks Board Advisory Board
7	Mendoza	Start Talks With YMCA Austin again. Seek sponsors funding if necessary	Our population hurt in previous discussions, Will pursue again. They usually want commitment for a minimum number of individuals and families depending on population of not only City but its metro area
7	Michelson	Work on building a civic center/ recreation center	\$ 9 million plus land \$ 2.5 million for about 20,000 sf plus about \$240,000 annual maintenance costs and minimum of \$60,000 for utilities; estimated revenues offset is about \$60,000; take out recreation center and cost go down about 20%. It has been reported that Bastrop is spending over \$500,000 per year to operate its civic center. Revenues not covering costs.
7	White	Cemetery maintenance	Cemetery Tax up to 5 cents allowed by State Law
8	Gonzales-Sanchez	City Hall: Refurbish with Improvements and/or Upgrades	Elevator and improvements to restrooms planned; better offices for Connie and Sandra planned also.
9	Gonzales-Sanchez	Convention Center	\$ 9 million plus land \$ 2.5 million for about 20,000 sf plus about \$240,000 annual maintenance costs and minimum of \$60,000 for utilities; estimated revenues offset is about \$60,000; take out recreation center and cost go down about 20%. It has been reported that Bastrop is spending over \$500,000 per year to operate its civic center. Revenues not covering costs.
10	Gonzales-Sanchez	Employee: Possible additional Employee Holiday Time off-Alternating system	City employees now have 12 holidays and 1 personal holiday; time off is granted by seniority with department head responsible for keeping sufficient personnel to serve the public needs. Employees also receive at least 2 weeks of vacation time. Those employees required to work on holidays receive their normal pay plus holiday pay.

City of Lockhart																					
Future Debt Payments as of 9/30/18																					
Description		Paid Debt	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	TOTAL DEBT
General Government																					
Hotel Tax Fund																					
2016 GO Refunding				40,000	40,000	40,000	40,000	40,000	40,000	40,000	40,000	40,000	40,000								400,000
Total Hotel Tax Fund P & I			-	40,000	40,000	40,000	40,000	40,000	40,000	40,000	40,000	40,000	40,000	-	-	-	-	-	-	-	400,000
LEDC																					
2015 Tax & Revenue	100.00%		48,093	48,044	48,103	48,152	63,645	63,670	63,513	63,543	63,555	63,643	63,687	65,647	65,544	65,575	65,482	65,579	65,538	65,676	1,048,596
Total LEDC Fund P & I			48,093	48,044	48,103	48,152	63,645	63,670	63,513	63,543	63,555	63,643	63,687	65,647	65,544	65,575	65,482	65,579	65,538	65,676	1,048,596
2015 Capital Projects Fund																					
2015 Tax & Revenue																					-
Total 2015 Capital Projects Fund Fund P & I			-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Drainage																					
2015 Tax & Revenue			100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	1,700,000
Total Drainage Fund P & I			100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	1,700,000
General Fund																					
2015 Tax & Revenue																					-
Total General Fund P & I			-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Debt Service Fund																					
2006 Tax & Rev CO's	100.00%		47,175	50,535	48,690	46,845															146,070
2006-A Tax & Rev CO's	93.00%		267,890	267,803	267,332	271,128															806,264
2015 Tax & Revenue	TRNSF		186,594	186,302	186,653	186,945	279,275	279,421	278,487	278,662	278,735	279,261	279,523	291,203	290,590	290,773	290,222	290,798	290,554	291,374	4,548,778
2015 Tax & Revenue	12.00%		117,779	117,659	117,803	117,923	155,867	155,927	155,543	155,615	155,645	155,861	155,969	160,769	160,517	160,592	160,365	160,602	160,502	160,831	2,567,990
2016 GO Refunding	74.84%		171,056	346,930	361,150	353,161	656,899	666,927	661,698	666,974	673,111	670,566	678,350	-	-	-	-	-	-	-	5,735,766
Total Debt Service Fund P & I			790,494	969,229	981,628	976,002	1,092,041	1,102,275	1,095,728	1,101,251	1,107,491	1,105,688	1,113,842	451,972	451,107	451,365	450,587	451,400	451,056	452,205	13,804,868
Total General Government			938,587	1,157,273	1,169,731	1,164,154	1,295,686	1,305,945	1,299,241	1,304,794	1,311,046	1,309,331	1,317,529	617,619	616,651	616,940	616,069	616,979	616,594	617,881	16,953,464

