

PUBLIC NOTICE
AGENDA
LOCKHART CITY COUNCIL

May 17, 2022

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

6:30 P.M. WORK SESSION (No Action)

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

DISCUSSION ONLY

- A. Discussion regarding capital projects and improvements to finance through the issuance of debt, possibly tax note, by the City. 4-5
- B. Discussion regarding comments received from the public regarding redistricting plans for City Council districts, plans proposed by the public, including possible amendments to a proposed plan. 6-26
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.
- C. Discussion regarding an effective date for a redistricting plan for City Council districts. 27
- D. Discussion regarding adoption of a redistricting plan for City Council districts as outlined in Resolution 2022-24. 28-42
- E. Discuss City Council minutes for the April 9, 2022, April 19, 2022 and May 3, 2022 meetings. 43-61
- F. Discuss semi-annual report from the Impact Fee Advisory Committee concerning the status of implementation of Chapter 31 "Impact Fees" of the Lockhart Code of Ordinances with regard to water, wastewater, and road impact fees. 62-67
- G. Discuss Ordinance 2022-20 approving Budget Amendment No. 69 increasing the capital expenditure line item for the purchase of Pierce Fire Pumper, Engine 1. 68-71
- H. Discussion regarding matters related to COVID-19. 72-91

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 a PUBLIC HEARING on application ZC-22-15 by Nanda Mutala on behalf of Suburban Propane, and discussion and/or action to consider Ordinance 2022-19 for a **Zoning Change** from AO *Agricultural-Open Space District* to *CHB Commercial Heavy Business District* for 3.496 acres in the James George Survey, Abstract No. 9, located at 2001 Blackjack Street (FM 20).

92-103

5. CONSENT AGENDA

- A. Approve City Council minutes for the April 9, 2022, April 19, 2022 and May 3, 2022 meetings.
- B. Accept semi-annual report from the Impact Fee Advisory Committee concerning the status of implementation of Chapter 31 "Impact Fees" of the Lockhart Code of Ordinances with regard to water, wastewater, and road impact fees.

104-122

123-128

6. DISCUSSION/ACTION ITEMS

- A. Discussion and/or action regarding comments received from the public regarding redistricting plans for City Council districts, plans proposed by the public, including possible amendments to a proposed plan.

129-149

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/or action regarding an effective date for a redistricting plan for City Council districts.

150

- C. Discussion and possible adoption of a redistricting plan for City Council districts as outlined in Resolution 2022-24. 151-165
- D. Consideration and possible action with respect to determining capital projects and improvements to finance through the issuance of debt, possibly tax note, by the City. 166-167
- E. Discussion and/or action to consider Ordinance 2022-20 approving Budget Amendment No. 69 increasing the capital expenditure line item for the purchase of Pierce Fire Pumper, Engine 1. 168-171
- F. Discussion regarding matters related to COVID-19. 172-191

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

- Summer Fan Program begins on May 16.
- Update regarding November 8, 2022 City of Lockhart General Election.
- Update regarding Citywide Bulk Clean-up.

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

9. **EXECUTIVE SESSION IN ACCORDANCE WITH THE PROVISIONS OF THE GOVERNMENT CODE, TITLE 5, SUBCHAPTER D, SECTION 551.072 - TO DELIBERATE THE PURCHASE, EXCHANGE, LEASE OR VALUE OF REAL PROPERTY IF DELIBERATION IN AN OPEN MEETING WOULD HAVE A DETRIMENTAL EFFECT ON THE POSITION OF THE GOVERNMENTAL BODY IN NEGOTIATIONS WITH A THIRD PERSON.**

10. **OPEN SESSION**

11. **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 13th day of May, 2022 at 4:25 p.m.

City of Lockhart, Texas

Council Agenda Item Cover Sheet

COUNCIL MEETING DATE: May 17, 2022

AGENDA ITEM CAPTION: Discussion regarding capital projects and improvements to finance through the issuance of debt, possibly tax note, by the City.

ORIGINATING DEPARTMENT AND CONTACT: Finance - Pam Larison

ACTION REQUESTED: Consensus

BACKGROUND/SUMMARY/DISCUSSION: Tax notes (also known as anticipation notes) are a debt instrument that a city may sell to finance the construction of public works, the purchase of supplies, land, and rights of way for public works, to pay for professional services, to pay for operating expenses, or to pay off cash flow deficits. Tax notes used to pay for public works or professional services must mature before the seventh anniversary after the notes are approved by the attorney general. Tax notes can be paid from and secured by taxes, revenues (as from a utility), a combination of taxes and revenues, or the proceeds of bonds to be issued by the city. The City Council must adopt an ordinance to authorize the issuance of anticipation notes. And all public securities, unless specifically excepted, must receive attorney general approval.

Timetable for Issuance of Limited Tax Notes Series 2022

- Thursday, May 19, 2022 - Specialized Public Finance Inc. (SPFI) distributes term sheets and financial information to potential bank bidders.
- Monday, June 6, 2022 - Receive bids from banks. Bids are verified by SPFI.
- Tuesday, June 7, 2022 - Sale. Series 2022 Tax Notes are awarded by City Council to the winning bidder.
- Thursday, June 30, 2022 - Closing. Series 2022 Tax Notes are delivered and proceeds distributed in accordance with closing information.

Capital projects and improvements for consideration:

One item under consideration is for a two-mile sewer line that would extend from Blackjack Street south down the west side of FM 1322 all the way to the newly proposed Iron Ox parcel. The sewer line would serve Iron Ox's new 1+ million SF facility as well as over 300 acres of other land on both sides of FM 1322 on its way south. Many parcels are excellent for future commercial and industrial projects but are not adequately served by utilities at this time. This sewer line would allow for not only Iron Ox's facility on one end, but other projects along FM 1322 in the future which would help provide goods, services, jobs, and housing for the growing area. Revenues from the Wastewater Fund will be responsible for the future debt payments for this project.

Secondly, a Quint ladder truck (new to the fire fleet) can assist the city in maintaining an

City of Lockhart, Texas

Council Agenda Item Cover Sheet

ISO Public Protection Classification (PPC) of 3/3X. A ladder truck is used for rapid response, ventilation, rescue, and extinguishment operations. It provides access to two-story or higher buildings and their roofs and provides safety for firefighters as they access the elevated portions of a building for firefighting, ventilation, or rescue operations. A low ISO PPC rating can encourage commercial development as it may significantly lower residential and commercial property insurance premiums. In the last ISO survey in 2021, it was recommended Lockhart deploy a ladder truck due to the number of three-story or higher buildings. Tax revenues will be responsible for future debt payment for this capital asset purchase.

PROJECT SCHEDULE (if applicable):

AMOUNT & SOURCE OF FUNDING:

Funds Required:

Account Number:

Funds Available:

Account Name:

FISCAL NOTE (if applicable): Once funding is approved by City Council, budget amendments will be presented for both revenues and approved expenditures.

PREVIOUS COUNCIL ACTION:

COMMITTEE/BOARD/COMMISSION ACTION:

STAFF RECOMMENDATION/REQUESTED MOTION: Staff requests Council to designate projects for funding and to direct staff to begin the process of funding with the City's Financial Advisor, Jennifer Ritter and the City's Bond Counsel, Bart Fowler.

LIST OF SUPPORTING DOCUMENTS:

City of Lockhart, Texas

Council Agenda Item Cover Sheet

COUNCIL MEETING DATE: May 17, 2022

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

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: 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.

Attached is the City of Lockhart's current single-member district voting map and LULAC's proposed redistricting plans.

Syd Falk, Redistricting legal counsel, met with LULAC representatives on May 12 to discuss their proposed redistricting plan. Mr. Falk prepared revised Plan B as a proposed plan that incorporates LULAC's input. He will provide details during the meeting.

PROJECT SCHEDULE (if applicable): N/A

AMOUNT & SOURCE OF FUNDING:

Funds Required:

Account Number:

Funds Available:

Account Name:

FISCAL NOTE (if applicable): N/A

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

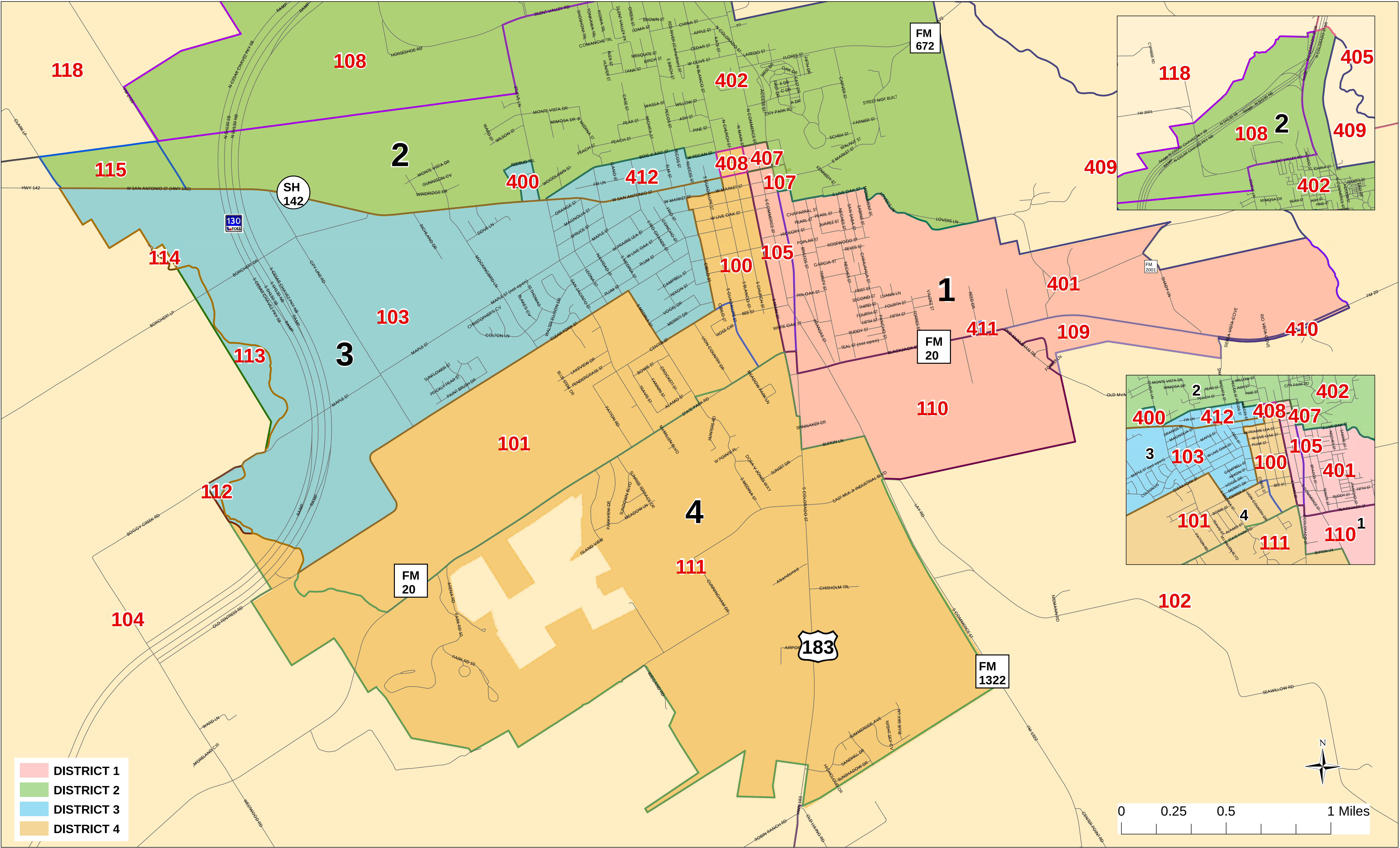
City of Lockhart, Texas

Council Agenda Item Cover Sheet

COMMITTEE/BOARD/COMMISSION ACTION: N/A

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

LIST OF SUPPORTING DOCUMENTS: Current Voting District Map, Proposed Plan A ,
Proposed Plan B Revised



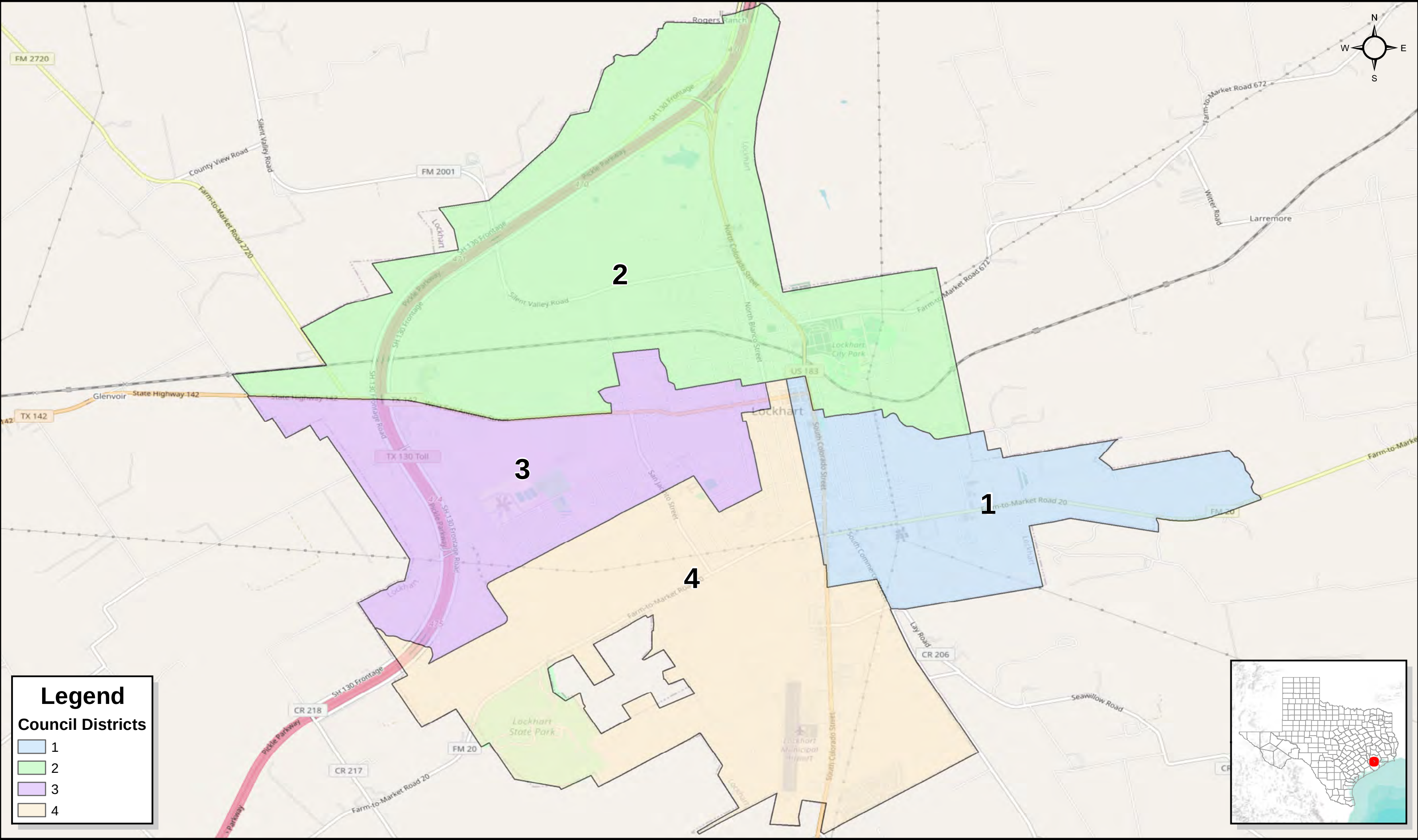
CURRENT VOTING DISTRICTS

VOTING DISTRICTS WITHIN CITY LIMITS

SOURCE: CALDWELL COUNTY APPRAISAL DISTRICT AND THE CITY OF LOCKHART

Updated February 3, 2015

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.



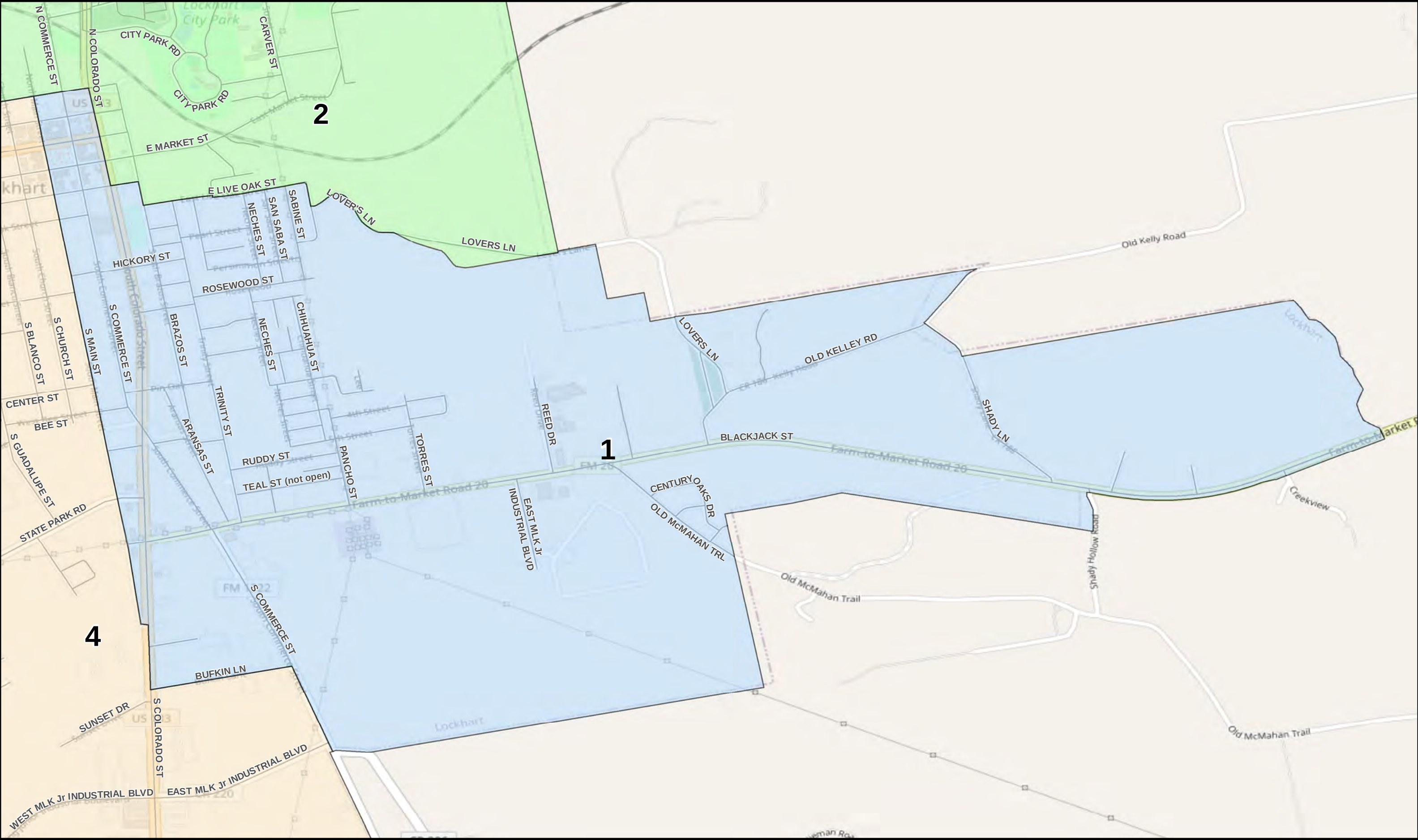
**City of Lockhart Council Districts
- Plan A -**

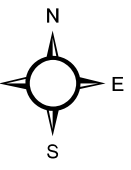
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Data Source: Roads, Water and other
features obtained from the 2020
Tiger/line files, U.S. Census Bureau







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Feet

Created: 3/30/2022

Legend

— Roads

Council Districts

1

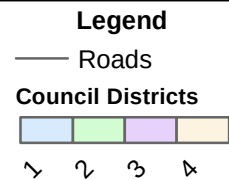
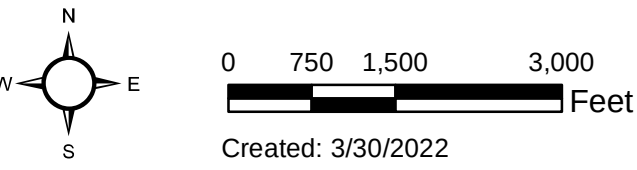
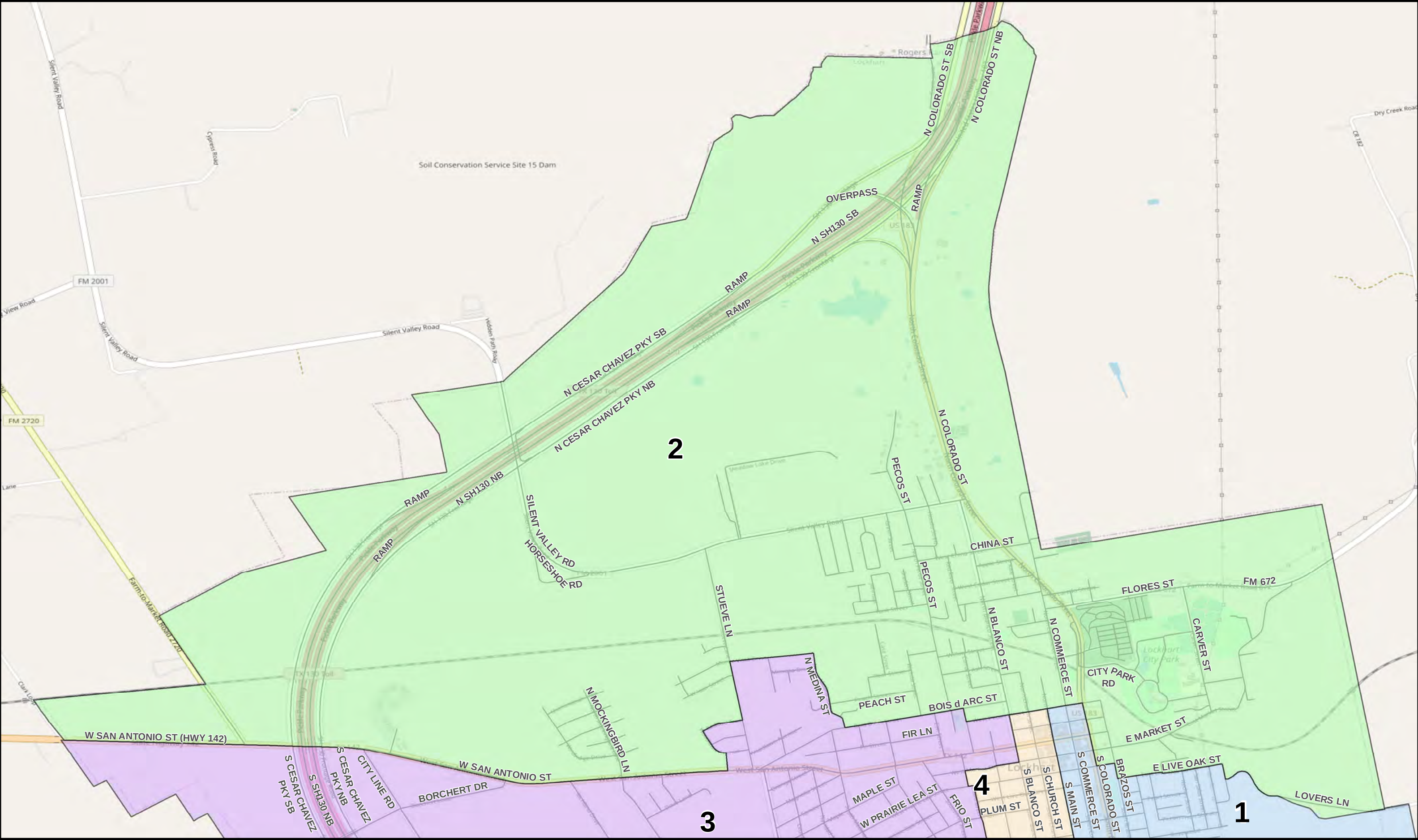
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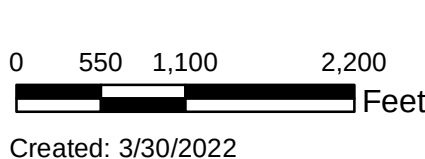
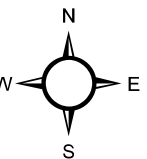
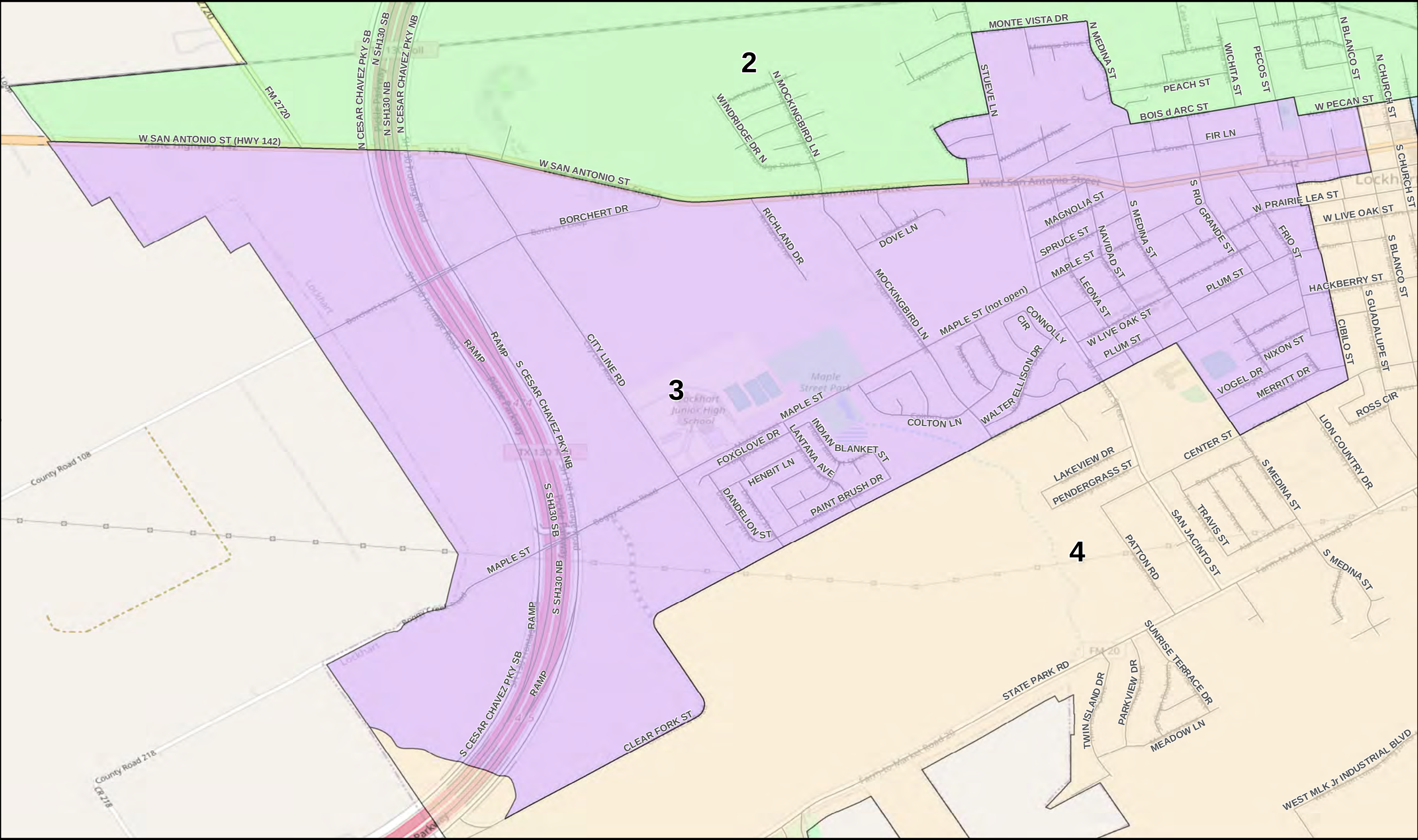
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City of Lockhart Council Districts

- Plan A -



City of Lockhart Council Districts - Plan A -



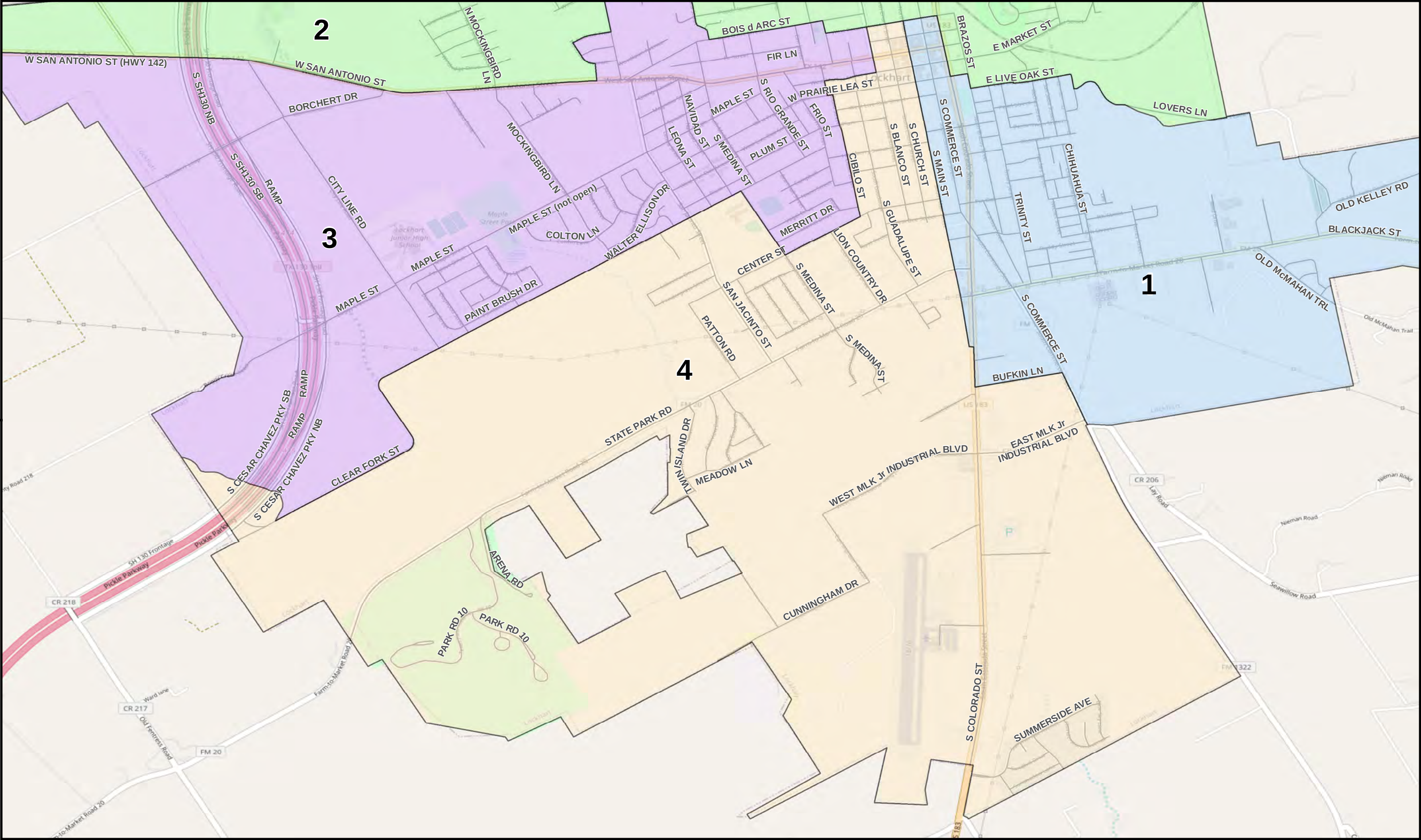
Legend

— Roads

Council Districts

1 2 3 4

City of Lockhart Council Districts
- Plan A -



City of Lockhart Council Districts 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 Total 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



Demographics Report - Detailed 2020 Census Voting Age Population

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.

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%

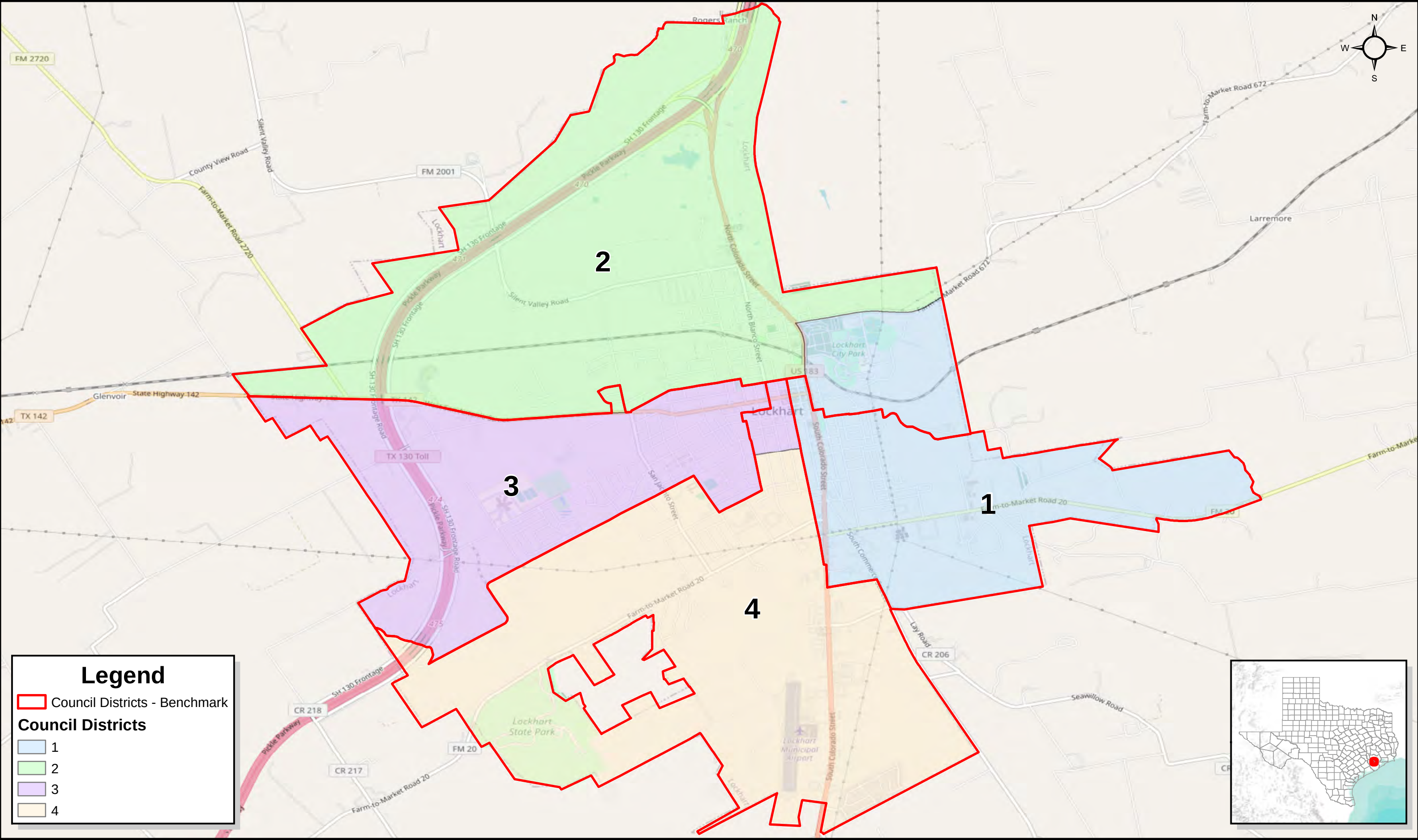
Some percentages may be subject to rounding errors.

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

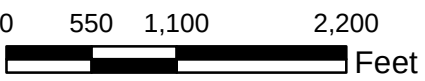
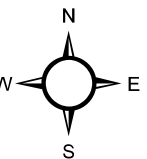
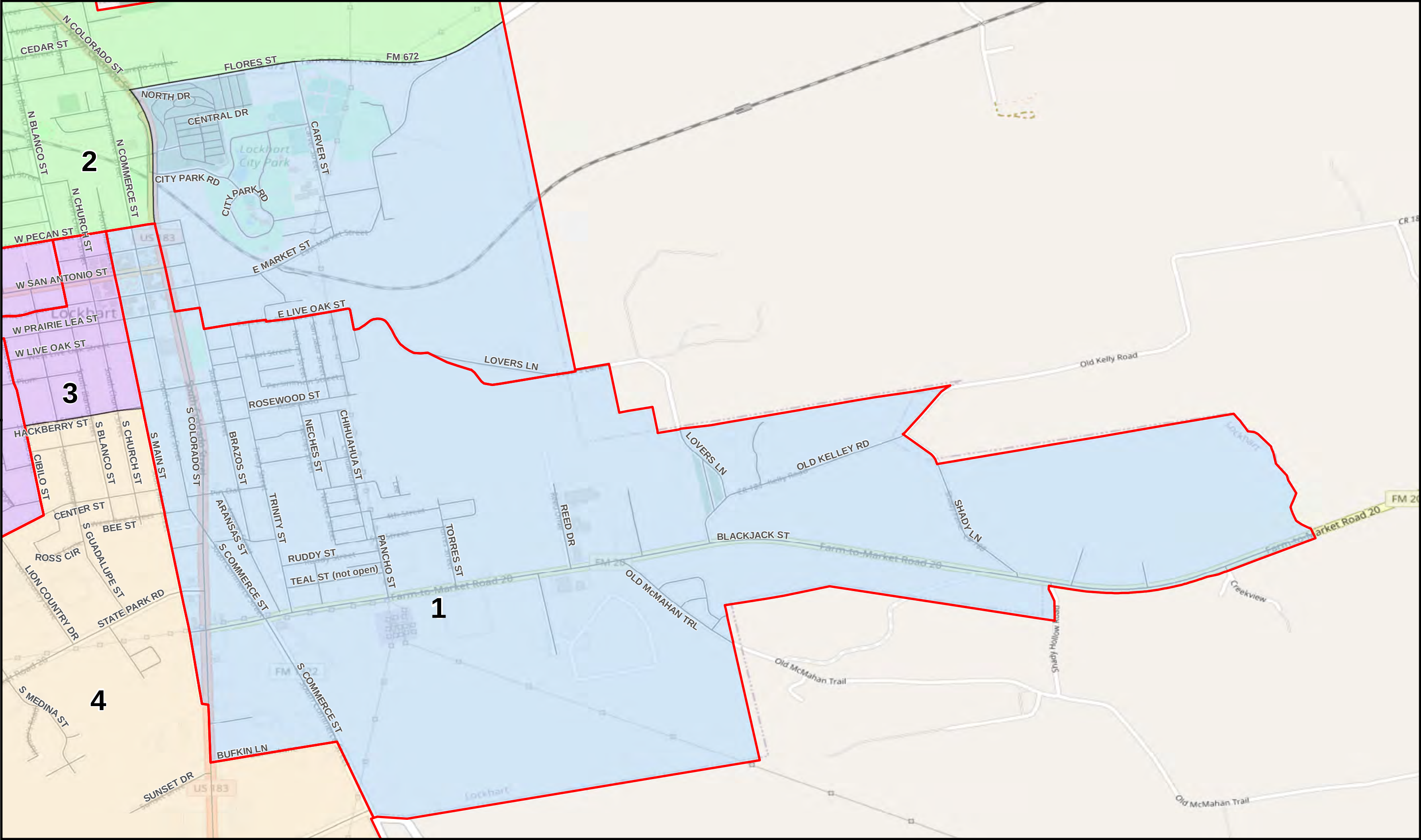
Some percentages may be subject to rounding errors.



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Created: 5/13/2022
Prison Population Included

City of Lockhart Council Districts Plan B Revised



Created: 5/13/2022
Prison Population Included

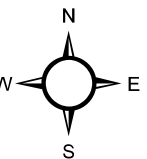
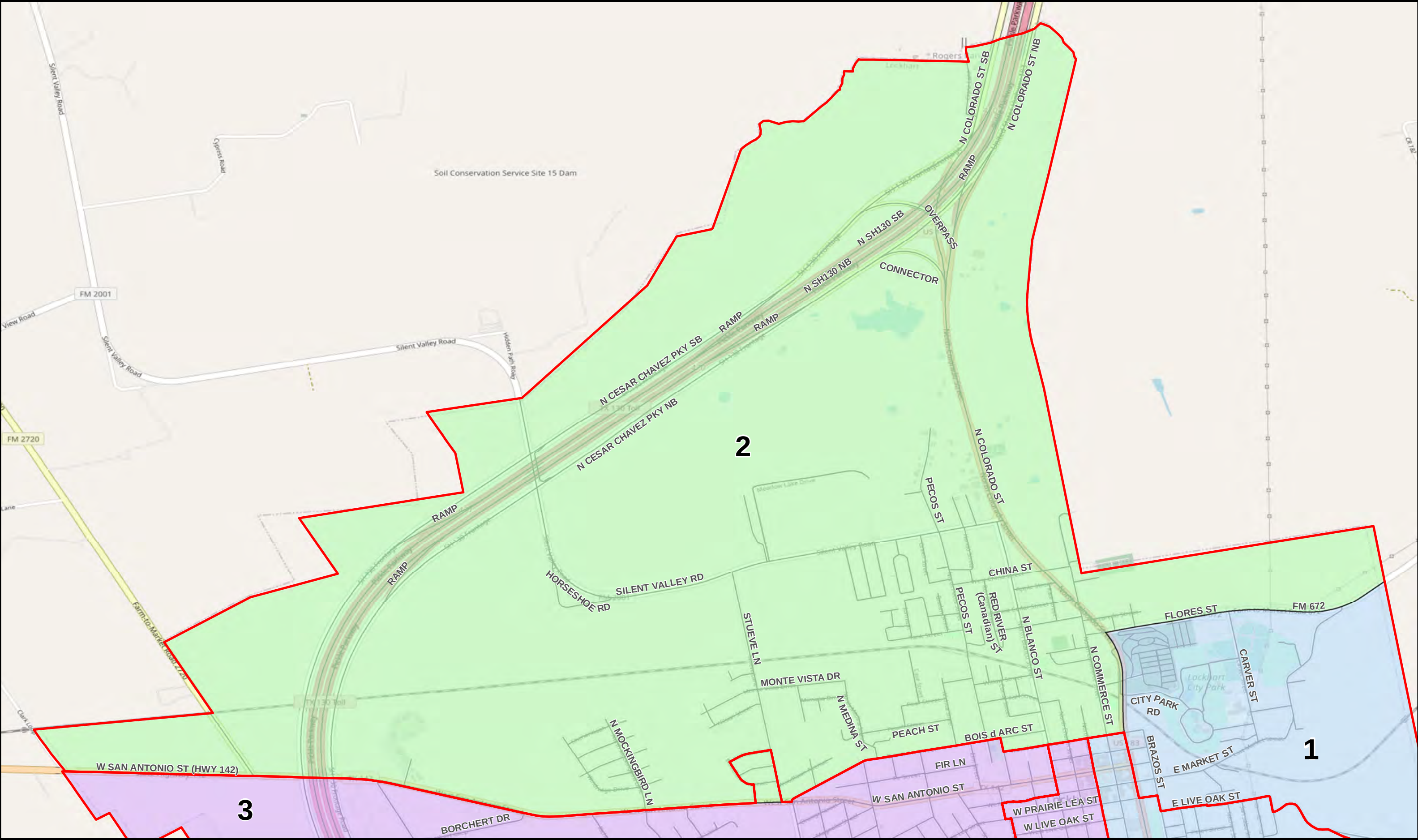
Legend

Council Districts - Benchmark

Council Districts

1	2	3	4

City of Lockhart Council District 1 Plan B Revised



0 700 1,400 2,800 Feet
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Prison Population Included

Legend

Council Districts - Benchmark

Council Districts

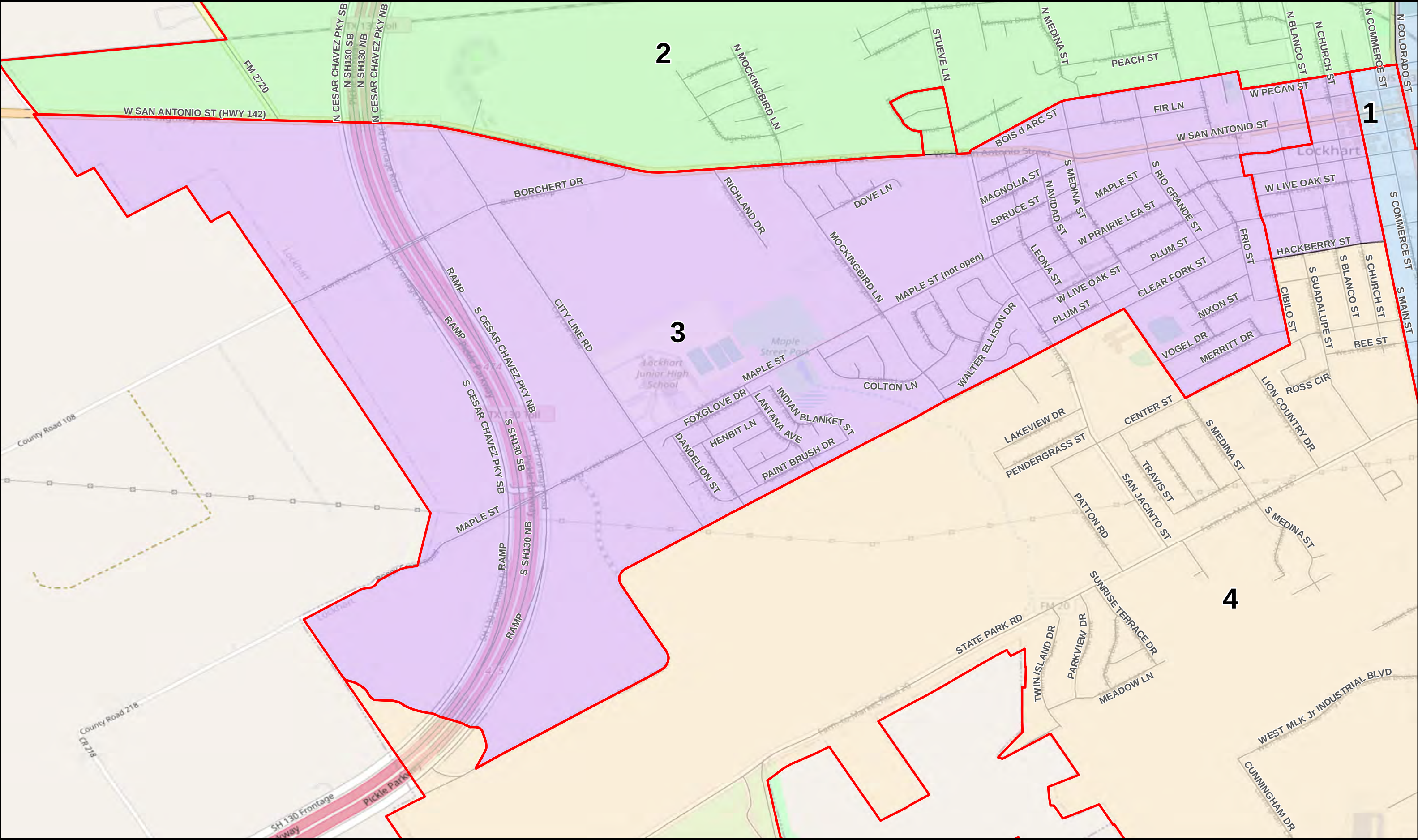
- 1
- 2
- 3
- 4

City of Lockhart Council District 2

Plan B Revised

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



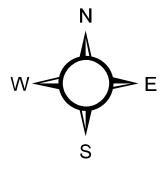


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0 550 1,100 2,200 Feet

Created: 5/13/2022
Prison Population Included

Legend

Council Districts - Benchmark

Council Districts

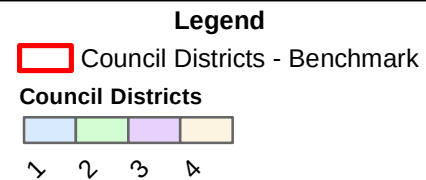
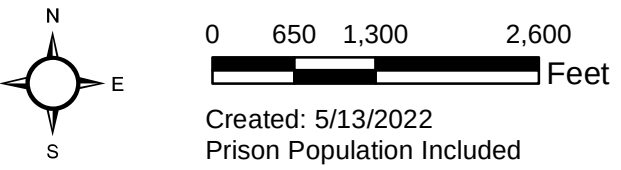
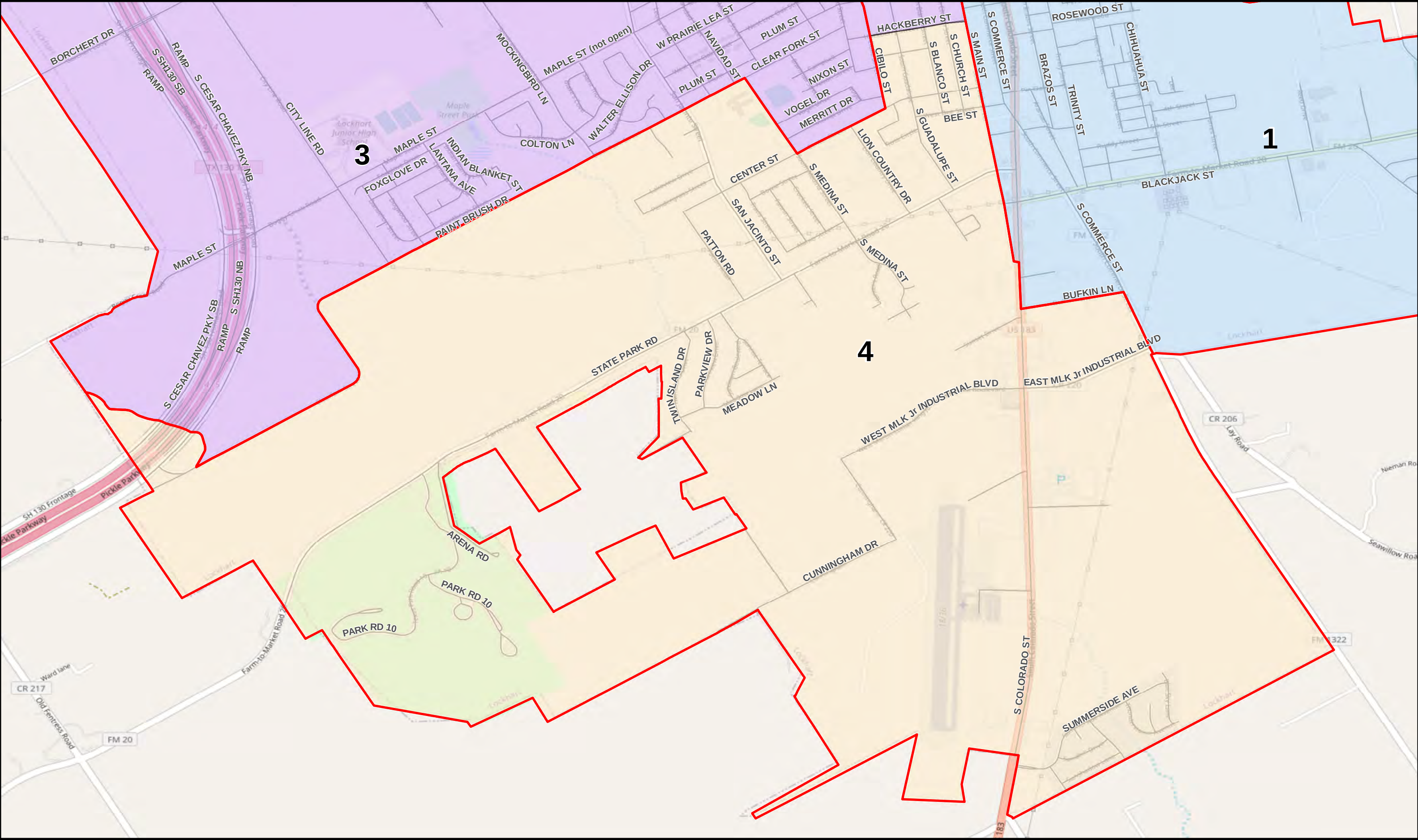
1	2	3	4

City of Lockhart Council District 3

Plan B Revised

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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 Council District 4 Plan B Revised

City of Lockhart Council Districts - Plan B Revised



Demographics Report - Detailed 2020 Census Total Population

Plan Last Edited on: 5/13/2022 11:08:19 AM

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 Total Pop.	Other	Other % of Total Pop.	Two or More Races	Two or More Races % Tot Pop
1	3,660	3,593	1.87%	2,066	56.45%	1,096	29.95%	398	10.87%	9	0.25%	9	0.25%	1	0.03%	18	0.49%	63	1.72%
2	3,747	3,593	4.29%	2,417	64.50%	1,017	27.14%	205	5.47%	30	0.80%	14	0.37%	0	0.00%	9	0.24%	55	1.47%
3	3,567	3,593	-0.72%	1,425	39.95%	1,857	52.06%	94	2.64%	29	0.81%	17	0.48%	0	0.00%	15	0.42%	130	3.64%
4	3,397	3,593	-5.45%	1,689	49.72%	1,339	39.42%	233	6.86%	28	0.82%	1	0.03%	1	0.03%	12	0.35%	92	2.71%
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: 9.74%

Some percentages may be subject to rounding errors.

