PUBLIC NOTICE

AGENDA

LOCKHART CITY COUNCIL

April 5, 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 except to the extent specifically authorized under the Texas Open Meetings Act.

DISCUSSION ONLY

A. Presentation of proclamations declaring April 2022 as Child Abuse and Sexual Assault Awareness & Prevention Month.

B. Executive session in accordance with the provisions of the Government Code, Title 5, Subchapter D, Section 551.086 Public Power Utilities, competitive matters, to deliberate or take final action on a competitive matter related to assignment of a right of first refusal.

C. 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.

   A. Consultation with City Attorney regarding Code of Ethics.

D. Discuss minutes of the March 3, 2022 and March 15, 2022 City Council meetings.

E. Discuss Resolution 2022-20 approving the City of Lockhart's Spending Plan for American Rescue Plan Act of 2021 relief funds associated with the implementation of the America Rescue Plan Act (ARPA) - Coronavirus Local and State Fiscal Recovery Funds (SLFRF) allocation.

F. Discuss application ZC-22-09 by Chris Bancroft on behalf of Alma Ewald for a **Zoning Change** from 23.064 acres *AO Agricultural--Open Space District* to 18.535 acres *RHD Residential High Density District* and 4.529 acres *CMB Commercial Medium Business District* in the Byrd Lockhart League, Abstract No. 17, located at 1650 North Colorado Street (US 183). *Proposed to be TABLED to the June 7th meeting due to not yet having a final recommendation from the Planning and Zoning Commission.*

G. Discuss application ZC-22-10 by Chris Bancroft on behalf of Ernest Ewald, Jr., for a **Zoning Change** from 15.906 acres *AO Agricultural--Open Space District* to 12.262 acres *RHD Residential High Density District* and 3.644 acres *CMB Commercial Medium Business District* in the Byrd Lockhart League, Abstract No. 17, located at 1724 North Colorado Street (US 183). *Proposed to be TABLED to the June 7th meeting due to not yet having a final recommendation from the Planning and Zoning Commission.*

H. Discussion regarding revisions to 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 and repairs.

I. Discuss Ordinance 2022-14 adopting a code of ethics and anti-discrimination policy for city council members, city board/commission members, and employees.

J. Discuss the nomination of Daniel Koehler to the Airport Advisory Board by Councilmember Derrick David Bryant for a term to expire in November 2022.

K. Discussion regarding matters related to COVID-19.

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. PUBLIC HEARING/COUNCIL ACTION

A. Hold second public hearing to receive comments on the proposed Illustrative Plan for redistricting the City Council districts.

The City Council may go into executive session pursuant to Texas Government Code, Section 551.071 to receive advice from legal counsel regarding the City's redistricting obligations.

B. Discussion and consideration by the City Council of comments received from the public regarding the proposed redistricting plan for City Council districts, and possible amendments to the proposed plan, including a plan drawing session.

C. Discussion of, and possible action to adopt Resolution 2022-21 approving the Redistricting of the City's single-member Council Districts and establishing new district boundary lines for the City of Lockhart's City Council Election based on 2020 Census data and providing for an effective date.

5. CONSENT AGENDA

A. Approve minutes of the March 3, 2022 and March 15, 2022 City Council meetings.

B. Approve Resolution 2022-20 approving the City of Lockhart's Spending Plan for American Rescue Plan Act of 2021 relief funds associated with the implementation of the America Rescue Plan Act (ARPA) - Coronavirus Local and State Fiscal Recovery Funds (SLFRF) allocation.

C. Table application ZC-22-09 by Chris Bancroft on behalf of Alma Ewald for a **Zoning Change** from 23.064 acres *AO Agricultural--Open Space District* to 18.535 acres *RHD Residential High Density District* and 4.529 acres *CMB Commercial Medium Business District* in the Byrd Lockhart League, Abstract No. 17, located at 1650 North Colorado Street (US 183) to the June 7, 2022 City Council meeting.

D. Table application ZC-22-10 by Chris Bancroft on behalf of Ernest Ewald, Jr., for a **Zoning Change** from 15.906 acres *AO Agricultural--Open Space District* to 12.262 acres *RHD Residential High Density District* and 3.644 acres *CMB Commercial Medium Business District* in the Byrd Lockhart League, Abstract No. 17, located at 1724 North Colorado Street (US 183) to the June 7, 2022 City Council meeting.

6. DISCUSSION/ACTION ITEMS

A. Discussion regarding revisions to 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 and repairs.

B. Discussion and/or action to consider Ordinance 2022-14 adopting a code of ethics and anti-discrimination policy for city council members, city board/commission members, and employees.

C. Consider the nomination of Daniel Koehler to the Airport Advisory Board by Councilmember Derrick David Bryant for a term to expire in November 2022.

D. Discussion regarding matters related to COVID-19.

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

- City offices will be closed on Friday, April 15 in observance of the Good Friday Holiday. No change in the garbage pickup schedule.
- Update regarding Civil Service Examinations for Public Safety positions.
- Council Goals Workshop on Saturday, April 9 at 8:00 a.m.
- Update regarding Household Hazardous Waste Collection event held on March 26.
- Update regarding roof repairs at 901 Bois D'arc-Senior Citizen Center.
- CARTS Now services begin in Lockhart on May 2.

8. COUNCIL AND STAFF COMMENTS - ITEMS OF COMMUNITY INTEREST

9. OPEN SESSION

A. Discussion and/or action regarding matters discussed in Executive Session.

10. 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 1st day of April, 2022 at 4:55 p.m.

Proclamation

WHEREAS, more than 68,461 cases of child abuse and neglect were confirmed in Texas in 2021 resulting in 16,629 children in foster care in Texas, and the death of 199 children in Texas in 2021; and

WHEREAS, 157 children were confirmed victims of abuse in Caldwell County in 2020; and

WHEREAS, child abuse prevention is a community responsibility and finding solutions depends on involvement among all people; and 2021 was an especially trying time for children who are unsafe in their homes. Through the perseverance of our many community organizations working daily to end child abuse, we continually served children throughout the pandemic.

WHEREAS, locally, representatives from Caldwell County Child Welfare Board, Caldwell County District Attorney's Office, Hays-Caldwell Women's Center and Roxanne's House, Texas Department of Family and Protective Services, Court Appointed Special Advocates (CASA), Lockhart and Luling Police Departments, Caldwell County Sheriff's Office, and Christus Santa Rosa San Marcos have joined forces to provide preventive and supportive services to child victims and their families; and

WHEREAS, every child in Lockhart, TX deserves to be safe, nurtured and supported in caring relationships; and

THEREFORE, I, Lew White, by virtue of the authority vested in me as Mayor of the City of Lockhart, Texas, do hereby proclaim the month of

April 2022

as

"CHILD ABUSE PREVENTION AND AWARENESS MONTH"

and do hereby call upon the citizens of Lockhart, TX to work together to raise awareness and prevent child abuse in our community and beyond.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed the Seal of Lockhart, Texas, this 5th day of April, 2022.

ATTEST:

Connie Constancio

Connie Constancio, TRMC
City Secretary

CITY OF LOCKHART

Lew White

Lew White
Mayor

Proclamation

WHEREAS, 6.3 million Texans have experienced some form of sexual assault in their lifetime and

WHEREAS, 2 IN 5 WOMEN AND 1 IN 5 MEN IN Texas have been sexually assaulted in their lifetime affecting all races, ages, genders and economic situations; and

WHEREAS, The Hays-Caldwell Women's Center provided direct services to **586** adult victims of sexual assault in Hays and Caldwell Counties last year; and

WHEREAS, Lockhart, TX is intolerant of sexual violence in any form and recognizes that education and awareness may prevent sexual assault; and

WHEREAS, efforts to reduce sexual assault can only be successful through citizen involvement, and the safety of the citizens of Lockhart, TX depends upon our actions to end sexual assault;

THEREFORE, I, Lew White, by virtue of the authority vested in me as Mayor of the City of Lockhart, Texas, do hereby proclaim

April 2022

as

"SEXUAL ASSAULT AWARENESS & PREVENTION MONTH"

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed the Seal of Lockhart, Texas, this 5th day of April 2022.

CITY OF LOCKHART

Lew White

Lew White
Mayor

ATTEST:

Connie Constancio

Connie Constancio, TRMC
City Secretary

SPECIAL MEETING
LOCKHART CITY COUNCIL MARCH 3, 2022 6:30 P.M.
FIRST LOCKHART BAPTIST CHURCH, CONNECTION CENTER, 200 S. BLANCO STREET, LOCKHART, TEXAS

Council present:
Mayor Lew White
Mayor Pro-Tem Angie Gonzales-Sanchez
Councilmember Brad Westmoreland

Staff present:
Steven Lewis, City Manager
Connie Constancio, City Secretary
Victoria Maranan, Public Information Officer
Sean Kelley, Public Works Director

CITY OF LOCKHART CONDUCTED A SECOND OPEN HOUSE ABOUT THE DOWNTOWN REVITALIZATION PROJECT.

Representatives conducting the Downtown Revitalization Project Open House:
Jeff Dahm of TRC Solutions, Bobby Eichholz of TRC Solutions and Kylie Mycock of Rialto Studio.

Mayor White welcomed the public at 6:30 p.m.

Jeff Dahm and Bobby Eichholz of TRC Solutions and Kylie Mycock of Rialto Studio provided detailed information about the Downtown Revitalization Project. They provided details about the first survey that citizens participated in about the Downtown Revitalization Project. The Project focuses on the nine-block area surrounding the historic Caldwell County Courthouse. Proposed upgrades include utility, drainage, street, hardscape, pedestrian access, and landscaping in the downtown area, along with traffic alternatives on North Main St., between SH-142/W. San Antonio St. and Walnut St.

Citizens reviewed several plans about the project and were encouraged to participate in a second on-line questionnaire about the Downtown Revitalization Project on the City of Lockhart's website.

The Open House was concluded at 9:00 p.m.

PASSED and APPROVED this the 5th day of April, 2022.

CITY OF LOCKHART

_____
Lew White, Mayor

ATTEST:

_____
Connie Constancio, TRMC
City Secretary

REGULAR MEETING
LOCKHART CITY COUNCIL MARCH 15, 2022 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
Julie Bowermon, Civil Service/HR Director
Connie Constancio, City Secretary
Victoria Maranan, Public Information Officer
Sean Kelley, Public Works Director
Mike Kamerlander, Economic Development Dir.
Russell McDonald, Interim Building Official

Citizens/Visitors Addressing the Council: Mike Brooks of BrooksWatson; Syd Falk of Bickerstaff, Heath, Delgado & Acosta, Rachel Lingvai and Will Rhodes of Rach and Rhodes; and Citizens: Philip Ruiz, Maria Rangel and Hector Rangel.

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:

DISCUSSION ONLY

A. PRESENTATION OF THE CITY OF LOCKHART AND THE LOCKHART ECONOMIC DEVELOPMENT CORPORATION'S FISCAL YEAR 2020-2021 ANNUAL COMPREHENSIVE FINANCIAL REPORT (ANNUAL FINANCIAL AUDIT) BY BROOKSWATSON & COMPANY, PLLC., AN INDEPENDENT PUBLIC ACCOUNTING FIRM.

Ms. Larison stated that according to the City of Lockhart's Home Rule Charter, Article 3, Section 3.14 - Audit of City Books and Accounts, the City shall have its records and accounts audited annually and shall have an annual financial statement prepared based on the audit. In addition, Section 3.14 states that the accountant shall not maintain or keep any of the city's accounts or records and shall not perform the city's annual audit for more than five years in succession. This is the first year for BrooksWatson & Company, PLLC to perform the City's annual audit. BrooksWatson & Company, PLLC has issued an unqualified (clean) opinion. An unqualified opinion is presumed to be free from material misstatements and fairly represents its financial results, financial position, and cash flows. The Annual Comprehensive Financial Report for Fiscal Year 2021 includes three sections: Introduction, Financial, and Statistical. The transmittal letter is one of the legal requirements for the annual report that typically includes the local government's profile, provides an economic update on the local economy, lists any major initiatives undertaken by the local government and states that the financial reports are management's responsibility. The financial section includes all necessary financial information, narratives explaining financials, and an auditor's report. The third section is the statistical section. It outlines financial trends, revenue capacity, debt capacity, demographic information, and other operating indicators about the local government.

Mike Brooks of BrooksWatson provided details about the Annual Comprehensive Financial Report. He commended the City of Lockhart for being awarded the *Certificate of Achievement for Excellence in Financial Reporting* for the second consecutive year. He stated that the City of Lockhart received the highest rating of an "unmodified opinion", which is the highest level of assurance. The audit reflects the total assets exceeded total liabilities by $46,946,537, City's governmental funds reported combined ending fund balances of $13,747,348, an increase of $2,823,984, and unassigned fund balance in the general fund was $6,506,302 or 56% of annual general fund expenditures. The city had an overall decrease in net position of $439,481 for the year. There was discussion.

B. DISCUSS RESOLUTION 2022-19 OF THE CITY COUNCIL OF THE CITY OF LOCKHART, TEXAS AMENDING ITS SCHEDULE OF PERMIT FEES IN ORDER TO INCLUDE SPECIFIC FEES APPLIED WHEN A PROJECT IS OUTSOURCED BY THE CITY TO A THIRD-PARTY COMPANY; KEEPING OTHER FEES IN THE SCHEDULE THE SAME; AND PROVIDING FOR AN EFFECTIVE DATE.

Ms. Bowermon stated that in 2017, the City Council authorized an agreement with Bureau Veritas North America, Inc. (BV) to provide building plan review and inspections; fire plan review and inspections; and food establishment inspections for the city as needed. With the recent retirement of Lockhart's Building Official and the loss of our Registered Sanitarian, combined with the current and anticipated development within the community, it has become necessary to outsource construction plan review and inspection services to BV on a regular basis. Each time the city outsources a construction project to BV for construction plan review and inspection, BV bills the city based on the rates set by the 2017 agreement. These rates were established in 2017 and have not been increased since that time. The fees that the city charges builders for non-residential construction plan review and inspections are less than the fees BV charges the city. Proposed Resolution 2022-19 increases the City's non-residential construction plan review and inspection fees to equal BV fees plus a 5% administrative services fee. When outsourcing non-residential projects to BV, the city has been absorbing the difference between what BV charges the city and what the city charges the builder. The proposed increase reduces the extra expense absorbed by the city. At this time, the city does not charge for fire plan review and inspections or food establishment inspection services. When BV is utilized for these services, the city absorbs the entire expense. Proposed Resolution 2022-19 only addresses non-residential construction plan review and inspections. City staff will be returning to the Council soon to consider fee increases for residential construction, fire review and inspections, and food establishment inspections. Ms. Bowermon recommended approval. There was discussion.

D. DISCUSS MINUTES OF THE MARCH 1, 2022 COUNCIL MEETING.

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

E. DISCUSS A SHORT TERM USE AGREEMENT EXTENSION WITH THE LOCKHART YOUTH SOCCER ASSOCIATION (LYSA) FOR THE USE OF THE CPL. JASON K. LAFLEUR SOCCER COMPLEX AND DEFINING MAINTENANCE RESPONSIBILITIES OF LYSA AND THE CITY OF LOCKHART AND APPOINTING THE MAYOR TO SIGN THE AGREEMENT IF APPROVED BY COUNCIL.

Mr. Kelley stated that the Lockhart Soccer Youth Association's (LYSA) Complex Use Agreement for the Cpl. Jason K. LaFleur Sports Complex expires on March 24, 2022. The LYSA presented proposed changes to the agreement to the Parks and Recreation Advisory Board. The Board recommended an extension of the existing agreement with LYSA and requested that staff obtain information about funding, the implementation procedures, research, and additional discussions with the LYSA about the amendments that they requested prior to bringing a revised agreement to Council.

The most notable changes that LYSA requested in this contract renewal are:

- Reducing the renewal term from 5 years to 1 year.
- Authorizing LYSA to rent the fields to LYSA authorized organizations instead of non-profit organizations only.
- Clarifying lease fees to allow for fees based on scope of use.
- City to provide insect treatment quarterly instead of annually.
- Reducing the number of days that City staff has to resolve maintenance requests from 14 days to 10 days.
- Change LYSA's responsibility for field dirt work to a shared responsibility of LYSA and the City to include dirt work, fertilization, weed control, irrigation and seeding the fields to provide neat and safe fields.

Mr. Kelley recommended approval. There was discussion.

F. DISCUSS BID PROPOSAL BY THE INTERLOCAL PURCHASING SYSTEM (TIPS) COOPERATIVE PURCHASING WITH PMR CONTRACTORS IN THE AMOUNT OF $64,633.25 FOR THE REPLACEMENT OF THE SENIOR CENTER ROOF LOCATED AT 901 BOIS D' ARC STREET AND APPOINTING THE CITY MANAGER TO SIGN THE PROPOSAL, IF APPROVED BY COUNCIL.

Mr. Kelley stated that the city filed a claim with the Texas Municipal League Intergovernmental Risk Pool (TMLIRP) for damages to the roof at 901 Bois D' Arc Street (above the Senior Center) after an inspection conducted by a local roofer which revealed that the roof had suffered hail damage. TIPS Cooperative Purchasing Agency has gone through the bidding process for the roof replacement. During the bidding process, PMR Contractors was found to be the best and most qualified vetted contractor. The cost for the replacement of the roof at the Senior Center is $64,633.25.

The project includes the following:

- Hosting a preconstruction meeting
- Weekly inspections
- Full-time onsite non-working project manager
- Removal of old roof and disposal
- Prepping and treating surfaces
- New 60mil membrane roof and all components
- Replace 20 damaged ceiling tiles in the Senior Center
- 20 year warranty on materials
- 5-year warranty on workmanship

Mr. Kelley recommended approval. There was discussion.

G. DISCUSS THE PRELIMINARY BUDGET AND TAX CALENDAR FOR FISCAL YEAR 2022-2023.

Ms. Larison stated that the preliminary budget and tax calendar for the Fiscal Year 2022-2023 provides budget workshop dates for Council’s acceptance. The budget workshops consist of two dedicated meetings for discussion of the City Manager's proposed budget for Fiscal Year 2022-2023.

H. DISCUSS RESOLUTION 2022-17 FOR AN ECONOMIC DEVELOPMENT PERFORMANCE AGREEMENT WITH CALDWELL COUNTY FARM BUREAU FOR A BIG GRANT.

Mr. Kamerlander stated that the resolution and performance agreement offers a Business Improvement and Growth (BIG) Grant to the Caldwell County Farm Bureau at 108 E. Market Street. The Farm Bureau has invested in updating the façade of the building including, paint, new awning, new sign, and soon to be new doors. The economic development performance agreement outlines the work to be done on the building, and the rebate the owners would be entitled to should the work be completed as stated and paid as required. The work is not complete, which is why there is no amount included in the agreement. The BIG Grant's policy is to gain board approval as early in the process as possible and then collect the correct documents for reimbursement. The maximum rebate for any applicant is $20,000. LEDC staff will work with the Farm Bureau to obtain all documentation to provide the correct 50% rebate of whatever the final expenditure becomes. Mr. Kamerlander recommended approval. There was discussion.

I. DISCUSS RESOLUTION 2022-18 FOR AN ECONOMIC DEVELOPMENT PERFORMANCE AGREEMENT WITH GOOD THINGS LOCKHART, LLC FOR A BIG GRANT.

Mr. Kamerlander stated that the resolution and performance agreement offers a BIG Grant to Good Things Lockhart at 110 S. Commerce Street. Good Things will be investing by updating the façade of the building including paint, cleaning, letters added to the awning, sign painted on the exterior, and new lighting. The economic development performance agreement outlines the work to be done on the building, and the rebate the owners would be entitled to should the work be completed as stated and paid as required. The work has not begun which is why there is no amount included in the agreement. The BIG Grant's policy is to gain board approval as early in the process as possible and then collect the correct documents for reimbursement. The maximum rebate to any one applicant is $20,000. LEDC staff will work with Good Things to obtain all documentation to provide the correct 50% rebate of whatever the final expenditure becomes. Mr. Kamerlander recommended approval. There was discussion.

J. DISCUSS RESOLUTION 2022-16 TO ACCEPT A $1.68 MILLION GRANT FROM THE U.S. ECONOMIC DEVELOPMENT ADMINISTRATION (EDA) FOR WASTEWATER IMPROVEMENTS WITHIN THE CITY OF LOCKHART; PROVIDING $420,000 IN MATCHING FUNDS; AND PROVIDING AN EFFECTIVE DATE.

Mr. Kamerlander stated that the EDA issued a grant in the territory that includes Texas and four of our neighboring states that is a normal EDA grant. Like any EDA grant, it is about economic growth and job creation. The expected location for large scale growth in residential, commercial, and industrial development is on the western side of the city along SH 142 including LEDC's new 75-acre industrial park. The main wastewater line serving that area is inadequate for large, sustained growth in the future and it also serves properties between our new industrial park and the wastewater treatment plant. Currently there is 2.5 miles of an 8" wastewater line that runs along the rail line from SH 130 East to along Tank Street to the Larremore wastewater treatment plant on the creek. This EDA Project would expand the line to a 12" line, the majority of the length, as well as 15" in areas that would collect more effluent such as in town where there are more connections. This line would follow the same path but just make it larger to handle more capacity. This EDA grant would allow the City to apply and potentially receive enough funds to design and build the project to accommodate the expected future growth with a 20% match. Under the terms of the grant, infrastructure grants must be completed within 5 years. LEDC has applied twice before for similar grant funding in 2020 from an EDA Disaster grant. LEDC was denied once and left pending on the second application for this project due to lack of funding or inadequate "beneficiaries". Those denials or funding losses were mainly because we lacked ownership of the park and real economic development projects considering the site. LEDC has been awarded the grant. City Council Resolution

2022-16 will officially accept the EDA Grant to construct a new wastewater line from the industrial park along the Union Pacific Railroad to the Larremore treatment plant. The entire project cost is estimated at $2.1 million. The EDA grant is $1.68 million and the LEDC is required to provide a 20% match which would bring the total to $2.1 million. The LEDC Board and City Council both passed resolutions last summer to provide $400,000 to the project as the match but now that the grant has been awarded, the final amount must be exactly 20%. If approved, this resolution would be provided to the EDA as proof of funds for the project which is required to move forward. The same resolution was considered and approved by the LEDC Board on March 14, 2022. Mr. Kamerlander recommended approval. There was discussion.

K. DISCUSSION REGARDING A PROPERTY SALE AGREEMENT FOR 11.82 ACRES IN LOCKHART INDUSTRIAL PARK III WITH TITAN DEVELOPMENT.

Mr. Kamerlander stated that a land purchase agreement with Titan Development of Albuquerque, NM. Titan Development is one of the Southwest's largest and most active real estate development and investment firms. Titan offers real estate services for a variety of asset classes to take projects from inception to completion, as well as an in-house private equity fund management platform to better respond to their investor's needs. Titan Development expanded into other strategic and high growth markets including Texas, Arizona, Colorado, and Florida. Over the past 22 years, Titan Development has established a proven track record across a diversified class of real estate investments including: multifamily, senior living, office, industrial, retail, and single-family lots. Since its inception, the firm has completed over $2.4B in real estate development by the partners with $375.5M of assets under management, and over 15.5M square feet of developed real estate. LEDC is currently under contract on 13.6 acres of land in Lockhart Industrial Park III with Titan. The 11.82 acres is being considered as part of the Right of First Refusal provision in the property currently under contract with Titan. Titan has exercised its Right of First Refusal because LEDC received a letter of intent on this tract and Titan is working with a distribution/fulfillment prospect that LEDC has been working with for a few months now. Because of this prospect, Titan felt comfortable moving forward with land acquisition and planning as outlined in the site flyer from Aquila Commercial for the industrial park. This tract shows a 154,440 square foot building on 11.82 acres.

Information of note:

1. Site under the contract: Block C, Lot 2 (11.82 acres)
2. Purchase Price: $2.75/SF or $1,415,000
3. Earnest Money: $28,000
4. Due Diligence Period: Titan shall have 180 days to complete its Due Diligence related to the site.

Mr. Kamerlander stated that Titan's receipt of site plan approval for buyer's intended use of the property from the City of Lockhart is a condition of closing. Mr. Kamerlander recommended approval. There was discussion.

L. CONTINUE DISCUSSION REGARDING APPLICATION ZC-22-06 BY CURTIS THIGPEN OF PARAVEL CAPITAL FOR A ZONING CHANGE FROM *RMD RESIDENTIAL MEDIUM DENSITY DISTRICT* TO *RHD RESIDENTIAL HIGH DENSITY DISTRICT* FOR 19.906 ACRES IN THE CORNELIUS CRENSHAW SURVEY, ABSTRACT NO. 68, LOCATED IN THE 1900 BLOCK OF NORTH CESAR CHAVEZ PARKWAY - NORTHBOUND (SH 130). *TABLED AT THE FEBRUARY 15 MEETING. PROPOSED TO BE TABLED AGAIN TO THE JUNE 7TH MEETING DUE TO NOT YET HAVING A FINAL RECOMMENDATION FROM THE PLANNING AND ZONING COMMISSION.*

Mayor White announced that the item will be tabled to the June 7, 2022 Council meeting.

M. DISCUSS ORDINANCE 2022-14 ADOPTING A CODE OF ETHICS AND ANTI-DISCRIMINATION POLICY FOR CITY COUNCIL MEMBERS, CITY BOARD/COMMISSION MEMBERS, AND EMPLOYEES.

Mr. Akers stated that although state law addresses many ethical issues (e.g. Ch. 171 LGC for Conflicts of Interest, Ch. 573 GC for nepotism, etc.), cities often adopt a code of ethics that is more stringent than or which addresses issues not covered in detail by state law (e.g. social media, revolving door issues). A draft ethics policy has been prepared for the Council's consideration that is intended to do the latter. It differs from a draft that was previously distributed, particularly by addition of a section on social media and a section containing a graduating scale of penalties for violation. Note that it applies to "officers" (mayor and council members), "officials" (board and commission members) and employees. Note also that it contains (highlighted) revolving door provisions (Sec. 3-325 d through g & Sec. 3-26) that restrict former officers, officials, and employees from working for persons or entities with whom the officer, official, or employee had dealings before leaving city service. The length of such restrictions should be carefully considered. There was discussion.

N. DISCUSSION REGARDING THE NOMINATION OF DANIEL KOEHLER TO THE AIRPORT ADVISORY BOARD BY COUNCILMEMBER DERRICK DAVID BRYANT FOR A TERM TO EXPIRE IN NOVEMBER 2022.

Mayor White encouraged Councilmembers to contact Mr. Koehler about the nomination.

Councilmember Bryant stated that Mr. Koehler met all the qualifications to serve on the Airport Advisory Board.

Mayor White stated that the appointment would be considered at the next meeting.

O. DISCUSSION REGARDING MATTERS RELATED TO COVID-19.

Mayor White stated that Governor Abbott has not changed Executive Orders pertaining to COVID-19. He encouraged everyone to stay safe.

RECESS: Mayor White announced that the Council would recess for a break at 7:32 p.m.

REGULAR MEETING

ITEM 1. CALL TO ORDER.

Mayor White called the meeting to order at 7:45 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 6-A. DISCUSSION AND/OR ACTION TO CONSIDER IN-KIND SUPPORT AND APPROVAL OF COURTHOUSE NIGHTS EVENT TO BE HELD DOWNTOWN EVERY 3RD FRIDAY FROM APRIL TO OCTOBER 2022.

Mr. Kelley stated that Rach and Rhodes Presents seek City Council's approval for "Courthouse Nights" events to be held from April through October of 2022 and request city in-kind support for their event.

Historically, for events to be held downtown, they need to meet all the following criteria:

- A Special Activity Permit must be obtained from the Police Department.
- The event must be a "city-wide community event".
- If the event costs the City cash for anything, it must be pre-approved by the Council.
- In-kind services can include, but not limited to, trash cans, barricades, dumpsters, reasonable electrical services (110v), and reasonable water services.
- If alcohol is involved, security officers must be provided at the expense of the event holder and TABC laws and the local alcohol related ordinances must be observed.
- All fire and food handling regulations are applicable.
- Approval of affected businesses must be obtained.
- All cleanup must be by the event holder.

Mr. Kelley stated that last year's city in-kind services for this event included barricading street closures and extra trash cans for the event. Due to the popularity of the event, staff recommends closing two interior streets on the downtown square, both Market Street (Commerce to Main) and Commerce Street (San Antonio to Market). There is also a scheduling conflict on September 16th with the Diez y Seis de Septiembre celebration which he suggests Rach and Rhodes coordinate that weekend event with the Greater Caldwell County Hispanic Chamber of Commerce. Courthouse Nights indicates that they will not serve or sell alcohol or food.

Rachel Lingvai and Will Rhodes requested support to hold the 2nd Season of Courthouse Nights. They are working to coordinate a schedule with musicians and local entities to meet all requirements to be able to host another successful music season in 2022. There was discussion.

Councilmember Michelson made a motion to approve support of the event, as requested. Councilmember McGregor seconded. The motion passed by a vote of 7-0.

ITEM 3. PUBLIC COMMENT.
Mayor White requested citizens to address the Council regarding an item that is not on the agenda.

ITEM 4-A. HOLD PUBLIC HEARING TO RECEIVE COMMENTS ON THE PROPOSED ILLUSTRATIVE PLAN FOR REDISTRICTING THE CITY COUNCIL DISTRICTS. *THE CITY COUNCIL MAY GO INTO EXECUTIVE SESSION PURSUANT TO TEXAS GOVERNMENT CODE, SECTION 551.071 TO RECEIVE ADVICE FROM LEGAL COUNSEL REGARDING THE CITY'S REDISTRICTING OBLIGATIONS.*
Mayor White opened the public hearing 7:52 p.m.

Syd Falk of Bickerstaff, Heath, Delgado & Acosta provided detailed information regarding the following:

- One Person – One Vote: U.S. Constitution states that single-member districts must have approximately equal populations. Rule of thumb provides for a total deviation less than 10 percent.
- Available Census data: Census block level includes total population, voting age population, race, and Hispanic origin.
- Adoption criteria.

He stated that during the February 8 Special Council Meeting, the Council held the first map drawing session. After discussion, it was the consensus of the Council to accept the firm's proposed redistricting plan, which only affects District 2, the most populated district in Lockhart, and District 3, the least populated district. The plan expands District 3 to include residents living in the area bordered by Monte Vista Dr., Stueve Ln. and N. Medina Ln., reducing the population deviation to 8.9%, under the maximum 10% between the most populated and least populated city districts as required by the U.S. Constitution and court decisions. Adoption of the new single-member council member districts is scheduled on April 5, 2022. There was discussion.

Mayor White requested citizens to address the Council.

Philip Ruiz, on behalf of LULAC, stated that they express opposition to Plan A because minority citizens in the community have not been able to participate in the redistricting process.

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

He closed the public hearing at 8:15 p.m.

Mr. Falk requested citizens that would like to be involved in a drawing session to present their drawing options to city staff so that the firm can prepare the maps for a meeting.

CONSENSUS: After discussion, the consensus of the Council was to hold a second public hearing on April 5, 2022. If citizens submit specific details about other options to change single-member council districts, a drawing session will be scheduled.

ITEM 4-B. HOLD A PUBLIC HEARING ON APPLICATION ZC-22-07 BY HECTOR AND MARIA RANGEL, AND DISCUSSION AND/OR ACTION TO CONSIDER ORDINANCE 2022-13 FOR A ZONING CHANGE FROM *RMD RESIDENTIAL MEDIUM DENSITIY DISTRICT* TO *CMB COMMERCIAL MEDIUM BUSINESS DISTRICT* ON PART OF LOTS 3 AND 4, BLOCK 4, ORIGINAL TOWN OF LOCKHART, CONSISTING OF 0.5460 ACRE LOCATED AT 604 EAST MARKET STREET.

Mayor White opened the public hearing at 8:20 p.m.

Mr. Gibson stated that the convenience store on the subject property has been in existence for many years and was previously used for a variety of commercial uses. However, it's currently zoned RMD, which does not allow commercial uses. Commercial use of the building has been nonconforming, but considered grandfathered. However, nonconforming uses that are discontinued for a period of six months cannot resume. The owner has stated that the store has been closed since the beginning of the pandemic, but he plans to make improvements and reopen it. Because it has been closed for over six months, it can't be reopened unless the property is rezoned to a commercial classification. The proposed rezoning will eliminate the nonconforming status and allow retail commercial uses by-right. The subject property is at the edge of a primarily single-family residential area. However, there are several other businesses along East Market Street with commercial zoning and, in one case, industrial zoning. The mixed-use nature of development in the vicinity of the subject property seems to work well, despite the fact that there are businesses next door to single-family homes. Because the convenience store use is already a relatively intense retail commercial use, approval of the zoning change would not necessarily result in any additional impact on the neighborhood. However, the proposed CMB zoning classification is not consistent with the *Medium Density Residential* future land use designation of the land use plan map. So far, there has been no public opposition to this zoning change.

Mayor White requested the applicant to address the Council.

Hector and Maria Rangel, applicants, requested approval of rezoning the property to commercial. They provided history about their convenience store, involvement in the community, and stated that the store was grandfathered many years ago.

Mayor White requested citizens in favor of or against the zoning change to address the Council. There were none.

Mayor White requested additional citizens to address the Council. There were none. He closed the public hearing at 8:30 p.m.

Councilmember McGregor made a motion to approve Ordinance 2022-13, as presented. Councilmember Westmoreland seconded. The motion passed by a vote of 7-0.

ITEM 5. CONSENT AGENDA.

Mayor Pro-Tem Sanchez made a motion to approve consent agenda items 5A, 5B, 5C, 5D, 5E, 5F and 5G. Councilmember Mendoza seconded. The motion passed by a vote of 7-0.

The following are the consent agenda items that were approved:

5A: Approve minutes of the March 1, 2022 Council meeting.

5B: Approve a short term use agreement extension with the Lockhart Youth Soccer Association (LYSA) for the use of the Cpl. Jason K. LaFleur Soccer Complex and defining maintenance responsibilities of LYSA and the City of Lockhart and appointing the Mayor to sign the agreement if approved by Council.

5C: Approve bid proposal by The Interlocal Purchasing System (TIPS) cooperative purchasing with PMR Contractors in the amount of $64,633.25 for the replacement of the Senior Center roof located at 901 Bois D' Arc Street and appointing the City Manager to sign the proposal, if approved by Council.

5D: Approve Resolution 2022-19 of the City Council of the City of Lockhart, Texas amending its schedule of permit fees in order to include specific fees applied when a project is outsourced by the City to a third-party company; keeping other fees in the schedule the same; and providing for an effective date.

5E: Approve Resolution 2022-17 for an economic development performance agreement with Caldwell County Farm Bureau for a BIG Grant.

5F: Approve Resolution 2022-18 for an economic development performance agreement with Good Things Lockhart, LLC for a BIG Grant.

5G: Approve City Council to consider the preliminary Budget and Tax Calendar for Fiscal Year 2022--2023.

ITEM 6-B. CONTINUE DISCUSSION AND/OR ACTION ON APPLICATION ZC-22-06 BY CURTIS THIGPEN OF PARAVEL CAPITAL FOR A ZONING CHANGE FROM *RMD RESIDENTIAL MEDIUM DENSITY DISTRICT* TO *RHD RESIDENTIAL HIGH DENSITY DISTRICT* FOR 19.906 ACRES IN THE CORNELIUS CRENSHAW SURVEY, ABSTRACT NO. 68, LOCATED IN THE 1900 BLOCK OF NORTH CESAR CHAVEZ PARKWAY - NORTHBOUND (SH 130). *TABLED AT THE FEBRUARY 15 MEETING. PROPOSED TO BE TABLED AGAIN TO THE JUNE 7TH MEETING DUE TO NOT YET HAVING A FINAL RECOMMENDATION FROM THE PLANNING AND ZONING COMMISSION.*

Mayor White announced that the item is tabled to the June 7, 2022 City Council meeting.

ITEM 6-C. PRESENTATION, DISCUSSION AND/OR ACTION FOR THE CITY COUNCIL TO CONSIDER ACCEPTANCE OF THE CITY OF LOCKHART AND THE LOCKHART ECONOMIC DEVELOPMENT CORPORATION'S FISCAL YEAR 2020-2021 ANNUAL COMPREHENSIVE FINANCIAL REPORT (ANNUAL FINANCIAL AUDIT) BY BROOKSWATSON & COMPANY, PLLC., AN INDEPENDENT PUBLIC ACCOUNTING FIRM.

Mayor Pro-Tem Sanchez made a motion to accept the City of Lockhart and the Lockhart Economic Development Corporation's Fiscal Year 2020-2021 annual comprehensive financial report, as presented. Councilmember Westmoreland seconded. The motion passed by a vote of 7-0.

ITEM 6-D. DISCUSSION AND/OR ACTION REGARDING RESOLUTION 2022-16 TO ACCEPT A $1.68 MILLION GRANT FROM THE U.S. ECONOMIC DEVELOPMENT ADMINISTRATION FOR WASTEWATER IMPROVEMENTS WITHIN THE CITY OF LOCKHART; PROVIDING $420,000 IN MATCHING FUNDS; AND PROVIDING AN EFFECTIVE DATE.

Mayor Pro-Tem Sanchez made a motion to approve Resolution 2022-16, as presented. Councilmember McGregor seconded. The motion passed by a vote of 7-0.

ITEM 6-E. DISCUSSION AND/OR ACTION REGARDING A PROPERTY SALE AGREEMENT FOR 11.82 ACRES IN LOCKHART INDUSTRIAL PARK III WITH TITAN DEVELOPMENT.

Councilmember Michelson made a motion to approve the property sale agreement for 11.82 acres in Lockhart Industrial Park III with Titan Development, as presented. Mayor Pro-Tem Sanchez seconded. The motion passed by a vote of 7-0.

ITEM 6-F. DISCUSSION AND/OR ACTION TO CONSIDER ORDINANCE 2022-14 ADOPTING A CODE OF ETHICS AND ANTI-DISCRIMINATION POLICY FOR CITY COUNCIL MEMBERS, CITY BOARD/COMMISSION MEMBERS, AND EMPLOYEES.

Mayor White stated that the Ordinance will be presented at the next Council meeting for additional discussion.

ITEM 6-G. CONSIDER THE NOMINATION OF DANIEL KOEHLER TO THE AIRPORT ADVISORY BOARD BY COUNCILMEMBER DERRICK DAVID BRYANT FOR A TERM TO EXPIRE IN NOVEMBER 2022.

Mayor White announced that the nomination will be placed on next council meeting agenda.

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

Mayor White stated that there is no additional information.

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

- KidFish event rescheduled to March 19.
- Household Hazardous Waste Collection Event will be held Saturday, March 26, 2022 (rain or shine) for Lockhart residents.
- Citywide Spring Clean up Program on Saturday, April 30.
- Splash Pad opens April 30.
- Council Goals Retreat is scheduled for Saturday, April 9 from 8:00 a.m. – 12:00 p.m.

ITEM 8. COUNCIL AND STAFF COMMENTS - ITEMS OF COMMUNITY INTEREST.
Mayor Pro-Tem Sanchez expressed condolences to the families of Mary Delia Delgado and Enrique Henry Mendoza, Jr. for their loss. She expressed belated Birthday wishes to Councilmembers Westmoreland and Bryant.

ITEM 9. EXECUTIVE SESSION IN ACCORDANCE WITH THE PROVISIONS OF THE GOVERNMENT CODE, TITLE 5, SUBCHAPTER D, SECTION 551.087 TO DELIBERATE OR FOR DISCUSSION REGARDING COMMERCIAL OR FINANCIAL INFORMATION THAT THE GOVERNMENTAL BODY HAS RECEIVED FROM A BUSINESS PROSPECT THAT THE GOVERNMENTAL BODY SEEKS TO HAVE LOCATE, STAY, OR EXPAND IN OR NEAR THE TERRITORY OF THE GOVERNMENTAL BODY AND WITH WHICH THE GOVERNMENTAL BODY IS CONDUCTING ECONOMIC DEVELOPMENT NEGOTIATIONS; OR TO DELIBERATE THE OFFER OF A FINANCIAL OR OTHER INCENTIVE TO A BUSINESS PROSPECT. Discussion regarding economic development negotiations with Project Summertime, Project BBQ and Project Revive.
Mayor White announced that the Council would enter Executive Session at 8:40 p.m.

ITEM 10. OPEN SESSION - Discussion and/or action regarding economic development negotiations with Project Summertime, Project BBQ and Project Revive.
Mayor White announced that the Council would enter Open Session at 9:02 p.m.

Mayor Pro-Tem Sanchez made a motion to authorize staff to offer incentives to the business prospects as discussed in Executive Session. Councilmember Mendoza seconded. The motion passed by a vote of 7-0.

ITEM 11. ADJOURNMENT.
Mayor Pro-Tem Sanchez made a motion to adjourn the meeting. Councilmember Mendoza seconded. The motion passed by a vote of 7-0. The meeting was adjourned at 9:03 p.m.

PASSED and APPROVED this the 5th day of April 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: April 5, 2022

AGENDA ITEM CAPTION: Discuss Resolution 2022-20 approving the City of Lockhart's Spending Plan for American Rescue Plan Act of 2021 relief funds associated with the implementation of the America Rescue Plan Act (ARPA) - Coronavirus Local and State Fiscal Recovery Funds (SLFRF) allocation.

ORIGINATING DEPARTMENT AND CONTACT: Finance - Pam Larison

ACTION REQUESTED: Resolution

BACKGROUND/SUMMARY/DISCUSSION: On March 11, 2021, President Biden signed the American Rescue Plan Act of 2021 (ARPA), which launched the Coronavirus State and Local Fiscal Recovery Funds (SLFRF) to provide $350 billion in emergency funding for state and local governments. The emergency economic stimulus bill provides fiscal aid to address the ongoing COVID-19 public health crisis. The SLFRF provides funding to meet local needs, including COVID-19 response, replacing public sector revenue loss, premium pay for essential workers, improving facilities to ensure health and safety, increase usage of outdoor spaces, as well as investing in public infrastructure and broadband. Of the $350 billion economic stimulus bill, the City of Lockhart will receive a total of $3,501,959.00 in direct one-time funding.

Expenditure categories under the US Treasury's Final Rule on April 1, 2022:
1. Public health
2. Negative economic impact
3. Services to disproportionately impacted communities
4. Premium pay
5. Infrastructure
6. Revenue replacement
7. Administrative

On September 7, 2021, the City Council approved the FY 2021-2022 City of Lockhart Budget which included the appropriations for capital expenditures in the Water Fund ($1,193,000.00) with ARPA/SLFRF funds. This capital expenditure falls under Final Rule 5.

Between the close of the CARES fund and the opening of the ARPA fund, the City of Lockhart has continued to expend funds for personal protective equipment and medical supplies associated with COVID-19 ($300,000). This expenditure falls under the Final Rule 1.

In 2021, the City Council provided financial relief to its utility customers by removing late fees, penalties, and placing a moratorium on disconnections for six months. At the end of the deferral period, utility customers were allowed to set up payment plans for any outstanding balances leading to a revenue loss for the electric and water funds. Due to the Final Rule, the City of Lockhart will be able to replace the lost revenue with ARPA funds up to a standard

deduction of $10 million. The use of these funds can be used for any governmental service provided by the City ($2,008,959). This expenditure falls under Final Rule 6.

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: Staff respectfully request the approval of Resolution 2022-20.

LIST OF SUPPORTING DOCUMENTS: RESOLUTION NO 2022-20 Spending plan, Exhibit "A" - Spending Plan for American Rescue Plan Act of 2021 Relief Funds, Exhibit "A" (cont.) - Spending Plan Summary

RESOLUTION NO. 2022-20

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOCKHART, TEXAS, AUTHORIZING THE APPROVAL OF THE CITY OF LOCKHART'S SPENDING PLAN FOR AMERICAN RESCUE PLAN ACT OF 2021 RELIEF FUNDS ASSOCIATED WITH THE IMPLEMENTATION OF THE AMERICAN RESCUE PLAN ACT (ARPA) – CORONAVIRUS LOCAL AND STATE FISCAL RECOVERY FUNDS (SLFRF) ALLOCATION.

WHEREAS, the City of Lockhart, Texas desires to develop a transparent and viable program to ensure funding and program identification are clearly discussed and presented that will allow the city to recovery and respond to the COVID-19 Pandemic; and

WHEREAS, certain conditions exist which represent a threat to the public health and safety; and

WHEREAS, it is necessary and in the best interest of City of Lockhart to approve the Spending Plan for American Rescue Plan Act of 2021 Relief Funds to utilize and implement ARPA-SLFRF funding;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lockhart, Texas, that:

The City Council of the City of Lockhart, Texas hereby adopts the City of Lockhart Spending Plan for American Rescue Plan Act of 2021 Relief Funds (Exhibit A).

PASSED AND APPROVED on this 5th day of April 2022.

CITY OF LOCKHART, TEXAS

By: _____
Lew White, Mayor

APPROVED AS TO FORM:

_____
Monte Akers, City Attorney

ATTEST:

_____
Connie Constancio, City Secretary

Lockhart

EXHIBIT "A"

SPENDING PLAN FOR AMERICAN RESCUE PLAN ACT OF 2021 RELIEF FUNDS

SUMMARY

On March 11, 2021, President Biden signed the American Rescue Plan Act of 2021 (ARPA), which launched the Coronavirus State and Local Fiscal Recovery Funds (SLFRF) to provide $350 billion in emergency funding for state and local governments. The emergency economic stimulus bill provides fiscal aid to address the ongoing COVID-19 public health crisis. The SLFRF provides funding to meet local needs, including COVID-19 response, replacing public sector revenue loss, premium pay for essential workers, improving facilities to ensure health and safety, increase usage of outdoor spaces, as well as investing in public infrastructure and broadband. Of the $350 billion economic stimulus bill, the City of Lockhart will receive a total of $3,501,959.00 in direct one-time funding.

Expenditure categories under the US Treasury's Final Rule on April 1, 2022:

1. Public health
2. Negative economic impact
3. Services to disproportionately impacted communities
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Between the close of the CARES fund and the opening of the ARPA fund, the City of Lockhart has continued to expend funds for personal protective equipment and medical supplies associated with COVID-19 ($300,000). This expenditure falls under the **Final Rule 1**.

In 2021, the City Council provided financial relief to its utility customers by removing late fees, penalties, and placing a moratorium on disconnections for six months. At the end of the deferral period, utility customers were allowed to set up payment plans for any outstanding balances leading to a revenue loss for the electric and water funds. Due to the Final Rule, the City of Lockhart will be able to replace the lost revenue with ARPA funds up to a standard deduction of $10 million. The use of these funds can be used for any governmental service provided by the City ($2,008,959). This expenditure falls under **Final Rule 6.**

	LOCKHART AMERICAN RESCUE PLAN SUMMARY	FY 2021-22	FY 2022-23 (4)
1	**PUBLIC HEALTH**		
1.5	Personal Protective Equipment	$250,000 (1)	
1.6	Medical Expenses	25,000 (1)	
1.8	Other COVID-19 related expenses	25,000 (1)	
2	**NEGATIVE ECONOMIC IMPACTS**		
3	**SERVICES TO DISPROPORTIONATELY IMPACTED COMMUNITIES**		
4	**PREMIUM PAY**		
5	**INFRASTRUCTURE**		
5.11	Drinking water: transmission & distribution	443,000 (2)	
5.13	Drinking water: source	400,000 (2)	
5.14	Drinking water: storage		
5.15	Drinking water: other infrastructure	350,000 (2)	
6	**REVENUE REPLACEMENT**		
6.1	Provision of government services	1,000,000	$1,008,959 (3)
7	**ADMINISTRATIVE**		
		$2,493,000	$1,008,959

NOTES:

(1) Expenses in this category consists of supplies such as PPE's, antibacterials, & gloves.

(2) 300 & 1000 amp generators for water treatment plant; install and replace 8" water mains at W. Live Oak, N. Blanco, and Bois D'Arc - approved budgeted items FYE 2022

(3) Revenue loss in Water Fund - $750,000; remaining funds ($1,258,959) can be used for any government services such as street improvements, parks and recreation, capital purchases, building improvements, and other similar expenses.
Revenue loss expenses CANNOT include payments to debt service, pension plans, or "rainy day" funds.

(4) FY 22-23 is just used as a reference in case the total amount of funding is not used in the current fiscal year (21-22). Expenses can be carried over through FYE 2026.