Future Debt Payments as of 9/30/18																					
Description		Paid Debt	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	TOTAL DEBT
Proprietary																					
Electric Fund																					
2013 SIB Loan	30.81%		71,151	71,152	71,151	71,151	71,151	71,151	71,151	71,152	71,151	71,151	71,151	71,151	71,151	71,151	71,151	71,152			1,067,268
																					-
Total Electric Fund P & I		-	71,151	71,152	71,151	71,151	71,151	71,151	71,151	71,152	71,151	71,151	71,151	71,151	71,151	71,151	71,151	71,152	-	-	1,067,268
Water Fund																					
2006A Tax & Rev CO's	7.00%		20,164	20,157	20,122	20,408															60,687
2015 Tax & Revenue	49.60%		486,818	486,322	486,917	487,413	644,248	644,496	642,909	643,207	643,331	644,223	644,670	664,510	663,468	663,778	662,842	663,822	663,406	664,800	10,614,362
2016 GO Refunding	21.81%		49,849	101,103	105,247	102,919	191,435	194,357	192,833	194,371	196,159	195,418	197,686	-	-	-	-	-	-	-	1,671,528
2013 SIB Loan	35.80%		82,676	82,676	82,676	82,676	82,676	82,676	82,676	82,676	82,676	82,676	82,676	82,676	82,676	82,676	82,676	82,676			1,240,140
Total Water Fund P & I		-	639,507	690,258	694,962	693,416	918,359	921,529	918,418	920,254	922,166	922,317	925,032	747,186	746,144	746,454	745,518	746,498	663,406	664,800	13,586,717
Sewer Fund																					
2015 Tax & Revenue	4.30%		42,204	42,161	42,213	42,256	55,852	55,874	55,736	55,752	55,773	55,850	55,889	57,609	57,518	57,545	57,464	57,549	57,513	57,643	920,197
																					-
2016 GO Refunding	3.35%		7,657	15,529	16,166	15,808	29,404	29,853	29,619	29,855	30,130	30,016	30,364	-	-	-	-	-	-	-	256,744
2013 SIB Loan	33.39%		77,102	77,103	77,102	77,102	77,103	77,102	77,102	77,103	77,102	77,102	77,103	77,102	77,102	77,103	77,102	77,102			1,156,537
																					-
Total Sewer Fund P & I			126,963	134,793	135,481	135,166	162,359	162,829	162,457	162,710	163,005	162,968	163,356	134,711	134,620	134,648	134,566	134,651	57,513	57,643	2,333,478
Total Proprietary Fund P & I		-	837,621	896,203	901,594	899,733	1,151,869	1,155,510	1,152,026	1,154,116	1,156,323	1,156,436	1,159,539	953,049	951,915	952,253	951,236	952,301	720,919	722,443	16,987,463
Grand Total			1,776,208	2,053,476	2,071,326	2,063,887	2,447,555	2,461,455	2,451,267	2,458,910	2,467,369	2,465,767	2,477,068	1,570,668	1,568,566	1,569,193	1,567,305	1,569,280	1,337,513	1,340,324	33,940,927

City of Lockhart
2015 BOND PROGRAM

Cost	Notes	Task Name	Duration	Start	Finish	2015	2016	2017
						FebMarAprMayJunJulAugSepOctNovDecJanFebMarAprMayJunJulAugSepOctNovDecJanFebMarAprMayJunJulAugSepOctNovDecJan		
\$14,124,890.00		TOTAL PROJECT COST						
\$2,068,024.00	1	DRAINAGE IMPROVEMENTS CONTRACT 1 - Mesquite/Wichita Street & Richland Drive						
		Surveying Proposal	17 days	Fri 3/6/15	Sun 3/22/15			
		Survey	30 days	Mon 3/23/15	Tue 4/21/15			
		Acquisition	120 days	Wed 4/22/15	Wed 8/19/15			
		Engineering Design	90 days	Wed 4/22/15	Mon 7/20/15			
		Bid Ad/NTP	60 days	Tue 7/21/15	Fri 9/18/15			
		Construction	180 days	Sat 9/19/15	Wed 3/16/16			
\$1,999,200.00	2	DRAINAGE IMPROVEMENTS CONTRACT 2 - Century Oaks/Market Street, & Ash/Comal Streets						
		Surveying Proposal	17 days	Fri 3/6/15	Sun 3/22/15			
		Survey	30 days	Sat 4/25/15	Sun 5/24/15			
		Acquisition	150 days	Mon 5/25/15	Wed 10/21/15			
		Engineering Design	120 days	Mon 5/25/15	Mon 9/21/15			
		Bid Ad/NTP	60 days	Tue 9/22/15	Fri 11/20/15			
		Construction	180 days	Sat 11/21/15	Wed 5/18/16			
\$3,394,038.00	3	DRAINAGE IMPROVEMENTS CONTRACT 3 - Downtown Improvements Project						
		Surveying Proposal	15 days	Sun 8/2/15	Sun 8/16/15			
		Survey	45 days	Mon 8/17/15	Wed 9/30/15			
		Engineering Design	180 days	Thu 10/1/15	Mon 3/28/16			
		Bid Ad/NTP	60 days	Tue 3/29/16	Fri 5/27/16			
		Construction	365 days	Sat 5/28/16	Sat 5/27/17			
\$323,400.00	4	DRAINAGE IMPROVEMENTS CONTRACT 4 - Medina & US183 Project						
		Surveying Proposal	15 days	Sun 11/1/15	Sun 11/15/15			
		Survey	7 days	Mon 11/16/15	Sun 11/22/15			
		Acquisition	90 days	Mon 11/23/15	Sat 2/20/16			
		Engineering Design	60 days	Mon 11/23/15	Thu 1/21/16			
		Bid Ad/NTP	60 days	Fri 1/22/16	Mon 3/21/16			
		Construction	90 days	Tue 3/22/16	Sun 6/19/16			
\$1,764,000.00	5	FM 2001 ELEVATED TANK PROJECT						
		Surveying Proposal	15 days	Sat 1/2/16	Sat 1/16/16			
		Survey	15 days	Sun 1/17/16	Sun 1/31/16			
		Acquisition	120 days	Mon 2/1/16	Mon 5/30/16			
		Engineering Design	90 days	Mon 2/1/16	Sat 4/30/16			
		Bid Ad/NTP	60 days	Sun 5/1/16	Wed 6/29/16			

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