City of Lockhart Council Districts - Plan B Revised

Demographics Report - Detailed 2020 Census Voting Age Population



Plan Last Edited on: 5/13/2022 11:08:19 AM

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	2,974	1,547	52.02%	994	33.42%	359	12.07%	8	0.27%	8	0.27%	1	0.03%	9	0.30%	48	1.61%
2	2,781	1,681	60.45%	851	30.60%	172	6.18%	25	0.90%	13	0.47%	0	0.00%	1	0.04%	38	1.37%
3	2,763	994	35.98%	1,568	56.75%	73	2.64%	21	0.76%	17	0.62%	0	0.00%	3	0.11%	87	3.15%
4	2,577	1,185	45.98%	1,124	43.62%	187	7.26%	23	0.89%	1	0.04%	1	0.04%	8	0.31%	47	1.82%
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.

Demographics Report - Summary 2020 Census Total Population

Plan Last Edited on: 5/13/2022 11:08:19 AM

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	3,660	3,593	1.87%	56.45%	29.95%	10.87%	0.25%	2.49%
2	3,747	3,593	4.29%	64.50%	27.14%	5.47%	0.80%	2.08%
3	3,567	3,593	-0.72%	39.95%	52.06%	2.64%	0.81%	4.54%
4	3,397	3,593	-5.45%	49.72%	39.42%	6.86%	0.82%	3.12%

TOTAL: 14,371 52.86% 36.94% 6.47% 0.67% 3.04%

Ideal Size: 14371 / 4 = 3593

Total Population: 14,371

Overall Deviation: 9.74%

Some percentages may be subject to rounding errors.

Demographics Report - Summary 2020 Census Voting Age Population

Plan Last Edited on: 5/13/2022 11:08:19 AM

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	2,974		52.02%	33.42%	12.07%	0.27%	2.22%
2	2,781		60.45%	30.60%	6.18%	0.90%	1.87%
3	2,763		35.98%	56.75%	2.64%	0.76%	3.87%
4	2,577		45.98%	43.62%	7.26%	0.89%	2.21%
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.

City of Lockhart, Texas

Council Agenda Item Cover Sheet

COUNCIL MEETING DATE: May 17, 2022

AGENDA ITEM CAPTION: Discussion regarding an effective date for a redistricting plan for City Council districts.

ORIGINATING DEPARTMENT AND CONTACT: Administration - Connie Constancio

ACTION REQUESTED: Other

BACKGROUND/SUMMARY/DISCUSSION:

Syd Falk of Bickerstaff's office will discuss the options about determining an effective date for a redistricting plan.

PROJECT SCHEDULE (if applicable): N/A

AMOUNT & SOURCE OF FUNDING:

Funds Required:

Account Number:

Funds Available:

Account Name:

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:

City of Lockhart, Texas

Council Agenda Item Cover Sheet

COUNCIL MEETING DATE: May 17, 2022

AGENDA ITEM CAPTION: Discussion regarding adoption of a redistricting plan for City Council districts as outlined in Resolution 2022-24.

ORIGINATING DEPARTMENT AND CONTACT: Administration - Connie Constancio

ACTION REQUESTED: Resolution

BACKGROUND/SUMMARY/DISCUSSION:

The City Council held a drawing session and considered comments from the public that included proposed voting district changes as LULAC presented to the Council on April 5, 2022.

During the May 3, 2022 meeting, Council directed the Redistricting legal counsel, Syd Falk, to meet with Philip Ruiz and LULAC representatives to discuss their proposed plans and to determine which plan will be presented to the Council for consideration.

Mr. Falk met with LULAC on ?????

If the City Council chooses to proceed with proposed Plan A as voted on during a previous drawing session, the attached Resolution adopts Plan A as the City of Lockhart's new single-member voting districts.

PROJECT SCHEDULE (if applicable):

February 1, 2022 - Initial assessment
February 8, 2022 - First drawing session
March 15, 2022 - First public hearing
April 5, 2022 - Second public hearing

AMOUNT & SOURCE OF FUNDING:

Funds Required:

Account Number:

Funds Available:

Account Name:

FISCAL NOTE (if applicable): N/A

PREVIOUS COUNCIL ACTION: N/A

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: Redistricting Resolution

RESOLUTION NO. 2022-24

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, April 4, 2022, May 3, 2022 and May 17, 2022; and at two public hearings held on March 15, 2022, and April 5, 2022, respectively; comments from the public at the public hearings, including two alternative plans proposed by LULAC; 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 17th day of May 2022.

CITY OF LOCKHART, TEXAS

Hon. Lew White
MAYOR

ATTEST:

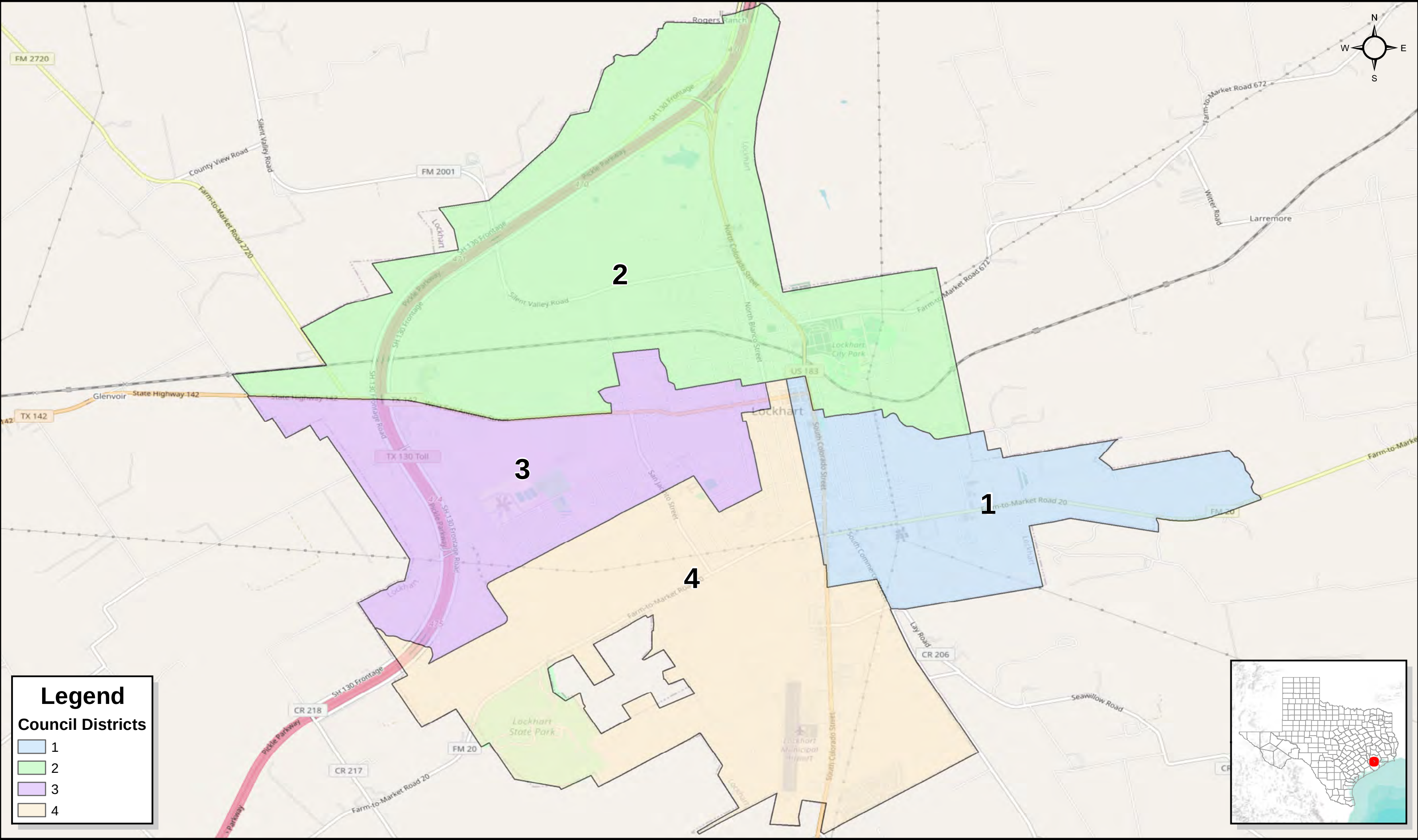
Connie Constancio
City Secretary

APPROVED AS TO FORM:

Monte Akers,
City Attorney

EXHIBIT A

Maps



City of Lockhart Council Districts

- Plan A -

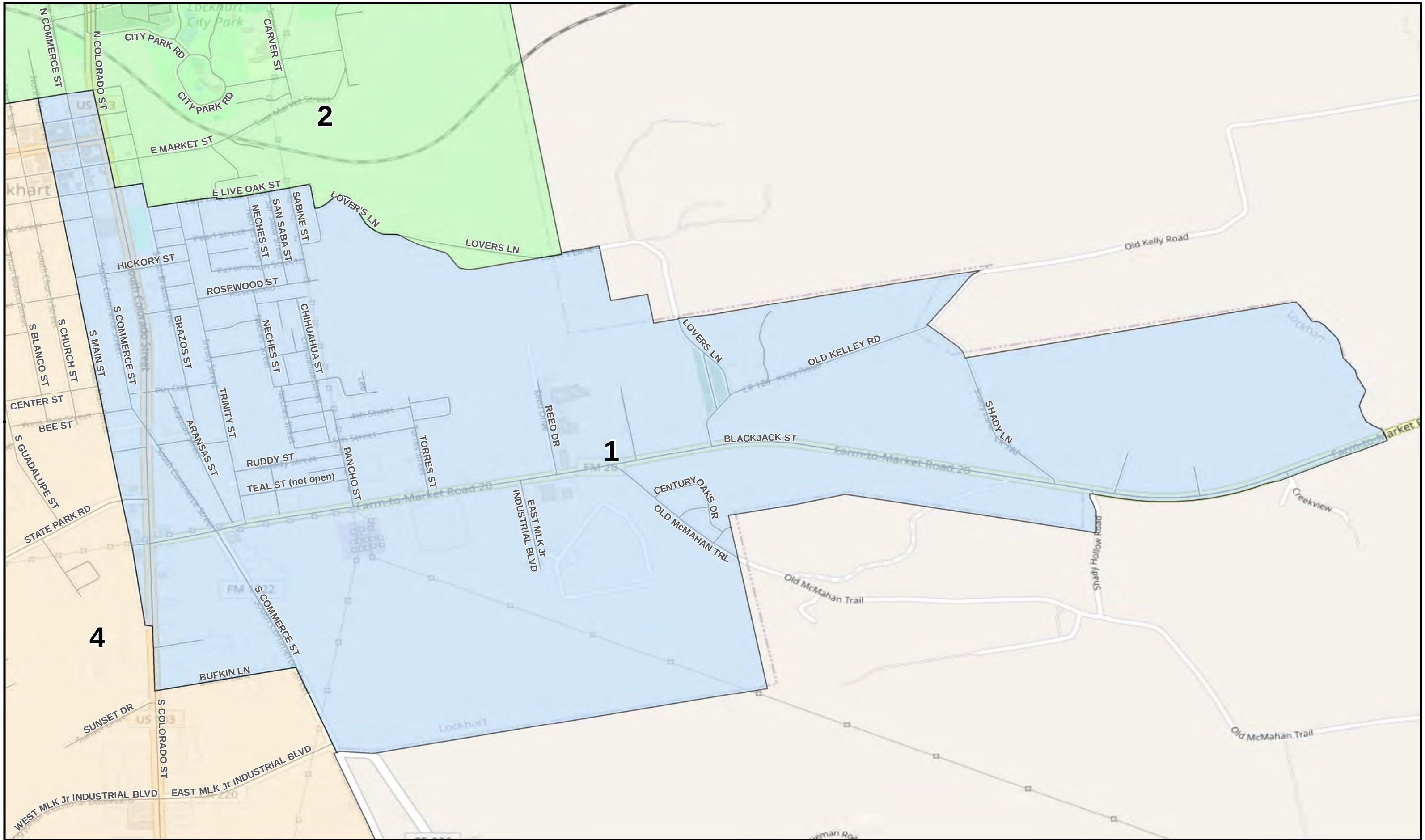
Adopted May 17, 2022

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Created: 3/30/2022

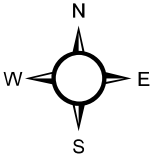
© 2022 Bickerstaff Heath Delgado Acosta LLP
Data Source: Roads, Water and other
features obtained from the 2020
Tiger/line files, U.S. Census Bureau





City of Lockhart Council Districts - Plan A - Adopted May 17, 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



0 500 1,000 2,000
Feet

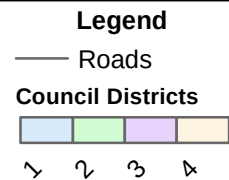
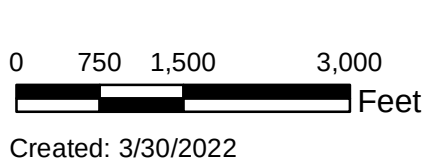
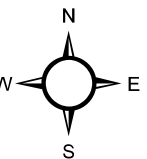
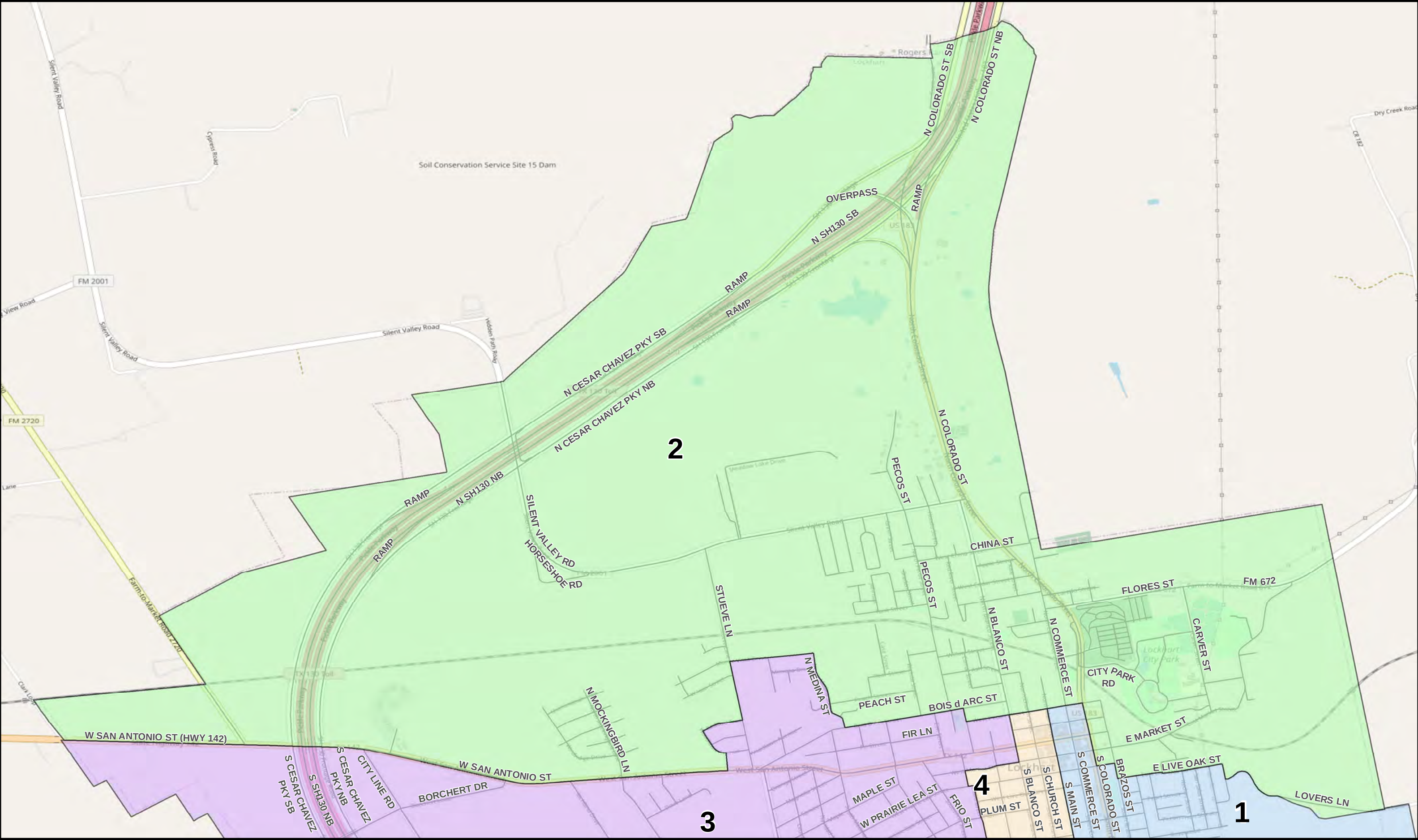
Created: 3/30/2022

Legend

— Roads

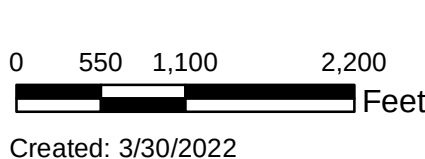
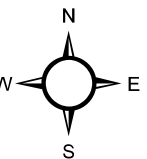
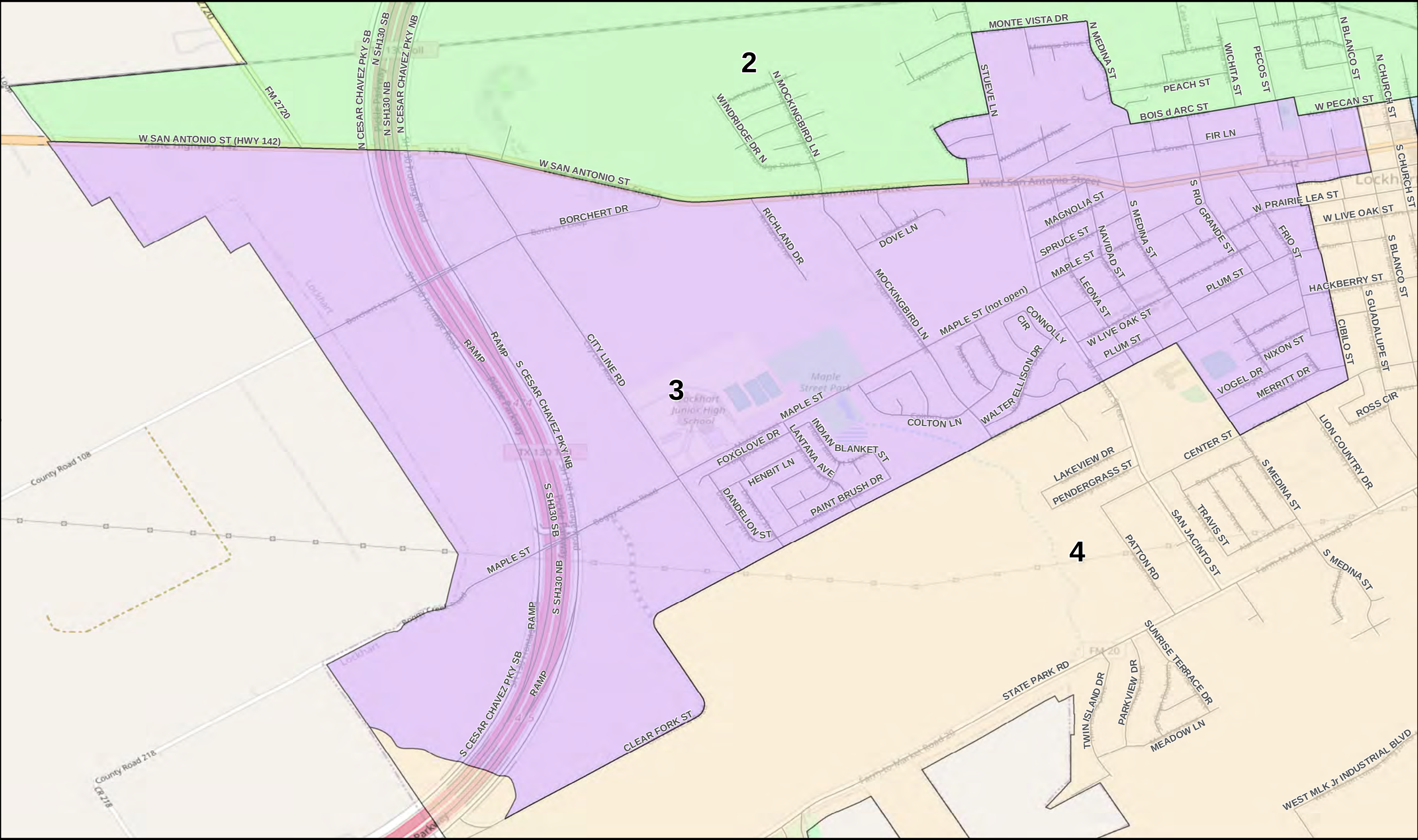
Council Districts

1 2 3 4



City of Lockhart Council Districts
- Plan A -
Adopted May 17, 2022





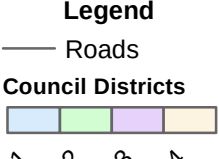
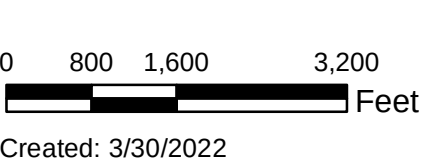
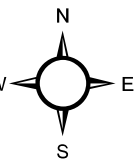
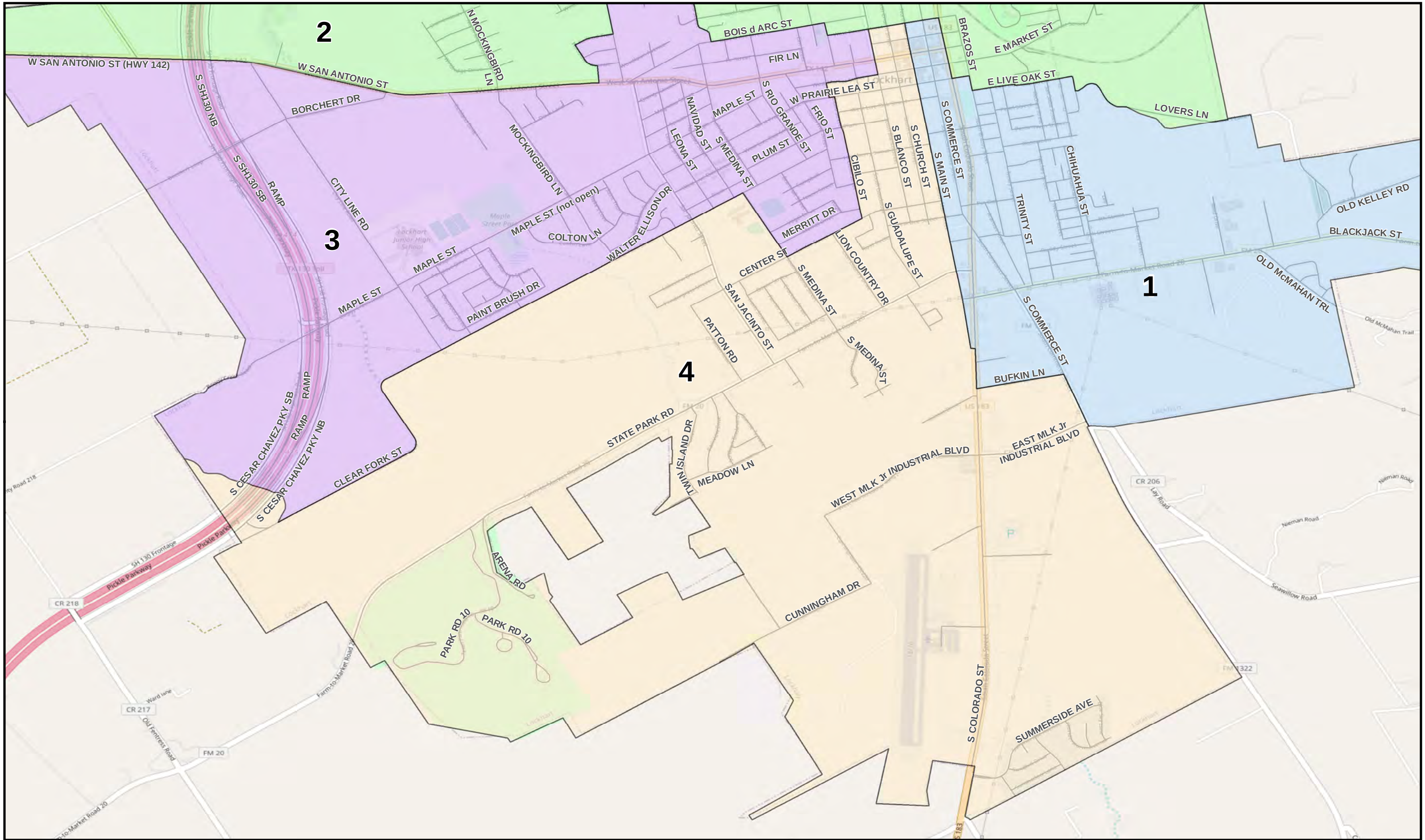
Legend

— Roads

Council Districts

1 2 3 4

City of Lockhart Council Districts
- Plan A -
Adopted May 17, 2022



City of Lockhart Council Districts - Plan A - Adopted May 17, 2022



EXHIBIT B

Tables

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 Total 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.

Demographics Report - Detailed 2020 Census Voting Age Population

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.

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.

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.

**LOCKHART CITY COUNCIL
GOALS WORKSHOP**

APRIL 9, 2022

8:00 A.M.

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

Council present:

Mayor Lew White	Councilmember Derrick David Bryant
Councilmember Juan Mendoza	Councilmember Kara McGregor
Councilmember Jeffry Michelson	Councilmember Brad Westmoreland
Mayor Pro-Tem Angie Gonzales-Sanchez (via Zoom)	

Staff present:

Steven Lewis, City Manager

Citizens/Visitors Addressing the Council: Alysia Cook of Opportunity Strategies.

ITEM 1. CALL TO ORDER.

Mayor Lew White called the special meeting to order at 8:00 a.m.

ITEM 2. DISCUSSION AND/OR ACTION REGARDING CITY COUNCIL GOALS.

The City Council discussed several goals pertaining to the following topics:

- Revenue Sustainability.
- Parks and Recreation.
- Infrastructure.
- City Facilities.
- Modernization of communications.
- Human resources and staffing.
- Development and quality of life.

ITEM 3. ADJOURNMENT.

The meeting was adjourned at approximately 12:00 p.m.

PASSED and APPROVED this the 17th day of May, 2022.

CITY OF LOCKHART

Lew White, Mayor

ATTEST:

Connie Constancio, TRMC
City Secretary

**REGULAR MEETING
LOCKHART CITY COUNCIL**

APRIL 19, 2022

6:30 P.M.

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

Council present:

Councilmember Derrick David Bryant

Councilmember Jeffry Michelson

Mayor Pro-Tem Angie Gonzales-Sanchez (via Zoom)

Mayor Lew White

Councilmember Juan Mendoza

Councilmember Brad Westmoreland

Council absent:

Councilmember Kara McGregor

Staff present:

Steven Lewis, City Manager

Doug Montgomery, City Attorney

Pam Larison, Finance Director

Randy Jenkins, Fire Chief

David Fowler, Senior Planner

Connie Constancio, City Secretary

Victoria Maranan, Public Information Officer

Sean Kelley, Public Works Director

Mike Kamerlander, Economic Development Dir.

Dan Gibson, City Planner

Citizens/Visitors Addressing the Council: William Wachel of TRC Engineers; Kylie Mycock and Bobby Eichholz of Rialto Studio; Matthew Johnson of Mill Scale; Alfonso Sifuentes of Central Texas Refuse; and Citizens: Fred Wiegand and Ronda Reagan.

Work Session 6:30 p.m.

Mayor White announced the Mayor Pro-Tem Sanchez will join the meeting via Zoom. He opened the work session and advised the Council, staff and the audience that staff would provide information and explanations about the following items:

A. DISCUSS THE DOWNTOWN REVITALIZATION FINAL CONCEPTUAL DESIGN REPORT FROM TRC ENGINEERS, INC. AND RIALTO STUDIO.

William Wachel of TRC Engineers, Kylie Mycock and Bobby Eichholz of Rialto Studio provided a detailed report regarding the Downtown Revitalization project. Mr. Wachel stated that if Council gives approval to move forward with the proposed conceptual design, all aspects of the revitalization process will begin.

There was discussion.

Mayor White requested the following individuals to address the Council:

Fred Wiegand, Wiegand Road, stated that trees are important, and he encouraged that they remain.

Ronda Reagan, 412 W. San Antonio, stated that she did not complete the on-line survey because she opposes parallel parking, and she prefers one-way traffic going northbound on Main Street between San Antonio and Pecan streets. She stated that the landscaping on the courthouse lawn should remain the same and that she does not believe that large delivery trucks would be able to go through downtown if large trees are planted.

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

Ms. Larison provided city funding options for the project:

2015 Certificates of Obligation funds	\$2 million
2015 Certificates of Obligation water funds	\$4 million
2015 Certificates of Obligation wastewater funds	\$215,000
2021 General Fund one-time unrestricted fund balance expenditure	\$2 million
ARPA funds (governmental services)	\$2 million

Mayor White announced that Councilmember McGregor previously informed the Council that she would not be attending today's meeting.

Mayor White recommended that a vote on the design concept be held during the next council meeting so that all members of the City Council are present to vote on it.

Mr. Lewis requested that the Council provide direction to staff about whether to work on a third option for Council's consideration during the next meeting. Mayor White replied that direction to staff will be provided during the regular meeting.

RECESS: Mayor White announced that the Council would recess for a break at 7:21 p.m.

REGULAR MEETING

ITEM 1. CALL TO ORDER.

Mayor White called the meeting to order at 7:35 p.m.

ITEM 2. INVOCATION, PLEDGE OF ALLEGIANCE.

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

ITEM 3. PUBLIC COMMENT.

Mayor White requested citizens to address the Council.

Fred Wiegand, 230 Wiegand Road, requested that the city install handicap parking in front of the library, repave Cunningham Drive, and he suggested that TRC Engineers' conceptual plan include re-routing heavy truck traffic on West San Antonio Street. He requested that the city build an extension of MLK Industrial Blvd across his property and provide free shuttle bus service from the Judicial Center to downtown Lockhart.

ITEM 5-A. DISCUSSION AND/OR ACTION TO CONSIDER THE DOWNTOWN REVITALIZATION FINAL CONCEPTUAL DESIGN REPORT FROM TRC ENGINEERS, INC. AND RIALTO STUDIO.

There was discussion about a third conceptual design for the consultants to present to the Council for consideration during the next meeting.

Mr. Wachel clarified that a new option 2A would be created to include the following:

- Retain the trees, if possible.
- Two way traffic around the square.
- One way traffic going north on Main from Prairie Lea to Market and San Antonio to Walnut.
- One way traffic going south on Commerce from Walnut to San Antonio and Market to Prairie Lea.
- Angle parking instead of parallel parking on Main Street between San Antonio and Walnut.
- Present the costs of reinstituting the plaza concept on the north side.

Mayor White announced that the Council would vote on a downtown revitalization conceptual design during the next council meeting.

ITEM 4. CONSENT AGENDA.

Mayor White stated that since the consent agenda items were not discussed during the work session, they will be discussed individually.

ITEM 4-A. APPROVE RESOLUTION 2022-22 FOR AN ECONOMIC DEVELOPMENT PERFORMANCE AGREEMENT WITH MILL SCALE, LLC.

Mr. Kamerlander stated that the resolution and performance agreement offers incentives for Mill Scale, LLC to move its operations to the City of Lockhart. Mill Scale creates custom smokers worthy of heirloom status. Co-owners and brothers Matt and Caleb Johnson are producing work so far beyond the smoker available at a retail big box store. Whether it's a 94-gallon backyard model, a smaller yakitori grill, or a thousand-gallon pit meant for the largest of commercial operations, the steel coming out of Mill Scale is the highest quality BBQ pit one can purchase. Mill Scale intends to purchase 1.3 acres immediately north of Kreuz Market to establish a new manufacturing facility and retail store front. The move places the company within the city limits of Lockhart for the first time and will generate new property and sales taxes from the new operation. The proposed performance agreement would provide up to a \$50,000 rebate for an electric transformer and a 5-year Lockhart Economic Development Corporation (LEDC) sales tax rebate of 50%. The sales tax rebate is only applicable to LEDC's 0.5% sales tax on what Mill Scale remits to the City in annual sales taxes estimated to total \$25,000 over the 5-year term. The economic development performance agreement requires Mill Scale to invest at least \$1.5 million into the project and hire and maintain 15 jobs over the first 3 years for the duration of the term. Mr. Kamerlander stated that the LEDC and staff recommend approval.

Mr. Kamerlander stated that Matthew Johnson of Mill Scale requests to address the Council.

Matthew Johnson of Mill Scale thanked the city for considering their business in Lockhart. He stated that they are utilizing contractors from Lockhart to assist with designing and building the facility. He requested approval and stated that they propose to be open in November 2022.

Councilmember Michelson made a motion to approve Resolution 2022-22, as presented. Councilmember Mendoza seconded. The motion passed by a vote of 6-0.

ITEM 4-B. APPROVE CHAPTER 380 AGREEMENT WITH MILL SCALE, LLC. TO PROVIDE INCENTIVES FOR ECONOMIC DEVELOPMENT.

Mr. Kamerlander stated that the Chapter 380 agreement would assist with tax abatements. The proposed Chapter 380 agreement offers incentives for Mill Scale, LLC to move its operations to the City of Lockhart. Mill Scale creates custom smokers worthy of heirloom status as discussed in the previous item. The proposed 380 agreement would provide a 3-year real and personal property tax rebate that starts at 100% in year 1 and drops to 50% in year 3. The agreement requires Mill Scale to invest at least \$1.5 million into the project and hire and maintain 15 jobs over the first 3 years for the duration of the term. Mr. Kamerlander stated that the LEDC and staff recommend approval.

Councilmember Mendoza made a motion to approve the Chapter 380 Agreement with Mill Scale, LLC, as presented. Mayor Pro-Tem Sanchez seconded. The motion passed by a vote of 6-0.

ITEM 4-C. APPROVE RESOLUTION 2022-23 FOR AN ECONOMIC DEVELOPMENT PERFORMANCE AGREEMENT WITH REVIVAL CYCLES, INC.

Mr. Kamerlander stated that Revival Cycles is an Austin-based custom motorcycle manufacturing company and retailer of motorcycle apparel, accessories, and art. The company has been in Austin for over 15 years and has been on numerous TV shows and works with some of the top motorcycle manufacturers in the world like BMW, Harley Davidson, and Ducati. Revival is considering moving its entire operations from Austin to Lockhart with the purchase of the Masur building at the corner of Church Street and W. San Antonio. The company would occupy the entire space as its corporate headquarters and upgrade the building. The company would create up to 50 jobs in Lockhart in addition to the added value to the building. Additionally, the company would generate a large amount of sales taxes since the space would encompass a retail component and serve as the nexus of sale for all online sales. He outlined several building improvements projects. The proposed performance agreement provides the following incentives in exchange for the investment and job creation: (1) \$250,000 rebate grant to assist with upgrades throughout the building. The deal points are to close on the building, with an investment to upgrade components and install fire suppression, elevator, new windows, etc., effectively using BIG Grant qualified expenses, but larger since this is a job creator and sales tax generator, and (2) LEDC portion of sales tax rebate of 5 years at the following schedule: Year 1: 75%; Year 2: 75%; Year 3: 50%; Year 4: 50%; and Year 5: 50%. Mr. Kamerlander stated that the LEDC and staff recommend approval. There was discussion.

Councilmember Michelson made a motion to approve Resolution 2022-23, as presented. Mayor Pro-Tem Sanchez seconded. The motion passed by a vote of 6-0.

ITEM 4-D. APPROVE CHAPTER 380 AGREEMENT WITH REVIVAL CYCLES, INC. TO PROVIDE INCENTIVES FOR ECONOMIC DEVELOPMENT.

Mr. Kamerlander stated that the proposed Chapter 380 agreement offers incentives for Revival Cycles, Inc. to move its corporate operations to the City of Lockhart from Austin. Revival Cycles is a custom motorcycle manufacturing company and retailer of motorcycle apparel, accessories, and art as discussed in the previous agenda item. The performance agreement provides the following incentives in exchange for the investment and job creation. The Chapter 380 agreement under consideration would be a five-year term for real and personal property tax increment at the following schedule: Property Tax Rebate on Real and Personal Property: Year 1: 75%; Year 2: 66%; Year 3: 50%; Year 4: 33%; Year 5: 25%. Mr. Kamerlander stated that the LEDC and staff recommend approval.

Councilmember Bryant made a motion to approve the Chapter 380 Agreement with Revival Cycles, Inc., as presented. Councilmember Mendoza seconded. The motion passed by a vote of 6-0.

ITEM 4-E. APPROVE A LOWER COLORADO RIVER AUTHORITY (LCRA) COMMUNITY DEVELOPMENT PARTNERSHIP PROGRAM MATCHING GRANT TO PURCHASE WATER RESCUE PERSONAL PROTECTIVE EQUIPMENT FOR LOCKHART FIRE RESCUE.

Chief Jenkins stated that the purpose of the LCRA Community Development Partnership Program matching grant is to enhance Lockhart Fire Rescue's response to incidents involving rising or fast moving water. Local firefighters as first responders will be the first to respond to a water incident which requires the appropriate personal protective equipment to respond safely. The use of a personal flotation device is vital for the safety of all personnel operating around rising or moving water. First responders may also be able to support swift water rescue teams operating in the area. Climate change, extreme weather, and/or urban development may cause future flash flooding in areas typically not prone to flooding. The equipment includes four personal flotation devices, wetsuits, harnesses, helmets, gloves, boots, and related equipment such as ropes, pulleys, throw bags, carabiners, and rope grab devices, etc., used in swift water or low angle rescue. The total project cost is approximately \$8,314. The 20% city match is approximately \$1,665. The LCRA grant amount is \$6,649. Existing budgeted funds in FY 2021/2022 will be used for the 20% matching portion of the grant. Once the city has signed and returned the letter of agreement, the grant funds will be transferred to the City of Lockhart to begin the procurement process. Chief Jenkins recommended approval.

Councilmember Mendoza made a motion to approve the Lower Colorado River Authority Partnership Program matching grant, as presented. Councilmember Westmoreland seconded. The motion passed by a vote of 6-0.

ITEM 4-F. APPROVE A NON-MATCHING FIREHOUSE SUBS PUBLIC SAFETY FOUNDATION GRANT FOR A BATTERY-POWERED SET OF AUTOMOBILE EXTRICATION TOOLS FOR LOCKHART FIRE RESCUE.

Chief Jenkins stated that the Firehouse Subs Public Safety Foundation Grant is to obtain a set of battery-powered automobile extrication tools that includes the spreaders, cutters, and telescoping ram. Lockhart Fire has responded to over 200 vehicle accidents in the last three years. As the population increases and the roadways become more congested, the need for extrication equipment will grow. The extrication tools will increase the safety, reliability, and efficiency of the service we provide to the citizens of Lockhart when we respond to motor vehicle accidents. With limited staffing, the state-of-the-art battery extrication tools will increase our efficiency by not requiring a firefighter to move and operate the power unit and supply hose. Each tool can be operated by one firefighter and moved as needed. The citizens of Lockhart benefit when we respond to the scene and quickly remove the occupants from the damaged vehicle and transfer the patient to EMS for advanced treatment and transport to a hospital. The non-matching Firehouse Subs Public Safety Foundation Grant is for a total of \$33,615. The Board of Directors of the Firehouse Subs Public Safety Foundation will determine the method of procurement either by direct purchase by the foundation, or memo of understanding where funds are transferred via Automated Clearing House (ACH). The procurement will begin no later than May 23, 2022. Chief Jenkins recommended approval.

Councilmember Mendoza made a motion to approve the non-matching Firehouse Subs Public Safety Foundation grant, as presented. Councilmember Bryant seconded. The motion passed by a vote of 6-0.

ITEM 4-G. TABLE APPLICATION ZC-22-12 BY JIM MEREDITH ON BEHALF OF ROBERT A. SCHMIDT FOR A ZONING CHANGE FROM CHB COMMERCIAL HEAVY BUSINESS DISTRICT TO RHD RESIDENTIAL HIGH DENSITY DISTRICT FOR 14.57 ACRES IN THE BYRD LOCKHART SURVEY, ABSTRACT NO. 17, LOCATED AT 101 EAST CHINA STREET TO THE JUNE 7, 2022 CITY COUNCIL MEETING.

Mayor White announced that the zoning change application would be tabled until the June 7, 2022 Council meeting.

Councilmember Mendoza made a motion to table ZC-22-12 until the June 7, 2022 Council meeting. Councilmember Michelson seconded. The motion passed by a vote of 6-0.

ITEM 4-H. APPROVE THE MINUTES OF THE APRIL 5, 2022 COUNCIL MEETING.

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

Councilmember Mendoza made a motion to approve the minutes. Councilmember Westmoreland seconded. The motion passed by a vote of 6-0.

ITEM 5-B. DISCUSSION AND/OR ACTION REGARDING A PROPERTY SALE AGREEMENT FOR 6.788 ACRES IN 130 INDUSTRIAL PARK III WITH ZIEGENFELDER COMPANY.

Mr. Kamerlander stated that the proposed land purchase agreement with the Ziegenfelder Company. Based in Wheeling, WV, the Ziegenfelder Company is a private, family-owned frozen novelty manufacturer that focuses on producing the highest quality frozen ice treats. Its signature item, Budget Saver Assorted Twin Pops, is commonly referred to as the “Rainbow Array™. They are a significant manufacturer of twin pops with production facilities in Wheeling, WV; Chino, CA; and Denver, CO. The Ziegenfelder Company has produced steady and significant double digit growth year over year for the past 15 years while growing its tribe from 60 employees in one facility with three production lines to over 300 employees across three facilities and 12 production lines. Core to its success has always been making the highest quality, best tasting products in the market and selling them to valued customers at the best possible price. The Ziegenfelder Company owns and produces the brand Budget Saver, as well as licensed and private labeled products for premiere retailers. 24/7 operations in their three facilities, generates over 2.5 million pops per day. The potential Lockhart facility is estimated to be a \$30 million investment and create up to 100 jobs in a 42,000 SF facility. Ziegenfelder has presented the LEDC with a purchase sale agreement for land in the new industrial park with the details as follows: Site under the contract: Block B, Lot 1 (6.788 acres). (1) Purchase Price: \$2.75/SF or \$813,134.52; (2) Earnest Money: \$75,000; (3) Feasibility Period: 90 days to complete its Due Diligence related to the site with an additional 45 days beyond the feasibility period to obtain all necessary permits for buyer’s intended use; and (4) State of Texas incentives (the Texas Enterprise Fund) is a condition of closing. The Lockhart Economic Development Corporation Board voted unanimously to accept the contract with edits. Mr. Kamerlander recommended approval. There was discussion.

Councilmember Michelson made a motion to approve the property sale agreement for 6.788 acres in the 130 Industrial Park III with Ziegenfelder company, as presented. Councilmember Westmoreland seconded. The motion passed by a vote of 6-0.

ITEM 5-C. CONSIDER AND TAKE ACTION TO AUTHORIZE THE MAYOR TO EXECUTE AN AGREEMENT WITH KENT BROUSSARD TOWER RENTALS, INC. TO LEASE LAND OWNED BY THE CITY FOR THE PURPOSES OF A RADIO TOWER LOCATED AT 1517 DALE ROAD, LOCKHART, TX, AND EXECUTE A TOWER USE LICENSE TO CONTINUE THE CITY'S USE OF THE TOWER FOR POLICE, FIRE, EMS AND OTHER CITY RELATED COMMUNICATIONS; AND TO AUTHORIZE THE MAYOR TO EXECUTE A TOWER USE LICENSE WITH CLEARVIEW TOWER COMPANY III, LLC. TO CONTINUE THE CITY'S USE OF A RADIO TOWER LOCATED NEAR LULING, TX KNOWN AS IRON MOUNTAIN FOR THE SAME PURPOSES AS ABOVE.

Mr. Montgomery stated that this is a renewal of an existing agreement that has been in place since the early 1990s. He recommended that the Council postpone action about the tower use licenses yet move forward on the land lease.

Councilmember Michelson made a motion to approve the land use agreement and to postpone action on the tower use licenses. Councilmember Mendoza seconded. The motion passed by a vote of 6-0.

ITEM 5-D. DISCUSSION REGARDING A CHANGE TO SOLID WASTE COLLECTION ROUTES BY CENTRAL TEXAS REFUSE.

Mr. Kelley stated that Central Texas Refuse (CTR) notified staff about upcoming changes in its waste collection in an effort to improve timely service for each route. CTR plans to convert the residential waste collection from four days per week of rear-load to three days per week and convert the commercial cart customers from two times a week to once per week and supply existing commercial cart customers with an extra cart if needed, starting June 13, 2022. The three residential collection days would be Monday, Tuesday, and Thursday. The residential recycling service will remain unchanged and will continue to pickup every other week on Wednesdays. There will be an additional rear-load vehicle to help with the routes. CTR explained that three days of service are better balanced than the previous service days, with Thursdays having the heavier burden. They said it would also help to have an extra day, Friday, available for any carry-overs due to breakdowns or other unforeseen issues. The planned routes also take into consideration when CTR is ready to phase in an automatic service loading vehicle into service. There are about 1,873 customers out of 5,255 that will experience a day of service change. There are 125 commercial cart customers that would be affected starting June 13, 2022.

Mayor White requested Alfonso Sifuentes to address the Council.

Alfonso Sifuentes, Director of the Public Sector Services of Central Texas Refuse provided details about the proposed change to reduce the collection days from four days per week to three days per week. Effective June 13, 2022, Friday will no longer be a collection day. 1,873 customers will be affected. He stated that CTR will notify the affected customers by placing a notice on their trash cart, in utility bills as an insert, and through social media. There was discussion.

ITEM 5-E. DISCUSSION AND/OR ACTION REGARDING THE PROPOSED AUTO RECYCLE AND SALVAGE YARD LOCATED NEAR SH 183/FM 1185, OUTSIDE THE CITY LIMITS.

Mr. Lewis stated that the Caldwell County Commissioners Court conducted a public hearing regarding a proposed auto recycle and salvage yard during their meeting on April 12, 2022. He introduced David Fowler as the City's new Senior Planner, who also attended the Commissioner Court's public hearing.

Mayor White asked if the council would like to submit a letter in opposition of the proposed auto recycle and salvage yard.