City of Lockhart, Texas

Council Agenda Item
Cover Sheet

COUNCIL MEETING DATE: April 5, 2022

AGENDA ITEM CAPTION: Discuss application ZC-22-09 by Chris Bancroft on behalf of Alma Ewald for a **Zoning Change** from 23.064 acres *AO Agricultural--Open Space District* to 18.535 acres *RHD Residential High Density District* and 4.529 acres *CMB Commercial Medium Business District* in the Byrd Lockhart League, Abstract No. 17, located at 1650 North Colorado Street (US 183). *Proposed to be TABLED to the June 7th meeting due to not yet having a final recommendation from the Planning and Zoning Commission.*

ORIGINATING DEPARTMENT AND CONTACT: Development Services - Dan Gibson

ACTION REQUESTED: Consensus

BACKGROUND/SUMMARY/DISCUSSION: The purpose of the zoning change is to allow future development of 4.529 acres of general commercial land uses along the Colorado Street frontage of the subject property, and 18.535 acres of apartment housing behind the commercial area. Although the tract extends eastward to Plum Creek, the zoning change is only for the portion of the tract that is in the city limits, which is roughly 27 percent of the original tract. There is a pond located in the area proposed to be rezoned, and the Plum Creek floodplain slightly encroaches into the rear of the area proposed to be zoned RHD. Vehicular access will be from Colorado Street and, because of the high speed limit, TxDOT will likely require that the developer widen the highway to provide a center left-turn land and right turn deceleration or transition lane for any street or driveway intersections into the development. There is a 12” water main along the east side of the highway that is adequate to serve the property. However, the closest wastewater main of sufficient size is located approximately one mile south near the railroad track and Town Branch Creek. The wastewater impact fee CIP does propose a system of wastewater mains extending from that point northward, along with a lift-station, where it would serve the North Colorado Street area, including the subject property. There currently is no time-line or source of funding identified other than impact fees. Impact fees can be used to pay for up to half of the cost, but the remainder would have to come from other sources. The wastewater CIP is based on the land use types and intensities shown on the Land Use Plan map, which is low density residential for the subject property. A wastewater project is proposed that would serve the area but, as with the northwest quadrant of the city, a study may need to be done to determine whether or not the proposed wastewater infrastructure will be adequate for higher land use intensities. Such a study would confirm the size and cost of the new wastewater mains and associated lift station. The main issue is timing of development, and not necessarily the type of development proposed. Generally, a zoning change is considered premature if there is not adequate infrastructure available to support the development that the proposed zoning classification would allow. A recent request for a zoning change from RMD to RHD to allow high density apartments on a site between Silent Valley Road (FM 2001) and Cesar Chavez Parkway (SH 130) was in an area designated on the Land Use Plan map as future *Medium Density*

Residential. A precedent was set when the zoning change was tabled for several months due to a similar need for a study to determine the size and cost of wastewater infrastructure necessary to serve the higher land use intensities proposed for the area. The Council should take the same action by tabling this application because the Planning and Zoning Commission tabled further consideration of this application until their May 25th meeting so that the North Colorado Street area can be added to the scope of the study already being done for the Silent Valley Road area. The proposed RHD and CMB zoning classifications are ***not*** consistent with the *Low Density Residential* future land use designation shown on the Land Use Plan map. The only zoning classification that would be consistent with the Land Use Plan map is the RLD Residential Low Density District. Citizens appearing at the Planning and Zoning Commission public hearing expressed concerns about flooding on the subject property, additional runoff from the property as a result of development, and traffic hazards due to the high speed limit on Colorado Street in that area. An ordinance is not attached at this time because no action could be taken on it. ***Additional information is contained in the attached staff report.***

PROJECT SCHEDULE (if applicable): Not applicable.

AMOUNT & SOURCE OF FUNDING:
Funds Required:
Account Number:
Funds Available:
Account Name:

FISCAL NOTE (if applicable): Not applicable.

PREVIOUS COUNCIL ACTION: None.

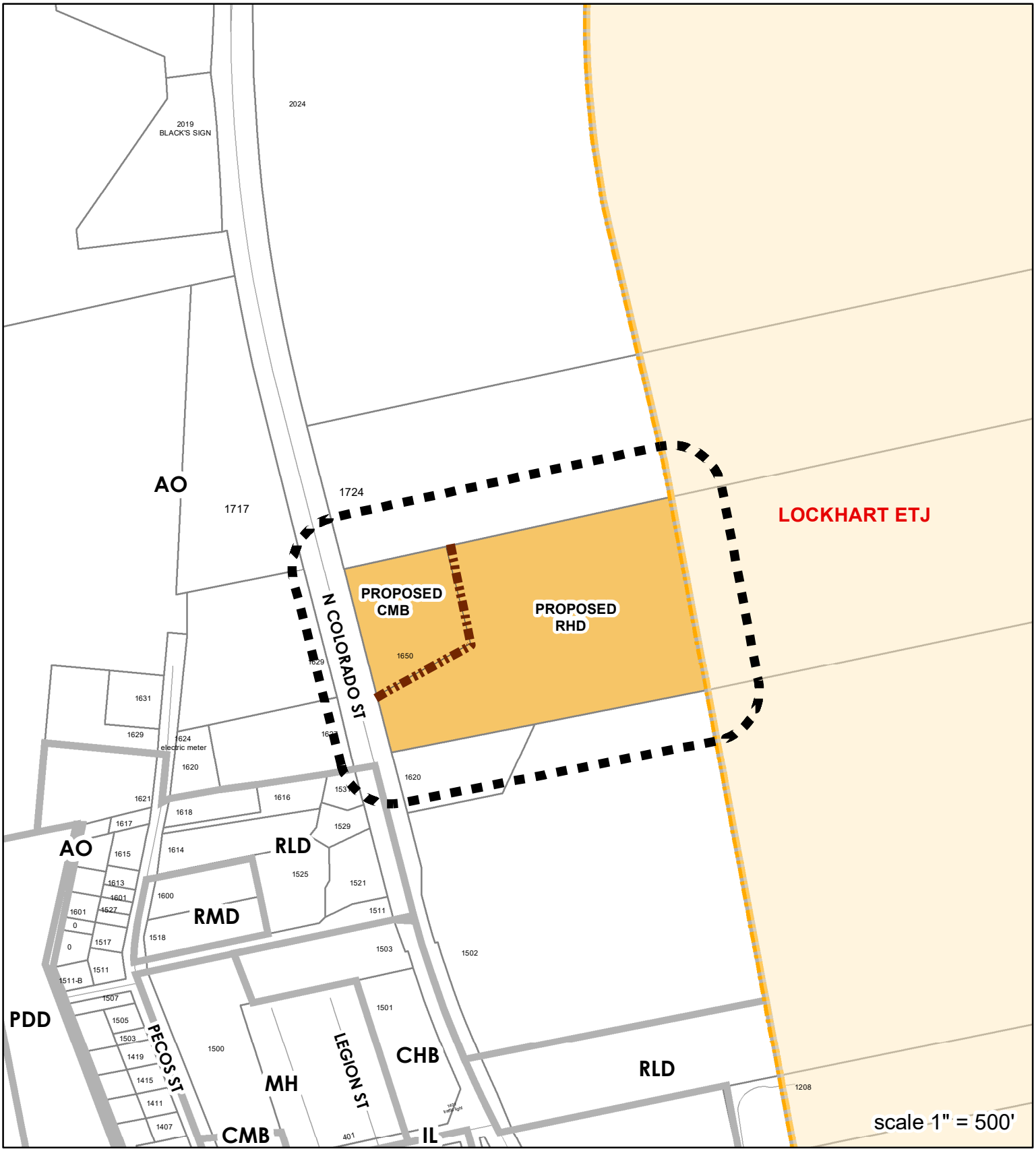
COMMITTEE/BOARD/COMMISSION ACTION: The Planning and Zoning Commission voted 3-1 to Table further consideration of this application until their May 25th meeting for the reasons stated in the staff report.

STAFF RECOMMENDATION/REQUESTED MOTION: Staff believes that this zoning change is premature until we have a better idea of the City's sanitary sewer capacity to serve land use intensities that area higher than the future land use designations indicated on the City's Land Use Plan map along North Colorado Street. In addition, Section 211.007 of the Texas Local Government Code prohibits the governing body (City Council) from holding a public hearing or taking action on a zoning map change until a final recommendation is received from the zoning commission (Planning and Zoning Commission). Therefore, the suggested motion is to TABLE further consideration of Zoning Change ZC-22-09 from AO to RHD and CMB until the June 7th Council meeting.

City of Lockhart, Texas

Council Agenda Item
Cover Sheet

LIST OF SUPPORTING DOCUMENTS: ZC2209 case map, ZC2209 zoning, ZC2209 future landuse, ZC2209 aerial, zc2209 staff report - CC version, 21-9147 1650 North Colorado CAD_7gen Zoning Boundaries_11x17, zc2209 application and owner's letter



ZC-22-09

AO TO RHD & CMB

1650 N COLORADO ST (HWY 183)

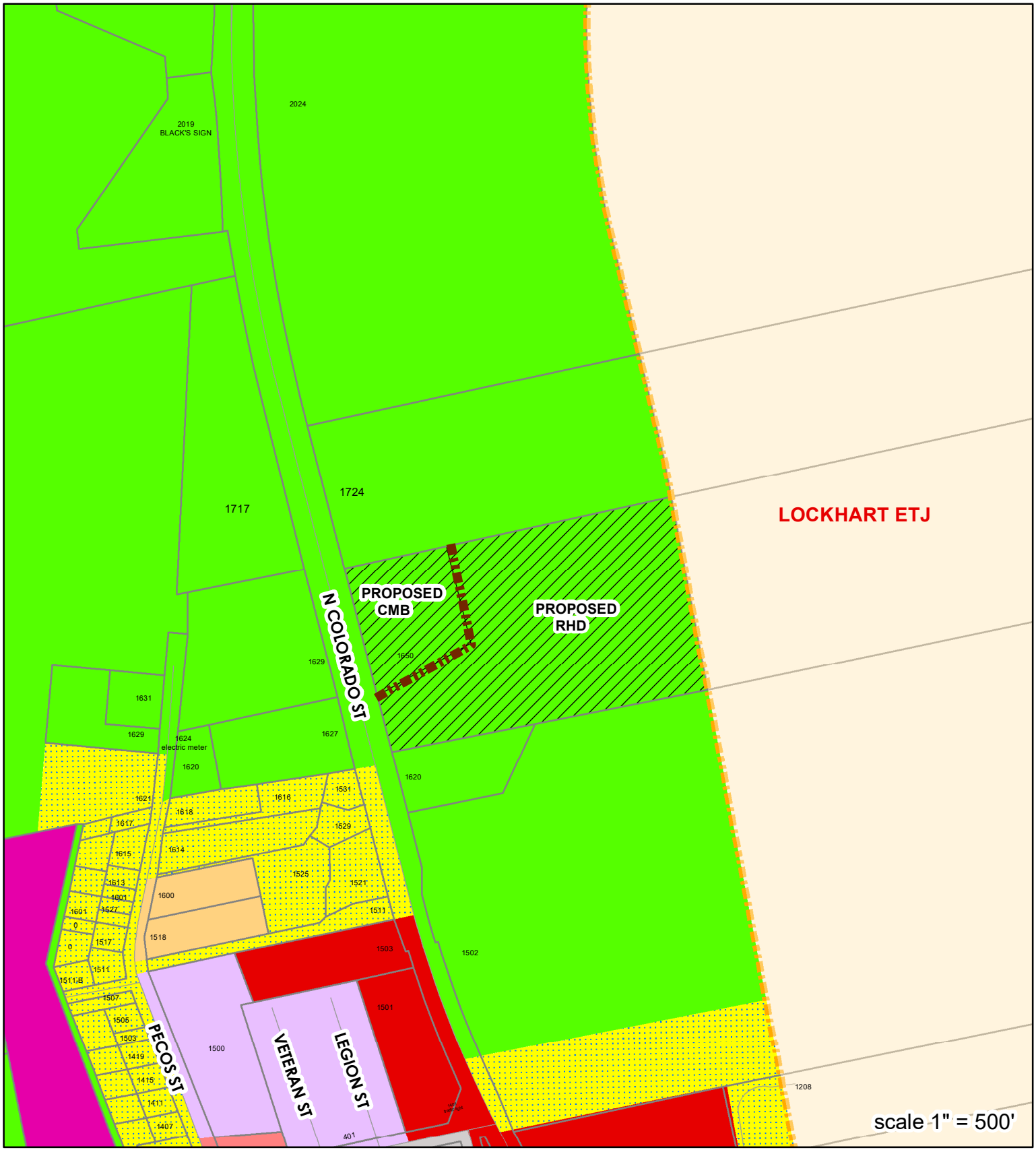
N

SUBJECT PROPERTY

ZONING BOUNDARY

CITY LIMITS

200 FT BUFFER



ZC-22-09

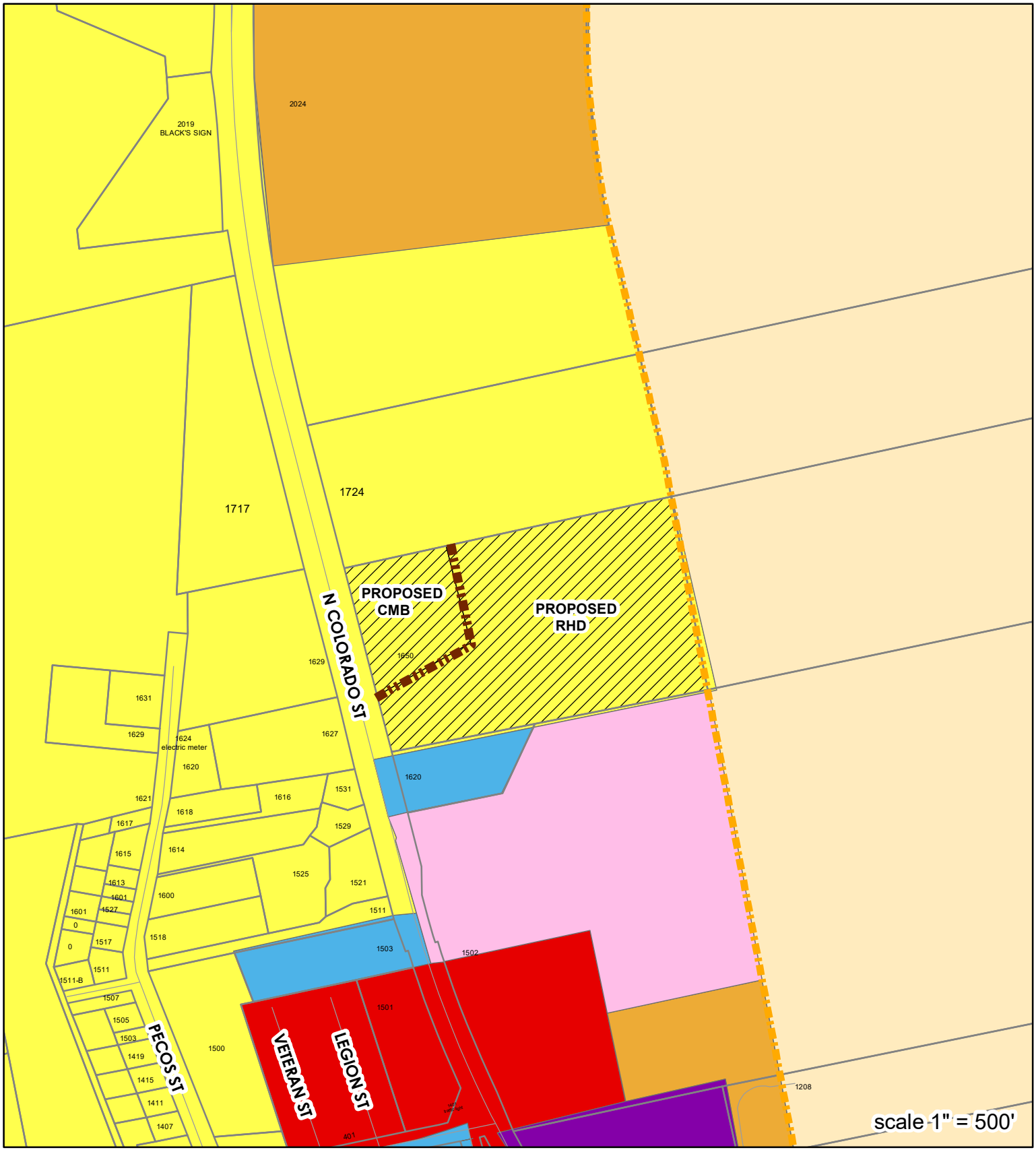
AO TO RHD & CMB

1650 N COLORADO ST (HWY 183)

N

ZONING DISTRICTS

- AGRICULTURAL-OPEN SPACE
- COMMERCIAL HEAVY BUSINESS
- COMMERCIAL MEDIUM BUSINESS
- INDUSTRIAL LIGHT
- MANUFACTURED HOME
- PLANNED DEVELOPMENT
- RESIDENTIAL LOW DENSITY
- RESIDENTIAL MEDIUM DENSITY



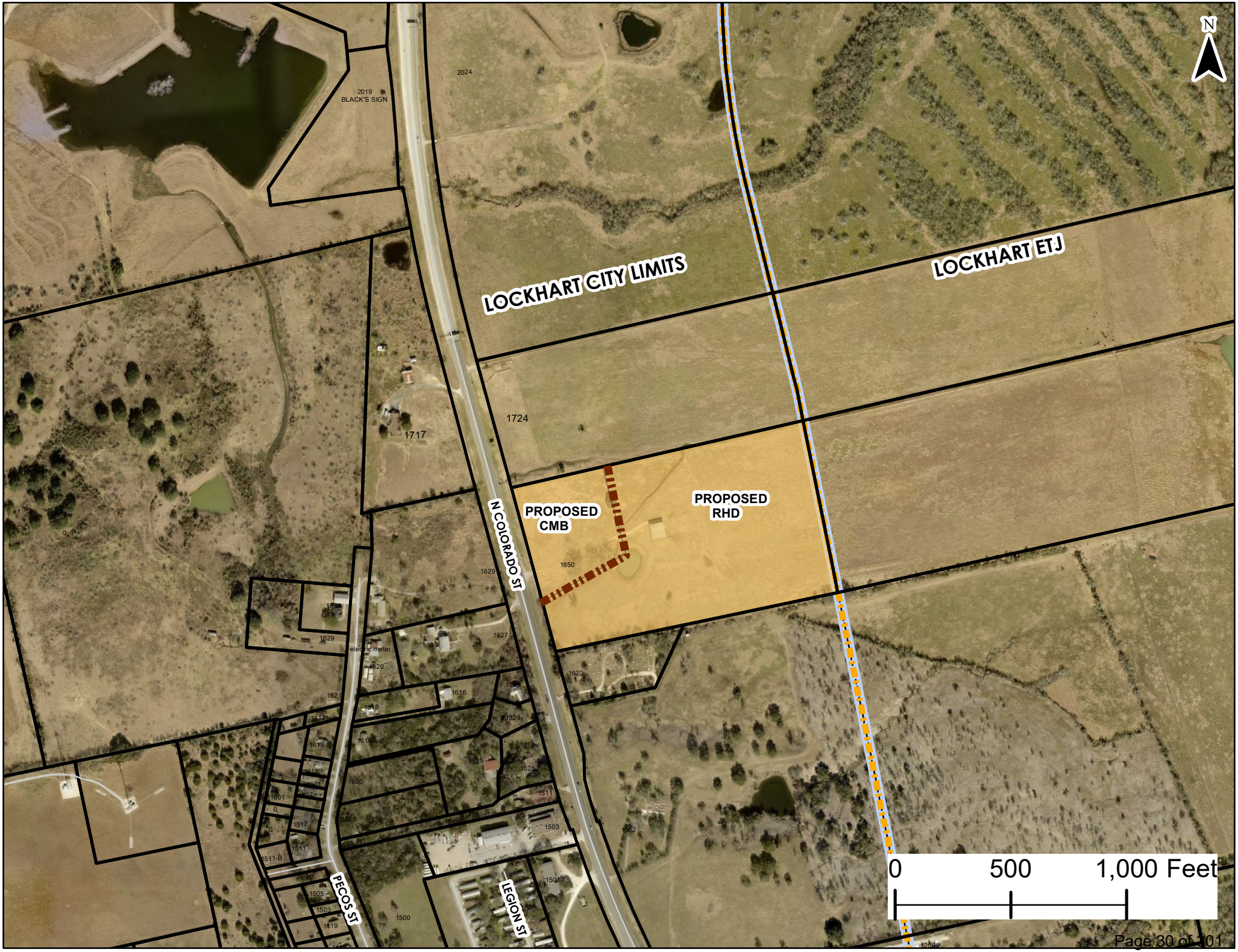
FUTURE LANDUSE

AO TO RHD & CMB

1650 N COLORADO ST (HWY 183)

N

- AGRICULTURE/RURAL DEVELOPMENT
- GENERAL-HEAVY COMMERCIAL
- LIGHT-MEDIUM COMMERCIAL
- MIXED RETAIL, OFFICE, RESIDENTIAL
- PUBLIC AND INSTITUTIONAL
- RESIDENTIAL, LOW DENSITY
- RESIDENTIAL, MEDIUM DENSITY


LOCKHART CITY LIMITS
LOCKHART ETJ
PROPOSED CMB
PROPOSED RHD
N COLORADO ST
PECOS ST
LEGION ST
2019 BLACK'S SIGN
2024
1724
1717
1650
1629
1627
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1511-B
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0 500 1,000 Feet

PLANNING DEPARTMENT REPORT ZONING CHANGE

CASE SUMMARY

STAFF: Dan Gibson, City Planner CASE NUMBER: ZC-22-09
REPORT DATE: March 18, 2022 [Updated 3-29-22]
PLANNING AND ZONING COMMISSION HEARING DATE: March 23, 2022
CITY COUNCIL HEARING DATE: April 5, 2022
REQUESTED CHANGE: AO to RHD and CMB
STAFF RECOMMENDATION: ***Table*** to June 7th.
PLANNING AND ZONING COMMISSION RECOMMENDATION: ***Tabled*** until the May 25th meeting.

BACKGROUND DATA

APPLICANT: Chris Bancroft
OWNER: Alma Ewald
SITE LOCATION: 1650 North Colorado Street (US 183)
LEGAL DESCRIPTION: Metes and Bounds
SIZE OF PROPERTY: 23.064 acres inside the city limits
EXISTING USE OF PROPERTY: Vacant land
LAND USE PLAN DESIGNATION: *Low Density Residential*

ANALYSIS OF ISSUES

REASON FOR REQUESTED ZONING CHANGE: The purpose of the zoning change is to allow future development of 4.529 acres of general commercial land uses along the Colorado Street frontage, and 18.535 acres of apartment housing behind the commercial area. Although the tract extends eastward to Plum Creek, the zoning change is only for the portion of the tract that is in the city limits, which is roughly 27 percent of the original tract. There is a pond located in the area proposed to be rezoned, and the Plum Creek floodplain slightly encroaches into the rear of the area proposed to be zoned RHD.

AREA CHARACTERISTICS:

	Existing Use	Zoning	Future Land Use Plan
North	Vacant land	AO	*Low Density Residential*
East	Vacant land	Not zoned	*Agriculture/Rural Development*
South	Small cemetery, Vacant land	AO	*Public and Institutional, Light-Medium Commercial*
West	Sparce single-family residential, Vacant land	AO	*Low Density Residential*

TRANSITION OF ZONING DISTRICTS: The subject property currently does not abut any other residential or commercial zoning, although a concurrent zoning change request for the adjacent property to the north would result in the same RMD and CMB zoning pattern as proposed for the subject tract.

ADEQUACY OF INFRASTRUCTURE: Vehicular access will be from Colorado Street, and because of the high speed limit TxDOT will likely require that the developer widen the highway to provide a center left-turn land and right turn deceleration or transition lane for any street or driveway intersections into the development. There is a 12" water main along the east side of the highway that is adequate to serve the property. However, the closest wastewater main of sufficient size is located approximately one mile south near the railroad track and Town Branch Creek. The wastewater impact fee CIP does propose a system of wastewater mains extending from that point northward, along with a lift-station, where it would serve the North Colorado Street area, including the subject property. There currently is no time-line or source of funding identified other than impact fees. Impact fees can be used to pay for up to half of the cost, but the remainder would have to come from other sources.

POTENTIAL NEIGHBORHOOD IMPACT: The subject property is in a largely undeveloped area of the city where there are no immediate neighbors that would be impacted by development allowed by the proposed zoning district classifications. A regional impact will be additional traffic on North Colorado Street, but that is bound to occur where there is potential for additional development, and can be mitigated by a center turn lane and right-turn deceleration or transition lanes.

CONSISTENCY WITH COMPREHENSIVE PLAN: The proposed RHD and CMB zoning classifications are ***not*** consistent with the *Low Density Residential* future land use designation shown on the Land Use Plan map.

ALTERNATIVE CLASSIFICATIONS: The only zoning classification that would be consistent with the Land Use Plan map is the RLD Residential Low Density District.

RESPONSE TO NOTIFICATION: Citizens appearing at the Planning and Zoning Commission public hearing expressed concerns about flooding on the subject property, additional runoff from the property as a result of development, and traffic hazards due to the high speed limit on Colorado Street in that area.

STAFF RECOMMENDATION: The wastewater CIP is based on the land use types and intensities shown on the Land Use Plan map, which is low density residential for the subject property. A wastewater project is proposed that would serve the area but, as with the northwest quadrant of the city, a study may need to be done to determine whether or not the proposed wastewater infrastructure will be adequate for higher land use intensities. Such a study would confirm the size and cost of the new wastewater mains and associated lift station. The main issue is timing of development, and not necessarily the type of development proposed. Generally, a zoning change is considered premature if there is not adequate infrastructure available to support the development that the proposed zoning classification would allow. A recent request for a zoning change from RMD to RHD to allow high density apartments on a site between Silent Valley Road (FM 2001) and Cesar Chavez Parkway (SH 130) was in an area designated on the Land Use Plan map as future *Medium Density Residential*. A precedent was set when the zoning change was tabled for several months due to a similar need for a study to determine the size and cost of wastewater infrastructure necessary to serve the higher land use intensities proposed for the area. The Council should take the same action by tabling this application because the Planning and Zoning Commission tabled further consideration of this application until their May 25th meeting so that the North Colorado Street area can be added to the scope of the study already being done for the Silent Valley Road area. Section 211.007 of the Texas Local Government Code prohibits the governing body (City Council) from holding a public hearing or taking action on a zoning map change until a final recommendation is received from the zoning commission (Planning and Zoning Commission). Therefore, staff recommends that this application be ***Tabled*** to the June 7th Council meeting, which is the first meeting after the Planning and Zoning Commission considers their final recommendation on May 25th.

Drawing: L:\02_LAND PLANNING\CLIENTS\Texas Multifamily Capital\2021254-LPN-00_Lockhart LaFamilia Tract\04_Land Planning\Zoning\Submittal\21-9147 1650 North Colorado CAD_7gen Zoning Boundaries.dwg
Last Modified: Mar. 02, 22 - 11:02
Plot Date/Time: Mar. 02, 22 - 11:28:36

LAND USE SCHEDULE

LOCKHART CITY LIMITS

PROPOSED USE	ACREAGE
CMB	4.529 Ac.
RHD	18.535 Ac.
SUBTOTAL	23.064 Ac.
ETJ	
CURRENT USE	ACREAGE
ETJ	60.815± Ac.
OVERALL TOTAL	83.879 Ac.

SCALE : 1'' = 400'

0 200 400 800

DATE : 03-02-2022

NORTH

All information furnished regarding this property is from sources deemed reliable. However, 7gen Planning has not made an independent investigation of these sources and no warranty or representation is made by 7gen Planning as to the accuracy thereof and same is submitted subject to errors, omissions, land plan changes, or other conditions. This land plan is conceptual in nature and does not represent any regulatory approval. Land plan is subject to change. The developer has reserved the right, without notice,to make changes to this map and other aspects of the development to comply with governmental requirements and to fulfill its marketing objective.

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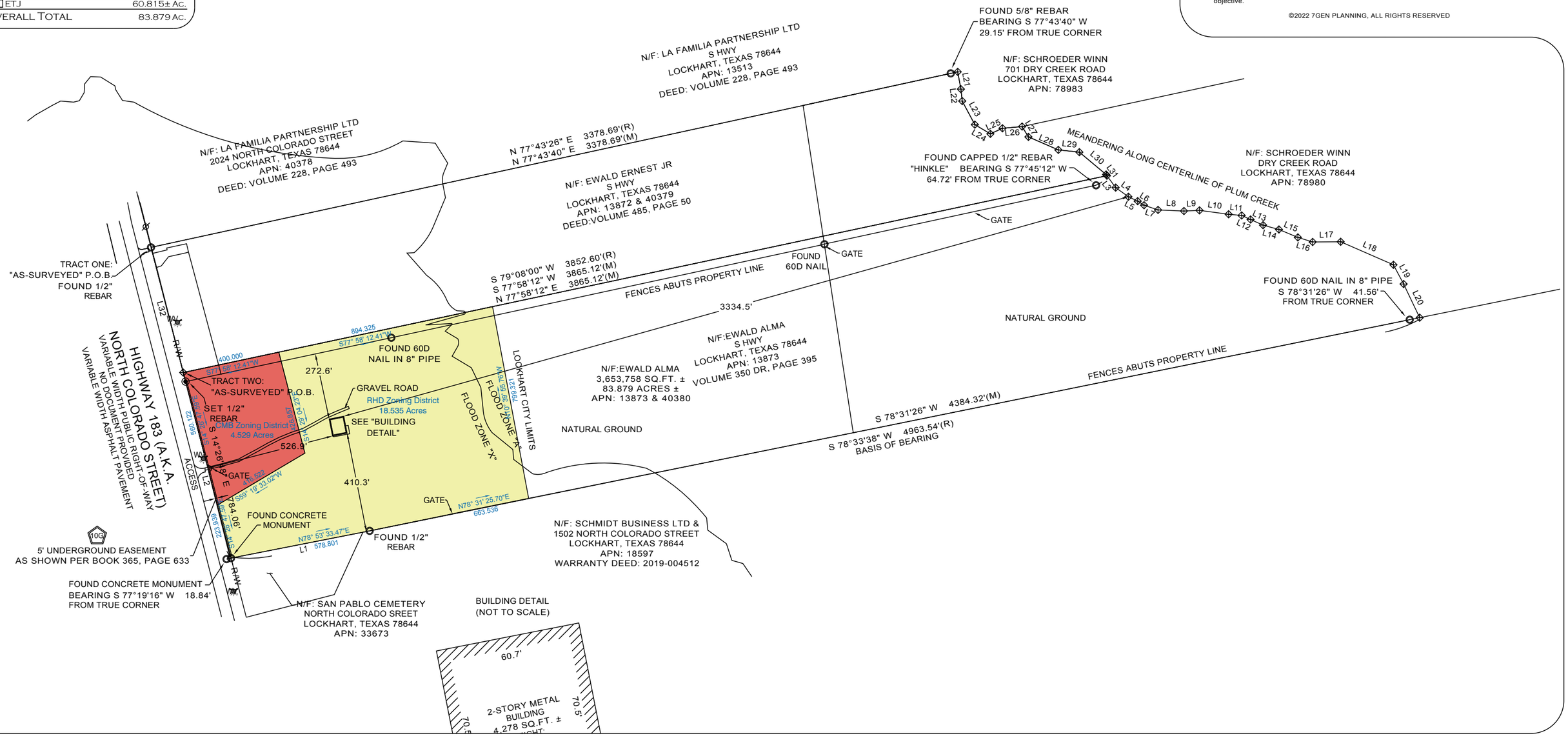


TEXAS MULT-FAMILY CAPITAL

REQUESTED REZONING BOUNDARY

1650 NORTH COLORADO STREET
LOCKHART, TEXAS 78644

7gen PLANNING
PLANNING & LANDSCAPE ARCHITECTURE
2107 CITYWEST BLVD, SUITE 400
HOUSTON, TEXAS 77042
713.343.0394
9050 N CAPITAL OF TX HWY., BLDG. 3, STE 390
AUSTIN, TEXAS 78759
512.646.3454

ZONING CHANGE APPLICATION

(512) 398-3461 • FAX (512) 398-3833
P.O. Box 239 • Lockhart, Texas 78644
308 West San Antonio Street

APPLICANT/OWNER

APPLICANT NAME Chris Bancroft
ADDRESS 1515 S. Capital of Texas Hwy
Suite 405
Austin, TX 78746

DAY-TIME TELEPHONE 512-705-0212
E-MAIL chris.b@texasmfc.com

OWNER NAME Alma Ewald
ADDRESS 1609 MEADOW LN
LOCKHART, TX 78644-3801

DAY-TIME TELEPHONE
E-MAIL

PROPERTY

ADDRESS OR GENERAL LOCATION 1650 N. Colorado St. Lockhart, Tx 78644
LEGAL DESCRIPTION (IF PLATTED) Metes and Bounds
SIZE 23.06 ACRE(S) LAND USE PLAN DESIGNATION Residential, Low Density
EXISTING USE OF LAND AND/OR BUILDING(S) Agricultural - Open Space
PROPOSED NEW USE, IF ANY Commercial, Residential

REQUESTED CHANGE

FROM CURRENT ZONING CLASSIFICATION AO
TO PROPOSED ZONING CLASSIFICATION RHD, CMB
REASON FOR REQUEST To allow for future development of general commercial and apartment housing

SUBMITTAL REQUIREMENTS

IF THE APPLICANT IS NOT THE OWNER, A LETTER SIGNED AND DATED BY THE OWNER CERTIFYING THEIR OWNERSHIP OF THE PROPERTY AND AUTHORIZING THE APPLICANT TO REPRESENT THE PERSON, ORGANIZATION, OR BUSINESS THAT OWNS THE PROPERTY.

NAME(S) AND ADDRESS(ES) OF PROPERTY LIEN-HOLDER(S), IF ANY.

IF NOT PLATTED, A METES AND BOUNDS LEGAL DESCRIPTION OF THE PROPERTY.

APPLICATION FEE OF $ 611.20 PAYABLE TO THE CITY OF LOCKHART AS FOLLOWS:

$170 + ($20 x 22.06) = $611.20

1/4 acre or less	$125
Between 1/4 and one acre	$150
One acre or greater	$170 plus $20.00 per each acre over one acre

TO THE BEST OF MY KNOWLEDGE, THIS APPLICATION AND ASSOCIATED DOCUMENTS ARE COMPLETE AND CORRECT, AND IT IS UNDERSTOOD THAT I OR ANOTHER REPRESENTATIVE SHOULD BE PRESENT AT ALL PUBLIC MEETINGS CONCERNING THIS APPLICATION.

SIGNATURE _____ DATE 3/2/22

OFFICE USE ONLY

ACCEPTED BY Dan Gibson RECEIPT NUMBER 440273

DATE SUBMITTED 3-2-22 CASE NUMBER ZC - 22 - 09

DATE NOTICES MAILED 3-8-22 DATE NOTICE PUBLISHED 3-10-22

PLANNING AND ZONING COMMISSION MEETING DATE 3-23-22

PLANNING AND ZONING COMMISSION RECOMMENDATION Tabled to 5-25-22.

CITY COUNCIL MEETING DATE 4-5-22

DECISION _____

February 2, 2022

Texas Multifamily Capital, LLC
5900 Balcones Drive, Suite 100
Austin, Texas 78731

Subject: Entitlement of the following property ("Property")
1650 N. Colorado Lockhart, TX 78644
Alma Ewald

Dear Texas Multifamily Capital, LLC:

I, Alma Ewald, owner of the above referenced Property, authorize you, and more specifically **Christopher Bancroft** and **Matthew Chase**, as well as any agents and consultants appointed by you, to act as my **Agent** to submit applications, drawings, zoning changes, and other applicable documents for the purpose of obtaining approval from the City of Lockhart for a zoning change and associated permits related to the proposed purchase of the Property by you, and subsequent development by you.

Sincerely,

Alma Ewald

Printed Name: Alma Ewald

City of Lockhart, Texas

Council Agenda Item
Cover Sheet

COUNCIL MEETING DATE: April 5, 2022

AGENDA ITEM CAPTION: Discuss application ZC-22-10 by Chris Bancroft on behalf of Ernest Ewald, Jr., for a **Zoning Change** from 15.906 acres *AO Agricultural--Open Space District* to 12.262 acres *RHD Residential High Density District* and 3.644 acres *CMB Commercial Medium Business District* in the Byrd Lockhart League, Abstract No. 17, located at 1724 North Colorado Street (US 183). *Proposed to be TABLED to the June 7th meeting due to not yet having a final recommendation from the Planning and Zoning Commission.*

ORIGINATING DEPARTMENT AND CONTACT: Development Services - Dan Gibson

ACTION REQUESTED: Consensus

BACKGROUND/SUMMARY/DISCUSSION: The purpose of the zoning change is to allow future development of 3.644 acres of general commercial land uses along the Colorado Street frontage of the subject property, and 12.262 acres of apartment housing behind the commercial area. Although the tract extends eastward to Plum Creek, the zoning change is only for the portion of the tract that is in the city limits, which is roughly 36 percent of the original tract. The Plum Creek floodplain slightly encroaches into the rear of the area proposed to be zoned RHD. Vehicular access will be from Colorado Street and, because of the high speed limit, TxDOT will likely require that the developer widen the highway to provide a center left-turn land and right turn deceleration or transition lane for any street or driveway intersections into the development. There is a 12” water main along the east side of the highway that is adequate to serve the property. However, the closest wastewater main of sufficient size is located over one mile south near the railroad track and Town Branch Creek. The wastewater impact fee CIP does propose a system of wastewater mains extending from that point northward, along with a lift-station, where it would serve the North Colorado Street area, including the subject property. There currently is no time-line or source of funding identified other than impact fees. Impact fees can be used to pay for up to half of the cost, but the remainder would have to come from other sources. The wastewater CIP is based on the land use types and intensities shown on the Land Use Plan map, which is low density residential for the subject property. A wastewater project is proposed that would serve the area but, as with the northwest quadrant of the city, a study may need to be done to determine whether or not the proposed wastewater infrastructure will be adequate for higher land use intensities. Such a study would confirm the size and cost of the new wastewater mains and associated lift station. The main issue is timing of development, and not necessarily the type of development proposed. Generally, a zoning change is considered premature if there is not adequate infrastructure available to support the development that the proposed zoning classification would allow. A recent request for a zoning change from RMD to RHD to allow high density apartments on a site between Silent Valley Road (FM 2001) and Cesar Chavez Parkway (SH 130) was in an area designated on the Land Use Plan map as future *Medium Density Residential*. A precedent was set when the zoning change was tabled

for several months due to a similar need for a study to determine the size and cost of wastewater infrastructure necessary to serve the higher land use intensities proposed for the area. The Council should take the same action by tabling this application because the Planning and Zoning Commission tabled further consideration of this application until their May 25th meeting so that the North Colorado Street area can be added to the scope of the study already being done for the Silent Valley Road area. The proposed RHD and CMB zoning classifications are ***not*** consistent with the *Low Density Residential* future land use designation shown on the Land Use Plan map. The only zoning classification that would be consistent with the Land Use Plan map is the RLD Residential Low Density District. Citizens appearing at the Planning and Zoning Commission public hearing expressed concerns about flooding on the subject property, additional runoff from the property as a result of development, and traffic hazards due to the high speed limit on Colorado Street in that area. An ordinance is not attached at this time because no action could be taken on it. ***Additional information is contained in the attached staff report.***

PROJECT SCHEDULE (if applicable): Not applicable.

AMOUNT & SOURCE OF FUNDING:
Funds Required:
Account Number:
Funds Available:
Account Name:

FISCAL NOTE (if applicable): Not applicable.

PREVIOUS COUNCIL ACTION: None.

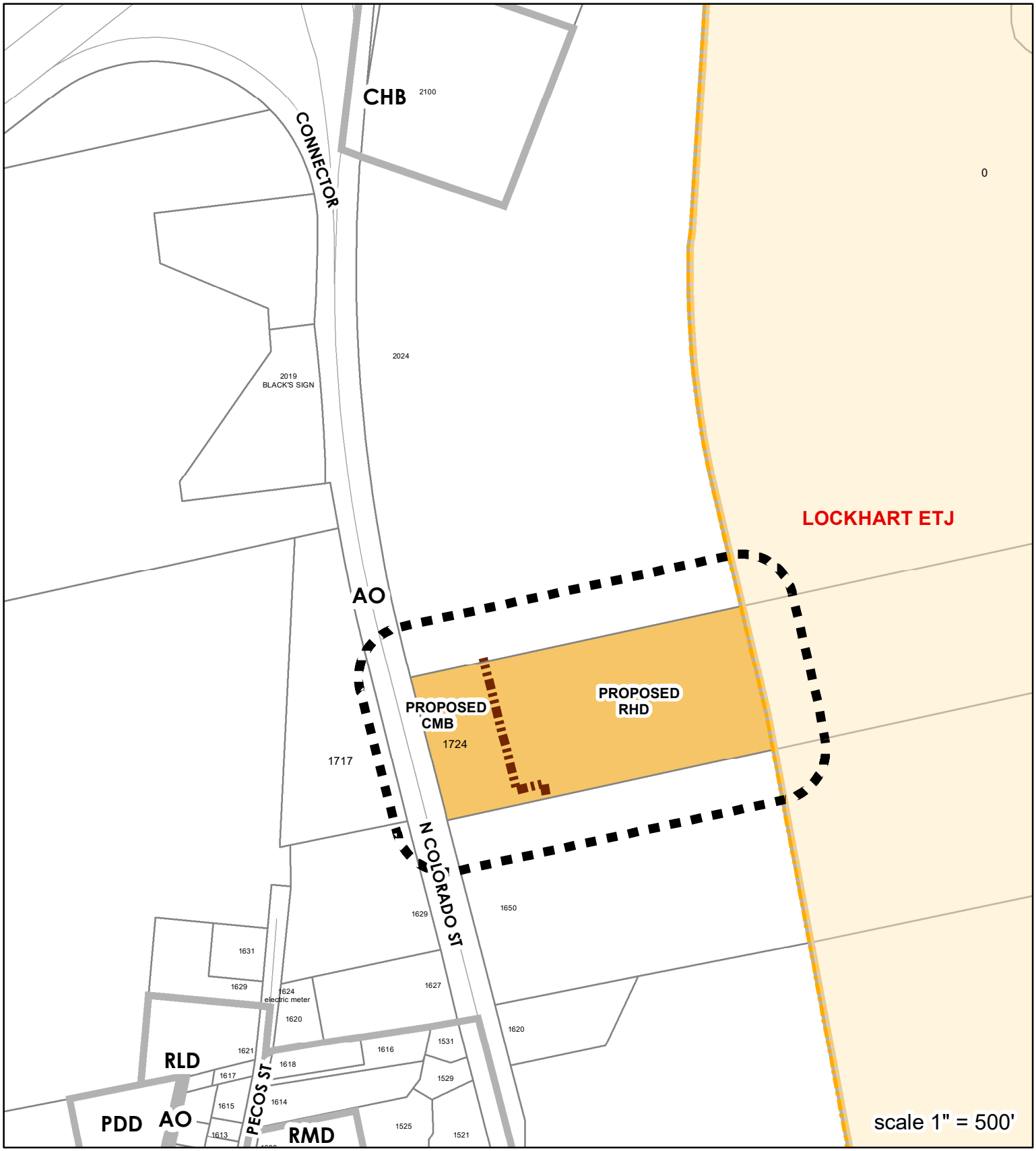
COMMITTEE/BOARD/COMMISSION ACTION: The Planning and Zoning Commission voted 3-1 to Table further consideration of this application until their May 25th meeting for the reasons stated in the attached staff report.

STAFF RECOMMENDATION/REQUESTED MOTION: Staff believes that this zoning change is premature until we have a better idea of the City's sanitary sewer capacity to serve land use intensities that area higher than the future land use designations indicated on the City's Land Use Plan map along North Colorado Street. In addition, Section 211.007 of the Texas Local Government Code prohibits the governing body (City Council) from holding a public hearing or taking action on a zoning map change until a final recommendation is received from the zoning commission (Planning and Zoning Commission). Therefore, the suggested motion is to TABLE further consideration of Zoning Change ZC-22-10 from AO to RHD and CMB until the June 7th Council meeting.

City of Lockhart, Texas

Council Agenda Item
Cover Sheet

LIST OF SUPPORTING DOCUMENTS: ZC2210 case map, ZC2210 zoning, ZC2210 future landuse, ZC2210 aerial, zc2210 staff report - CC version, 21-9147 1724 North Colorado CAD_7gen Zoning Boundaries_11x17, zc2210 application and owner's letter



ZC-22-10

AO TO RHD & CMB

1724 N COLORADO ST (HWY 183)

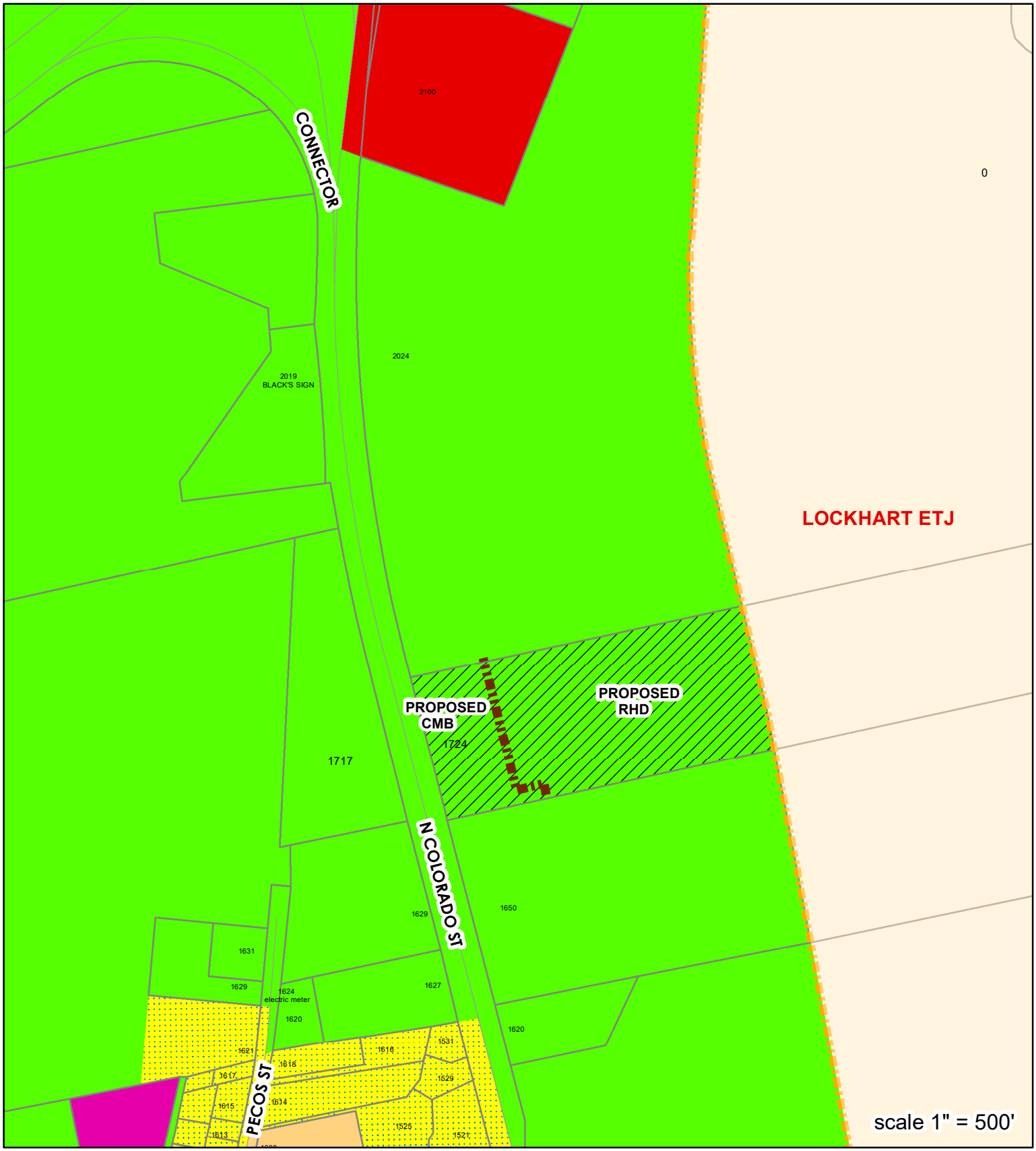
N

SUBJECT PROPERTY

ZONING BOUNDARY

CITY LIMITS

200 FT BUFFER



ZC-22-10

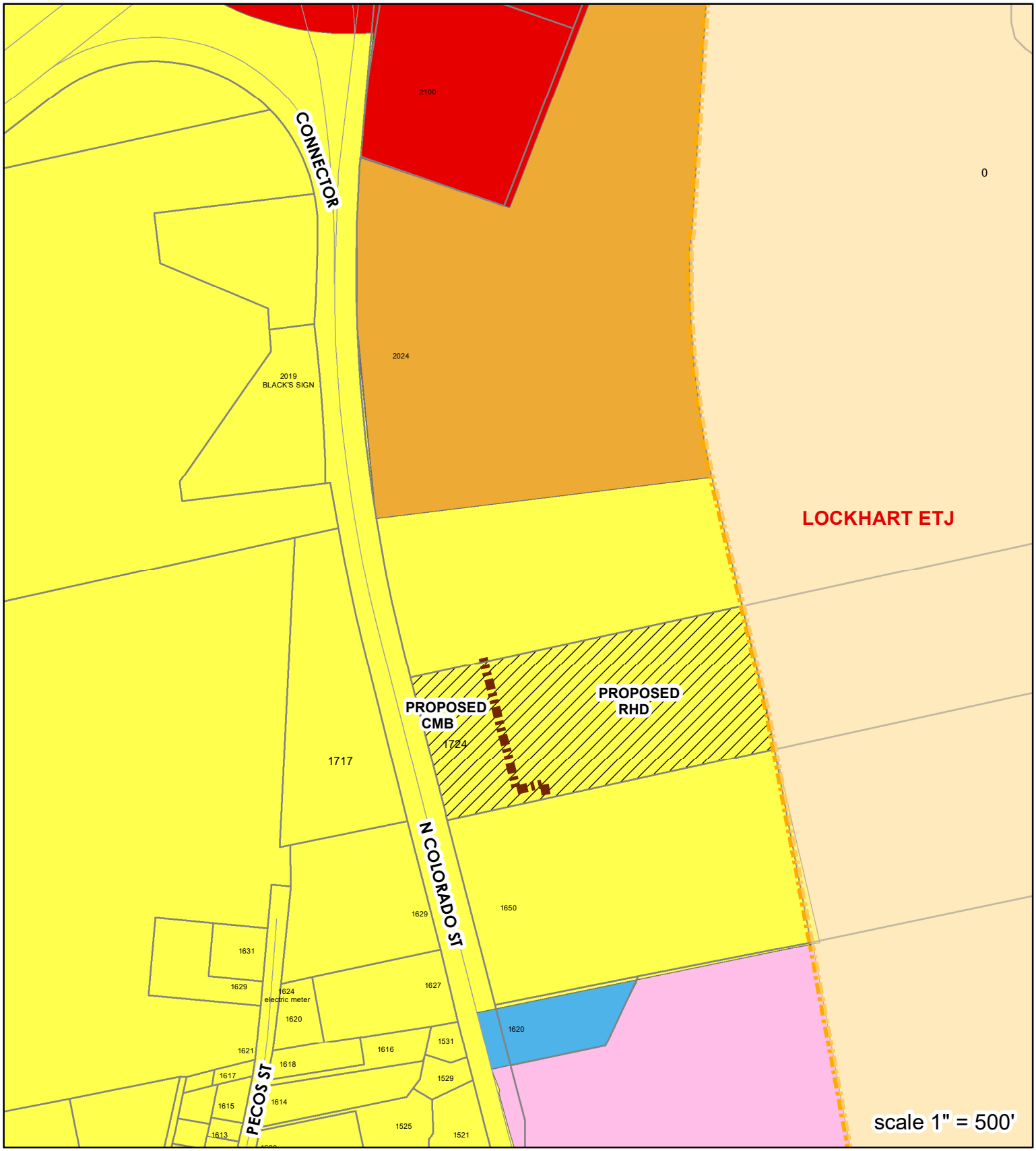
AO TO RHD & CMB

1724 N COLORADO ST (HWY 183)

N

ZONING DISTRICTS

- AGRICULTURAL-OPEN SPACE
- COMMERCIAL HEAVY BUSINESS
- PLANNED DEVELOPMENT
- RESIDENTIAL LOW DENSITY
- RESIDENTIAL MEDIUM DENSITY



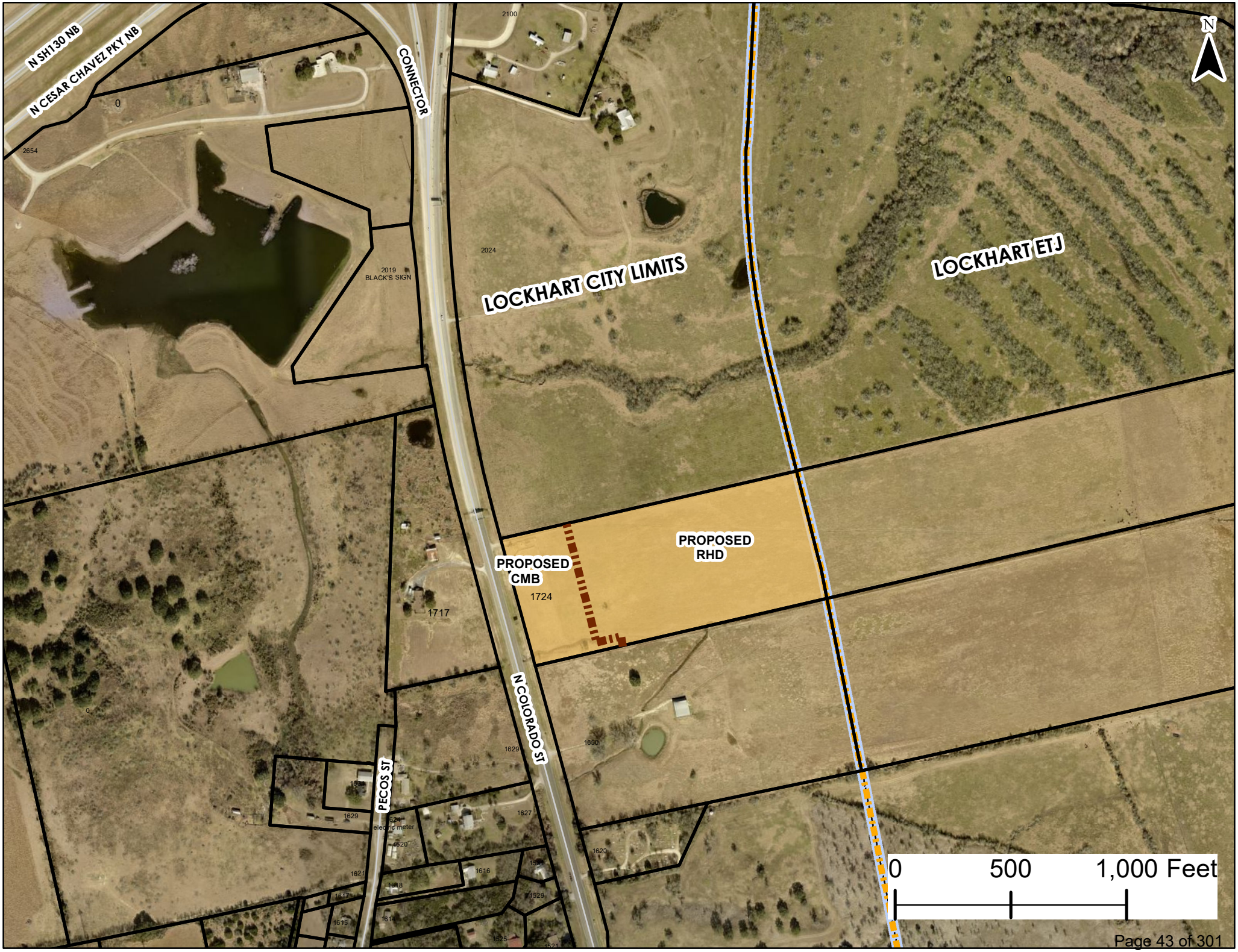
FUTURE LANDUSE

AO TO RHD & CMB

1724 N COLORADO ST (HWY 183)

N

- AGRICULTURE/RURAL DEVELOPMENT
- GENERAL-HEAVY COMMERCIAL
- LIGHT-MEDIUM COMMERCIAL
- PUBLIC AND INSTITUTIONAL
- RESIDENTIAL, LOW DENSITY
- RESIDENTIAL, MEDIUM DENSITY


N SH130 NB
N CESAR CHAVEZ PKY NB
CONNECTOR
2100
0
2654
2019
BLACK'S SIGN
2024
LOCKHART CITY LIMITS
LOCKHART ETJ
PROPOSED
RHD
PROPOSED
CMB
1724
1717
N COLORADO ST
PECOS ST
1629
1627
1620
1616
1529
1690
N
0
500
1,000 Feet

PLANNING DEPARTMENT REPORT ZONING CHANGE

CASE SUMMARY

STAFF: Dan Gibson, City Planner CASE NUMBER: ZC-22-10
REPORT DATE: March 18, 2022 [Updated 3-29-22]
PLANNING AND ZONING COMMISSION HEARING DATE: March 23, 2022
CITY COUNCIL HEARING DATE: April 5, 2022
REQUESTED CHANGE: AO to RHD and CMB
STAFF RECOMMENDATION: ***Table*** to June 7th.
PLANNING AND ZONING COMMISSION RECOMMENDATION: ***Tabled*** until the May 25th meeting.

BACKGROUND DATA

APPLICANT: Chris Bancroft
OWNER: Ernest Ewald, Jr.
SITE LOCATION: 1724 North Colorado Street (US 183)
LEGAL DESCRIPTION: Metes and Bounds
SIZE OF PROPERTY: 15.906 acres inside the city limits
EXISTING USE OF PROPERTY: Vacant land
LAND USE PLAN DESIGNATION: *Low Density Residential*

ANALYSIS OF ISSUES

REASON FOR REQUESTED ZONING CHANGE: The purpose of the zoning change is to allow future development of 3.644 acres of general commercial land uses along the Colorado Street frontage, and 12.262 acres of apartment housing behind the commercial area. Although the tract extends eastward to Plum Creek, the zoning change is only for the portion of the tract that is in the city limits, which is roughly 36 percent of the original tract. The Plum Creek floodplain slightly encroaches into the rear of the area proposed to be zoned RHD.

AREA CHARACTERISTICS:

	Existing Use	Zoning	Future Land Use Plan
North	Vacant land	AO	*Low Density Residential, Medium Density Residential*
East	Vacant land	Not zoned	*Agriculture/Rural Development*
South	Vacant land	AO	*Low Density Residential*
West	Single-family dwelling and accessory buildings, Vacant land	AO	*Low Density Residential*

TRANSITION OF ZONING DISTRICTS: The subject property currently does not abut any other residential or commercial zoning, although a concurrent zoning change request for the adjacent property to the south would result in the same RMD and CMB zoning pattern as proposed for the subject tract.

ADEQUACY OF INFRASTRUCTURE: Vehicular access will be from Colorado Street, and because of the high speed limit TxDOT will likely require that the developer widen the highway to provide a center left-turn land and right turn deceleration or transition lane for any street or driveway intersections into the development. There is a 12" water main along the east side of the highway that is adequate to serve the property. However, the closest wastewater main of sufficient size is located over one mile south near the railroad track and Town Branch Creek. The wastewater impact fee CIP does propose a system of wastewater mains extending from that point northward, along with a lift-station, where it would serve the North Colorado Street area, including the subject property. There currently is no time-line or source of funding identified other than impact fees. Impact fees can be used to pay for up to half of the cost, but the remainder would have to come from other sources.

POTENTIAL NEIGHBORHOOD IMPACT: The subject property is in a largely undeveloped area of the city where there are no immediate neighbors that would be impacted by development allowed by the proposed zoning district classifications. A regional impact will be additional traffic on North Colorado Street, but that is bound to occur where there is potential for additional development, and can be mitigated by a center turn lane and right-turn deceleration or transition lanes.

CONSISTENCY WITH COMPREHENSIVE PLAN: The proposed RHD and CMB zoning classifications are ***not*** consistent with the *Low Density Residential* future land use designation shown on the Land Use Plan map.

ALTERNATIVE CLASSIFICATIONS: The only zoning classification that would be consistent with the Land Use Plan map is the RLD Residential Low Density District.

RESPONSE TO NOTIFICATION: Citizens appearing at the Planning and Zoning Commission public hearing expressed concerns about flooding on the subject property, additional runoff from the property as a result of development, and traffic hazards due to the high speed limit on Colorado Street in that area.

STAFF RECOMMENDATION: The wastewater CIP is based on the land use types and intensities shown on the Land Use Plan map, which is low density residential for the subject property. A wastewater project is proposed that would serve the area but, as with the northwest quadrant of the city, a study may need to be done to determine whether or not the proposed wastewater infrastructure will be adequate for higher land use intensities. Such a study would confirm the size and cost of the new wastewater mains and associated lift station. The main issue is timing of development, and not necessarily the type of development proposed. Generally, a zoning change is considered premature if there is not adequate infrastructure available to support the development that the proposed zoning classification would allow. A recent request for a zoning change from RMD to RHD to allow high density apartments on a site between Silent Valley Road (FM 2001) and Cesar Chavez Parkway (SH 130) was in an area designated on the Land Use Plan map as future *Medium Density Residential*. A precedent was set when the zoning change was tabled for several months due to a similar need for a study to determine the size and cost of wastewater infrastructure necessary to serve the higher land use intensities proposed for the area. The Council should take the same action by tabling this application because the Planning and Zoning Commission tabled further consideration of this this application until their May 25th meeting so that the North Colorado Street area can be added to the scope of the study already being done for the Silent Valley Road area. Section 211.007 of the Texas Local Government Code prohibits the governing body (City Council) from holding a public hearing or taking action on a zoning may change until a final recommendation is received from the zoning commission (Planning and Zoning Commission). Therefore, staff recommends that this application be ***Tabled*** to the June 7th Council meeting, which is the first meeting after the Planning and Zoning Commission considers their final recommendation on May 25th.

Drawing: L:\02_LAND PLANNING\CLIENTS\Texas Multifamily Capital\2021254-LPN-00_Lockhart LaFamilia Tract\04_Land Planning\Zoning\Submittal\21-9147 1724 North Colorado CAD_7gen Zoning Boundaries.dwg
Last Modified: Mar. 02, 22 - 11:05
Plot Date/Time: Mar. 02, 22 - 11:27:53

LAND USE SCHEDULE

LOCKHART CITY LIMITS

PROPOSED USE	ACREAGE
CMB	3.644 Ac.
RHD	12.262 Ac.
SUBTOTAL	15.906 Ac.
ETJ	
CURRENT USE	ACREAGE
ETJ	27.813± Ac.
OVERALL TOTAL	43.719 Ac.

SCALE : 1'' = 400'

0 200 400 800

DATE : 03-02-2022

NORTH

All information furnished regarding this property is from sources deemed reliable. However, 7gen Planning has not made an independent investigation of these sources and no warranty or representation is made by 7gen Planning as to the accuracy thereof and same is submitted subject to errors, omissions, land plan changes, or other conditions. This land plan is conceptual in nature and does not represent any regulatory approval. Land plan is subject to change. The developer has reserved the right, without notice,to make changes to this map and other aspects of the development to comply with governmental requirements and to fulfill its marketing objective.

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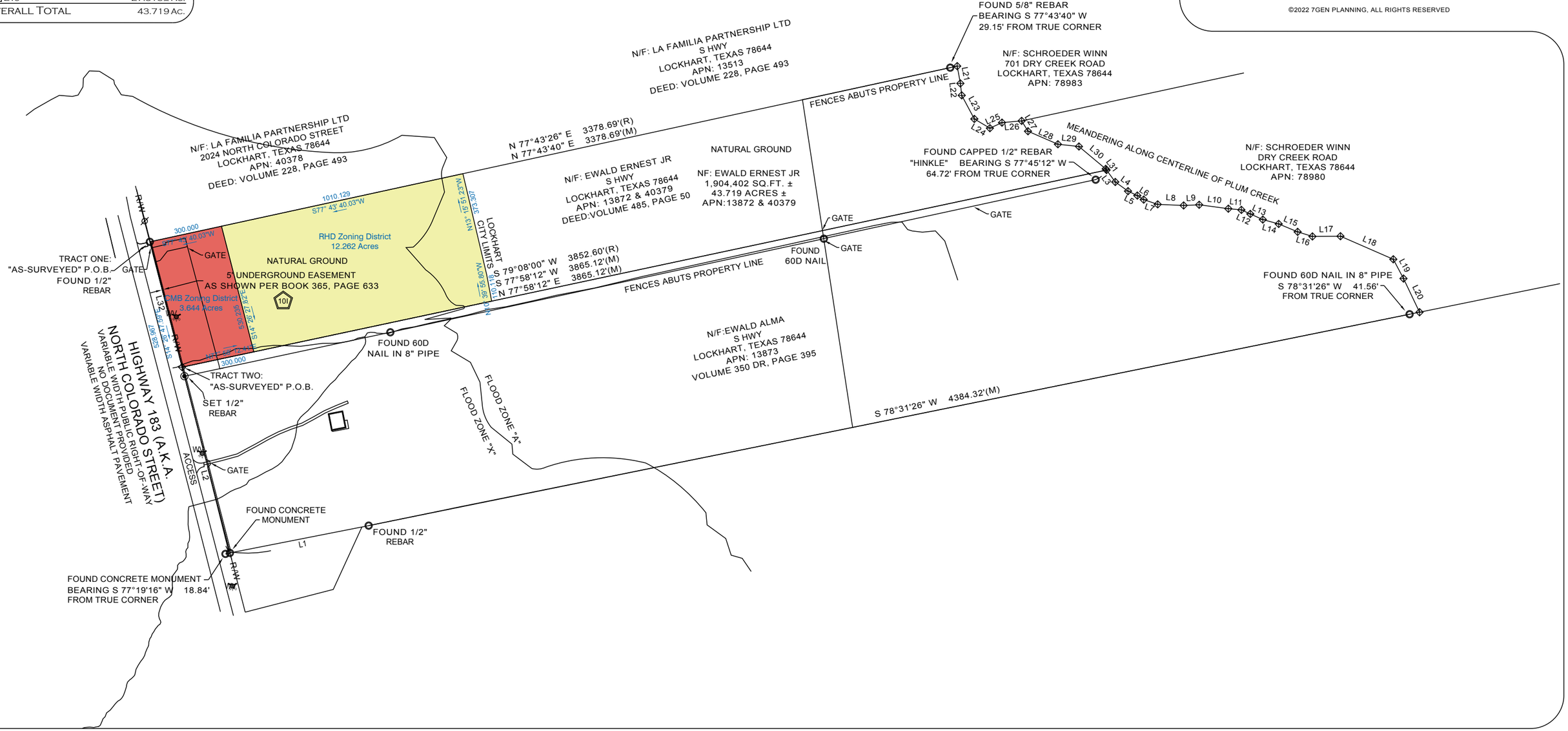

TEXAS MULT-FAMILY CAPITAL

REQUESTED REZONING BOUNDARY

1724 NORTH COLORADO STREET
LOCKHART, TEXAS 78644

7gen PLANNING
PLANNING & LANDSCAPE ARCHITECTURE
2107 CITYWEST BLVD. SUITE 400
HOUSTON, TEXAS 77042
713.343.0394
9050 N CAPITAL OF TX HWY., BLDG. 3, STE 390
AUSTIN, TEXAS 78759
512.646.3454

ZONING CHANGE APPLICATION

(512) 398-3461 • FAX (512) 398-3833
P.O. Box 239 • Lockhart, Texas 78644
308 West San Antonio Street

APPLICANT/OWNER

APPLICANT NAME Chris Bancroft
ADDRESS 1515 S. Capital of Texas Hwy
Suite 405
Austin, TX 78746
DAY-TIME TELEPHONE 512-705-0212
E-MAIL chris.b@texasmfc.com

OWNER NAME Ernest Ewald, Jr.
ADDRESS PO Box 1016
Lockhart, Tx 78644-1016
DAY-TIME TELEPHONE
E-MAIL

PROPERTY

ADDRESS OR GENERAL LOCATION 1724 N. Colorado St. Lockhart, Tx 78644
LEGAL DESCRIPTION (IF PLATTED) Metes and Bounds
SIZE 15.90 ACRE(S) LAND USE PLAN DESIGNATION Residential, Low Density
EXISTING USE OF LAND AND/OR BUILDING(S) Agricultural - Open Space
PROPOSED NEW USE, IF ANY Commercial, Residential

REQUESTED CHANGE

FROM CURRENT ZONING CLASSIFICATION AO
TO PROPOSED ZONING CLASSIFICATION RHD, CMB
REASON FOR REQUEST To allow for future development of general commercial and apartment housing

SUBMITTAL REQUIREMENTS

IF THE APPLICANT IS NOT THE OWNER, A LETTER SIGNED AND DATED BY THE OWNER CERTIFYING THEIR OWNERSHIP OF THE PROPERTY AND AUTHORIZING THE APPLICANT TO REPRESENT THE PERSON, ORGANIZATION, OR BUSINESS THAT OWNS THE PROPERTY.

NAME(S) AND ADDRESS(ES) OF PROPERTY LIEN-HOLDER(S), IF ANY.

IF NOT PLATTED, A METES AND BOUNDS LEGAL DESCRIPTION OF THE PROPERTY.

APPLICATION FEE OF $ $468 PAYABLE TO THE CITY OF LOCKHART AS FOLLOWS:

$170 + ($20 x 14.90) = $468

1/4 acre or less	$125
Between 1/4 and one acre	$150
One acre or greater	$170 plus $20.00 per each acre over one acre

TO THE BEST OF MY KNOWLEDGE, THIS APPLICATION AND ASSOCIATED DOCUMENTS ARE COMPLETE AND CORRECT, AND IT IS UNDERSTOOD THAT I OR ANOTHER REPRESENTATIVE SHOULD BE PRESENT AT ALL PUBLIC MEETINGS CONCERNING THIS APPLICATION.

SIGNATURE _____ DATE 3/2/22

OFFICE USE ONLY

ACCEPTED BY Dan Gibson RECEIPT NUMBER 1640273

DATE SUBMITTED 3-2-22 CASE NUMBER ZC - 22 - 10

DATE NOTICES MAILED 3-8-22 DATE NOTICE PUBLISHED 3-10-22

PLANNING AND ZONING COMMISSION MEETING DATE 3-23-22

PLANNING AND ZONING COMMISSION RECOMMENDATION Tabled to 5-25-22

CITY COUNCIL MEETING DATE 4-5-22

DECISION _____

dotloop signature verification: dtlp.us/SaFw-AmdJ-IeiO

February 2, 2022

Texas Multifamily Capital, LLC
5900 Balcones Drive, Suite 100
Austin, Texas 78731

Subject: Entitlement of the following property ("Property")
1724 N. Colorado Lockhart, TX 78644
Ernest Ewald

Dear Texas Multifamily Capital, LLC:

I, Ernest Ewald, Jr, owner of the above referenced Property, authorize you, and more specifically **Christopher Bancroft** and **Matthew Chase**, as well as any agents and consultants appointed by you, to act as my **Agent** to submit applications, drawings, zoning changes, and other applicable documents for the purpose of obtaining approval from the City of Lockhart for a zoning change and associated permits related to the proposed purchase of the Property by you, and subsequent development by you.

Sincerely,

Ernest Ewald Jr
dotloop verified
02/14/22 10:50 AM CST
OLQQ-RUHE-HEVN-F8UB

Printed Name: Ernest Ewald, Jr

City of Lockhart, Texas

Council Agenda Item
Cover Sheet

COUNCIL MEETING DATE: April 5, 2022

AGENDA ITEM CAPTION: Discussion regarding revisions to 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 and repairs.

ORIGINATING DEPARTMENT AND CONTACT: Public Works - Sean Kelley

ACTION REQUESTED: Direction

BACKGROUND/SUMMARY/DISCUSSION:
Staff recently presented Draft Ordinance 2022-01 to the City Council on January 4, 2022. The draft ordinance was created to clarify sidewalk replacement and maintenance responsibilities and propose a 50/50 cost sharing policy to repair deficient sidewalks. During the presentation on January 4th, Council requested clarification of the ordinance, instructed staff to include their recommendations and bring a revised version of the draft ordinance back to City Council for consideration.

During the January 4th meeting, the following are questions to be clarified :

Q: Can sidewalks that do not connect to another homeowner's sidewalk be included in the cost sharing policy?
A: Yes, if funds are available.

Q: Would homeowners be responsible for the sidewalk that fronts their entire property and does the ordinance language need to be clarified to address this?
A: The City Attorney believes the language included is sufficient.

Q: How do we manage sidewalk in front of homeowners that cannot afford repairs?
A: 50/50 cost share program.

Q: What if some homeowners on a city block participate to make repairs and others do not?
A: 50/50 cost share for eligible projects apply. Ineligible projects would be funded by the property owner.

Q: Do HOA agreements cover sidewalks?
A: Unable to determine at this time.

Q: Should it be "worst first" or "first come first serve" for cost sharing projects?
A: All requests meeting the general eligibility criteria would be considered as received.

Q: Why aren't businesses included in the proposed cost sharing program?
A: This practice is consistent with other surveied cities with adopted policies.

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City Council recommendations included making sure that the program is fair and including downtown businesses and schools as part of city-maintained public sidewalks.

Staff is prepared to submit a revised Ordinance to the Council after receiving additional comments of the initial assessment data.

PROJECT SCHEDULE (if applicable): N/A

AMOUNT & SOURCE OF FUNDING:
Funds Required: Unknown
Account Number: 100-5633-935
Funds Available: $20,000
Account Name: Sidewalks

FISCAL NOTE (if applicable): N/A

PREVIOUS COUNCIL ACTION: January 4, 2022- Proposed sidewalk amendment ordinance and cost sharing policy presentation

COMMITTEE/BOARD/COMMISSION ACTION: N/A

STAFF RECOMMENDATION/REQUESTED MOTION: None.

LIST OF SUPPORTING DOCUMENTS: History (Jan. 4 agenda cover sheet), Draft sidewalk Ordinance, Sidewalk Maintenance Policy and Cost Sharing Program presentation

City of Lockhart, Texas

Council Agenda Item Cover Sheet HISTORY

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.

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 yar 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 uncodified, 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:

_____
Connie Constancio, TRMC, City Secretary

APPROVED AS TO FORM:

_____
Monte Akers, City Attorney

Sidewalk Maintenance Policy and Cost Sharing Program

Purpose

- The purpose of this policy is to provide guidelines and procedures for the rehabilitation of sidewalks and replacement of defective sidewalks in the public right-of-way
- Create policy that defines sidewalk maintenance priorities and a procedure for replacing deficient sidewalks

Defined Maintenance Responsibilities

- Maintenance responsibilities are to be defined in Section 50-3 of the City Code
- Property Owners are responsible for maintaining sidewalks abutting their property
- Sidewalk connections must be reestablished during driveway reconstruction or repairs made by property owners if existing sidewalks are present
- The Director of Public Works or designee may determine need for repairs of sidewalks and designate sidewalks as defective and a public nuisance

Sidewalk Cost Share Program Procedure

- The City may participate in the reconstruction or repair of a sidewalk with an eligible property owner on a 50/50 cost share basis, if funds are available
- Applications for participation will be received through the Public Works office
- Public Works will verify project eligibility
- If funds are exhausted in a fiscal year, eligible projects from that year may be considered for the program next year

Continued….

- Cost for the project will be determined by the Public Works Department
- The City would bud project to get the best price through competitive bidding.
- Property owner cost share must be received in full prior to City's participation in reconstructing or repairing sidewalk
- Sidewalk reconstruction and repairs may be preformed by City workers or by a contractor selected by the City
- The City shall make appropriate repairs if sidewalk repairs fail within one year of completion
- The City coordinates installation and inspects all work

Projects Eligible for the Cost Share Program

- Only existing sidewalks located at single family neighborhoods, condominiums, and town homes
- Sidewalks must contain 1 ½” or greater vertical trip hazards between panels, 1” or greater width separation between panels, and/or structural damage through the entire depth of the sidewalk panel

Vertical Separation Between Panels

1 ½” or greater vertical trip hazards between panels

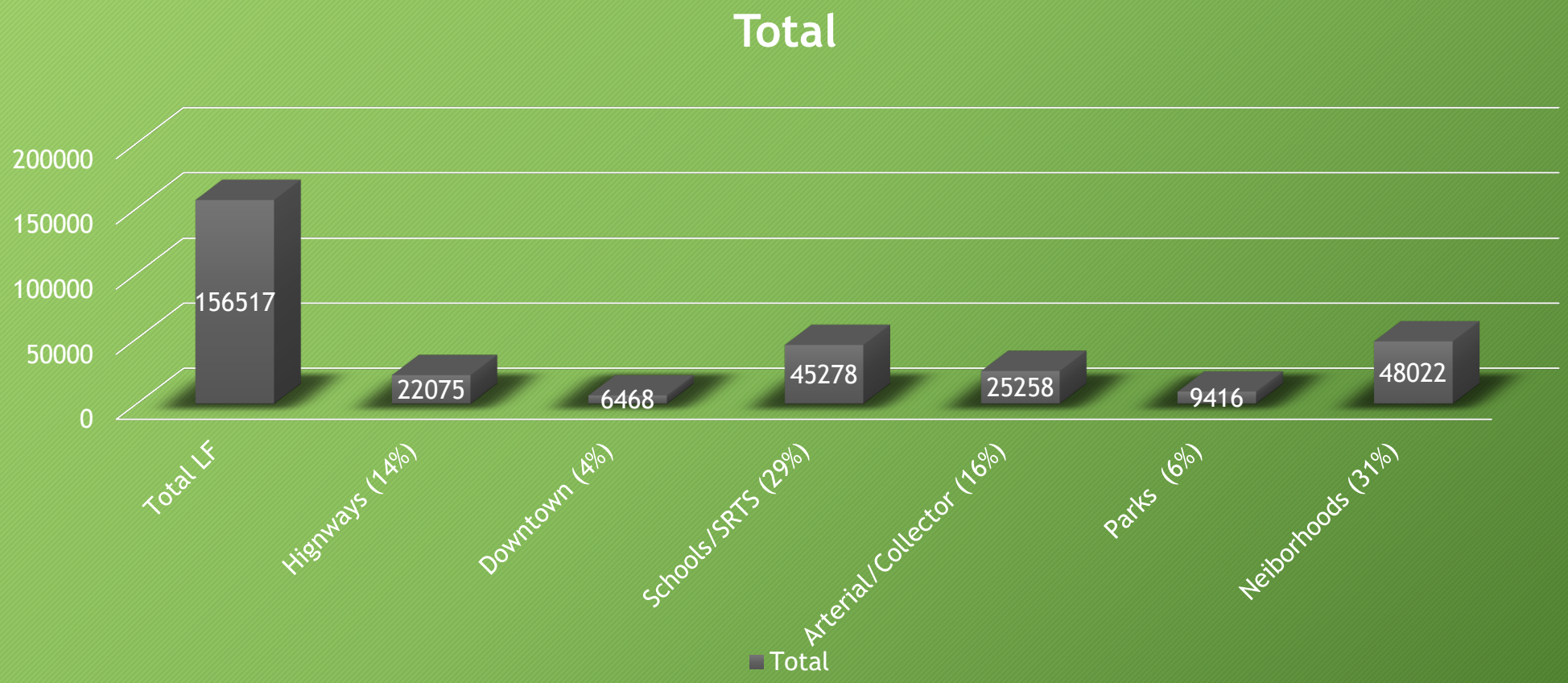
Sidewalk Panel Separation

1” or greater width separation

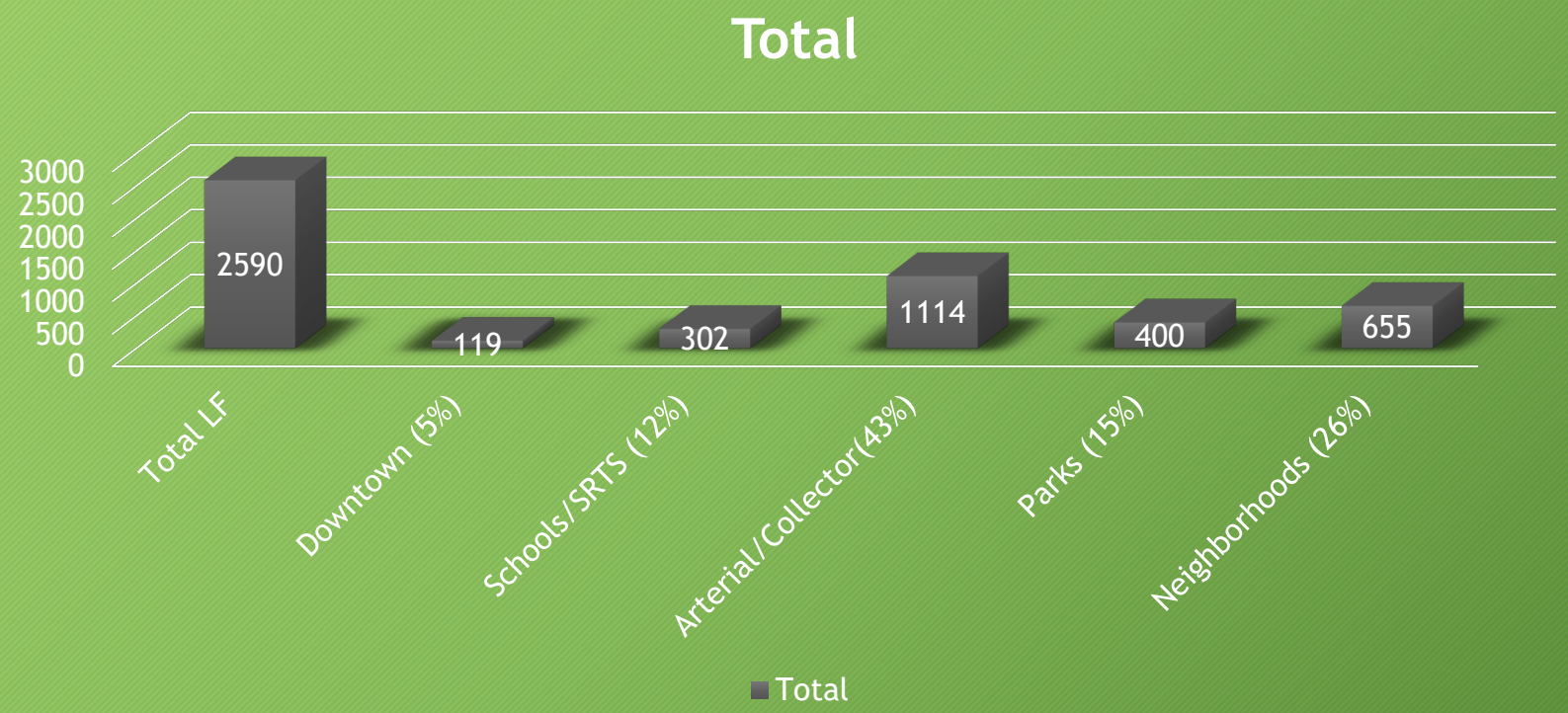
Ineligible Projects

- Sidewalks that do not connect to any other sidewalks
- Cosmetic damage that are neither structural failures or trip hazards
- Brick or granite sidewalks that are being requested to be replaced with brick or granite. Sidewalks will be replaced with concrete
- Sidewalk that is requested to be replaced due to driveway replacement or reconstruction. Curb, gutter and driveway replacement or reconstruction is not eligible under this program
- The property owner shall be responsible for all cost associated with sprinkler repair, driveway repair/reconstruction and retaining wall repair/reconstruction associated with a project

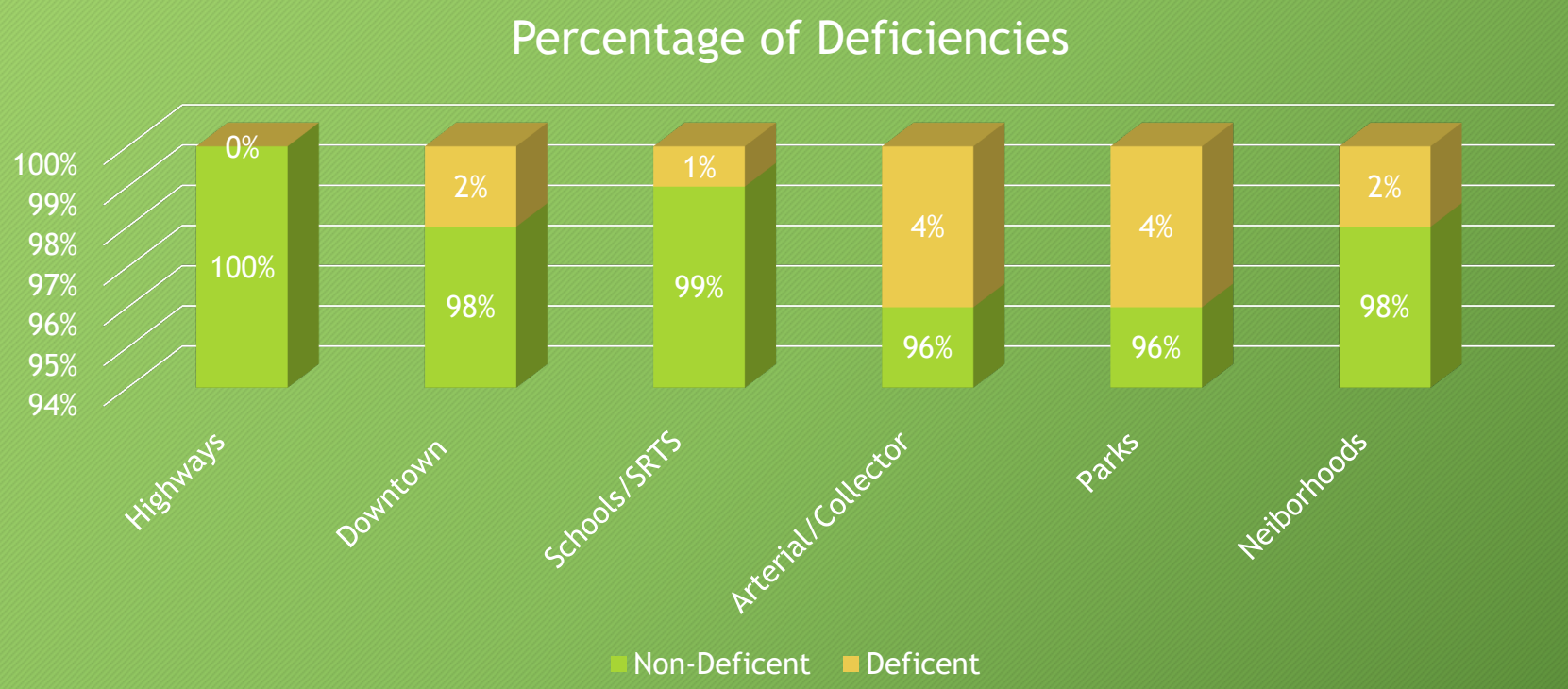
Total Linear Feet of Sidewalks by Category



Total Linear Feet of Sidewalks Deficiencies by Category



Deficient Vs. Non-Deficient by Category



Initial Sidewalk Deficiency Assessment

- There are over 28 miles of public sidewalks within the City
- Staff has identified 2,590 linear feet and 28 ADA ramps of deficiencies that meet the proposed sidewalk deficiency criteria. The estimated cost to repair these prioritized deficiencies is $353,000 excluding engineering, geo-tech, driveways, contingencies, ROW/easements, legal services and surveying.

Other Challenges to Consider

- Current construction cost and bidding environment
- Contractor availability
- Obstructions with tree and utilities
- Drainage impacts and design
- Connection to private walkways and driveways

Obstructions

Driveways

Possible Need for Land Dedication

Drainage Design

Other Engineering Solutions Required

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COUNCIL MEETING DATE: April 5, 2022

AGENDA ITEM CAPTION: Discuss Ordinance 2022-14 adopting a code of ethics and anti-discrimination policy for city council members, city board/commission members, and employees.

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

ACTION REQUESTED: Ordinance

BACKGROUND/SUMMARY/DISCUSSION:
On March 15, the City Council discussed the ethics ordinance. The consensus of the Council was to table consideration of the Ordinance to the April 5 Council meeting.

Although state law addresses many ethical issues (e.g. Ch. 171 LGC for Conflicts of Interest, Ch. 573 GC for nepotism, etc.), cities often adopt a code of ethics that is more stringent than or which addresses issues not covered in detail by state law (e.g. social media, revolving door issues). A draft ethics policy has been prepared for the Council's consideration that is intended to do the latter. It differs from a draft that was previously distributed, particularly by addition of a section on social media and a section containing a graduating scale of penalties for violation.

Note that it applies to "officers" (mayor and council members), "officials" (board and commission members) and employees. Note also that it contains (highlighted) revolving door provisions (Sec. 3-325 d through g & Sec. 3-26) that restrict former officers, officials, and employees from working for persons or entities with whom the officer, official, or employee had dealings before leaving city service. The length of such restrictions should be carefully considered.

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: Discussion only.

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COMMITTEE/BOARD/COMMISSION ACTION: N/A

STAFF RECOMMENDATION/REQUESTED MOTION: Staff recommendation is adoption, but the nature of this matter justifies additional study and delay until a future council meeting.

LIST OF SUPPORTING DOCUMENTS: Proposed Ordinance

ORDINANCE NO. 2022-14

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LOCKHART, TEXAS, ADOPTING A CODE OF ETHICS AND ANTI-DISCRIMINATION POLICY; AMENDING CHAPTER 2 OF THE LOCKHART CODE OF ORDINANCES TO ADOPT A NEW ARTICLE VII FOR THAT PURPOSE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING FOR OPEN MEETINGS

WHEREAS, it is appropriate and necessary for good government and to promote personal integrity, honesty and ethical conduct in all activities undertaken by City Officials, that the City of Lockhart adopt a Code of Ethics and Anti-Discrimination Policy; and

WHEREAS, the adoption of the Code of Ethics and Anti-Discrimination Policy is in the best interest of the City of Lockhart and will promote personal integrity, honesty and ethical conduct in all activities undertaken by City Officers, Officials, and employees, as well as the health, safety, and welfare of the citizens of the City of Lockhart and the general public; and

WHEREAS, the City Council deems it advisable to adopt a Code of Ethics and Anti-Discrimination Policy to provide a code of ethics and standard of conduct for City Council members Officials, and employees;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LOCKHART, TEXAS, THAT: **Section 1**. **Adoption of Code of Ethics and Anti-Discrimination Policy**. The City Council hereby amends Chapter 2 of the City of Lockhart Code of Ordinances to add a new Article VIII to adopt a Code of Ethics and Anti-Discrimination Policy, as follows:

ARTICLE VII. CODE OF ETHICS AND ANTI-DISCRIMINATION POLICY

Sec. 2-320 – Statement of Purpose.

It is essential in a democratic system that the public have confidence in the integrity, independence, and impartiality of those who act on their behalf in government. Such confidence depends not only on the conduct of those who exercise official power, but also on the availability of aid or redress to all persons on equal terms. For the purpose of promoting confidence in the government of the City of Lockhart and thereby enhancing the city's ability to function effectively, this code of ethics and anti-discrimination policy is adopted. By prohibiting conduct incompatible with the city's best interests and minimizing the risk of any appearance of impropriety, this code of ethics and anti-discrimination furthers the legitimate interests of democracy.

Sec. 2-321. - Definitions.

The following words, terms and phrases when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Board means a board, commission or committee which is established by city ordinance, city Charter, interlocal contract or state law and any part of whose membership is appointed by the city council.

Business entity or *entity* mean a sole proprietorship, partnership, firm, corporation, holding company, joint-stock company, receivership, trust, or any other entity recognized in law.

Confidential Information means any information that a City Council member is entitled to because of his official position but otherwise is not available to the public generally without an open records request pursuant to the provisions of the Texas Public Information Act (the "Act"), Government Code Chapter 552 and/or is not available to the public under the Act.

Discrimination means treating, or proposing to treat, someone unfavorably because of that person's "protected personal characteristics," as that term is defined herein. Discrimination can occur:

- Directly, when a person or group is treated less favorably than another person or group in a similar situation because of a personal characteristic.
- Indirectly, when an unreasonable requirement, condition or practice is imposed that has, or is likely to have, the effect of disadvantaging people with a personal characteristic.

Employee means a person employed or paid a salary by the city on a full-time basis excluding officers and officials.

Incidental interest means an interest in a person, entity or property which is not a substantial interest, and which has insignificant value, or which would be affected only in a de minimis fashion by a decision. This division does not establish dollar limits on the terms "insignificant value" and "de minimis," which shall have their usual meanings and be subject to interpretation on a case-by-case basis.

Interest or *benefit* means anything reasonably regarded as economic gain or economic advantage, other than incidental or remote interests. The term applies to the official and also to any person who is related to such official within the second degree by consanguinity or affinity.

Officer means the mayor and members of the city council.

Official means officers and members of any board, commission, or committee which is established by city ordinances, city charter, interlocal contract, or state law, and any part of whose membership is appointed by the city council.

Official Capacity means a person acts in his or her "official capacity" in performing the duties and exercising the powers of the office or the person's employment, as this term is defined under other applicable law

.

Protected personal characteristics means race; gender; age; sexual orientation; disability; religion; country of origin; ethnic background; intersex status or gender identity, including gay, lesbian, bisexual, transsexual, transgender, questionable, and heterosexual; political affiliation and/or any personal characteristic protected by the law.

Remote interest means an interest of a person or entity, including an officer, official, or employee who would be affected in the same way as the general public. The interest of such a person a in the property tax rate, general town fees, city utility charges or a comprehensive zoning ordinance, or similar decisions is incidental to the extent that person would be affected in common with the general public.

Sexual harassment means behavior characterized by the making of unwelcome and in appropriate sexual remarks or physical advances in a workplace or other professional situation.

Sec. 3-322. - Policy.

(a) It is hereby declared to be the policy of the city that the proper operation of democratic government requires that:

(1) Officers, Officials, and employees be impartial and responsible to the people of the city;

(2) Governmental decisions and policy be made using the proper procedures of the governmental structure;

(3) No officer, official, or employee has any interest, direct or indirect, or engage in any business transaction or professional activity or incur any obligation of any nature which is in conflict with the proper discharge of his or her duties in the public interest;

(4) Public offices not be used for personal gain;

(5) The city council at all times be maintained as a nonpartisan body;

(6) Officers, officials, and employees fully comply with state statutes, as amended, concerning conflicts of interest;

(7) Officers, officials, and employees be committed to providing a safe, flexible and respectful environment for fellow officers, officials, and employees, and Lockhart citizens, free from all forms of discrimination and sexual harassment.

(8) The city council, city boards and commissions, and city departments, at all times, be required to treat others with dignity, courtesy, and respect.

(b) To implement this policy, the city council has determined that it is advisable to enact this code of ethics and anti-discrimination policy for all officers, officials, and employees, whether elected or appointed, paid or unpaid, advisory, or administrative, to serve not only as a guide for official conduct of the city's public servants, but also as a basis for discipline for those who refuse

to abide by its terms.

(c) It is the express intent of the city council that this Code of Ethics and Anti-Discrimination Policy not be interpreted to discourage officers, officials, or employees from expressing their personal opinions or viewpoints in regard to any matter related to city policy or business during business hours or in any formal or informal meeting of the city.

Sec. 3-323. - Standards of conduct.

(a) No officer, official, or employee shall:

(1) Accept or solicit any money, property, service, or other thing of value by way of gift, favor, loan or otherwise which he knows or should know is being offered or given with the intent to unlawfully influence such person in the discharge of official duties, or in return for having exercised or performed official duties.

(2) Use his or her position to secure special privileges or exemptions for himself, herself, or others.

(3) Grant any special consideration, treatment or advantage to a person or organization beyond that which is available to every other person or organization. (This shall not prohibit the granting of fringe benefits to city employees as part of their contract of employment or as an added incentive to the securing or retaining of employees).

(4) Disclose information deemed confidential by law that could adversely affect the property or affairs of the city, or directly or indirectly use any information understood to be confidential which was gained by reason of his official position or employment for his or her own personal gain or benefit or for the private interest of others.

(5) Transact any business on behalf of the city in his or her official capacity with any entity with which he or she is an officer, agent, or member or in which he or she has an interest. In the event that such a circumstance should arise, no violation of this subsection occurs if he or she shall make known his or her interest, and:

A. In the case of an officer or official, refrain from discussing the matter at any time with members of the body of which he is a member or any other body which will consider the matter and abstain from voting on the matter; or

B. In the case of an employee, turn the matter over to his superior for reassignment, state the reasons for doing so and have nothing further to do with the matter involved.

(6) Accept other employment or engage in outside activities incompatible with the full and proper discharge of his or her duties and responsibilities with the city, or which might impair his or her independent judgment in the performance of his or her public duty.

(7) Personally provide services for compensation, directly or indirectly, to a person, entity or organization who is requesting an approval, investigation, or determination from the body or department of which the officer or employee is a member. This restriction does

not apply to outside employment of an officer, official, or employee if the employment is the person’s 's primary source of income.

(8) Receive any fee or compensation for his or her service as an officer, official, or employee of the city from any source other than the city, except as may be otherwise provided by law. This shall not prohibit his or her performing the same or other services for a public or private organization that he or she performs for the city if there is no conflict with his or her city duties and responsibilities.

(9) Personally represent, or appear on behalf of, the private interests of others:

A. Before the city council or any city board or department;

B. In any proceeding involving the city; or

C. In any litigation to which the city is a party.

(10) In the case of an official, personally represent, or appear on behalf of, the private interests of others:

A. Before the board of which he or she is a member;

B. Before the city council;

C. Before a board which has appellate jurisdiction over the board of which he or she is a member; or

D. In litigation to which the city is a party if the interests of the person being represented are adverse to the city and the subject of the litigation involves the board on which the official is serving or the department providing support services to that board.