CONSENSUS: After discussion, the consensus of the Council was not to take action. The majority of the Council indicated that they trust the Caldwell County Commissioners Court to make the right decision.

ITEM 5-F. DISCUSSION REGARDING MATTERS RELATED TO COVID-19.

Mayor White stated that mask mandates have been lifted in the travel industry. He encouraged everyone to stay safe.

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

- Update regarding Firefighter Civil Service exams.
- Residential Citywide Spring Clean Up Program on Saturday, April 30.
- Splash pad opens on April 30.
- Redistricting will be brought back to Council on the May 3 meeting.
- Update about new ambulance.

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

Councilmember Mendoza congratulated a local boxing gym for training a boxer that participated in a nationwide boxing match in Dallas.

Mayor Pro-Tem Sanchez expressed condolences to the families of Geneva Bosque, Sylvia Estrada and Manuela Recio Cisneros for their loss.

Mayor White welcomed new City of Lockhart employees. He encouraged everyone to stay safe.

ITEM 8. ADJOURNMENT.

Councilmember Mendoza made a motion to adjourn the meeting. Mayor Pro-Tem Sanchez seconded. The motion passed by a vote of 6-0. The meeting was adjourned at 8:40 p.m.

PASSED and APPROVED this the 17th day of May 2022.

CITY OF LOCKHART

Lew White, Mayor

ATTEST:

Connie Constancio, TRMC
City Secretary

**REGULAR MEETING
LOCKHART CITY COUNCIL**

MAY 3, 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
Sean Kelley, Public Works Director
Julie Bowermon, HR/Civil Service Director
Randy Jenkins, Fire Chief

Connie Constancio, City Secretary
Victoria Maranan, Public Information Officer
Pam Larison, Finance Director
David Fowler, Senior Planner

Citizens/Visitors Addressing the Council: William Wachel of TRC Engineers; Kylie Mycock and Bobby Eichholz of Rialto Studio; Apryl Germany of Ascension Seton Edgar B. Davis Hospital; Erin Kubatzky, Senior Operations Manager and Neil Maris, Event Producer of *Texas Monthly*; and Citizens: Ron Faulstich; Travis Faulstich; Trent Brough; Parind Vora; Riley Baldus; Donna Daniels; Srinivasa Prasad Kunche, Rosario Rodriguez.

Work Session 6:30 p.m.

Mayor White announced that Mayor Pro-Tem Sanchez will be late to the meeting. He opened the work session and advised the Council, staff and the audience that staff would provide information and explanations about the following items:

DISCUSSION ONLY

A. PRESENTATION AND DISCUSSION REGARDING THE DOWNTOWN REVITALIZATION FINAL CONCEPTUAL DESIGN REPORT FROM TRC ENGINEERS, INC. AND RIALTO STUDIO.

William Wachel of TRC Engineers, Kylie Mycock and Bobby Eichholz of Rialto Studio provided a detailed update report regarding the Downtown Revitalization project.

There was discussion regarding the preliminary design Options 1A and 1B.

Mayor Pro-Tem Sanchez arrived at 6:45 p.m.

Mayor White requested the following to address the Council:

Ron Faulstich, 121 Nueces Street, expressed opposition of the Plaza and about reducing parking spaces in the downtown square. He recommended increasing parking in the downtown district instead of reducing it. He requested approval of Plan 1B without the Plaza.

Travis Faulstich, business owner on San Antonio Street, expressed opposition of the Plaza and about reducing parking in the downtown area. He recommended approval of Option 1B without the Plaza.

Trent Brough, 111 E. San Antonio Street, stated that he is opening a law office in the downtown district. He stated that he believes that the Plaza would be detrimental to the businesses because it reduces parking options in storefronts. He recommended approval of Option 1B without the Plaza.

Parind Vora, 519 W. San Antonio Street, asked a few questions: 1) were the individuals that completed the survey all Caldwell County residents; 2) was a survey conducted of the downtown businesses; and, 3) were driving and pedestrian counts conducted? He spoke in opposition of the Plaza. He stated that there is also a lack of adequate handicap parking spaces, and he spoke in opposition of reducing parking spaces. He stated that he believed that the consultants should have requested feedback from the downtown business owners while developing the downtown revitalization plan.

Mr. Wachel stated that they will work on assuring that the maximum number of parking spaces are included in the downtown renovation project. There was discussion.

There was discussion about several opportunities that citizens were given to provide feedback and to be involved in the revitalization project.

RECESS: Mayor White announced that the Council would recess for a break at 7:25 p.m.

REGULAR MEETING

ITEM 1. CALL TO ORDER.

Mayor Lew White called the meeting to order at 7:43 p.m.

ITEM 2. INVOCATION, PLEDGE OF ALLEGIANCE.

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

ITEM 3. PUBLIC COMMENT.

Mayor White requested citizens to address the Council.

Riley Baldus, 601 Flores, provided details about a planned development, “The Lockhart Ridge Garden Homes Community”.

Donna Daniels, 420 W. Prairie Lea, suggested Plan 1A for the downtown revitalization project because she believes that it is very pedestrian friendly.

ITEM 4-A. HOLD A PUBLIC HEARING ON APPLICATION ZC-22-13 BY SRINIVASA PRASAD KUNCHE ON BEHALF OF CAM-TX HOLDINGS, LLC, AND DISCUSSION AND/OR ACTION TO CONSIDER ORDINANCE 2022-14 FOR A ZONING CHANGE FROM CHB HEAVY BUSINESS DISTRICT TO RHD RESIDENTIAL HIGH DENSITY DISTRICT ON LOT 2, BLOCK 1, MOSO SUBDIVISION, CONSISTING OF 0.613 ACRES LOCATED AT 1203 BLACKJACK STREET (FM 20).

Mayor White opened the public hearing at 7:45 p.m.

Mr. Fowler stated that a multifamily residential development is proposed for the subject property and 1201 Blackjack to the east. As the subject property is zoned CHB Commercial Heavy Business, this use is not allowed on the site. To make multifamily development permitted, the applicant has requested a zoning change to RHD Residential High Density. The proposed RHD zoning classification is not consistent with the Medium Density Residential future land use that is designated for the subject lot and the lots to its immediate north, east, and west. However, the proposed RHD zoning would match the current zoning of the properties to the immediate north and west. At the Planning and Zoning Commission public hearing, no citizens spoke regarding the proposed zoning change. Mr. Fowler stated that the Planning and Zoning Commission and staff recommend approval.

Mayor White requested the applicant to address the Council.

Srinivasa Prasad Kunche stated that they plan to develop town homes on the property. He requested approval of the zoning change.

Mayor White requested citizens in favor of or against the zoning change to address the Council. There were none. He closed the public hearing at 7:53 p.m.

Councilmember Mendoza made a motion to approve Ordinance 2022-14, as presented. Councilmember Westmoreland seconded. The motion passed by a vote of 7-0.

ITEM 4-B. HOLD A PUBLIC HEARING ON APPLICATION ZC-22-14 BY ROSARIO RODRIGUEZ, AND DISCUSSION AND/OR ACTION TO CONSIDER ORDINANCE 2022-15 FOR A ZONING CHANGE FROM AO AGRICULTURAL-OPEN SPACE DISTRICT TO RMD RESIDENTIAL MEDIUM DENSITY DISTRICT ON 5.001 ACRES OUT OF THE ESTHER BERRY SURVEY, A-1, LOCATED AT 2011 FM 1322.

Mayor White opened the public hearing at 7:54 p.m.

Mr. Fowler stated that the applicant proposes to locate a manufactured home on the subject property. This use is not permitted in the subject parcel's AO Agricultural-Open Space Zoning District. In order to facilitate the location of the manufactured home on the property, the applicant has submitted for a rezoning to RMD Residential Medium Density zoning. If the RMD rezoning were approved, a Specific Use Permit (SUP) would still be required prior to the manufactured home being permitted on the subject parcel. The subject parcel is 5.001 acres in size, and is designed as a family parcel for use of relatives of the owners of the larger 43.3-acre parent tract. The rest of the parent tract is zoned AO, as is most of the surrounding area within the city limits. Most of the immediate area is rural in character, but the Summerside residential subdivision will eventually build to FM 1322 on the parcel south of the parent tract. The proposed RMD zoning is consistent with the property's Medium Density Residential Comprehensive Land Use Plan map designation. So far, there has been no public opposition to the proposed zoning change. Mr. Fowler stated that the Planning and Zoning Commission and staff recommend approval.

Mayor White requested the applicant to address the Council.

Rosario Rodriguez, applicant, stated that he would like to place a manufactured home on his property so that his daughter can move close to the family. He requested approval of the zoning change.

Mayor White requested citizens in favor of or against the zoning change to address the Council. There were none. He closed the public hearing at 8:00 p.m.

Mayor Pro-Tem Sanchez made a motion to approve Ordinance 2022-15, as presented. Councilmember McGregor seconded. The motion passed by a vote of 7-0.

ITEM 6-B. DISCUSSION AND CONSIDERATION BY THE CITY COUNCIL OF COMMENTS RECEIVED FROM THE PUBLIC REGARDING REDISTRICTING PLANS FOR CITY COUNCIL DISTRICTS, PLANS PROPOSED BY THE PUBLIC, INCLUDING POSSIBLE AMENDMENTS TO A PROPOSED PLAN, INCLUDING A PLAN DRAWING SESSION. 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 announced that the Council would enter Executive Session to discuss redistricting at 8:03 p.m.

Mayor White announced that the Council would enter Open Session at 8:54 p.m.

ITEM 6-C. DISCUSSION AND CONSIDERATION OF AN EFFECTIVE DATE FOR A REDISTRICTING PLAN FOR CITY COUNCIL DISTRICTS.

There was no discussion.

ITEM 6-D. DISCUSSION OF, AND POSSIBLE ADOPTION OF A REDISTRICTING PLAN FOR CITY COUNCIL DISTRICTS AS OUTLINED IN RESOLUTION 2022-24.

Mayor Pro-Tem Sanchez made a motion to table the item until the next meeting and requested that the redistricting attorney, Syd Falk and Philip Ruiz of LULAC meet to discuss a redistricting drawing option to present to the Council. Councilmember McGregor seconded. The motion passed by a vote of 7-0.

ITEM 5. CONSENT AGENDA

Mayor White stated that the consent agenda items will be discussed separately because they were not discussed during the work session.

ITEM 5-A. APPROVE RENEWING AGREEMENT WITH JACK PEARCE, LLC WITH AN AMENDMENT FOR THE LEASING OF PROPERTIES LOCATED AT WEST MARKET STREET AND SOUTH COMMERCE STREET AND APPROVING THE MAYOR TO SIGN THE RENEWAL OF LEASE IF APPROVED.

Mr. Kelley stated that in early 2021, the City approached Jim and Amelia Smith (owners) to pursue leasing the vacant properties located on the southside of the downtown square for the purpose of creating a temporary park. The Smiths were excited to enter negotiations with the City for the establishment of a park on the vacant property. The property owners have plans to develop the property in the future, however they are eager to offer this space to benefit the community in the meantime. Over the past months, City staff has been assisting Texas Monthly with planning the proposed Texas World's Fair event in Lockhart in November 2022. During the planning sessions, Texas Monthly asked to incorporate the use of the downtown park during their event as a "Beer Hall". The current lease with the property owners prohibits alcohol on the property. The property owners were informed about the request to consume and sell alcohol on their property, and they have agreed to allow consumption and use of alcohol on the premises only during the November 2022 planned event. Sales and consumption of alcohol would remain prohibited on this property leading up to and after the event. The property lease renewal outlines sales and consumption of alcohol during this planned event and retains all other previously agreed provisions in the agreement. The effective dates of this agreement would be May 3, 2022 to May 2, 2023, and would automatically renew for an additional one-year term on each anniversary date unless either party notifies the other in writing of intent not to renew at least 60 days prior to expiration of the then-current term. This lease may

be terminated by the Lessee or the Lessor at any time with a sixty (60) day written notice to the other party. There was discussion.

Councilmember McGregor made a motion to approve the renewal agreement with Jack Pearce, LLC with an amendment for the leasing of properties located at West Market Street and South Commerce Street, as presented. Councilmember Mendoza seconded. The motion passed by a vote of 7-0.

ITEM 5-B. ACCEPTANCE OF THE 2ND QUARTER INVESTMENT REPORT FOR FISCAL YEAR 2021-22.

Ms. Larison stated that the Public Funds Investment Act requires local governments to review and accept Quarterly Investment Reports for each quarterly reporting period of the year. There was discussion regarding the 2nd Quarter for Fiscal Year 2022, ending March 31, 2022.

Councilmember Michelson made a motion to accept the 2nd Quarter Investment Report for Fiscal Year 2021-2022, as presented. Councilmember Westmoreland seconded. The motion passed by a vote of 7-0.

ITEM 6-A. DISCUSSION AND/OR ACTION REGARDING THE DOWNTOWN REVITALIZATION FINAL CONCEPTUAL DESIGN REPORT FROM TRC ENGINEERS, INC. AND RIALTO STUDIO.

There was discussion.

Councilmember Michelson made a motion to approve design conceptual plan 1B without the Plaza and to direct the consulting firms and staff to return with parking options. Mayor Pro-Tem Sanchez seconded. The motion passed by a vote of 7-0.

ITEM 6-E. DISCUSSION AND/OR ACTION TO CONSIDER ORDINANCE 2022-18 APPROVING BUDGET AMENDMENT 67 FOR THE PURCHASE OF A NEW FRAZER TYPE I AMBULANCE FOR LOCKHART EMS THROUGH FRAZER, LTD. UTILIZING THE HOUSTON-GALVESTON AREA COUNCIL (H-GAC) AS THE PROCUREMENT METHOD.

Chef Jenkins stated that Apryl Germany of Ascension Seton Edgar B. Davis/Lockhart EMS is present to answer questions, if necessary. He stated that the new Frazer Type I ambulance will be deployed front-line for medical emergencies in Lockhart and Caldwell County. The ambulance will replace one of the two front-line ambulances currently in service. The vehicle is a Type I ambulance with a Dodge Diesel F550 cab and chassis, a 12' all-aluminum patient module, back-up camera, LiquidSpring suspension, Mobile Electronic Power Solutions (MEPS) generator, Engel refrigerator, shore power, LED lighting, and horizontal O2 cylinder storage. It is best practice to remove an ambulance from the front-line to reserve after 5 years or approximately 150,000 miles. In reserve for up to 5 additional years or over 200,000 total miles, it is then replaced with a new ambulance, or the patient module is remounted on a new cab and chassis. Lockhart EMS typically has four ambulances in its fleet, two front-line and two in reserve. One of the four is currently in the process of a remount and the other three ambulances all have over 200,000 miles and are at least 5 years old. Medic 1 (2016) is currently at Siddons-Martin waiting on a cab and chassis for its remount. It was approved by the City Council on July 6, 2021, but due to shortage of inventory, it has not been completed. The estimated delivery is late summer 2022. The total cost to purchase the Type I ambulance as the specifications are written is \$246,794. Once the ambulance is completed, the city will have to arrange for it to be transported to Lockhart from the Houston Frazer manufacturing plant. A powered loading system and cot is also recommended to be purchased from Stryker for this Frazer Type I ambulance in a separate agenda item. Chief Jenkins recommended approval. There was discussion.

Councilmember Michelson made a motion to approve Ordinance 2022-18 for the purchase of an ambulance, 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 THE PURCHASE OF A POWERED LOADING SYSTEM AND POWERED COT THROUGH STRYKER MEDICAL TO BE INSTALLED IN A NEW FRAZER TYPE I AMBULANCE BEING PURCHASED FOR LOCKHART EMS.

Chief Jenkins stated that the “powered loading and cot system” is a method for managing the stretcher during loading and unloading in the ambulance, while increasing the safety of the patient and personnel. The powered loading system (Stryker MTS Power Load) and the powered ambulance cot (Stryker Power-PRO XT MTS) are for a new Frazer ambulance being purchased for Lockhart EMS. The cost includes the maintenance and service agreement for the powered loading system and cot. The powered loading and cot system is currently used on other Lockhart EMS ambulances and is the sole resource of Stryker Medical. The cost for the powered loading and cot system plus maintenance agreements is \$58,131.04 plus approximately \$500 to install by a separate vendor for a total of \$58,631.04. Chief Jenkins recommended approval. There was discussion.

Councilmember Michelson made a motion to approve the purchase of a powered loading system and powered cot through Stryker Medical to be installed on a new Frazer Type I ambulance, as presented. Mayor Pro-Tem Sanchez seconded. The motion passed by a vote of 7-0.

ITEM 6-G. DISCUSSION AND/OR ACTION TO CONSIDER PROPOSED TEXAS MONTHLY 2022 BBQ WORLD'S FAIR EVENT SPONSORSHIP AGREEMENT FOR THE NOVEMBER 5 - 6, 2022 TEXAS MONTHLY BBQ WORLD'S FAIR EVENT.

Ms. Bowermon stated that on January 18, 2022, City Council approved a proposal from *Texas Monthly* to host the Texas Monthly 2022 BBQ World's Fair in Lockhart on November 5 - 6, 2022. Since 2009, *Texas Monthly* has brought together BBQ enthusiasts at a BBQ festival held at the Long Center in Austin. As the event has evolved and grown, *Texas Monthly* proposed to relocate the festival to the Barbecue Capital of Texas: Lockhart. The event will be a 2-day weekend festival starting on Saturday, November 5, 2022 in the downtown area. The second day of the festival will be held at City Park. The city will contribute up to \$25,000 of in-kind services including permitting assistance, emergency personnel staffing, use of the downtown streets and City Park, barricades and staffing for street closures, shuttle transportation, utilities, etc. Preparations for the November event have kicked off with *Texas Monthly* holding informational meetings with both Chambers, the Downtown Business Association, and several local businesses. *Texas Monthly* has offered Lockhart the opportunity of an event sponsorship for \$28,700 to promote Lockhart with both print and video packages. The sponsorship fee includes \$20,000 for one interactive visual storytelling feature and \$8,700 for one full-page brand ad in *Texas Monthly* magazine. The proposed sponsorship agreement specifies event details and the City's in-kind service contributions, as well as the opportunity for the event sponsorship.

Erin Kubatzky, Senior Operations Manager and Neil Maris, Event Producer of *Texas Monthly* provided details about the events and the sponsorship opportunities of the BBQ Festival in Lockhart.

There was discussion and a request that *Texas Monthly* notify each of the downtown businesses about the downtown street closures on the Friday of the event. There was also discussion about the marketing and promotional features of the event.

Mayor White asked if the Council would like an item placed on a future agenda to consider a possible contribution in the amount of \$28,000 for the event. There was discussion about the city logo being placed on all promotional ads in six *Texas Monthly* issues that are distributed to approximately \$2 million subscribers.

Mayor White asked if city funds are available to cover the sponsorship cost. Ms. Bowermon replied that if the Council chose to be an event sponsor, \$26,000 would be used from funds allocated for the KART Race that will no longer be held, in addition to hotel occupancy tax funds.

There was discussion.

Councilmember Westmoreland made a motion to approve the *Texas Monthly* 2022 BBQ World's Fair Event Sponsorship Agreement for the November 5-6, 2022 Texas Monthly BBQ World's Fair event, as presented. Councilmember McGregor seconded. The motion passed by a vote of 7-0.

PRESENTATION OF A PROCLAMATION DECLARING MAY 21, 2022 AS KIDS TO PARKS DAY.

Mayor White presented the proclamation to Travis Hughes, Parks and Recreation Director.

ITEM 6-I. DISCUSSION AND/OR ACTION TO CONSIDER ORDINANCE 2022-16 GRANTING A REVOCABLE LICENSE PURSUANT TO SECTIONS 10.10 AND 10.11 OF THE HOME RULE CHARTER OF THE CITY OF LOCKHART FOR THE ERECTION OF A GATE ACROSS NORTH PECOS STREET AT 1631 NORTH PECOS STREET.

Mr. Akers stated that the city was approached by the resident at 1631 N. Pecos asking to put back a gate and fence across the right-of-way in front of his house to prevent vehicles from using a private road in front of his home to Highway 183.

The following are a few issues to consider pertaining to the installation of the gate:

- A "No Outlet" sign is erected on Silent Valley Road on North Pecos Street.
- A "Dead End" sign is in front of the house at 1631 N. Pecos.
- The signs have not deterred vehicles from taking the road down to Highway 183.

The resident at 1631 North Pecos states that a fence and a gate had previously been erected on the property for 20 plus years and he wants to put it back. As provided in the Charter, the authority to erect the gate is fully revocable by the City at any time and for any reason.

Joseph Gonzales, 1631 North Pecos Street, requested approval to allow him to erect a gate across North Pecos Street. He stated that when he built his home, the city's building regulations required him to remove the gate.

Councilmember Michelson made a motion to approve Ordinance 2022-16 granting a revocable license pursuant to Sections 10.10 and 10.11 of the Home Rule Charter of the City of Lockhart for the erection of a gate across North Pecos Street at 1631 North Pecos Street, as presented. Mayor Pro-Tem Sanchez seconded. The motion passed by a vote of 7-0.

ITEM 6-H. DISCUSSION AND/OR ACTION TO CONSIDER ORDINANCE 2022-17 APPROVING BUDGET AMENDMENT 66, TO ALLOCATE FUNDS FOR SERVICES PROVIDED BY AN INSURANCE SERVICES OFFICE (ISO) CONSULTANT TO ASSIST THE CITY OF LOCKHART IN PREVENTING A RETROGRESSION FROM A PUBLIC PROTECTION CLASSIFICATION (PPC) 3/3X TO A PPC 4/4X RESULTING FROM A ISO SURVEY CONDUCTED ON DECEMBER 8, 2021.

Chief Jenkins stated that ISO collects information on a community's public fire protection and analyses the data using their Fire Suppression Rating Schedule (FSRS). ISO then assigns a Public Protection Classification (PPC) from 1 to 10, with 1 being the best class available. Insurance companies then use the PPC rating to help establish appropriate premiums for residential and commercial properties. The fire protection systems which are evaluated include 911 Communications (9%), Fire Department (47%), Water Supply (38%), Community Risk Reduction (6%), and the Texas Exception. The potential rise in the cost of property insurance if the city regressed from an ISO PPC of 3/3X to a PPC of 4/4X is 9% for commercial properties and 3% for residential properties.

Mike Pietsch, P.E. Consulting Services, Inc. was retained on March 10, 2022 and developed a two-phase plan to stop the ISO retrogression as follows:

Phase I – Develop an ISO grading point total which should have resulted from the recent ISO survey, and develop a plan and report based on this grading point total in order to eliminate the regression. Cost \$16,000. Phase I is complete.

Phase II – Assist the City of Lockhart with a ISO re-survey to eliminate the regression. Cost is \$6,500. Phase II will be completed after all components of the improvement plan have been implemented.

Chief Jenkins stated that the City of Lockhart has submitted their improvement plan to the ISO regression specialist in New Jersey and the improvement plan has been approved. Once all components of the improvement plan have been completed, the ISO consultant will assist the city in presenting the information to ISO to stop the regression. The City of Lockhart will remain a PPC 3/3X until the entire improvement plan process is complete. Once the improvements have been accepted by ISO, a new PPC 3/3X letter will be issued by the State Fire Marshal. Typically, a city will be evaluated by ISO between 5 and 10 years from the last survey.

Councilmember McGregor made a motion to approve Ordinance 2022-17, approving budget amendment 66, as presented. Councilmember Bryant seconded. The motion passed by a vote of 7-0.

ITEM 6-J. DISCUSSION AND DIRECTION TO STAFF REGARDING POSSIBLE AMENDMENTS TO CHAPTER 64 REGARDING COVERED PARKING REQUIREMENTS IN SF-1 AND SF-2 RESIDENTIAL DEVELOPMENT TYPES.

Mr. Lewis stated that Councilmember McGregor requested that the item be on the agenda for discussion.

Councilmember McGregor stated that she requests consideration of extending the exemption of covered parking requirements for non-conforming lots that were platted prior to 1990.

Mr. Lewis stated that the current ordinance would require the property owner to apply for a variance to request a waiver of the required covered parking. Councilmember McGregor replied that her goal is to avoid requiring smaller lots platted prior to 1990 from being required to apply for a variance or to be required to have covered parking. She requested that staff report a recommendation to Council about the waiver that includes information about how many nonconforming lots platted before 1990 exist in the city limits.

There was discussion.

Councilmember McGregor made a motion to direct staff to present a possible amendment to Chapter 64 regarding covered parking requirements in SF-1 and SF-2 residential development types of smaller lots that were platted prior to 1990. Councilmember Mendoza seconded. The motion passed by a vote of 6-1, with Mayor White opposing.

ITEM 6-K. CONSIDER AND TAKE ACTION TO AUTHORIZE THE MAYOR TO EXECUTE A TOWER USE LICENSE WITH BROUSSARD TOWER RENTALS, INC. TO CONTINUE THE CITY'S USE OF THE RADIO TOWER LOCATED AT 1511 EAST MARKET ST. WITHIN THE CITY OF LOCKHART FOR THE PURPOSES OF POLICE, FIRE, EMS AND OTHER CITY RELATED COMMUNICATIONS; AND TO AUTHORIZE THE MAYOR TO EXECUTE A TOWER USE LICENSE WITH CLEARVIEW TOWER COMPANY III, LLC. TO CONTINUE THE CITY'S USE OF A RADIO TOWER LOCATED NEAR LULING, TX KNOWN AS IRON MOUNTAIN FOR THE SAME PURPOSES AS ABOVE.

Ms. Larison stated that this item is about renewing an existing agreement that has been in place since the early 1990s. Kent Broussard Tower Rentals, Inc. is in the process of selling all their assets to Clearview Tower Company III, LLC and has already sold the Iron Mountain (Luling) tower to them. The new agreements will maintain the status quo, but they more clearly identify the price structure and lease terms. On April 19, 2022, Council voted to postpone the approval of these agreements because staff had some last-minute questions for the current and future owners which have since been answered. Ms. Larison recommended approval.

Mayor Pro-Tem Sanchez made a motion to approve the Tower Use Licenses, as presented. Councilmember Bryant seconded. The motion passed by a vote of 7-0.

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

There was no discussion.

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

- City of Lockhart FY 2022 Mid-Year Financial report.
- Update regarding city facility upgrades and subdivision developments.
- CARTS Ribbon cutting ceremony on May 2 at 12:00 p.m. at City Hall.
- Update about CARTS NOW.
- Update on Iron Ox grand opening.
- Cinco de Mayo events - May 6 and 7.

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

Councilmember Mendoza invited all to the Cinco de Mayo celebration.

Mayor Pro-Tem Sanchez expressed condolences to the families of Tommy Chesser, Jesse Perez, Sylvia Estrada, and Gary Smith for their loss. She wished the Hispanic Chamber good luck for a successful Cinco de Mayo event. She expressed Happy Mother's day blessings.

Councilmember McGregor invited all to Cinco de Mayo and First Friday events downtown this weekend. Courthouse Nights has returned with Lockhart's James Mcmurtry playing at the next event.

Councilmember Bryant wished the Hispanic Chamber good luck on a successful Cinco de Mayo event.

Councilmember Michelson thanked Iron Ox for a tour of their facility.

Mayor White wished the Hispanic Chamber good luck on a successful Cinco de Mayo event. Happy Mother's Day to all.

ITEM 9. EXECUTIVE SESSION IN ACCORDANCE WITH THE PROVISIONS OF THE GOVERNMENT CODE, TITLE 5, SUBCHAPTER D, SECTION 551.071 TO CONSULT WITH THE CITY ATTORNEY, AND 551.087 REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS, IN CONNECTION WITH LEGAL ADVICE AND OPTIONS FOR ACTION REGARDING POSSIBLE AMENDMENT OR REPLACEMENT OF AN EXISTING CHAPTER 380 AGREEMENT AND INCENTIVES TO BE PROVIDED TO A BUSINESS PROSPECT.

Mayor White announced that the Council would enter Executive Session at 10:13 p.m.

ITEM 10. OPEN SESSION. Discussion and/or action regarding matters discussed in Executive Session.

Mayor White announced that the Council would enter Open Session at 10:40 p.m. There was no action taken.

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 10:41 p.m.

PASSED and APPROVED this the 17th day of May 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: May 17, 2022

AGENDA ITEM CAPTION: Discuss semi-annual report from the Impact Fee Advisory Committee concerning the status of implementation of Chapter 31 "Impact Fees" of the Lockhart Code of Ordinances with regard to water, wastewater, and road impact fees.

ORIGINATING DEPARTMENT AND CONTACT: Development Services - Dan Gibson

ACTION REQUESTED: Consensus

BACKGROUND/SUMMARY/DISCUSSION: In accordance with State law, the Impact Fee Advisory Committee has an ongoing role in monitoring and evaluating implementation of the water, wastewater, and road impact fee capital improvement plans (CIP's), and submitting semi-annual reports to the City Council. The Committee met on May 11th to consider their 40th semi-annual report since impact fees were originally adopted on January 15, 2002. The total impact fee revenue during the period covered by this report was \$644,508, and there were no expenditures of impact fees in any of the accounts during that time. Because the Committee previously recommended that the City undertake the statutory five-year update of the impact fee land use assumptions, capital improvement plans, and fees, and the Council agreed and subsequently voted at the December 21, 2021, Council meeting to direct staff to retain consultants for the update, there are no new recommendations from the Committee. More information is contained in the attached semi-annual report from the Committee, which is for the period from October 1, 2021, to April 1, 2022.

PROJECT SCHEDULE (if applicable): Staff is currently reviewing proposals from the consultants to be hired for the impact fee update process.

AMOUNT & SOURCE OF FUNDING:

Funds Required:

Account Number:

Funds Available:

Account Name:

FISCAL NOTE (if applicable): Impact fee revenue helps pay for up to half of the cost of projects listed in the water, wastewater, and road CIP's.

PREVIOUS COUNCIL ACTION: None.

COMMITTEE/BOARD/COMMISSION ACTION: The semi-annual report from the Impact Fee Advisory Committee is attached.

City of Lockhart, Texas

Council Agenda Item Cover Sheet

STAFF RECOMMENDATION/REQUESTED MOTION: Accept the attached report for the six-month period from October 1, 2021 to April 1, 2022.

LIST OF SUPPORTING DOCUMENTS: Spring 2022 signed committee report, impact fee Exhibit A spring 2022, impact fee Exhibit B spring 2022

IMPACT FEE REPORT

To Lockhart City Council –May 2022

PURPOSE

State law requires a continuing semi-annual role for the Impact Fee Advisory Committee in monitoring the progress of implementation of the impact fee ordinance, and in advising the City Council on needed revisions. More specifically, State law provides that the Committee:

- 1) Monitor and evaluate implementation of the capital improvements plans;
- 2) File semi-annual reports with respect to the progress of the capital improvements plans and report to City Council any perceived inequities in implementing the plans or imposing the impact fees; and,
- 3) Advise the City Council of the need to update or revise the land use assumptions, capital improvements plans (CIP's), and impact fees.

This is the 40th status report since the impact fee ordinance was originally adopted on January 15, 2002, and is for the period from October 1, 2021, to April 1, 2022. It is the tenth report since the update adopted on April 4, 2017, and is based on the current capital improvement plans and impact fees. The six-month reporting dates align with the fiscal year quarters.

STATUS OF ACCOUNTS

Exhibit A shows revenue totaling \$644,508 during the period covered by this report. Fees collected during the six-month period were for 48 new houses, one 120-unit apartment complex, eight vacation rental cabins, one retail interior tenant space finish-out, one new office building, one convenience store, one restaurant, and one industrial building, plus three water meters not used for buildings. There were no expenditures of impact fees in any of the accounts for this period. The water, wastewater, and road impact fee account balances for the previous semi-annual report, as well as the current balances as of April 1, 2022, including accrued interest, are shown in the table.

The total estimated cost of all of the projects in the capital improvement plans in effect during the six-month reporting period was \$58,311,537. However, the City Council adopted one-half that amount as the maximum to be collected by April 1, 2027, which is the end of the ten-year CIP period, so the maximum fees are based on an estimated cost of all three CIP's being \$29,155,769. The total of all impact fees spent on CIP projects so far since the April 4, 2017 update is \$673,073, which does not include payments to impact fee update consultants. That leaves \$28,482,696 to still be spent. The total balance available remaining collectively in the four impact fee accounts that can be used toward meeting that goal, is currently \$3,729,539.

TRENDS

The bar graph in **Exhibit B** illustrates the impact fee collection trends beginning with the first semi-annual report in July 2003. The trends generally reflect the state of the economy, as well as the availability of lots for residential development. With housing demand at an all-time high, and sufficient platted lots available, the total for this reporting period is the highest of all of the reporting periods. It is important to build a healthy balance in all of the accounts because there is interest in development where the City does not currently have adequate infrastructure, but where many of the needed projects are already listed in the impact fee CIP's.

UPDATE

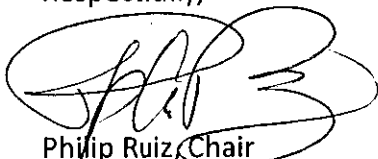
The most recent impact fee update was completed and adopted in 2017, so the statutory five year update is due in 2022. The City Council had the option of deciding that an update of the land use assumptions, capital improvement plans, and impact fees isn't necessary. In such case, the City could go another five years without an update or, if the need arises, could choose to do an update at any time before the next five years is up. In the Committee's Fall 2021 semi-annual report to the Council, it was recommended that a five-year update be undertaken in 2022. At the Council's December 21, 2021, meeting, the Council accepted the Committee's report, and voted to direct staff to retain consultants to begin the process of the update. Staff reports that they have recently contacted consultants for the land use assumptions, revised water, wastewater, and road capital improvement plans, and recalculation of impact fees. It is expected that contracts will be in place soon.

The five-year update is needed primarily due to increases in the cost of construction. The impact fees are based on the estimated cost of the projects in each CIP, and those costs are now out-of-date. In addition, the CIP's are intended to reflect the anticipated growth of the city, and the rapid population growth we are now experiencing may require changes in the location and size of projects that are in the current CIP's, and/or may require adding new projects.

RECOMMENDATION

The Committee met on May 11, 2022, and unanimously voted to forward this semi-annual report to the City Council for the period ending on March 31st, recommending that no further changes are necessary other than the update of the land use assumptions, capital improvement plans, and impact fees currently being undertaken.

Respectfully,

A handwritten signature in black ink, appearing to read 'Philip Ruiz', enclosed within a large, loopy oval scribble.

Philip Ruiz, Chair
Impact Fee Advisory Committee

EXHIBIT A

SPRING 2022 IMPACT FEE ACCOUNT BALANCES¹

	<u>October 1, 2021</u>	+	Revenue ²	–	Expense	=	<u>April 1, 2022</u>
Water	960,897		190,205		0		1,151,102
Wastewater	879,843		134,522		0		1,014,365
Roads (Service Area 1)	654,080		309,110		0		963,190
Roads (Service Area 2)	590,211		10,671		0		600,882
TOTAL	\$3,085,031		\$644,508		\$0		\$3,729,539

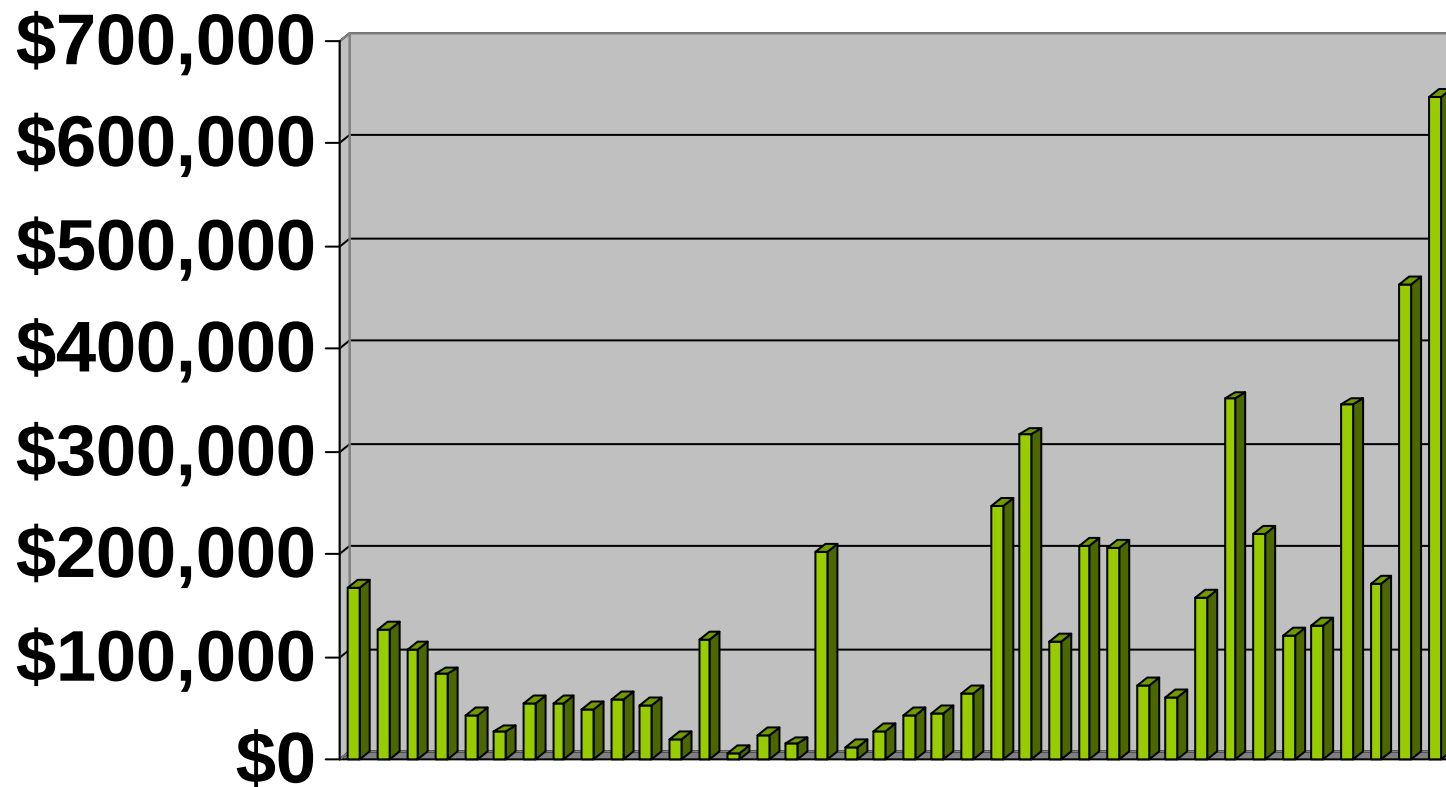
1. All amounts have been rounded to the nearest dollar.

2. Revenue amounts include accrued interest.

One-half total CIP estimated cost (estimated 100% cost of all projects is \$58,311,537):	\$29,155,769
Total spent on projects since adoption of Ordinance 2017-08 on April 4, 2017:	\$673,073
Remaining amount of 1/2 estimated cost not yet spent:	\$28,482,696
Current balance on October 1, 2020:	\$3,729,539

NOTE: The CIP cost information is the total for the capital improvements plans adopted by Ordinance 2017-08 on April 4, 2017, with all amounts rounded to the nearest dollar.

EXHIBIT B
IMPACT FEE SEMI-ANNUAL REVENUE
July 2003 - April 2022



City of Lockhart, Texas

Council Agenda Item Cover Sheet

COUNCIL MEETING DATE: May 17, 2022

AGENDA ITEM CAPTION: Discuss Ordinance 2022-20 approving Budget Amendment No. 69 increasing the capital expenditure line item for the purchase of Pierce Fire Pumper, Engine 1.

ORIGINATING DEPARTMENT AND CONTACT: Finance - Pam Larison

ACTION REQUESTED: Ordinance

BACKGROUND/SUMMARY/DISCUSSION: During the preparation of the Annual Operating Budget for the City of Lockhart's fiscal year ending 2022, the City Council approved the use of one-time expenditures from the General Fund balance for the purchase of a new Pierce Fire Pumper, Engine 9. One-time expenditures require an amendment by ordinance according to the City Charter, Chapter 9 - *Municipal Finance, Section 9.16 - Other Necessary Appropriations*; and according to the City's Fund Balance Policy. The policy states that one-time expenditures that are not recurring in nature or which will not require additional future expense outlays for maintenance, additional staffing, or other recurring expenditures that cannot be funded through current revenues.

The payment for this item was pre-paid in full on November 23, 2020. Due to the arrival of the capital asset (10/02/2021), the expense must be documented in the current fiscal year.

This Ordinance and Budget Amendment is a formality to bring into policy and required for transparency during the audit process.

PROJECT SCHEDULE (if applicable):

AMOUNT & SOURCE OF FUNDING:

Funds Required:

Account Number:

Funds Available:

Account Name:

FISCAL NOTE (if applicable): The Pierce Fire Pumper was pre-paid in November 2020 and arrived on October 2, 2021. This expenditure has been paid for from the General Fund balance.

PREVIOUS COUNCIL ACTION:

COMMITTEE/BOARD/COMMISSION ACTION:

City of Lockhart, Texas

Council Agenda Item Cover Sheet

STAFF RECOMMENDATION/REQUESTED MOTION: Staff respectfully request the motion to approve Ordinance 2022-20 accepting Budget Amendment No. 69.

LIST OF SUPPORTING DOCUMENTS: ORDINANCE 2022-20 Fire Pumper, BUDGET AMENDMENT No. 69

ORDINANCE 2022-20

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LOCKHART, TEXAS, AMENDING THE BUDGET FOR THE FISCAL YEAR 2022 IN ACCORDANCE WITH EXISTING STATUTORY REQUIREMENTS; RE-APPROPRIATING THE VARIOUS AMOUNTS HEREIN, AS ATTACHED IN BUDGET AMENDMENT NO. 69; REPEALING ALL PRIOR ORDINANCES AND ACTIONS IN CONFLICT HEREWITH; AND ESTABLISHING FOR AN EFFECTIVE DATE.

WHEREAS, the City Manager of the City of Lockhart, Texas has submitted to the Mayor and City Council a proposed amendment to the budget of the expenditures/expenses of conducting affairs of said city and providing a complete financial plan for Fiscal Year 2022; and

WHEREAS, the City Manager has requested a budget amendment to the General Fund; and

WHEREAS, the Mayor and Council concur with the recommendation for the City Manager and staff that the budget amendment be processed to reflect the proper expense accounts within the General Fund, and

NOW, THEREFORE, be it ordained by the City Council for the City of Lockhart, Texas:

That Ordinance 2022-20 is hereby adopted amending the General Fund Budget for Fiscal Year 2021-2022 as the same are contained in Budget Amendment No. 69, which are attached hereto and incorporated herein for all purposes.

This Ordinance shall be and remain in full force and effect from and after its final passage and publication in accordance with existing statutory requirements.

PASSED, APPROVED, AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF LOCKHART, TEXAS, ON THIS THE 17th DAY OF MAY, 2022.

CITY OF LOCKHART

Lew White, Mayor

Attest:

APPROVED AS TO FORM:

Connie Constancio, TRMC, City Secretary

Monte Akers, City Attorney

**CITY OF LOCKHART
BUDGET AMENDMENT FORM**

Amendment No. 69

INCREASE	ACCOUNT NO.	Adopted Budget	Current Amendment	Total Budget after Current Amendment
Capital - Motor Vehicles	100-5318-906-00	\$0.00	-\$599,820.00	\$599,820.00
		0.00	0.00	\$0.00
				0.00
GENERAL FUND - TOTAL APPROPRIATIONS		\$0.00	-\$599,820.00	\$599,820.00

DECREASE	ACCOUNT NO.	AMOUNT
		\$0.00
		\$0.00
		-
		\$0.00
		\$0.00
GENERAL FUND - TOTAL APPROPRIATIONS		\$0.00

REASON FOR AMENDMENT

Budget Amendment #69 will increase the capital expenditure line item for the purchase of Pierce Fire Pumper, Engine 1 by Ordinance number 2022-20.

One-time expenditure approved by City Council during preparation of 2021-2022 Annual Operating Budget.

REQUESTED BY:

DATE

APPROVED BY:

DATE

POSTED

FINANCE

DATE

City of Lockhart, Texas

Council Agenda Item Cover Sheet

COUNCIL MEETING DATE: May 17, 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

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

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

AUG 25 2021

Secretary of State

Dear Deputy Secretary Esparza:

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

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

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

Respectfully submitted,

Gregory S. Davidson
Executive Clerk to the Governor

GSD/gsd

Attachment

Executive Order

BY THE
GOVERNOR OF THE STATE OF TEXAS

Executive Department
Austin, Texas
August 25, 2021

EXECUTIVE ORDER GA 39

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

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

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

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

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

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

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

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

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

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

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

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SECRETARY OF STATE
2pm 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

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

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



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

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

GREG ABBOTT
Governor

ATTESTED BY:

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

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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

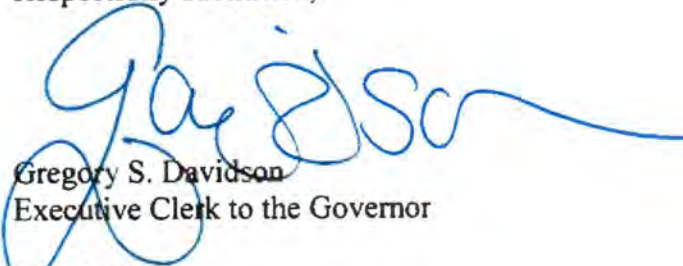
Dear Deputy Secretary Esparza:

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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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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SECRETARY OF STATE
3:15 PM 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
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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.

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

GREG ABBOTT
Governor

ATTESTED BY:

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

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

JUL 29 2021

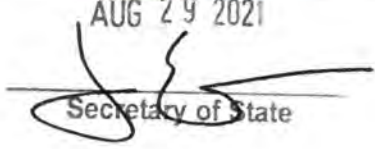


GOVERNOR GREG ABBOTT

August 29, 2021

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

AUG 29 2021


Secretary of State

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

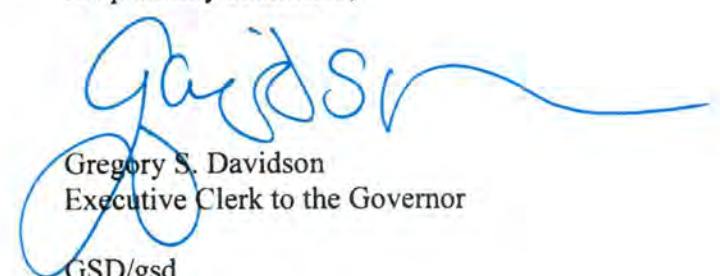
Dear Mr. Deputy Secretary:

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

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

The original proclamation is attached to this letter of transmittal.

Respectfully submitted,


Gregory S. Davidson
Executive Clerk to the Governor

GSD/gsd

Attachment

PROCLAMATION

BY THE

Governor of the State of Texas

TO ALL TO WHOM THESE PRESENTS SHALL COME:

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

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

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

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

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

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

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

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



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

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

GREG ABBOTT
Governor

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

AUG 29 2021

Governor Greg Abbott
August 29, 2021

Proclamation
Page 2

ATTESTED BY:


JOE ESPARZA
Deputy Secretary of State

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
5:30pm O'CLOCK
AUG 29 2021



GOVERNOR GREG ABBOTT

October 11, 2021

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

OCT 11 2021

Secretary of State

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

Dear Deputy Secretary Esparza:

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

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

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

Respectfully submitted,

A blue ink signature of Gregory S. Davidson, written in a cursive style.

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
4:30 PM 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.

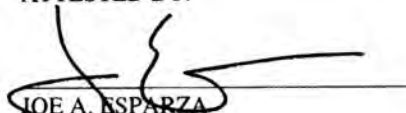
This executive order does not supersede Executive Orders GA-13, GA-37, GA-38, or GA-39. This executive order shall remain in effect and in full force unless it is modified, amended, rescinded, or superseded by the governor. This executive order may also be amended by proclamation of the governor.

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
9:30 PM O'CLOCK

OCT 11 2021

City of Lockhart, Texas

Council Agenda Item Cover Sheet

COUNCIL MEETING DATE: May 17, 2022

AGENDA ITEM CAPTION: Hold a PUBLIC HEARING on application ZC-22-15 by Nanda Mutala on behalf of Suburban Propane, and discussion and/or action to consider Ordinance 2022-19 for a **Zoning Change** from *AO Agricultural-Open Space District* to *CHB Commercial Heavy Business District* for 3.496 acres in the James George Survey, Abstract No. 9, located at 2001 Blackjack Street (FM 20).

ORIGINATING DEPARTMENT AND CONTACT: Development Services - David Fowler

ACTION REQUESTED: Ordinance

BACKGROUND/SUMMARY/DISCUSSION: Commercial development is desired on this property. The specific type of commercial development has been described as retail or office. To allow a greater number of potential commercial uses, the requested zoning change to CHB Commercial Heavy Business has been proposed. The proposed CHB zoning is consistent with the General-Heavy Commercial designation for the property found on the Future Land Use Plan map. Surrounding properties are mostly designated for residential or mixed uses on the Future Land Use map. No citizens spoke regarding this application at the Planning and Zoning Commission meeting.

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: The property was annexed on August 17, 1999.

COMMITTEE/BOARD/COMMISSION ACTION: The Planning and Zoning Commission recommended approval by a vote of 6-0 at their meeting held May 11, 2022.

STAFF RECOMMENDATION/REQUESTED MOTION: Approval.

LIST OF SUPPORTING DOCUMENTS: zc2215 ordinance, ZC2215 exhibit a, ZC2215 case map, ZC2215 aerial, ZC2215 zoning, ZC2215 future, zc2215 staff report, ZC2215 application

ORDINANCE 2022-19

AN ORDINANCE OF THE CITY OF LOCKHART, TEXAS, AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF LOCKHART, TEXAS, TO RECLASSIFY THE PROPERTY CONSISTING OF 3.496-ACRES IN THE JAMES GEORGE SURVEY, ABSTRACT NO. 9, LOCATED AT 2001 BLACKJACK STREET, FROM AO AGRICULTURAL-OPEN SPACE DISTRICT TO CHB COMMERCIAL HEAVY BUSINESS DISTRICT.