(b) Use his or her official position or city-owned facilities, personnel, equipment, supplies, vehicles, printing facilities, postage facilities, long-distance telephone services or any other resources for private purposes, personal advantage, pecuniary gain for such person or for others, or for any political campaign for himself, herself, or others. However, this shall not prohibit an officer, official, or employee from using his or her official position to promote or encourage economic development and businesses within the city, provided:

(1). the officer, official, or employee, and any person related to that person within the second degree by consanguinity or affinity, does not receive a benefit from such promotion or encouragement, and

(2). the promotion or encouragement of economic development and businesses is not for the purpose of promoting, and does not promote other than incidentally, the officer, official, employee, or any person related to that person within the second degree by consanguinity or affinity

(c) Use the prestige of his or her position with the city on behalf of any political party.

(d) Knowingly or willfully solicit or assist in soliciting any assessment, subscription or contribution for any political party or political purpose to be used in conjunction with any city election

(e) Knowingly perform or refuse to perform any act in order to deliberately thwart the execution of valid city ordinances, rules or regulations or the achievement of official city programs.

(f) Engage in any dishonest or criminal act or any other conduct prejudicial to the government of the city or that reflects discredit upon the government of the city.

(g) Engage in sexual harassment, or discrimination based on race, gender, age, sexual orientation, disability, religion, country of origin, or political affiliation or any act deemed unlawful.

(h) Use his or her position to obtain confidential information about any person or entity except in his or her official capacity.

(i) Disclose any confidential information gained through the officer's, official's or employee's office or position concerning property, operations, policies, personnel, or affairs of the city;

(j) Use such confidential information to advance any economic interest or personal interest of the officer, official, or employee or to confer any benefit to that person, or a family member related within the second degree of affinity or consanguinity.

(k) If an officer, official, or employee requests to review, inspect or copy any confidential information not previously made available to that person in his or her position with the city, that request shall be made to the City Manager. If the City Manager determines that the request is not relevant to the requesting person's official capacity, the request shall be denied, but a, requesting officer or official may appeal that determination to the City Council, who, by a public majority vote of the City Council present, excluding an officer requesting the information, may authorize or deny disclosure of the confidential information.

Sec. 3-324. - Prohibition on conflict of interest.

An officer or official may not participate in a vote or decision on a matter affecting a person, entity, or property in which the officer or official has a substantial interest under Ch. 171, Local Gov't Code. In addition, an officer or official who serves as a corporate officer or member of the board of directors of a nonprofit entity which is not appointed by the city council may not participate in a vote or decision regarding funding by or through the city for the entity. Where the interest of an officer or official in the subject matter of a vote or decision is remote or incidental, such officer or official may participate in the vote or decision and need not disclose the interest.

Sec. 3-325. - Restrictions on former city officers and employees.

(a) When used in this section, the terms "before the city" shall mean before any officer or official of the city.

(b) When used in this section, the term "represent" shall include all communications with and appearances before the city in which the city is asked to make a decision, as that term is defined in this chapter. The term "represent" does not include communications and appearances involving only

ministerial action on the part of the city.

(c) When used in this section, the term "case, project or matter" shall refer to specific cases, projects, or regulatory matters, rather than generic policies, procedures, or legislation of general application. For instance, adoption of an ordinance or amendment to the Code of Ordinances that applies to the public generally, is not a "case, project or matter" within the meaning of this section; however, an ordinance, resolution, permit or license, zoning change, variance, inspection related to a person, entity, or specific zoning case or site plan, or similar type of action requiring city approval, will constitute a "case, project or matter" subject to the restrictions imposed in this section.

(d) An officer, official, or employee who leaves service or employment with the city shall not represent, formerly or informally, any person or entity in any case, project, or matter in which the former officer, official, or employee was involved in any significant decision-making role, application processing, vote, or inspection while with the city.

(e) An officer, official, or employee who leaves service or employment with the city and who accepts employment by, contracts with, or receives other compensation from a person or entity that is involved in any case, project, or matter in which the former officer, official, or employee was involved in any significant decision-making role, application processing, vote, or inspection while with the city, shall disclose such involvement to the person or entity prior to being employed by, contracting with, or agreeing to receive compensation from the person or entity.

(f) Violation of subsection (d) or (e), above, may be grounds for denial or dismissal of any case, project, or matter that is filed by, imposed upon, or requested by the person or entity for whom the former officer, official, or employee is employed, contracts with, or represents.

Sec. 3-327. – Social Media

(a) Officers shall include a disclaimer on their social media pages stating the account is for the officer's personal use and is not sponsored or otherwise managed by the city, nor does it reflect the views or beliefs of the city or city council as an institution.

(b) Officers and Officials should not utilize the City of Lockhart logos on their social media.

(c) Officers are prohibited from posting content on their social media that disparages any person on the basis of protected personal characteristics.

Sec. 3-328 – Violations

(a) Violations of this policy by employees will be subject to review and appropriate action by the city manager, which may include dismissal from employment.

(b) Violations or alleged violations of this policy by officers or officials shall be subject to review and appropriate action by the city council. Upon determination that a violation has occurred, the city

council may, by majority vote, impose any of the following actions, which are provided in a graduating scale of severity, as follows:

1. Verbal reprimand in executive session held pursuant to Sec. 551.074, Tex. Gov't Code.
2. Verbal reprimand in a public meeting.
3. Written reprimand.
4. Adoption of a resolution of censure.
5. Adoption of a resolution of censure and its publication on the city website.
6. Adoption of a resolution of censure and its publication in print media.
7. Removal of the officer or official from council-appointed committees, commissions, or boards.
8. Removal of the official from the board or commission on which he or she serves.
9. Request for the officer or official's resignation.

(c) Any individual who believes that an officer, official, or employee has acted in violation of this policy may promptly file a written complaint with the city manager, who shall, in consultation with the city attorney, determine the appropriate action or may submit the complaint to the city council for such determination.

Section 2. **Effective Date**. This ordinance shall take effect immediately from and after its passage.

Section 3. Open Meetings. It is hereby officially found and determined that this meeting was open to the public, and public notice of the time, place, and purpose of said meeting was given, all as required by the Open Meetings Act, Chapter 551, Texas Government Code.

PASSED AND ADOPTED on this the ___ day of _____, 2022.

CITY OF LOCKHART

_____
Lew White, Mayor

ATTEST:

_____
Connie Constancio, TRMC, City Secretary

APPROVED AS TO FORM:

_____
Monte Akers, City Attorney

City of Lockhart, Texas

Council Agenda Item
Cover Sheet

COUNCIL MEETING DATE: April 5, 2022

AGENDA ITEM CAPTION: Discuss the nomination of Daniel Koehler to the Airport Advisory Board by Councilmember Derrick David Bryant for a term to expire in November 2022.

ORIGINATING DEPARTMENT AND CONTACT: Administration - Connie Constancio

ACTION REQUESTED: Other

BACKGROUND/SUMMARY/DISCUSSION: This item is returned to the Council to consider accepting Councilman Bryant's nomination to the Airport Advisory Board.

Mr. Koehler submitted his application to be considered to serve on the Airport Advisory Board on December 17, 2021. He has all of the qualifications to serve on a Board, is a licensed student pilot, has an active medical certificate, flies planes, and does not have a financial interest in the Lockhart Municipal Airport. He also meets all of the qualifications to serve on the Airport Advisory Board.

The following is a synopsis of the tasks and qualifications of a member of the Airport Advisory Board:

Airport Advisory Board meets only when there are items pending the Board's review. At least five of the seven members must currently be or have been flight rated. 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 Board. The 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. Up to two members who are not city residents but are residents of Caldwell County may serve on the Board. Members serve a three-year term. The Public Works Director is the staff liaison.

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

City of Lockhart, Texas

Council Agenda Item
Cover Sheet

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 qualification notes and Board application.

BOARD QUALIFICATION CHECKLIST:

DATE: 3-7-2022

APPLICANT'S NAME: Daniel Koehler

BOARD NAME: Airport Adv. Bd.

The qualifications for members of boards and commissions, except special qualifications for service on a particular board or commission, are as follows:

- Appointees must each be a resident of the State of Texas and a resident of the City of Lockhart for at least twelve (12) consecutive months preceding their appointment unless a particular board's or commission's composition or state law allows for membership by a non-resident of the City.
  Date of residency in Lockhart: NOV 2018

- Appointees shall be qualified voters in the City of Lockhart or, if not a resident of the City, of Caldwell County.
  Date qualified voter in Lockhart: March 2019

- Appointees shall not have been removed from another city board or commission because of failure to attend meetings or for cause within the last three years.
  Removed from another board? YES or (NO)
  If yes, date_____ and board_____

- No member of any appointed body shall serve on more than one quasi-judicial or advisory board or commission.
  Serves on another board? YES or (NO)
  If yes, board currently serving:_____

BOARD SPECIFIC QUALIFICATIONS:
Airport Board

(Y)	or	N	Flight rated? as a student pilot
(Y)	or	N	City Resident?
Y	or	N	If no, Caldwell County resident?
Y	or	(N)	Has 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?

NOTES: Five members must be flight rated.
Current # members flight rated? 4
Two county residents allowed to serve on the Board.
Current # members county residents? 2

CITY SECRETARY'S DETERMINATION OF APPLICANT'S QUALIFICATION:

Is Applicant Qualified? (YES) NO DISCRETION OF THE COUNCIL

NOTES: Applicant is a licensed student pilot. Has active medical certificate, is an active pilot and is solo endorsed.

Airport Advisory Board meets only when there are items pending the Board's review. At least five of the seven members must currently be or have been flight rated. 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 Board. The 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. Up to two members who are not city residents but are residents of Caldwell County may serve on the Board. Members serve a three-year term. The Public Works Director is the staff liaison.

DOB: [redacted]
Reg Voter - Yes
Reg = Since 2019

CITY OF LOCKHART

ADVISORY BOARD/COMMISSION QUESTIONNAIRE/APPLICATION

NAME: Daniel Koehler E-mail: [redacted]

ADDRESS: 213 Sunshadow Dr. HOME#:

Lockhart TX, 78644 WORK#: 512-361-7028

OCCUPATION: Executive / Entrepreneur / Technology Engineer CELL# 916-792-7296

EDUCATION (optional): Business & Technology

How long have you been a resident of Lockhart? More than 3 years now

Are you a qualified voter of the City? Yes [X] No [ ] VOTER REG. #: Unknown

PROFESSIONAL AND/OR COMMUNITY ACTIVITIES: Operate multiple businesses in the community.

Have participated in community events, and volunteered with local charities.

ADDITIONAL PERTINENT INFORMATION/REFERENCES: I am a student pilot and formerly had a plane

I owned out at 50R. Unfortunately the hail storm May 2020 totaled her. I am business and financial minded and am an aviation enthusiast. I am a young professional wanting to see the community and airport grow to its potential.

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)

x	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:
no

Do you have any relative working for the City of Lockhart? Yes [ ] No [x]

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

Do you receive any direct compensation or gain from any other governmental body?
Yes [ ] No [x] If yes, what type?

(Signature of Applicant) 12-16-2021 (Date)

Return application to:
City of Lockhart
City Secretary's Office
PO Box 239
Lockhart, TX 78644
cconstancio@lockhart-tx.org

RECEIVED
DEC 17 2021
CITY OF LOCKHART
CITY SECRETARY'S OFFICE

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

City of Lockhart, Texas

Council Agenda Item
Cover Sheet

COUNCIL MEETING DATE: April 5, 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.

On February 25, 2022, the CDC updated its framework on monitoring the level of COVID-19 in communities. The new framework moves beyond just looking at cases and testing positivity to evaluation factors that also include hospitalizations and hospital capacity. These factors combined are used to determine whether COVID-19 and severe disease are low, medium or high in a community. The CDC also updated its recommendations for wearing face coverings and respirators. Recommendations are now connected to the community's current level of COVID-19 and severe disease.

This item is returned to the 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.

On **February 25, 2022**, the CDC updated its framework on monitoring the level of COVID-19 in communities. The new framework moves beyond just looking at cases and testing positivity to evaluation factors that also include hospitalizations and hospital capacity. These factors combined are used to determine whether COVID-19 and severe disease are low, medium or high in a community. The CDC also updated its recommendations for wearing face coverings and respirators. Recommendations are now connected to the community's current level of COVID-19 and severe disease.

GOVERNOR GREG ABBOTT

August 25, 2021

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
2 PM O'CLOCK
AUG 25 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-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.

GREG ABBOTT
Governor

ATTESTED BY:

JOE A. ESPARZA
Deputy Secretary of State

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

AUG 2 5 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

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

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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3:15PM O'CLOCK
JUL 29 2021

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
3:15pm O'CLOCK

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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SECRETARY OF STATE
3:15pm O'CLOCK

JUL 29 2021

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.

GREG ABBOTT
Governor

ATTESTED BY:

JOE A. ESPARZA
Deputy Secretary of State

FILED IN THE OFFICE OF THE SECRETARY OF STATE
3:15PM O'CLOCK
JUL 29 2021

GOVERNOR GREG ABBOTT

August 29, 2021

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
3:30PM 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.

Greg Abbott

GREG ABBOTT
Governor

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

AUG 29 2021

ATTESTED BY:

JOE ESPARZA
Deputy Secretary of State

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
5:30 pm O'CLOCK

AUG 29 2021

GOVERNOR GREG ABBOTT

October 11, 2021

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

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
4:30pm O'CLOCK

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

GREG ABBOTT
Governor

ATTESTED BY:

JOE A. ESPARZA
Deputy Secretary of State

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

OCT 11 2021

City of Lockhart, Texas

Council Agenda Item
Cover Sheet

COUNCIL MEETING DATE: April 5, 2022

AGENDA ITEM CAPTION: Hold second public hearing to receive comments on the proposed Illustrative Plan for redistricting the City Council districts.

The City Council may go into executive session pursuant to Texas Government Code, Section 551.071 to receive advice from legal counsel regarding the City's redistricting obligations.

ORIGINATING DEPARTMENT AND CONTACT: Administration - Connie Constancio

ACTION REQUESTED: Other

BACKGROUND/SUMMARY/DISCUSSION:

During the February 8 Special Council Meeting, the Council held the first map drawing session. After discussion, it was the consensus of the Council to accept Bickerstaff, Heath, Delgado and Acosta, LLP's proposed redistricting plan, which only affects District 2, the most populated district in Lockhart, and District 3, the least populated district. The plan expands District 3 to include residents living in the area bordered by Monte Vista Dr., Stueve Ln. and N. Medina Ln., reducing the population deviation to 8.9%, under the maximum 10% between the most populated and least populated city districts as required by the U.S. Constitution and court decisions.

During the March 15 public hearing, Philip Ruiz, President of LULAC, opposed Plan A and requested that the City Council allow citizens to submit additional adjusted plan scenarios. The City Council thereafter voted to conduct a second public hearing during the April 5 Council meeting, and encouraged Mr. Ruiz to submit plan scenarios to city staff prior to the public hearing..

On March 31, Philip Ruiz submitted two proposed redistricting plans for the Council's consideration. He indicated that their proposed Plan 2 is preferred.

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

City of Lockhart, Texas

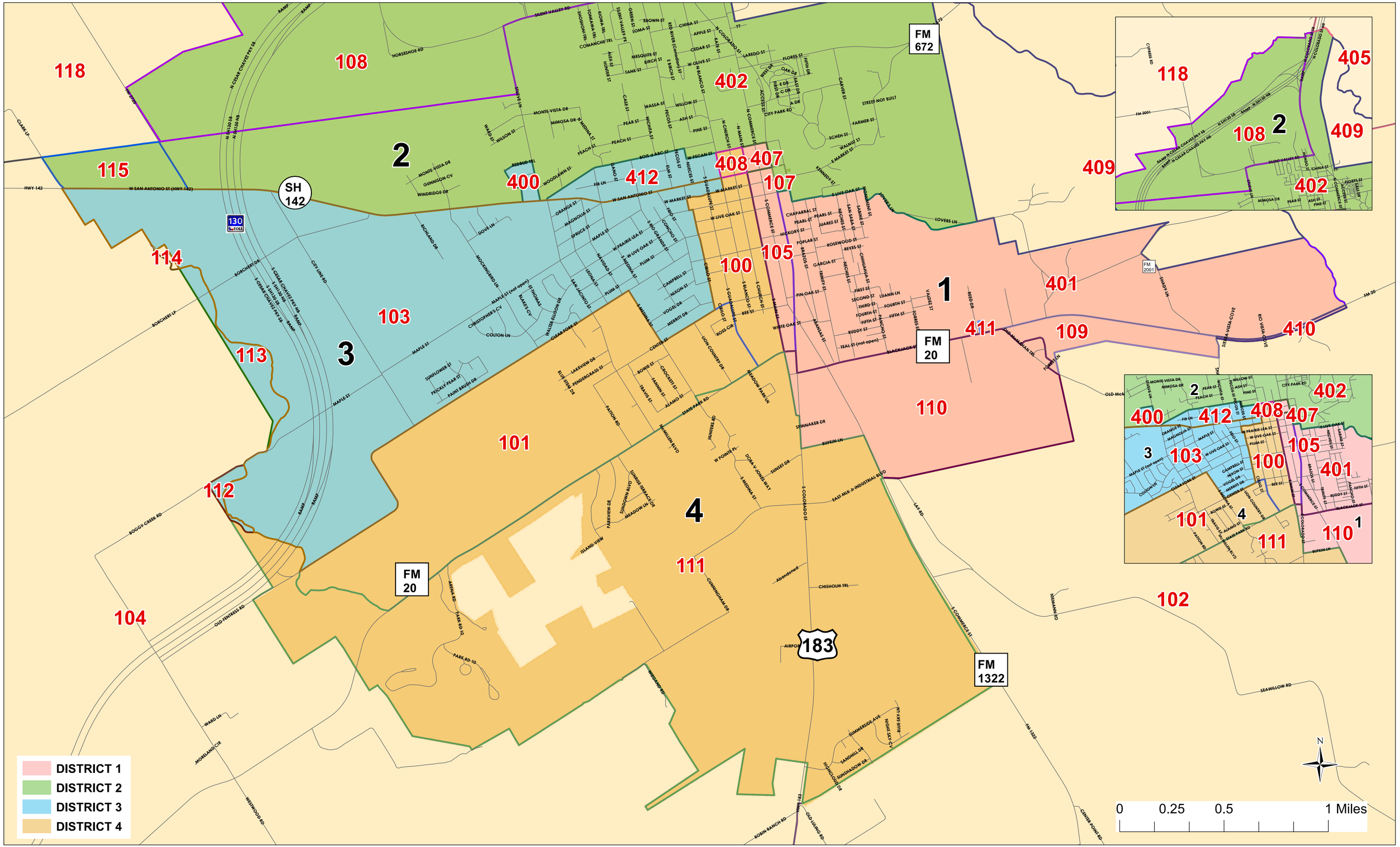
Council Agenda Item
Cover Sheet

PREVIOUS COUNCIL ACTION: February 1. 2022- Initial assessment
February 8, 2022 - First drawing session.
March 15, 2022 - First public hearing
April 5, 2022 -Second public hearing

COMMITTEE/BOARD/COMMISSION ACTION: N/A

STAFF RECOMMENDATION/REQUESTED MOTION: None.

LIST OF SUPPORTING DOCUMENTS: Current Voting District Map, Plan A Map - All Districts, Demographics, , , ,



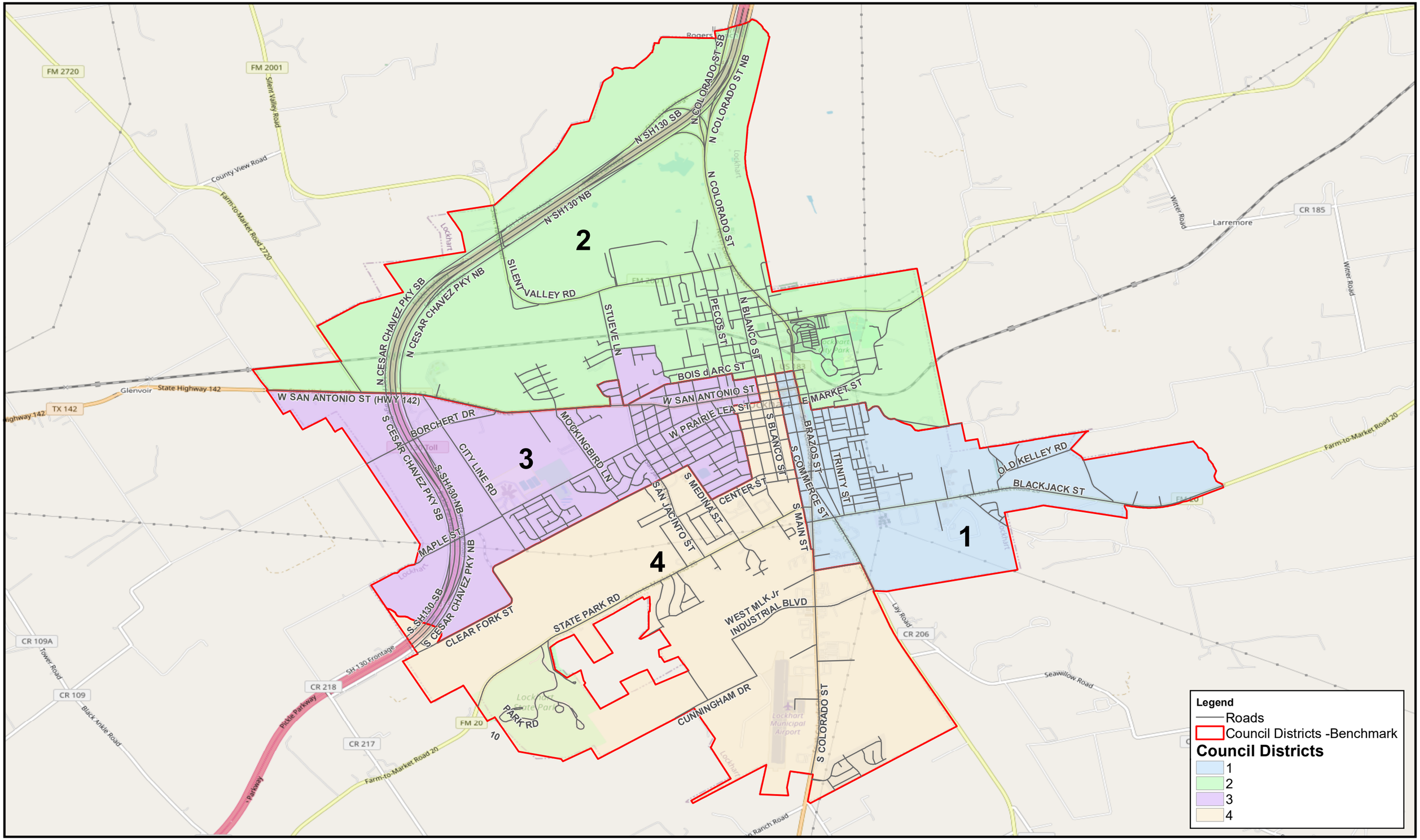
VOTING DISTRICTS WITHIN CITY LIMITS

SOURCE: CALDWELL COUNTY APPRAISAL DISTRICT AND THE CITY OF LOCKHART

Updated February 3, 2015

CURRENT VOTING DISTRICTS

This product is for informational purposes only and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the ground survey, and represents only the approximate relative location of property boundaries.



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Created 02/01/22

City of Lockhart 2022 Council Districts
Plan A

© 2022 Bickerstaff Heath Delgado Acosta LLP
Data Source: Roads, Water and other features obtained from the 2020 Tiger/line files, U.S. Census Bureau

Plan Name: City of Lockhart Council Districts 2022 Plan A

Demographics Report - Detailed 2020 Census Total Population

District	Persons	Ideal Size	Deviation	Hispanic	Hispanic % of Total Population	ANGLO	Non-Hispanic Anglo % of Total Population	Black	Black % of Total Population	Asian	Asian % of Total Population	AM Indian Native	IND / NAT % TOT Pop.	Haw Pac. Isl.	HAW/ PAC % of Tota Pop.	Other	Other % of Total Pop.	Two or More Races	Two or More Races % Tot Pop
1	3,417	3,593	-4.89%	1,906	55.78%	1,049	30.70%	371	10.86%	8	0.23%	7	0.20%	1	0.03%	18	0.53%	57	1.67%
2	3,633	3,593	1.12%	2,402	66.12%	918	25.27%	212	5.84%	23	0.63%	13	0.36%	0	0.00%	9	0.25%	56	1.54%
3	3,586	3,593	-0.19%	1,434	39.99%	1,860	51.87%	112	3.12%	34	0.95%	20	0.56%	0	0.00%	14	0.39%	112	3.12%
4	3,735	3,593	3.96%	1,855	49.67%	1,482	39.68%	235	6.29%	31	0.83%	1	0.03%	1	0.03%	13	0.35%	115	3.08%
TOTAL:	14,371			7,597	52.86%	5,309	36.94%	930	6.47%	96	0.67%	41	0.29%	2	0.01%	54	0.38%	340	2.37%

Ideal Size: 14371 / 4 = 3593

Total Population: 14,371

Overall Deviation: 8.85%

Some percentages may be subject to rounding errors.

Report Date: 2/1/2022 1:17:20 PM

Page: 1

Based on: 2020 Census Geography, 2020 PL94-171

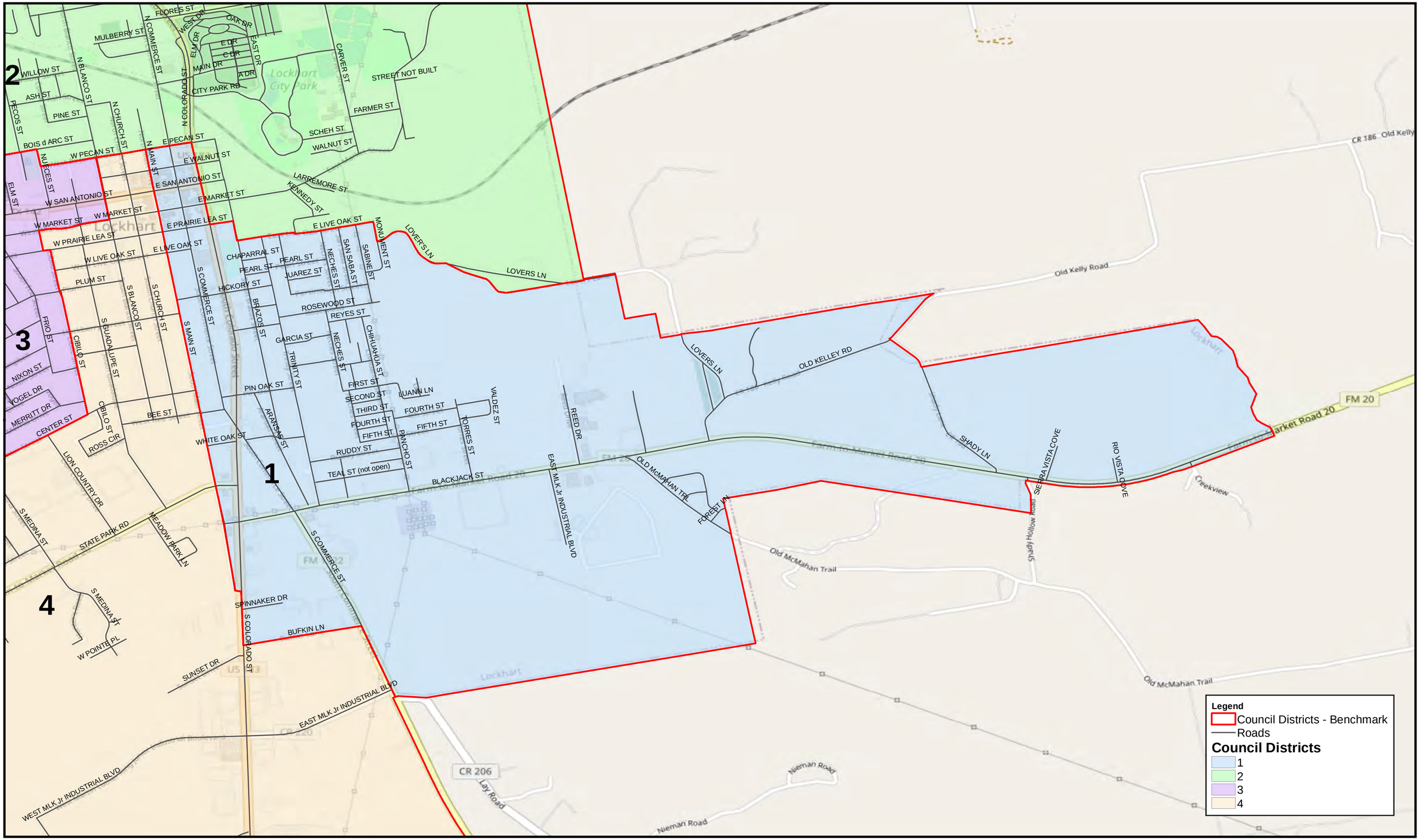
Plan Name: City of Lockhart Council Districts 2022 Plan A
Demographics Report - Detailed 2020 Census Voting Age Population

Bickerstaff Heath Delgado Acosta LLP

District	Total VAP	Hispanic VAP	% Hispanic VAP	Anglo VAP	% Anglo VAP	Black VAP	% Black VAP	Asian VAP	% Asian VAP	AM IND NATIVE VAP	% AM IND NATIVE VAP	HAW/PAC VAP	% HAW/PAC VAP	Other VAP	% Other VAP	Two or More Races VAP	% Two or more VAP
1	2,813	1,445	51.37%	964	34.27%	337	11.98%	7	0.25%	7	0.25%	1	0.04%	9	0.32%	43	1.53%
2	2,631	1,636	62.18%	747	28.39%	177	6.73%	20	0.76%	11	0.42%	0	0.00%	1	0.04%	39	1.48%
3	2,797	1,014	36.25%	1,569	56.10%	88	3.15%	27	0.97%	20	0.72%	0	0.00%	3	0.11%	76	2.72%
4	2,854	1,312	45.97%	1,257	44.04%	189	6.62%	23	0.81%	1	0.04%	1	0.04%	8	0.28%	62	2.17%
TOTALS:	11,095	5,407	48.73%	4,537	40.89%	791	7.13%	77	0.69%	39	0.35%	2	0.02%	21	0.19%	220	1.98%

* VAP - Voting Age Population

Some percentages may be subject to rounding errors.



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Created 02/01/22

City of Lockhart 2022 Council District 1 Plan A

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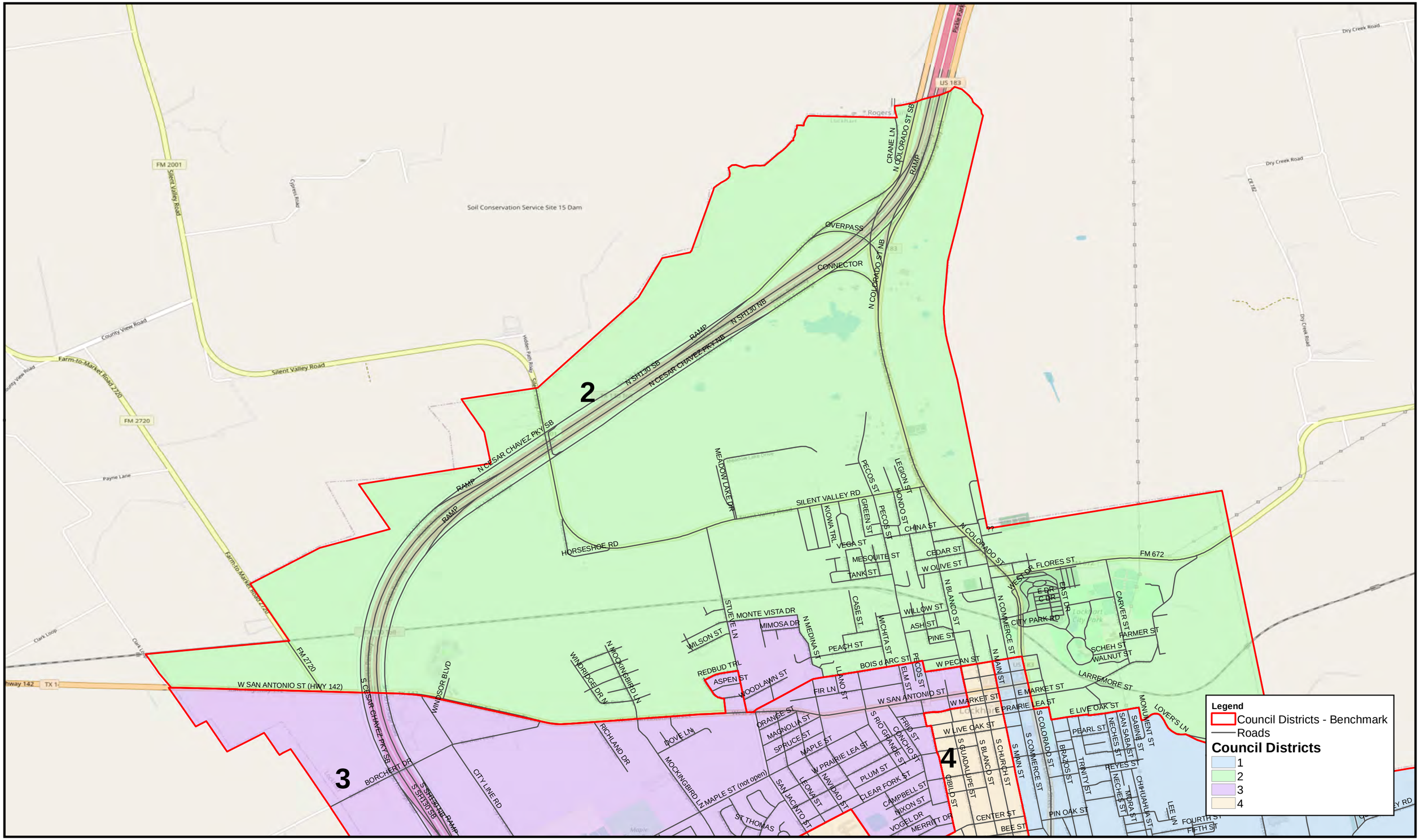
Data Source: Roads, Water and other features obtained from the 2020 Tiger/line files, U.S. Census Bureau



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Created 02/01/22

City of Lockhart 2022 Council District 2 Plan A

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Data Source: Roads, Water and other features obtained from the 2020 Tiger/line files, U.S. Census Bureau

City of Lockhart 2022 Council District 3 Plan A

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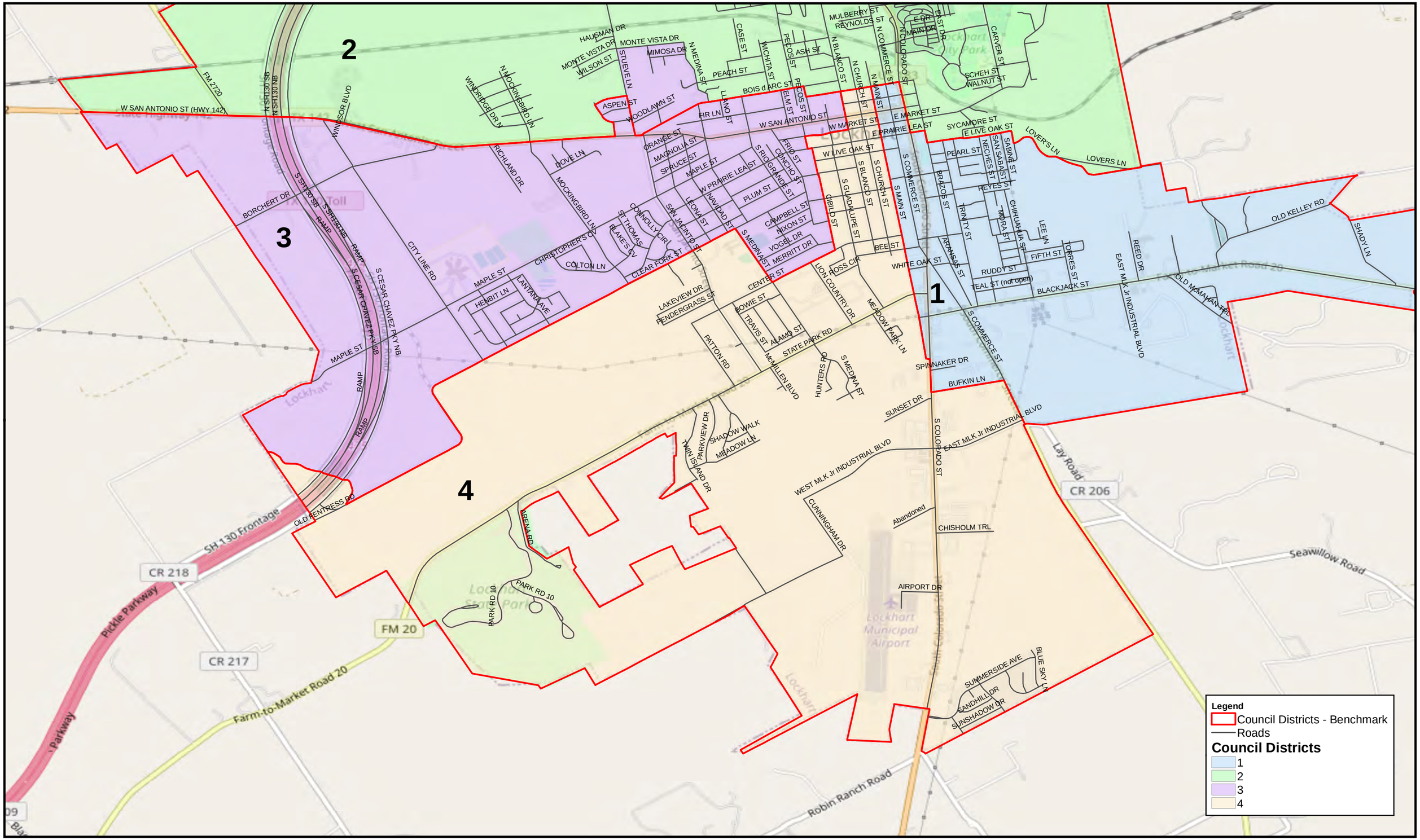

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Created 02/01/22

City of Lockhart 2022 Council District 4 Plan A

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Data Source: Roads, Water and other features obtained from the 2020 Tiger/line files, U.S. Census Bureau

Plan Name: City of Lockhart Council Districts 2022 Plan A

Bickerstaff Heath Delgado Acosta LLP

Demographics Report - Summary 2020 Census Total Population

District	Persons	Ideal Size	Deviation	Hispanic % of Total Population	Non-Hispanic White % of Total Population	Non-Hispanic Black % of Total Population	Non-Hispanic Asian % of Total Population	Non-Hispanic Other % of Total Population
1	3,417	3,593	-4.89%	55.78%	30.70%	10.86%	0.23%	2.43%
2	3,633	3,593	1.12%	66.12%	25.27%	5.84%	0.63%	2.15%
3	3,586	3,593	-0.19%	39.99%	51.87%	3.12%	0.95%	4.07%
4	3,735	3,593	3.96%	49.67%	39.68%	6.29%	0.83%	3.48%
TOTAL:	14,371			52.86%	36.94%	6.47%	0.67%	3.04%

Ideal Size: 14371 / 4 = 3593

Total Population: 14,371

Overall Deviation: 8.85%

Some percentages may be subject to rounding errors.

Plan Name: City of Lockhart Council Districts 2022 Plan A

Bickerstaff Heath Delgado Acosta LLP

Demographics Report - Summary 2020 Census Voting Age Population

District	Total VAP*		Hispanic % of Total VAP	Non-Hispanic Anglo % of Total VAP	Non-Hispanic Black % of Total VAP	Non-Hispanic Asian % of Total VAP	Non-Hispanic Other % of Total VAP
1	2,813		51.37%	34.27%	11.98%	0.25%	2.13%
2	2,631		62.18%	28.39%	6.73%	0.76%	1.94%
3	2,797		36.25%	56.10%	3.15%	0.97%	3.54%
4	2,854		45.97%	44.04%	6.62%	0.81%	2.52%
	11,095		48.73%	40.89%	7.13%	0.69%	2.54%

* VAP - Voting Age Population

Some percentages may be subject to rounding errors.

City of Lockhart, Texas

Council Agenda Item
Cover Sheet

COUNCIL MEETING DATE: April 5, 2022

AGENDA ITEM CAPTION: Discussion and consideration by the City Council of comments received from the public regarding the proposed redistricting plan for City Council districts, and possible amendments to the proposed plan, including a plan drawing session.

ORIGINATING DEPARTMENT AND CONTACT: Administration - Connie Constancio

ACTION REQUESTED: Other

BACKGROUND/SUMMARY/DISCUSSION: On March 31, Philip Ruiz, President of LULAC, submitted two proposed new redistricting plans for the Council's consideration. He indicated that they prefer proposed Plan 2.

Bickerstaff's office reviewed the proposed plans and states that the map diagrams do not have any detail to show where the proposed boundaries actually are (no street detail) and there is no accompanying population or demographic data, which does not comply with the City's adopted guidelines. Staff thereafter spoke with Mr. Ruiz and explained the necessity of a digital file of the plans that would allow the city to legally review their recommendations. Mr. Ruiz indicated that he will attempt to provide the plans in a digital format prior to the April 5 Council meeting.

If the digital files are received prior to the April 5 Council meeting, Bickerstaff will conduct a drawing session of LULAC's proposed plans during the April 5 Council meeting.

The Council, of course, has the option to hold a special meeting to conduct another drawing session prior to considering adoption of a new single-member district plan.

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

City of Lockhart, Texas

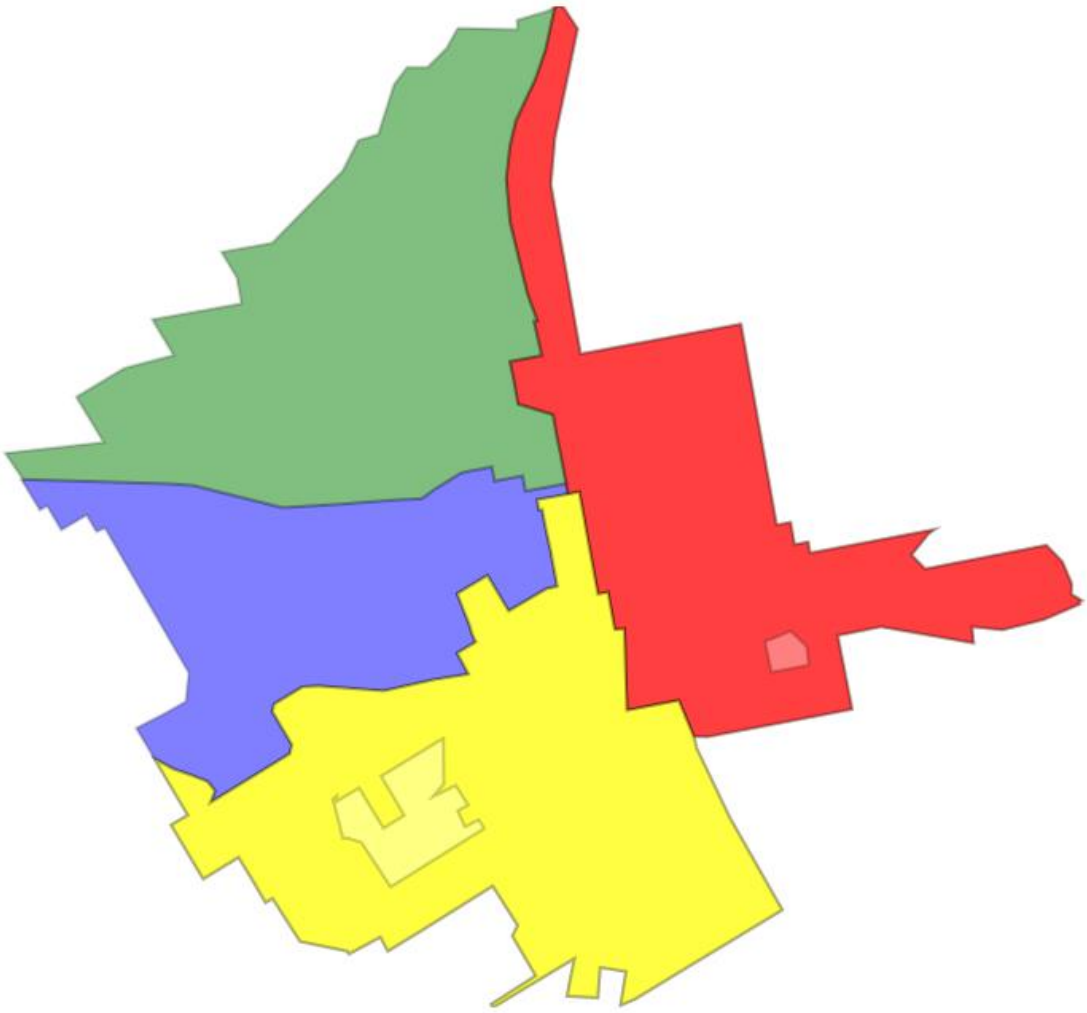
Council Agenda Item
Cover Sheet

PREVIOUS COUNCIL ACTION: February 1. 2022- Initial assessment
February 8, 2022 - First drawing session.
March 15, 2022 - First public hearing
April 5, 2022 -Second public hearing

COMMITTEE/BOARD/COMMISSION ACTION: N/A

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

LIST OF SUPPORTING DOCUMENTS: LULAC Redistricting Plan #1 , LULAC Redistricting Plan #2

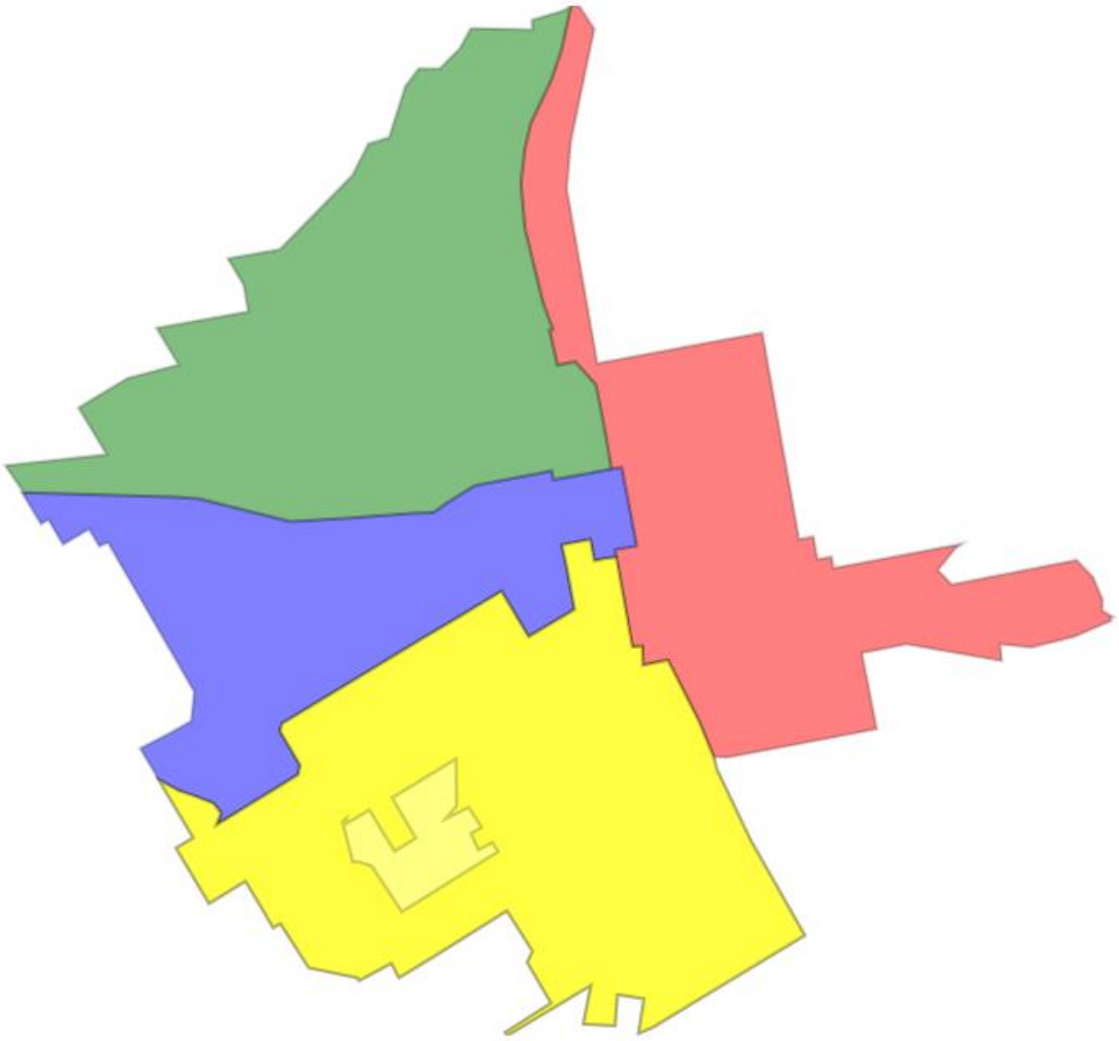


City of Lockhart

Proposed 2020 Redistricting Plan #1

League of United Latin American Citizens (LULAC) Council 22390

April 5, 2022 – City of Lockhart Redistricting Public Hearing



City of Lockhart

Proposed 2020 Redistricting Plan #2

League of United Latin American Citizens (LULAC) Council 22390

April 5, 2022 – City of Lockhart Redistricting Public Hearing

City of Lockhart, Texas

Council Agenda Item
Cover Sheet

COUNCIL MEETING DATE: April 5, 2022

AGENDA ITEM CAPTION: Discussion of, and possible action to adopt Resolution 2022-21 approving the Redistricting of the City's single-member Council Districts and establishing new district boundary lines for the City of Lockhart's City Council Election based on 2020 Census data and providing for an effective date.

ORIGINATING DEPARTMENT AND CONTACT: Administration - Connie Constancio

ACTION REQUESTED: Resolution

BACKGROUND/SUMMARY/DISCUSSION:

The City Council conducted a drawing session and held two public hearings about the City of Lockhart's new redistricting plan.

The Resolution is presented for Council's consideration to adopt the redistricting plan.

Upon adoption of a redistricting plan, the Caldwell County Elections Administrator (County EA) indicates that the voters that are affected will receive an updated voter registration card that lists their new city district. The new voter registration card will not give an explanation about why they are receiving it. The County EA stated that she can give the city a list of voters that will be receiving new cards in the event that the city would like to mail an explanation.

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: February 1 - Initial assessment
February 8 - first drawing session
March 15 - first public hearing.
April 5 - second public hearing

COMMITTEE/BOARD/COMMISSION ACTION: N/A

City of Lockhart, Texas

Council Agenda Item
Cover Sheet

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

LIST OF SUPPORTING DOCUMENTS: Resolution

RESOLUTION NO. 2022-21

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOCKHART, TEXAS, APPROVING THE REDISTRICTING OF THE CITY'S SINGLE-MEMBER COUNCIL DISTRICTS AND ESTABLISHING NEW DISTRICT BOUNDARY LINES FOR THE CITY OF LOCKHART'S CITY COUNCIL ELECTIONS BASED ON 2020 CENSUS DATA; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the results of the 2020 federal Census have been considered and indicated that the City of Lockhart's single-member council districts are sufficiently out of population balance to require redistricting in order to comply with the "one-person, one-vote" (equal population) principle established by the U.S. Constitution; and

WHEREAS, the City of Lockhart (the "City") engaged the law firm of Bickerstaff Heath Delgado Acosta LLP to act as the City's redistricting consultant, including advising and assisting the City Council in preparation of a new redistricting plan in compliance with applicable requirements of state and federal law; and

WHEREAS, on February 1, 2022, the City Council adopted redistricting criteria to assist the City and the public in developing redistricting plans which comply with applicable federal and state laws, and the adopted redistricting criteria were applied in the development of the City's new redistricting plan; and

WHEREAS, on February 1, 2022, the City Council also adopted redistricting guidelines regarding the submission of comments and proposed plans by the public, to ensure the ability of the City to timely receive and adequately consider them; and

WHEREAS, during the redistricting process the City provided notice to the public of its proposed discussions and development of a redistricting plan through meeting agendas posted in compliance with the Texas Open Meetings Act, notices on the City's website, including regarding two public hearings; and

WHEREAS, the City Council has considered the proposed redistricting plan at City Council meetings on February 8, 2022, March 15, 2022, and April 5, 2002, and at two public hearings held on March 15, 2022, and April 5, 2022, respectively, and advice from the City's redistricting consultant; and

WHEREAS, the City Council finds that the attached city council district redistricting plan is in the best interest of the citizens of the City, complies with the adopted redistricting criteria, and is believed to comply with all state and federal requirements;

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

A. That the existing single-member council district boundary lines for the City of Lockhart are hereby amended, and the new districting plan depicted on the map attached hereto as **Exhibit A**, defining new districts as such new districts are further described in the tables attached hereto as **Exhibit B** reporting populations and demographic statistics for each such new district is hereby adopted and designated to define the City's four single-member council districts from and after the Effective Date; that **Exhibits A** and **B** are incorporated by reference in and made a part of this Order, and shall be kept on file in the City Secretary's Office.

B. That the new City Council districting plan shall take and be given effect immediately upon adoption of this Resolution; and that hereafter all City Council elections shall be held under and in accordance with the new single-member council district districting plan here adopted by the City Council until such time as a subsequent lawfully-enacted districting plan shall be adopted to replace this plan. CLARIFYING NOTE: This plan will define the city council districts for which candidates will run in the November 2022 city elections.

PASSED AND APPROVED by the City Council of the City of Lockhart, Texas, this 5th day of April 2022.

CITY OF LOCKHART, TEXAS

_____
Lew White
Mayor

ATTEST:

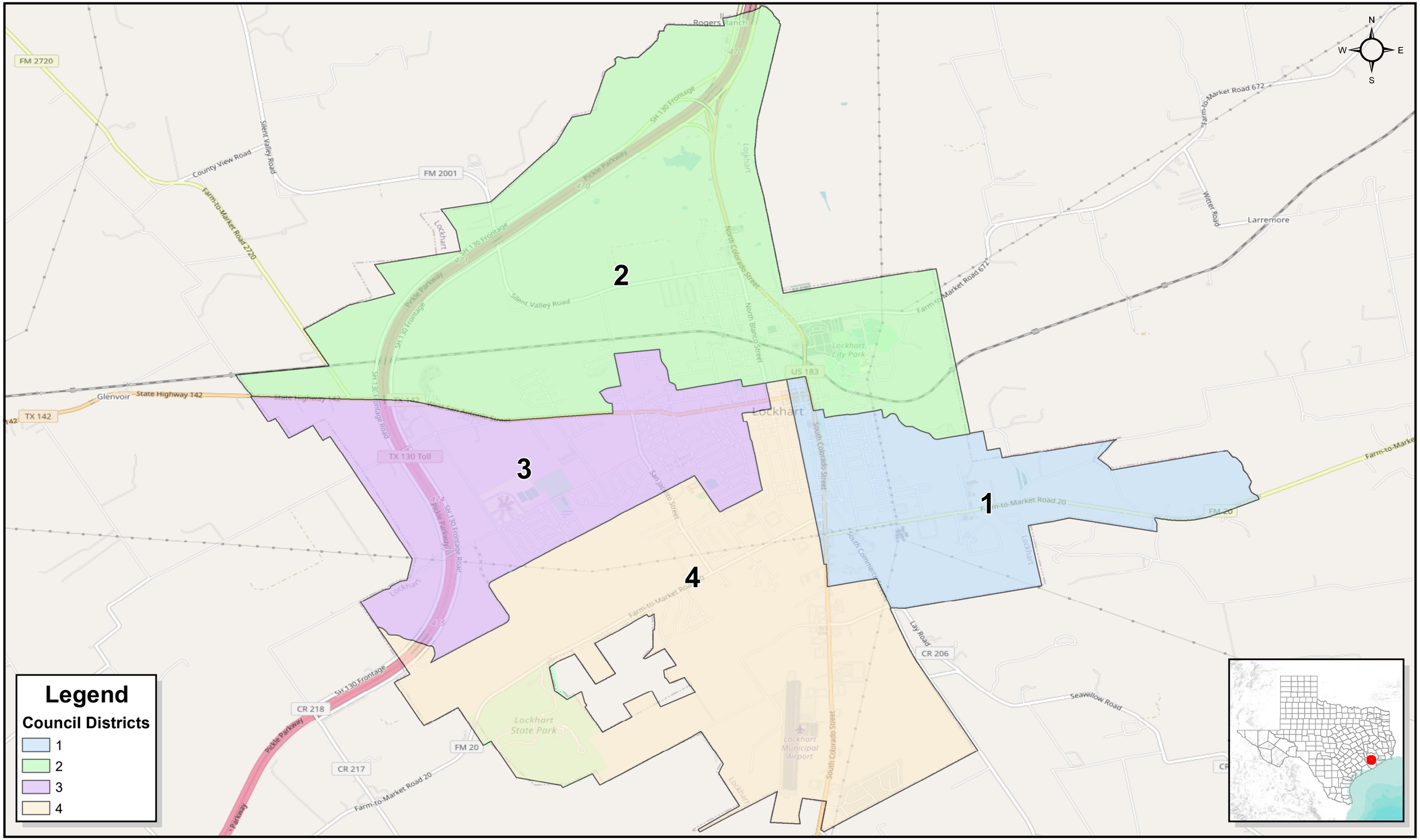
_____
Connie Constancio, TRMC
City Secretary

APPROVED AS TO FORM:

_____
Monte Akers
City Attorney

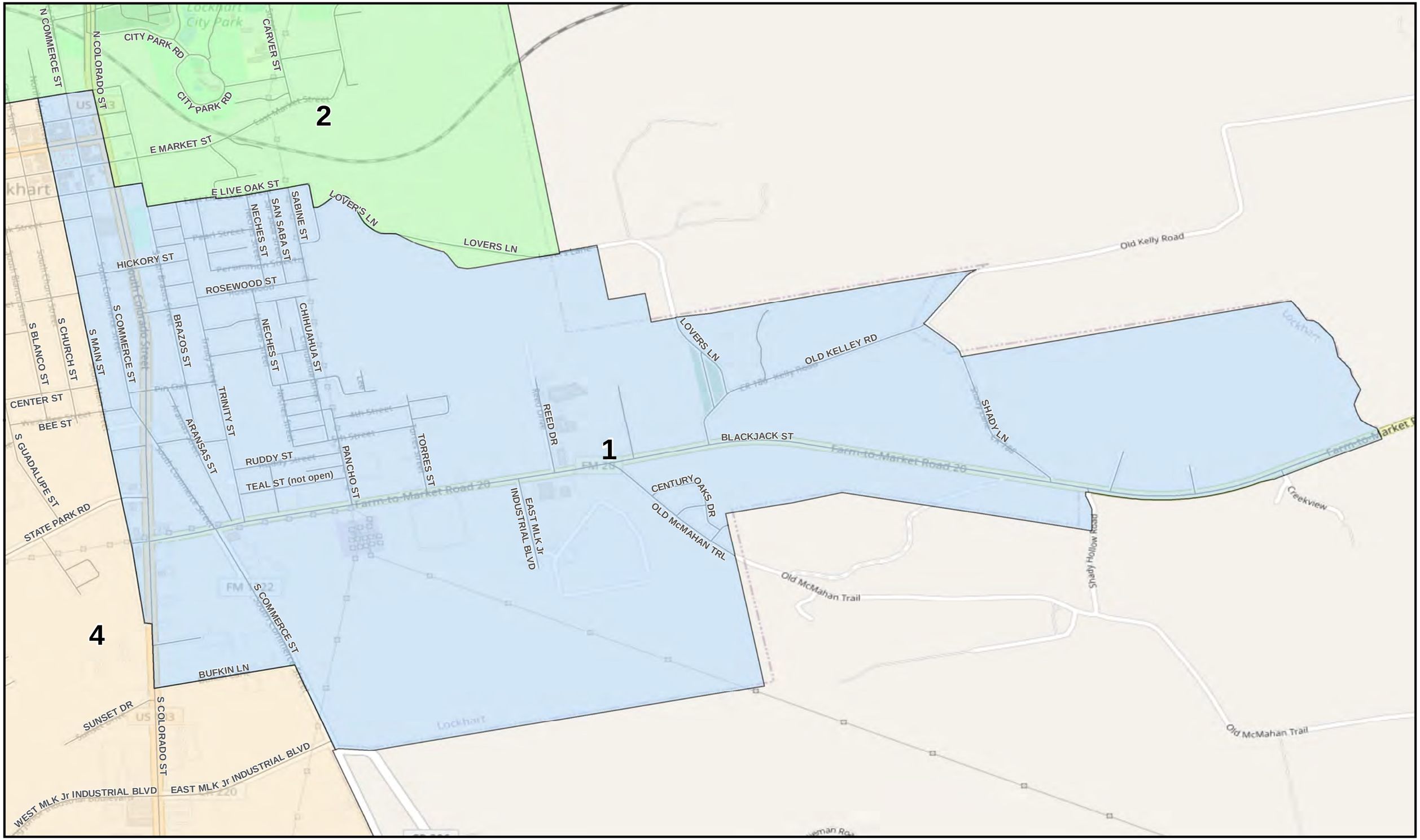
EXHIBIT A

Maps



City of Lockhart Council Districts
- Plan A -
Adopted April 5, 2022

© 2022 Bickerstaff Heath Delgado Acosta LLP
Data Source: Roads, Water and other features obtained from the 2020 Tiger/line files, U.S. Census Bureau



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Created: 3/30/2022

Legend

Roads

Council Districts

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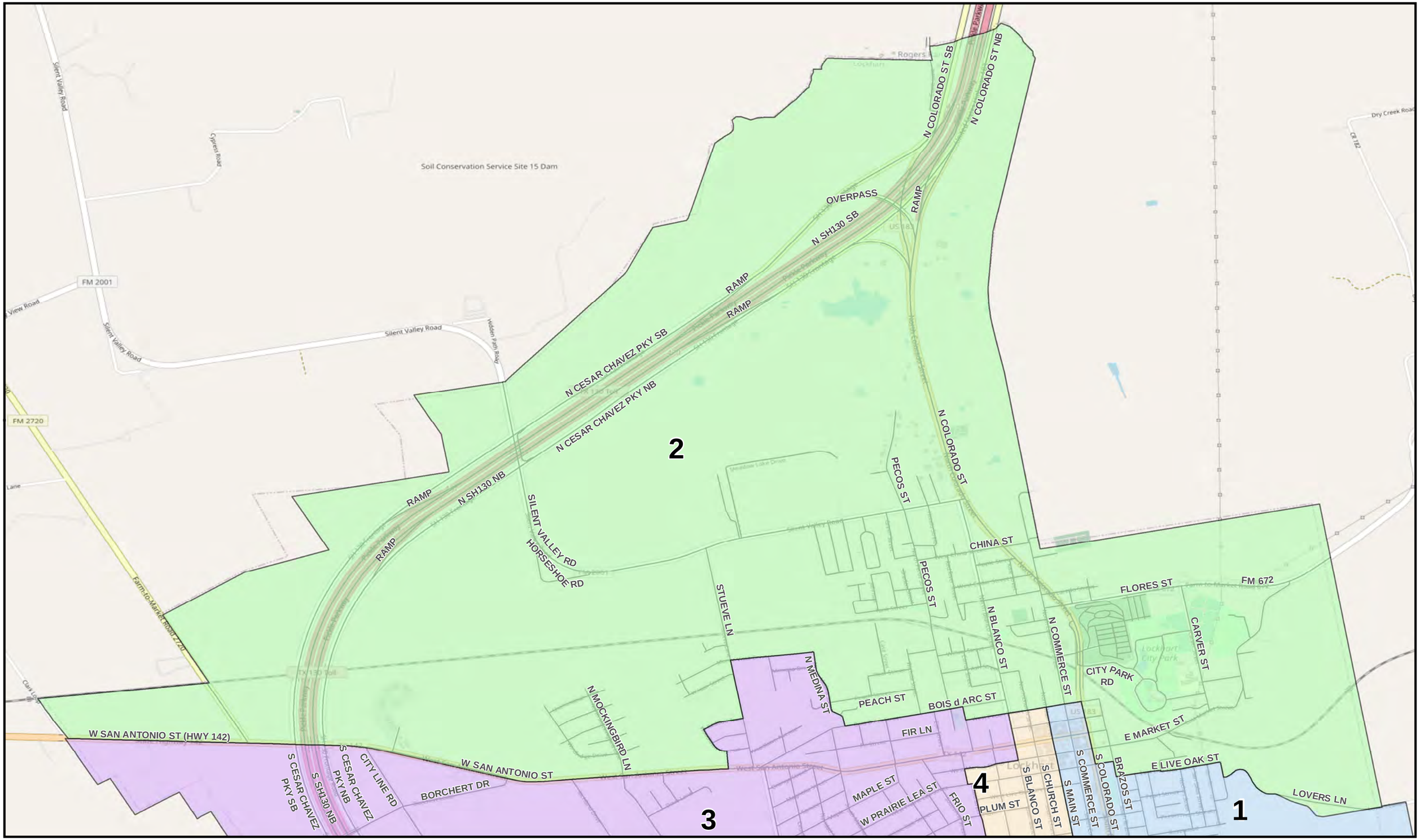
City of Lockhart Council Districts
- Plan A -
Adopted April 5, 2022

© 2022 Bickerstaff Heath Delgado Acosta LLP
Data Source: Roads, Water and other features obtained from the 2020 Tiger/line files, U.S. Census Bureau



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Created: 3/30/2022

Legend

Roads

Council Districts

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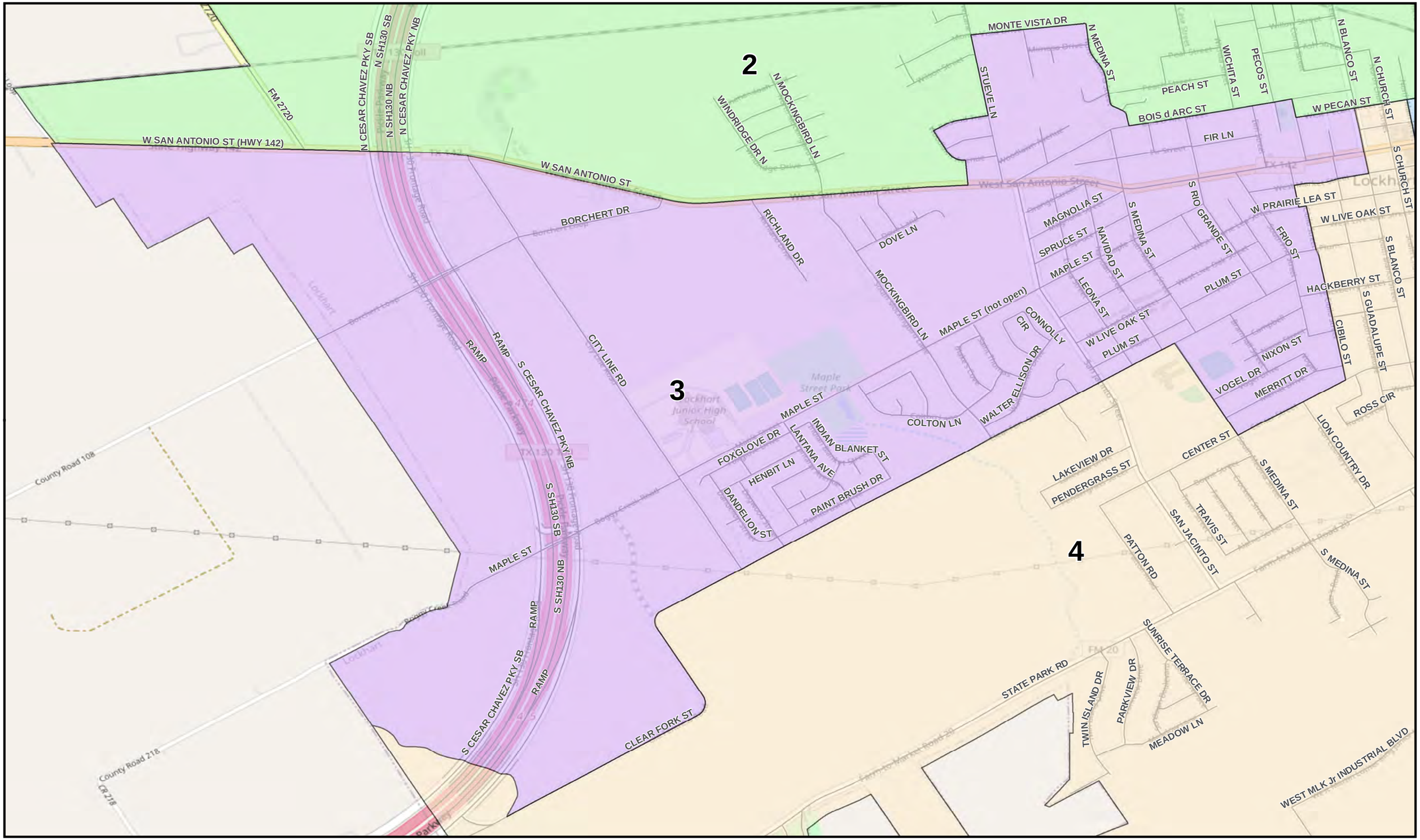
City of Lockhart Council Districts
- Plan A -
Adopted April 5, 2022

© 2022 Bickerstaff Heath Delgado Acosta LLP
Data Source: Roads, Water and other features obtained from the 2020 Tiger/line files, U.S. Census Bureau



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Legend

Roads

Council Districts

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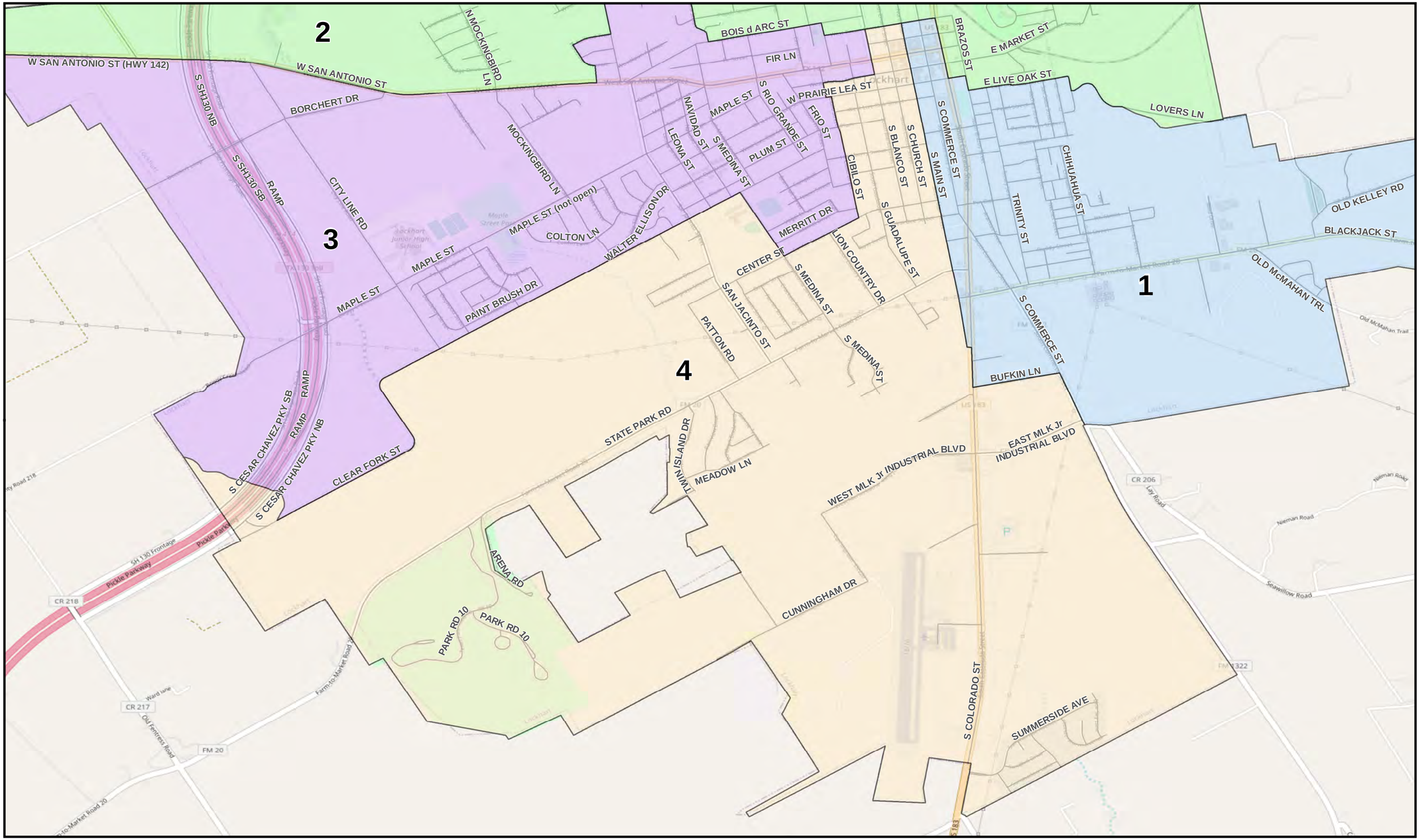
City of Lockhart Council Districts
- Plan A -
Adopted April 5, 2022

© 2022 Bickerstaff Heath Delgado Acosta LLP
Data Source: Roads, Water and other features obtained from the 2020 Tiger/line files, U.S. Census Bureau



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0 800 1,600 3,200
Feet

Created: 3/30/2022

Legend

Roads

Council Districts

1 2 3 4

City of Lockhart Council Districts
- Plan A -
Adopted April 5, 2022

© 2022 Bickerstaff Heath Delgado Acosta LLP
Data Source: Roads, Water and other features obtained from the 2020 Tiger/line files, U.S. Census Bureau

EXHIBIT B

Tables

City of Lockhart Council Districts Plan A - Adopted April 5, 2022

Demographics Report - Detailed 2020 Census Total Population

Bickerstaff Heath Delgado Acosta LLP

District	Persons	Ideal Size	Deviation	Hispanic	Hispanic % of Total Population	ANGLO	Non-Hispanic Anglo % of Total Population	Black	Black % of Total Population	Asian	Asian % of Total Population	AM Indian Native	IND / NAT % TOT Pop.	Haw Pac. Isl.	HAW/ PAC % of Tota Pop.	Other	Other % of Total Pop.	Two or More Races	Two or More Races % Tot Pop
1	3,417	3,593	-4.89%	1,906	55.78%	1,049	30.70%	371	10.86%	8	0.23%	7	0.20%	1	0.03%	18	0.53%	57	1.67%
2	3,633	3,593	1.12%	2,402	66.12%	918	25.27%	212	5.84%	23	0.63%	13	0.36%	0	0.00%	9	0.25%	56	1.54%
3	3,586	3,593	-0.19%	1,434	39.99%	1,860	51.87%	112	3.12%	34	0.95%	20	0.56%	0	0.00%	14	0.39%	112	3.12%
4	3,735	3,593	3.96%	1,855	49.67%	1,482	39.68%	235	6.29%	31	0.83%	1	0.03%	1	0.03%	13	0.35%	115	3.08%
TOTAL:	14,371			7,597	52.86%	5,309	36.94%	930	6.47%	96	0.67%	41	0.29%	2	0.01%	54	0.38%	340	2.37%

Ideal Size: 14371 / 4 = 3593

Total Population: 14,371

Overall Deviation: 8.85%

Some percentages may be subject to rounding errors.

City of Lockhart Council Districts Plan A - Adopted April 5, 2022

Demographics Report - Detailed 2020 Census Voting Age Population

Bickerstaff Heath Delgado Acosta LLP

District	Total VAP	Hispanic VAP	% Hispanic VAP	Anglo VAP	% Anglo VAP	Black VAP	% Black VAP	Asian VAP	% Asian VAP	AM IND NATIVE VAP	% AM IND NATIVE VAP	HAW/PAC VAP	% HAW/PAC VAP	Other VAP	% Other VAP	Two or More Races VAP	% Two or more VAP
1	2,813	1,445	51.37%	964	34.27%	337	11.98%	7	0.25%	7	0.25%	1	0.04%	9	0.32%	43	1.53%
2	2,631	1,636	62.18%	747	28.39%	177	6.73%	20	0.76%	11	0.42%	0	0.00%	1	0.04%	39	1.48%
3	2,797	1,014	36.25%	1,569	56.10%	88	3.15%	27	0.97%	20	0.72%	0	0.00%	3	0.11%	76	2.72%
4	2,854	1,312	45.97%	1,257	44.04%	189	6.62%	23	0.81%	1	0.04%	1	0.04%	8	0.28%	62	2.17%
TOTAL:	11,095	5,407	48.73%	4,537	40.89%	791	7.13%	77	0.69%	39	0.35%	2	0.02%	21	0.19%	220	1.98%

* VAP - Voting Age Population

Some percentages may be subject to rounding errors.

City of Lockhart Council Districts Plan A - Adopted April 5, 2022

Bickerstaff Heath Delgado Acosta LLP

Demographics Report - Summary 2020 Census Total Population

District	Persons	Ideal Size	Deviation	Hispanic % of Total Population	Non-Hispanic White % of Total Population	Non-Hispanic Black % of Total Population	Non-Hispanic Asian % of Total Population	Non-Hispanic Other % of Total Population
1	3,417	3,593	-4.89%	55.78%	30.70%	10.86%	0.23%	2.43%
2	3,633	3,593	1.12%	66.12%	25.27%	5.84%	0.63%	2.15%
3	3,586	3,593	-0.19%	39.99%	51.87%	3.12%	0.95%	4.07%
4	3,735	3,593	3.96%	49.67%	39.68%	6.29%	0.83%	3.48%
TOTAL:	14,371			52.86%	36.94%	6.47%	0.67%	3.04%

Ideal Size: 14371 / 4 = 3593

Total Population: 14,371

Overall Deviation: 8.85%

Some percentages may be subject to rounding errors.

City of Lockhart Council Districts Plan A - Adopted April 5, 2022

Demographics Report - Summary 2020 Census Voting Age Population

District	Total VAP*		Hispanic % of Total VAP	Non-Hispanic Anglo % of Total VAP	Non-Hispanic Black % of Total VAP	Non-Hispanic Asian % of Total VAP	Non-Hispanic Other % of Total VAP
1	2,813		51.37%	34.27%	11.98%	0.25%	2.13%
2	2,631		62.18%	28.39%	6.73%	0.76%	1.94%
3	2,797		36.25%	56.10%	3.15%	0.97%	3.54%
4	2,854		45.97%	44.04%	6.62%	0.81%	2.52%
TOTAL:	11,095		48.73%	40.89%	7.13%	0.69%	2.54%

* VAP - Voting Age Population

Some percentages may be subject to rounding errors.

SPECIAL MEETING
LOCKHART CITY COUNCIL MARCH 3, 2022 6:30 P.M.
FIRST LOCKHART BAPTIST CHURCH, CONNECTION CENTER, 200 S. BLANCO STREET, LOCKHART, TEXAS

Council present:
Mayor Lew White
Mayor Pro-Tem Angie Gonzales-Sanchez
Councilmember Brad Westmoreland

Staff present:
Steven Lewis, City Manager
Connie Constancio, City Secretary
Victoria Maranan, Public Information Officer
Sean Kelley, Public Works Director

CITY OF LOCKHART CONDUCTED A SECOND OPEN HOUSE ABOUT THE DOWNTOWN REVITALIZATION PROJECT.

Representatives conducting the Downtown Revitalization Project Open House:
Jeff Dahm of TRC Solutions, Bobby Eichholz of TRC Solutions and Kylie Mycock of Rialto Studio.

Mayor White welcomed the public at 6:30 p.m.

Jeff Dahm and Bobby Eichholz of TRC Solutions and Kylie Mycock of Rialto Studio provided detailed information about the Downtown Revitalization Project. They provided details about the first survey that citizens participated in about the Downtown Revitalization Project. The Project focuses on the nine-block area surrounding the historic Caldwell County Courthouse. Proposed upgrades include utility, drainage, street, hardscape, pedestrian access, and landscaping in the downtown area, along with traffic alternatives on North Main St., between SH-142/W. San Antonio St. and Walnut St.

Citizens reviewed several plans about the project and were encouraged to participate in a second on-line questionnaire about the Downtown Revitalization Project on the City of Lockhart's website.

The Open House was concluded at 9:00 p.m.

PASSED and APPROVED this the 5th day of April, 2022.

CITY OF LOCKHART

_____
Lew White, Mayor

ATTEST:

_____
Connie Constancio, TRMC
City Secretary

REGULAR MEETING
LOCKHART CITY COUNCIL MARCH 15, 2022 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
Julie Bowermon, Civil Service/HR Director
Connie Constancio, City Secretary
Victoria Maranan, Public Information Officer
Sean Kelley, Public Works Director
Mike Kamerlander, Economic Development Dir.
Russell McDonald, Interim Building Official

Citizens/Visitors Addressing the Council: Mike Brooks of BrooksWatson; Syd Falk of Bickerstaff, Heath, Delgado & Acosta, Rachel Lingvai and Will Rhodes of Rach and Rhodes; and Citizens: Philip Ruiz, Maria Rangel and Hector Rangel.

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:

DISCUSSION ONLY

A. PRESENTATION OF THE CITY OF LOCKHART AND THE LOCKHART ECONOMIC DEVELOPMENT CORPORATION'S FISCAL YEAR 2020-2021 ANNUAL COMPREHENSIVE FINANCIAL REPORT (ANNUAL FINANCIAL AUDIT) BY BROOKSWATSON & COMPANY, PLLC., AN INDEPENDENT PUBLIC ACCOUNTING FIRM.

Ms. Larison stated that according to the City of Lockhart's Home Rule Charter, Article 3, Section 3.14 - Audit of City Books and Accounts, the City shall have its records and accounts audited annually and shall have an annual financial statement prepared based on the audit. In addition, Section 3.14 states that the accountant shall not maintain or keep any of the city's accounts or records and shall not perform the city's annual audit for more than five years in succession. This is the first year for BrooksWatson & Company, PLLC to perform the City's annual audit. BrooksWatson & Company, PLLC has issued an unqualified (clean) opinion. An unqualified opinion is presumed to be free from material misstatements and fairly represents its financial results, financial position, and cash flows. The Annual Comprehensive Financial Report for Fiscal Year 2021 includes three sections: Introduction, Financial, and Statistical. The transmittal letter is one of the legal requirements for the annual report that typically includes the local government's profile, provides an economic update on the local economy, lists any major initiatives undertaken by the local government and states that the financial reports are management's responsibility. The financial section includes all necessary financial information, narratives explaining financials, and an auditor's report. The third section is the statistical section. It outlines financial trends, revenue capacity, debt capacity, demographic information, and other operating indicators about the local government.

Mike Brooks of BrooksWatson provided details about the Annual Comprehensive Financial Report. He commended the City of Lockhart for being awarded the *Certificate of Achievement for Excellence in Financial Reporting* for the second consecutive year. He stated that the City of Lockhart received the highest rating of an "unmodified opinion", which is the highest level of assurance. The audit reflects the total assets exceeded total liabilities by $46,946,537, City's governmental funds reported combined ending fund balances of $13,747,348, an increase of $2,823,984, and unassigned fund balance in the general fund was $6,506,302 or 56% of annual general fund expenditures. The city had an overall decrease in net position of $439,481 for the year. There was discussion.

B. DISCUSS RESOLUTION 2022-19 OF THE CITY COUNCIL OF THE CITY OF LOCKHART, TEXAS AMENDING ITS SCHEDULE OF PERMIT FEES IN ORDER TO INCLUDE SPECIFIC FEES APPLIED WHEN A PROJECT IS OUTSOURCED BY THE CITY TO A THIRD-PARTY COMPANY; KEEPING OTHER FEES IN THE SCHEDULE THE SAME; AND PROVIDING FOR AN EFFECTIVE DATE.

Ms. Bowermon stated that in 2017, the City Council authorized an agreement with Bureau Veritas North America, Inc. (BV) to provide building plan review and inspections; fire plan review and inspections; and food establishment inspections for the city as needed. With the recent retirement of Lockhart's Building Official and the loss of our Registered Sanitarian, combined with the current and anticipated development within the community, it has become necessary to outsource construction plan review and inspection services to BV on a regular basis. Each time the city outsources a construction project to BV for construction plan review and inspection, BV bills the city based on the rates set by the 2017 agreement. These rates were established in 2017 and have not been increased since that time. The fees that the city charges builders for non-residential construction plan review and inspections are less than the fees BV charges the city. Proposed Resolution 2022-19 increases the City's non-residential construction plan review and inspection fees to equal BV fees plus a 5% administrative services fee. When outsourcing non-residential projects to BV, the city has been absorbing the difference between what BV charges the city and what the city charges the builder. The proposed increase reduces the extra expense absorbed by the city. At this time, the city does not charge for fire plan review and inspections or food establishment inspection services. When BV is utilized for these services, the city absorbs the entire expense. Proposed Resolution 2022-19 only addresses non-residential construction plan review and inspections. City staff will be returning to the Council soon to consider fee increases for residential construction, fire review and inspections, and food establishment inspections. Ms. Bowermon recommended approval. There was discussion.

D. DISCUSS MINUTES OF THE MARCH 1, 2022 COUNCIL MEETING.

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

E. DISCUSS A SHORT TERM USE AGREEMENT EXTENSION WITH THE LOCKHART YOUTH SOCCER ASSOCIATION (LYSA) FOR THE USE OF THE CPL. JASON K. LAFLEUR SOCCER COMPLEX AND DEFINING MAINTENANCE RESPONSIBILITIES OF LYSA AND THE CITY OF LOCKHART AND APPOINTING THE MAYOR TO SIGN THE AGREEMENT IF APPROVED BY COUNCIL.

Mr. Kelley stated that the Lockhart Soccer Youth Association's (LYSA) Complex Use Agreement for the Cpl. Jason K. LaFleur Sports Complex expires on March 24, 2022. The LYSA presented proposed changes to the agreement to the Parks and Recreation Advisory Board. The Board recommended an extension of the existing agreement with LYSA and requested that staff obtain information about funding, the implementation procedures, research, and additional discussions with the LYSA about the amendments that they requested prior to bringing a revised agreement to Council.

The most notable changes that LYSA requested in this contract renewal are:

- Reducing the renewal term from 5 years to 1 year.
- Authorizing LYSA to rent the fields to LYSA authorized organizations instead of non-profit organizations only.
- Clarifying lease fees to allow for fees based on scope of use.
- City to provide insect treatment quarterly instead of annually.
- Reducing the number of days that City staff has to resolve maintenance requests from 14 days to 10 days.
- Change LYSA's responsibility for field dirt work to a shared responsibility of LYSA and the City to include dirt work, fertilization, weed control, irrigation and seeding the fields to provide neat and safe fields.

Mr. Kelley recommended approval. There was discussion.

F. DISCUSS BID PROPOSAL BY THE INTERLOCAL PURCHASING SYSTEM (TIPS) COOPERATIVE PURCHASING WITH PMR CONTRACTORS IN THE AMOUNT OF $64,633.25 FOR THE REPLACEMENT OF THE SENIOR CENTER ROOF LOCATED AT 901 BOIS D' ARC STREET AND APPOINTING THE CITY MANAGER TO SIGN THE PROPOSAL, IF APPROVED BY COUNCIL.

Mr. Kelley stated that the city filed a claim with the Texas Municipal League Intergovernmental Risk Pool (TMLIRP) for damages to the roof at 901 Bois D' Arc Street (above the Senior Center) after an inspection conducted by a local roofer which revealed that the roof had suffered hail damage. TIPS Cooperative Purchasing Agency has gone through the bidding process for the roof replacement. During the bidding process, PMR Contractors was found to be the best and most qualified vetted contractor. The cost for the replacement of the roof at the Senior Center is $64,633.25.

The project includes the following:

- Hosting a preconstruction meeting
- Weekly inspections
- Full-time onsite non-working project manager
- Removal of old roof and disposal
- Prepping and treating surfaces
- New 60mil membrane roof and all components
- Replace 20 damaged ceiling tiles in the Senior Center
- 20 year warranty on materials
- 5-year warranty on workmanship

Mr. Kelley recommended approval. There was discussion.

G. DISCUSS THE PRELIMINARY BUDGET AND TAX CALENDAR FOR FISCAL YEAR 2022-2023.

Ms. Larison stated that the preliminary budget and tax calendar for the Fiscal Year 2022-2023 provides budget workshop dates for Council’s acceptance. The budget workshops consist of two dedicated meetings for discussion of the City Manager's proposed budget for Fiscal Year 2022-2023.

H. DISCUSS RESOLUTION 2022-17 FOR AN ECONOMIC DEVELOPMENT PERFORMANCE AGREEMENT WITH CALDWELL COUNTY FARM BUREAU FOR A BIG GRANT.

Mr. Kamerlander stated that the resolution and performance agreement offers a Business Improvement and Growth (BIG) Grant to the Caldwell County Farm Bureau at 108 E. Market Street. The Farm Bureau has invested in updating the façade of the building including, paint, new awning, new sign, and soon to be new doors. The economic development performance agreement outlines the work to be done on the building, and the rebate the owners would be entitled to should the work be completed as stated and paid as required. The work is not complete, which is why there is no amount included in the agreement. The BIG Grant's policy is to gain board approval as early in the process as possible and then collect the correct documents for reimbursement. The maximum rebate for any applicant is $20,000. LEDC staff will work with the Farm Bureau to obtain all documentation to provide the correct 50% rebate of whatever the final expenditure becomes. Mr. Kamerlander recommended approval. There was discussion.

I. DISCUSS RESOLUTION 2022-18 FOR AN ECONOMIC DEVELOPMENT PERFORMANCE AGREEMENT WITH GOOD THINGS LOCKHART, LLC FOR A BIG GRANT.

Mr. Kamerlander stated that the resolution and performance agreement offers a BIG Grant to Good Things Lockhart at 110 S. Commerce Street. Good Things will be investing by updating the façade of the building including paint, cleaning, letters added to the awning, sign painted on the exterior, and new lighting. The economic development performance agreement outlines the work to be done on the building, and the rebate the owners would be entitled to should the work be completed as stated and paid as required. The work has not begun which is why there is no amount included in the agreement. The BIG Grant's policy is to gain board approval as early in the process as possible and then collect the correct documents for reimbursement. The maximum rebate to any one applicant is $20,000. LEDC staff will work with Good Things to obtain all documentation to provide the correct 50% rebate of whatever the final expenditure becomes. Mr. Kamerlander recommended approval. There was discussion.

J. DISCUSS RESOLUTION 2022-16 TO ACCEPT A $1.68 MILLION GRANT FROM THE U.S. ECONOMIC DEVELOPMENT ADMINISTRATION (EDA) FOR WASTEWATER IMPROVEMENTS WITHIN THE CITY OF LOCKHART; PROVIDING $420,000 IN MATCHING FUNDS; AND PROVIDING AN EFFECTIVE DATE.

Mr. Kamerlander stated that the EDA issued a grant in the territory that includes Texas and four of our neighboring states that is a normal EDA grant. Like any EDA grant, it is about economic growth and job creation. The expected location for large scale growth in residential, commercial, and industrial development is on the western side of the city along SH 142 including LEDC's new 75-acre industrial park. The main wastewater line serving that area is inadequate for large, sustained growth in the future and it also serves properties between our new industrial park and the wastewater treatment plant. Currently there is 2.5 miles of an 8" wastewater line that runs along the rail line from SH 130 East to along Tank Street to the Larremore wastewater treatment plant on the creek. This EDA Project would expand the line to a 12" line, the majority of the length, as well as 15" in areas that would collect more effluent such as in town where there are more connections. This line would follow the same path but just make it larger to handle more capacity. This EDA grant would allow the City to apply and potentially receive enough funds to design and build the project to accommodate the expected future growth with a 20% match. Under the terms of the grant, infrastructure grants must be completed within 5 years. LEDC has applied twice before for similar grant funding in 2020 from an EDA Disaster grant. LEDC was denied once and left pending on the second application for this project due to lack of funding or inadequate "beneficiaries". Those denials or funding losses were mainly because we lacked ownership of the park and real economic development projects considering the site. LEDC has been awarded the grant. City Council Resolution

2022-16 will officially accept the EDA Grant to construct a new wastewater line from the industrial park along the Union Pacific Railroad to the Larremore treatment plant. The entire project cost is estimated at $2.1 million. The EDA grant is $1.68 million and the LEDC is required to provide a 20% match which would bring the total to $2.1 million. The LEDC Board and City Council both passed resolutions last summer to provide $400,000 to the project as the match but now that the grant has been awarded, the final amount must be exactly 20%. If approved, this resolution would be provided to the EDA as proof of funds for the project which is required to move forward. The same resolution was considered and approved by the LEDC Board on March 14, 2022. Mr. Kamerlander recommended approval. There was discussion.

K. DISCUSSION REGARDING A PROPERTY SALE AGREEMENT FOR 11.82 ACRES IN LOCKHART INDUSTRIAL PARK III WITH TITAN DEVELOPMENT.

Mr. Kamerlander stated that a land purchase agreement with Titan Development of Albuquerque, NM. Titan Development is one of the Southwest's largest and most active real estate development and investment firms. Titan offers real estate services for a variety of asset classes to take projects from inception to completion, as well as an in-house private equity fund management platform to better respond to their investor's needs. Titan Development expanded into other strategic and high growth markets including Texas, Arizona, Colorado, and Florida. Over the past 22 years, Titan Development has established a proven track record across a diversified class of real estate investments including: multifamily, senior living, office, industrial, retail, and single-family lots. Since its inception, the firm has completed over $2.4B in real estate development by the partners with $375.5M of assets under management, and over 15.5M square feet of developed real estate. LEDC is currently under contract on 13.6 acres of land in Lockhart Industrial Park III with Titan. The 11.82 acres is being considered as part of the Right of First Refusal provision in the property currently under contract with Titan. Titan has exercised its Right of First Refusal because LEDC received a letter of intent on this tract and Titan is working with a distribution/fulfillment prospect that LEDC has been working with for a few months now. Because of this prospect, Titan felt comfortable moving forward with land acquisition and planning as outlined in the site flyer from Aquila Commercial for the industrial park. This tract shows a 154,440 square foot building on 11.82 acres.

Information of note:

1. Site under the contract: Block C, Lot 2 (11.82 acres)
2. Purchase Price: $2.75/SF or $1,415,000
3. Earnest Money: $28,000
4. Due Diligence Period: Titan shall have 180 days to complete its Due Diligence related to the site.

Mr. Kamerlander stated that Titan's receipt of site plan approval for buyer's intended use of the property from the City of Lockhart is a condition of closing. Mr. Kamerlander recommended approval. There was discussion.

L. CONTINUE DISCUSSION REGARDING APPLICATION ZC-22-06 BY CURTIS THIGPEN OF PARAVEL CAPITAL FOR A ZONING CHANGE FROM *RMD RESIDENTIAL MEDIUM DENSITY DISTRICT* TO *RHD RESIDENTIAL HIGH DENSITY DISTRICT* FOR 19.906 ACRES IN THE CORNELIUS CRENSHAW SURVEY, ABSTRACT NO. 68, LOCATED IN THE 1900 BLOCK OF NORTH CESAR CHAVEZ PARKWAY - NORTHBOUND (SH 130). *TABLED AT THE FEBRUARY 15 MEETING. PROPOSED TO BE TABLED AGAIN TO THE JUNE 7TH MEETING DUE TO NOT YET HAVING A FINAL RECOMMENDATION FROM THE PLANNING AND ZONING COMMISSION.*

Mayor White announced that the item will be tabled to the June 7, 2022 Council meeting.

M. DISCUSS ORDINANCE 2022-14 ADOPTING A CODE OF ETHICS AND ANTI-DISCRIMINATION POLICY FOR CITY COUNCIL MEMBERS, CITY BOARD/COMMISSION MEMBERS, AND EMPLOYEES.

Mr. Akers stated that although state law addresses many ethical issues (e.g. Ch. 171 LGC for Conflicts of Interest, Ch. 573 GC for nepotism, etc.), cities often adopt a code of ethics that is more stringent than or which addresses issues not covered in detail by state law (e.g. social media, revolving door issues). A draft ethics policy has been prepared for the Council's consideration that is intended to do the latter. It differs from a draft that was previously distributed, particularly by addition of a section on social media and a section containing a graduating scale of penalties for violation. Note that it applies to "officers" (mayor and council members), "officials" (board and commission members) and employees. Note also that it contains (highlighted) revolving door provisions (Sec. 3-325 d through g & Sec. 3-26) that restrict former officers, officials, and employees from working for persons or entities with whom the officer, official, or employee had dealings before leaving city service. The length of such restrictions should be carefully considered. There was discussion.

N. DISCUSSION REGARDING THE NOMINATION OF DANIEL KOEHLER TO THE AIRPORT ADVISORY BOARD BY COUNCILMEMBER DERRICK DAVID BRYANT FOR A TERM TO EXPIRE IN NOVEMBER 2022.

Mayor White encouraged Councilmembers to contact Mr. Koehler about the nomination.

Councilmember Bryant stated that Mr. Koehler met all the qualifications to serve on the Airport Advisory Board.

Mayor White stated that the appointment would be considered at the next meeting.