WHEREAS, on May 11, 2022, the Planning and Zoning Commission held a public hearing and voted to recommend approval of said change; and,

WHEREAS, the City Council desires to amend the zoning map as provided in Section 64-128 of the Code of Ordinances; and,

WHEREAS, a public hearing was held in conformance with applicable law;

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

- I. The foregoing recitals are approved and adopted herein for all purposes.
- II. The above-referenced property described in Zoning Change request ZC-22-15 as consisting of 3.496-acres in the James George Survey, Abstract No. 9, located at 2100 Blackjack Street, will be reclassified from AO Agricultural-Open Space District to CHB Commercial Heavy Business District.
- III. Severability: If any provision, section, clause, sentence, or phrase of this ordinance is for any reason held to be unconstitutional, void, invalid, or unenforced, the validity of the remainder of this ordinance or its application shall not be affected, it being the intent of the City Council in adopting and of the Mayor in approving this ordinance that no portion, provision, or regulation contained herein shall become inoperative or fail by way of reasons of any unconstitutionality or invalidity of any other portion, provision or regulation.
- IV. Repealer: That all other ordinances, sections, or parts of ordinances heretofore adopted by the City of Lockhart in conflict with the provisions set out above in this ordinance are hereby repealed or amended as indicated.
- V. Publication: That the City Secretary is directed to cause this ordinance caption to be published in a newspaper of general circulation according to law.
- VI. Effective Date: That this ordinance shall become effective and be in full force immediately upon and from the date of its passage.

PASSED, APPROVED, AND ADOPTED AT A REGULAR MEETING OF THE LOCKHART CITY COUNCIL ON THIS THE 17th DAY OF MAY 2022.

CITY OF LOCKHART

Lew White, Mayor

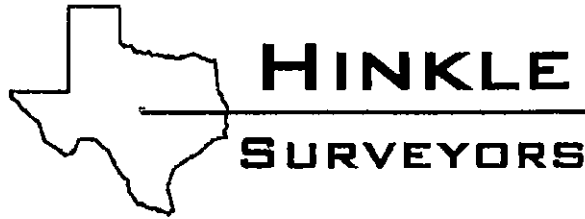
ATTEST:

APPROVED AS TO FORM:

Connie Constancio, TRMC, City Secretary

Monte Akers, City Attorney

EXHIBIT "A"



Page 1 of 1
Job #20221041.docx

All of a certain tract or parcel of land situated in the City of Lockhart, Caldwell County, Texas and being a part of the James George Survey A-9 and being also all of a tract of land called 1.638 acres and conveyed to Kirksey Propane Services, Inc. by deed recorded in Volume 460 Page 156 of the Deed Records of Caldwell County, Texas and being all of two tracts of land designated as Second Tract called 27,300 sq ft and Third Tract called 70,000 sq ft and conveyed to the said Kirksey Propane Services, Inc. by deed recorded in Volume 398 Page 695 of the said Deed Records and being more particularly described as follows:

BEGINNING at a capped $\frac{1}{2}$ " iron pin set stamped HINKLE SURVEYORS in the intersection of the SW line of Shady Lane and the North line of F.M. #20 (a.k.a. Blackjack Street) and in the East corner of the above mentioned 70,000 sq ft tract for the East corner this tract.

THENCE N 79°17'00" W with the North line of F.M. #20 (a.k.a. Blackjack Street) and the South line of the said 70,000 sq ft tract and the South line of the above mentioned 1.638 acre tract **738.72 feet** to a $\frac{1}{2}$ " iron pin found used for basis of bearing in the SW corner of the said 1.638 acre tract and the apparent SE corner of a tract of land called 74.189 acres and conveyed to Phillip Boghosian Living Trust by deed recorded in Instrument 2022-000089 of the said Official Public Records for the SW corner this tract and from which point a concrete monument found used for basis of bearing bears N 79°17'00" W 2038.39 feet.

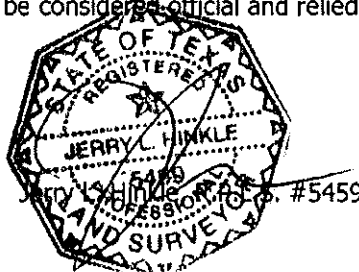
THENCE N 12°35'39" E with the West line of the said 1.638 acre tract and the apparent East line of the above mentioned 74.189 acre tract **410.60 feet** to a $\frac{1}{2}$ " iron pin found in the NE corner of the said 74.189 acre tract and the NW corner of the said 1.638 acre tract and the SW line of Shady Lane for the NW corner this tract.

THENCE with the SW line of Shady Lane for the following two (2) courses:

(1) S 50°03'21" E with the NE line of the said 1.638 acre tract **359.75 feet** to a capped $\frac{1}{2}$ " iron pin set stamped HINKLE SURVEYORS in the East corner of the said 1.638 acre tract and the North corner of the above mentioned Third Tract for an angle point this tract.

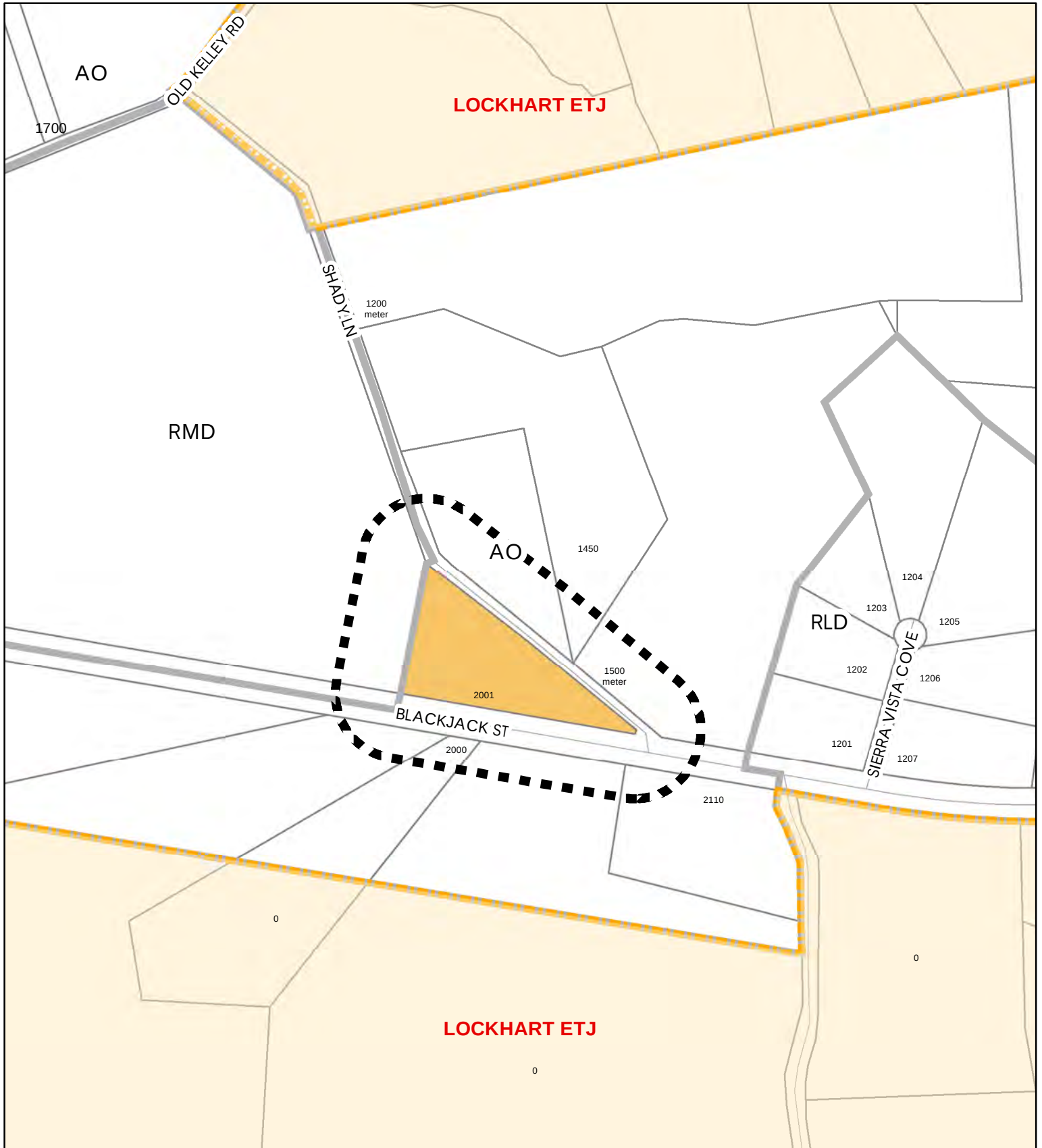
(2) S 49°34'20" E with the NE line of the said 27,300 sq ft tract and the NE line of the said 70,000 sq ft tract **473.58 feet** to the place of beginning containing **3.496 acres** of land more or less.

I hereby certify that the foregoing field notes are a true and correct description of a survey made under my direct supervision on April 18, 2022. **THESE FIELD NOTES ARE CERTIFIED AND ITS CONTENTS GUARANTEED FOR USE WITH THIS ONE TRANSACTION ONLY DATED THIS DATE.** Only those prints containing the raised Surveyor's seal and an original "LIVE" signature should be considered official and relied upon by the user.



©Hinkle Surveyors 2022 Firm Registration No. 100866-00

P.O. Box 1027 Lockhart, Texas 78644 PHONE (512) 398-2000
FAX (512) 398-7683 EMAIL: CONTACT@HINKLESURVEYORS.COM



ZC-22-15

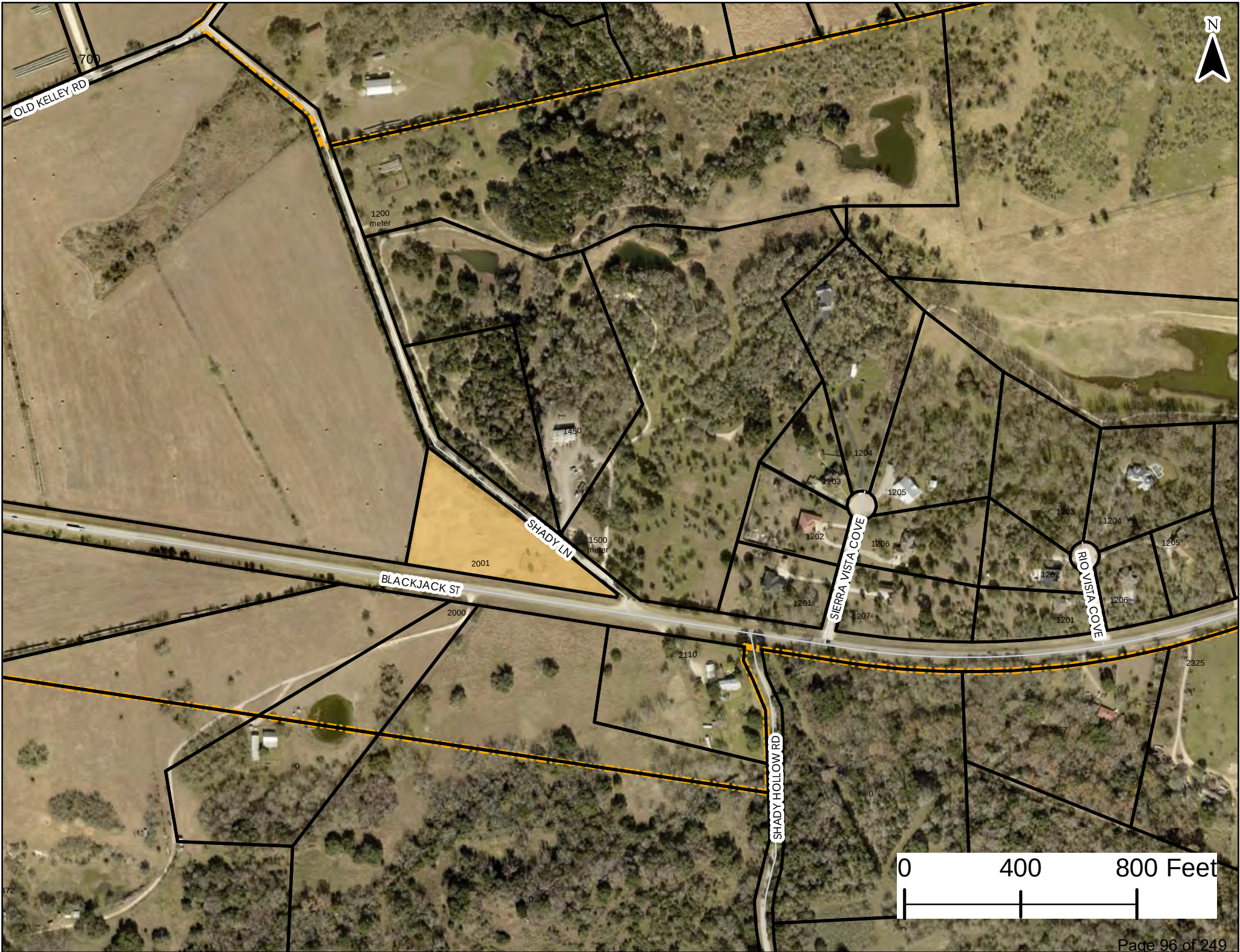
AO TO CHB

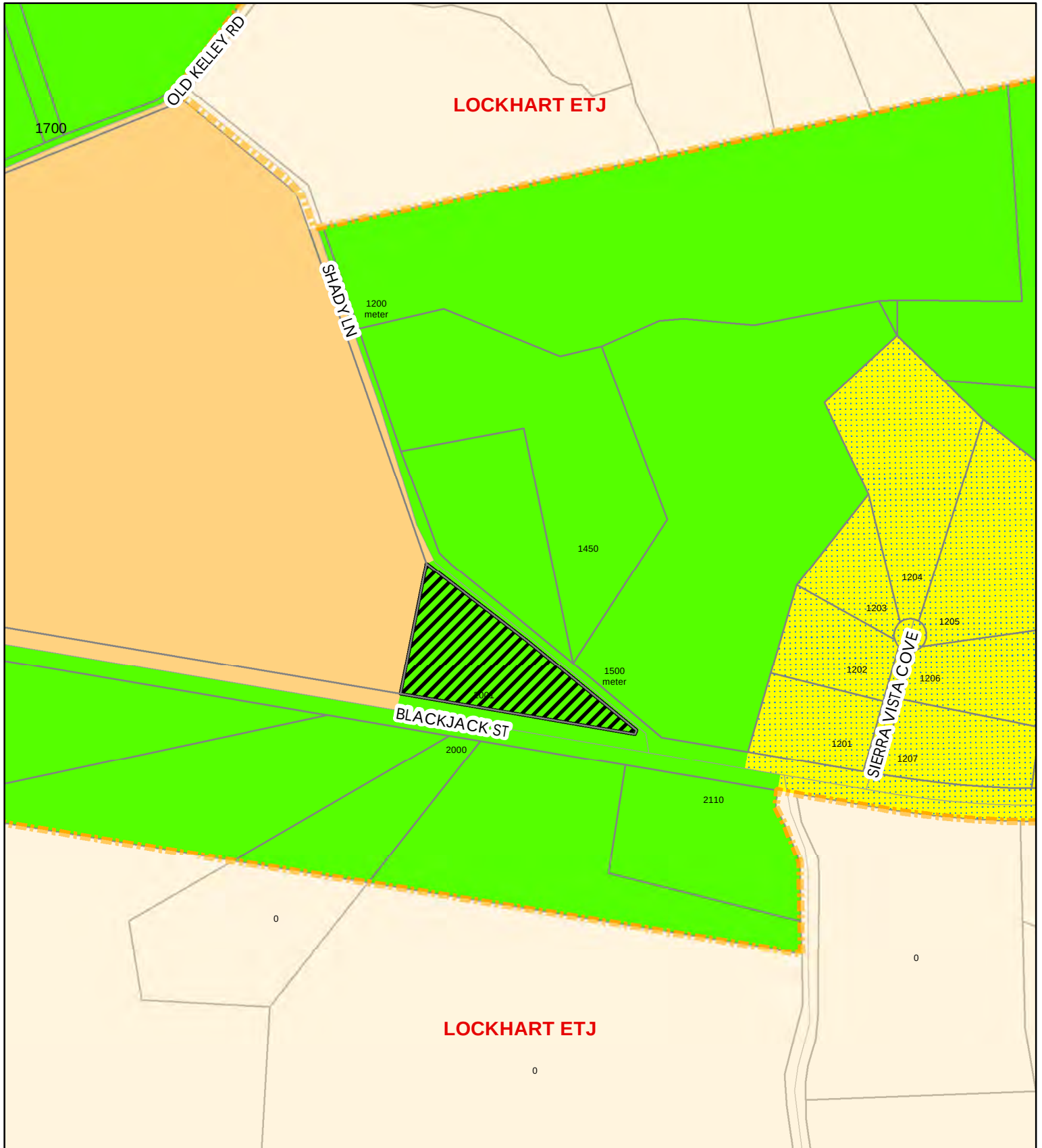
2001 BLACKJACK ST (FM 20)



scale 1" = 400'

-  SUBJECT PROPERTY
-  ZONING BOUNDARY
-  CITY LIMITS
-  200 FT BUFFER





ZC-22-15

AO TO CHB

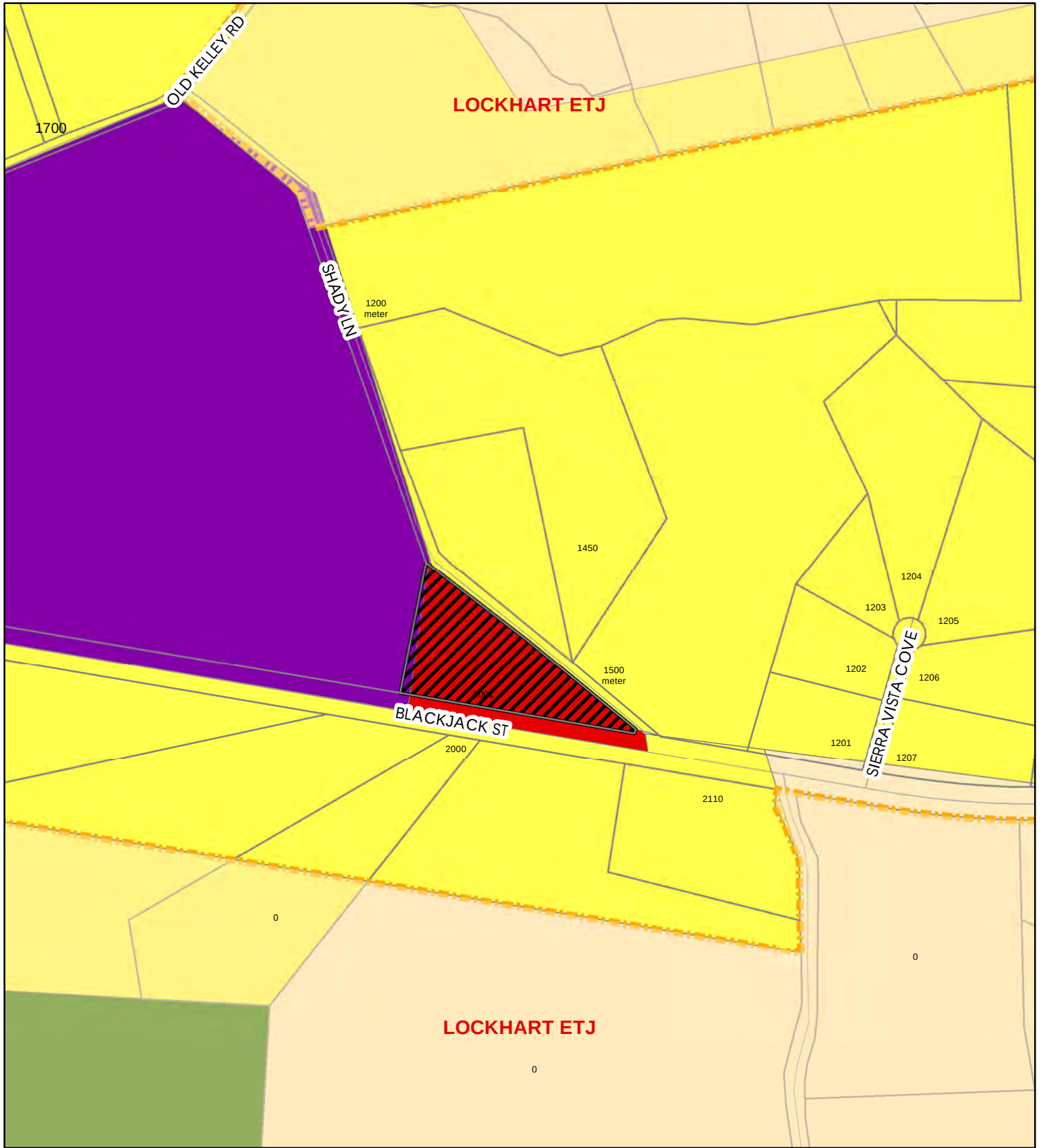
2001 BLACKJACK ST (FM 20)



scale 1" = 400'

ZONING DISTRICTS

- AGRICULTURAL-OPEN SPACE
- RESIDENTIAL LOW DENSITY
- RESIDENTIAL MEDIUM DENSITY



FUTURE LANDUSE

AO TO CHB

2001 BLACKJACK ST (FM 20)



scale 1" = 400'

- AGRICULTURE/RURAL DEVELOPMENT
- GENERAL-HEAVY COMMERCIAL
- MIXED RETAIL, OFFICE, RESIDENTIAL
- PARKS AND OPEN SPACE
- RESIDENTIAL, LOW DENSITY

CASE SUMMARY

STAFF: David Fowler, Senior Planner

CASE NUMBER: ZC-22-15

REPORT DATE: May 5, 2022

PLANNING AND ZONING COMMISSION HEARING DATE: May 11, 2022

CITY COUNCIL HEARING DATE: May 17, 2022

REQUESTED CHANGE: AO to CHB

STAFF RECOMMENDATION: **Approval**PLANNING AND ZONING COMMISSION RECOMMENDATION: **Approval****BACKGROUND DATA**

APPLICANT: Nanda Mutala

OWNER: Suburban Propane

SITE LOCATION: 2001 Blackjack Street (FM 20)

LEGAL DESCRIPTION: Metes and bounds

SIZE OF PROPERTY: 3.496 acres

EXISTING USE OF PROPERTY: Vacant land

LAND USE PLAN DESIGNATION: *General-Heavy Commercial***ANALYSIS OF ISSUES**

REASON FOR REQUESTED ZONING CHANGE: Commercial development is desired on this property. The specific type of development has been generally described as retail or office. Only limited, agriculture-related commercial business types are allowed by the existing AO zoning.

AREA CHARACTERISTICS:

	Existing Use	Zoning	Future Land Use Plan
North	Single-family dwelling, Vacant land	AO	<i>Low Density Residential</i>
East	Vacant land	AO	<i>Agriculture/Rural Development</i>
South	Vacant Land	AO	<i>Low Density Residential</i>
West	Vacant Land	RMD	<i>Mixed Retail, Office, Residential</i>

TRANSITION OF ZONING DISTRICTS: There is no other CHB zoning nearby, although there could be mixed-use development to the west of the parcel in the future if that area is developed in accordance with the land use plan map. Because the AO district is automatically assigned when a property such as the subject parcel and its neighboring tracts are annexed, it should be expected that these parcels will eventually be rezoned to allow urban development of a higher intensity.

ADEQUACY OF INFRASTRUCTURE: Vehicular access is available from Blackjack Street (FM 20). Water and wastewater are available in the Blackjack Street right-of-way.

POTENTIAL NEIGHBORHOOD IMPACT: The surrounding area is currently rural in nature, with sparse development, except for a large-lot residential subdivision approximately 500 feet to the east along Blackjack Street. The proposed commercial development would generate additional traffic on Blackjack Street. The developer will be required by TxDOT to do a traffic impact analysis, and TxDOT can require the developer to construct roadway safety improvements at street and driveway intersections if determined to be necessary by the traffic impact analysis.

CONSISTENCY WITH COMPREHENSIVE PLAN: The proposed CHB zoning classification is consistent with the property's *General-Heavy Commercial* future land use designation.

ALTERNATIVE CLASSIFICATIONS: None.

RESPONSE TO NOTIFICATION: None as of the date of this report.

STAFF RECOMMENDATION: Approval.

CITY OF

Lockhart

TEXAS

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 Nanda Mutala
DAY-TIME TELEPHONE 314-566-6521
E-MAIL nanda_mutala@yahoo.com

ADDRESS 4502 Kocurek Street
Austin, Texas 78723

OWNER NAME Suburban Propane
DAY-TIME TELEPHONE 973-503-9120
E-MAIL SDelia@suburbanpropane.com

ADDRESS 240 Route 10 West, PO Box 206
Whippany, NJ 07981
Attn: Susan Delia

PROPERTY

ADDRESS OR GENERAL LOCATION 2001 Blackjack St, Lockhart, TX 78644
LEGAL DESCRIPTION (IF PLATTED) A009 GEORGE, JAMES, ACRES 3.84
SIZE 3.496 ACRE(S) LAND USE PLAN DESIGNATION General-Heavy Commercial
EXISTING USE OF LAND AND/OR BUILDING(S) Raw land / formerly Propane Tank site
PROPOSED NEW USE, IF ANY Commercial Retail / Office

REQUESTED CHANGE

FROM CURRENT ZONING CLASSIFICATION AO
TO PROPOSED ZONING CLASSIFICATION CHB
REASON FOR REQUEST To develop the property for commercial
use

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.

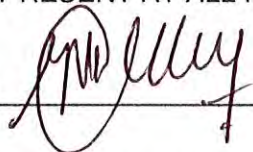
IF NOT PLATTED, A METES AND BOUNDS LEGAL DESCRIPTION OF THE PROPERTY.

APPLICATION FEE OF \$ 226.80 PAYABLE TO THE CITY OF LOCKHART AS FOLLOWS:

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

3/31/2022

OFFICE USE ONLY

ACCEPTED BY

Dan Gibson

RECEIPT NUMBER

R01149510

DATE SUBMITTED

4-19-22

CASE NUMBER ZC -

22 - 15

DATE NOTICES MAILED

4-25-22

DATE NOTICE PUBLISHED

4-28-2022

PLANNING AND ZONING COMMISSION MEETING DATE

5-11-22

PLANNING AND ZONING COMMISSION RECOMMENDATION

Approval

CITY COUNCIL MEETING DATE

5-17-22

DECISION

Suburban Propane

240 Route 10 West ▪ Whippany, NJ 07981
(973) 503-9120 ▪ Fax (973) 503-9081 ▪ www.suburbanpropane.com

March 25, 2022

Mr. Dan Gibson
City of Lockhart
308 W. San Antonio Street
Lockhart, TX

RE: Zoning application for the City of Lockhart – 2001 Blackjack Street, Lockhart, TX

Dear Mr. Gibson,

Mr. Nanda Mutala or persons who he may have represent him have my authorization to represent our Company, the owner of the subject property, in the process of applying to re-zone the property.

The property is under contract to Nanda Mutala and or assigns and in the contract, we agreed to allow him to re-zone the property for his intended use.

Sincerely,



Susan G. Delia
Senior Real Estate Manager

**LOCKHART CITY COUNCIL
GOALS WORKSHOP**

APRIL 9, 2022

8:00 A.M.

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

Council present:

Mayor Lew White	Councilmember Derrick David Bryant
Councilmember Juan Mendoza	Councilmember Kara McGregor
Councilmember Jeffry Michelson	Councilmember Brad Westmoreland
Mayor Pro-Tem Angie Gonzales-Sanchez (via Zoom)	

Staff present:

Steven Lewis, City Manager

Citizens/Visitors Addressing the Council: Alysia Cook of Opportunity Strategies.

ITEM 1. CALL TO ORDER.

Mayor Lew White called the special meeting to order at 8:00 a.m.

ITEM 2. DISCUSSION AND/OR ACTION REGARDING CITY COUNCIL GOALS.

The City Council discussed several goals pertaining to the following topics:

- Revenue Sustainability.
- Parks and Recreation.
- Infrastructure.
- City Facilities.
- Modernization of communications.
- Human resources and staffing.
- Development and quality of life.

ITEM 3. ADJOURNMENT.

The meeting was adjourned at approximately 12:00 p.m.

PASSED and APPROVED this the 17th day of May, 2022.

CITY OF LOCKHART

Lew White, Mayor

ATTEST:

Connie Constancio, TRMC
City Secretary

**REGULAR MEETING
LOCKHART CITY COUNCIL**

APRIL 19, 2022

6:30 P.M.

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

Council present:

Councilmember Derrick David Bryant

Councilmember Jeffry Michelson

Mayor Pro-Tem Angie Gonzales-Sanchez (via Zoom)

Mayor Lew White

Councilmember Juan Mendoza

Councilmember Brad Westmoreland

Council absent:

Councilmember Kara McGregor

Staff present:

Steven Lewis, City Manager

Doug Montgomery, City Attorney

Pam Larison, Finance Director

Randy Jenkins, Fire Chief

David Fowler, Senior Planner

Connie Constancio, City Secretary

Victoria Maranan, Public Information Officer

Sean Kelley, Public Works Director

Mike Kamerlander, Economic Development Dir.

Dan Gibson, City Planner

Citizens/Visitors Addressing the Council: William Wachel of TRC Engineers; Kylie Mycock and Bobby Eichholz of Rialto Studio; Matthew Johnson of Mill Scale; Alfonso Sifuentes of Central Texas Refuse; and Citizens: Fred Wiegand and Ronda Reagan.

Work Session 6:30 p.m.

Mayor White announced the Mayor Pro-Tem Sanchez will join the meeting via Zoom. He opened the work session and advised the Council, staff and the audience that staff would provide information and explanations about the following items:

A. DISCUSS THE DOWNTOWN REVITALIZATION FINAL CONCEPTUAL DESIGN REPORT FROM TRC ENGINEERS, INC. AND RIALTO STUDIO.

William Wachel of TRC Engineers, Kylie Mycock and Bobby Eichholz of Rialto Studio provided a detailed report regarding the Downtown Revitalization project. Mr. Wachel stated that if Council gives approval to move forward with the proposed conceptual design, all aspects of the revitalization process will begin.

There was discussion.

Mayor White requested the following individuals to address the Council:

Fred Wiegand, Wiegand Road, stated that trees are important, and he encouraged that they remain.

Ronda Reagan, 412 W. San Antonio, stated that she did not complete the on-line survey because she opposes parallel parking, and she prefers one-way traffic going northbound on Main Street between San Antonio and Pecan streets. She stated that the landscaping on the courthouse lawn should remain the same and that she does not believe that large delivery trucks would be able to go through downtown if large trees are planted.

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

Ms. Larison provided city funding options for the project:

2015 Certificates of Obligation funds	\$2 million
2015 Certificates of Obligation water funds	\$4 million
2015 Certificates of Obligation wastewater funds	\$215,000
2021 General Fund one-time unrestricted fund balance expenditure	\$2 million
ARPA funds (governmental services)	\$2 million

Mayor White announced that Councilmember McGregor previously informed the Council that she would not be attending today's meeting.

Mayor White recommended that a vote on the design concept be held during the next council meeting so that all members of the City Council are present to vote on it.

Mr. Lewis requested that the Council provide direction to staff about whether to work on a third option for Council's consideration during the next meeting. Mayor White replied that direction to staff will be provided during the regular meeting.

RECESS: Mayor White announced that the Council would recess for a break at 7:21 p.m.

REGULAR MEETING

ITEM 1. CALL TO ORDER.

Mayor White called the meeting to order at 7:35 p.m.

ITEM 2. INVOCATION, PLEDGE OF ALLEGIANCE.

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

ITEM 3. PUBLIC COMMENT.

Mayor White requested citizens to address the Council.

Fred Wiegand, 230 Wiegand Road, requested that the city install handicap parking in front of the library, repave Cunningham Drive, and he suggested that TRC Engineers' conceptual plan include re-routing heavy truck traffic on West San Antonio Street. He requested that the city build an extension of MLK Industrial Blvd across his property and provide free shuttle bus service from the Judicial Center to downtown Lockhart.

ITEM 5-A. DISCUSSION AND/OR ACTION TO CONSIDER THE DOWNTOWN REVITALIZATION FINAL CONCEPTUAL DESIGN REPORT FROM TRC ENGINEERS, INC. AND RIALTO STUDIO.

There was discussion about a third conceptual design for the consultants to present to the Council for consideration during the next meeting.

Mr. Wachel clarified that a new option 2A would be created to include the following:

- Retain the trees, if possible.
- Two way traffic around the square.
- One way traffic going north on Main from Prairie Lea to Market and San Antonio to Walnut.
- One way traffic going south on Commerce from Walnut to San Antonio and Market to Prairie Lea.
- Angle parking instead of parallel parking on Main Street between San Antonio and Walnut.
- Present the costs of reinstituting the plaza concept on the north side.

Mayor White announced that the Council would vote on a downtown revitalization conceptual design during the next council meeting.

ITEM 4. CONSENT AGENDA.

Mayor White stated that since the consent agenda items were not discussed during the work session, they will be discussed individually.

ITEM 4-A. APPROVE RESOLUTION 2022-22 FOR AN ECONOMIC DEVELOPMENT PERFORMANCE AGREEMENT WITH MILL SCALE, LLC.

Mr. Kamerlander stated that the resolution and performance agreement offers incentives for Mill Scale, LLC to move its operations to the City of Lockhart. Mill Scale creates custom smokers worthy of heirloom status. Co-owners and brothers Matt and Caleb Johnson are producing work so far beyond the smoker available at a retail big box store. Whether it's a 94-gallon backyard model, a smaller yakitori grill, or a thousand-gallon pit meant for the largest of commercial operations, the steel coming out of Mill Scale is the highest quality BBQ pit one can purchase. Mill Scale intends to purchase 1.3 acres immediately north of Kreuz Market to establish a new manufacturing facility and retail store front. The move places the company within the city limits of Lockhart for the first time and will generate new property and sales taxes from the new operation. The proposed performance agreement would provide up to a \$50,000 rebate for an electric transformer and a 5-year Lockhart Economic Development Corporation (LEDC) sales tax rebate of 50%. The sales tax rebate is only applicable to LEDC's 0.5% sales tax on what Mill Scale remits to the City in annual sales taxes estimated to total \$25,000 over the 5-year term. The economic development performance agreement requires Mill Scale to invest at least \$1.5 million into the project and hire and maintain 15 jobs over the first 3 years for the duration of the term. Mr. Kamerlander stated that the LEDC and staff recommend approval.

Mr. Kamerlander stated that Matthew Johnson of Mill Scale requests to address the Council.

Matthew Johnson of Mill Scale thanked the city for considering their business in Lockhart. He stated that they are utilizing contractors from Lockhart to assist with designing and building the facility. He requested approval and stated that they propose to be open in November 2022.

Councilmember Michelson made a motion to approve Resolution 2022-22, as presented. Councilmember Mendoza seconded. The motion passed by a vote of 6-0.

ITEM 4-B. APPROVE CHAPTER 380 AGREEMENT WITH MILL SCALE, LLC. TO PROVIDE INCENTIVES FOR ECONOMIC DEVELOPMENT.

Mr. Kamerlander stated that the Chapter 380 agreement would assist with tax abatements. The proposed Chapter 380 agreement offers incentives for Mill Scale, LLC to move its operations to the City of Lockhart. Mill Scale creates custom smokers worthy of heirloom status as discussed in the previous item. The proposed 380 agreement would provide a 3-year real and personal property tax rebate that starts at 100% in year 1 and drops to 50% in year 3. The agreement requires Mill Scale to invest at least \$1.5 million into the project and hire and maintain 15 jobs over the first 3 years for the duration of the term. Mr. Kamerlander stated that the LEDC and staff recommend approval.

Councilmember Mendoza made a motion to approve the Chapter 380 Agreement with Mill Scale, LLC, as presented. Mayor Pro-Tem Sanchez seconded. The motion passed by a vote of 6-0.

ITEM 4-C. APPROVE RESOLUTION 2022-23 FOR AN ECONOMIC DEVELOPMENT PERFORMANCE AGREEMENT WITH REVIVAL CYCLES, INC.

Mr. Kamerlander stated that Revival Cycles is an Austin-based custom motorcycle manufacturing company and retailer of motorcycle apparel, accessories, and art. The company has been in Austin for over 15 years and has been on numerous TV shows and works with some of the top motorcycle manufacturers in the world like BMW, Harley Davidson, and Ducati. Revival is considering moving its entire operations from Austin to Lockhart with the purchase of the Masur building at the corner of Church Street and W. San Antonio. The company would occupy the entire space as its corporate headquarters and upgrade the building. The company would create up to 50 jobs in Lockhart in addition to the added value to the building. Additionally, the company would generate a large amount of sales taxes since the space would encompass a retail component and serve as the nexus of sale for all online sales. He outlined several building improvements projects. The proposed performance agreement provides the following incentives in exchange for the investment and job creation: (1) \$250,000 rebate grant to assist with upgrades throughout the building. The deal points are to close on the building, with an investment to upgrade components and install fire suppression, elevator, new windows, etc., effectively using BIG Grant qualified expenses, but larger since this is a job creator and sales tax generator, and (2) LEDC portion of sales tax rebate of 5 years at the following schedule: Year 1: 75%; Year 2: 75%; Year 3: 50%; Year 4: 50%; and Year 5: 50%. Mr. Kamerlander stated that the LEDC and staff recommend approval. There was discussion.

Councilmember Michelson made a motion to approve Resolution 2022-23, as presented. Mayor Pro-Tem Sanchez seconded. The motion passed by a vote of 6-0.

ITEM 4-D. APPROVE CHAPTER 380 AGREEMENT WITH REVIVAL CYCLES, INC. TO PROVIDE INCENTIVES FOR ECONOMIC DEVELOPMENT.

Mr. Kamerlander stated that the proposed Chapter 380 agreement offers incentives for Revival Cycles, Inc. to move its corporate operations to the City of Lockhart from Austin. Revival Cycles is a custom motorcycle manufacturing company and retailer of motorcycle apparel, accessories, and art as discussed in the previous agenda item. The performance agreement provides the following incentives in exchange for the investment and job creation. The Chapter 380 agreement under consideration would be a five-year term for real and personal property tax increment at the following schedule: Property Tax Rebate on Real and Personal Property: Year 1: 75%; Year 2: 66%; Year 3: 50%; Year 4: 33%; Year 5: 25%. Mr. Kamerlander stated that the LEDC and staff recommend approval.

Councilmember Bryant made a motion to approve the Chapter 380 Agreement with Revival Cycles, Inc., as presented. Councilmember Mendoza seconded. The motion passed by a vote of 6-0.

ITEM 4-E. APPROVE A LOWER COLORADO RIVER AUTHORITY (LCRA) COMMUNITY DEVELOPMENT PARTNERSHIP PROGRAM MATCHING GRANT TO PURCHASE WATER RESCUE PERSONAL PROTECTIVE EQUIPMENT FOR LOCKHART FIRE RESCUE.

Chief Jenkins stated that the purpose of the LCRA Community Development Partnership Program matching grant is to enhance Lockhart Fire Rescue's response to incidents involving rising or fast moving water. Local firefighters as first responders will be the first to respond to a water incident which requires the appropriate personal protective equipment to respond safely. The use of a personal flotation device is vital for the safety of all personnel operating around rising or moving water. First responders may also be able to support swift water rescue teams operating in the area. Climate change, extreme weather, and/or urban development may cause future flash flooding in areas typically not prone to flooding. The equipment includes four personal flotation devices, wetsuits, harnesses, helmets, gloves, boots, and related equipment such as ropes, pulleys, throw bags, carabiners, and rope grab devices, etc., used in swift water or low angle rescue. The total project cost is approximately \$8,314. The 20% city match is approximately \$1,665. The LCRA grant amount is \$6,649. Existing budgeted funds in FY 2021/2022 will be used for the 20% matching portion of the grant. Once the city has signed and returned the letter of agreement, the grant funds will be transferred to the City of Lockhart to begin the procurement process. Chief Jenkins recommended approval.

Councilmember Mendoza made a motion to approve the Lower Colorado River Authority Partnership Program matching grant, as presented. Councilmember Westmoreland seconded. The motion passed by a vote of 6-0.

ITEM 4-F. APPROVE A NON-MATCHING FIREHOUSE SUBS PUBLIC SAFETY FOUNDATION GRANT FOR A BATTERY-POWERED SET OF AUTOMOBILE EXTRICATION TOOLS FOR LOCKHART FIRE RESCUE.

Chief Jenkins stated that the Firehouse Subs Public Safety Foundation Grant is to obtain a set of battery-powered automobile extrication tools that includes the spreaders, cutters, and telescoping ram. Lockhart Fire has responded to over 200 vehicle accidents in the last three years. As the population increases and the roadways become more congested, the need for extrication equipment will grow. The extrication tools will increase the safety, reliability, and efficiency of the service we provide to the citizens of Lockhart when we respond to motor vehicle accidents. With limited staffing, the state-of-the-art battery extrication tools will increase our efficiency by not requiring a firefighter to move and operate the power unit and supply hose. Each tool can be operated by one firefighter and moved as needed. The citizens of Lockhart benefit when we respond to the scene and quickly remove the occupants from the damaged vehicle and transfer the patient to EMS for advanced treatment and transport to a hospital. The non-matching Firehouse Subs Public Safety Foundation Grant is for a total of \$33,615. The Board of Directors of the Firehouse Subs Public Safety Foundation will determine the method of procurement either by direct purchase by the foundation, or memo of understanding where funds are transferred via Automated Clearing House (ACH). The procurement will begin no later than May 23, 2022. Chief Jenkins recommended approval.

Councilmember Mendoza made a motion to approve the non-matching Firehouse Subs Public Safety Foundation grant, as presented. Councilmember Bryant seconded. The motion passed by a vote of 6-0.

ITEM 4-G. TABLE APPLICATION ZC-22-12 BY JIM MEREDITH ON BEHALF OF ROBERT A. SCHMIDT FOR A ZONING CHANGE FROM CHB COMMERCIAL HEAVY BUSINESS DISTRICT TO RHD RESIDENTIAL HIGH DENSITY DISTRICT FOR 14.57 ACRES IN THE BYRD LOCKHART SURVEY, ABSTRACT NO. 17, LOCATED AT 101 EAST CHINA STREET TO THE JUNE 7, 2022 CITY COUNCIL MEETING.

Mayor White announced that the zoning change application would be tabled until the June 7, 2022 Council meeting.

Councilmember Mendoza made a motion to table ZC-22-12 until the June 7, 2022 Council meeting. Councilmember Michelson seconded. The motion passed by a vote of 6-0.

ITEM 4-H. APPROVE THE MINUTES OF THE APRIL 5, 2022 COUNCIL MEETING.

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

Councilmember Mendoza made a motion to approve the minutes. Councilmember Westmoreland seconded. The motion passed by a vote of 6-0.

ITEM 5-B. DISCUSSION AND/OR ACTION REGARDING A PROPERTY SALE AGREEMENT FOR 6.788 ACRES IN 130 INDUSTRIAL PARK III WITH ZIEGENFELDER COMPANY.

Mr. Kamerlander stated that the proposed land purchase agreement with the Ziegenfelder Company. Based in Wheeling, WV, the Ziegenfelder Company is a private, family-owned frozen novelty manufacturer that focuses on producing the highest quality frozen ice treats. Its signature item, Budget Saver Assorted Twin Pops, is commonly referred to as the “Rainbow Array™. They are a significant manufacturer of twin pops with production facilities in Wheeling, WV; Chino, CA; and Denver, CO. The Ziegenfelder Company has produced steady and significant double digit growth year over year for the past 15 years while growing its tribe from 60 employees in one facility with three production lines to over 300 employees across three facilities and 12 production lines. Core to its success has always been making the highest quality, best tasting products in the market and selling them to valued customers at the best possible price. The Ziegenfelder Company owns and produces the brand Budget Saver, as well as licensed and private labeled products for premiere retailers. 24/7 operations in their three facilities, generates over 2.5 million pops per day. The potential Lockhart facility is estimated to be a \$30 million investment and create up to 100 jobs in a 42,000 SF facility. Ziegenfelder has presented the LEDC with a purchase sale agreement for land in the new industrial park with the details as follows: Site under the contract: Block B, Lot 1 (6.788 acres). (1) Purchase Price: \$2.75/SF or \$813,134.52; (2) Earnest Money: \$75,000; (3) Feasibility Period: 90 days to complete its Due Diligence related to the site with an additional 45 days beyond the feasibility period to obtain all necessary permits for buyer’s intended use; and (4) State of Texas incentives (the Texas Enterprise Fund) is a condition of closing. The Lockhart Economic Development Corporation Board voted unanimously to accept the contract with edits. Mr. Kamerlander recommended approval. There was discussion.

Councilmember Michelson made a motion to approve the property sale agreement for 6.788 acres in the 130 Industrial Park III with Ziegenfelder company, as presented. Councilmember Westmoreland seconded. The motion passed by a vote of 6-0.

ITEM 5-C. CONSIDER AND TAKE ACTION TO AUTHORIZE THE MAYOR TO EXECUTE AN AGREEMENT WITH KENT BROUSSARD TOWER RENTALS, INC. TO LEASE LAND OWNED BY THE CITY FOR THE PURPOSES OF A RADIO TOWER LOCATED AT 1517 DALE ROAD, LOCKHART, TX, AND EXECUTE A TOWER USE LICENSE TO CONTINUE THE CITY'S USE OF THE TOWER FOR POLICE, FIRE, EMS AND OTHER CITY RELATED COMMUNICATIONS; AND TO AUTHORIZE THE MAYOR TO EXECUTE A TOWER USE LICENSE WITH CLEARVIEW TOWER COMPANY III, LLC. TO CONTINUE THE CITY'S USE OF A RADIO TOWER LOCATED NEAR LULING, TX KNOWN AS IRON MOUNTAIN FOR THE SAME PURPOSES AS ABOVE.

Mr. Montgomery stated that this is a renewal of an existing agreement that has been in place since the early 1990s. He recommended that the Council postpone action about the tower use licenses yet move forward on the land lease.

Councilmember Michelson made a motion to approve the land use agreement and to postpone action on the tower use licenses. Councilmember Mendoza seconded. The motion passed by a vote of 6-0.

ITEM 5-D. DISCUSSION REGARDING A CHANGE TO SOLID WASTE COLLECTION ROUTES BY CENTRAL TEXAS REFUSE.

Mr. Kelley stated that Central Texas Refuse (CTR) notified staff about upcoming changes in its waste collection in an effort to improve timely service for each route. CTR plans to convert the residential waste collection from four days per week of rear-load to three days per week and convert the commercial cart customers from two times a week to once per week and supply existing commercial cart customers with an extra cart if needed, starting June 13, 2022. The three residential collection days would be Monday, Tuesday, and Thursday. The residential recycling service will remain unchanged and will continue to pickup every other week on Wednesdays. There will be an additional rear-load vehicle to help with the routes. CTR explained that three days of service are better balanced than the previous service days, with Thursdays having the heavier burden. They said it would also help to have an extra day, Friday, available for any carry-overs due to breakdowns or other unforeseen issues. The planned routes also take into consideration when CTR is ready to phase in an automatic service loading vehicle into service. There are about 1,873 customers out of 5,255 that will experience a day of service change. There are 125 commercial cart customers that would be affected starting June 13, 2022.

Mayor White requested Alfonso Sifuentes to address the Council.

Alfonso Sifuentes, Director of the Public Sector Services of Central Texas Refuse provided details about the proposed change to reduce the collection days from four days per week to three days per week. Effective June 13, 2022, Friday will no longer be a collection day. 1,873 customers will be affected. He stated that CTR will notify the affected customers by placing a notice on their trash cart, in utility bills as an insert, and through social media. There was discussion.

ITEM 5-E. DISCUSSION AND/OR ACTION REGARDING THE PROPOSED AUTO RECYCLE AND SALVAGE YARD LOCATED NEAR SH 183/FM 1185, OUTSIDE THE CITY LIMITS.

Mr. Lewis stated that the Caldwell County Commissioners Court conducted a public hearing regarding a proposed auto recycle and salvage yard during their meeting on April 12, 2022. He introduced David Fowler as the City's new Senior Planner, who also attended the Commissioner Court's public hearing.

Mayor White asked if the council would like to submit a letter in opposition of the proposed auto recycle and salvage yard.

CONSENSUS: After discussion, the consensus of the Council was not to take action. The majority of the Council indicated that they trust the Caldwell County Commissioners Court to make the right decision.

ITEM 5-F. DISCUSSION REGARDING MATTERS RELATED TO COVID-19.

Mayor White stated that mask mandates have been lifted in the travel industry. He encouraged everyone to stay safe.

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

- Update regarding Firefighter Civil Service exams.
- Residential Citywide Spring Clean Up Program on Saturday, April 30.
- Splash pad opens on April 30.
- Redistricting will be brought back to Council on the May 3 meeting.
- Update about new ambulance.

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

Councilmember Mendoza congratulated a local boxing gym for training a boxer that participated in a nationwide boxing match in Dallas.

Mayor Pro-Tem Sanchez expressed condolences to the families of Geneva Bosque, Sylvia Estrada and Manuela Recio Cisneros for their loss.

Mayor White welcomed new City of Lockhart employees. He encouraged everyone to stay safe.

ITEM 8. ADJOURNMENT.

Councilmember Mendoza made a motion to adjourn the meeting. Mayor Pro-Tem Sanchez seconded. The motion passed by a vote of 6-0. The meeting was adjourned at 8:40 p.m.

PASSED and APPROVED this the 17th day of May 2022.