O. DISCUSSION REGARDING MATTERS RELATED TO COVID-19.

Mayor White stated that Governor Abbott has not changed Executive Orders pertaining to COVID-19. He encouraged everyone to stay safe.

RECESS: Mayor White announced that the Council would recess for a break at 7:32 p.m.

REGULAR MEETING

ITEM 1. CALL TO ORDER.

Mayor White called the meeting to order at 7:45 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 6-A. DISCUSSION AND/OR ACTION TO CONSIDER IN-KIND SUPPORT AND APPROVAL OF COURTHOUSE NIGHTS EVENT TO BE HELD DOWNTOWN EVERY 3RD FRIDAY FROM APRIL TO OCTOBER 2022.

Mr. Kelley stated that Rach and Rhodes Presents seek City Council's approval for "Courthouse Nights" events to be held from April through October of 2022 and request city in-kind support for their event.

Historically, for events to be held downtown, they need to meet all the following criteria:

- A Special Activity Permit must be obtained from the Police Department.
- The event must be a "city-wide community event".
- If the event costs the City cash for anything, it must be pre-approved by the Council.
- In-kind services can include, but not limited to, trash cans, barricades, dumpsters, reasonable electrical services (110v), and reasonable water services.
- If alcohol is involved, security officers must be provided at the expense of the event holder and TABC laws and the local alcohol related ordinances must be observed.
- All fire and food handling regulations are applicable.
- Approval of affected businesses must be obtained.
- All cleanup must be by the event holder.

Mr. Kelley stated that last year's city in-kind services for this event included barricading street closures and extra trash cans for the event. Due to the popularity of the event, staff recommends closing two interior streets on the downtown square, both Market Street (Commerce to Main) and Commerce Street (San Antonio to Market). There is also a scheduling conflict on September 16th with the Diez y Seis de Septiembre celebration which he suggests Rach and Rhodes coordinate that weekend event with the Greater Caldwell County Hispanic Chamber of Commerce. Courthouse Nights indicates that they will not serve or sell alcohol or food.

Rachel Lingvai and Will Rhodes requested support to hold the 2nd Season of Courthouse Nights. They are working to coordinate a schedule with musicians and local entities to meet all requirements to be able to host another successful music season in 2022. There was discussion.

Councilmember Michelson made a motion to approve support of the event, as requested. Councilmember McGregor seconded. The motion passed by a vote of 7-0.

ITEM 3. PUBLIC COMMENT.
Mayor White requested citizens to address the Council regarding an item that is not on the agenda.

ITEM 4-A. HOLD PUBLIC HEARING TO RECEIVE COMMENTS ON THE PROPOSED ILLUSTRATIVE PLAN FOR REDISTRICTING THE CITY COUNCIL DISTRICTS. *THE CITY COUNCIL MAY GO INTO EXECUTIVE SESSION PURSUANT TO TEXAS GOVERNMENT CODE, SECTION 551.071 TO RECEIVE ADVICE FROM LEGAL COUNSEL REGARDING THE CITY'S REDISTRICTING OBLIGATIONS.*
Mayor White opened the public hearing 7:52 p.m.

Syd Falk of Bickerstaff, Heath, Delgado & Acosta provided detailed information regarding the following:

- One Person – One Vote: U.S. Constitution states that single-member districts must have approximately equal populations. Rule of thumb provides for a total deviation less than 10 percent.
- Available Census data: Census block level includes total population, voting age population, race, and Hispanic origin.
- Adoption criteria.

He stated that during the February 8 Special Council Meeting, the Council held the first map drawing session. After discussion, it was the consensus of the Council to accept the firm's proposed redistricting plan, which only affects District 2, the most populated district in Lockhart, and District 3, the least populated district. The plan expands District 3 to include residents living in the area bordered by Monte Vista Dr., Stueve Ln. and N. Medina Ln., reducing the population deviation to 8.9%, under the maximum 10% between the most populated and least populated city districts as required by the U.S. Constitution and court decisions. Adoption of the new single-member council member districts is scheduled on April 5, 2022. There was discussion.

Mayor White requested citizens to address the Council.

Philip Ruiz, on behalf of LULAC, stated that they express opposition to Plan A because minority citizens in the community have not been able to participate in the redistricting process.

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

He closed the public hearing at 8:15 p.m.

Mr. Falk requested citizens that would like to be involved in a drawing session to present their drawing options to city staff so that the firm can prepare the maps for a meeting.

CONSENSUS: After discussion, the consensus of the Council was to hold a second public hearing on April 5, 2022. If citizens submit specific details about other options to change single-member council districts, a drawing session will be scheduled.

ITEM 4-B. HOLD A PUBLIC HEARING ON APPLICATION ZC-22-07 BY HECTOR AND MARIA RANGEL, AND DISCUSSION AND/OR ACTION TO CONSIDER ORDINANCE 2022-13 FOR A ZONING CHANGE FROM *RMD RESIDENTIAL MEDIUM DENSITIY DISTRICT* TO *CMB COMMERCIAL MEDIUM BUSINESS DISTRICT* ON PART OF LOTS 3 AND 4, BLOCK 4, ORIGINAL TOWN OF LOCKHART, CONSISTING OF 0.5460 ACRE LOCATED AT 604 EAST MARKET STREET.

Mayor White opened the public hearing at 8:20 p.m.

Mr. Gibson stated that the convenience store on the subject property has been in existence for many years and was previously used for a variety of commercial uses. However, it's currently zoned RMD, which does not allow commercial uses. Commercial use of the building has been nonconforming, but considered grandfathered. However, nonconforming uses that are discontinued for a period of six months cannot resume. The owner has stated that the store has been closed since the beginning of the pandemic, but he plans to make improvements and reopen it. Because it has been closed for over six months, it can't be reopened unless the property is rezoned to a commercial classification. The proposed rezoning will eliminate the nonconforming status and allow retail commercial uses by-right. The subject property is at the edge of a primarily single-family residential area. However, there are several other businesses along East Market Street with commercial zoning and, in one case, industrial zoning. The mixed-use nature of development in the vicinity of the subject property seems to work well, despite the fact that there are businesses next door to single-family homes. Because the convenience store use is already a relatively intense retail commercial use, approval of the zoning change would not necessarily result in any additional impact on the neighborhood. However, the proposed CMB zoning classification is not consistent with the *Medium Density Residential* future land use designation of the land use plan map. So far, there has been no public opposition to this zoning change.

Mayor White requested the applicant to address the Council.

Hector and Maria Rangel, applicants, requested approval of rezoning the property to commercial. They provided history about their convenience store, involvement in the community, and stated that the store was grandfathered many years ago.

Mayor White requested citizens in favor of or against the zoning change to address the Council. There were none.

Mayor White requested additional citizens to address the Council. There were none. He closed the public hearing at 8:30 p.m.

Councilmember McGregor made a motion to approve Ordinance 2022-13, as presented. Councilmember Westmoreland seconded. The motion passed by a vote of 7-0.

ITEM 5. CONSENT AGENDA.

Mayor Pro-Tem Sanchez made a motion to approve consent agenda items 5A, 5B, 5C, 5D, 5E, 5F and 5G. Councilmember Mendoza seconded. The motion passed by a vote of 7-0.

The following are the consent agenda items that were approved:

5A: Approve minutes of the March 1, 2022 Council meeting.

5B: Approve a short term use agreement extension with the Lockhart Youth Soccer Association (LYSA) for the use of the Cpl. Jason K. LaFleur Soccer Complex and defining maintenance responsibilities of LYSA and the City of Lockhart and appointing the Mayor to sign the agreement if approved by Council.

5C: Approve bid proposal by The Interlocal Purchasing System (TIPS) cooperative purchasing with PMR Contractors in the amount of $64,633.25 for the replacement of the Senior Center roof located at 901 Bois D' Arc Street and appointing the City Manager to sign the proposal, if approved by Council.

5D: Approve Resolution 2022-19 of the City Council of the City of Lockhart, Texas amending its schedule of permit fees in order to include specific fees applied when a project is outsourced by the City to a third-party company; keeping other fees in the schedule the same; and providing for an effective date.

5E: Approve Resolution 2022-17 for an economic development performance agreement with Caldwell County Farm Bureau for a BIG Grant.

5F: Approve Resolution 2022-18 for an economic development performance agreement with Good Things Lockhart, LLC for a BIG Grant.

5G: Approve City Council to consider the preliminary Budget and Tax Calendar for Fiscal Year 2022--2023.

ITEM 6-B. CONTINUE DISCUSSION AND/OR ACTION ON APPLICATION ZC-22-06 BY CURTIS THIGPEN OF PARAVEL CAPITAL FOR A ZONING CHANGE FROM *RMD RESIDENTIAL MEDIUM DENSITY DISTRICT* TO *RHD RESIDENTIAL HIGH DENSITY DISTRICT* FOR 19.906 ACRES IN THE CORNELIUS CRENSHAW SURVEY, ABSTRACT NO. 68, LOCATED IN THE 1900 BLOCK OF NORTH CESAR CHAVEZ PARKWAY - NORTHBOUND (SH 130). *TABLED AT THE FEBRUARY 15 MEETING. PROPOSED TO BE TABLED AGAIN TO THE JUNE 7TH MEETING DUE TO NOT YET HAVING A FINAL RECOMMENDATION FROM THE PLANNING AND ZONING COMMISSION.*

Mayor White announced that the item is tabled to the June 7, 2022 City Council meeting.

ITEM 6-C. PRESENTATION, DISCUSSION AND/OR ACTION FOR THE CITY COUNCIL TO CONSIDER ACCEPTANCE OF THE CITY OF LOCKHART AND THE LOCKHART ECONOMIC DEVELOPMENT CORPORATION'S FISCAL YEAR 2020-2021 ANNUAL COMPREHENSIVE FINANCIAL REPORT (ANNUAL FINANCIAL AUDIT) BY BROOKSWATSON & COMPANY, PLLC., AN INDEPENDENT PUBLIC ACCOUNTING FIRM.

Mayor Pro-Tem Sanchez made a motion to accept the City of Lockhart and the Lockhart Economic Development Corporation's Fiscal Year 2020-2021 annual comprehensive financial report, as presented. Councilmember Westmoreland seconded. The motion passed by a vote of 7-0.

ITEM 6-D. DISCUSSION AND/OR ACTION REGARDING RESOLUTION 2022-16 TO ACCEPT A $1.68 MILLION GRANT FROM THE U.S. ECONOMIC DEVELOPMENT ADMINISTRATION FOR WASTEWATER IMPROVEMENTS WITHIN THE CITY OF LOCKHART; PROVIDING $420,000 IN MATCHING FUNDS; AND PROVIDING AN EFFECTIVE DATE.

Mayor Pro-Tem Sanchez made a motion to approve Resolution 2022-16, as presented. Councilmember McGregor seconded. The motion passed by a vote of 7-0.

ITEM 6-E. DISCUSSION AND/OR ACTION REGARDING A PROPERTY SALE AGREEMENT FOR 11.82 ACRES IN LOCKHART INDUSTRIAL PARK III WITH TITAN DEVELOPMENT.

Councilmember Michelson made a motion to approve the property sale agreement for 11.82 acres in Lockhart Industrial Park III with Titan Development, as presented. Mayor Pro-Tem Sanchez seconded. The motion passed by a vote of 7-0.

ITEM 6-F. DISCUSSION AND/OR ACTION TO CONSIDER ORDINANCE 2022-14 ADOPTING A CODE OF ETHICS AND ANTI-DISCRIMINATION POLICY FOR CITY COUNCIL MEMBERS, CITY BOARD/COMMISSION MEMBERS, AND EMPLOYEES.

Mayor White stated that the Ordinance will be presented at the next Council meeting for additional discussion.

ITEM 6-G. CONSIDER THE NOMINATION OF DANIEL KOEHLER TO THE AIRPORT ADVISORY BOARD BY COUNCILMEMBER DERRICK DAVID BRYANT FOR A TERM TO EXPIRE IN NOVEMBER 2022.

Mayor White announced that the nomination will be placed on next council meeting agenda.

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

Mayor White stated that there is no additional information.

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

- KidFish event rescheduled to March 19.
- Household Hazardous Waste Collection Event will be held Saturday, March 26, 2022 (rain or shine) for Lockhart residents.
- Citywide Spring Clean up Program on Saturday, April 30.
- Splash Pad opens April 30.
- Council Goals Retreat is scheduled for Saturday, April 9 from 8:00 a.m. – 12:00 p.m.

ITEM 8. COUNCIL AND STAFF COMMENTS - ITEMS OF COMMUNITY INTEREST.
Mayor Pro-Tem Sanchez expressed condolences to the families of Mary Delia Delgado and Enrique Henry Mendoza, Jr. for their loss. She expressed belated Birthday wishes to Councilmembers Westmoreland and Bryant.

ITEM 9. EXECUTIVE SESSION IN ACCORDANCE WITH THE PROVISIONS OF THE GOVERNMENT CODE, TITLE 5, SUBCHAPTER D, SECTION 551.087 TO DELIBERATE OR FOR DISCUSSION REGARDING COMMERCIAL OR FINANCIAL INFORMATION THAT THE GOVERNMENTAL BODY HAS RECEIVED FROM A BUSINESS PROSPECT THAT THE GOVERNMENTAL BODY SEEKS TO HAVE LOCATE, STAY, OR EXPAND IN OR NEAR THE TERRITORY OF THE GOVERNMENTAL BODY AND WITH WHICH THE GOVERNMENTAL BODY IS CONDUCTING ECONOMIC DEVELOPMENT NEGOTIATIONS; OR TO DELIBERATE THE OFFER OF A FINANCIAL OR OTHER INCENTIVE TO A BUSINESS PROSPECT. Discussion regarding economic development negotiations with Project Summertime, Project BBQ and Project Revive.
Mayor White announced that the Council would enter Executive Session at 8:40 p.m.

ITEM 10. OPEN SESSION - Discussion and/or action regarding economic development negotiations with Project Summertime, Project BBQ and Project Revive.
Mayor White announced that the Council would enter Open Session at 9:02 p.m.

Mayor Pro-Tem Sanchez made a motion to authorize staff to offer incentives to the business prospects as discussed in Executive Session. Councilmember Mendoza seconded. The motion passed by a vote of 7-0.

ITEM 11. ADJOURNMENT.
Mayor Pro-Tem Sanchez made a motion to adjourn the meeting. Councilmember Mendoza seconded. The motion passed by a vote of 7-0. The meeting was adjourned at 9:03 p.m.

PASSED and APPROVED this the 5th day of April 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: April 5, 2022

AGENDA ITEM CAPTION: Approve Resolution 2022-20 approving the City of Lockhart's Spending Plan for American Rescue Plan Act of 2021 relief funds associated with the implementation of the America Rescue Plan Act (ARPA) - Coronavirus Local and State Fiscal Recovery Funds (SLFRF) allocation.

ORIGINATING DEPARTMENT AND CONTACT: Finance - Pam Larison

ACTION REQUESTED: Resolution

BACKGROUND/SUMMARY/DISCUSSION: On March 11, 2021, President Biden signed the American Rescue Plan Act of 2021 (ARPA), which launched the Coronavirus State and Local Fiscal Recovery Funds (SLFRF) to provide $350 billion in emergency funding for state and local governments. The emergency economic stimulus bill provides fiscal aid to address the ongoing COVID-19 public health crisis. The SLFRF provides funding to meet local needs, including COVID-19 response, replacing public sector revenue loss, premium pay for essential workers, improving facilities to ensure health and safety, increase usage of outdoor spaces, as well as investing in public infrastructure and broadband. Of the $350 billion economic stimulus bill, the City of Lockhart will receive a total of $3,501,959.00 in direct one-time funding.

Expenditure categories under the US Treasury's Final Rule on April 1, 2022:
1. Public health
2. Negative economic impact
3. Services to disproportionately impacted communities
4. Premium pay
5. Infrastructure
6. Revenue replacement
7. Administrative

On September 7, 2021, the City Council approved the FY 2021-2022 City of Lockhart Budget which included the appropriations for capital expenditures in the Water Fund ($1,193,000.00) with ARPA/SLFRF funds. This capital expenditure falls under Final Rule 5.

Between the close of the CARES fund and the opening of the ARPA fund, the City of Lockhart has continued to expend funds for personal protective equipment and medical supplies associated with COVID-19 ($300,000). This expenditure falls under the Final Rule 1.

In 2021, the City Council provided financial relief to its utility customers by removing late fees, penalties, and placing a moratorium on disconnections for six months. At the end of the deferral period, utility customers were allowed to set up payment plans for any outstanding balances leading to a revenue loss for the electric and water funds. Due to the Final Rule, the City of Lockhart will be able to replace the lost revenue with ARPA funds up to a standard

deduction of $10 million. The use of these funds can be used for any governmental service provided by the City ($2,008,959). This expenditure falls under Final Rule 6.

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: Staff respectfully request the approval of Resolution 2022-20.

LIST OF SUPPORTING DOCUMENTS: RESOLUTION NO 2022-20 Spending plan, Exhibit "A" - Spending Plan for American Rescue Plan Act of 2021 Relief Funds, Exhibit "A" (cont.) - Spending Plan Summary

RESOLUTION NO. 2022-20

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOCKHART, TEXAS, AUTHORIZING THE APPROVAL OF THE CITY OF LOCKHART'S SPENDING PLAN FOR AMERICAN RESCUE PLAN ACT OF 2021 RELIEF FUNDS ASSOCIATED WITH THE IMPLEMENTATION OF THE AMERICAN RESCUE PLAN ACT (ARPA) – CORONAVIRUS LOCAL AND STATE FISCAL RECOVERY FUNDS (SLFRF) ALLOCATION.

WHEREAS, the City of Lockhart, Texas desires to develop a transparent and viable program to ensure funding and program identification are clearly discussed and presented that will allow the city to recovery and respond to the COVID-19 Pandemic; and

WHEREAS, certain conditions exist which represent a threat to the public health and safety; and

WHEREAS, it is necessary and in the best interest of City of Lockhart to approve the Spending Plan for American Rescue Plan Act of 2021 Relief Funds to utilize and implement ARPA-SLFRF funding;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lockhart, Texas, that:

The City Council of the City of Lockhart, Texas hereby adopts the City of Lockhart Spending Plan for American Rescue Plan Act of 2021 Relief Funds (Exhibit A).

PASSED AND APPROVED on this 5th day of April 2022.

CITY OF LOCKHART, TEXAS

By: _____
Lew White, Mayor

APPROVED AS TO FORM:

_____
Monte Akers, City Attorney

ATTEST:

_____
Connie Constancio, City Secretary

Lockhart

EXHIBIT "A"

SPENDING PLAN FOR AMERICAN RESCUE PLAN ACT OF 2021 RELIEF FUNDS

SUMMARY

On March 11, 2021, President Biden signed the American Rescue Plan Act of 2021 (ARPA), which launched the Coronavirus State and Local Fiscal Recovery Funds (SLFRF) to provide $350 billion in emergency funding for state and local governments. The emergency economic stimulus bill provides fiscal aid to address the ongoing COVID-19 public health crisis. The SLFRF provides funding to meet local needs, including COVID-19 response, replacing public sector revenue loss, premium pay for essential workers, improving facilities to ensure health and safety, increase usage of outdoor spaces, as well as investing in public infrastructure and broadband. Of the $350 billion economic stimulus bill, the City of Lockhart will receive a total of $3,501,959.00 in direct one-time funding.

Expenditure categories under the US Treasury's Final Rule on April 1, 2022:

1. Public health
2. Negative economic impact
3. Services to disproportionately impacted communities
4. Premium pay
5. Infrastructure
6. Revenue replacement
7. Administrative

On September 7, 2021, the City Council approved the FY 2021-2022 City of Lockhart Budget which included the appropriations for capital expenditures in the Water Fund ($1,193,000.00) with ARPA/SLFRF funds. This capital expenditure falls under **Final Rule 5**.

Between the close of the CARES fund and the opening of the ARPA fund, the City of Lockhart has continued to expend funds for personal protective equipment and medical supplies associated with COVID-19 ($300,000). This expenditure falls under the **Final Rule 1**.

In 2021, the City Council provided financial relief to its utility customers by removing late fees, penalties, and placing a moratorium on disconnections for six months. At the end of the deferral period, utility customers were allowed to set up payment plans for any outstanding balances leading to a revenue loss for the electric and water funds. Due to the Final Rule, the City of Lockhart will be able to replace the lost revenue with ARPA funds up to a standard deduction of $10 million. The use of these funds can be used for any governmental service provided by the City ($2,008,959). This expenditure falls under **Final Rule 6.**

	LOCKHART AMERICAN RESCUE PLAN SUMMARY	FY 2021-22	FY 2022-23 (4)
1	**PUBLIC HEALTH**		
1.5	Personal Protective Equipment	$250,000 (1)	
1.6	Medical Expenses	25,000 (1)	
1.8	Other COVID-19 related expenses	25,000 (1)	
2	**NEGATIVE ECONOMIC IMPACTS**		
3	**SERVICES TO DISPROPORTIONATELY IMPACTED COMMUNITIES**		
4	**PREMIUM PAY**		
5	**INFRASTRUCTURE**		
5.11	Drinking water: transmission & distribution	443,000 (2)	
5.13	Drinking water: source	400,000 (2)	
5.14	Drinking water: storage		
5.15	Drinking water: other infrastructure	350,000 (2)	
6	**REVENUE REPLACEMENT**		
6.1	Provision of government services	1,000,000	$1,008,959 (3)
7	**ADMINISTRATIVE**		
		$2,493,000	$1,008,959

NOTES:

(1) Expenses in this category consists of supplies such as PPE's, antibacterials, & gloves.

(2) 300 & 1000 amp generators for water treatment plant; install and replace 8" water mains at W. Live Oak, N. Blanco, and Bois D'Arc - approved budgeted items FYE 2022

(3) Revenue loss in Water Fund - $750,000; remaining funds ($1,258,959) can be used for any government services such as street improvements, parks and recreation, capital purchases, building improvements, and other similar expenses.
Revenue loss expenses CANNOT include payments to debt service, pension plans, or "rainy day" funds.

(4) FY 22-23 is just used as a reference in case the total amount of funding is not used in the current fiscal year (21-22). Expenses can be carried over through FYE 2026.

City of Lockhart, Texas

Council Agenda Item
Cover Sheet

COUNCIL MEETING DATE: April 5, 2022

AGENDA ITEM CAPTION: Table application ZC-22-09 by Chris Bancroft on behalf of Alma Ewald for a **Zoning Change** from 23.064 acres *AO Agricultural--Open Space District* to 18.535 acres *RHD Residential High Density District* and 4.529 acres *CMB Commercial Medium Business District* in the Byrd Lockhart League, Abstract No. 17, located at 1650 North Colorado Street (US 183) to the June 7, 2022 City Council meeting.

ORIGINATING DEPARTMENT AND CONTACT: Development Services - Dan Gibson

ACTION REQUESTED: Consensus

BACKGROUND/SUMMARY/DISCUSSION: The purpose of the zoning change is to allow future development of 4.529 acres of general commercial land uses along the Colorado Street frontage of the subject property, and 18.535 acres of apartment housing behind the commercial area. Although the tract extends eastward to Plum Creek, the zoning change is only for the portion of the tract that is in the city limits, which is roughly 27 percent of the original tract. There is a pond located in the area proposed to be rezoned, and the Plum Creek floodplain slightly encroaches into the rear of the area proposed to be zoned RHD. Vehicular access will be from Colorado Street and, because of the high speed limit, TxDOT will likely require that the developer widen the highway to provide a center left-turn land and right turn deceleration or transition lane for any street or driveway intersections into the development. There is a 12” water main along the east side of the highway that is adequate to serve the property. However, the closest wastewater main of sufficient size is located approximately one mile south near the railroad track and Town Branch Creek. The wastewater impact fee CIP does propose a system of wastewater mains extending from that point northward, along with a lift-station, where it would serve the North Colorado Street area, including the subject property. There currently is no time-line or source of funding identified other than impact fees. Impact fees can be used to pay for up to half of the cost, but the remainder would have to come from other sources. The wastewater CIP is based on the land use types and intensities shown on the Land Use Plan map, which is low density residential for the subject property. A wastewater project is proposed that would serve the area but, as with the northwest quadrant of the city, a study may need to be done to determine whether or not the proposed wastewater infrastructure will be adequate for higher land use intensities. Such a study would confirm the size and cost of the new wastewater mains and associated lift station. The main issue is timing of development, and not necessarily the type of development proposed. Generally, a zoning change is considered premature if there is not adequate infrastructure available to support the development that the proposed zoning classification would allow. A recent request for a zoning change from RMD to RHD to allow high density apartments on a site between Silent Valley Road (FM 2001) and Cesar Chavez Parkway (SH 130) was in an area designated on the Land Use Plan map as future *Medium Density*

Residential. A precedent was set when the zoning change was tabled for several months due to a similar need for a study to determine the size and cost of wastewater infrastructure necessary to serve the higher land use intensities proposed for the area. The Council should take the same action by tabling this application because the Planning and Zoning Commission tabled further consideration of this application until their May 25th meeting so that the North Colorado Street area can be added to the scope of the study already being done for the Silent Valley Road area. The proposed RHD and CMB zoning classifications are ***not*** consistent with the *Low Density Residential* future land use designation shown on the Land Use Plan map. The only zoning classification that would be consistent with the Land Use Plan map is the RLD Residential Low Density District. Citizens appearing at the Planning and Zoning Commission public hearing expressed concerns about flooding on the subject property, additional runoff from the property as a result of development, and traffic hazards due to the high speed limit on Colorado Street in that area. An ordinance is not attached at this time because no action could be taken on it. ***Additional information is contained in the attached staff report.***

PROJECT SCHEDULE (if applicable): Not applicable.

AMOUNT & SOURCE OF FUNDING:
Funds Required:
Account Number:
Funds Available:
Account Name:

FISCAL NOTE (if applicable): Not applicable.

PREVIOUS COUNCIL ACTION: None.

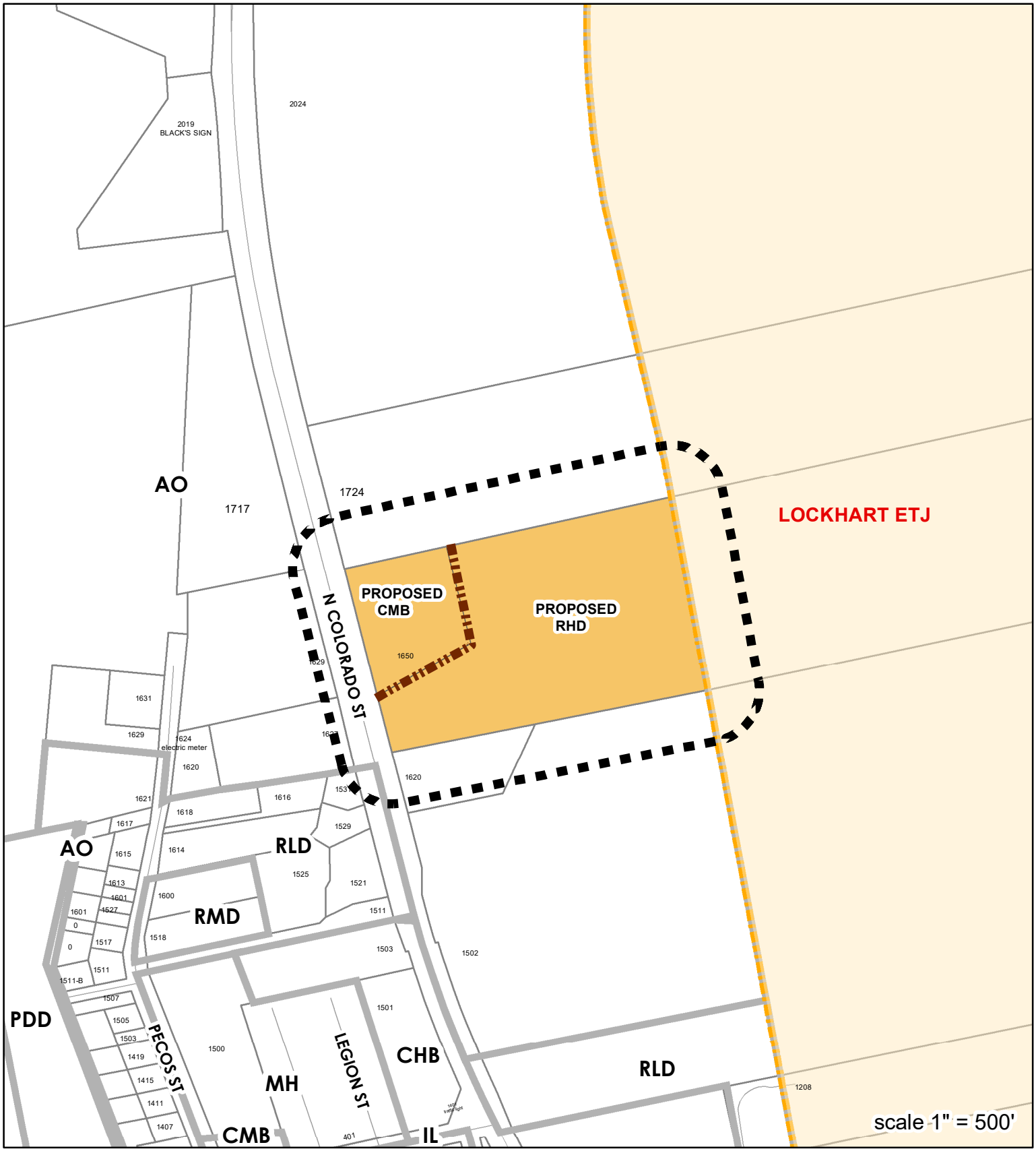
COMMITTEE/BOARD/COMMISSION ACTION: The Planning and Zoning Commission voted 3-1 to Table further consideration of this application until their May 25th meeting for the reasons stated in the staff report.

STAFF RECOMMENDATION/REQUESTED MOTION: Staff believes that this zoning change is premature until we have a better idea of the City's sanitary sewer capacity to serve land use intensities that area higher than the future land use designations indicated on the City's Land Use Plan map along North Colorado Street. In addition, Section 211.007 of the Texas Local Government Code prohibits the governing body (City Council) from holding a public hearing or taking action on a zoning map change until a final recommendation is received from the zoning commission (Planning and Zoning Commission). Therefore, the suggested motion is to TABLE further consideration of Zoning Change ZC-22-09 from AO to RHD and CMB until the June 7th Council meeting.

City of Lockhart, Texas

Council Agenda Item
Cover Sheet

LIST OF SUPPORTING DOCUMENTS: ZC2209 case map, ZC2209 zoning, ZC2209 future landuse, ZC2209 aerial, zc2209 staff report - CC version, 21-9147 1650 North Colorado CAD_7gen Zoning Boundaries_11x17, zc2209 application and owner's letter



ZC-22-09

AO TO RHD & CMB

1650 N COLORADO ST (HWY 183)

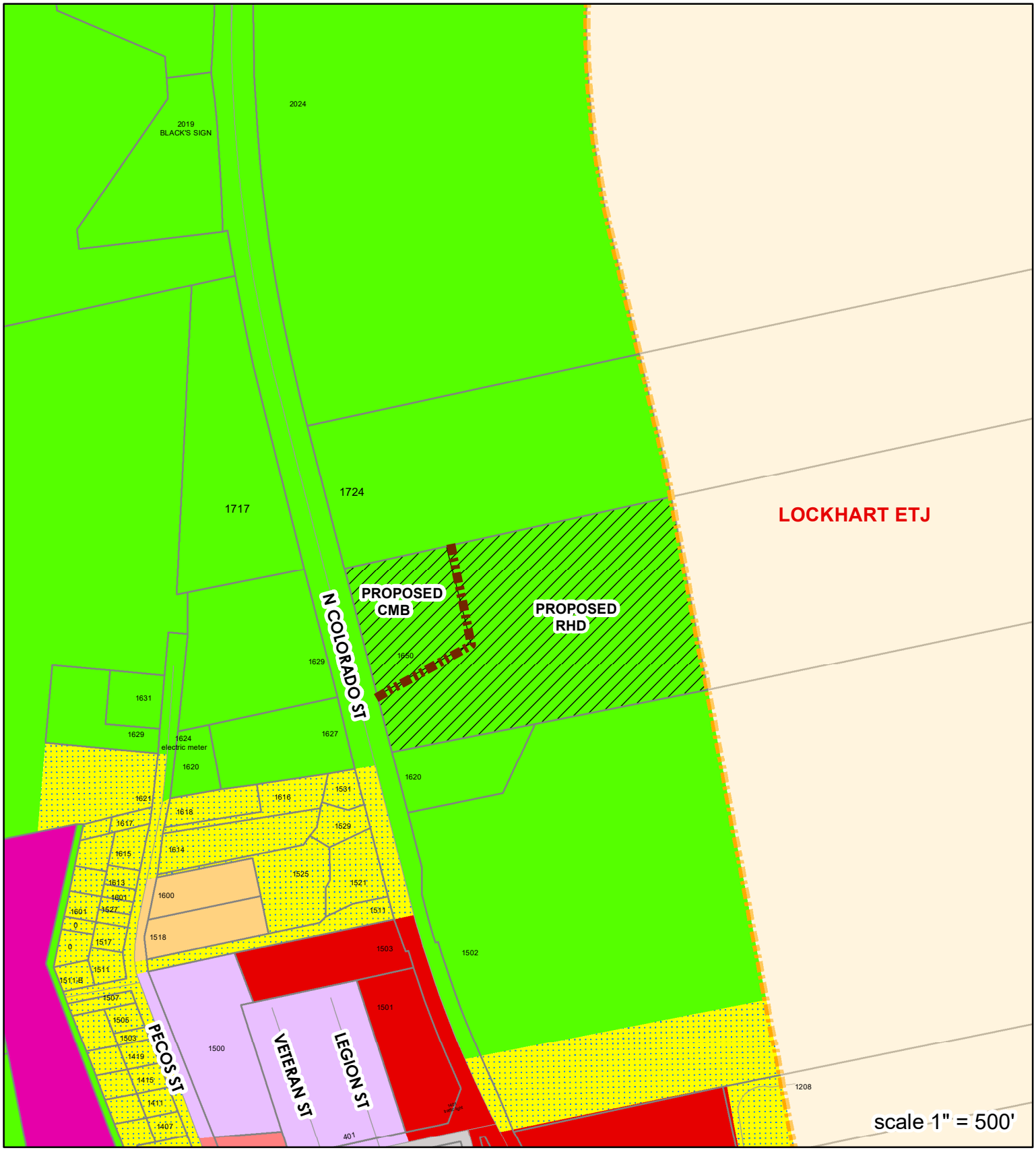
N

SUBJECT PROPERTY

ZONING BOUNDARY

CITY LIMITS

200 FT BUFFER



ZC-22-09

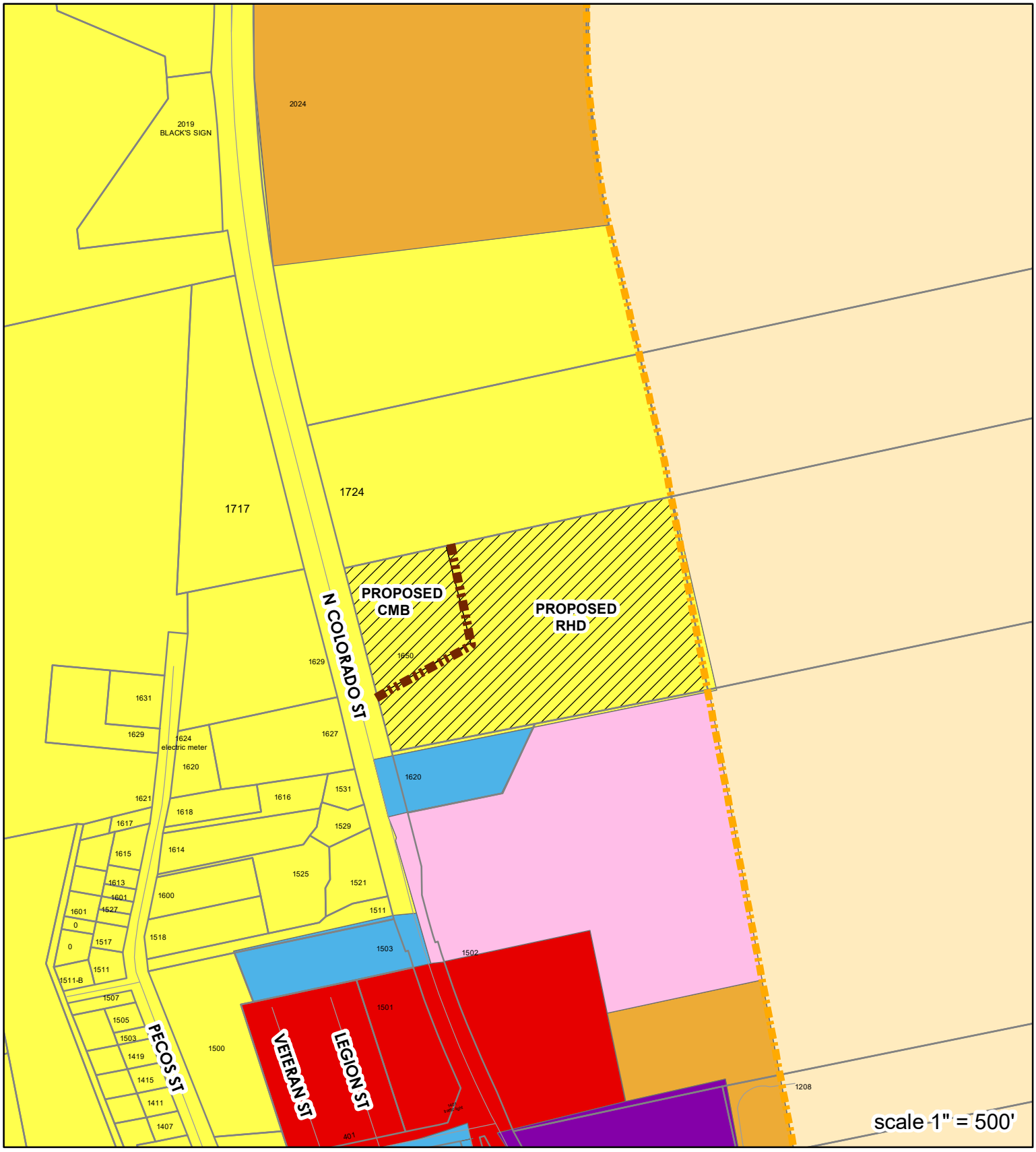
AO TO RHD & CMB

1650 N COLORADO ST (HWY 183)

N

ZONING DISTRICTS

- AGRICULTURAL-OPEN SPACE
- COMMERCIAL HEAVY BUSINESS
- COMMERCIAL MEDIUM BUSINESS
- INDUSTRIAL LIGHT
- MANUFACTURED HOME
- PLANNED DEVELOPMENT
- RESIDENTIAL LOW DENSITY
- RESIDENTIAL MEDIUM DENSITY



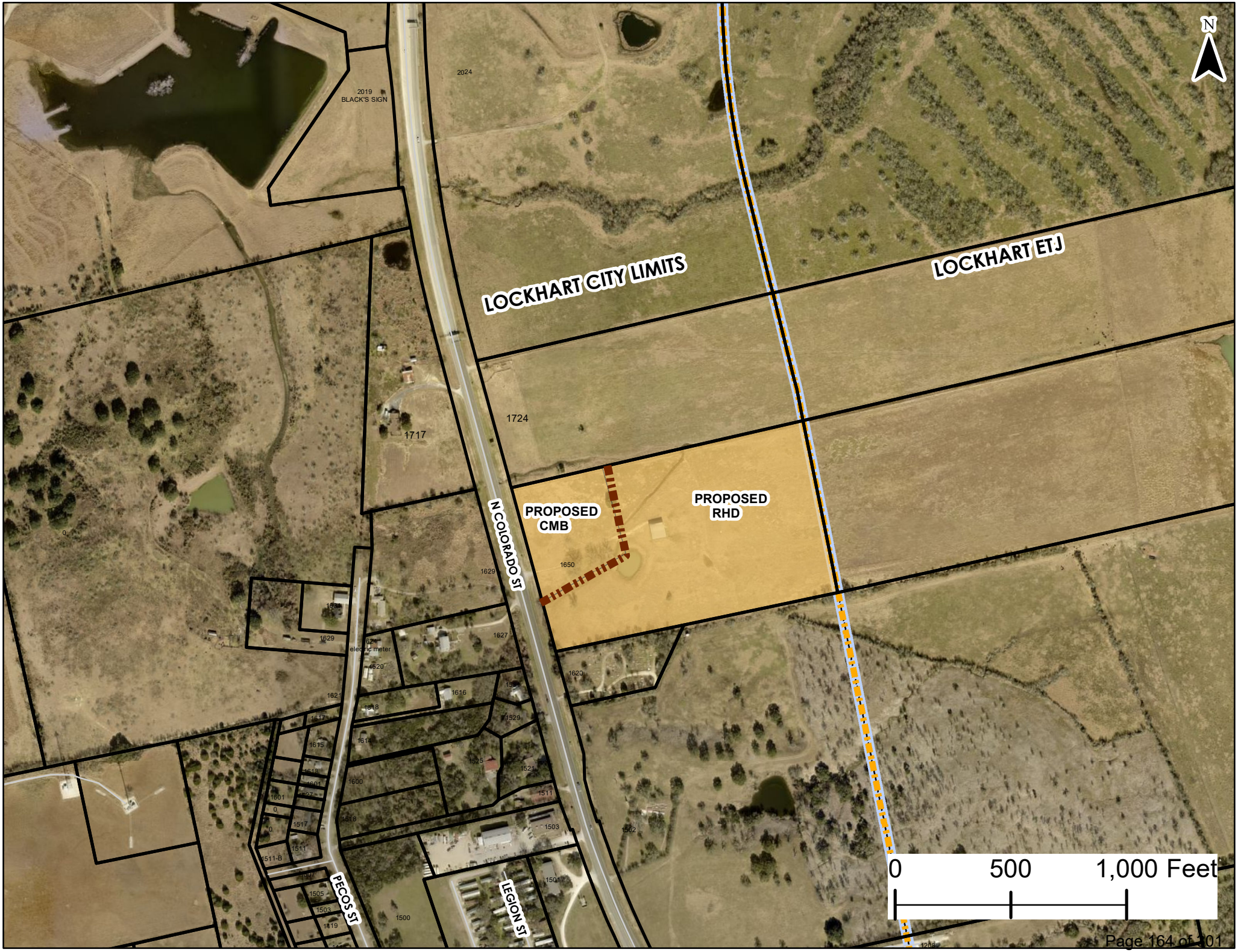
FUTURE LANDUSE

AO TO RHD & CMB

1650 N COLORADO ST (HWY 183)

N

- AGRICULTURE/RURAL DEVELOPMENT
- GENERAL-HEAVY COMMERCIAL
- LIGHT-MEDIUM COMMERCIAL
- MIXED RETAIL, OFFICE, RESIDENTIAL
- PUBLIC AND INSTITUTIONAL
- RESIDENTIAL, LOW DENSITY
- RESIDENTIAL, MEDIUM DENSITY


LOCKHART CITY LIMITS
LOCKHART ETJ
PROPOSED CMB
PROPOSED RHD
N COLORADO ST
PECOS ST
LEGION ST
2019 BLACK'S SIGN
2024
1724
1717
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1511-B
1505
1419
0
N
0 500 1,000 Feet

PLANNING DEPARTMENT REPORT ZONING CHANGE

CASE SUMMARY

STAFF: Dan Gibson, City Planner CASE NUMBER: ZC-22-09
REPORT DATE: March 18, 2022 [Updated 3-29-22]
PLANNING AND ZONING COMMISSION HEARING DATE: March 23, 2022
CITY COUNCIL HEARING DATE: April 5, 2022
REQUESTED CHANGE: AO to RHD and CMB
STAFF RECOMMENDATION: ***Table*** to June 7th.
PLANNING AND ZONING COMMISSION RECOMMENDATION: ***Tabled*** until the May 25th meeting.

BACKGROUND DATA

APPLICANT: Chris Bancroft
OWNER: Alma Ewald
SITE LOCATION: 1650 North Colorado Street (US 183)
LEGAL DESCRIPTION: Metes and Bounds
SIZE OF PROPERTY: 23.064 acres inside the city limits
EXISTING USE OF PROPERTY: Vacant land
LAND USE PLAN DESIGNATION: *Low Density Residential*

ANALYSIS OF ISSUES

REASON FOR REQUESTED ZONING CHANGE: The purpose of the zoning change is to allow future development of 4.529 acres of general commercial land uses along the Colorado Street frontage, and 18.535 acres of apartment housing behind the commercial area. Although the tract extends eastward to Plum Creek, the zoning change is only for the portion of the tract that is in the city limits, which is roughly 27 percent of the original tract. There is a pond located in the area proposed to be rezoned, and the Plum Creek floodplain slightly encroaches into the rear of the area proposed to be zoned RHD.

AREA CHARACTERISTICS:

	Existing Use	Zoning	Future Land Use Plan
North	Vacant land	AO	*Low Density Residential*
East	Vacant land	Not zoned	*Agriculture/Rural Development*
South	Small cemetery, Vacant land	AO	*Public and Institutional, Light-Medium Commercial*
West	Sparce single-family residential, Vacant land	AO	*Low Density Residential*

TRANSITION OF ZONING DISTRICTS: The subject property currently does not abut any other residential or commercial zoning, although a concurrent zoning change request for the adjacent property to the north would result in the same RMD and CMB zoning pattern as proposed for the subject tract.

ADEQUACY OF INFRASTRUCTURE: Vehicular access will be from Colorado Street, and because of the high speed limit TxDOT will likely require that the developer widen the highway to provide a center left-turn land and right turn deceleration or transition lane for any street or driveway intersections into the development. There is a 12" water main along the east side of the highway that is adequate to serve the property. However, the closest wastewater main of sufficient size is located approximately one mile south near the railroad track and Town Branch Creek. The wastewater impact fee CIP does propose a system of wastewater mains extending from that point northward, along with a lift-station, where it would serve the North Colorado Street area, including the subject property. There currently is no time-line or source of funding identified other than impact fees. Impact fees can be used to pay for up to half of the cost, but the remainder would have to come from other sources.

POTENTIAL NEIGHBORHOOD IMPACT: The subject property is in a largely undeveloped area of the city where there are no immediate neighbors that would be impacted by development allowed by the proposed zoning district classifications. A regional impact will be additional traffic on North Colorado Street, but that is bound to occur where there is potential for additional development, and can be mitigated by a center turn lane and right-turn deceleration or transition lanes.

CONSISTENCY WITH COMPREHENSIVE PLAN: The proposed RHD and CMB zoning classifications are ***not*** consistent with the *Low Density Residential* future land use designation shown on the Land Use Plan map.

ALTERNATIVE CLASSIFICATIONS: The only zoning classification that would be consistent with the Land Use Plan map is the RLD Residential Low Density District.

RESPONSE TO NOTIFICATION: Citizens appearing at the Planning and Zoning Commission public hearing expressed concerns about flooding on the subject property, additional runoff from the property as a result of development, and traffic hazards due to the high speed limit on Colorado Street in that area.

STAFF RECOMMENDATION: The wastewater CIP is based on the land use types and intensities shown on the Land Use Plan map, which is low density residential for the subject property. A wastewater project is proposed that would serve the area but, as with the northwest quadrant of the city, a study may need to be done to determine whether or not the proposed wastewater infrastructure will be adequate for higher land use intensities. Such a study would confirm the size and cost of the new wastewater mains and associated lift station. The main issue is timing of development, and not necessarily the type of development proposed. Generally, a zoning change is considered premature if there is not adequate infrastructure available to support the development that the proposed zoning classification would allow. A recent request for a zoning change from RMD to RHD to allow high density apartments on a site between Silent Valley Road (FM 2001) and Cesar Chavez Parkway (SH 130) was in an area designated on the Land Use Plan map as future *Medium Density Residential*. A precedent was set when the zoning change was tabled for several months due to a similar need for a study to determine the size and cost of wastewater infrastructure necessary to serve the higher land use intensities proposed for the area. The Council should take the same action by tabling this application because the Planning and Zoning Commission tabled further consideration of this application until their May 25th meeting so that the North Colorado Street area can be added to the scope of the study already being done for the Silent Valley Road area. Section 211.007 of the Texas Local Government Code prohibits the governing body (City Council) from holding a public hearing or taking action on a zoning map change until a final recommendation is received from the zoning commission (Planning and Zoning Commission). Therefore, staff recommends that this application be ***Tabled*** to the June 7th Council meeting, which is the first meeting after the Planning and Zoning Commission considers their final recommendation on May 25th.