CITY OF LOCKHART

Lew White, Mayor

ATTEST:

Connie Constancio, TRMC
City Secretary

**REGULAR MEETING
LOCKHART CITY COUNCIL**

MAY 3, 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
Sean Kelley, Public Works Director
Julie Bowermon, HR/Civil Service Director
Randy Jenkins, Fire Chief

Connie Constancio, City Secretary
Victoria Maranan, Public Information Officer
Pam Larison, Finance Director
David Fowler, Senior Planner

Citizens/Visitors Addressing the Council: William Wachel of TRC Engineers; Kylie Mycock and Bobby Eichholz of Rialto Studio; Apryl Germany of Ascension Seton Edgar B. Davis Hospital; Erin Kubatzky, Senior Operations Manager and Neil Maris, Event Producer of *Texas Monthly*; and Citizens: Ron Faulstich; Travis Faulstich; Trent Brough; Parind Vora; Riley Baldus; Donna Daniels; Srinivasa Prasad Kunche, Rosario Rodriguez.

Work Session 6:30 p.m.

Mayor White announced that Mayor Pro-Tem Sanchez will be late to the meeting. He opened the work session and advised the Council, staff and the audience that staff would provide information and explanations about the following items:

DISCUSSION ONLY

A. PRESENTATION AND DISCUSSION REGARDING THE DOWNTOWN REVITALIZATION FINAL CONCEPTUAL DESIGN REPORT FROM TRC ENGINEERS, INC. AND RIALTO STUDIO.

William Wachel of TRC Engineers, Kylie Mycock and Bobby Eichholz of Rialto Studio provided a detailed update report regarding the Downtown Revitalization project.

There was discussion regarding the preliminary design Options 1A and 1B.

Mayor Pro-Tem Sanchez arrived at 6:45 p.m.

Mayor White requested the following to address the Council:

Ron Faulstich, 121 Nueces Street, expressed opposition of the Plaza and about reducing parking spaces in the downtown square. He recommended increasing parking in the downtown district instead of reducing it. He requested approval of Plan 1B without the Plaza.

Travis Faulstich, business owner on San Antonio Street, expressed opposition of the Plaza and about reducing parking in the downtown area. He recommended approval of Option 1B without the Plaza.

Trent Brough, 111 E. San Antonio Street, stated that he is opening a law office in the downtown district. He stated that he believes that the Plaza would be detrimental to the businesses because it reduces parking options in storefronts. He recommended approval of Option 1B without the Plaza.

Parind Vora, 519 W. San Antonio Street, asked a few questions: 1) were the individuals that completed the survey all Caldwell County residents; 2) was a survey conducted of the downtown businesses; and, 3) were driving and pedestrian counts conducted? He spoke in opposition of the Plaza. He stated that there is also a lack of adequate handicap parking spaces, and he spoke in opposition of reducing parking spaces. He stated that he believed that the consultants should have requested feedback from the downtown business owners while developing the downtown revitalization plan.

Mr. Wachel stated that they will work on assuring that the maximum number of parking spaces are included in the downtown renovation project. There was discussion.

There was discussion about several opportunities that citizens were given to provide feedback and to be involved in the revitalization project.

RECESS: Mayor White announced that the Council would recess for a break at 7:25 p.m.

REGULAR MEETING

ITEM 1. CALL TO ORDER.

Mayor Lew White called the meeting to order at 7:43 p.m.

ITEM 2. INVOCATION, PLEDGE OF ALLEGIANCE.

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

ITEM 3. PUBLIC COMMENT.

Mayor White requested citizens to address the Council.

Riley Baldus, 601 Flores, provided details about a planned development, “The Lockhart Ridge Garden Homes Community”.

Donna Daniels, 420 W. Prairie Lea, suggested Plan 1A for the downtown revitalization project because she believes that it is very pedestrian friendly.

ITEM 4-A. HOLD A PUBLIC HEARING ON APPLICATION ZC-22-13 BY SRINIVASA PRASAD KUNCHE ON BEHALF OF CAM-TX HOLDINGS, LLC, AND DISCUSSION AND/OR ACTION TO CONSIDER ORDINANCE 2022-14 FOR A ZONING CHANGE FROM CHB HEAVY BUSINESS DISTRICT TO RHD RESIDENTIAL HIGH DENSITY DISTRICT ON LOT 2, BLOCK 1, MOSO SUBDIVISION, CONSISTING OF 0.613 ACRES LOCATED AT 1203 BLACKJACK STREET (FM 20).

Mayor White opened the public hearing at 7:45 p.m.

Mr. Fowler stated that a multifamily residential development is proposed for the subject property and 1201 Blackjack to the east. As the subject property is zoned CHB Commercial Heavy Business, this use is not allowed on the site. To make multifamily development permitted, the applicant has requested a zoning change to RHD Residential High Density. The proposed RHD zoning classification is not consistent with the Medium Density Residential future land use that is designated for the subject lot and the lots to its immediate north, east, and west. However, the proposed RHD zoning would match the current zoning of the properties to the immediate north and west. At the Planning and Zoning Commission public hearing, no citizens spoke regarding the proposed zoning change. Mr. Fowler stated that the Planning and Zoning Commission and staff recommend approval.

Mayor White requested the applicant to address the Council.

Srinivasa Prasad Kunche stated that they plan to develop town homes on the property. He requested approval of the zoning change.

Mayor White requested citizens in favor of or against the zoning change to address the Council. There were none. He closed the public hearing at 7:53 p.m.

Councilmember Mendoza made a motion to approve Ordinance 2022-14, as presented. Councilmember Westmoreland seconded. The motion passed by a vote of 7-0.

ITEM 4-B. HOLD A PUBLIC HEARING ON APPLICATION ZC-22-14 BY ROSARIO RODRIGUEZ, AND DISCUSSION AND/OR ACTION TO CONSIDER ORDINANCE 2022-15 FOR A ZONING CHANGE FROM AO AGRICULTURAL-OPEN SPACE DISTRICT TO RMD RESIDENTIAL MEDIUM DENSITY DISTRICT ON 5.001 ACRES OUT OF THE ESTHER BERRY SURVEY, A-1, LOCATED AT 2011 FM 1322.

Mayor White opened the public hearing at 7:54 p.m.

Mr. Fowler stated that the applicant proposes to locate a manufactured home on the subject property. This use is not permitted in the subject parcel's AO Agricultural-Open Space Zoning District. In order to facilitate the location of the manufactured home on the property, the applicant has submitted for a rezoning to RMD Residential Medium Density zoning. If the RMD rezoning were approved, a Specific Use Permit (SUP) would still be required prior to the manufactured home being permitted on the subject parcel. The subject parcel is 5.001 acres in size, and is designed as a family parcel for use of relatives of the owners of the larger 43.3-acre parent tract. The rest of the parent tract is zoned AO, as is most of the surrounding area within the city limits. Most of the immediate area is rural in character, but the Summerside residential subdivision will eventually build to FM 1322 on the parcel south of the parent tract. The proposed RMD zoning is consistent with the property's Medium Density Residential Comprehensive Land Use Plan map designation. So far, there has been no public opposition to the proposed zoning change. Mr. Fowler stated that the Planning and Zoning Commission and staff recommend approval.

Mayor White requested the applicant to address the Council.

Rosario Rodriguez, applicant, stated that he would like to place a manufactured home on his property so that his daughter can move close to the family. He requested approval of the zoning change.

Mayor White requested citizens in favor of or against the zoning change to address the Council. There were none. He closed the public hearing at 8:00 p.m.

Mayor Pro-Tem Sanchez made a motion to approve Ordinance 2022-15, as presented. Councilmember McGregor seconded. The motion passed by a vote of 7-0.

ITEM 6-B. DISCUSSION AND CONSIDERATION BY THE CITY COUNCIL OF COMMENTS RECEIVED FROM THE PUBLIC REGARDING REDISTRICTING PLANS FOR CITY COUNCIL DISTRICTS, PLANS PROPOSED BY THE PUBLIC, INCLUDING POSSIBLE AMENDMENTS TO A PROPOSED PLAN, INCLUDING A PLAN DRAWING SESSION. 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 announced that the Council would enter Executive Session to discuss redistricting at 8:03 p.m.

Mayor White announced that the Council would enter Open Session at 8:54 p.m.

ITEM 6-C. DISCUSSION AND CONSIDERATION OF AN EFFECTIVE DATE FOR A REDISTRICTING PLAN FOR CITY COUNCIL DISTRICTS.

There was no discussion.

ITEM 6-D. DISCUSSION OF, AND POSSIBLE ADOPTION OF A REDISTRICTING PLAN FOR CITY COUNCIL DISTRICTS AS OUTLINED IN RESOLUTION 2022-24.

Mayor Pro-Tem Sanchez made a motion to table the item until the next meeting and requested that the redistricting attorney, Syd Falk and Philip Ruiz of LULAC meet to discuss a redistricting drawing option to present to the Council. Councilmember McGregor seconded. The motion passed by a vote of 7-0.

ITEM 5. CONSENT AGENDA

Mayor White stated that the consent agenda items will be discussed separately because they were not discussed during the work session.

ITEM 5-A. APPROVE RENEWING AGREEMENT WITH JACK PEARCE, LLC WITH AN AMENDMENT FOR THE LEASING OF PROPERTIES LOCATED AT WEST MARKET STREET AND SOUTH COMMERCE STREET AND APPROVING THE MAYOR TO SIGN THE RENEWAL OF LEASE IF APPROVED.

Mr. Kelley stated that in early 2021, the City approached Jim and Amelia Smith (owners) to pursue leasing the vacant properties located on the southside of the downtown square for the purpose of creating a temporary park. The Smiths were excited to enter negotiations with the City for the establishment of a park on the vacant property. The property owners have plans to develop the property in the future, however they are eager to offer this space to benefit the community in the meantime. Over the past months, City staff has been assisting Texas Monthly with planning the proposed Texas World's Fair event in Lockhart in November 2022. During the planning sessions, Texas Monthly asked to incorporate the use of the downtown park during their event as a "Beer Hall". The current lease with the property owners prohibits alcohol on the property. The property owners were informed about the request to consume and sell alcohol on their property, and they have agreed to allow consumption and use of alcohol on the premises only during the November 2022 planned event. Sales and consumption of alcohol would remain prohibited on this property leading up to and after the event. The property lease renewal outlines sales and consumption of alcohol during this planned event and retains all other previously agreed provisions in the agreement. The effective dates of this agreement would be May 3, 2022 to May 2, 2023, and would automatically renew for an additional one-year term on each anniversary date unless either party notifies the other in writing of intent not to renew at least 60 days prior to expiration of the then-current term. This lease may

be terminated by the Lessee or the Lessor at any time with a sixty (60) day written notice to the other party. There was discussion.

Councilmember McGregor made a motion to approve the renewal agreement with Jack Pearce, LLC with an amendment for the leasing of properties located at West Market Street and South Commerce Street, as presented. Councilmember Mendoza seconded. The motion passed by a vote of 7-0.

ITEM 5-B. ACCEPTANCE OF THE 2ND QUARTER INVESTMENT REPORT FOR FISCAL YEAR 2021-22.

Ms. Larison stated that the Public Funds Investment Act requires local governments to review and accept Quarterly Investment Reports for each quarterly reporting period of the year. There was discussion regarding the 2nd Quarter for Fiscal Year 2022, ending March 31, 2022.

Councilmember Michelson made a motion to accept the 2nd Quarter Investment Report for Fiscal Year 2021-2022, as presented. Councilmember Westmoreland seconded. The motion passed by a vote of 7-0.

ITEM 6-A. DISCUSSION AND/OR ACTION REGARDING THE DOWNTOWN REVITALIZATION FINAL CONCEPTUAL DESIGN REPORT FROM TRC ENGINEERS, INC. AND RIALTO STUDIO.

There was discussion.

Councilmember Michelson made a motion to approve design conceptual plan 1B without the Plaza and to direct the consulting firms and staff to return with parking options. Mayor Pro-Tem Sanchez seconded. The motion passed by a vote of 7-0.

ITEM 6-E. DISCUSSION AND/OR ACTION TO CONSIDER ORDINANCE 2022-18 APPROVING BUDGET AMENDMENT 67 FOR THE PURCHASE OF A NEW FRAZER TYPE I AMBULANCE FOR LOCKHART EMS THROUGH FRAZER, LTD. UTILIZING THE HOUSTON-GALVESTON AREA COUNCIL (H-GAC) AS THE PROCUREMENT METHOD.

Chef Jenkins stated that Apryl Germany of Ascension Seton Edgar B. Davis/Lockhart EMS is present to answer questions, if necessary. He stated that the new Frazer Type I ambulance will be deployed front-line for medical emergencies in Lockhart and Caldwell County. The ambulance will replace one of the two front-line ambulances currently in service. The vehicle is a Type I ambulance with a Dodge Diesel F550 cab and chassis, a 12' all-aluminum patient module, back-up camera, LiquidSpring suspension, Mobile Electronic Power Solutions (MEPS) generator, Engel refrigerator, shore power, LED lighting, and horizontal O2 cylinder storage. It is best practice to remove an ambulance from the front-line to reserve after 5 years or approximately 150,000 miles. In reserve for up to 5 additional years or over 200,000 total miles, it is then replaced with a new ambulance, or the patient module is remounted on a new cab and chassis. Lockhart EMS typically has four ambulances in its fleet, two front-line and two in reserve. One of the four is currently in the process of a remount and the other three ambulances all have over 200,000 miles and are at least 5 years old. Medic 1 (2016) is currently at Siddons-Martin waiting on a cab and chassis for its remount. It was approved by the City Council on July 6, 2021, but due to shortage of inventory, it has not been completed. The estimated delivery is late summer 2022. The total cost to purchase the Type I ambulance as the specifications are written is \$246,794. Once the ambulance is completed, the city will have to arrange for it to be transported to Lockhart from the Houston Frazer manufacturing plant. A powered loading system and cot is also recommended to be purchased from Stryker for this Frazer Type I ambulance in a separate agenda item. Chief Jenkins recommended approval. There was discussion.

Councilmember Michelson made a motion to approve Ordinance 2022-18 for the purchase of an ambulance, 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 THE PURCHASE OF A POWERED LOADING SYSTEM AND POWERED COT THROUGH STRYKER MEDICAL TO BE INSTALLED IN A NEW FRAZER TYPE I AMBULANCE BEING PURCHASED FOR LOCKHART EMS.

Chief Jenkins stated that the “powered loading and cot system” is a method for managing the stretcher during loading and unloading in the ambulance, while increasing the safety of the patient and personnel. The powered loading system (Stryker MTS Power Load) and the powered ambulance cot (Stryker Power-PRO XT MTS) are for a new Frazer ambulance being purchased for Lockhart EMS. The cost includes the maintenance and service agreement for the powered loading system and cot. The powered loading and cot system is currently used on other Lockhart EMS ambulances and is the sole resource of Stryker Medical. The cost for the powered loading and cot system plus maintenance agreements is \$58,131.04 plus approximately \$500 to install by a separate vendor for a total of \$58,631.04. Chief Jenkins recommended approval. There was discussion.

Councilmember Michelson made a motion to approve the purchase of a powered loading system and powered cot through Stryker Medical to be installed on a new Frazer Type I ambulance, as presented. Mayor Pro-Tem Sanchez seconded. The motion passed by a vote of 7-0.

ITEM 6-G. DISCUSSION AND/OR ACTION TO CONSIDER PROPOSED TEXAS MONTHLY 2022 BBQ WORLD'S FAIR EVENT SPONSORSHIP AGREEMENT FOR THE NOVEMBER 5 - 6, 2022 TEXAS MONTHLY BBQ WORLD'S FAIR EVENT.

Ms. Bowermon stated that on January 18, 2022, City Council approved a proposal from *Texas Monthly* to host the Texas Monthly 2022 BBQ World's Fair in Lockhart on November 5 - 6, 2022. Since 2009, *Texas Monthly* has brought together BBQ enthusiasts at a BBQ festival held at the Long Center in Austin. As the event has evolved and grown, *Texas Monthly* proposed to relocate the festival to the Barbecue Capital of Texas: Lockhart. The event will be a 2-day weekend festival starting on Saturday, November 5, 2022 in the downtown area. The second day of the festival will be held at City Park. The city will contribute up to \$25,000 of in-kind services including permitting assistance, emergency personnel staffing, use of the downtown streets and City Park, barricades and staffing for street closures, shuttle transportation, utilities, etc. Preparations for the November event have kicked off with *Texas Monthly* holding informational meetings with both Chambers, the Downtown Business Association, and several local businesses. *Texas Monthly* has offered Lockhart the opportunity of an event sponsorship for \$28,700 to promote Lockhart with both print and video packages. The sponsorship fee includes \$20,000 for one interactive visual storytelling feature and \$8,700 for one full-page brand ad in *Texas Monthly* magazine. The proposed sponsorship agreement specifies event details and the City's in-kind service contributions, as well as the opportunity for the event sponsorship.

Erin Kubatzky, Senior Operations Manager and Neil Maris, Event Producer of *Texas Monthly* provided details about the events and the sponsorship opportunities of the BBQ Festival in Lockhart.

There was discussion and a request that *Texas Monthly* notify each of the downtown businesses about the downtown street closures on the Friday of the event. There was also discussion about the marketing and promotional features of the event.

Mayor White asked if the Council would like an item placed on a future agenda to consider a possible contribution in the amount of \$28,000 for the event. There was discussion about the city logo being placed on all promotional ads in six *Texas Monthly* issues that are distributed to approximately \$2 million subscribers.

Mayor White asked if city funds are available to cover the sponsorship cost. Ms. Bowermon replied that if the Council chose to be an event sponsor, \$26,000 would be used from funds allocated for the KART Race that will no longer be held, in addition to hotel occupancy tax funds.

There was discussion.

Councilmember Westmoreland made a motion to approve the *Texas Monthly* 2022 BBQ World's Fair Event Sponsorship Agreement for the November 5-6, 2022 Texas Monthly BBQ World's Fair event, as presented. Councilmember McGregor seconded. The motion passed by a vote of 7-0.

PRESENTATION OF A PROCLAMATION DECLARING MAY 21, 2022 AS KIDS TO PARKS DAY.

Mayor White presented the proclamation to Travis Hughes, Parks and Recreation Director.

ITEM 6-I. DISCUSSION AND/OR ACTION TO CONSIDER ORDINANCE 2022-16 GRANTING A REVOCABLE LICENSE PURSUANT TO SECTIONS 10.10 AND 10.11 OF THE HOME RULE CHARTER OF THE CITY OF LOCKHART FOR THE ERECTION OF A GATE ACROSS NORTH PECOS STREET AT 1631 NORTH PECOS STREET.

Mr. Akers stated that the city was approached by the resident at 1631 N. Pecos asking to put back a gate and fence across the right-of-way in front of his house to prevent vehicles from using a private road in front of his home to Highway 183.

The following are a few issues to consider pertaining to the installation of the gate:

- A "No Outlet" sign is erected on Silent Valley Road on North Pecos Street.
- A "Dead End" sign is in front of the house at 1631 N. Pecos.
- The signs have not deterred vehicles from taking the road down to Highway 183.

The resident at 1631 North Pecos states that a fence and a gate had previously been erected on the property for 20 plus years and he wants to put it back. As provided in the Charter, the authority to erect the gate is fully revocable by the City at any time and for any reason.

Joseph Gonzales, 1631 North Pecos Street, requested approval to allow him to erect a gate across North Pecos Street. He stated that when he built his home, the city's building regulations required him to remove the gate.

Councilmember Michelson made a motion to approve Ordinance 2022-16 granting a revocable license pursuant to Sections 10.10 and 10.11 of the Home Rule Charter of the City of Lockhart for the erection of a gate across North Pecos Street at 1631 North Pecos Street, as presented. Mayor Pro-Tem Sanchez seconded. The motion passed by a vote of 7-0.

ITEM 6-H. DISCUSSION AND/OR ACTION TO CONSIDER ORDINANCE 2022-17 APPROVING BUDGET AMENDMENT 66, TO ALLOCATE FUNDS FOR SERVICES PROVIDED BY AN INSURANCE SERVICES OFFICE (ISO) CONSULTANT TO ASSIST THE CITY OF LOCKHART IN PREVENTING A RETROGRESSION FROM A PUBLIC PROTECTION CLASSIFICATION (PPC) 3/3X TO A PPC 4/4X RESULTING FROM A ISO SURVEY CONDUCTED ON DECEMBER 8, 2021.

Chief Jenkins stated that ISO collects information on a community's public fire protection and analyses the data using their Fire Suppression Rating Schedule (FSRS). ISO then assigns a Public Protection Classification (PPC) from 1 to 10, with 1 being the best class available. Insurance companies then use the PPC rating to help establish appropriate premiums for residential and commercial properties. The fire protection systems which are evaluated include 911 Communications (9%), Fire Department (47%), Water Supply (38%), Community Risk Reduction (6%), and the Texas Exception. The potential rise in the cost of property insurance if the city regressed from an ISO PPC of 3/3X to a PPC of 4/4X is 9% for commercial properties and 3% for residential properties.

Mike Pietsch, P.E. Consulting Services, Inc. was retained on March 10, 2022 and developed a two-phase plan to stop the ISO retrogression as follows:

Phase I – Develop an ISO grading point total which should have resulted from the recent ISO survey, and develop a plan and report based on this grading point total in order to eliminate the regression. Cost \$16,000. Phase I is complete.

Phase II – Assist the City of Lockhart with a ISO re-survey to eliminate the regression. Cost is \$6,500. Phase II will be completed after all components of the improvement plan have been implemented.

Chief Jenkins stated that the City of Lockhart has submitted their improvement plan to the ISO regression specialist in New Jersey and the improvement plan has been approved. Once all components of the improvement plan have been completed, the ISO consultant will assist the city in presenting the information to ISO to stop the regression. The City of Lockhart will remain a PPC 3/3X until the entire improvement plan process is complete. Once the improvements have been accepted by ISO, a new PPC 3/3X letter will be issued by the State Fire Marshal. Typically, a city will be evaluated by ISO between 5 and 10 years from the last survey.

Councilmember McGregor made a motion to approve Ordinance 2022-17, approving budget amendment 66, as presented. Councilmember Bryant seconded. The motion passed by a vote of 7-0.

ITEM 6-J. DISCUSSION AND DIRECTION TO STAFF REGARDING POSSIBLE AMENDMENTS TO CHAPTER 64 REGARDING COVERED PARKING REQUIREMENTS IN SF-1 AND SF-2 RESIDENTIAL DEVELOPMENT TYPES.

Mr. Lewis stated that Councilmember McGregor requested that the item be on the agenda for discussion.

Councilmember McGregor stated that she requests consideration of extending the exemption of covered parking requirements for non-conforming lots that were platted prior to 1990.

Mr. Lewis stated that the current ordinance would require the property owner to apply for a variance to request a waiver of the required covered parking. Councilmember McGregor replied that her goal is to avoid requiring smaller lots platted prior to 1990 from being required to apply for a variance or to be required to have covered parking. She requested that staff report a recommendation to Council about the waiver that includes information about how many nonconforming lots platted before 1990 exist in the city limits.

There was discussion.

Councilmember McGregor made a motion to direct staff to present a possible amendment to Chapter 64 regarding covered parking requirements in SF-1 and SF-2 residential development types of smaller lots that were platted prior to 1990. Councilmember Mendoza seconded. The motion passed by a vote of 6-1, with Mayor White opposing.

ITEM 6-K. CONSIDER AND TAKE ACTION TO AUTHORIZE THE MAYOR TO EXECUTE A TOWER USE LICENSE WITH BROUSSARD TOWER RENTALS, INC. TO CONTINUE THE CITY'S USE OF THE RADIO TOWER LOCATED AT 1511 EAST MARKET ST. WITHIN THE CITY OF LOCKHART FOR THE PURPOSES OF POLICE, FIRE, EMS AND OTHER CITY RELATED COMMUNICATIONS; AND TO AUTHORIZE THE MAYOR TO EXECUTE A TOWER USE LICENSE WITH CLEARVIEW TOWER COMPANY III, LLC. TO CONTINUE THE CITY'S USE OF A RADIO TOWER LOCATED NEAR LULING, TX KNOWN AS IRON MOUNTAIN FOR THE SAME PURPOSES AS ABOVE.

Ms. Larison stated that this item is about renewing an existing agreement that has been in place since the early 1990s. Kent Broussard Tower Rentals, Inc. is in the process of selling all their assets to Clearview Tower Company III, LLC and has already sold the Iron Mountain (Luling) tower to them. The new agreements will maintain the status quo, but they more clearly identify the price structure and lease terms. On April 19, 2022, Council voted to postpone the approval of these agreements because staff had some last-minute questions for the current and future owners which have since been answered. Ms. Larison recommended approval.

Mayor Pro-Tem Sanchez made a motion to approve the Tower Use Licenses, as presented. Councilmember Bryant seconded. The motion passed by a vote of 7-0.

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

There was no discussion.

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

- City of Lockhart FY 2022 Mid-Year Financial report.
- Update regarding city facility upgrades and subdivision developments.
- CARTS Ribbon cutting ceremony on May 2 at 12:00 p.m. at City Hall.
- Update about CARTS NOW.
- Update on Iron Ox grand opening.
- Cinco de Mayo events - May 6 and 7.

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

Councilmember Mendoza invited all to the Cinco de Mayo celebration.

Mayor Pro-Tem Sanchez expressed condolences to the families of Tommy Chesser, Jesse Perez, Sylvia Estrada, and Gary Smith for their loss. She wished the Hispanic Chamber good luck for a successful Cinco de Mayo event. She expressed Happy Mother's day blessings.

Councilmember McGregor invited all to Cinco de Mayo and First Friday events downtown this weekend. Courthouse Nights has returned with Lockhart's James Mcmurtry playing at the next event.

Councilmember Bryant wished the Hispanic Chamber good luck on a successful Cinco de Mayo event.

Councilmember Michelson thanked Iron Ox for a tour of their facility.

Mayor White wished the Hispanic Chamber good luck on a successful Cinco de Mayo event. Happy Mother's Day to all.

ITEM 9. EXECUTIVE SESSION IN ACCORDANCE WITH THE PROVISIONS OF THE GOVERNMENT CODE, TITLE 5, SUBCHAPTER D, SECTION 551.071 TO CONSULT WITH THE CITY ATTORNEY, AND 551.087 REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS, IN CONNECTION WITH LEGAL ADVICE AND OPTIONS FOR ACTION REGARDING POSSIBLE AMENDMENT OR REPLACEMENT OF AN EXISTING CHAPTER 380 AGREEMENT AND INCENTIVES TO BE PROVIDED TO A BUSINESS PROSPECT.

Mayor White announced that the Council would enter Executive Session at 10:13 p.m.

ITEM 10. OPEN SESSION. Discussion and/or action regarding matters discussed in Executive Session.

Mayor White announced that the Council would enter Open Session at 10:40 p.m. There was no action taken.

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 10:41 p.m.

PASSED and APPROVED this the 17th day of May 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: May 17, 2022

AGENDA ITEM CAPTION: Accept semi-annual report from the Impact Fee Advisory Committee concerning the status of implementation of Chapter 31 "Impact Fees" of the Lockhart Code of Ordinances with regard to water, wastewater, and road impact fees.

ORIGINATING DEPARTMENT AND CONTACT: Development Services - Dan Gibson

ACTION REQUESTED: Consensus

BACKGROUND/SUMMARY/DISCUSSION: In accordance with State law, the Impact Fee Advisory Committee has an ongoing role in monitoring and evaluating implementation of the water, wastewater, and road impact fee capital improvement plans (CIP's), and submitting semi-annual reports to the City Council. The Committee met on May 11th to consider their 40th semi-annual report since impact fees were originally adopted on January 15, 2002. The total impact fee revenue during the period covered by this report was \$644,508, and there were no expenditures of impact fees in any of the accounts during that time. Because the Committee previously recommended that the City undertake the statutory five-year update of the impact fee land use assumptions, capital improvement plans, and fees, and the Council agreed and subsequently voted at the December 21, 2021, Council meeting to direct staff to retain consultants for the update, there are no new recommendations from the Committee. More information is contained in the attached semi-annual report from the Committee, which is for the period from October 1, 2021, to April 1, 2022.

PROJECT SCHEDULE (if applicable): Staff is currently reviewing proposals from the consultants to be hired for the impact fee update process.

AMOUNT & SOURCE OF FUNDING:

Funds Required:

Account Number:

Funds Available:

Account Name:

FISCAL NOTE (if applicable): Impact fee revenue helps pay for up to half of the cost of projects listed in the water, wastewater, and road CIP's.

PREVIOUS COUNCIL ACTION: None.

COMMITTEE/BOARD/COMMISSION ACTION: The semi-annual report from the Impact Fee Advisory Committee is attached.

City of Lockhart, Texas

Council Agenda Item Cover Sheet

STAFF RECOMMENDATION/REQUESTED MOTION: Accept the attached report for the six-month period from October 1, 2021 to April 1, 2022.

LIST OF SUPPORTING DOCUMENTS: Spring 2022 signed committee report, impact fee Exhibit A spring 2022, impact fee Exhibit B spring 2022

IMPACT FEE REPORT

To Lockhart City Council –May 2022

PURPOSE

State law requires a continuing semi-annual role for the Impact Fee Advisory Committee in monitoring the progress of implementation of the impact fee ordinance, and in advising the City Council on needed revisions. More specifically, State law provides that the Committee:

- 1) Monitor and evaluate implementation of the capital improvements plans;
- 2) File semi-annual reports with respect to the progress of the capital improvements plans and report to City Council any perceived inequities in implementing the plans or imposing the impact fees; and,
- 3) Advise the City Council of the need to update or revise the land use assumptions, capital improvements plans (CIP's), and impact fees.

This is the 40th status report since the impact fee ordinance was originally adopted on January 15, 2002, and is for the period from October 1, 2021, to April 1, 2022. It is the tenth report since the update adopted on April 4, 2017, and is based on the current capital improvement plans and impact fees. The six-month reporting dates align with the fiscal year quarters.

STATUS OF ACCOUNTS

Exhibit A shows revenue totaling \$644,508 during the period covered by this report. Fees collected during the six-month period were for 48 new houses, one 120-unit apartment complex, eight vacation rental cabins, one retail interior tenant space finish-out, one new office building, one convenience store, one restaurant, and one industrial building, plus three water meters not used for buildings. There were no expenditures of impact fees in any of the accounts for this period. The water, wastewater, and road impact fee account balances for the previous semi-annual report, as well as the current balances as of April 1, 2022, including accrued interest, are shown in the table.

The total estimated cost of all of the projects in the capital improvement plans in effect during the six-month reporting period was \$58,311,537. However, the City Council adopted one-half that amount as the maximum to be collected by April 1, 2027, which is the end of the ten-year CIP period, so the maximum fees are based on an estimated cost of all three CIP's being \$29,155,769. The total of all impact fees spent on CIP projects so far since the April 4, 2017 update is \$673,073, which does not include payments to impact fee update consultants. That leaves \$28,482,696 to still be spent. The total balance available remaining collectively in the four impact fee accounts that can be used toward meeting that goal, is currently \$3,729,539.

TRENDS

The bar graph in **Exhibit B** illustrates the impact fee collection trends beginning with the first semi-annual report in July 2003. The trends generally reflect the state of the economy, as well as the availability of lots for residential development. With housing demand at an all-time high, and sufficient platted lots available, the total for this reporting period is the highest of all of the reporting periods. It is important to build a healthy balance in all of the accounts because there is interest in development where the City does not currently have adequate infrastructure, but where many of the needed projects are already listed in the impact fee CIP's.

UPDATE

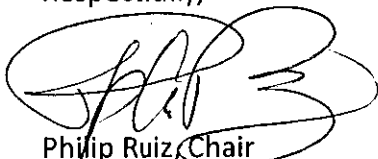
The most recent impact fee update was completed and adopted in 2017, so the statutory five year update is due in 2022. The City Council had the option of deciding that an update of the land use assumptions, capital improvement plans, and impact fees isn't necessary. In such case, the City could go another five years without an update or, if the need arises, could choose to do an update at any time before the next five years is up. In the Committee's Fall 2021 semi-annual report to the Council, it was recommended that a five-year update be undertaken in 2022. At the Council's December 21, 2021, meeting, the Council accepted the Committee's report, and voted to direct staff to retain consultants to begin the process of the update. Staff reports that they have recently contacted consultants for the land use assumptions, revised water, wastewater, and road capital improvement plans, and recalculation of impact fees. It is expected that contracts will be in place soon.

The five-year update is needed primarily due to increases in the cost of construction. The impact fees are based on the estimated cost of the projects in each CIP, and those costs are now out-of-date. In addition, the CIP's are intended to reflect the anticipated growth of the city, and the rapid population growth we are now experiencing may require changes in the location and size of projects that are in the current CIP's, and/or may require adding new projects.

RECOMMENDATION

The Committee met on May 11, 2022, and unanimously voted to forward this semi-annual report to the City Council for the period ending on March 31st, recommending that no further changes are necessary other than the update of the land use assumptions, capital improvement plans, and impact fees currently being undertaken.

Respectfully,

A handwritten signature in black ink, appearing to read 'Philip Ruiz', enclosed within a large, loopy oval shape.

Philip Ruiz, Chair
Impact Fee Advisory Committee

EXHIBIT A

SPRING 2022 IMPACT FEE ACCOUNT BALANCES¹

	<u>October 1, 2021</u>	+	Revenue ²	–	Expense	=	<u>April 1, 2022</u>
Water	960,897		190,205		0		1,151,102
Wastewater	879,843		134,522		0		1,014,365
Roads (Service Area 1)	654,080		309,110		0		963,190
Roads (Service Area 2)	590,211		10,671		0		600,882
TOTAL	\$3,085,031		\$644,508		\$0		\$3,729,539

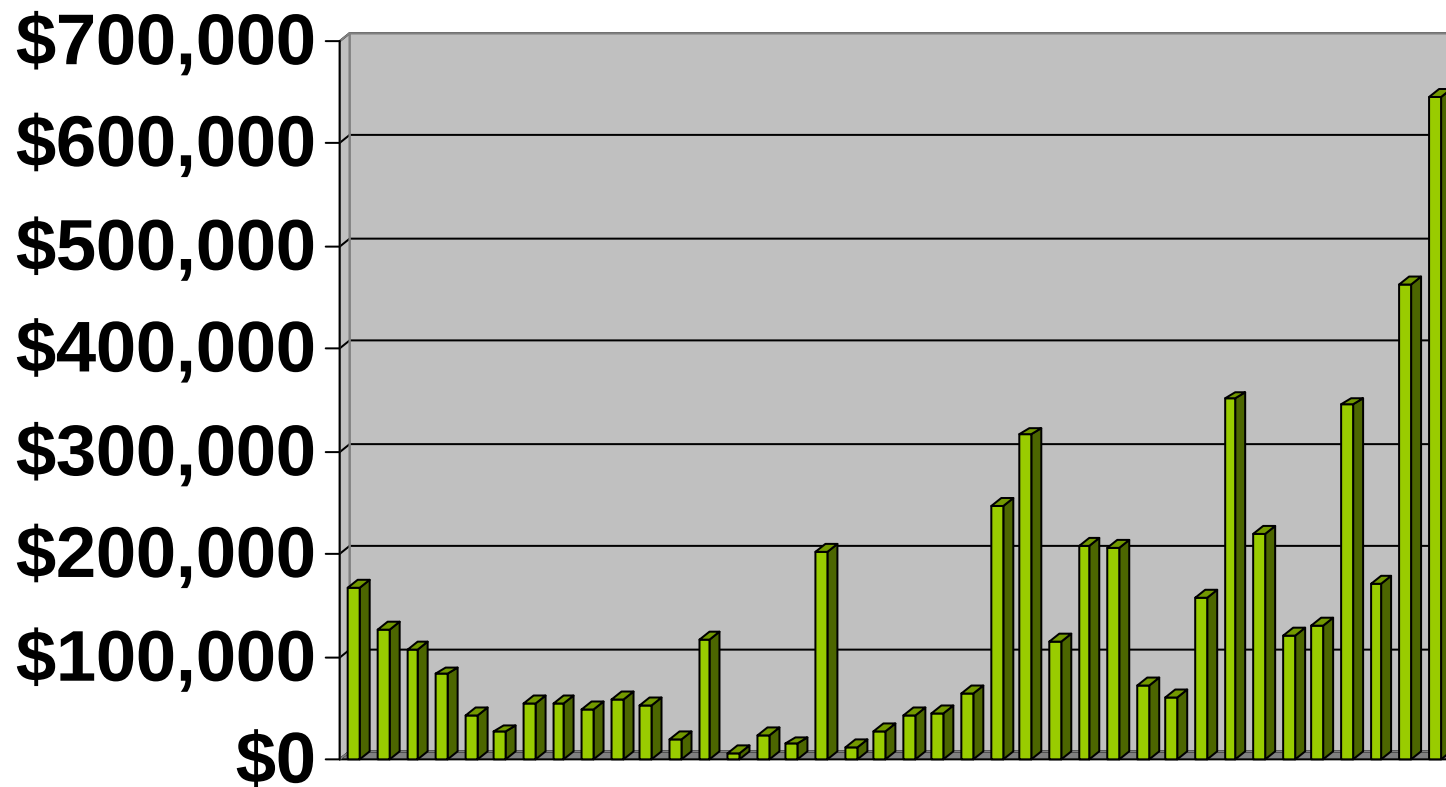
1. All amounts have been rounded to the nearest dollar.

2. Revenue amounts include accrued interest.

One-half total CIP estimated cost (estimated 100% cost of all projects is \$58,311,537):	\$29,155,769
Total spent on projects since adoption of Ordinance 2017-08 on April 4, 2017:	\$673,073
Remaining amount of 1/2 estimated cost not yet spent:	\$28,482,696
Current balance on October 1, 2020:	\$3,729,539

NOTE: The CIP cost information is the total for the capital improvements plans adopted by Ordinance 2017-08 on April 4, 2017, with all amounts rounded to the nearest dollar.

EXHIBIT B
IMPACT FEE SEMI-ANNUAL REVENUE
July 2003 - April 2022



City of Lockhart, Texas

Council Agenda Item Cover Sheet

COUNCIL MEETING DATE: May 17, 2022

AGENDA ITEM CAPTION: Discussion and/or action regarding comments received from the public regarding redistricting plans for City Council districts, plans proposed by the public, including possible amendments to a proposed plan.

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: 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.

Attached is the City of Lockhart's current single-member district voting map and LULAC's proposed redistricting plans.

Syd Falk, Redistricting legal counsel, met with LULAC representatives on May 12 to discuss their proposed redistricting plan. Mr. Falk prepared revised Plan B as a proposed plan that incorporates LULAC's input. He will provide details during the meeting.

PROJECT SCHEDULE (if applicable): N/A

AMOUNT & SOURCE OF FUNDING:

Funds Required:

Account Number:

Funds Available:

Account Name:

FISCAL NOTE (if applicable): N/A

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

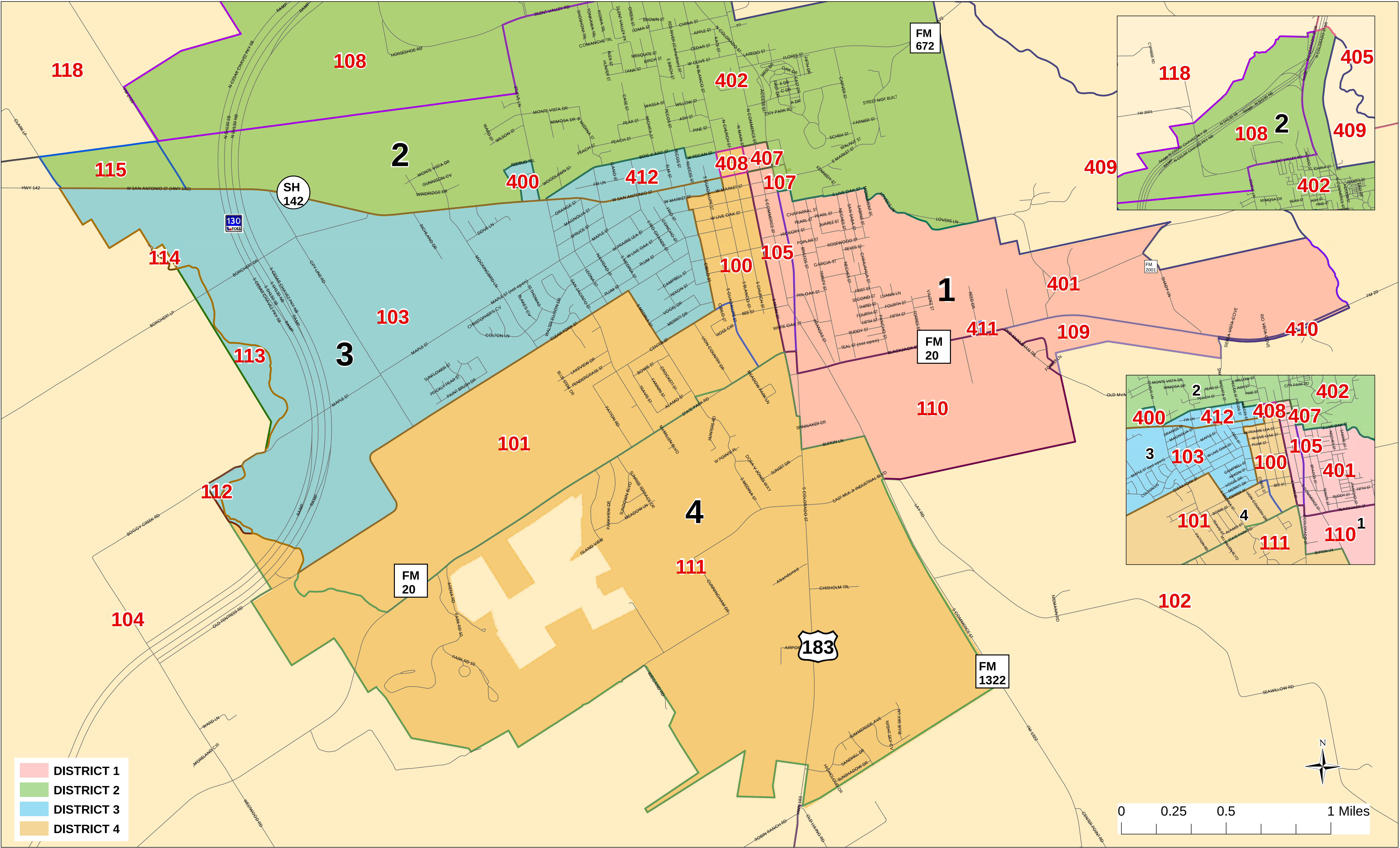
City of Lockhart, Texas

Council Agenda Item Cover Sheet

COMMITTEE/BOARD/COMMISSION ACTION: N/A

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

LIST OF SUPPORTING DOCUMENTS: Current Voting District Map, Proposed Plan A ,
Proposed Plan B Revised



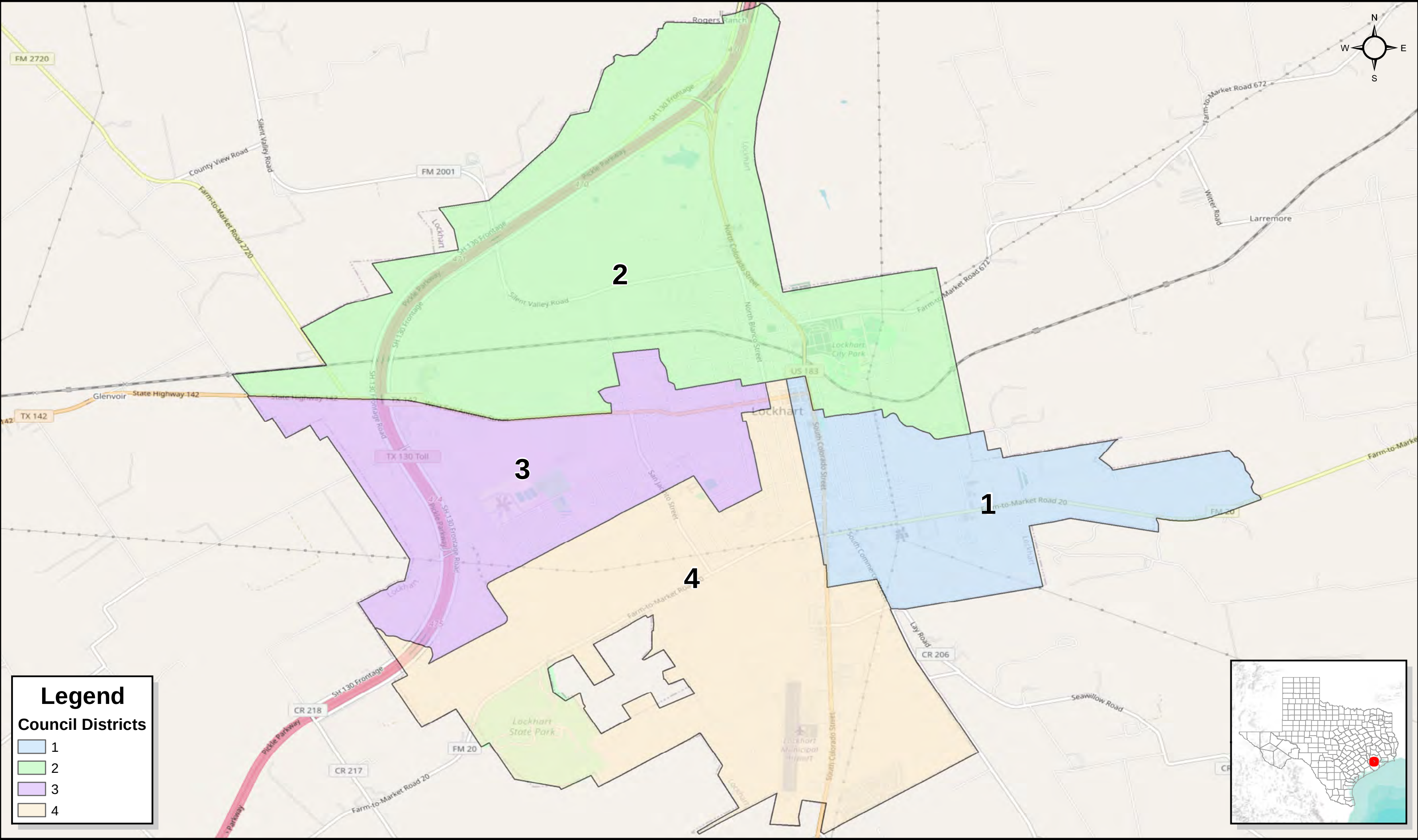
CURRENT VOTING DISTRICTS

VOTING DISTRICTS WITHIN CITY LIMITS

SOURCE: CALDWELL COUNTY APPRAISAL DISTRICT AND THE CITY OF LOCKHART

Updated February 3, 2015

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.



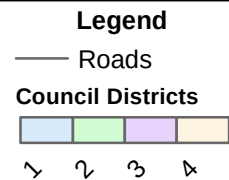
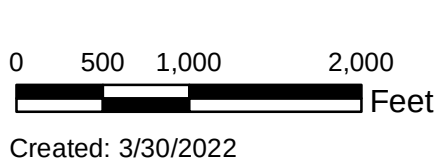
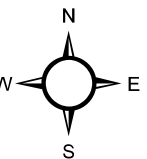
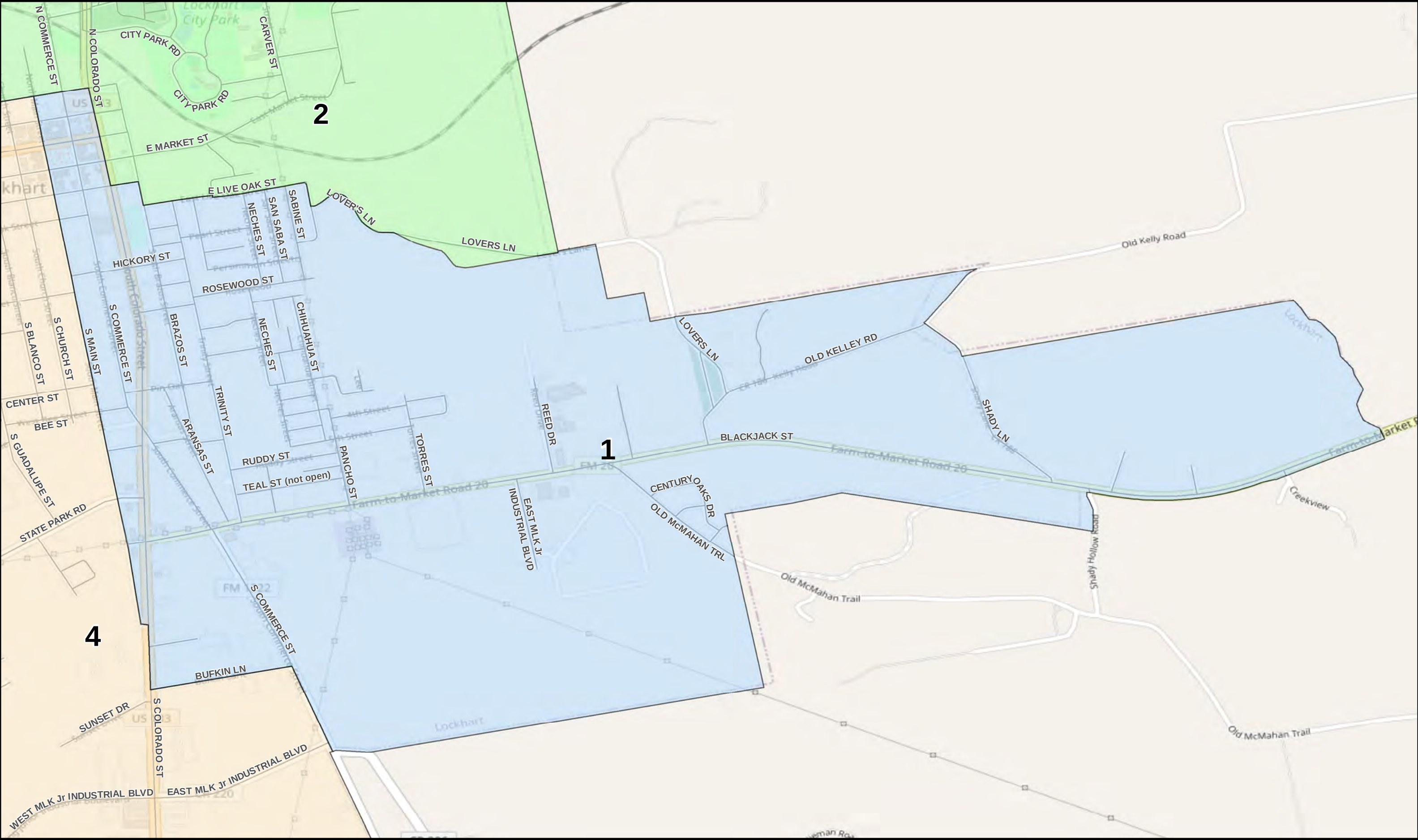
**City of Lockhart Council Districts
- Plan A -**

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Created: 3/30/2022

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

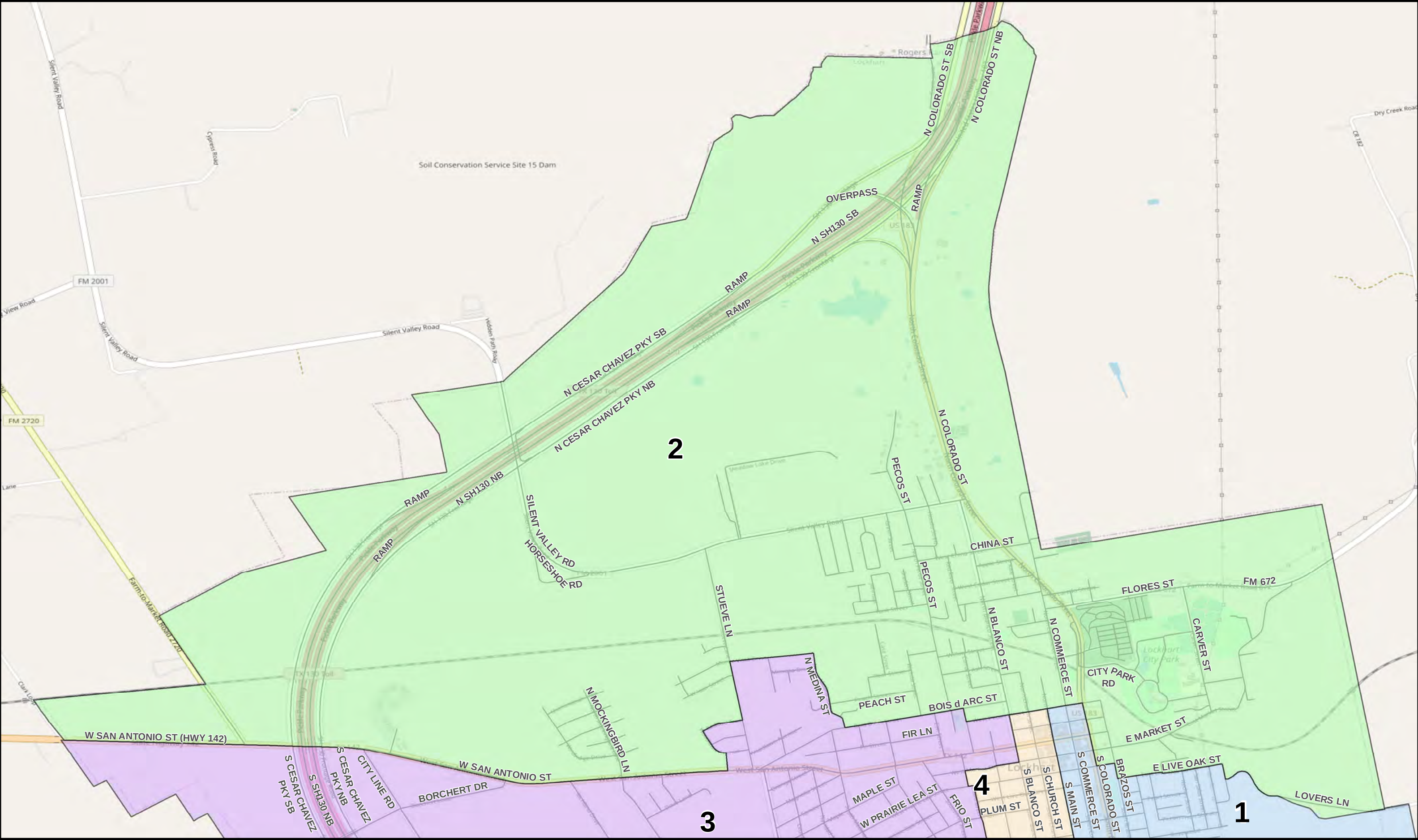


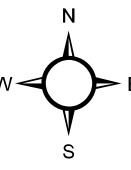


City of Lockhart Council Districts - Plan A -

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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: 3/30/2022

Legend

— Roads

Council Districts

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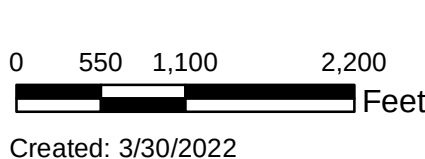
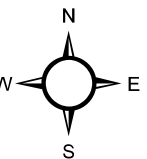
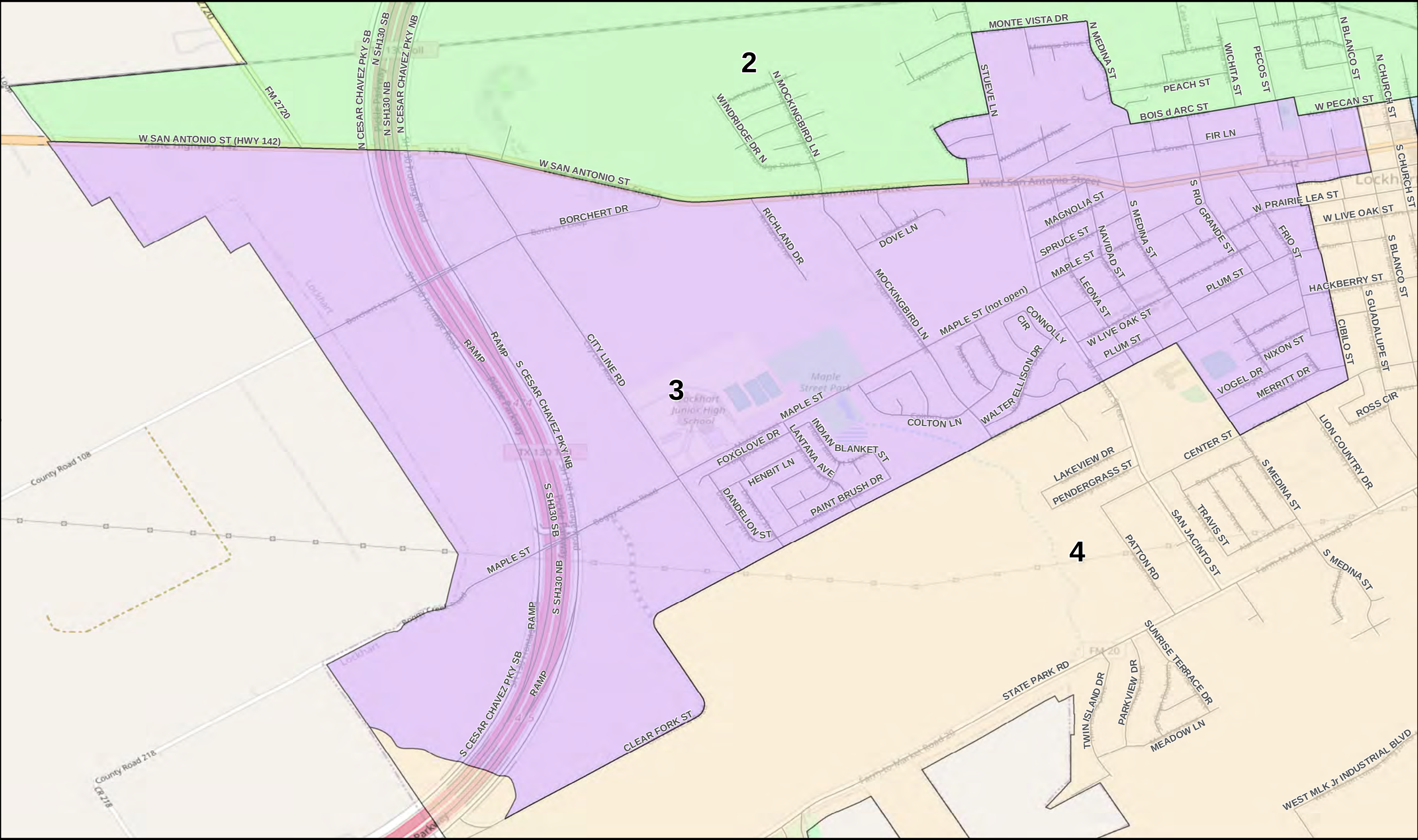
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City of Lockhart Council Districts

- Plan A -



Legend

— Roads

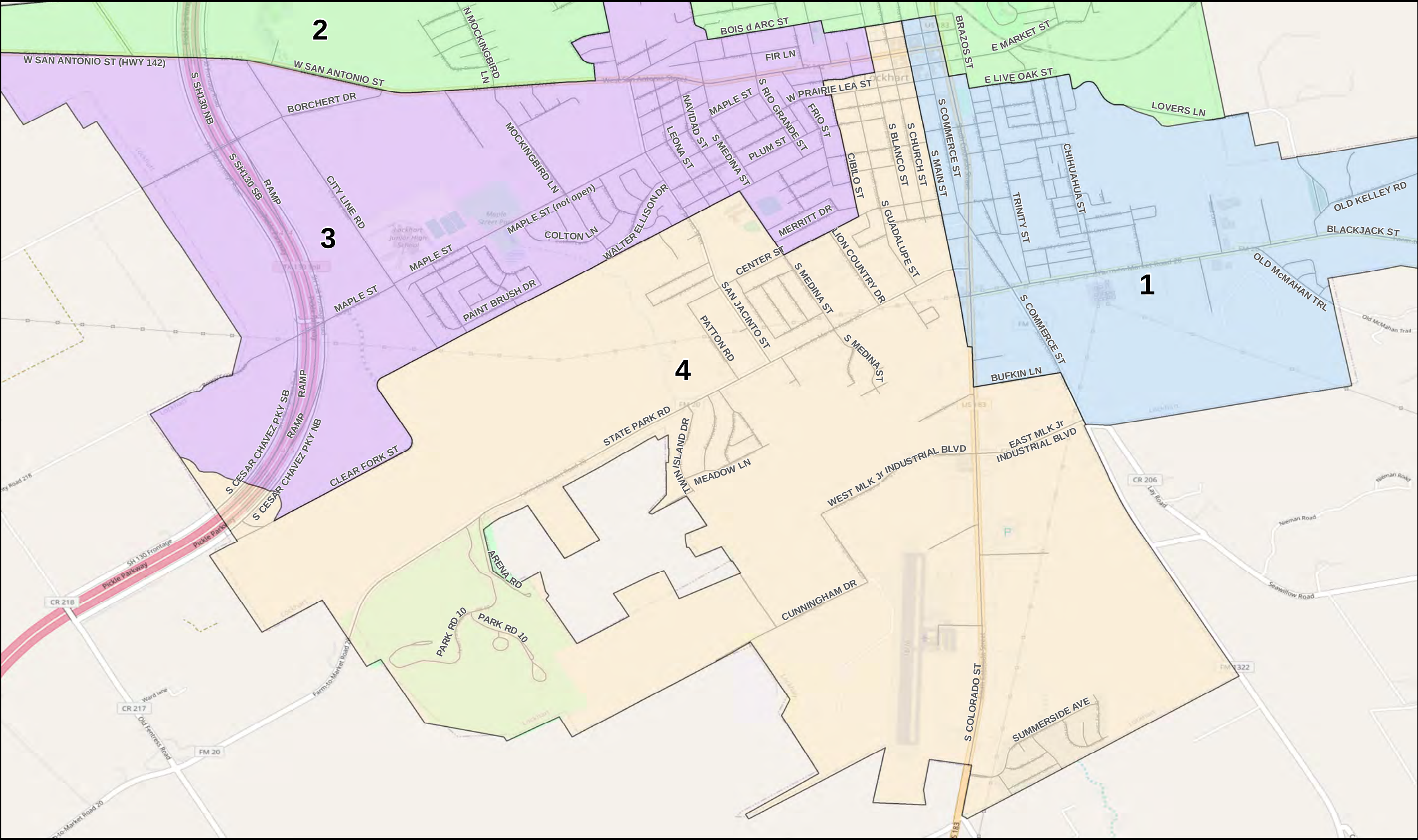
Council Districts

1 2 3 4

City of Lockhart Council Districts

- Plan A -





**City of Lockhart Council Districts
- Plan A -**

City of Lockhart Council Districts 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 Total 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



Demographics Report - Detailed 2020 Census Voting Age Population

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.

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%

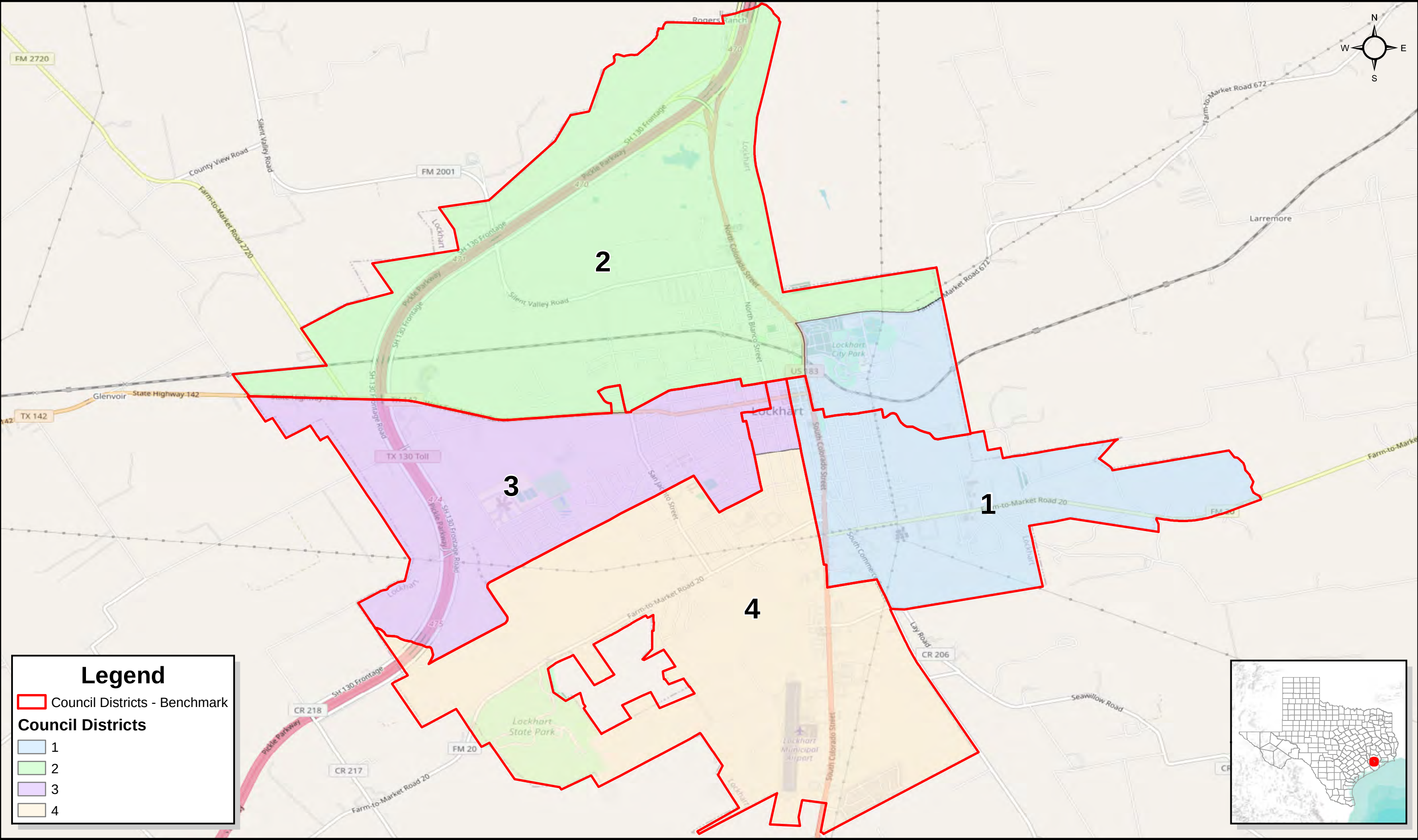
Some percentages may be subject to rounding errors.

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.



Legend

 Council Districts - Benchmark

Council Districts

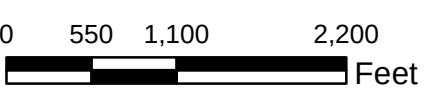
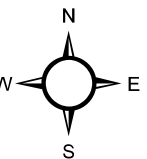
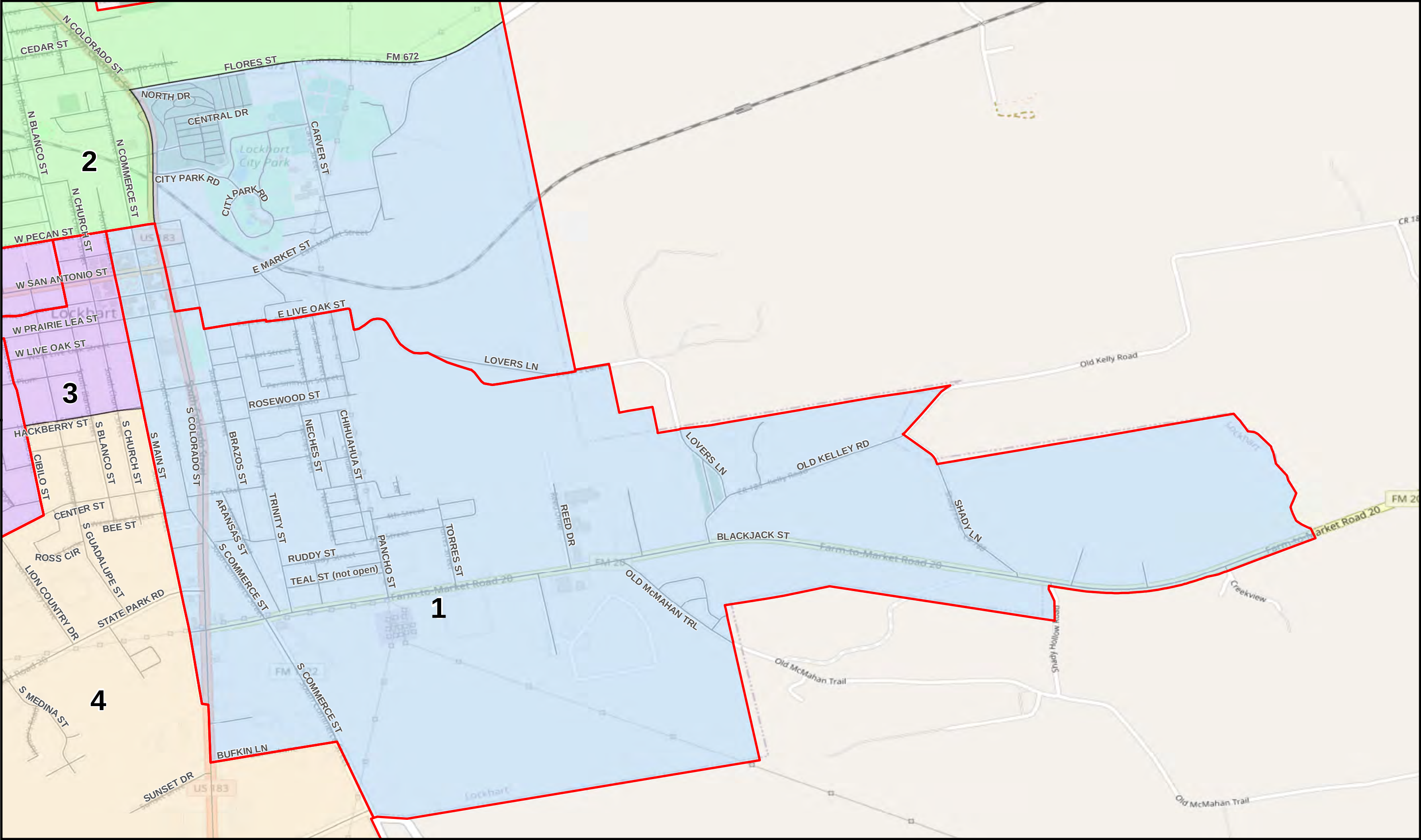
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Created: 5/13/2022
Prison Population Included

City of Lockhart Council Districts

Plan B Revised



Created: 5/13/2022
Prison Population Included

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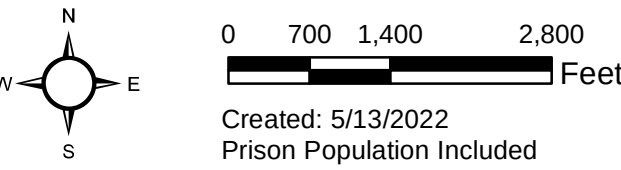
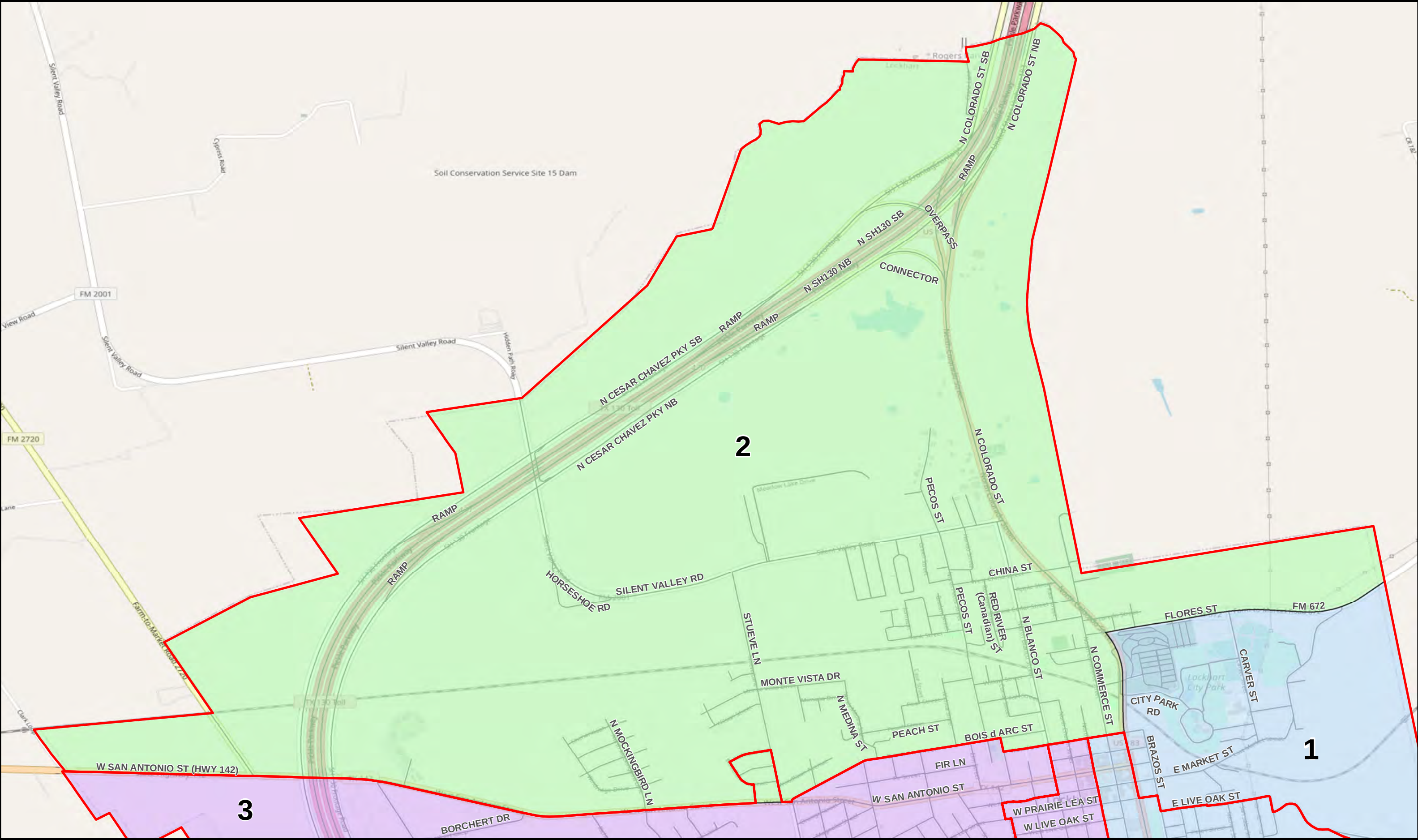
 Council Districts - Benchmark

Council Districts

			
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City of Lockhart Council District 1

Plan B Revised



Legend

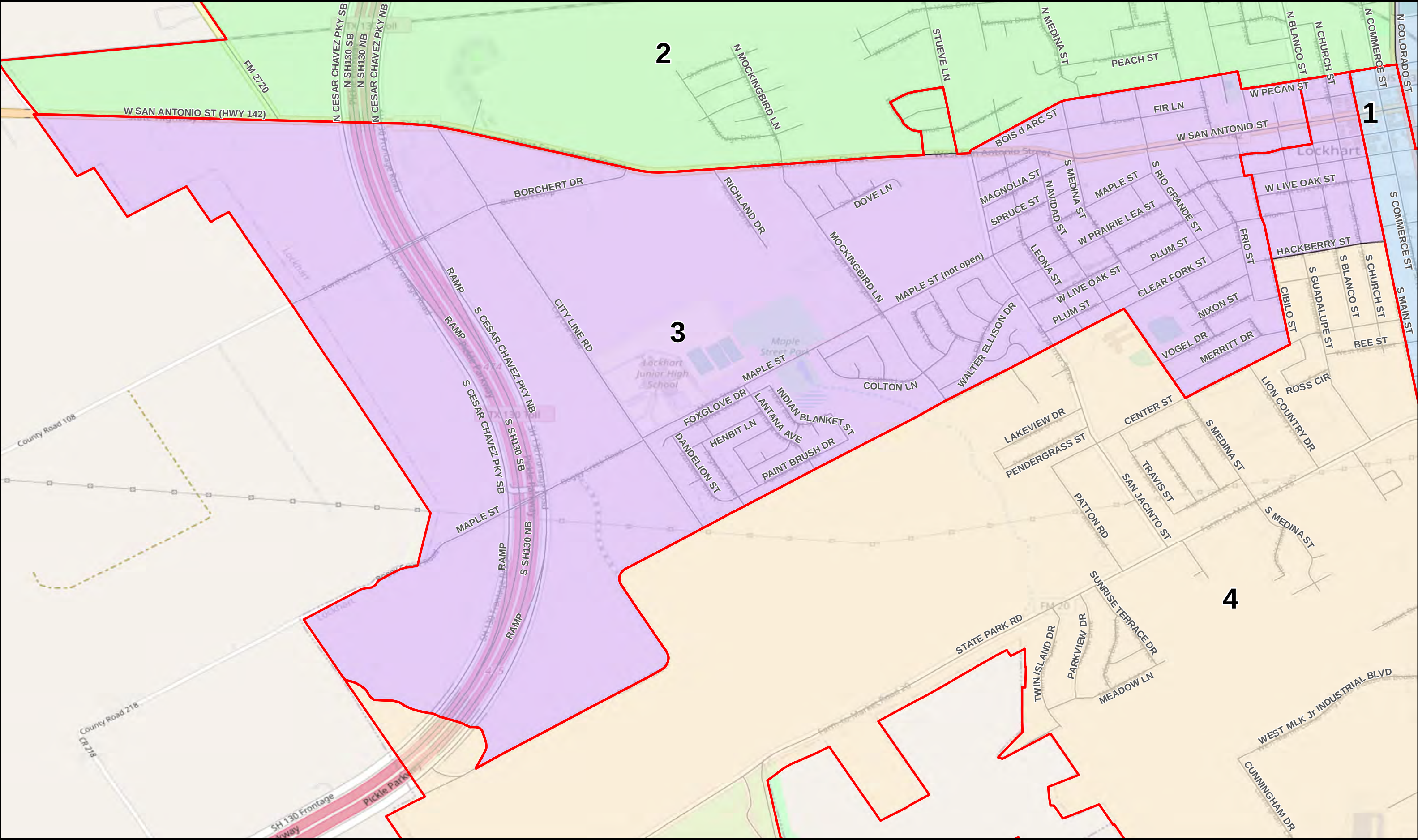
Council Districts - Benchmark

Council Districts

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City of Lockhart Council District 2

Plan B Revised

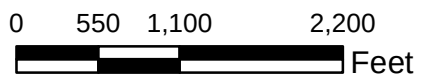
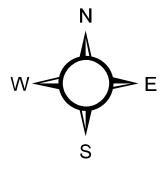


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Created: 5/13/2022
Prison Population Included

Legend

Council Districts - Benchmark

Council Districts

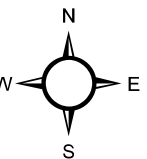
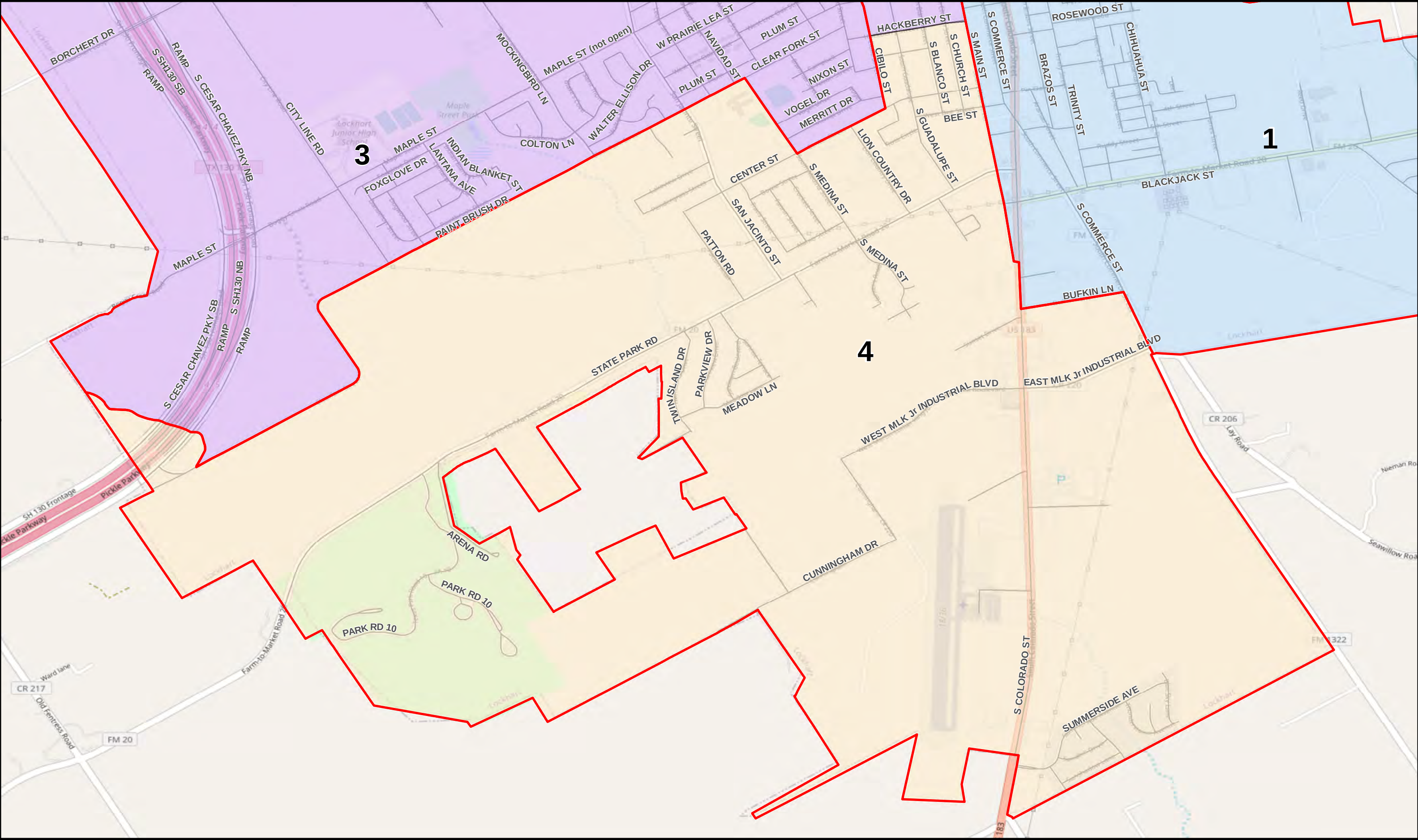
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City of Lockhart Council District 3

Plan B Revised

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 Data Source: Roads, Water and other
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0 650 1,300 2,600 Feet
Created: 5/13/2022
Prison Population Included

Legend

Council Districts - Benchmark

Council Districts

1 2 3 4

City of Lockhart Council District 4

Plan B Revised

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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 Council Districts - Plan B Revised



Demographics Report - Detailed 2020 Census Total Population

Plan Last Edited on: 5/13/2022 11:08:19 AM

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 Total Pop.	Other	Other % of Total Pop.	Two or More Races	Two or More Races % Tot Pop
1	3,660	3,593	1.87%	2,066	56.45%	1,096	29.95%	398	10.87%	9	0.25%	9	0.25%	1	0.03%	18	0.49%	63	1.72%
2	3,747	3,593	4.29%	2,417	64.50%	1,017	27.14%	205	5.47%	30	0.80%	14	0.37%	0	0.00%	9	0.24%	55	1.47%
3	3,567	3,593	-0.72%	1,425	39.95%	1,857	52.06%	94	2.64%	29	0.81%	17	0.48%	0	0.00%	15	0.42%	130	3.64%
4	3,397	3,593	-5.45%	1,689	49.72%	1,339	39.42%	233	6.86%	28	0.82%	1	0.03%	1	0.03%	12	0.35%	92	2.71%
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: 9.74%

Some percentages may be subject to rounding errors.

City of Lockhart Council Districts - Plan B Revised

Demographics Report - Detailed 2020 Census Voting Age Population



Plan Last Edited on: 5/13/2022 11:08:19 AM

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	2,974	1,547	52.02%	994	33.42%	359	12.07%	8	0.27%	8	0.27%	1	0.03%	9	0.30%	48	1.61%
2	2,781	1,681	60.45%	851	30.60%	172	6.18%	25	0.90%	13	0.47%	0	0.00%	1	0.04%	38	1.37%
3	2,763	994	35.98%	1,568	56.75%	73	2.64%	21	0.76%	17	0.62%	0	0.00%	3	0.11%	87	3.15%
4	2,577	1,185	45.98%	1,124	43.62%	187	7.26%	23	0.89%	1	0.04%	1	0.04%	8	0.31%	47	1.82%
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.

Demographics Report - Summary 2020 Census Total Population

Plan Last Edited on: 5/13/2022 11:08:19 AM

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	3,660	3,593	1.87%	56.45%	29.95%	10.87%	0.25%	2.49%
2	3,747	3,593	4.29%	64.50%	27.14%	5.47%	0.80%	2.08%
3	3,567	3,593	-0.72%	39.95%	52.06%	2.64%	0.81%	4.54%
4	3,397	3,593	-5.45%	49.72%	39.42%	6.86%	0.82%	3.12%

TOTAL: 14,371 52.86% 36.94% 6.47% 0.67% 3.04%

Ideal Size: 14371 / 4 = 3593

Total Population: 14,371

Overall Deviation: 9.74%

Some percentages may be subject to rounding errors.

Demographics Report - Summary 2020 Census Voting Age Population

Plan Last Edited on: 5/13/2022 11:08:19 AM

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	2,974		52.02%	33.42%	12.07%	0.27%	2.22%
2	2,781		60.45%	30.60%	6.18%	0.90%	1.87%
3	2,763		35.98%	56.75%	2.64%	0.76%	3.87%
4	2,577		45.98%	43.62%	7.26%	0.89%	2.21%
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.

City of Lockhart, Texas

Council Agenda Item Cover Sheet

COUNCIL MEETING DATE: May 17, 2022

AGENDA ITEM CAPTION: Discussion and/or action regarding an effective date for a redistricting plan for City Council districts.

ORIGINATING DEPARTMENT AND CONTACT: Administration - Connie Constancio

ACTION REQUESTED: Other

BACKGROUND/SUMMARY/DISCUSSION:

Syd Falk of Bickerstaff's office will discuss the options about determining an effective date for a redistricting plan.

PROJECT SCHEDULE (if applicable): N/A

AMOUNT & SOURCE OF FUNDING:

Funds Required:

Account Number:

Funds Available:

Account Name:

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:

City of Lockhart, Texas

Council Agenda Item Cover Sheet

COUNCIL MEETING DATE: May 17, 2022

AGENDA ITEM CAPTION: Discussion and possible adoption of a redistricting plan for City Council districts as outlined in Resolution 2022-24.

ORIGINATING DEPARTMENT AND CONTACT: Administration - Connie Constancio

ACTION REQUESTED: Resolution

BACKGROUND/SUMMARY/DISCUSSION:

The City Council held a drawing session and considered comments from the public that included proposed voting district changes as LULAC presented to the Council on April 5, 2022.

During the May 3, 2022 meeting, Council directed the Redistricting legal counsel, Syd Falk, to meet with Philip Ruiz and LULAC representatives to discuss their proposed plans and to determine which plan will be presented to the Council for consideration.

Mr. Falk met with LULAC on ?????

If the City Council chooses to proceed with proposed Plan A as voted on during a previous drawing session, the attached Resolution adopts Plan A as the City of Lockhart's new single-member voting districts.

PROJECT SCHEDULE (if applicable):

February 1, 2022 - Initial assessment
February 8, 2022 - First drawing session
March 15, 2022 - First public hearing
April 5, 2022 - Second public hearing

AMOUNT & SOURCE OF FUNDING:

Funds Required:

Account Number:

Funds Available:

Account Name:

FISCAL NOTE (if applicable): N/A

PREVIOUS COUNCIL ACTION: N/A

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: Redistricting Resolution

RESOLUTION NO. 2022-24

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, April 4, 2022, May 3, 2022 and May 17, 2022; and at two public hearings held on March 15, 2022, and April 5, 2022, respectively; comments from the public at the public hearings, including two alternative plans proposed by LULAC; 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 17th day of May 2022.

CITY OF LOCKHART, TEXAS

Hon. Lew White
MAYOR

ATTEST:

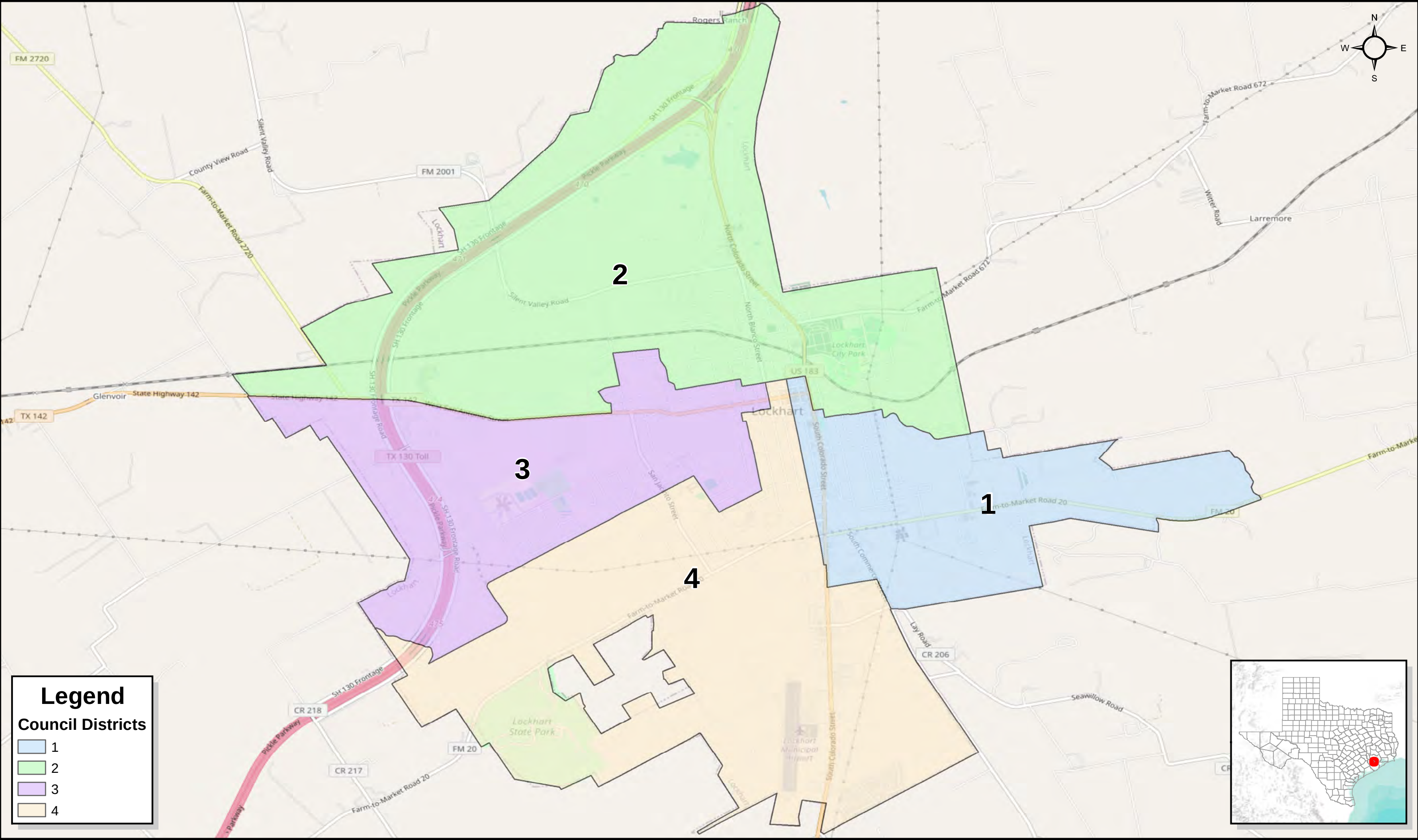
Connie Constancio
City Secretary

APPROVED AS TO FORM:

Monte Akers,
City Attorney

EXHIBIT A

Maps



City of Lockhart Council Districts

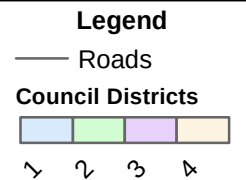
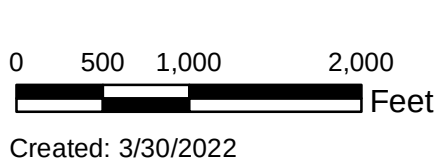
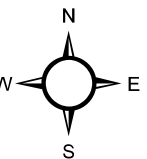
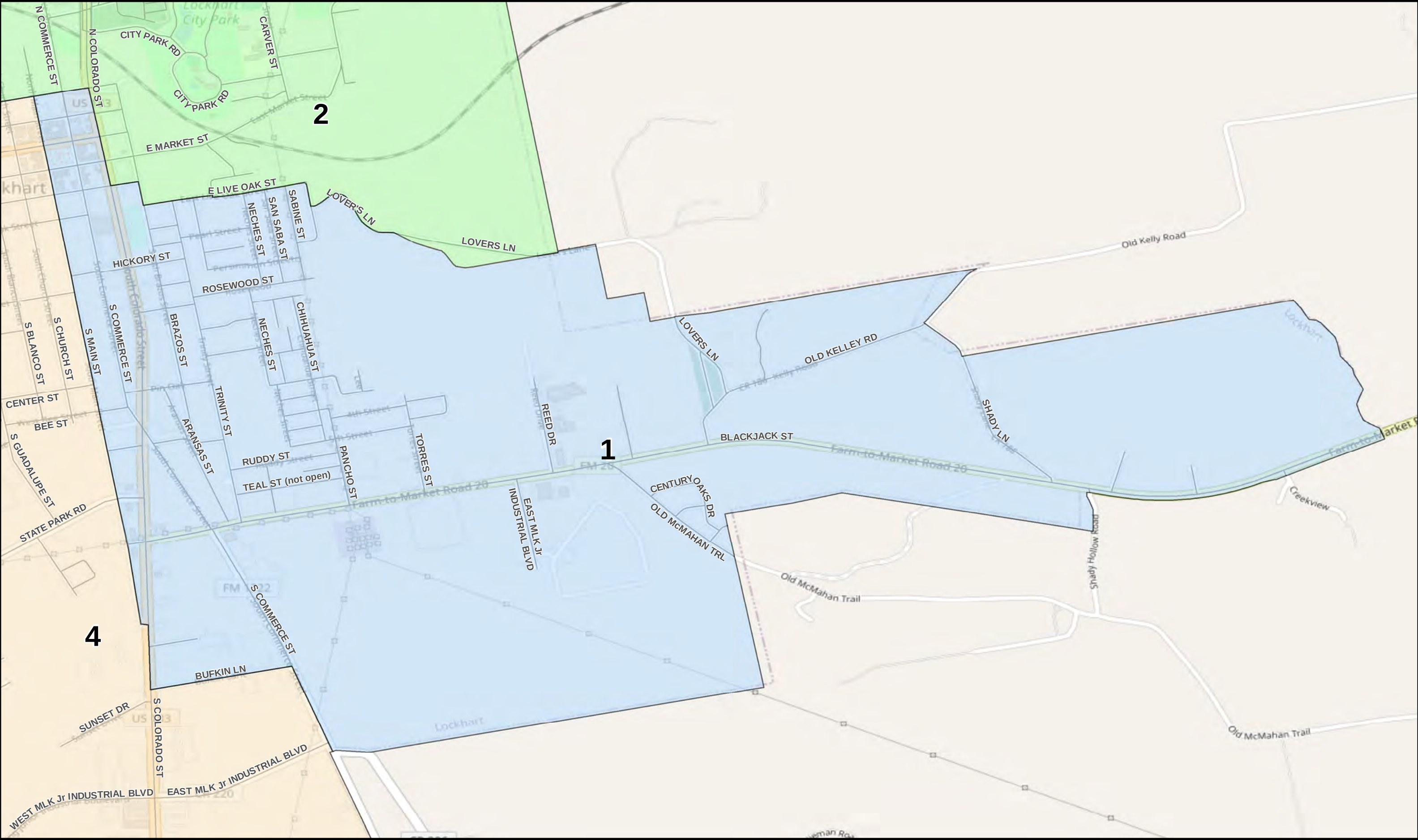
- Plan A -

Adopted May 17, 2022

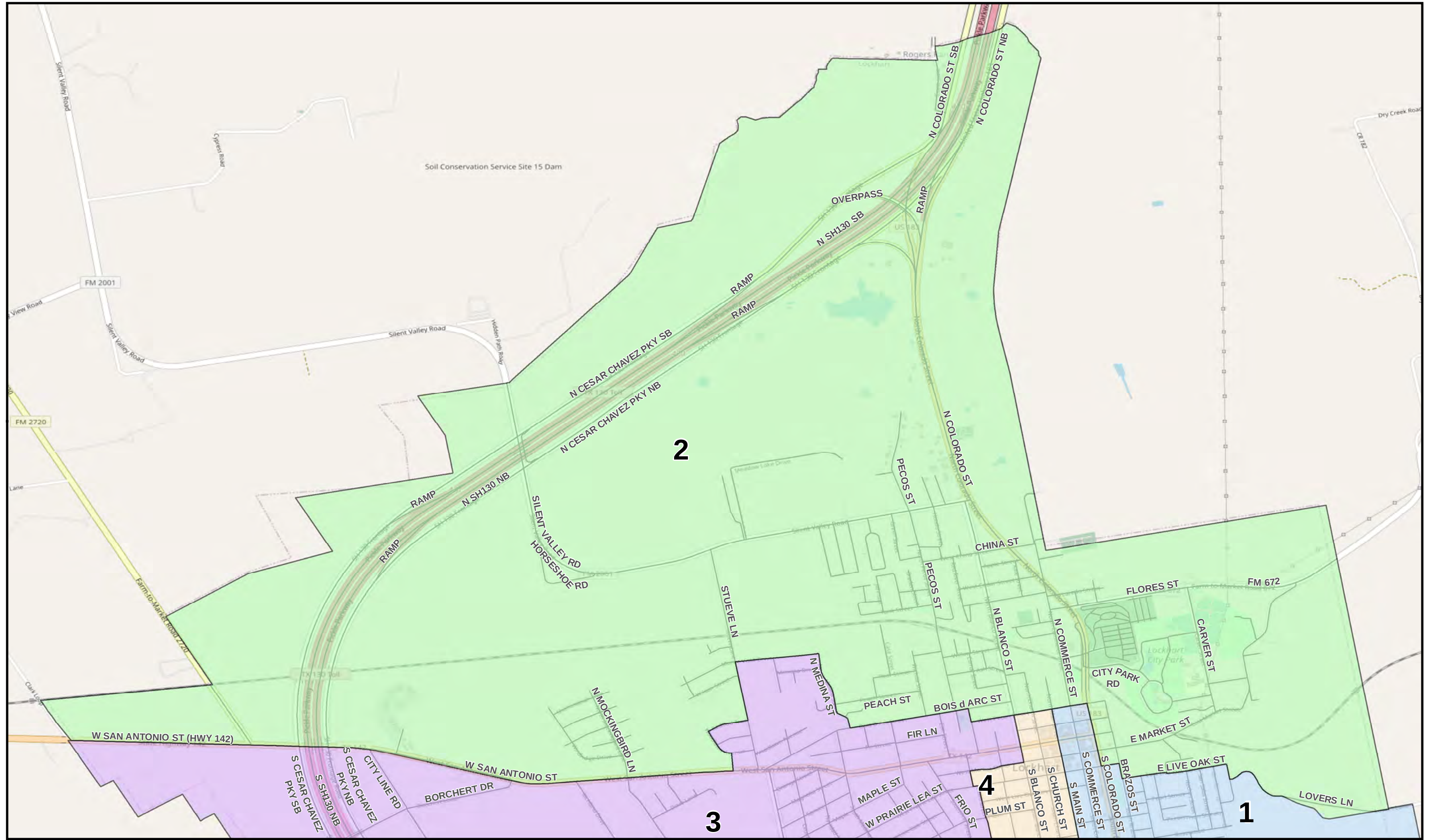
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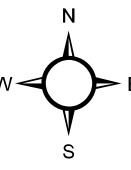
Created: 3/30/2022