Drawing: L:\02_LAND PLANNING\CLIENTS\Texas Multifamily Capital\2021254-LPN-00_Lockhart LaFamilia Tract\04_Land Planning\Zoning\Submittal\21-9147 1650 North Colorado CAD_7gen Zoning Boundaries.dwg
Last Modified: Mar. 02, 22 - 11:02
Plot Date/Time: Mar. 02, 22 - 11:28:36

LAND USE SCHEDULE

LOCKHART CITY LIMITS

PROPOSED USE	ACREAGE
CMB	4.529 Ac.
RHD	18.535 Ac.
SUBTOTAL	23.064 Ac.
ETJ	
CURRENT USE	ACREAGE
ETJ	60.815± Ac.
OVERALL TOTAL	83.879 Ac.

SCALE : 1'' = 400'

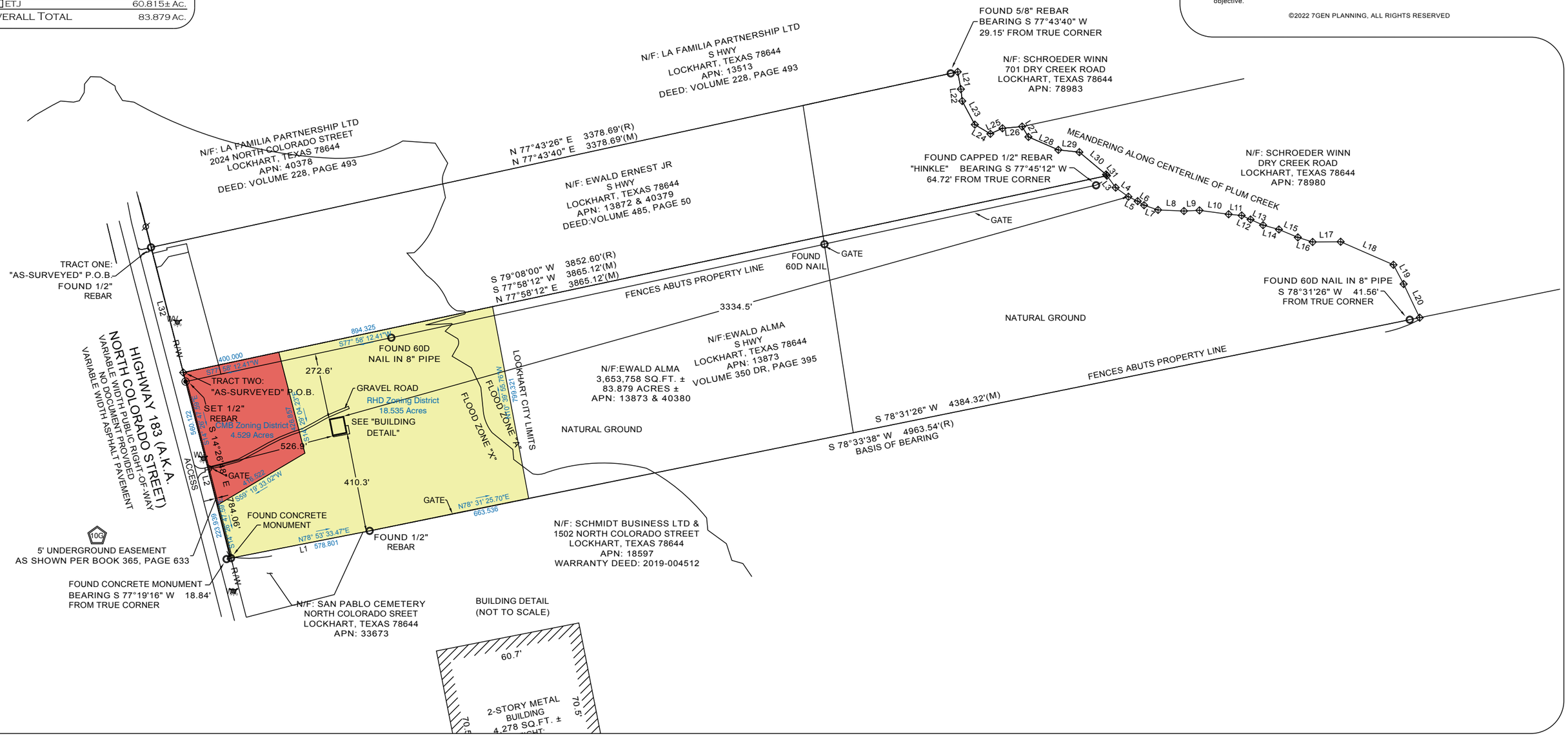
0 200 400 800

DATE : 03-02-2022

NORTH

All information furnished regarding this property is from sources deemed reliable. However, 7gen Planning has not made an independent investigation of these sources and no warranty or representation is made by 7gen Planning as to the accuracy thereof and same is submitted subject to errors, omissions, land plan changes, or other conditions. This land plan is conceptual in nature and does not represent any regulatory approval. Land plan is subject to change. The developer has reserved the right, without notice,to make changes to this map and other aspects of the development to comply with governmental requirements and to fulfill its marketing objective.

©2022 7GEN PLANNING, ALL RIGHTS RESERVED



TEXAS MULT-FAMILY CAPITAL

REQUESTED REZONING BOUNDARY

1650 NORTH COLORADO STREET
LOCKHART, TEXAS 78644

7gen PLANNING
PLANNING & LANDSCAPE ARCHITECTURE
2107 CITYWEST BLVD, SUITE 400
HOUSTON, TEXAS 77042
713.343.0394
9050 N CAPITAL OF TX HWY., BLDG. 3, STE 390
AUSTIN, TEXAS 78759
512.646.3454

ZONING CHANGE APPLICATION

(512) 398-3461 • FAX (512) 398-3833
P.O. Box 239 • Lockhart, Texas 78644
308 West San Antonio Street

APPLICANT/OWNER

APPLICANT NAME Chris Bancroft
ADDRESS 1515 S. Capital of Texas Hwy
Suite 405
Austin, TX 78746

DAY-TIME TELEPHONE 512-705-0212
E-MAIL chris.b@texasmfc.com

OWNER NAME Alma Ewald
ADDRESS 1609 MEADOW LN
LOCKHART, TX 78644-3801

DAY-TIME TELEPHONE
E-MAIL

PROPERTY

ADDRESS OR GENERAL LOCATION 1650 N. Colorado St. Lockhart, Tx 78644
LEGAL DESCRIPTION (IF PLATTED) Metes and Bounds
SIZE 23.06 ACRE(S) LAND USE PLAN DESIGNATION Residential, Low Density
EXISTING USE OF LAND AND/OR BUILDING(S) Agricultural - Open Space
PROPOSED NEW USE, IF ANY Commercial, Residential

REQUESTED CHANGE

FROM CURRENT ZONING CLASSIFICATION AO
TO PROPOSED ZONING CLASSIFICATION RHD, CMB
REASON FOR REQUEST To allow for future development of general commercial and apartment housing

SUBMITTAL REQUIREMENTS

IF THE APPLICANT IS NOT THE OWNER, A LETTER SIGNED AND DATED BY THE OWNER CERTIFYING THEIR OWNERSHIP OF THE PROPERTY AND AUTHORIZING THE APPLICANT TO REPRESENT THE PERSON, ORGANIZATION, OR BUSINESS THAT OWNS THE PROPERTY.

NAME(S) AND ADDRESS(ES) OF PROPERTY LIEN-HOLDER(S), IF ANY.

IF NOT PLATTED, A METES AND BOUNDS LEGAL DESCRIPTION OF THE PROPERTY.

APPLICATION FEE OF $ 611.20 PAYABLE TO THE CITY OF LOCKHART AS FOLLOWS:

$170 + ($20 x 22.06) = $611.20

1/4 acre or less	$125
Between 1/4 and one acre	$150
One acre or greater	$170 plus $20.00 per each acre over one acre

TO THE BEST OF MY KNOWLEDGE, THIS APPLICATION AND ASSOCIATED DOCUMENTS ARE COMPLETE AND CORRECT, AND IT IS UNDERSTOOD THAT I OR ANOTHER REPRESENTATIVE SHOULD BE PRESENT AT ALL PUBLIC MEETINGS CONCERNING THIS APPLICATION.

SIGNATURE _____ DATE 3/2/22

OFFICE USE ONLY

ACCEPTED BY Dan Gibson RECEIPT NUMBER 440273

DATE SUBMITTED 3-2-22 CASE NUMBER ZC - 22 - 09

DATE NOTICES MAILED 3-8-22 DATE NOTICE PUBLISHED 3-10-22

PLANNING AND ZONING COMMISSION MEETING DATE 3-23-22

PLANNING AND ZONING COMMISSION RECOMMENDATION Tabled to 5-25-22.

CITY COUNCIL MEETING DATE 4-5-22

DECISION _____

February 2, 2022

Texas Multifamily Capital, LLC
5900 Balcones Drive, Suite 100
Austin, Texas 78731

Subject: Entitlement of the following property ("Property")
1650 N. Colorado Lockhart, TX 78644
Alma Ewald

Dear Texas Multifamily Capital, LLC:

I, Alma Ewald, owner of the above referenced Property, authorize you, and more specifically **Christopher Bancroft** and **Matthew Chase**, as well as any agents and consultants appointed by you, to act as my **Agent** to submit applications, drawings, zoning changes, and other applicable documents for the purpose of obtaining approval from the City of Lockhart for a zoning change and associated permits related to the proposed purchase of the Property by you, and subsequent development by you.

Sincerely,

Alma Ewald

Printed Name: Alma Ewald

City of Lockhart, Texas

Council Agenda Item
Cover Sheet

COUNCIL MEETING DATE: April 5, 2022

AGENDA ITEM CAPTION: Table application ZC-22-10 by Chris Bancroft on behalf of Ernest Ewald, Jr., for a **Zoning Change** from 15.906 acres *AO Agricultural--Open Space District* to 12.262 acres *RHD Residential High Density District* and 3.644 acres *CMB Commercial Medium Business District* in the Byrd Lockhart League, Abstract No. 17, located at 1724 North Colorado Street (US 183) to the June 7, 2022 City Council meeting.

ORIGINATING DEPARTMENT AND CONTACT: Development Services - Dan Gibson

ACTION REQUESTED: Consensus

BACKGROUND/SUMMARY/DISCUSSION: The purpose of the zoning change is to allow future development of 3.644 acres of general commercial land uses along the Colorado Street frontage of the subject property, and 12.262 acres of apartment housing behind the commercial area. Although the tract extends eastward to Plum Creek, the zoning change is only for the portion of the tract that is in the city limits, which is roughly 36 percent of the original tract. The Plum Creek floodplain slightly encroaches into the rear of the area proposed to be zoned RHD. Vehicular access will be from Colorado Street and, because of the high speed limit, TxDOT will likely require that the developer widen the highway to provide a center left-turn land and right turn deceleration or transition lane for any street or driveway intersections into the development. There is a 12” water main along the east side of the highway that is adequate to serve the property. However, the closest wastewater main of sufficient size is located over one mile south near the railroad track and Town Branch Creek. The wastewater impact fee CIP does propose a system of wastewater mains extending from that point northward, along with a lift-station, where it would serve the North Colorado Street area, including the subject property. There currently is no time-line or source of funding identified other than impact fees. Impact fees can be used to pay for up to half of the cost, but the remainder would have to come from other sources. The wastewater CIP is based on the land use types and intensities shown on the Land Use Plan map, which is low density residential for the subject property. A wastewater project is proposed that would serve the area but, as with the northwest quadrant of the city, a study may need to be done to determine whether or not the proposed wastewater infrastructure will be adequate for higher land use intensities. Such a study would confirm the size and cost of the new wastewater mains and associated lift station. The main issue is timing of development, and not necessarily the type of development proposed. Generally, a zoning change is considered premature if there is not adequate infrastructure available to support the development that the proposed zoning classification would allow. A recent request for a zoning change from RMD to RHD to allow high density apartments on a site between Silent Valley Road (FM 2001) and Cesar Chavez Parkway (SH 130) was in an area designated on the Land Use Plan map as future *Medium Density Residential*. A precedent was set when the zoning change was tabled

for several months due to a similar need for a study to determine the size and cost of wastewater infrastructure necessary to serve the higher land use intensities proposed for the area. The Council should take the same action by tabling this application because the Planning and Zoning Commission tabled further consideration of this application until their May 25th meeting so that the North Colorado Street area can be added to the scope of the study already being done for the Silent Valley Road area. The proposed RHD and CMB zoning classifications are ***not*** consistent with the *Low Density Residential* future land use designation shown on the Land Use Plan map. The only zoning classification that would be consistent with the Land Use Plan map is the RLD Residential Low Density District. Citizens appearing at the Planning and Zoning Commission public hearing expressed concerns about flooding on the subject property, additional runoff from the property as a result of development, and traffic hazards due to the high speed limit on Colorado Street in that area. An ordinance is not attached at this time because no action could be taken on it. ***Additional information is contained in the attached staff report.***

PROJECT SCHEDULE (if applicable): Not applicable.

AMOUNT & SOURCE OF FUNDING:
Funds Required:
Account Number:
Funds Available:
Account Name:

FISCAL NOTE (if applicable): Not applicable.

PREVIOUS COUNCIL ACTION: None.

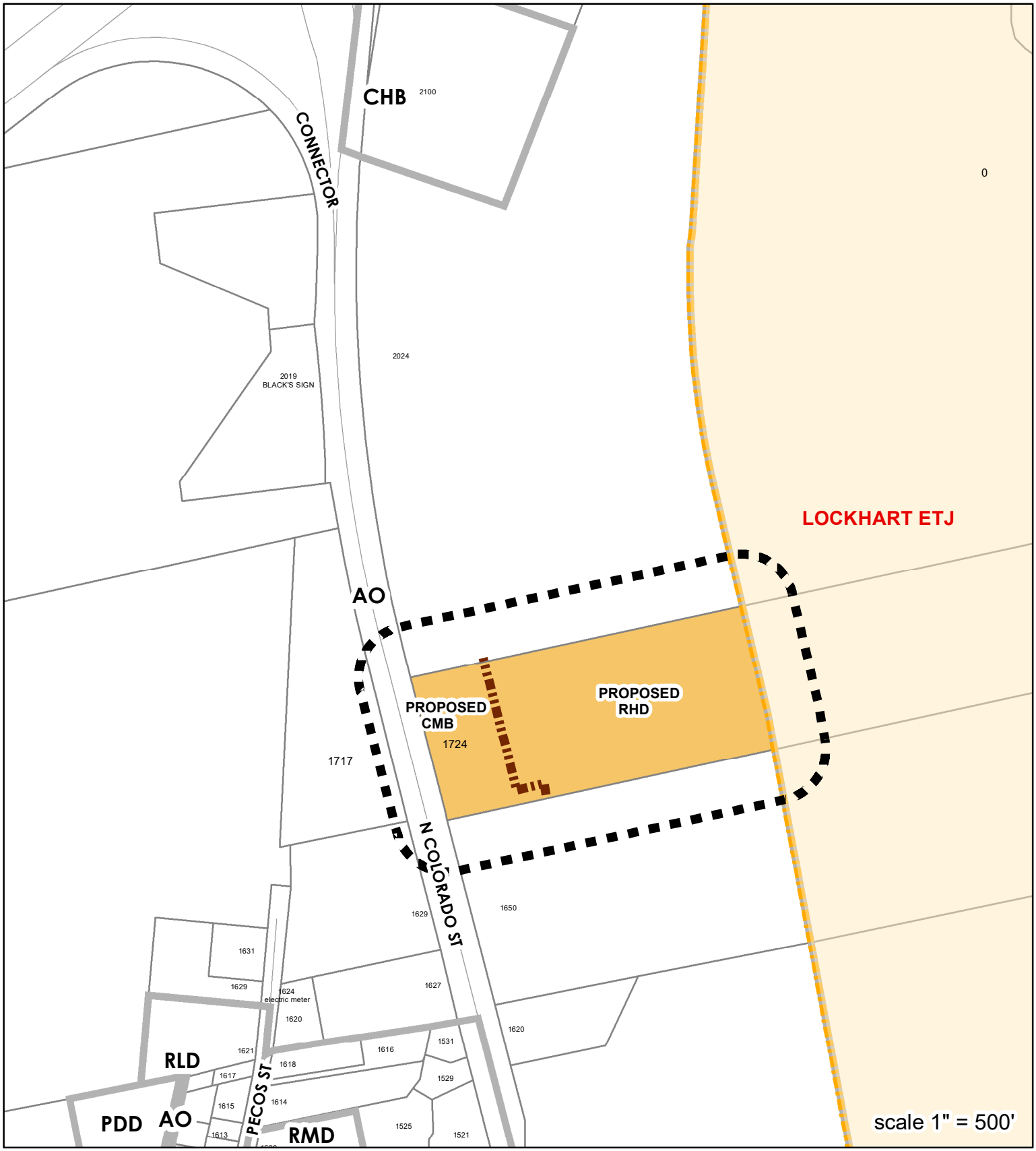
COMMITTEE/BOARD/COMMISSION ACTION: The Planning and Zoning Commission voted 3-1 to Table further consideration of this application until their May 25th meeting for the reasons stated in the attached staff report.

STAFF RECOMMENDATION/REQUESTED MOTION: Staff believes that this zoning change is premature until we have a better idea of the City's sanitary sewer capacity to serve land use intensities that area higher than the future land use designations indicated on the City's Land Use Plan map along North Colorado Street. In addition, Section 211.007 of the Texas Local Government Code prohibits the governing body (City Council) from holding a public hearing or taking action on a zoning map change until a final recommendation is received from the zoning commission (Planning and Zoning Commission). Therefore, the suggested motion is to TABLE further consideration of Zoning Change ZC-22-10 from AO to RHD and CMB until the June 7th Council meeting.

City of Lockhart, Texas

Council Agenda Item
Cover Sheet

LIST OF SUPPORTING DOCUMENTS: ZC2210 case map, ZC2210 zoning, ZC2210 future landuse, ZC2210 aerial, zc2210 staff report - CC version, 21-9147 1724 North Colorado CAD_7gen Zoning Boundaries_11x17, zc2210 application and owner's letter



ZC-22-10

AO TO RHD & CMB

1724 N COLORADO ST (HWY 183)

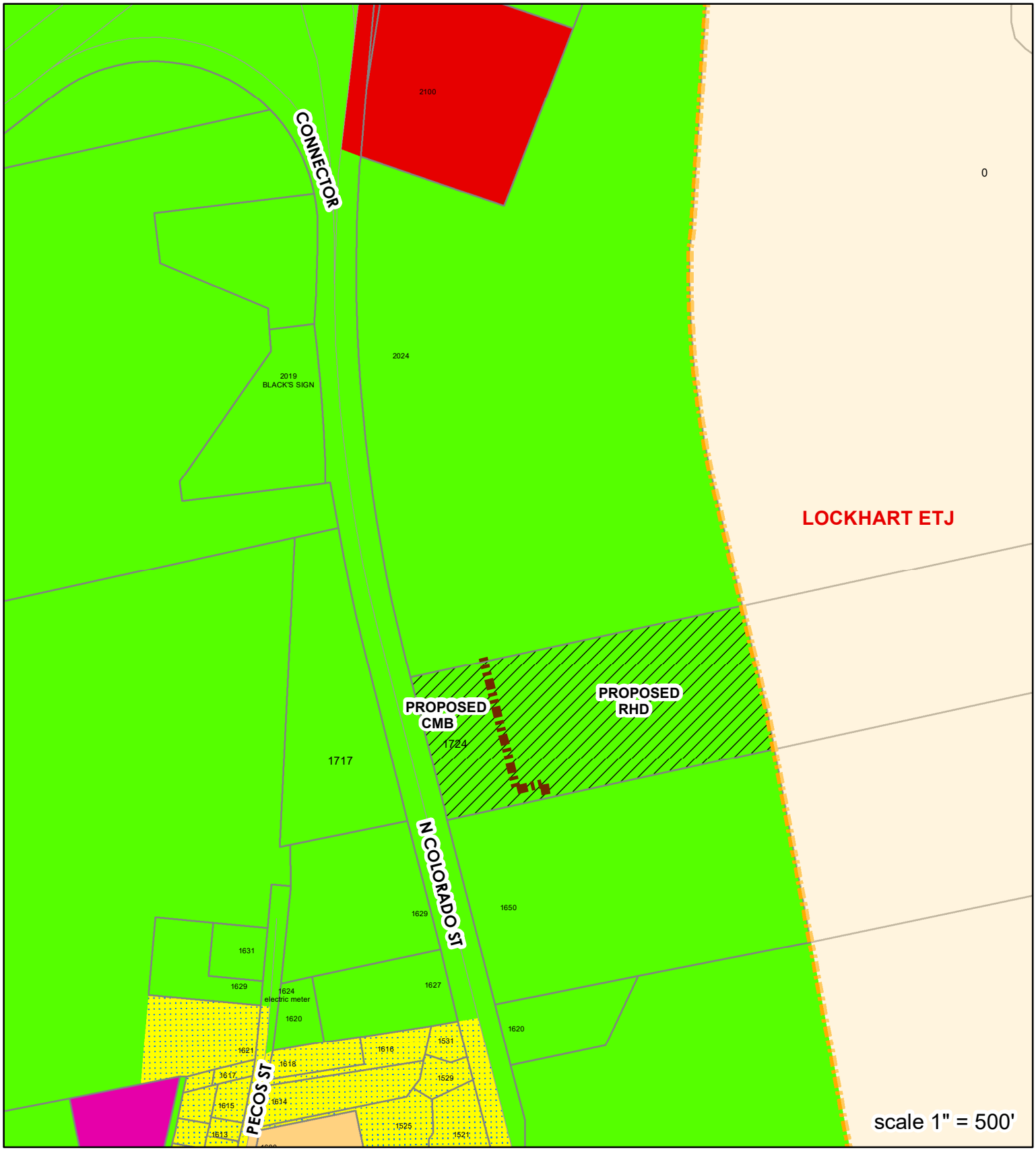
N

SUBJECT PROPERTY

ZONING BOUNDARY

CITY LIMITS

200 FT BUFFER



ZC-22-10

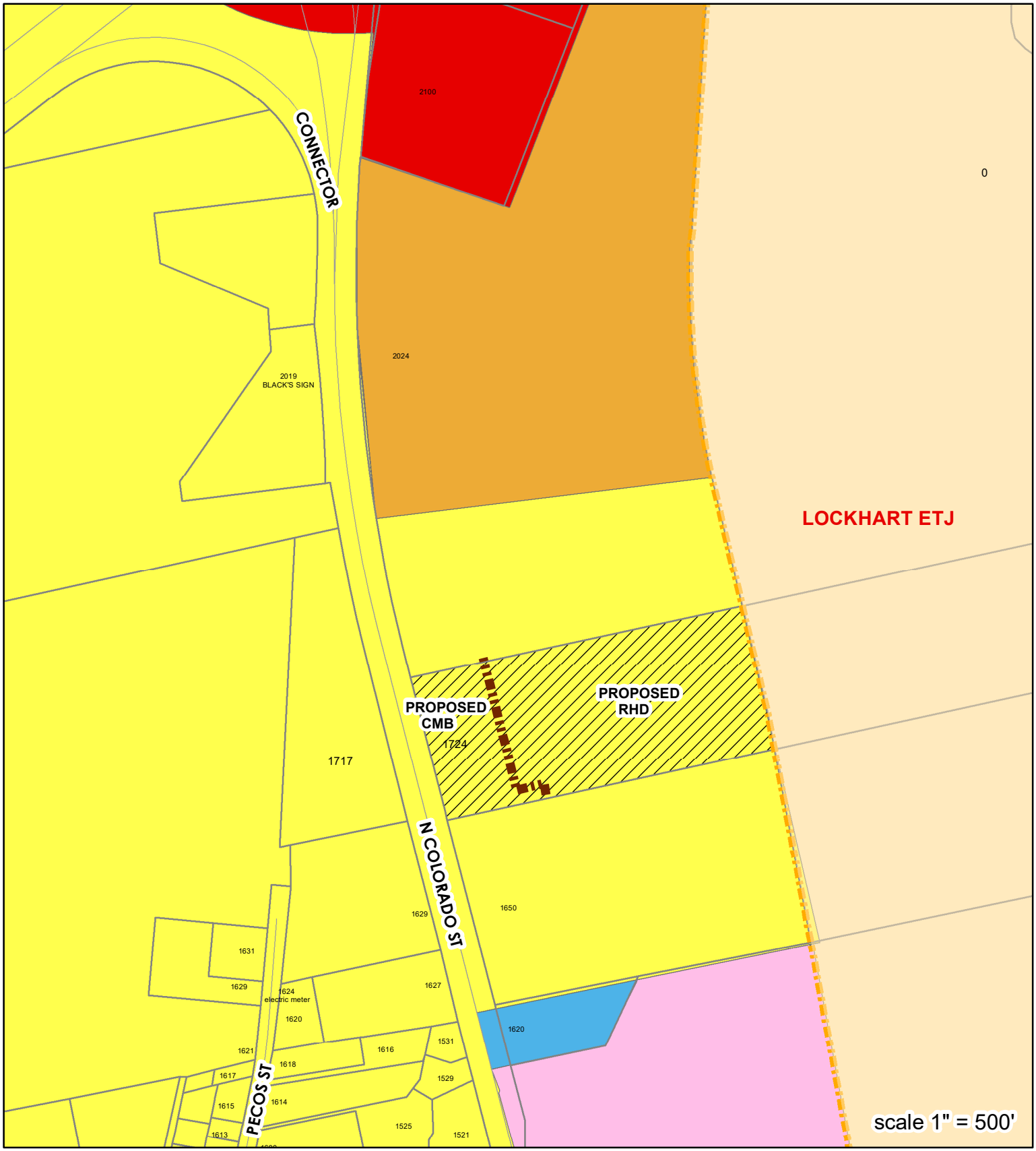
AO TO RHD & CMB

1724 N COLORADO ST (HWY 183)

N

ZONING DISTRICTS

- AGRICULTURAL-OPEN SPACE
- COMMERCIAL HEAVY BUSINESS
- PLANNED DEVELOPMENT
- RESIDENTIAL LOW DENSITY
- RESIDENTIAL MEDIUM DENSITY



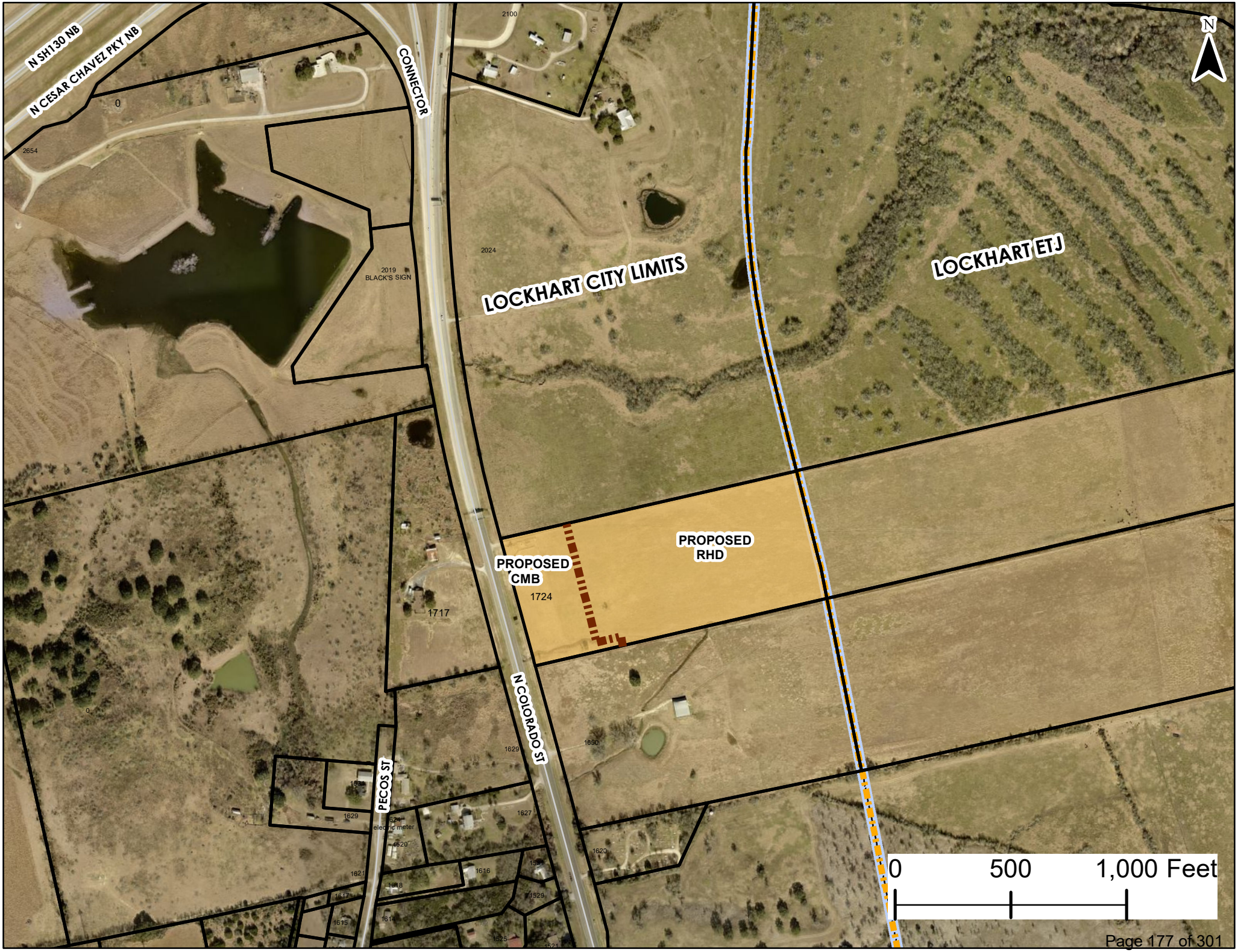
FUTURE LANDUSE

AO TO RHD & CMB

1724 N COLORADO ST (HWY 183)

N

- AGRICULTURE/RURAL DEVELOPMENT
- GENERAL-HEAVY COMMERCIAL
- LIGHT-MEDIUM COMMERCIAL
- PUBLIC AND INSTITUTIONAL
- RESIDENTIAL, LOW DENSITY
- RESIDENTIAL, MEDIUM DENSITY


N SH130 NB
N CESAR CHAVEZ PKY NB
CONNECTOR
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LOCKHART ETJ
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RHD
PROPOSED
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1525
1690
N
0
500
1,000 Feet

PLANNING DEPARTMENT REPORT ZONING CHANGE

CASE SUMMARY

STAFF: Dan Gibson, City Planner CASE NUMBER: ZC-22-10
REPORT DATE: March 18, 2022 [Updated 3-29-22]
PLANNING AND ZONING COMMISSION HEARING DATE: March 23, 2022
CITY COUNCIL HEARING DATE: April 5, 2022
REQUESTED CHANGE: AO to RHD and CMB
STAFF RECOMMENDATION: ***Table*** to June 7th.
PLANNING AND ZONING COMMISSION RECOMMENDATION: ***Tabled*** until the May 25th meeting.

BACKGROUND DATA

APPLICANT: Chris Bancroft
OWNER: Ernest Ewald, Jr.
SITE LOCATION: 1724 North Colorado Street (US 183)
LEGAL DESCRIPTION: Metes and Bounds
SIZE OF PROPERTY: 15.906 acres inside the city limits
EXISTING USE OF PROPERTY: Vacant land
LAND USE PLAN DESIGNATION: *Low Density Residential*

ANALYSIS OF ISSUES

REASON FOR REQUESTED ZONING CHANGE: The purpose of the zoning change is to allow future development of 3.644 acres of general commercial land uses along the Colorado Street frontage, and 12.262 acres of apartment housing behind the commercial area. Although the tract extends eastward to Plum Creek, the zoning change is only for the portion of the tract that is in the city limits, which is roughly 36 percent of the original tract. The Plum Creek floodplain slightly encroaches into the rear of the area proposed to be zoned RHD.

AREA CHARACTERISTICS:

	Existing Use	Zoning	Future Land Use Plan
North	Vacant land	AO	*Low Density Residential, Medium Density Residential*
East	Vacant land	Not zoned	*Agriculture/Rural Development*
South	Vacant land	AO	*Low Density Residential*
West	Single-family dwelling and accessory buildings, Vacant land	AO	*Low Density Residential*

TRANSITION OF ZONING DISTRICTS: The subject property currently does not abut any other residential or commercial zoning, although a concurrent zoning change request for the adjacent property to the south would result in the same RMD and CMB zoning pattern as proposed for the subject tract.

ADEQUACY OF INFRASTRUCTURE: Vehicular access will be from Colorado Street, and because of the high speed limit TxDOT will likely require that the developer widen the highway to provide a center left-turn land and right turn deceleration or transition lane for any street or driveway intersections into the development. There is a 12" water main along the east side of the highway that is adequate to serve the property. However, the closest wastewater main of sufficient size is located over one mile south near the railroad track and Town Branch Creek. The wastewater impact fee CIP does propose a system of wastewater mains extending from that point northward, along with a lift-station, where it would serve the North Colorado Street area, including the subject property. There currently is no time-line or source of funding identified other than impact fees. Impact fees can be used to pay for up to half of the cost, but the remainder would have to come from other sources.

POTENTIAL NEIGHBORHOOD IMPACT: The subject property is in a largely undeveloped area of the city where there are no immediate neighbors that would be impacted by development allowed by the proposed zoning district classifications. A regional impact will be additional traffic on North Colorado Street, but that is bound to occur where there is potential for additional development, and can be mitigated by a center turn lane and right-turn deceleration or transition lanes.

CONSISTENCY WITH COMPREHENSIVE PLAN: The proposed RHD and CMB zoning classifications are ***not*** consistent with the *Low Density Residential* future land use designation shown on the Land Use Plan map.

ALTERNATIVE CLASSIFICATIONS: The only zoning classification that would be consistent with the Land Use Plan map is the RLD Residential Low Density District.

RESPONSE TO NOTIFICATION: Citizens appearing at the Planning and Zoning Commission public hearing expressed concerns about flooding on the subject property, additional runoff from the property as a result of development, and traffic hazards due to the high speed limit on Colorado Street in that area.

STAFF RECOMMENDATION: The wastewater CIP is based on the land use types and intensities shown on the Land Use Plan map, which is low density residential for the subject property. A wastewater project is proposed that would serve the area but, as with the northwest quadrant of the city, a study may need to be done to determine whether or not the proposed wastewater infrastructure will be adequate for higher land use intensities. Such a study would confirm the size and cost of the new wastewater mains and associated lift station. The main issue is timing of development, and not necessarily the type of development proposed. Generally, a zoning change is considered premature if there is not adequate infrastructure available to support the development that the proposed zoning classification would allow. A recent request for a zoning change from RMD to RHD to allow high density apartments on a site between Silent Valley Road (FM 2001) and Cesar Chavez Parkway (SH 130) was in an area designated on the Land Use Plan map as future *Medium Density Residential*. A precedent was set when the zoning change was tabled for several months due to a similar need for a study to determine the size and cost of wastewater infrastructure necessary to serve the higher land use intensities proposed for the area. The Council should take the same action by tabling this application because the Planning and Zoning Commission tabled further consideration of this this application until their May 25th meeting so that the North Colorado Street area can be added to the scope of the study already being done for the Silent Valley Road area. Section 211.007 of the Texas Local Government Code prohibits the governing body (City Council) from holding a public hearing or taking action on a zoning may change until a final recommendation is received from the zoning commission (Planning and Zoning Commission). Therefore, staff recommends that this application be ***Tabled*** to the June 7th Council meeting, which is the first meeting after the Planning and Zoning Commission considers their final recommendation on May 25th.

Drawing: L:\02_LAND PLANNING\CLIENTS\Texas Multifamily Capital\2021254-LPN-00_Lockhart LaFamilia Tract\04_Land Planning\Zoning\Submittal\21-9147 1724 North Colorado CAD_7gen Zoning Boundaries.dwg
Last Modified: Mar. 02, 22 - 11:05
Plot Date/Time: Mar. 02, 22 - 11:27:53

LAND USE SCHEDULE

LOCKHART CITY LIMITS

PROPOSED USE	ACREAGE
CMB	3.644 Ac.
RHD	12.262 Ac.
SUBTOTAL	15.906 Ac.
ETJ	
CURRENT USE	ACREAGE
ETJ	27.813± Ac.
OVERALL TOTAL	43.719 Ac.

SCALE : 1'' = 400'

0 200 400 800

DATE : 03-02-2022

NORTH

All information furnished regarding this property is from sources deemed reliable. However, 7gen Planning has not made an independent investigation of these sources and no warranty or representation is made by 7gen Planning as to the accuracy thereof and same is submitted subject to errors, omissions, land plan changes, or other conditions. This land plan is conceptual in nature and does not represent any regulatory approval. Land plan is subject to change. The developer has reserved the right, without notice,to make changes to this map and other aspects of the development to comply with governmental requirements and to fulfill its marketing objective.

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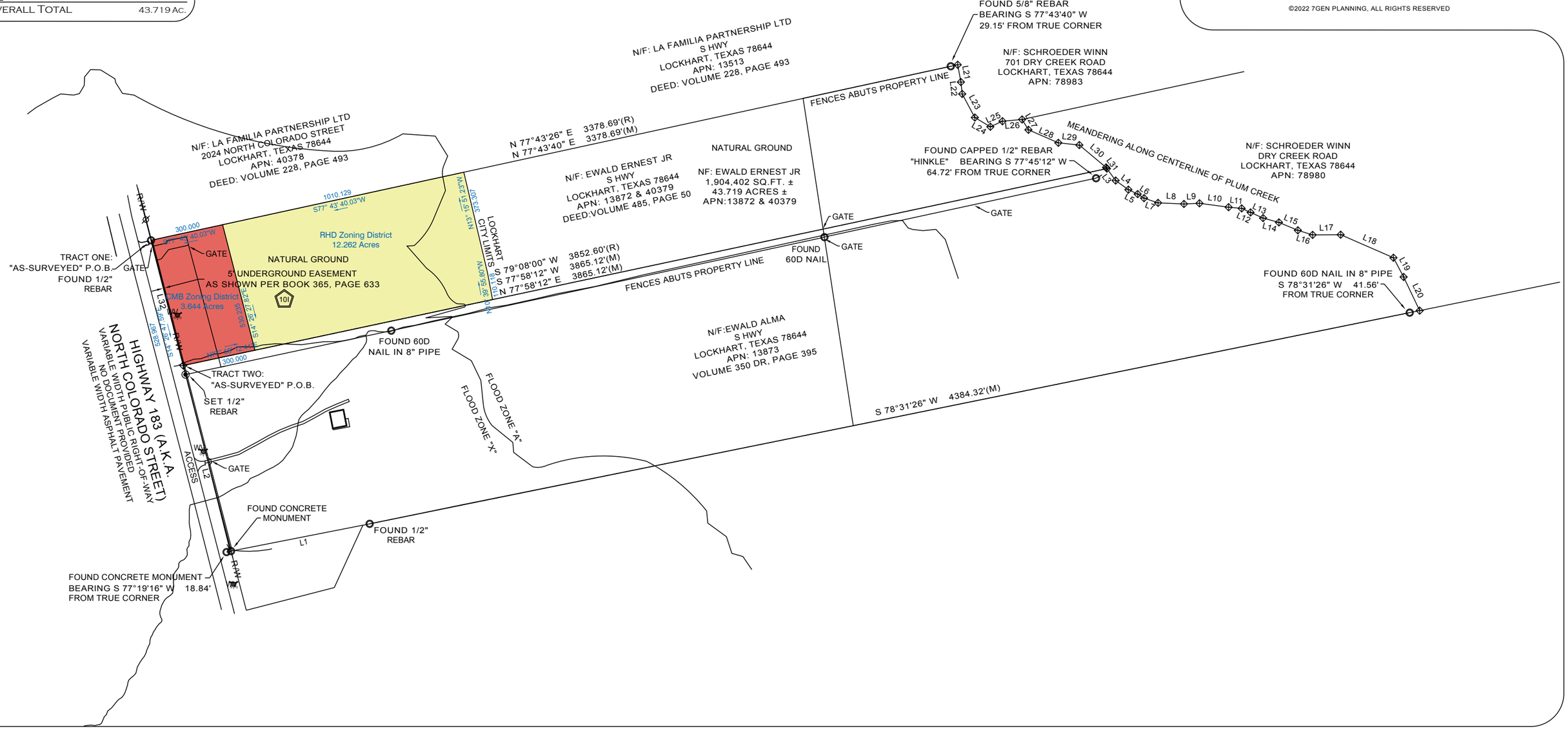


TEXAS MULT-FAMILY CAPITAL

REQUESTED REZONING BOUNDARY

1724 NORTH COLORADO STREET

LOCKHART, TEXAS 78644

7gen PLANNING
PLANNING & LANDSCAPE ARCHITECTURE
2107 CITYWEST BLVD. SUITE 400
HOUSTON, TEXAS 77042
713.343.0394
9050 N CAPITAL OF TX HWY., BLDG. 3, STE 390
AUSTIN, TEXAS 78759
512.646.3454

ZONING CHANGE APPLICATION

(512) 398-3461 • FAX (512) 398-3833
P.O. Box 239 • Lockhart, Texas 78644
308 West San Antonio Street

APPLICANT/OWNER

APPLICANT NAME Chris Bancroft
ADDRESS 1515 S. Capital of Texas Hwy
Suite 405
Austin, TX 78746
DAY-TIME TELEPHONE 512-705-0212
E-MAIL chris.b@texasmfc.com

OWNER NAME Ernest Ewald, Jr.
ADDRESS PO Box 1016
Lockhart, Tx 78644-1016
DAY-TIME TELEPHONE
E-MAIL

PROPERTY

ADDRESS OR GENERAL LOCATION 1724 N. Colorado St. Lockhart, Tx 78644
LEGAL DESCRIPTION (IF PLATTED) Metes and Bounds
SIZE 15.90 ACRE(S) LAND USE PLAN DESIGNATION Residential, Low Density
EXISTING USE OF LAND AND/OR BUILDING(S) Agricultural - Open Space
PROPOSED NEW USE, IF ANY Commercial, Residential

REQUESTED CHANGE

FROM CURRENT ZONING CLASSIFICATION AO
TO PROPOSED ZONING CLASSIFICATION RHD, CMB
REASON FOR REQUEST To allow for future development of general commercial and apartment housing

SUBMITTAL REQUIREMENTS

IF THE APPLICANT IS NOT THE OWNER, A LETTER SIGNED AND DATED BY THE OWNER CERTIFYING THEIR OWNERSHIP OF THE PROPERTY AND AUTHORIZING THE APPLICANT TO REPRESENT THE PERSON, ORGANIZATION, OR BUSINESS THAT OWNS THE PROPERTY.

NAME(S) AND ADDRESS(ES) OF PROPERTY LIEN-HOLDER(S), IF ANY.

IF NOT PLATTED, A METES AND BOUNDS LEGAL DESCRIPTION OF THE PROPERTY.

APPLICATION FEE OF $ $468 PAYABLE TO THE CITY OF LOCKHART AS FOLLOWS:

$170 + ($20 x 14.90) = $468

1/4 acre or less	$125
Between 1/4 and one acre	$150
One acre or greater	$170 plus $20.00 per each acre over one acre

TO THE BEST OF MY KNOWLEDGE, THIS APPLICATION AND ASSOCIATED DOCUMENTS ARE COMPLETE AND CORRECT, AND IT IS UNDERSTOOD THAT I OR ANOTHER REPRESENTATIVE SHOULD BE PRESENT AT ALL PUBLIC MEETINGS CONCERNING THIS APPLICATION.

SIGNATURE _____ DATE 3/2/22

OFFICE USE ONLY

ACCEPTED BY Dan Gibson RECEIPT NUMBER 1640273

DATE SUBMITTED 3-2-22 CASE NUMBER ZC - 22 - 10

DATE NOTICES MAILED 3-8-22 DATE NOTICE PUBLISHED 3-10-22

PLANNING AND ZONING COMMISSION MEETING DATE 3-23-22

PLANNING AND ZONING COMMISSION RECOMMENDATION Tabled to 5-25-22

CITY COUNCIL MEETING DATE 4-5-22

DECISION _____

dotloop signature verification: dtlp.us/SaFw-AmdJ-IeiO

February 2, 2022

Texas Multifamily Capital, LLC
5900 Balcones Drive, Suite 100
Austin, Texas 78731

Subject: Entitlement of the following property ("Property")
1724 N. Colorado Lockhart, TX 78644
Ernest Ewald

Dear Texas Multifamily Capital, LLC:

I, Ernest Ewald, Jr, owner of the above referenced Property, authorize you, and more specifically **Christopher Bancroft** and **Matthew Chase**, as well as any agents and consultants appointed by you, to act as my **Agent** to submit applications, drawings, zoning changes, and other applicable documents for the purpose of obtaining approval from the City of Lockhart for a zoning change and associated permits related to the proposed purchase of the Property by you, and subsequent development by you.

Sincerely,

Ernest Ewald Jr
dotloop verified
02/14/22 10:50 AM CST
OLQQ-RUHE-HEVN-F8UB

Printed Name: Ernest Ewald, Jr

City of Lockhart, Texas

Council Agenda Item
Cover Sheet

COUNCIL MEETING DATE: April 5, 2022

AGENDA ITEM CAPTION: Discussion regarding revisions to 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 and repairs.

ORIGINATING DEPARTMENT AND CONTACT: Public Works - Sean Kelley

ACTION REQUESTED: Direction

BACKGROUND/SUMMARY/DISCUSSION:
Staff recently presented Draft Ordinance 2022-01 to the City Council on January 4, 2022. The draft ordinance was created to clarify sidewalk replacement and maintenance responsibilities and propose a 50/50 cost sharing policy to repair deficient sidewalks. During the presentation on January 4th, Council requested clarification of the ordinance, instructed staff to include their recommendations and bring a revised version of the draft ordinance back to City Council for consideration.

During the January 4th meeting, the following are questions to be clarified :

Q: Can sidewalks that do not connect to another homeowner's sidewalk be included in the cost sharing policy?
A: Yes, if funds are available.

Q: Would homeowners be responsible for the sidewalk that fronts their entire property and does the ordinance language need to be clarified to address this?
A: The City Attorney believes the language included is sufficient.

Q: How do we manage sidewalk in front of homeowners that cannot afford repairs?
A: 50/50 cost share program.

Q: What if some homeowners on a city block participate to make repairs and others do not?
A: 50/50 cost share for eligible projects apply. Ineligible projects would be funded by the property owner.

Q: Do HOA agreements cover sidewalks?
A: Unable to determine at this time.

Q: Should it be "worst first" or "first come first serve" for cost sharing projects?
A: All requests meeting the general eligibility criteria would be considered as received.

Q: Why aren't businesses included in the proposed cost sharing program?
A: This practice is consistent with other surveied cities with adopted policies.

City of Lockhart, Texas

Council Agenda Item
Cover Sheet

City Council recommendations included making sure that the program is fair and including downtown businesses and schools as part of city-maintained public sidewalks.

Staff is prepared to submit a revised Ordinance to the Council after receiving additional comments of the initial assessment data.

PROJECT SCHEDULE (if applicable): N/A

AMOUNT & SOURCE OF FUNDING:
Funds Required: Unknown
Account Number: 100-5633-935
Funds Available: $20,000
Account Name: Sidewalks

FISCAL NOTE (if applicable): N/A

PREVIOUS COUNCIL ACTION: January 4, 2022- Proposed sidewalk amendment ordinance and cost sharing policy presentation

COMMITTEE/BOARD/COMMISSION ACTION: N/A

STAFF RECOMMENDATION/REQUESTED MOTION: None.

LIST OF SUPPORTING DOCUMENTS: History (Jan. 4 agenda cover sheet), Draft sidewalk Ordinance, Sidewalk Maintenance Policy and Cost Sharing Program presentation

City of Lockhart, Texas

Council Agenda Item Cover Sheet HISTORY

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 yar 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 uncodified, 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:

_____
Connie Constancio, TRMC, City Secretary

APPROVED AS TO FORM:

_____
Monte Akers, City Attorney

Sidewalk Maintenance Policy and Cost Sharing Program

Purpose

- The purpose of this policy is to provide guidelines and procedures for the rehabilitation of sidewalks and replacement of defective sidewalks in the public right-of-way
- Create policy that defines sidewalk maintenance priorities and a procedure for replacing deficient sidewalks

Defined Maintenance Responsibilities

- Maintenance responsibilities are to be defined in Section 50-3 of the City Code
- Property Owners are responsible for maintaining sidewalks abutting their property
- Sidewalk connections must be reestablished during driveway reconstruction or repairs made by property owners if existing sidewalks are present
- The Director of Public Works or designee may determine need for repairs of sidewalks and designate sidewalks as defective and a public nuisance

Sidewalk Cost Share Program Procedure

- The City may participate in the reconstruction or repair of a sidewalk with an eligible property owner on a 50/50 cost share basis, if funds are available
- Applications for participation will be received through the Public Works office
- Public Works will verify project eligibility
- If funds are exhausted in a fiscal year, eligible projects from that year may be considered for the program next year

Continued….

- Cost for the project will be determined by the Public Works Department
- The City would bud project to get the best price through competitive bidding.
- Property owner cost share must be received in full prior to City's participation in reconstructing or repairing sidewalk
- Sidewalk reconstruction and repairs may be preformed by City workers or by a contractor selected by the City
- The City shall make appropriate repairs if sidewalk repairs fail within one year of completion
- The City coordinates installation and inspects all work

Projects Eligible for the Cost Share Program

- Only existing sidewalks located at single family neighborhoods, condominiums, and town homes
- Sidewalks must contain 1 ½” or greater vertical trip hazards between panels, 1” or greater width separation between panels, and/or structural damage through the entire depth of the sidewalk panel

Vertical Separation Between Panels

1 ½” or greater vertical trip hazards between panels

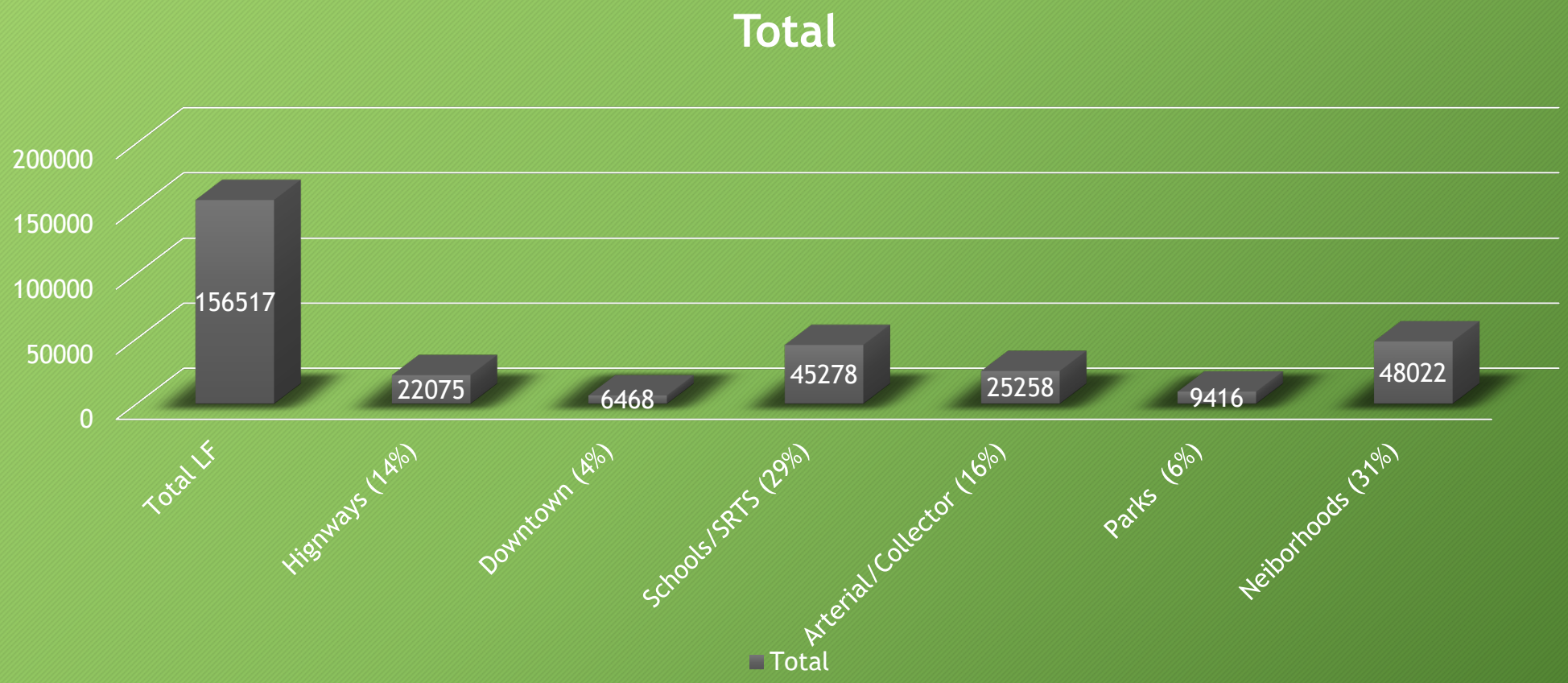
Sidewalk Panel Separation

1” or greater width separation

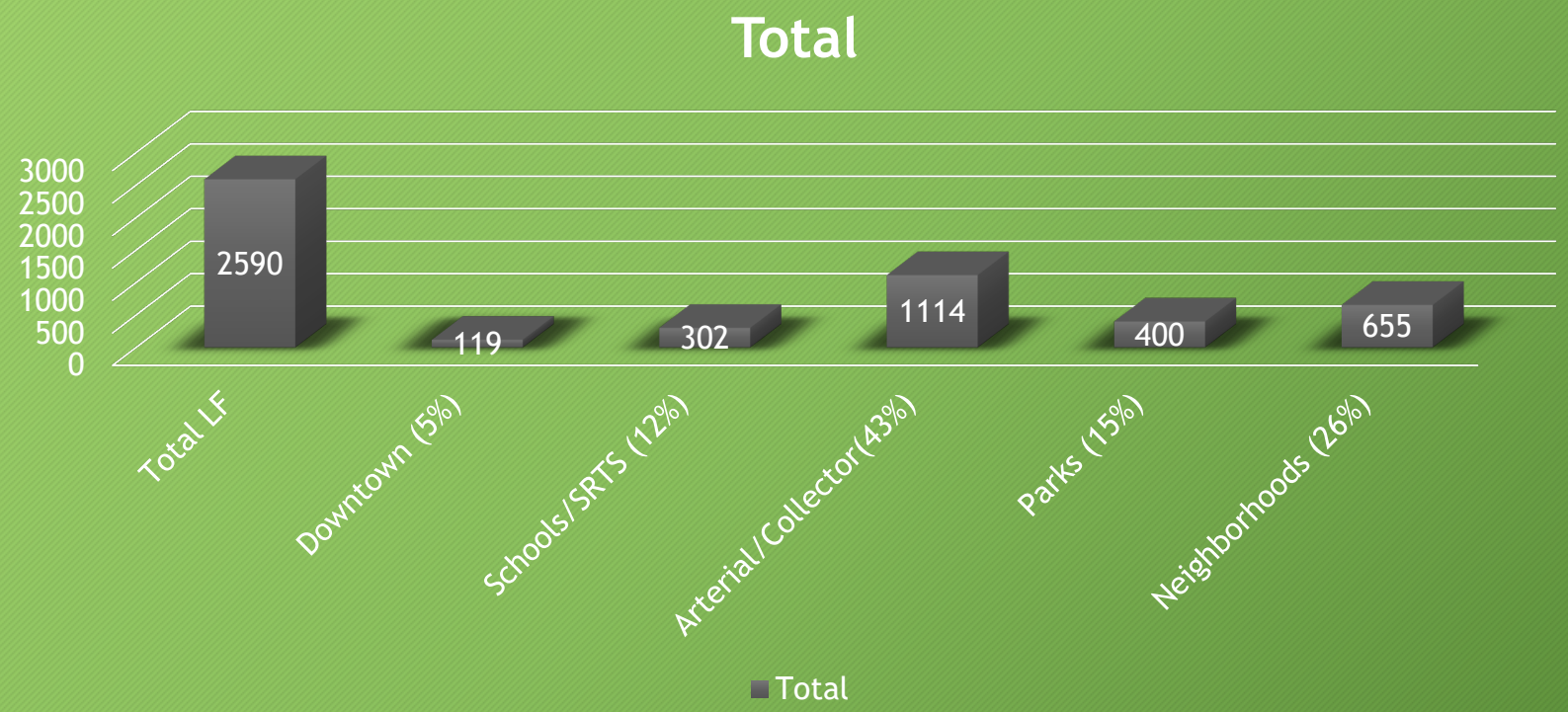
Ineligible Projects

- Sidewalks that do not connect to any other sidewalks
- Cosmetic damage that are neither structural failures or trip hazards
- Brick or granite sidewalks that are being requested to be replaced with brick or granite. Sidewalks will be replaced with concrete
- Sidewalk that is requested to be replaced due to driveway replacement or reconstruction. Curb, gutter and driveway replacement or reconstruction is not eligible under this program
- The property owner shall be responsible for all cost associated with sprinkler repair, driveway repair/reconstruction and retaining wall repair/reconstruction associated with a project

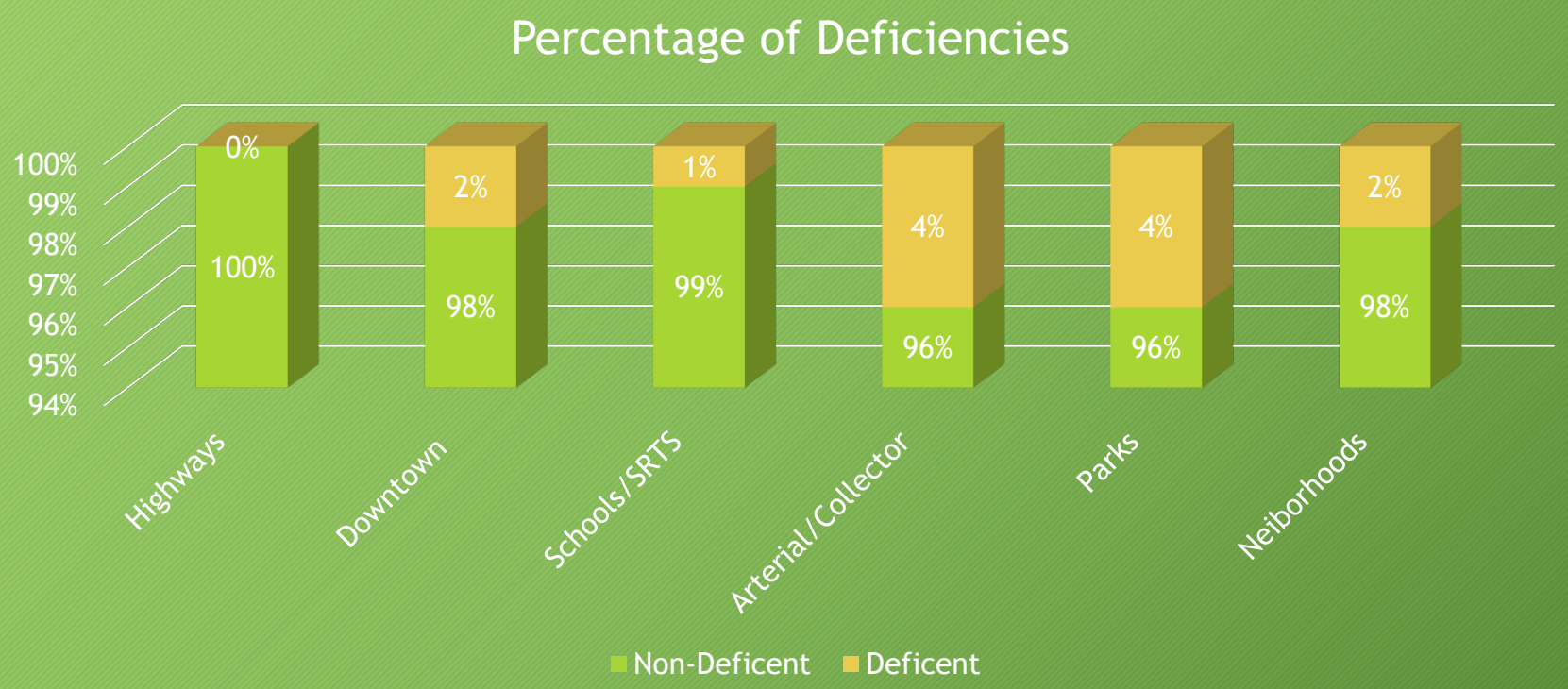
Total Linear Feet of Sidewalks by Category



Total Linear Feet of Sidewalks Deficiencies by Category



Deficient Vs. Non-Deficient by Category



Initial Sidewalk Deficiency Assessment

- There are over 28 miles of public sidewalks within the City
- Staff has identified 2,590 linear feet and 28 ADA ramps of deficiencies that meet the proposed sidewalk deficiency criteria. The estimated cost to repair these prioritized deficiencies is $353,000 excluding engineering, geo-tech, driveways, contingencies, ROW/easements, legal services and surveying.

Other Challenges to Consider

- Current construction cost and bidding environment
- Contractor availability
- Obstructions with tree and utilities
- Drainage impacts and design
- Connection to private walkways and driveways

Obstructions

Driveways

Possible Need for Land Dedication

Drainage Design

Other Engineering Solutions Required

City of Lockhart, Texas

Council Agenda Item
Cover Sheet

COUNCIL MEETING DATE: April 5, 2022

AGENDA ITEM CAPTION: Discussion and/or action to consider Ordinance 2022-14 adopting a code of ethics and anti-discrimination policy for city council members, city board/commission members, and employees.

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

ACTION REQUESTED: Ordinance

BACKGROUND/SUMMARY/DISCUSSION:
On March 15, the City Council discussed the ethics ordinance. The consensus of the Council was to table consideration of the Ordinance to the April 5 Council meeting.

Although state law addresses many ethical issues (e.g. Ch. 171 LGC for Conflicts of Interest, Ch. 573 GC for nepotism, etc.), cities often adopt a code of ethics that is more stringent than or which addresses issues not covered in detail by state law (e.g. social media, revolving door issues). A draft ethics policy has been prepared for the Council's consideration that is intended to do the latter. It differs from a draft that was previously distributed, particularly by addition of a section on social media and a section containing a graduating scale of penalties for violation.

Note that it applies to "officers" (mayor and council members), "officials" (board and commission members) and employees. Note also that it contains (highlighted) revolving door provisions (Sec. 3-325 d through g & Sec. 3-26) that restrict former officers, officials, and employees from working for persons or entities with whom the officer, official, or employee had dealings before leaving city service. The length of such restrictions should be carefully considered.

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: Discussion only.

City of Lockhart, Texas

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COMMITTEE/BOARD/COMMISSION ACTION: N/A

STAFF RECOMMENDATION/REQUESTED MOTION: Staff recommendation is adoption, but the nature of this matter justifies additional study and delay until a future council meeting.

LIST OF SUPPORTING DOCUMENTS: Proposed Ordinance

ORDINANCE NO. 2022-14

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LOCKHART, TEXAS, ADOPTING A CODE OF ETHICS AND ANTI-DISCRIMINATION POLICY; AMENDING CHAPTER 2 OF THE LOCKHART CODE OF ORDINANCES TO ADOPT A NEW ARTICLE VII FOR THAT PURPOSE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING FOR OPEN MEETINGS

WHEREAS, it is appropriate and necessary for good government and to promote personal integrity, honesty and ethical conduct in all activities undertaken by City Officials, that the City of Lockhart adopt a Code of Ethics and Anti-Discrimination Policy; and

WHEREAS, the adoption of the Code of Ethics and Anti-Discrimination Policy is in the best interest of the City of Lockhart and will promote personal integrity, honesty and ethical conduct in all activities undertaken by City Officers, Officials, and employees, as well as the health, safety, and welfare of the citizens of the City of Lockhart and the general public; and

WHEREAS, the City Council deems it advisable to adopt a Code of Ethics and Anti-Discrimination Policy to provide a code of ethics and standard of conduct for City Council members Officials, and employees;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LOCKHART, TEXAS, THAT: **Section 1**. **Adoption of Code of Ethics and Anti-Discrimination Policy**. The City Council hereby amends Chapter 2 of the City of Lockhart Code of Ordinances to add a new Article VIII to adopt a Code of Ethics and Anti-Discrimination Policy, as follows:

ARTICLE VII. CODE OF ETHICS AND ANTI-DISCRIMINATION POLICY

Sec. 2-320 – Statement of Purpose.

It is essential in a democratic system that the public have confidence in the integrity, independence, and impartiality of those who act on their behalf in government. Such confidence depends not only on the conduct of those who exercise official power, but also on the availability of aid or redress to all persons on equal terms. For the purpose of promoting confidence in the government of the City of Lockhart and thereby enhancing the city's ability to function effectively, this code of ethics and anti-discrimination policy is adopted. By prohibiting conduct incompatible with the city's best interests and minimizing the risk of any appearance of impropriety, this code of ethics and anti-discrimination furthers the legitimate interests of democracy.

Sec. 2-321. - Definitions.

The following words, terms and phrases when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Board means a board, commission or committee which is established by city ordinance, city Charter, interlocal contract or state law and any part of whose membership is appointed by the city council.

Business entity or *entity* mean a sole proprietorship, partnership, firm, corporation, holding company, joint-stock company, receivership, trust, or any other entity recognized in law.

Confidential Information means any information that a City Council member is entitled to because of his official position but otherwise is not available to the public generally without an open records request pursuant to the provisions of the Texas Public Information Act (the "Act"), Government Code Chapter 552 and/or is not available to the public under the Act.

Discrimination means treating, or proposing to treat, someone unfavorably because of that person's "protected personal characteristics," as that term is defined herein. Discrimination can occur:

- Directly, when a person or group is treated less favorably than another person or group in a similar situation because of a personal characteristic.
- Indirectly, when an unreasonable requirement, condition or practice is imposed that has, or is likely to have, the effect of disadvantaging people with a personal characteristic.

Employee means a person employed or paid a salary by the city on a full-time basis excluding officers and officials.

Incidental interest means an interest in a person, entity or property which is not a substantial interest, and which has insignificant value, or which would be affected only in a de minimis fashion by a decision. This division does not establish dollar limits on the terms "insignificant value" and "de minimis," which shall have their usual meanings and be subject to interpretation on a case-by-case basis.

Interest or *benefit* means anything reasonably regarded as economic gain or economic advantage, other than incidental or remote interests. The term applies to the official and also to any person who is related to such official within the second degree by consanguinity or affinity.

Officer means the mayor and members of the city council.

Official means officers and members of any board, commission, or committee which is established by city ordinances, city charter, interlocal contract, or state law, and any part of whose membership is appointed by the city council.

Official Capacity means a person acts in his or her "official capacity" in performing the duties and exercising the powers of the office or the person's employment, as this term is defined under other applicable law

.

Protected personal characteristics means race; gender; age; sexual orientation; disability; religion; country of origin; ethnic background; intersex status or gender identity, including gay, lesbian, bisexual, transsexual, transgender, questionable, and heterosexual; political affiliation and/or any personal characteristic protected by the law.

Remote interest means an interest of a person or entity, including an officer, official, or employee who would be affected in the same way as the general public. The interest of such a person a in the property tax rate, general town fees, city utility charges or a comprehensive zoning ordinance, or similar decisions is incidental to the extent that person would be affected in common with the general public.

Sexual harassment means behavior characterized by the making of unwelcome and in appropriate sexual remarks or physical advances in a workplace or other professional situation.

Sec. 3-322. - Policy.

(a) It is hereby declared to be the policy of the city that the proper operation of democratic government requires that:

(1) Officers, Officials, and employees be impartial and responsible to the people of the city;

(2) Governmental decisions and policy be made using the proper procedures of the governmental structure;

(3) No officer, official, or employee has any interest, direct or indirect, or engage in any business transaction or professional activity or incur any obligation of any nature which is in conflict with the proper discharge of his or her duties in the public interest;

(4) Public offices not be used for personal gain;

(5) The city council at all times be maintained as a nonpartisan body;

(6) Officers, officials, and employees fully comply with state statutes, as amended, concerning conflicts of interest;

(7) Officers, officials, and employees be committed to providing a safe, flexible and respectful environment for fellow officers, officials, and employees, and Lockhart citizens, free from all forms of discrimination and sexual harassment.

(8) The city council, city boards and commissions, and city departments, at all times, be required to treat others with dignity, courtesy, and respect.

(b) To implement this policy, the city council has determined that it is advisable to enact this code of ethics and anti-discrimination policy for all officers, officials, and employees, whether elected or appointed, paid or unpaid, advisory, or administrative, to serve not only as a guide for official conduct of the city's public servants, but also as a basis for discipline for those who refuse

to abide by its terms.

(c) It is the express intent of the city council that this Code of Ethics and Anti-Discrimination Policy not be interpreted to discourage officers, officials, or employees from expressing their personal opinions or viewpoints in regard to any matter related to city policy or business during business hours or in any formal or informal meeting of the city.

Sec. 3-323. - Standards of conduct.

(a) No officer, official, or employee shall:

(1) Accept or solicit any money, property, service, or other thing of value by way of gift, favor, loan or otherwise which he knows or should know is being offered or given with the intent to unlawfully influence such person in the discharge of official duties, or in return for having exercised or performed official duties.

(2) Use his or her position to secure special privileges or exemptions for himself, herself, or others.

(3) Grant any special consideration, treatment or advantage to a person or organization beyond that which is available to every other person or organization. (This shall not prohibit the granting of fringe benefits to city employees as part of their contract of employment or as an added incentive to the securing or retaining of employees).

(4) Disclose information deemed confidential by law that could adversely affect the property or affairs of the city, or directly or indirectly use any information understood to be confidential which was gained by reason of his official position or employment for his or her own personal gain or benefit or for the private interest of others.

(5) Transact any business on behalf of the city in his or her official capacity with any entity with which he or she is an officer, agent, or member or in which he or she has an interest. In the event that such a circumstance should arise, no violation of this subsection occurs if he or she shall make known his or her interest, and:

A. In the case of an officer or official, refrain from discussing the matter at any time with members of the body of which he is a member or any other body which will consider the matter and abstain from voting on the matter; or

B. In the case of an employee, turn the matter over to his superior for reassignment, state the reasons for doing so and have nothing further to do with the matter involved.

(6) Accept other employment or engage in outside activities incompatible with the full and proper discharge of his or her duties and responsibilities with the city, or which might impair his or her independent judgment in the performance of his or her public duty.

(7) Personally provide services for compensation, directly or indirectly, to a person, entity or organization who is requesting an approval, investigation, or determination from the body or department of which the officer or employee is a member. This restriction does

not apply to outside employment of an officer, official, or employee if the employment is the person's 's primary source of income.

(8) Receive any fee or compensation for his or her service as an officer, official, or employee of the city from any source other than the city, except as may be otherwise provided by law. This shall not prohibit his or her performing the same or other services for a public or private organization that he or she performs for the city if there is no conflict with his or her city duties and responsibilities.

(9) Personally represent, or appear on behalf of, the private interests of others:

A. Before the city council or any city board or department;

B. In any proceeding involving the city; or

C. In any litigation to which the city is a party.

(10) In the case of an official, personally represent, or appear on behalf of, the private interests of others:

A. Before the board of which he or she is a member;

B. Before the city council;

C. Before a board which has appellate jurisdiction over the board of which he or she is a member; or

D. In litigation to which the city is a party if the interests of the person being represented are adverse to the city and the subject of the litigation involves the board on which the official is serving or the department providing support services to that board.

(b) Use his or her official position or city-owned facilities, personnel, equipment, supplies, vehicles, printing facilities, postage facilities, long-distance telephone services or any other resources for private purposes, personal advantage, pecuniary gain for such person or for others, or for any political campaign for himself, herself, or others. However, this shall not prohibit an officer, official, or employee from using his or her official position to promote or encourage economic development and businesses within the city, provided:

(1). the officer, official, or employee, and any person related to that person within the second degree by consanguinity or affinity, does not receive a benefit from such promotion or encouragement, and

(2). the promotion or encouragement of economic development and businesses is not for the purpose of promoting, and does not promote other than incidentally, the officer, official, employee, or any person related to that person within the second degree by consanguinity or affinity

(c) Use the prestige of his or her position with the city on behalf of any political party.

(d) Knowingly or willfully solicit or assist in soliciting any assessment, subscription or contribution for any political party or political purpose to be used in conjunction with any city election

(e) Knowingly perform or refuse to perform any act in order to deliberately thwart the execution of valid city ordinances, rules or regulations or the achievement of official city programs.

(f) Engage in any dishonest or criminal act or any other conduct prejudicial to the government of the city or that reflects discredit upon the government of the city.

(g) Engage in sexual harassment, or discrimination based on race, gender, age, sexual orientation, disability, religion, country of origin, or political affiliation or any act deemed unlawful.

(h) Use his or her position to obtain confidential information about any person or entity except in his or her official capacity.

(i) Disclose any confidential information gained through the officer's, official's or employee's office or position concerning property, operations, policies, personnel, or affairs of the city;

(j) Use such confidential information to advance any economic interest or personal interest of the officer, official, or employee or to confer any benefit to that person, or a family member related within the second degree of affinity or consanguinity.

(k) If an officer, official, or employee requests to review, inspect or copy any confidential information not previously made available to that person in his or her position with the city, that request shall be made to the City Manager. If the City Manager determines that the request is not relevant to the requesting person's official capacity, the request shall be denied, but a, requesting officer or official may appeal that determination to the City Council, who, by a public majority vote of the City Council present, excluding an officer requesting the information, may authorize or deny disclosure of the confidential information.

Sec. 3-324. - Prohibition on conflict of interest.

An officer or official may not participate in a vote or decision on a matter affecting a person, entity, or property in which the officer or official has a substantial interest under Ch. 171, Local Gov't Code. In addition, an officer or official who serves as a corporate officer or member of the board of directors of a nonprofit entity which is not appointed by the city council may not participate in a vote or decision regarding funding by or through the city for the entity. Where the interest of an officer or official in the subject matter of a vote or decision is remote or incidental, such officer or official may participate in the vote or decision and need not disclose the interest.

Sec. 3-325. - Restrictions on former city officers and employees.

(a) When used in this section, the terms "before the city" shall mean before any officer or official of the city.

(b) When used in this section, the term "represent" shall include all communications with and appearances before the city in which the city is asked to make a decision, as that term is defined in this chapter. The term "represent" does not include communications and appearances involving only

ministerial action on the part of the city.

(c) When used in this section, the term "case, project or matter" shall refer to specific cases, projects, or regulatory matters, rather than generic policies, procedures, or legislation of general application. For instance, adoption of an ordinance or amendment to the Code of Ordinances that applies to the public generally, is not a "case, project or matter" within the meaning of this section; however, an ordinance, resolution, permit or license, zoning change, variance, inspection related to a person, entity, or specific zoning case or site plan, or similar type of action requiring city approval, will constitute a "case, project or matter" subject to the restrictions imposed in this section.

(d) An officer, official, or employee who leaves service or employment with the city shall not represent, formerly or informally, any person or entity in any case, project, or matter in which the former officer, official, or employee was involved in any significant decision-making role, application processing, vote, or inspection while with the city.

(e) An officer, official, or employee who leaves service or employment with the city and who accepts employment by, contracts with, or receives other compensation from a person or entity that is involved in any case, project, or matter in which the former officer, official, or employee was involved in any significant decision-making role, application processing, vote, or inspection while with the city, shall disclose such involvement to the person or entity prior to being employed by, contracting with, or agreeing to receive compensation from the person or entity.

(f) Violation of subsection (d) or (e), above, may be grounds for denial or dismissal of any case, project, or matter that is filed by, imposed upon, or requested by the person or entity for whom the former officer, official, or employee is employed, contracts with, or represents.

Sec. 3-327. – Social Media

(a) Officers shall include a disclaimer on their social media pages stating the account is for the officer's personal use and is not sponsored or otherwise managed by the city, nor does it reflect the views or beliefs of the city or city council as an institution.

(b) Officers and Officials should not utilize the City of Lockhart logos on their social media.

(c) Officers are prohibited from posting content on their social media that disparages any person on the basis of protected personal characteristics.

Sec. 3-328 – Violations

(a) Violations of this policy by employees will be subject to review and appropriate action by the city manager, which may include dismissal from employment.

(b) Violations or alleged violations of this policy by officers or officials shall be subject to review and appropriate action by the city council. Upon determination that a violation has occurred, the city

council may, by majority vote, impose any of the following actions, which are provided in a graduating scale of severity, as follows:

1. Verbal reprimand in executive session held pursuant to Sec. 551.074, Tex. Gov't Code.
2. Verbal reprimand in a public meeting.
3. Written reprimand.
4. Adoption of a resolution of censure.
5. Adoption of a resolution of censure and its publication on the city website.
6. Adoption of a resolution of censure and its publication in print media.
7. Removal of the officer or official from council-appointed committees, commissions, or boards.
8. Removal of the official from the board or commission on which he or she serves.
9. Request for the officer or official's resignation.

(c) Any individual who believes that an officer, official, or employee has acted in violation of this policy may promptly file a written complaint with the city manager, who shall, in consultation with the city attorney, determine the appropriate action or may submit the complaint to the city council for such determination.

Section 2. **Effective Date**. This ordinance shall take effect immediately from and after its passage.

Section 3. Open Meetings. It is hereby officially found and determined that this meeting was open to the public, and public notice of the time, place, and purpose of said meeting was given, all as required by the Open Meetings Act, Chapter 551, Texas Government Code.

PASSED AND ADOPTED on this the ___ day of _____, 2022.

CITY OF LOCKHART

_____
Lew White, Mayor

ATTEST:

_____
Connie Constancio, TRMC, City Secretary

APPROVED AS TO FORM:

_____
Monte Akers, City Attorney

City of Lockhart, Texas

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COUNCIL MEETING DATE: April 5, 2022

AGENDA ITEM CAPTION: Consider the nomination of Daniel Koehler to the Airport Advisory Board by Councilmember Derrick David Bryant for a term to expire in November 2022.

ORIGINATING DEPARTMENT AND CONTACT: Administration - Connie Constancio

ACTION REQUESTED: Other

BACKGROUND/SUMMARY/DISCUSSION: This item is returned to the Council to consider accepting Councilman Bryant's nomination to the Airport Advisory Board.

Mr. Koehler submitted his application to be considered to serve on the Airport Advisory Board on December 17, 2021. He has all of the qualifications to serve on a Board, is a licensed student pilot, has an active medical certificate, flies planes, and does not have a financial interest in the Lockhart Municipal Airport. He also meets all of the qualifications to serve on the Airport Advisory Board.

The following is a synopsis of the tasks and qualifications of a member of the Airport Advisory Board:

Airport Advisory Board meets only when there are items pending the Board's review. At least five of the seven members must currently be or have been flight rated. 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 Board. The 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. Up to two members who are not city residents but are residents of Caldwell County may serve on the Board. Members serve a three-year term. The Public Works Director is the staff liaison.

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

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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 qualification notes and Board application.

BOARD QUALIFICATION CHECKLIST:

DATE: 3-7-2022

APPLICANT'S NAME: Daniel Koehler

BOARD NAME: Airport Adv. Bd.

The qualifications for members of boards and commissions, except special qualifications for service on a particular board or commission, are as follows:

- Appointees must each be a resident of the State of Texas and a resident of the City of Lockhart for at least twelve (12) consecutive months preceding their appointment unless a particular board's or commission's composition or state law allows for membership by a non-resident of the City.
  Date of residency in Lockhart: NOV 2018

- Appointees shall be qualified voters in the City of Lockhart or, if not a resident of the City, of Caldwell County.
  Date qualified voter in Lockhart: March 2019

- Appointees shall not have been removed from another city board or commission because of failure to attend meetings or for cause within the last three years.
  Removed from another board? YES or (NO)
  If yes, date_____ and board_____

- No member of any appointed body shall serve on more than one quasi-judicial or advisory board or commission.
  Serves on another board? YES or (NO)
  If yes, board currently serving:_____

BOARD SPECIFIC QUALIFICATIONS:
Airport Board

(Y)	or	N	Flight rated? as a student pilot
(Y)	or	N	City Resident?
Y	or	N	If no, Caldwell County resident?
Y	or	(N)	Has 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?

NOTES: Five members must be flight rated.
Current # members flight rated? 4
Two county residents allowed to serve on the Board.
Current # members county residents? 2

CITY SECRETARY'S DETERMINATION OF APPLICANT'S QUALIFICATION:

Is Applicant Qualified? (YES) NO DISCRETION OF THE COUNCIL

NOTES: Applicant is a licensed student pilot. Has active medical certificate, is an active pilot and is solo endorsed.

Airport Advisory Board meets only when there are items pending the Board's review. At least five of the seven members must currently be or have been flight rated. 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 Board. The 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. Up to two members who are not city residents but are residents of Caldwell County may serve on the Board. Members serve a three-year term. The Public Works Director is the staff liaison.

DOB: [redacted]
Reg Voter - Yes
Reg = Since 2019

CITY OF LOCKHART

ADVISORY BOARD/COMMISSION QUESTIONNAIRE/APPLICATION

NAME: Daniel Koehler E-mail: [redacted]

ADDRESS: 213 Sunshadow Dr. HOME#:

Lockhart TX, 78644 WORK#: 512-361-7028

OCCUPATION: Executive / Entrepreneur / Technology Engineer CELL# 916-792-7296

EDUCATION (optional): Business & Technology

How long have you been a resident of Lockhart? More than 3 years now

Are you a qualified voter of the City? Yes [X] No [ ] VOTER REG. #: Unknown

PROFESSIONAL AND/OR COMMUNITY ACTIVITIES: Operate multiple businesses in the community.

Have participated in community events, and volunteered with local charities.

ADDITIONAL PERTINENT INFORMATION/REFERENCES: I am a student pilot and formerly had a plane

I owned out at 50R. Unfortunately the hail storm May 2020 totaled her. I am business and financial minded and am an aviation enthusiast. I am a young professional wanting to see the community and airport grow to its potential.

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)

x	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:
no

Do you have any relative working for the City of Lockhart? Yes [ ] No [x]

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

Do you receive any direct compensation or gain from any other governmental body?
Yes [ ] No [x] If yes, what type?

(Signature of Applicant) 12-16-2021 (Date)

Return application to:
City of Lockhart
City Secretary's Office
PO Box 239
Lockhart, TX 78644
cconstancio@lockhart-tx.org

RECEIVED
DEC 17 2021
CITY OF LOCKHART
CITY SECRETARY'S OFFICE

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

City of Lockhart, Texas

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COUNCIL MEETING DATE: April 5, 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.

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

On February 25, 2022, the CDC updated its framework on monitoring the level of COVID-19 in communities. The new framework moves beyond just looking at cases and testing positivity to evaluation factors that also include hospitalizations and hospital capacity. These factors combined are used to determine whether COVID-19 and severe disease are low, medium or high in a community. The CDC also updated its recommendations for wearing face coverings and respirators. Recommendations are now connected to the community's current level of COVID-19 and severe disease.

This item is returned to the 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.

On **February 25, 2022**, the CDC updated its framework on monitoring the level of COVID-19 in communities. The new framework moves beyond just looking at cases and testing positivity to evaluation factors that also include hospitalizations and hospital capacity. These factors combined are used to determine whether COVID-19 and severe disease are low, medium or high in a community. The CDC also updated its recommendations for wearing face coverings and respirators. Recommendations are now connected to the community's current level of COVID-19 and severe disease.

GOVERNOR GREG ABBOTT

August 25, 2021

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
2 PM O'CLOCK
AUG 25 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-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

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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

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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.

GREG ABBOTT
Governor

ATTESTED BY:

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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3:15 PM O'CLOCK

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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3:15PM O'CLOCK
JUL 29 2021

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.

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

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

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

JUL 29 2021

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.

GREG ABBOTT
Governor

ATTESTED BY:

JOE A. ESPARZA
Deputy Secretary of State

FILED IN THE OFFICE OF THE SECRETARY OF STATE
3:15PM O'CLOCK
JUL 29 2021

GOVERNOR GREG ABBOTT

August 29, 2021

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
3:30PM 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.

Greg Abbott

GREG ABBOTT
Governor

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

AUG 29 2021

ATTESTED BY:

JOE ESPARZA
Deputy Secretary of State

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
5:30 pm O'CLOCK

AUG 29 2021

GOVERNOR GREG ABBOTT

October 11, 2021

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
4:30pm O'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,

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;

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

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
4:30pm O'CLOCK
OCT 11 2021

Lockhart
TEXAS

City of Lockhart

2020-2021 Strategic Priorities

Prepared by:

Opportunity Strategies LLC

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	*N/A Brand new/created in 2020*	

Strategies	2019-2020 Progress	2020-2021 Progress
13. Adopt a TIF (tax increment financing) policy prior to project being submitted	*N/A Brand new/created in 2020*	
14. Develop fiber down 142, 183, and the Central Business District	*N/A Brand new/created in 2020*	

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	*N/A Brand new/created in 2020*	
8. Sell church property	*N/A Brand new/created in 2020*	
9. Create a Youth Advisory Board to explore options around youth programs/activities	*N/A Brand new/created in 2020*	
10. Implement downtown drainage improvements	*N/A Brand new/created in 2020*	

Strategies	2019-2020 Progress	2020-2021 Progress
11. Consider submitting a multi-year street bond program to voters	*N/A Brand new/created in 2020*	
12. Promote beautification projects through teamwork	*N/A Brand new/created in 2020*	
13. Clean up trash/enforcement citywide	*N/A Brand new/created in 2020*	
14. Enhance lower income districts with beautification efforts	*N/A Brand new/created in 2020*	

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 1st 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 1st 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)	**Fir**e: Fire Department is preparing an emergency management tabletop exercise for City staff. **Police:** Upgraded Police Officer body-worn cameras to 3rd 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 3rd quarter of 2020.	

Strategies	2019-2020 Progress	2020-2021 Progress
g. Traffic safety improvements: turn lanes and traffic lights	*N/A Brand new/created in 2020*	
h. Begin TXDOT safety projects	*N/A Brand new/created in 2020*	
i. Promote a Neighborhood Watch Program	*N/A Brand new/created in 2020*	

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:

Opportunity Strategies LLC

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
GONZALES-SANCHEZ	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.
MCGREGOR	4	Public relations position work with social media/ get the word out about Lockhart
MENDOZA	4	City Facilities: Maintenance and repairs

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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
GONZALES-SANCHEZ	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.
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 Facilites	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 recommmended 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 unsighlty 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 accommate 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: 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. 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 sqaure.	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 LISD 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 Improvemens: 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 Neighborhool 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 alot of training that is free but alot additonal money for registration fees and course material. I am grateful that the Police Department did invest in our Drug Dog and is being utilizied 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
		Devlop 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	Tourisn
		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 FINAL LIST BY COUNCIL PRIORITIZED BY CATEGORY: SUBMIT TO CITY MGR BY MARCH 1 PLEASE	SUGGESTED FUNDING SOURCE BY COUNCILMEMBER	SORTED BY CATEGORY
		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

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)	In-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

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	Devlop an oral history project to support a future "Walking Tour" app for Lo	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		CITY BLDGS
BW	3	Spruce up and clean up City properies		CITY BLDGS
BH	4	Improve City Facilities Appearance	General Fund	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)		ECCONOMIC 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	Infastructure	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 apprroved: $ 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 $70,000
4	Hilburn	Continue working on bringing industry to Lockhart: Continue supporting Ms. Mauldin	LEDC is will have sufficient funding to be more aggressive starting FY 16-17
4	Mendoza	Training Start up: Neighborhood Watch Training and Program: Police Budget	Have tried Neighborhood Watch Program in past but was not sustained because of lack of participation. Willing to try again.
4	Michelson	Improve signage on HWY 183 as well as SH130 = directing people to Lockhart	Possibly use of some of the KTB grant money
4	Westmoreland	Evaluate and/or change the degree of the angled parking along the 4 blocks off of the square. This would be: Main Street from Market to Prairie Lea Street; Main Street from San Antonio Street to Walnut Street; Commerce Street from Market Street to Prairie Lea Street, and Commerce Street from San Antonio Street to Walnut Street. These parking spaces were made before long vehicles were made! If ther are cars parked on both sides of the streets, only one care can pass through at a time. Then it becomes a one lane street. I have witnessed a differenct angled parking arrangement, and it provides more room and is much safer for the drivers and pedestrians.	Estimate to black out existing thermoplastic markings, redefine layout, and apply new thermoplastic markings with angle parking =$ 12,000; will probably loose 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 subdivisons, 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 emlpoyees 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

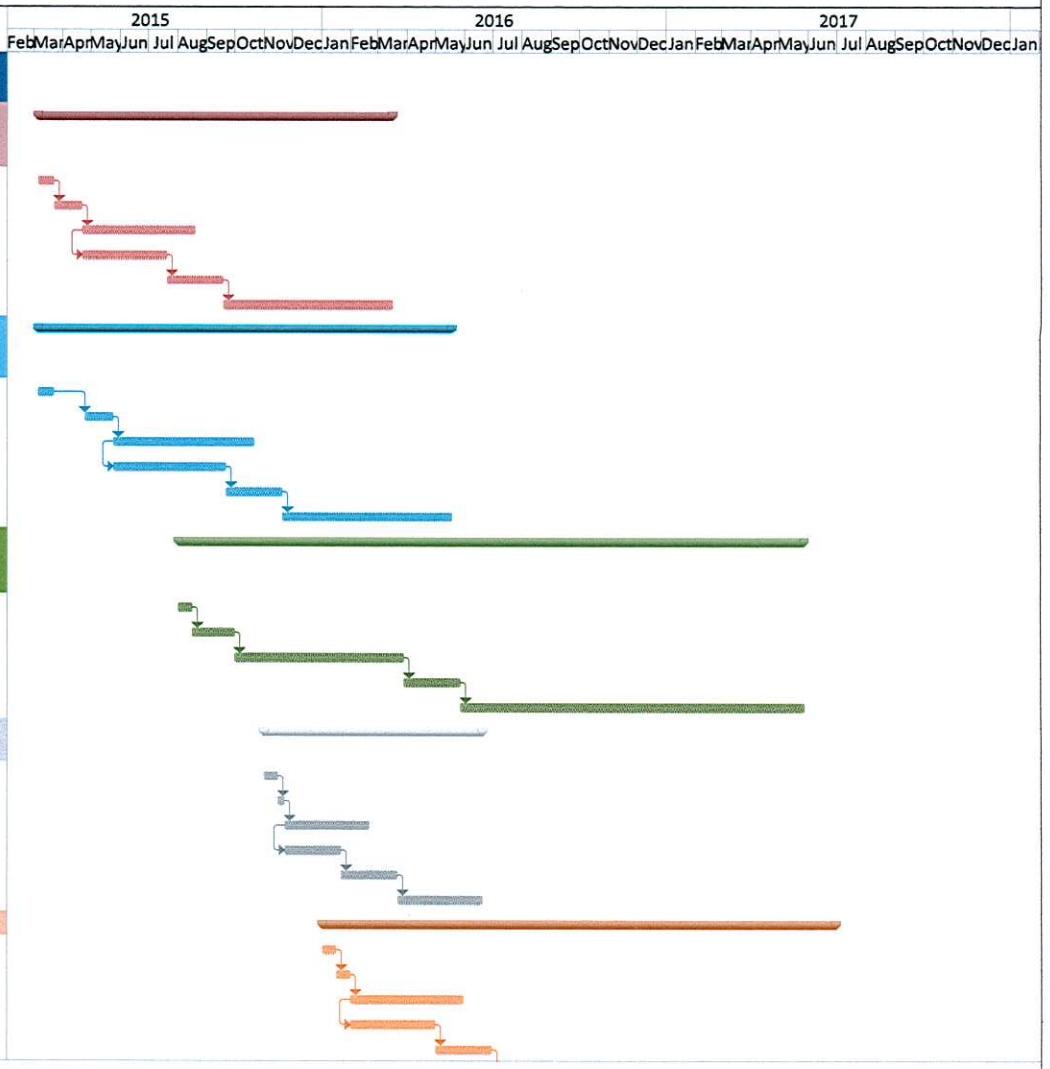
Future Debt Payments as of 9/30/18

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																					
																					TOTAL
Description		**Paid Debt**	**2018**	**2019**	**2020**	**2021**	**2022**	**2023**	**2024**	**2025**	**2026**	**2027**	**2028**	**2029**	**2030**	**2031**	**2032**	**2033**	**2034**	**2035**	**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
$14,124,890.00		TOTAL PROJECT COST			
$2,068,024.00	1	**DRANING 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**			
		Surevying 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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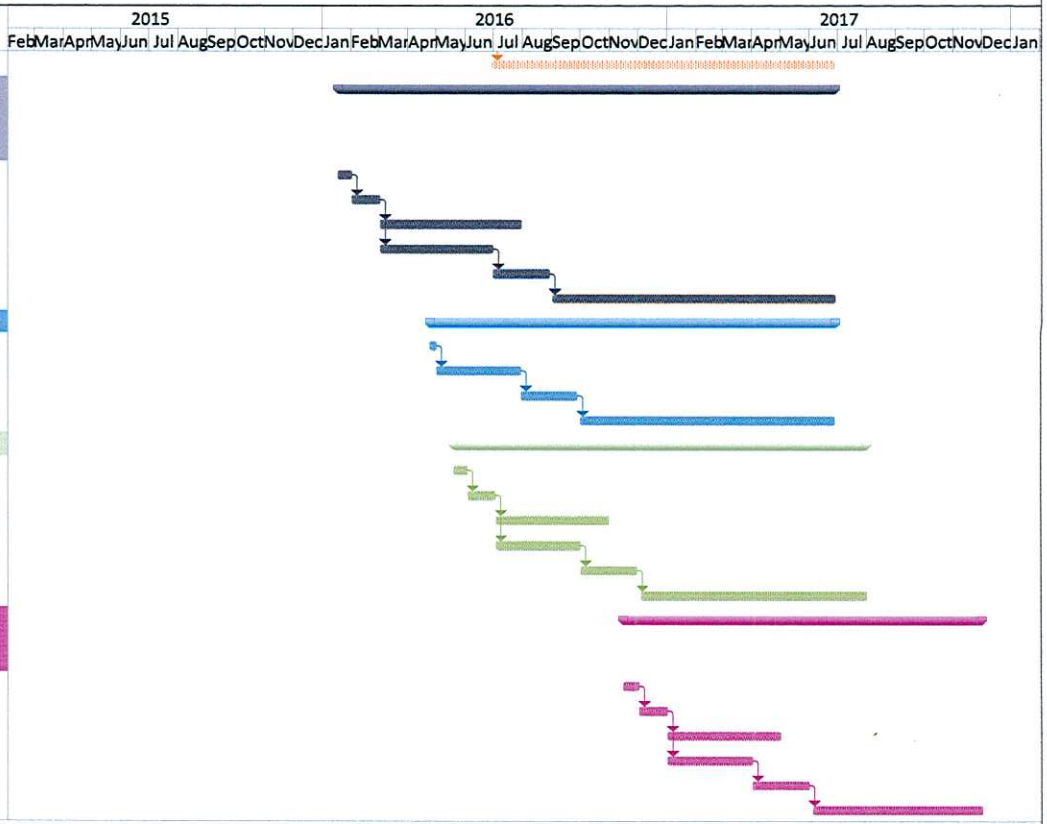
City of Lockhart
2015 BOND PROGRAM

Cost	Notes	Task Name	Duration	Start	Finish
		Construction	365 days	Thu 6/30/16	Thu 6/29/17
$1,355,516.00	6	**SH130 WATER MAN PROJECT - City Line Rd. to Existing Tank, SH 130 @ Hwy. 142, Borchert/Mockingbird, Control Valves, FM 2001**			
		Surevying Proposal	15 days	Mon 1/18/16	Mon 2/1/16
		Survey	30 days	Tue 2/2/16	Wed 3/2/16
		Acquisition	150 days	Thu 3/3/16	Sat 7/30/16
		Engineering Design	120 days	Thu 3/3/16	Thu 6/30/16
		Bid Ad/NTP	60 days	Fri 7/1/16	Mon 8/29/16
		Construction	300 days	Fri 9/2/16	Wed 6/28/17
$470,400.00	7	**SH130 PUMP STATION PROJECT**			
		Survey	7 days	Mon 4/25/16	Sun 5/1/16
		Engineering Design	90 days	Mon 5/2/16	Sat 7/30/16
		Bid Ad/NTP	60 days	Sun 7/31/16	Wed 9/28/16
		Construction	270 days	Sun 10/2/16	Wed 6/28/17
$859,186.00	8	**SH130/TOWN BRANCH SEWER PROJECT**			
		Surveying Proposal	15 days	Fri 5/20/16	Fri 6/3/16
		Survey	30 days	Sat 6/4/16	Sun 7/3/16
		Acquisition	120 days	Mon 7/4/16	Mon 10/31/16
		Engineering Design	90 days	Mon 7/4/16	Sat 10/1/16
		Bid Ad/NTP	60 days	Sun 10/2/16	Wed 11/30/16
		Construction	240 days	Mon 12/5/16	Tue 8/1/17
$1,891,126.00	9	**WATER TRANSMISSION MAIN PROJECT - Water Plant Transmission Main, MLK to FM 20 West Transmission Main**			
		Surveying Proposal	17 days	Wed 11/16/16	Fri 12/2/16
		Survey	30 days	Sat 12/3/16	Sun 1/1/17
		Acquisition	120 days	Mon 1/2/17	Mon 5/1/17
		Engineering Design	90 days	Mon 1/2/17	Sat 4/1/17
		Bid Ad/NTP	60 days	Sun 4/2/17	Wed 5/31/17
		Construction	180 days	Mon 6/5/17	Fri 12/1/17