City of Lockhart Council Districts
- Plan A -
Adopted May 17, 2022





0 750 1,500 3,000 Feet

Created: 3/30/2022

Legend

 Roads

Council Districts

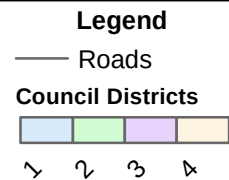
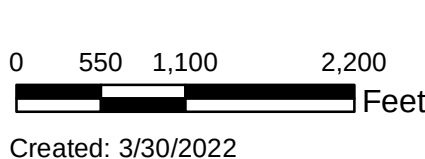
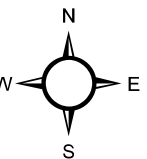
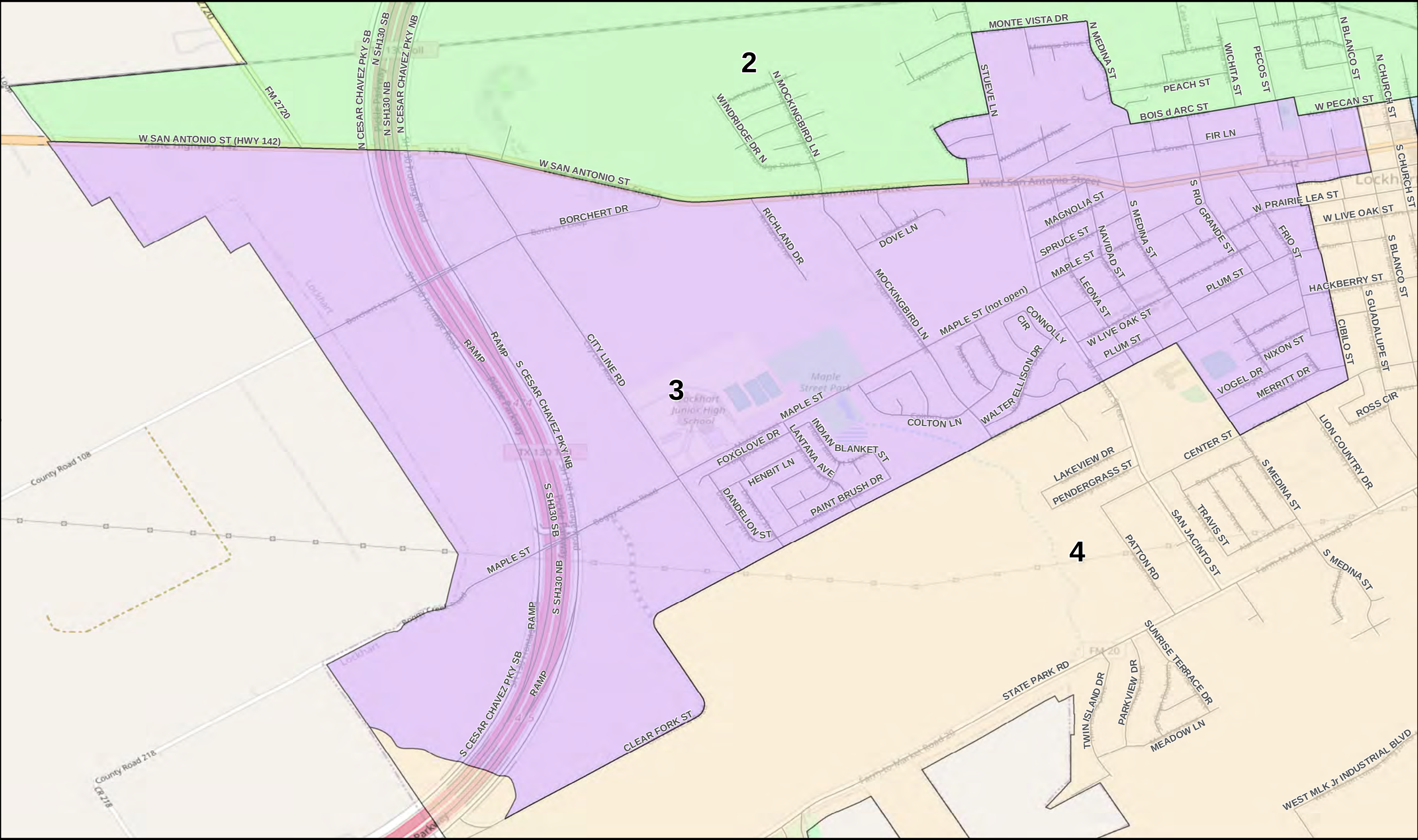
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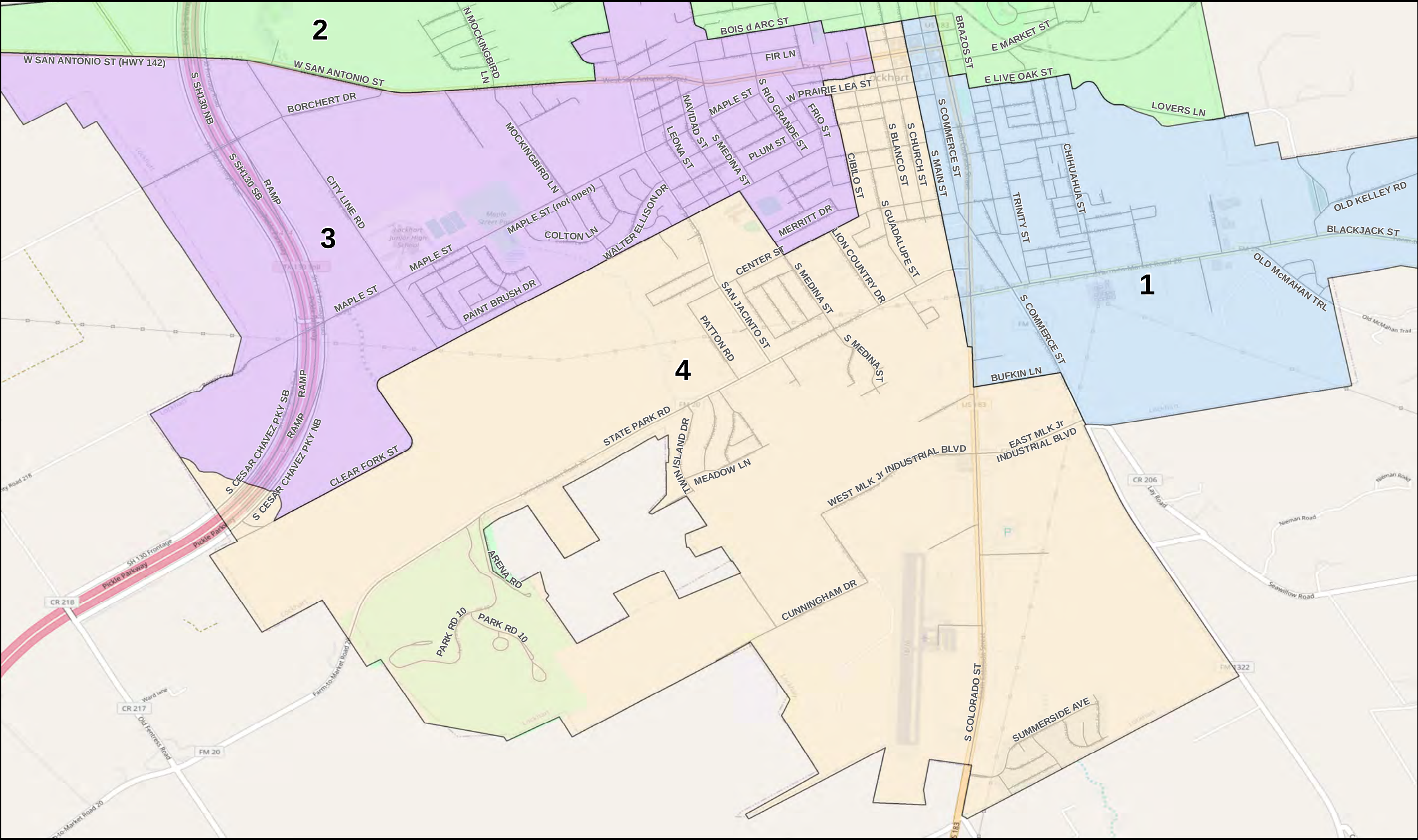
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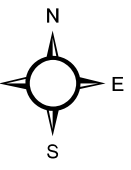
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City of Lockhart Council Districts
- Plan A -
Adopted May 17, 2022



City of Lockhart Council Districts
- Plan A -
Adopted May 17, 2022





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 May 17, 2022

EXHIBIT B

Tables

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 Total 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.

Demographics Report - Detailed 2020 Census Voting Age Population

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.

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.

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.

City of Lockhart, Texas

Council Agenda Item Cover Sheet

COUNCIL MEETING DATE: May 17, 2022

AGENDA ITEM CAPTION: Consideration and possible action with respect to determining capital projects and improvements to finance through the issuance of debt, possibly tax note, by the City.

ORIGINATING DEPARTMENT AND CONTACT: Finance - Pam Larison

ACTION REQUESTED: Consensus

BACKGROUND/SUMMARY/DISCUSSION: Tax notes (also known as anticipation notes) are a debt instrument that a city may sell to finance the construction of public works, the purchase of supplies, land, and rights of way for public works, to pay for professional services, to pay for operating expenses, or to pay off cash flow deficits. Tax notes used to pay for public works or professional services must mature before the seventh anniversary after the notes are approved by the attorney general. Tax notes can be paid from and secured by taxes, revenues (as from a utility), a combination of taxes and revenues, or the proceeds of bonds to be issued by the city. The City Council must adopt an ordinance to authorize the issuance of anticipation notes. And all public securities, unless specifically excepted, must receive attorney general approval.

Timetable for Issuance of Limited Tax Notes Series 2022

- Thursday, May 19, 2022 - Specialized Public Finance Inc. (SPFI) distributes term sheets and financial information to potential bank bidders.
- Monday, June 6, 2022 - Receive bids from banks. Bids are verified by SPFI.
- Tuesday, June 7, 2022 - Sale. Series 2022 Tax Notes are awarded by City Council to the winning bidder.
- Thursday, June 30, 2022 - Closing. Series 2022 Tax Notes are delivered and proceeds distributed in accordance with closing information.

Capital projects and improvements for consideration:

One item under consideration is for a two-mile sewer line that would extend from Blackjack Street south down the west side of FM 1322 all the way to the newly proposed Iron Ox parcel. The sewer line would serve Iron Ox's new 1+ million SF facility as well as over 300 acres of other land on both sides of FM 1322 on its way south. Many parcels are excellent for future commercial and industrial projects but are not adequately served by utilities at this time. This sewer line would allow for not only Iron Ox's facility on one end, but other projects along FM 1322 in the future which would help provide goods, services, jobs, and housing for the growing area. Revenues from the Wastewater Fund will be responsible for the future debt payments for this project.

City of Lockhart, Texas

Council Agenda Item Cover Sheet

Secondly, a Quint ladder truck (new to the fire fleet) can assist the city in maintaining an ISO Public Protection Classification (PPC) of 3/3X. A ladder truck is used for rapid response, ventilation, rescue, and extinguishment operations. It provides access to two-story or higher buildings and their roofs and provides safety for firefighters as they access the elevated portions of a building for firefighting, ventilation, or rescue operations. A low ISO PPC rating can encourage commercial development as it may significantly lower residential and commercial property insurance premiums. In the last ISO survey in 2021, it was recommended Lockhart deploy a ladder truck due to the number of three-story or higher buildings. Tax revenues will be responsible for future debt payment for this capital asset purchase.

PROJECT SCHEDULE (if applicable):

AMOUNT & SOURCE OF FUNDING:

Funds Required:

Account Number:

Funds Available:

Account Name:

FISCAL NOTE (if applicable): Once funding is approved by City Council, budget amendments will be presented for both revenues and approved expenditures.

PREVIOUS COUNCIL ACTION:

COMMITTEE/BOARD/COMMISSION ACTION:

STAFF RECOMMENDATION/REQUESTED MOTION: Staff requests Council to designate projects for funding and to direct staff to begin the process of funding with the City's Financial Advisor, Jennifer Ritter and the City's Bond Counsel, Bart Fowler.

LIST OF SUPPORTING DOCUMENTS:

City of Lockhart, Texas

Council Agenda Item Cover Sheet

COUNCIL MEETING DATE: May 17, 2022

AGENDA ITEM CAPTION: Discussion and/or action to consider Ordinance 2022-20 approving Budget Amendment No. 69 increasing the capital expenditure line item for the purchase of Pierce Fire Pumper, Engine 1.

ORIGINATING DEPARTMENT AND CONTACT: Finance - Pam Larison

ACTION REQUESTED: Ordinance

BACKGROUND/SUMMARY/DISCUSSION: During the preparation of the Annual Operating Budget for the City of Lockhart's fiscal year ending 2022, the City Council approved the use of one-time expenditures from the General Fund balance for the purchase of a new Pierce Fire Pumper, Engine 9. One-time expenditures require an amendment by ordinance according to the City Charter, Chapter 9 - *Municipal Finance, Section 9.16 - Other Necessary Appropriations*; and according to the City's Fund Balance Policy. The policy states that one-time expenditures that are not recurring in nature or which will not require additional future expense outlays for maintenance, additional staffing, or other recurring expenditures that cannot be funded through current revenues.

The payment for this item was pre-paid in full on November 23, 2020. Due to the arrival of the capital asset (10/02/2021), the expense must be documented in the current fiscal year.

This Ordinance and Budget Amendment is a formality to bring into policy and required for transparency during the audit process.

PROJECT SCHEDULE (if applicable):

AMOUNT & SOURCE OF FUNDING:

Funds Required:

Account Number:

Funds Available:

Account Name:

FISCAL NOTE (if applicable): The Pierce Fire Pumper was pre-paid in November 2020 and arrived on October 2, 2021. This expenditure has been paid for from the General Fund balance.

PREVIOUS COUNCIL ACTION:

COMMITTEE/BOARD/COMMISSION ACTION:

City of Lockhart, Texas

Council Agenda Item Cover Sheet

STAFF RECOMMENDATION/REQUESTED MOTION: Staff respectfully request the motion to approve Ordinance 2022-20 accepting Budget Amendment No. 69.

LIST OF SUPPORTING DOCUMENTS: ORDINANCE 2022-20 Fire Pumper, BUDGET AMENDMENT No. 69

ORDINANCE 2022-20

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LOCKHART, TEXAS, AMENDING THE BUDGET FOR THE FISCAL YEAR 2022 IN ACCORDANCE WITH EXISTING STATUTORY REQUIREMENTS; RE-APPROPRIATING THE VARIOUS AMOUNTS HEREIN, AS ATTACHED IN BUDGET AMENDMENT NO. 69; REPEALING ALL PRIOR ORDINANCES AND ACTIONS IN CONFLICT HEREWITH; AND ESTABLISHING FOR AN EFFECTIVE DATE.

WHEREAS, the City Manager of the City of Lockhart, Texas has submitted to the Mayor and City Council a proposed amendment to the budget of the expenditures/expenses of conducting affairs of said city and providing a complete financial plan for Fiscal Year 2022; and

WHEREAS, the City Manager has requested a budget amendment to the General Fund; and

WHEREAS, the Mayor and Council concur with the recommendation for the City Manager and staff that the budget amendment be processed to reflect the proper expense accounts within the General Fund, and

NOW, THEREFORE, be it ordained by the City Council for the City of Lockhart, Texas:

That Ordinance 2022-20 is hereby adopted amending the General Fund Budget for Fiscal Year 2021-2022 as the same are contained in Budget Amendment No. 69, which are attached hereto and incorporated herein for all purposes.

This Ordinance shall be and remain in full force and effect from and after its final passage and publication in accordance with existing statutory requirements.

PASSED, APPROVED, AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF LOCKHART, TEXAS, ON THIS THE 17th DAY OF MAY, 2022.

CITY OF LOCKHART

Lew White, Mayor

Attest:

APPROVED AS TO FORM:

Connie Constancio, TRMC, City Secretary

Monte Akers, City Attorney

**CITY OF LOCKHART
BUDGET AMENDMENT FORM**

Amendment No. 69

INCREASE	ACCOUNT NO.	Adopted Budget	Current Amendment	Total Budget after Current Amendment
Capital - Motor Vehicles	100-5318-906-00	\$0.00	-\$599,820.00	\$599,820.00
		0.00	0.00	\$0.00
				0.00
GENERAL FUND - TOTAL APPROPRIATIONS		\$0.00	-\$599,820.00	\$599,820.00

DECREASE	ACCOUNT NO.	AMOUNT		
				\$0.00
				\$0.00
			-	\$0.00
				\$0.00
GENERAL FUND - TOTAL APPROPRIATIONS		\$0.00	\$0.00	\$0.00

REASON FOR AMENDMENT

Budget Amendment #69 will increase the capital expenditure line item for the purchase of Pierce Fire Pumper, Engine 1 by Ordinance number 2022-20.

One-time expenditure approved by City Council during preparation of 2021-2022 Annual Operating Budget.

REQUESTED BY:

DATE

APPROVED BY:

DATE

POSTED

FINANCE

DATE

City of Lockhart, Texas

Council Agenda Item Cover Sheet

COUNCIL MEETING DATE: May 17, 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

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

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

AUG 25 2021

Secretary of State

Dear Deputy Secretary Esparza:

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

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

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

Respectfully submitted,

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

Gregory S. Davidson
Executive Clerk to the Governor

GSD/gsd

Attachment

Executive Order

BY THE
GOVERNOR OF THE STATE OF TEXAS

Executive Department
Austin, Texas
August 25, 2021

EXECUTIVE ORDER GA 39

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



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

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

GREG ABBOTT
Governor

ATTESTED BY:

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

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

AUG 25 2021



GOVERNOR GREG ABBOTT

July 29, 2021

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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

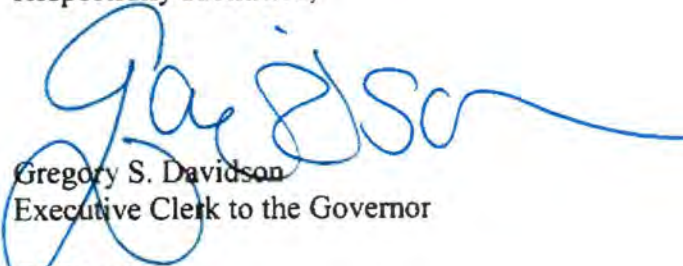
Dear Deputy Secretary Esparza:

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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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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SECRETARY OF STATE
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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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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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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.

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

GREG ABBOTT
Governor

ATTESTED BY:

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

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

JUL 29 2021



GOVERNOR GREG ABBOTT

August 29, 2021

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SECRETARY OF STATE
3:30 PM O'CLOCK

AUG 29 2021

Secretary of State

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

Dear Mr. Deputy Secretary:

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

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

The original proclamation is attached to this letter of transmittal.

Respectfully submitted,


Gregory S. Davidson
Executive Clerk to the Governor

GSD/gsd

Attachment

PROCLAMATION

BY THE

Governor of the State of Texas

TO ALL TO WHOM THESE PRESENTS SHALL COME:

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

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

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

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

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

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

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

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



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

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

GREG ABBOTT
Governor

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

AUG 29 2021

Governor Greg Abbott
August 29, 2021

Proclamation
Page 2

ATTESTED BY:


JOE ESPARZA
Deputy Secretary of State

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
5:30pm O'CLOCK
AUG 29 2021



GOVERNOR GREG ABBOTT

October 11, 2021

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

OCT 11 2021

Secretary of State

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

Dear Deputy Secretary Esparza:

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

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

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

Respectfully submitted,

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

Gregory S. Davidson
Executive Clerk to the Governor

GSD/gsd

Attachment

Executive Order

BY THE
GOVERNOR OF THE STATE OF TEXAS

Executive Department
Austin, Texas
October 11, 2021

EXECUTIVE ORDER GA 40

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

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

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

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

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

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

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

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

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

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

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

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

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
4:30 PM 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.

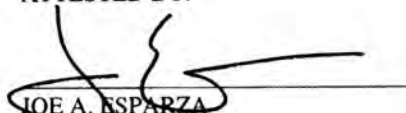
This executive order does not supersede Executive Orders GA-13, GA-37, GA-38, or GA-39. This executive order shall remain in effect and in full force unless it is modified, amended, rescinded, or superseded by the governor. This executive order may also be amended by proclamation of the governor.

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
9:30 PM O'CLOCK

OCT 11 2021



City of Lockhart

2020-2021 Strategic Priorities

Prepared by:



City of Lockhart

Summary

On January 17 & 18, 2020 the City of Lockhart hosted two half-day planning sessions to develop goals and strategies for the next 2 years. Some of these goal areas were internal, whereas others were external. The following is the process used to reach the conclusions for the plan.

The process began with a preliminary phone meeting between the facilitator and Steve Lewis, City Manager, to go over key issues facing the City, understand the programs and projects underway through the community, and to prepare the agenda and format for the planning retreat.

The first portion of the strategic planning process began on Friday, January 17, 2020 with the City Manager and the City of Lockhart Management Team. The facilitator began by asking the Management Team participants what their expectations for discussion for the day were. She then conducted a group brainstorm exercise called Start/Stop/Continue that lists the things that need to begin happening, stop happening, and are mission-critical and must continue regardless of circumstances.

The facilitator then guided the Management Team through 2020-2021 goal and strategy development to recommend to the City Council the following day.

On Saturday, January 18, 2020, the City Council and City Manager convened to review, revise, and establish priorities related to the recommendations generated the day before by the Management Team. Prior to the review, the facilitator asked the City Council to list their expectations for discussion for the day.

The following are the results.

Management Team Expectations for the Day's Discussion Topics

- Holistic view of the City
- Understanding other departments better
- Council to continue to be open to new ideas
- As the city grows, facilities and staff must keep up
- Next comprehensive master plan
- Establish an IT 3-5-year plan to keep current
- Replace phone systems and phone equipment
- Discuss records storage
- What is there for teens and tweens to do?
- Need administrative assistance
- Public Information Officer – keep information on point, factual, and streamlining voice: sharing voice vs. many voices
- Law enforcement: recruitment and administrative assistance
- Stick to implementing plan
- Fire equipment replacement plan and funding
- Achieve “needs” so we can work on “wants” for the future
- Customer service needs additional staff – same staffing level as 1000 accounts ago
- Technology training needed in Library (provide for public)
- Additional Library storage needed
- Electric services study needed and replace needed items
- Salary and compensation study to begin soon – want council to support and fund the results of the study

City Council Expectations for the Day's Discussion Topics

- Improve work environment for staff
- Accomplish unfinished business from last strategic plan
- 142 & I-130 development
- Low-hanging fruit and larger longer-term goals
- Eliminate the red tape
- Look ahead to see what's next
- Balance citizen needs and staff needs
- Keep on track
- Prepare for quality growth
- Neighborhood beautification
- City Hall facilities
- Discuss hospital/after-hours clinic
- Hear staff recommendations

Start/Stop/Continue

The facilitator guided the Management Team through an exercise that challenged them to brainstorm things that the City really needed to begin doing, what they should stop doing that could be a waste of resources, and what must they continue doing, regardless of circumstances. Below are their responses. Note that there are no right or wrong items; these are merely individuals' opinions about the things that should and shouldn't change in Lockhart. Just because one person has a certain opinion on a topic, that does not imply anyone else shared that opinion.

Start

- Long-term street paving plan (paving/resurfacing)
- Electrical system study
- Formal grantsmanship program
- Records storage facility
- Digitize public works and utility records/maps
- Establish fee schedule for fire plan reviews and inspections
- Review development related fees
- Improve customer service at Police Department and Utilities Department by increasing administrative staff
- Start a Main Street Program
- New City facilities (abolish sewer smell)
- Consider a 4-day/10-hour work week option
- Annual review of facility maintenance, i.e. HVAC systems, etc.
- Make Parks Department into Parks and Recreation Department (start recreation program)
- Review and fund vehicle replacement fund
- Expand/improve airport facilities
- Figuring out how to generate more general fund revenues to pay for items on this “start” list

Stop

- Printing reports – use digital reports when we can
- The waste in Archives
- Excessive paperwork related to personnel (consider paper reduction techniques instead)
- Making new employees wait 6 months to take time off/sick days/etc (other cities do 3 months)
- Excessive engine idling of city vehicles
- Worrying about other departments and focus on making your own team better
- Picking up commercial recycling for free
- Hanging highway banners for free
- Circulating city council department head reports monthly (do quarterly instead)
- Workshop portion of council meetings unless needed (they run too long)
- Referencing the past as “we have always done it that way” (we can be more innovative)

Continue

- Effective communication with customers/website
- Planning for the future
- Maintaining hiring standards
- Improving community amenities finding external funding sources
- Succession planning and cross-training
- Staff meetings
- Learning new ways of doing things
- Employee longevity and retention efforts
- Good customer service
- Acknowledging staff accomplishments
- Great teamwork
- Parks improvements/parks master plan
- Efforts on wayfinding program
- Replacing aged power lines
- Planning and engineering for downtown paving and drainage improvements
- Providing utilities to areas of anticipated future growth and development
- Planning for future industrial parks
- Accreditation for Police and Fire Departments

Recommendations from Staff:

The following items were recommendations from staff to city council. Items that have a checkbox (R) had agreement of city council the following day. The one item with no checkbox was rolled to consideration for 2022.

- ☒ Create and adopt 5-7-year paving/resurfacing plan (roads and sidewalks)
- ☒ Lockhart Police Department to conduct Active Shooter training for all City staff and elected officials and review official safety procedures for council meetings
- ☒ Explore asking the county for grant writer assistance
- ☒ Establish fee schedule for fire plan reviews and inspections
- ☒ Considering increasing existing fees for applications and development fees
- ☒ Develop an Airport Business Plan
- ☒ Research options for additional records storage
- ☒ Transition staff department reports from monthly to quarterly
- ☒ Pursue agenda management process and software
- ☐ Streamline paper processes where possible/evaluate software options
 - o Utility billing
 - o Applications
 - o Council, boards, commissions:
 - Packets
 - Minutes

Goal Development from City Council:

The following items were items identified by council to move forward on for 2020-2021:

- Establish a Hospital with an Emergency Room in town
- Sell church property
- Create resources via Lockhart EDC for proactive outreach to quality builders for additional housing
- Create a Youth Advisory Board to explore options around youth programs/activities
- Adopt a TIF (tax increment financing) policy prior to project being submitted
- Implement downtown drainage improvements
- Develop fiber down 142, 183, and the Central Business District
- Traffic safety improvements: turn lanes and traffic lights
- Consider submitting a multi-year street bond program to voters
- Begin TXDOT safety projects
- Promote a Neighborhood Watch Program
- Promote beautification projects through teamwork
- Clean up trash/enforcement
- Enhance lower income districts/beautification efforts

Progress Reporting

The following icons are used to document progress of the following goals and strategies:

	= Completed
	= On Target or In Progress
	= Not on Target

Goal 1: Economic Development / Planning

Strategies	2019-2020 Progress	2020-2021 Progress
1. Continue to partner with LISD and local youth organizations to encourage careers in local emergency services (Fire and Police)	 Partner with Boy Scouts to develop Police Explorer Program. Fire personnel attend and participate in LISD career days.	
2. Better collaborate with downtown stakeholders and both Chambers of Commerce		
3. Complete updating our development ordinances	 Revised Engineering Standards – presented to Council January 2020. Subdivision Regulations to follow.	

4. Consider development tools to facilitate attraction / recruitment to SH 130 corridor	 IEDC business park development study completed. Future consideration by LEDC.	
5. Bring utilities, assist assembling parcels, rezoning tracts along SH 130/142 and become shovel-ready	 Mostly done. Site development will facilitate the remainder.	
6. Pursue prospects and developers and create a BRE (business retention and expansion) program	 Hiring a second Economic Development practitioner.	
7. Start investing in more property for growth	 IEDC study.	
8. Explore next industrial park	 IEDC study.	
9. HOT (Hotel Occupancy Tax) Funds – board to develop and adopt new process to collect payments from B&Bs	 HOT Advisory Board created. Board training and funding processes under review.	
10. Adopt and implement the Economic Development Strategic Plan (currently underway by Garner Economics) by Q4 2020	 LEDC Board hired Garner Economics January 2020	
11. Robust LEDC website	 Underway with EDsuite contract.	
12. Create resources via Lockhart EDC for proactive outreach to quality builders for additional housing	<i>N/A Brand new/created in 2020</i>	

Strategies	2019-2020 Progress	2020-2021 Progress
13. Adopt a TIF (tax increment financing) policy prior to project being submitted	<i>N/A Brand new/created in 2020</i>	
14. Develop fiber down 142, 183, and the Central Business District	<i>N/A Brand new/created in 2020</i>	

Goal #1 KPIs / Metrics:

- ☒ Did we partner with LISD & other youth organizations to encourage emergency services careers?
- ☐ Did we collaborate with downtown stakeholders and both Chambers of Commerce?
- ☐ Did we completely update our development ordinances?
- ☐ Did we brainstorm development tools for SH-130 development?
- ☐ Did we bring utilities and assemble parcels along SH-130?
- ☐ Did we develop shovel-ready development sites?
- ☐ Did we market those sites to prospective investors?
- ☐ Did we develop plans for our next industrial park?
- ☐ Did we revamp the way HOT funds are structured?
- ☐ Did we develop and implement an Economic Development Strategic Plan?
- ☐ Did the Lockhart EDC revamp their website to better attract investment?
- # of quality home builders the Lockhart EDC proactively reached out to in 2020-2021? _____
- ☐ Did we adopt a new TIF policy?

of miles of new fiber optics laid in Lockhart in 2020-2021? _____

Goal 2: Quality of Life / Quality of Facilities

Strategies	2019-2020 Progress	2020-2021 Progress
1. Invest money to improve the appearance of our town (streets, parks, entry signs)	 Doubled street resurfacing funds in FY 20; Parks Master Plan projects.	
2. Conduct and implement a Space Study of City Buildings and facilities including City Hall	 Budget established for FY 20 Space Study. RFP under development.	
3. Improve the image of City facilities as needed and conduct cosmetic improvements in the meantime	 See No. 2 above.	
4. Update, renovate, and construct City facilities as needed, based on the space study. Realize that remodel of Central Fire Station is likely next.	 Electrical panel upgrade at the Water Treatment Plant; Budget established for FY 20 Space Study; Fire Station No. 2 completed.	
5. Implement the Parks Master Plan, improving the quality of life for the community. What is in Phase 2: splash pad, restroom renovations, dog park, picnic shelter upgrades, and tree planting initiatives	 Multiple Phase I projects underway.	
6. Conduct a citywide quality of life citizen survey and ask council to fund.	 Allocate funds in FY 20-21; assign project to PIO.	
7. Establish a Hospital with an Emergency Room in town	<i>N/A Brand new/created in 2020</i>	
8. Sell church property	<i>N/A Brand new/created in 2020</i>	
9. Create a Youth Advisory Board to explore options around youth programs/activities	<i>N/A Brand new/created in 2020</i>	
10. Implement downtown drainage improvements	<i>N/A Brand new/created in 2020</i>	

Strategies	2019-2020 Progress	2020-2021 Progress
11. Consider submitting a multi-year street bond program to voters	<i>N/A Brand new/created in 2020</i>	
12. Promote beautification projects through teamwork	<i>N/A Brand new/created in 2020</i>	
13. Clean up trash/enforcement citywide	<i>N/A Brand new/created in 2020</i>	
14. Enhance lower income districts with beautification efforts	<i>N/A Brand new/created in 2020</i>	

Goal #2 KPIs / Metrics:

\$ amount invested in streets in 2019? \$ _____

\$ amount invested in parks in 2019? \$ _____

\$ amount invested in gateway entry signs in 2019? \$ _____

\$ amount invested in streets in 2020? \$ _____

\$ amount invested in parks in 2020? \$ _____

\$ amount invested in gateway entry signs in 2020? \$ _____

Which facilities did we improve the image of? _____

☐ Did we implement elements of the Parks Master Plan?

☐ Did we secure quotes on a Space Study of City buildings including City Hall?

of City-owned buildings we renovated or retrofitted? _____

☐ Did we conduct a citywide quality of life citizen survey?

☐ Did we address levels of service based on the citizen responses we received?

☐ Did we address levels of satisfaction based on the citizen responses we received?

☐ Did we address areas for improvement based on the citizen responses we received?

☐ Did we court hospital providers?

☐ Did we sell the church property?

☐ Did we create a Youth Advisory Board?

☐ Did we implement downtown drainage improvements?

☐ Did we fully investigate issuing a street bond?

☐ Did we fully enforce trash clean up around town?

☐ Did we specifically target lower income neighborhoods for new beautification projects?

Goal 3: Staffing / Personnel

Strategies	2019-2020 Progress	2020-2021 Progress
1. Consider hiring additional personnel (engineer, IT, etc.)	 In FY 20, staffing levels were increased by 2 full-time and 1 part-time positions.	
2. Conduct a staffing study that includes evaluating efficiencies and compensation	 Classification and Compensation Study underway.	
3. Right size staffing levels city-wide based on study results	 No funding was allocated for such a study; discuss need/timing of study during FY 20-21 budget process.	
4. Consider starting salaries that compete with surrounding communities	 Classification and Compensation Study underway.	
5. Be consistent with staff development / policies / purchasing procedures	 Comprehensive Purchasing Policy under development (anticipated to be complete 1 st quarter of 2020). Revision of City Personnel Policy underway.	
6. Implement a staff development program (be consistent)	 House Bill 3834 mandated cybersecurity training for all employees with computer access and elected officials – cybersecurity training program underway.	

Strategies	2019-2020 Progress	2020-2021 Progress
7. Start developing / preparing current staff to take on leadership roles within the organization in the future. Work on succession planning: add Fire, add Electric, add Streets, and add Animal Control.	 Emphasis on leadership training for police personnel, cross training of job duties underway in Finance Department.	
8. Recruit and attract more bi-lingual staff	 No funding was allocated to recruit bi-lingual staff; explore possible options during FY 20-21 budget process and the classification and compensation study.	
9. Customer service / experience excellence training for the Utility and Planning Development teams	 Training budgeted item in FY 20 for Utility Customer Services staff.	

Goal #3 KPIs / Metrics:

of new positions in 2019? _____

☐ # of new positions in 2020 and 2021? _____☐ Did we perform a staffing efficiency/compensation study?☐ Did we right-size our salaries based on that study by the end of 2020?☐ Did we develop new consistent policies and procedures regarding professional development of staff?☐ Did we develop new consistent policies and procedures regarding purchasing/procurement?☐ Did we create and implement a new staff development program to ensure everyone has training opportunities?☐ Did we begin grooming current staff for future leadership roles?☐ How many staff do we have on a leadership track by the end of 2020?

of new employees added in 2019 through 2021 who are bilingual? _____

☐ Did we deliver Customer Experience Excellence training to every City employee?

Goal 4: Procedures / IT Management and Services

Strategies	2019-2020 Progress	2020-2021 Progress
1. Improve technology / create specific strategies to have better IT support based on Assessment results	 New outside IT management team hired; Strategic plan for current and emerging issues (cyber) near completion.	
2. Upgrade all technology-related issues as recommended – desktops, servers, software, equipment, and peripherals. \$100K will pay for equipment, \$20K is licensing agreement costs.	 City-wide replacement of desktops with current operating systems complete; new servers in current fiscal year.	
3. Create a 5-year rolling IT equipment replacement plan	 See above notes 1 and 2.	
4. Provide superior service by keeping technology up to date and being able to communicate with the public (keep an open line of communication through website.) Purchase next modules: INCODE	 New PIO hired. Increased social media updates. INCODE permits and inspections software module implemented to track permit and inspections progress; online access to permit applications and tracking underway.	
5. Upgrade the server system	 Desktop operating systems upgrade 100% complete. Server upgrades in progress.	
6. Streamline technology hardware, software processes within the City, based on Assessment recommendations	 Ongoing and FY 20-21.	

Strategies	2019-2020 Progress	2020-2021 Progress
7. Upgrade all equipment and software and be trained on specific software to be used to maximum potential and determine which staff will require which trainings.	 Current year 2020 departmental goal.	
8. Explore implementing downtown Wi-Fi	 To be addressed in 2020 or 2021. Explore options with the Downtown Business Association and both Chambers of Commerce.	

Goal #4 KPIs / Metrics:

- ☐ Did we secure top quality technology support across all departments by the end of 2020?
- ☐ Did we upgrade our desktop computers?
- % of employees who received upgraded computers by the end of 2020 (from 2018 numbers)? _____
- ☐ Did we upgrade our servers?
- ☐ Did we upgrade our computer software, subscriptions, and licenses?
- ☐ Did we upgrade our peripherals?
- ☐ Did we upgrade our other technology equipment?
- ☐ Did we establish an IT policy for updates and replacements that will keep us up-to-date from now through the future?
- ☐ Did we upgrade our City server system?
- ☐ Did we streamline our City technology processes?
- ☐ Did we secure training for staff to use all new equipment properly and efficiently?
- ☐ Did we investigate implementing WiFi throughout Downtown Lockhart?

Goal 5: Public Safety

Strategies	2019-2020 Progress	2020-2021 Progress
1. Provide quality public safety to all citizens of Lockhart		
a. Develop a specific Retention Strategy first	 City-wide classification and compensation study underway. Fire: Council approved 7% salary adjustment in FY 19-20. Police: all officers to attend leadership training, host ceremonial recognition events, retention strategy under development.	
b. Continue to implement hiring strategies we developed such as Fire and Police.	 Fire: Use of recruitment video; developing recruitment flyer for use with LISD and the public; career day with Lockhart High School students; Fire Chief to serve on LISD Career and Technical Education Advisory Committee. Police: In 2019, Lockhart Police Officers visited with police cadets attending the AACOG Academy and made presentations to 2 classes of prospective candidates. In 1 st quarter of 2020, LPD will make presentations to the CAPCOG Academy currently in progress.	

Strategies	2019-2020 Progress	2020-2021 Progress
c. Long-term public safety facility planning for Station #1.	 Completed Fire Station No. 2. Analysis and cost estimate to remodel and upgrade Fire Station No. 1 underway.	
d. Develop an equipment replacement schedule. Seek funding for existing equipment (fire apparatus and patrol cars) replacements.	 Developed an ambulance replacement schedule with Caldwell County and Seton. Upgrades to two-way radios (portables and mobiles) underway.	
e. Continue to ensure use of best practices / standards (research best practices, then implement)	 Fire: Fire Department is preparing an emergency management tabletop exercise for City staff. Police: Upgraded Police Officer body-worn cameras to 3 rd generation models.	
f. Evaluate Accreditation opportunities	 Fire: Reviewing the Texas Fire Chief's Association (TFCA) accreditation process before formal enrollment. Police: Currently reviewing the 166 Texas Law Enforcement Best Practices. Will submit for recognition in the 3 rd quarter of 2020.	

Strategies	2019-2020 Progress	2020-2021 Progress
g. Traffic safety improvements: turn lanes and traffic lights	<i>N/A Brand new/created in 2020</i>	
h. Begin TXDOT safety projects	<i>N/A Brand new/created in 2020</i>	
i. Promote a Neighborhood Watch Program	<i>N/A Brand new/created in 2020</i>	

Goal #5 KPIs / Metrics:

of new law enforcement officers hired in 2019? _____

of new law enforcement officers hired in 2020? _____

of new law enforcement officers hired in 2021? _____

% law enforcement officers retained? _____%

of new firefighters hired in 2019? _____

of new firefighters hired in 2020? _____

of new firefighters hired in 2021? _____

% firefighters retained? _____%

☐ Did we develop a long-term public safety facilities plan?☐ Did we develop a public safety equipment replacement schedule?☐ Did we implement that new replacement schedule?☐ Did we research and record best practices across the country regarding public safety policy?☐ Did we make any modifications to our public safety policies based on that research?☐ Did we explore and evaluate Accreditation opportunities?☐ Did we implement new turn lane and traffic light improvements in 2020-2021?☐ Did we begin the TXDOT safety projects?☐ Did we proactively promote a Neighborhood Watch Program for Lockhart?

Conclusion

At the end of the planning retreat, the facilitator reminded all the participants that these goals would only be achieved if they held true to their commitments today to implement these specific strategies and tactics.

She reminded them that they are one team working toward one vision. The city council and management team agreed to use this document regularly throughout 2020 and 2021 to track progress and measure accomplishments.



City of Lockhart

2019-2020 Strategic Priorities

Prepared by:



City of Lockhart

Summary

On February 1 & 2, 2019 the City of Lockhart hosted two half-day planning sessions to develop goals and strategies for the next 2 years. Some of these goal areas were internal, whereas others were external. The following is the process used to reach the conclusions for the plan.

The process began with a preliminary phone meeting between the facilitator and Steve Lewis, City Manager, to go over key issues facing the City, understand the programs and projects underway through the community, and to prepare the agenda and format for the planning retreat.

The first portion of the strategic planning process began on Friday, February 1, 2019 with the City Manager and the City of Lockhart Management Team. The facilitator began by asking the Management Team participants what their expectations for discussion for the day were. She then took the team through a SWOT (Strengths, Weaknesses, Opportunities, & Threats) Analysis. The next group exercise was a brainstorm called Start/Stop/Continue that lists the things that need to begin happening, stop happening, and are mission-critical and must continue regardless of circumstances.

The facilitator then guided the Management Team through 2019-2020 goal and strategy development to recommend to the City Council the following day.

On Saturday, February 2, 2019, the City Council and City Manager convened to review, revise, and establish priorities related to the recommendations generated the day before by the Management Team. Prior to the review, the facilitator asked the City Council to list their expectations for discussion for the day.

The following are the results.

Management Team Expectations for the Day's Discussion Topics

- That City Council will take what we say seriously
- Consider all staff in decisions
- Hear each other's goals
- Live by the plans we create / develop
- That Council develop goals / priorities based on sound data / research
- Focus
- Consider quality of life as over-arching goal
- Discuss business attraction vs. recruitment
- Being prepared for growth
- Facilities improvements
- Facilities maintenance
- How do we give back to those who need extra help?
- Smart land use practices
- Discuss Tourists/Tourism – what is there for kids to do while in town visiting family?

City Council Expectations for the Day's Discussion Topics

- Capitalize on Tourism
- Discuss Wi-Fi
- Capitalize on BBQ Capital of Texas
- Cleaning up of unsightly properties (residential)
- Work in unity today
- Serve our community
- Focus
- To discuss Economic Development targeting technology jobs
- Industrial Park is full – now what?
- Cleaning up of City properties / facilities
- Actually implement our goals
- Discuss the direction of Economic Development
- Think bigger / think change / embrace change
- Develop our identity
- Attractive gateway signage
- Employee wages
- Technology infrastructure

SWOT Analysis

The facilitator guided the participants through an analysis of their current Strengths, the current Weaknesses or Challenges they are facing, Opportunities that may come their way in the future, and Threats that are possible to occur in the future. Note that there are no right or wrong answers here and no implication of likelihood. This is simply a brainstorm of the opinions of the participants to get them thinking about goals in the next portion. The Management Team listed their responses first, then the City Council added additional items the following day.

Strengths

- Historic district
- County seat
- BBQ Capital of Texas
- Location to highways
- Tourism
- Small town (family-oriented)
- Growing – room for more
- Desire to manage growth
- Good development process
- Proximity to Austin
- Comparable housing prices
- Existing capacity of utilities
- Easy mobility
- Economic Development Sales tax
- Clark Library
- Baker Theatre
- Ease of developing land (flat)
- Employees who experience long tenure
- Volunteers
- CTR (Chisholm Trail Roundup) & other local events
- Community support
- Recognizable court house
- Movies / film production (TFC)
- Long-term water planning
- High-level financial planning
- Competitive building / development fees
- “Real” city with well-managed growth
- New energy
- Proximity to large cities / airport
- New residents – new ideas – changing priorities
- Diversity
- First Friday Downtown Event

Weaknesses / Challenges

- Incentives – Economic Development lack of use
- Technology – aging equipment and software
- Infrastructure
- Facilities – condition / maintenance
- Competitive salaries within region
- Training opportunities
 - Professional development
 - Budget
- Closed minds – have always done it this way
- Tourism
- Managing growth
- Need for succession planning
- Public perception influencing job applicant pool
- Weak tax base
- Limited in-town post-secondary educational opportunities
- Lack of retail
- Lack of entertainment (kids)
- Limited grocery options
- City-owned property
- College
- Venue / convention center
- Lack of hotels
- Entryways to community
- Not using TIF financing
- Emerging downtown organization
- How to effectively support increasing, ever-growing number of festivals
 - Create packages for vendors and festivals
- No city recreation programs
- In-kind services
- Very limited public transportation services
- Outdated web information
- Poor communication with citizens

Opportunities

- Expand airport (hangars)
 - Install AWOS (Automated Weather Observing System)
- Improve working conditions of employees
- Proximity to Austin
- Implement first phase of parks master plan
- SH-130 has great properties but not city-owned property
- Undeveloped lots on Square and north / northwest of Square
- Long-tenured elected leadership
- Increase community involvement
- To develop positive relationship with County, School, and organizations
- Quality economic growth
- Franchise recreational or entertainment venues (theaters, bowling, outlets, concerts, water parks)
- Community college campus
- Increased communication needed with ISD for school planning, infrastructure, etc.
- Expand walking / biking opportunities for exercise and community involvement
- Lockhart Springs (natural spring)
- Lockhart State Park transfer to City
- Potential residential development around golf course
- Development within historic district
- School district growth
- Housing growth
- Business growth
- St. Paul Church and other redevelopment opportunities
- Hospital / medical facilities
- Public bathrooms downtown
- Develop Industrial Park
- More involvement with San Marcos Greater Partnership
- Partnership with Austin Chamber
- EDC \$ will go further today than in 2 years (spec buildings, parking)

Threats

- Economic recession
- Voter turnout
- Government shutdown
- Citizen input
- Natural disaster
- Leadership in government
- Lack of economic development direction
- Competition from other cities
- Lack of resources
- Building maintenance
- Technology – cyber security
- Surging population
- Infrastructure improvement
- Maintaining reputation
- Planning without follow through
- Lack of educated workforce – skilled labor
- Crime
- Lack of workforce – people
- Retention and hiring
- Youth retention
- School quality
- Lack of industry
- Lack of racial unity
- Micro-managing
- Other utilities providers
- Homeless services – transportation
- Types of future growth

Start/Stop/Continue

The facilitator guided the Management Team through an exercise that challenged them to brainstorm things that the City really needed to begin doing, what they should stop doing that could be a waste of resources, and what must they continue doing, regardless of circumstances. Below are their responses. Note that there are no right or wrong items; these are merely individuals' opinions about the things that should and shouldn't change in Lockhart. Just because one person has a certain opinion on a topic, that does not imply anyone else shared that opinion.

Start

- Space allocation study
- Renovate City buildings – construct
- Downtown bathrooms
- Improve salaries – salary survey
- Staff development program / policies / procedures
- Consistency in purchasing
 - Revamp purchasing policy
- Replacing capital equipment / vehicles – vehicle fund
- Mandatory single stream recycling
- IT department, in-house City Engineer
- New technology in terms of equipment, network, server, software
- Re-assess who is in charge of downtown redevelopment
 - Name which entity (or entities) funds downtown redevelopment initiatives
 - Name which entity (or entities) manages downtown redevelopment initiatives
- 2020 Comprehensive Master Plan Update that includes a future land use plan and map

Stop

- In-house utility billing (consider outsourcing)
- Outsourcing IT (consider bringing in-house)
- Repetitive useless paperwork (paperwork/policies must be updated and streamlined)
- Increasing overtime in fire and police (hire more to fix this issue)
- Using outdated equipment
- Hand -picking collections of recycled goods (business pick up)
- Laying asphalt driveway approaches for “free”
- Demolition of condemned houses – stop doing in-house (needs to be outsourced)

Continue

- Meeting with County, City, School, Chamber, EDC
- Implementing 2020 Plan and Updates
- Attracting businesses – growth
- Providing superior service
- Redeveloping Downtown
- Implement Parks Master Plan
- Being a great place to work
- Public investments along SH-130
- Supporting festivals / movie projects
- Financial planning
- Embracing tourism

Goal 1: Economic Development / Planning

Strategies
1. Partner with LISD and local youth organizations to encourage careers in local emergency services (Fire and Police)
2. Reassess who is in charge of managing and funding downtown development and tourism
3. Attract a post-secondary education campus / facility
4. Complete updating our development ordinances
5. Consider development tools to facilitate attraction / recruitment to SH 130 corridor
6. Bring utilities, assist assembling parcels, rezoning tracts along SH 130
a) Shovel ready
b) Pursue prospects
7. Start investing in more property for growth
8. Explore next industrial park
9. HOT (Hotel Occupancy Tax) Funds – revamp structure
10. Economic Development Strategic Plan
11. Robust LEDC website

Goal #1 KPIs / Metrics:

- ☐ Did we partner with LISD & other youth organizations to encourage emergency services careers?
- ☐ Did we reassess downtown development and tourism initiatives and who leads each?
- ☐ Did we initiate efforts to attract a post-secondary educational institution or facility to Lockhart?
- ☐ Did we completely update our development ordinances?
- ☐ Did we brainstorm development tools for SH-130 development?
- ☐ Did we bring utilities and assemble parcels along SH-130?
- ☐ Did we develop shovel-ready development sites?
- ☐ Did we market those sites to prospective investors?
- ☐ Did we develop plans for our next industrial park?
- ☐ Did we revamp the way HOT funds are structured?
- ☐ Did we develop and implement an Economic Development Strategic Plan?
- ☐ Did the Lockhart EDC revamp their website to better attract investment?

Goal 2: Quality of Life / Quality of Facilities

Strategies
1. Invest money to improve the appearance of our town (streets, parks, entry signs)
2. Conduct a Space Study of City Buildings and facilities including City Hall
3. Improve the image of City facilities as needed
4. Update, renovate, and construct City facilities as needed
5. Implement the Parks Master Plan, improving the quality of life for community
6. Conduct a citywide quality of life citizen survey

Goal #2 KPIs / Metrics:

\$ amount invested in streets in 2019 and 2020? \$ _____

\$ amount invested in parks in 2019 and 2020? \$ _____

\$ amount invested in gateway entry signs in 2019 and 2020? \$ _____

of City facilities we improved the appearance of? _____

☐ Which facilities did we improve the image of?

☐ Did we implement elements of the Parks Master Plan?

☐ Did we secure quotes on a Space Study of City buildings including City Hall?

☐ How many City-owned buildings did we renovate or retrofit?

☐ Did we conduct a citywide quality of life citizen survey?

☐ Did we address levels of service based on the citizen responses we received?

☐ Did we address levels of satisfaction based on the citizen responses we received?

☐ Did we address areas for improvement based on the citizen responses we received?

Goal 3: Staffing / Personnel

Strategies
1. Consider hiring additional personnel (engineer, IT, etc.)
2. Conduct a staffing study that includes evaluating efficiencies and compensations
3. Right size staffing levels city-wide based on study results
3. Consider starting salaries that compete with surrounding communities
4. Be consistent with staff development / policies / purchasing procedures
5. Implement a staff development program (be consistent)
6. Start developing / preparing current staff to take on leadership roles within the organization in the future
7. Bi-lingual staff
8. Customer service / experience excellence training

Goal #3 KPIs / Metrics:

of new positions in 2019 and 2020? _____

- ☐ Did we perform a staffing efficiency/compensation study?
- ☐ Did we right-size our salaries based on that study by the end of 2020?
- ☐ Did we develop new consistent policies and procedures regarding professional development of staff?
- ☐ Did we develop new consistent policies and procedures regarding purchasing/procurement?
- ☐ Did we create and implement a new staff development program to ensure everyone has training opportunities?
- ☐ Did we begin grooming current staff for future leadership roles?
- ☐ How many staff do we have on a leadership track by the end of 2020?

of new employees added in 2019 and 2020 who are bilingual? _____

- ☐ Did we deliver Customer Experience Excellence training to every City employee?

Goal 4: Procedures / IT / Software and Hardware

Strategies
1. Conduct a Technology Assessment that yields specific recommendations
2. Improve technology / create specific strategies to have better IT support based on Assessment results
3. Upgrade all technology-related issues as recommended – desktops, servers, software, equipment, and peripherals
4. Start replacing old equipment
5. Provide superior service by keeping technology up to date and being able to communicate with the public (keep an open line of communication through website)
6. Carefully weigh all the pros and cons of considering bringing IT in-house
7. Upgrade the operating system
8. Streamline technology hardware, software processes within the City, based on Assessment recommendations
9. Upgrade all equipment and software and be trained on specific software to be used to maximum potential
10. Explore implementing downtown Wi-Fi

Goal #4 KPIs / Metrics:

- ☐ Did we conduct a Technology Assessment?
- ☐ Did we secure top quality technology support across all departments by the end of 2020?
- ☐ Did we upgrade our desktop computers?
- % of employees who received upgraded computers by the end of 2020 (from 2018 numbers)? _____
- ☐ Did we upgrade our servers?
- ☐ Did we upgrade our computer software, subscriptions, and licenses?
- ☐ Did we upgrade our peripherals?
- ☐ Did we upgrade our other technology equipment?
- ☐ Did we establish an IT policy for updates and replacements that will keep us up-to-date from now through the future?
- ☐ Did we carefully weigh all the pros and cons of keeping IT outsourced vs. bringing it in-house?
- ☐ Did we upgrade our City operating system?
- ☐ Did we streamline our City technology processes?
- ☐ Did we secure training for staff to use all new equipment properly and efficiently?
- ☐ Did we investigate implementing WiFi throughout Downtown Lockhart?

Goal 5: Public Safety

Strategies
1. Provide quality public safety to all citizens of Lockhart
a) Develop a specific Retention Strategy first
b) Develop a specific Hiring Strategy
c) Long-term public safety facility planning
d) Develop an equipment replacement schedule
e) Ensure use of best practices / standards (research best practices, then implement)
f) Evaluate Accreditation opportunities

Goal #5 KPIs / Metrics:

of new law enforcement officers hired in 2019?

of new law enforcement officers hired in 2020?

% law enforcement officers retained?

of new firefighters hired in 2019?

of new firefighters hired in 2020?

% firefighters retained?

☐ Did we develop a long-term public safety facilities plan?

☐ Did we develop a public safety equipment replacement schedule?

☐ Did we implement that new replacement schedule?

☐ Did we research and record best practices across the country regarding public safety policy?

☐ Did we make any modifications to our public safety policies based on that research?

☐ Did we explore and evaluate Accreditation opportunities?

Conclusion

At the end of the planning retreat, the facilitator reminded all the participants that these goals would only be achieved if they held true to their commitments today to implement these specific strategies and tactics.

She reminded them that they are one team working toward one vision. The participants agreed to use this document regularly throughout 2019 and 2020 to track progress and measure accomplishments.

CITY COUNCIL FY 18-19 GOALS (FINAL COMBINED)

PRIORITY ORDER

COUNCILMEMBER	PRIORITY	FY 18-19 GOALS
CASTILLO	1	Infrastructure Improvements: streets
GONZALES-SANCHEZ	1	Hire A City Manager
MCGREGOR	1	Economic development, creating and retaining jobs, grocery campaign.
MENDOZA	1	Pay Raise City Employees.
MICHELSON	1	Public relations position/ get the word out about Lockhart (promoting)
WESTMORELAND	1	Infrastructure Improvements: streets
WHITE	1	Economic development, creating and retaining jobs, grocery campaign.
CASTILLO	2	Economic development, creating and retaining jobs, grocery campaign.
GONZALES-SANCHEZ	2	All Department Heads to Budget Salary Increases for all City Employees.
MCGREGOR	2	Work with LISD to establish a community recreation center at the Adams Gym, per under Parks
MENDOZA	2	Economic development, creating and retaining jobs, grocery campaign.
MICHELSON	2	Signage in Lockhart (highway, downtown, and toll) / Wayfinding, branding,...)
WESTMORELAND	2	Signage in Lockhart (highway, downtown, and toll) / Wayfinding, branding,...)
WHITE	2	Public relations position
CASTILLO	3	Continued police community committee involvement, neighborhood watch, gang awareness
GONZALES-SANCHEZ	3	Infrastructure: Continue City Infrastructure: Drainage, Street Repairs, Completion of Curbing, Brighter Lighting in Neighborhoods
MCGREGOR	3	Prepare Fire Station #3 (so we can have existing station remodeled)
MENDOZA	3	Continued police community committee involvement, neighborhood watch, gang awareness
MICHELSON	3	Prepare Fire Station #3 (so we can have existing station remodeled)
WESTMORELAND	3	More enforcement of codes directed at unsightly properties
WHITE	3	Wayfinding, branding, develop new entry sign and city markers
CASTILLO	4	City Facilities: Maintenance and repairs Economic Development: Recruit more businesses especially retail and continue efforts; contact existing and vacant building owners to see if they are willing to work with the City of Lockhart to bring retail businesses and specialty shops, as well as industrial. Purchase buildings and land when on the market for possible new businesses for the city.
GONZALES-SANCHEZ	4	Public relations position work with social media/ get the word out about Lockhart
MCGREGOR	4	City Facilities: Maintenance and repairs
MENDOZA	4	

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CITY COUNCIL FY 18-19 GOALS (FINAL COMBINED)

PRIORITY ORDER

COUNCILMEMBER	PRIORITY	FY 18-19 GOALS
MICHELSON	4	Refurbish City Hall inside (making it more inviting)
WESTMORELAND	4	Move forward with St Paul property project
WHITE	4	Park improvements- consider medium to long range plan for Town Branch development
CASTILLO	5	Affordable housing
		Police Task Force: Budget extra funds for a Police Task Force, a Narcotics Officer and a Mental Health Officer to address any drug and gang related problems and mental issues our city is being faced not only on the East side of our city but citywide. Budget for updated training for our police officers. There is a lot of training that is free but a lot additional money for registration fees and course material.
GONZALES-SANCHEZ	5	Free public wifi on the square
MCGREGOR	5	Parks improvements
MENDOZA	5	Continued police community committee involvement, neighborhood watch, gang awareness
MICHELSON	5	Angled parking downtown: N Main and N Commerce Sts(change during downtown drainage project)
WESTMORELAND	5	Continued police community committee involvement, neighborhood watch, gang awareness
WHITE	5	
CASTILLO	6	Wellness for employees

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CITY COUNCIL FY 18-19 GOALS

Category Order and Comments by City Manager

Council agreed at February 13 meeting that each Councilmember will submit at least 5 category goals in priority order to the City Manager to be considered by Council at first meeting in March, 2018

CM INITIALS	PRIORITY #	GOALS IDENTIFIED BY COUNCIL FOR FY 18-19: SORTED BY CATEGORY FINAL LIST BY COUNCIL PRIORITIZED BY CATEGORY: SUBMIT TO CITY MGR BY MARCH 1 PLEASE	SUGGESTED FUNDING SOURCE BY COUNCILMEMBER	SORTED BY CATEGORY
		Improve communication between City and Chamber of Commerce	In-House	Chamber
		City Facilities	GF	City Bldgs
		Refurbish City Hall inside (making it more inviting)	Gen Fund	City Bldgs
		Prepare Fire Station 3 (so we can have main station remodeled)	Gen Fund	City Bldgs
		Hire A City Manager, Hire a City Manager that is Well Rounded and Experienced and Will Help our City to Continue to Grow for the right and positive reasons. To hire a City Manager that will allow our Department Heads to Grow and Improve Our Departments with their recommended suggestions not only from our department heads but from our employees. Working Smarter not Harder.	GF	City Manager
		More code enforcement of codes directed at unsightly properties	In-House	Code Enforc
		Continue demo of unsafe structures and pursue liens aggressively	GF	Code Enforc
		Convention Center. Our city is growing and there are too many events, programs and conferences that are going to other surrounding areas to have these events and those surrounding area businesses are benefitting and money is being spent in those areas instead on money being spent in our city. Granted, we do have meeting facilities in our city but these meeting facilities do not accomodate the number of people for the above events that have been mentioned.	GF	Convention Center
		Downtown improvements-lighting, pedestrian safety, south plaza idea? Sculpture? Sidewalk mosaics?	GF	Downtown
		Economic development, creating and retaining jobs, grocery campaign	general fund, LEDC	Econo Devl
		Economic Development	GF	Econo Devl
		Expand economic development (by helping to spread the word & being more involved)	Gen Fund	Econo Devl
		Economic Development: Recruit more businesses especailly retail and continue efforts; contact existing and vacant building owners to see if they are willing to work with the City of Lockhart to bring retail businesses and speciality shops, as well as Industrial. Purchase buildings and land when on the market for possible new businesses for the city. Art Galleries and Music Venues have increased within our downtown area and though many many not appreciate these type of business and or venues, it is good for our downtown and its livelihood. Let's work on getting more of the speciality shops and boutiques in or around the 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 alternating system, especailly during the holidays. I did appreciate that the city employees were allowed to stay home during our icy, sleet and snow days. The safety of our employees is very important.	GF	Employees
		Subdivision developemnt to attract more businesses to Lockhart. Increase the number of homes, apartments, housing. Our city is growing with new citizens wanting to make Lockhart their home but due to the number of housing available, they wait and or possibly lose interest.	GF	Housing
		Infrastructure	GF	Infrastructure
		Infrastructure improvement- uncurbed streets, street rehab	GF	Infrastructure
		Improve Streets (repairs)	In-House	Infrastructure

CM INITIALS	PRIORITY #	GOALS IDENTIFIED BY COUNCIL FOR FY 18-19: SORTED BY CATEGORY FINAL LIST BY COUNCIL PRIORITIZED BY CATEGORY: SUBMIT TO CITY MGR BY MARCH 1 PLEASE	SUGGESTED FUNDING SOURCE BY COUNCILMEMBER	SORTED BY CATEGORY
		Infrastructure: Continue City Infrastructure: Drainage, Street Repairs, Completion of Curbing, Brighter Lighting in Neighborhoods	GF	Infrastructure
		Angled parking for N Main and N Commerce Streets (change during downtown project)	In-House	Parking Downtown
		Parking around and surrounding the square. Issues with larger vehicles parked in areas that are narrow and that make it hard to see oncoming traffic. Our city is growing and we have been very fortunate with our parking however, it is a concern especially when you have the bigger and wider trucks that are parked in an area that is for a moderate size car. It becomes a hazard and a blind spot when trying to reverse out of the parking space and a blind spot for any and all pedestrians.	GF	Parking Downtown
		Continue to work on City Park improvements	Gen Fund	Parks
		Revive all City parks	Grants	Parks
		Work with USD to establish a community recreation center at Adams Gym, perhaps under Parks (PUBLIC HEALTH/PARKS)	General Fund/Parks & Rec	Parks
		Add 3 positions to the Parks Department, to help facilitate other improvements (PARKS)	General Fund/Parks & Rec	Parks
		Park improvements - consider medium to long range Town branch development	GF	Parks
		Develop a dog park as part of the Stueve Lane Monte Vista Tract (PARKS/ANIMAL SHELTER/PUBLIC HEALTH)	General Fund/Parks & Rec	Parks
		Parks Improvements: Purchase and update the park equipment to provide safe and fun filled parks for all to use.	GF	Parks
		Start Planning for 2040 plan	GF	Planning
		Police	GF	Police
		Continued Police Community committee involvement, neighborhood watch, gang awareness	GF	Police
		Work with Police Department to bring back drug enforcement program	Gen Fund	Police
		Get back to Neighborhood Townhall Meetings	GF	Police
		Police Task Force: Budget extra funds for a Police Task Force, a Narcotics Officer and a Mental Health Officer to address any drug and gang related problems and mental issues our city is being faced not only on the East side of our city but citywide. Budget for updated training for our police officers. There is a lot of training that is free but a lot of additional money for registration fees and course material. I am grateful that the Police Department did invest in our Drug Dog and is being utilized by the school as well.	GF	Police
		High School cadet programs for police, fire, EMS	GF	Police/Fire
		Public relations position to deal with social media	GF	Public Relations
		Get the word out about Lockhart (promoting, hiring a Public Relations person)	Gen Fund	Public Relations
		Sidewalk repair and expansion	GF	Sidewalks
		Signage in Lockhart (highway, downtown, and toll road)	Gen Fund	Signage
		Wayfinding, branding - develop new entry sign and city property markers	GF	Signage
		Move Forward with St Paul property project	In-House	St Paul Gift
		Develop an oral history project to support a future "Walking Tour" app for Lockhart (ECONOMIC DEV/DOWNTOWN)	General Fund/Fundraising	Tourism
		More Events to Attract Tourism in Lockhart and Include Way Finding Signage (Hotels and Restaurants). Added events, especially the events that are free to the public do very well for the city as well as for the businesses and tourism. I welcome new events to the city but need to be selective in the events that we do host.	GF	Tourism
		Create a Good Neighbor program (Lockhart Utility Customers can add an additional amount to utility bill to help others)	GF	Utility Customers

CM INITIALS	PRIORITY #	GOALS IDENTIFIED BY COUNCIL FOR FY 18-19: SORTED BY CATEGORY	SUGGESTED FUNDING SOURCE BY COUNCILMEMBER	SORTED BY CATEGORY
		FINAL LIST BY COUNCIL PRIORITIZED BY CATEGORY: SUBMIT TO CITY MGR BY MARCH 1 PLEASE		
		Access to Municipal Court for Utility Payments	In-House	Utility Customers
		Free public wifi on the square as part of the redevelopment on the North side (ECONOMIC DEV/DOWNTOWN)	CAPCOG Grant?	Wifi
		Free public wifi on the square as part of the redevelopment on the North side	GF	Wifi

CM INITIALS	PRIORITY #	GOALS IDENTIFIED BY COUNCIL FOR FY 18-19: SORTED BY CATEGORY	SUGGESTED FUNDING SOURCE BY COUNCILMEMBER	SORTED BY CATEGORY	CITY MANAGER COMMENTS
BW	7	Improve communication between City and Chamber of Commerce	In-House	Chamber	City Staff works together with Chambers on all their events by being a co-sponsor with many in-kind services. Robert Tobias attends their meetings and periodically makes presentations about Economic Development issues.
JC	4	City Facilities	GF	City Bldgs	Budget for roofs and major repairs
JEFF M	5	Refurbish City Hall inside (making it more inviting)	Gen Fund	City Bldgs	Working on it; repairs to ceiling in progress, restrooms to be refurbished and replace signage with more informative directions.
JEFF M	7	Prepare Fire Station 3 (so we can have main station remodeled)	Gen Fund	City Bldgs	New plans will be prepared working with new Chief who has different ideas than the previous Chief
AGS	1	Hire A City Manager. Hire a City Manager that is Well Rounded and Experienced and Will Help our City to Continue to Grow for the right and positive reasons. To hire a City Manager that will allow our Department Heads to Grow and Improve Our Departments with their recommended suggestions not only from our department heads but from our employees. Working Smarter not Harder.	GF	City Manager	I concur. The current City Mgr has rode back of garbage trucks, climbed electrical poles, worked water/sewer/asphalt/concrete projects, and has been a utility collections clerk, and during these experiences learned the value of suggestions for change that comes from employees in such positions. All department heads/supervisors are encouraged to listen to employees who have constructive ideas that would benefit in performing assigned tasks. City Mgr has also learned there are employees who keep there hands in their pockets and talk while everyone else is working and these are the same ones who are often found to be dishonest in their paperwork, sleep on the job, and have a poor attendance record.
BW	1	More code enforcement of codes directed at unsightly properties	In-House	Code Enforc	Will continue to address as complaints come in and as found during investigation outings.
LW	8	Continue demo of unsafe structures and pursue liens aggressively	GF	Code Enforc	Will continue to address and City Attorney exploring process to recover demolition costs
AGS	11	Convention Center. Our city is growing and there are too many events, programs and conferences that are going to other surrounding areas to have these events and those surrounding area businesses are benefitting and money is being spent in those areas instead on money being spent in our city. Granted, we do have meeting facilities in our city but these meeting facilities do not accommodate the number of people for the above events that have been mentioned.	GF	Convention Center	HOT funds and/or Bond Issue. Maintenance funds will be a minimum of \$150,000 annually not including director's salary, utilities, and insurance.
LW	9	Downtown improvements-lighting, pedestrian safety, south plaza idea? Sculpture? Sidewalk mosaics?	GF	Downtown	CAPCOG/CO project will address
LW	1	Economic development, creating and retaining jobs, grocery campaign	general fund, LEDC	Econo Devl	Robert Tobias working with several companies now
JC	2	Economic Development	GF	Econo Devl	See above

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CM INITIALS	PRIORITY #	GOALS IDENTIFIED BY COUNCIL FOR FY 18-19: SORTED BY CATEGORY	SUGGESTED FUNDING SOURCE BY COUNCILMEMBER	SORTED BY CATEGORY	CITY MANAGER COMMENTS
JEFF M	3	Expand economic development (by helping to spread the word & being more involved)	Gen Fund	Econo Devl	Robert Tobias is involved with the San Marcos Partnership, local chambers, and with downtown businesses on a regular basis. Leads from the Governor's office and the Austin Chamber are also pursued as applicable.
AGS	4	Economic Development: Recruit more businesses especially retail and continue efforts; contact existing and vacant building owners to see if they are willing to work with the City of Lockhart to bring retail businesses and specialty shops, as well as industrial. Purchase buildings and land when on the market for possible new businesses for the city. Art Galleries and Music Venues have increased within our downtown area and though many not appreciate these type of business and or venues, it is good for our downtown and its livelihood. Let's work on getting more of the specialty shops and boutiques in or around the square.	GF	Econo Devl	The problem is that many of the property owners downtown do not have the funds to customize their buildings to support specialty shops which most the time are not willing to spend money on a building. Rob Tobias is exploring ways to address this issue.
JUAN M	1	Pay raise across the board	GF	Employees	Estimated Costs Including Benefits: For each 1% for non-civil service= \$52,000 For each 1% for civil service = \$28,000
AGS	2	All Department Heads to Budget Salary Increases for all City Employees.	GF	Employees	See above
JC	5	Wellness for employees	GF	Employees	City provides good health insurance (\$586 per month each) with wellness plans for employees; many Cities have stopped this benefit and only provide a stipend for insurance.
AGS	9	Employee: Possible additional Employee Holiday Time Off-Alternating System. Even though this has been discussed and the reasons for why it cannot be done, I would like to see a time off alternating system, especially during the holidays. I did appreciate that the city employees were allowed to stay home during our icy, sleet and snow days. The safety of our employees is very important.	GF	Employees	City employees with vacation leave and holiday time are off 23 days a year with pay which is more than a month of work days. The only holidays not given that we found are Columbus Day and Texas Independence Day. Employee safety is very important, however, some employees must come in to make conditions safe for residents and to respond to emergency conditions and that responsibility belongs to each department head who determines based on staff levels and skills time off during holiday times.
AGS	6	Subdivision development to attract more businesses to Lockhart. Increase the number of homes, apartments, housing. Our city is growing with new citizens wanting to make Lockhart their home but due to the number of housing available, they wait and or possibly lose interest.	GF	Housing	6 housing projects in place at different phases. City Manager recommended incentives to builders three years ago which Council approved and during the time it was in place it produced more housing. As a result, more engineering of subdivisions has begun.
JC	1	Infrastructure	GF	Infrastructure	\$400,000 or more yearly needed for streets
LW	2	Infrastructure improvement- uncurbed streets, street rehab	GF	Infrastructure	See above. It will take a major bond issue to address all streets that do not have curbs.
BW	3	Improve Streets (repairs)	In-House	Infrastructure	See above.

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CM INITIALS	PRIORITY #	GOALS IDENTIFIED BY COUNCIL FOR FY 18-19: SORTED BY CATEGORY	SUGGESTED FUNDING SOURCE BY COUNCILMEMBER	SORTED BY CATEGORY	CITY MANAGER COMMENTS
AGS	3	Infrastructure: Continue City Infrastructure: Drainage, Street Repairs, Completion of Curbing, Brighter Lighting in Neighborhoods	GF	Infrastructure	For streets please see above. Brighter lighting is always a challenge in a city with so many trees. Lockhart still must comply with Senate Bill 5 which regulates power usage. Several cities have passed an ordinance that does not allow for the planting of trees within 15' of the right of way to improve lighting of streets and reduce tree trimming around power lines.
BW	4	Angled parking for N Main and N Commerce Streets (change during downtown project)	Ja-House	Parking Downtown	Scheduled with downtown improvements. Should also consider making 100 Blocks of N Main and N Commerce one-way and possibly consider other blocks downtown especially north/south streets.
AGS	10	Parking around and surrounding the square. Issues with larger vehicles parked in areas that are narrow and that make it hard to see oncoming traffic. Our city is growing and we have been very fortunate with our parking however, it is a concern especially when you have the bigger and wider trucks that are parked in an area that is for a moderate size car. It becomes a hazard and a blind spot when trying to reverse out of the parking space and a blind spot for any and all pedestrians.	GF	Parking Downtown	Scheduled with downtown improvements
JEFF M	2	Continue to work on City Park improvements	Gen Fund	Parks	Master Plan near complete
BW	2	Revive all City parks	Grants	Parks	Master Plan near complete
KM	2	Work with LISD to establish a community recreation center at Adams Gym, perhaps under Parks (PUBLIC HEALTH/PARKS)	General Fund/Parks & Rec	Parks	Mayor is visiting with LISD about this
KM	3	Add 3 positions to the Parks Department, to help facilitate other improvements (PARKS)	General Fund/Parks & Rec	Parks	Approx. \$100,000 to budget not including equipment and vehicles
LW	3	Park improvements - consider medium to long range Town branch development	GF	Parks	Bond issue needed
KM	4	Develop a dog park as part of the Stueve Lane Monte Vista Tract (PARKS/ANIMAL SHELTER/PUBLIC HEALTH)	General Fund/Parks & Rec	Parks	Estimate on this property is \$ 25000 using used fencing. Maintenance and insurance are also cost factors
AGS	8	Parks Improvements: Purchase and update the park equipment to provide safe and fun filled parks for all to use.	GF	Parks	Master Plan near complete
JUAN M	3	Start Planning for 2040 plan	GF	Planning	Needs to be done
JC	3	Police	GF	Police	Chief Pedraza is working on these issues. Recently issued update that was sent to Council.
LW	4	Continued Police Community committee involvement, neighborhood watch, gang awareness	GF	Police	See above
JEFF M	4	Work with Police Department to bring back drug enforcement program	Gen Fund	Police	See above
JUAN M	5	Get back to Neighborhood Townhall Meetings	GF	Police	Will get with Chief about this

R:\56 AMU\1\ Vance Files\1A Public Works\City Council\Goals and Objectives\FY 18-19\COUNCIL COMBINED FY 18-19 Goals

CM INITIALS	PRIORITY #	GOALS IDENTIFIED BY COUNCIL FOR FY 18-19: SORTED BY CATEGORY	SUGGESTED FUNDING SOURCE BY COUNCILMEMBER	SORTED BY CATEGORY	CITY MANAGER COMMENTS
AGS	5	Police Task Force: Budget extra funds for a Police Task Force, a Narcotics Officer and a Mental Health Officer to address any drug and gang related problems and mental issues our city is being faced not only on the East side of our city but citywide. Budget for updated training for our police officers. There is a lot of training that is free but a lot additional money for registration fees and course material. I am grateful that the Police Department did invest in our Drug Dog and is being utilized by the school as well.	GF	Police	Chief Pedraza reports that Lockhart has two certified mental health officers, and he feels there is sufficient funding for training. He also reports that a new Narcotics Officer would cost about \$90,000 for salary/benefits, training, a vehicle, and all required equipment.
LW	10	High School cadet programs for police, fire, EMS	GF	Police/Fire	Will visit with department heads again about this
LW	6	Public relations position to deal with social media	GF	Public Relations	Position would cost with benefits about \$45,000 annually and would need more tasks to perform.
JEFF M	6	Public relations position to deal with social media	GF	Public Relations	See above
LW	7	Sidewalk repair and expansion	GF	Sidewalks	Costs average about \$25 per linear foot
JEFF M	1	Signage in Lockhart (highway, downtown, and toll road)	Gen Fund	Signage	Wayfinding and Branding Committee in place
LW	5	Wayfinding, branding - develop new entry sign and city property markers	GF	Signage	See above
BW	5	Move Forward with St Paul property project	In-House	St Paul Gift	Working on costs associated with this projects which involve asbestos/lead paint survey and possible abatement, ADA restrooms, ADA entry ramp, kitchen changes, and other repairs.
KM	5	Develop an oral history project to support a future "Walking Tour" app for Lockhart	General Fund/Fundraising	Tourism	Could be part of the Wayfinding and Branding Committee tasks
AGS	7	More Events to Attract Tourism in Lockhart and Include Way Finding Signage (Hotels and Restaurants). Added events, especially the events that are free to the public do very well for the city as well as for the businesses and tourism. I welcome new events to the city but need to be selective in the events that we do host.	GF	Tourism	Chambers receive HOT funds for tourism and City co-sponsors events that contribute to tourism.
JUAN M	4	Create a Good Neighbor program (Lockhart Utility Customers can add an additional amount to utility bill to help others)	GF	Utility Customers	Have pursued this in the past. Requires a Board or Committee that is willing to take on the tasks of selecting who and how much help can be provided to customers. Some Cities allocate the funds to existing organization that is willing to take on the project.
BW	6	Access to Municipal Court for Utility Payments	In-House	Utility Customers	Working to this; advertisements and office training needed.
KM	1	Free public Wi-Fi on the square as part of the redevelopment on the North side (ECONOMIC DEV/DOWNTOWN)	CAPCOG Grant?	Wi-Fi	County judge had indicated to Mayor that the County could do this.
JUAN M	2	Free public wifi on the square as part of the redevelopment on the North side	GF	Wifi	See Above

LOCKHART CITY COUNCIL FY 17-18 GOALS				
Category and Priority Order				
COUNCIL MEMBER	PRIORITY	GOALS IDENTIFIED BY COUNCIL FOR FY 17-18 (as submitted by Councilmembers)	SUGGESTED FUNDING SOURCE BY COUNCILMEMBER	CATEGORY
BH	3	Continue Improving City Cemetery	with GF Expiring debt saving and/or Cemetery Tax	CEMETERY
Jeff M	2	Refurbish City Hall in the inside (to make more inviting to the public) as well as doing some landscaping outside	General Fund	CITY BLDGS
BW	3	Spruce up and clean up City properies		CITY BLDGS
BH	4	Improve City Facilities Appearance		CITY BLDGS
JC	4	City Facilities		CITY BLDGS
AGS	10	Convention Center		CONVENTION CTR
JC	2	Crime		CRIME
AGS	4	Police Task Force: Budget extra funds for a Police Task Force, a Narcotics Officer and a Mental Health Officer to address any drug and gang related problems and mental issues our city is being faced not only on the East side of our city but citywide. Budget for updated training for our police officers. There is alot of training that is free but alot additonal money for registration fees and course material.		CRIME
Jeff M	4	Work with Police Department to bring back drug enforcement program		CRIME
LW	8	Fund for helping utility customers in need	???	CUSTOMER SERV
BW	2	Continue to change angle parking downtown: 200 Blk S Main, 100 Blk N Main, 100 Blk N Commerce, 200 Blk E Market; little time and expense invovled	??	DOWNTOWN
LW	2	Downtown improvements,bathrooms, electric, pedestrian safety, beautification, wifi, lighting		DOWNTOWN
AGS	9	Parking around and surrounding the square. Issues with larger vehicles parked in areas that are narrow and that make it hard to see oncoming traffic		DOWNTOWN
LW	1	Expanding economic development department, budget, office, staff?, marketing	General fund, LEDC	ECCONOMIC DEV
AGS	3	Economic Development: Recurit more businesses especailly retail and continue efforts; contact existing and vacant building owners to see if they are willing to work with the City of Lockhart to bring retail businesses and speciality shops, as well as industrial. Purchase buildings and land when on the market for possible new businesses for the city.		ECCONOMIC DEV
JC	3	Economic Development		ECCONOMIC DEV
AGS	5	Subdivision development to attract more businesses to Lockhart.		ECCONOMIC DEV
JM	5	Set up meetings with developers for more retail space shopping centers along US 183		ECCONOMIC DEV

LOCKHART CITY COUNCIL FY 17-18 GOALS				
Category and Priority Order				
COUNCIL MEMBER	PRIORITY	GOALS IDENTIFIED BY COUNCIL FOR FY 17-18 (as submitted by Councilmembers)	SUGGESTED FUNDING SOURCE BY COUNCILMEMBER	CATEGORY
AGS	6	More Events to Attract Tourism in Lockhart and Include Way Finding Signage (Hotels and Restaurants)		ECONOMIC DEV
AGS	1	All Department Heads to Budget Salary Increases for all City Employees.		EMPLOYEES
JM	1	City Employee Raises		EMPLOYEES
JM	2	House or fund gym membership/space (weight rm) in Senior Center area (cardio machine) for City employees		EMPLOYEES
AGS	8	Employee: Possible additional Employee Holiday Time Off-Alternating System. Even though this has been discussed and the reasons for why it cannot be done, I would like to see a time off alternating system, especailly during the holidays.		EMPLOYEES
BW	1	ENFORCE ordinances that pertain to unsightly properties all over town		ENFORCEMENT
Jeff M	1	Enforce city ordinance regarding residential property		ENFORCEMENT
Jeff M	3	Continue to work on City Park improvements		PARKS
JM	3	Do inventory of City properties to idenify areas for pocket parks	LEDC funds	PARKS
LW	3	Park improvements	General fund	PARKS
BH	5	Parks Improvements	General Fund	PARKS
JC	5	Parks		PARKS
AGS	7	Parks Improvemens: Purchase and update the park equipment to provide safe and fun filled parks for all to use.		PARKS
LW	7	Town branch cleanup and beautification	???	PARKS
JM	4	Start process of Funding Sidewalks east of 183 connecting to the US 183 sidewalks		SIDEWALKS
LW	6	sidewalk repair and expansion	general fund bond	SIDEWALKS
BH	1	IMPLEMENT SIGNAGE IN LOCKHART	General Fund (LEDC) and/or Hotel Tax	SIGNAGE
LW	4	wayfinding, branding	general fund	SIGNAGE
LW	5	Entry signs	general fund	SIGNAGE
Jeff M	6	Signage on Highway 183 and SH130 = directing people to Lockhart		SIGNAGE
BW	4	Pursue opportunity to move Senior Citizens' Center to St Paul United Church of Christ Property		SR CITIZENS CTR
JC	1	Roads	Grants or impact fees	STREETS/INFRAS
AGS	2	Infrastructure: Continue City Infrastructure: Drainage, Street Repairs, Completion of Curbing, Brighter Lighting in Neighborhoods		STREETS/INFRAS
BH	2	Continue improving City Streets	Increase Transportation Fund	STREETS/INFRAS
Jeff M	5	Continue to make improvements and redoing our city streets		STREETS/INFRAS

Lockhart City Council
FY 16-17 Goals
Revised 3-10-2016, 8:30 pm

Priority	Council Person	Goals Submitted	City Manager Comments
1	Castillo	Infrastructure	Complete 2015 CO projects and need budget of \$250,000 per year for streets, continue water and sewer main replacements; continue electric distribution maintenance plan-get new substation on line. Replace bad water raw water mains and find additional water for the future.
1	Gonzales-Sanchez	Department Heads to Budget Salary Increases for city employees so that we can keep our current city employees.	Est Cost Per % Increase Annually: Gen Fund (Not Civil Serv) \$ 29,000; Gen Fund Civil Serv \$ 24,000; Other/Utilities: \$ 15,000- Add'l
1	Hilburn	Improve City Cemetery with GF Expiring debt saving and/or Cemetery Tax	Cemetery Tax up to 5 cents allowed by State Law. Expiring GF debt committed to Police and Fire increased pay rates. (\$132,000)
1	Mendoza	Find ways to use activity center for multi-purpose use. (basketball, volleyball). Funding source: Different companies in town	If approved by Council staff would approach local businesses
1	Michelson	Continue to improve infrastructure (drainage, street repairs) throughout the city	Complete 2015 CO and budget \$250,000 per year for street materials
1	Westmoreland	Enforce ordinances that pertain to unsightly properties all over town. Make homeowners/residents (because some may be renters) take pride in their environment. It is an eyesore to drive around town and see overgrown properties, junked cars, and stacks of trash on porches, in yards and driveways. All levels of socio-economic residents in this town have shown evidence of being disrespectful to their environment.	City has no esthetics ordinance currently. The term "unsightly" is subjective and is difficult to prove in court.
1	White	Economic Development-expanding budget to get staff qualified to help Sandra with recruitment, working with LEDC to either build Spec building or invest in more property, Main St program to relieve Sandra of a lot of those duties	Main Street Program would require another person and funding to work with local businesses while Economic Development would conscentrate on new businesses and new jobs
2	Castillo	Economic Development	Need 12-15,000 sf of retail spaces with reasonable lease per sf and buildings that are 20 to 50,000 sf for industrial and maunufacturing
2	Gonzales-Sanchez	Infrastructure: Continue City Infrastructure: Drainage, Street Repairs, Completion of Curbing, Brighter Lighting in Neighborhoods	Complete 2015 CO projects and need budget of \$250,000 per year for streets, continue water and sewer main replacements; continue electric distribution maintenance plan-get new substation on line. Replace bad water raw water mains and find additional water for the future. Most streets that lack curbing will need to be totally reconstructed. Brighter LED lights being experimented with since costs have come down.
2	Hilburn	Implement City Signage	Initial required funds up to \$40,000 if City Crew does the work; total cost could be more than \$70,000
2	Mendoza	New Park equipment. Funding Source: Each Councilmember responsible for a park and finding funding sources	Estimate: \$ 400,000 annually over next 4 years based on input from Parks Board Advisory Board
2	Michelson	Continue to improve ways to attract businesses to Lockhart	Need more 12-15,000 sf of retail spaces with reasonable lease per sf and buildings that are 20 to 50,000 sf for industrial and maunufacturing
2	Westmoreland	Create a policy for the residency of future admininstrative positions to live within the Lockhart city limits. If an administrator wants to be employed by the City of Lockhart, they need to reside here. Sharing in the daily lives of our citizens seems crucial to making decisions about Lockhart. They are paid by city taxes.	It is not legal to require all department heads to live in the City limits; only the City Manager is required to do so. All non-24 emergency response employees must live within 25 mintues of City Limis
2	White	Continue street rehab	Need \$ 250,000 annually minimum for street work materials
3	Castillo	City Facilites	Not sure what this includes; can asses all departments for physical needs
3	Gonzales-Sanchez	Economic Development: Recurit more businesses especailly retail and continue efforts ; contact existing and vacant bldg owners to see if they are willing to work with City to bring these small retail businesses, as well as industrial; possibly purchasing two downtown county buildings when on the market for possible new businesses in the downtown area. Stronger platform with LEDC with methods to sell Lockhart and attract businesses.	LEDC could fund another report but the company says our numbers still should be good. Costs estimated \$22,500 for updating data and recruitment. Prime softgood companies constantly want to be on Highway 183 in 12-15,000 sf and at a reasonalbe cost per sf plus higher traffic counts.

Lockhart City Council
FY 16-17 Goals
Revised 3-10-2016, 8:30 pm

Priority	Council Person	Goals Submitted	City Manager Comments
3	Hilburn	Continue improving city streets: Increase Transportation Fund	Current transportation monthly rate is \$ 4 for residential and others; \$260,000 annual which helps fund labor and equipment, but is not sufficient for materials. Another \$250,000 for materials is needed annually.
3	Mendoza	Wi-Fi Free Zones Downtown Square. Funding source City Budget, School District, Downtown sponsors	Rough estimate is about \$12,000
3	Michelson	Refurbish City Hall	If atrium removed, add more offices estimated at \$45,000 and more outside landscaping estimated at \$ 5,000; elevator going in with improvements to restrooms and offices
3	Westmoreland	Approach interested and future businesses cordially. Stringent ordinances (and the way they are approached), scare off some businesses. Let's be friendly in a positive way.	City Mgr respectfully requests names of such businesses. He has met with 18 business representatives over past 15 months that were looking at Lockhart but did not come. Except for the non-residential exterior building esthetics ordinance, none of them indicated a problem with the current ordinances or with staff. The main problems were high land prices and the lack of "ready built retail and industrial buildings", and traffic counts were not high enough. Most thought the impact fee schedules were very reasonable compared to other cities. Will continue to work toward friendlier customer service with simplified ordinances.
3	White	Park master plan to consider park bond issue, recreation dept and staff issues	Master Plan estimate: \$ 45,000, recreation dept est at least \$ 60,000 for a recreational professional with another \$30,000 for equipment and materials
4	Castillo	Employees Wages	Est Cost Per % Increase Annually: Gen Fund (Not Civil Serv) \$ 29,000; Gen Fund Civil Serv \$ 24,000; Other/Utilities: \$ 15,000- Add'l Cost FY 16-17 due to Civil Serv Pay Plan Expansions already approved: \$ 132,000
4	Gonzales-Sanchez	Police Task Force: Budget extra funds to bring back a much needed Police Task Force to address any drug and gang related problems this city is being faced with especially on the East side of our city. Possibly ask the County to assist with funding.	Initial required funds up to \$40,000 if City Crew does the work; total cost could be more than \$70,000
4	Hilburn	Continue working on bringing industry to Lockhart: Continue supporting Ms. Mauldin	LEDC is will have sufficient funding to be more aggressive starting FY 16-17
4	Mendoza	Training Start up: Neighborhood Watch Training and Program: Police Budget	Have tried Neighborhood Watch Program in past but was not sustained because of lack of participation. Willing to try again.
4	Michelson	Improve signage on HWY 183 as well as SH130 = directing people to Lockhart	Possibly use of some of the KTB grant money
4	Westmoreland	Evaluate and/or change the degree of the angled parking along the 4 blocks off of the square. This would be: Main Street from Market to Prairie Lea Street; Main Street from San Antonio Street to Walnut Street; Commerce Street from Market Street to Prairie Lea Street, and Commerce Street from San Antonio Street to Walnut Street. These parking spaces were made before long vehicles were made! If there are cars parked on both sides of the streets, only one car can pass through at a time. Then it becomes a one lane street. I have witnessed a different angled parking arrangement, and it provides more room and is much safer for the drivers and pedestrians.	Estimate to black out existing thermoplastic markings, redefine layout, and apply new thermoplastic markings with angle parking = \$ 12,000; will probably lose 4 spaces per block. 2 on each side
4	White	Branding and wayfinding—may be included in #1	Initial required funds up to \$40,000 if City Crew does the work; total cost could be more than \$70,000
5	Castillo	Parks	Estimate: \$ 400,000 annually over next 4 years based on input from Parks Board Advisory Board
5	Gonzales-Sanchez	Subdivision development to attract more businesses to Lockhart	Working with 6 more subdivisions, either new or expanding, and possibly one more very large one northwest.
5	Hilburn	Improve tourism in Lockhart - City Council continue to work with and encourage Chambers of Commerce to be more involved	Council can make this directive to Chambers when dividing out HOT funds
5	Mendoza	Finding more funding for Retail Market Study. Zip code demographics with reports. Funding LEDC	LEDC could fund another report but the company says our numbers still should be good. Costs estimated \$22,500 for updating data and recruitment.

Lockhart City Council
FY 16-17 Goals
Revised 3-10-2016, 8:30 pm

Priority	Council Person	Goals Submitted	City Manager Comments
5	Michelson	Work with LEDC or someone equivalent to build a building to help attract business	Need more 12-15,000 sf of retail spaces with reasonable lease per sf. Most softgood retailers want 12-15,000 on Hwy 183 at a reasonable price and increased traffic volumes
5	White	Sidewalks to include lighting	Funding required; for example San Jacinto to Jr High estimate is \$130,000 just for materials along Maple walkway
6	Gonzales-Sanchez	More Events to Attract Tourism in Lockhart and Include Way Finding Signage (Hotels and Restaurants)	Initial required funds up to \$40,000 if City Crew does the work; total cost could be more than \$70,000. Chambers could use HOT for more tourism.
6	Michelson	Continue to work on City Park improvements	Estimate: \$ 400,000 annually over next 4 years based on input from Parks Board Advisory Board
6	White	Pursue possible ESD-EMS district	Legal issue with participation by County and City of Luling preferable
7	Gonzales-Sanchez	Parks Improvemens: Purchase more park equipment to provide safe and fun filled parks for all to use.	Estimate: \$ 400,000 annually over next 4 years based on input from Parks Board Advisory Board
7	Mendoza	Start Talks With YMCA Austin again. Seek sponsors funding if necessary	Our population hurt in previous discussions, Will pursue again. They usually want commitment for a minimum number of individuals and families depending on population of not only City but its metro area
7	Michelson	Work on building a civic center/ recreation center	\$ 9 million plus land \$ 2.5 million for about 20,000 sf plus about \$240,000 annual maintenance costs and minimum of \$60,000 for utilities; estimated revenues offset is about \$60,000; take out recreation center and cost go down about 20%. It has been reported that Bastrop is spending over \$500,000 per year to operate its civic center. Revenues not covering costs.
7	White	Cemetery maintenance	Cemetery Tax up to 5 cents allowed by State Law
8	Gonzales-Sanchez	City Hall: Refurbish with Improvements and/or Upgrades	Elevator and improvements to restrooms planned; better offices for Connie and Sandra planned also.
9	Gonzales-Sanchez	Convention Center	\$ 9 million plus land \$ 2.5 million for about 20,000 sf plus about \$240,000 annual maintenance costs and minimum of \$60,000 for utilities; estimated revenues offset is about \$60,000; take out recreation center and cost go down about 20%. It has been reported that Bastrop is spending over \$500,000 per year to operate its civic center. Revenues not covering costs.
10	Gonzales-Sanchez	Employee: Possible additional Employee Holiday Time off-Alternating system	City employees now have 12 holidays and 1 personal holiday; time off is granted by seniority with department head responsible for keeping sufficient personnel to serve the public needs. Employees also receive at least 2 weeks of vacation time. Those employees required to work on holidays receive their normal pay plus holiday pay.

City of Lockhart																					
Future Debt Payments as of 9/30/18																					
Description		Paid Debt	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	TOTAL DEBT
General Government																					
Hotel Tax Fund																					
2016 GO Refunding				40,000	40,000	40,000	40,000	40,000	40,000	40,000	40,000	40,000	40,000								400,000
Total Hotel Tax Fund P & I			-	40,000	40,000	40,000	40,000	40,000	40,000	40,000	40,000	40,000	40,000	-	-	-	-	-	-	-	400,000
LEDC																					
2015 Tax & Revenue	100.00%		48,093	48,044	48,103	48,152	63,645	63,670	63,513	63,543	63,555	63,643	63,687	65,647	65,544	65,575	65,482	65,579	65,538	65,676	1,048,596
Total LEDC Fund P & I			48,093	48,044	48,103	48,152	63,645	63,670	63,513	63,543	63,555	63,643	63,687	65,647	65,544	65,575	65,482	65,579	65,538	65,676	1,048,596
2015 Capital Projects Fund																					
2015 Tax & Revenue																					-
Total 2015 Capital Projects Fund Fund P & I			-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Drainage																					
2015 Tax & Revenue			100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	1,700,000
Total Drainage Fund P & I			100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	1,700,000
General Fund																					
2015 Tax & Revenue																					-
Total General Fund P & I			-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Debt Service Fund																					
2006 Tax & Rev CO's	100.00%		47,175	50,535	48,690	46,845															146,070
2006-A Tax & Rev CO's	93.00%		267,890	267,803	267,332	271,128															806,264
2015 Tax & Revenue	TRNSF		186,594	186,302	186,653	186,945	279,275	279,421	278,487	278,662	278,735	279,261	279,523	291,203	290,590	290,773	290,222	290,798	290,554	291,374	4,548,778
2015 Tax & Revenue	12.00%		117,779	117,659	117,803	117,923	155,867	155,927	155,543	155,615	155,645	155,861	155,969	160,769	160,517	160,592	160,365	160,602	160,502	160,831	2,567,990
2016 GO Refunding	74.84%		171,056	346,930	361,150	353,161	656,899	666,927	661,698	666,974	673,111	670,566	678,350	-	-	-	-	-	-	-	5,735,766
Total Debt Service Fund P & I			790,494	969,229	981,628	976,002	1,092,041	1,102,275	1,095,728	1,101,251	1,107,491	1,105,688	1,113,842	451,972	451,107	451,365	450,587	451,400	451,056	452,205	13,804,868
Total General Government			938,587	1,157,273	1,169,731	1,164,154	1,295,686	1,305,945	1,299,241	1,304,794	1,311,046	1,309,331	1,317,529	617,619	616,651	616,940	616,069	616,979	616,594	617,881	16,953,464

Future Debt Payments as of 9/30/18																					
Description		Paid Debt	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	TOTAL DEBT
Proprietary																					
Electric Fund																					
2013 SIB Loan	30.81%		71,151	71,152	71,151	71,151	71,151	71,151	71,151	71,152	71,151	71,151	71,151	71,151	71,151	71,151	71,151	71,152			1,067,268
																					-
Total Electric Fund P & I		-	71,151	71,152	71,151	71,151	71,151	71,151	71,151	71,152	71,151	71,151	71,151	71,151	71,151	71,151	71,151	71,152	-	-	1,067,268
Water Fund																					
2006A Tax & Rev CO's	7.00%		20,164	20,157	20,122	20,408															60,687
2015 Tax & Revenue	49.60%		486,818	486,322	486,917	487,413	644,248	644,496	642,909	643,207	643,331	644,223	644,670	664,510	663,468	663,778	662,842	663,822	663,406	664,800	10,614,362
2016 GO Refunding	21.81%		49,849	101,103	105,247	102,919	191,435	194,357	192,833	194,371	196,159	195,418	197,686	-	-	-	-	-	-	-	1,671,528
2013 SIB Loan	35.80%		82,676	82,676	82,676	82,676	82,676	82,676	82,676	82,676	82,676	82,676	82,676	82,676	82,676	82,676	82,676	82,676			1,240,140
Total Water Fund P & I		-	639,507	690,258	694,962	693,416	918,359	921,529	918,418	920,254	922,166	922,317	925,032	747,186	746,144	746,454	745,518	746,498	663,406	664,800	13,586,717
Sewer Fund																					
2015 Tax & Revenue	4.30%		42,204	42,161	42,213	42,256	55,852	55,874	55,736	55,752	55,773	55,850	55,889	57,609	57,518	57,545	57,464	57,549	57,513	57,643	920,197
																					-
2016 GO Refunding	3.35%		7,657	15,529	16,166	15,808	29,404	29,853	29,619	29,855	30,130	30,016	30,364	-	-	-	-	-	-	-	256,744
																					-
2013 SIB Loan	33.39%		77,102	77,103	77,102	77,102	77,103	77,102	77,102	77,103	77,102	77,102	77,103	77,102	77,102	77,103	77,102	77,102			1,156,537
Total Sewer Fund P & I			126,963	134,793	135,481	135,166	162,359	162,829	162,457	162,710	163,005	162,968	163,356	134,711	134,620	134,648	134,566	134,651	57,513	57,643	2,333,478
Total Proprietary Fund P & I		-	837,621	896,203	901,594	899,733	1,151,869	1,155,510	1,152,026	1,154,116	1,156,323	1,156,436	1,159,539	953,049	951,915	952,253	951,236	952,301	720,919	722,443	16,987,463
Grand Total			1,776,208	2,053,476	2,071,326	2,063,887	2,447,555	2,461,455	2,451,267	2,458,910	2,467,369	2,465,767	2,477,068	1,570,668	1,568,566	1,569,193	1,567,305	1,569,280	1,337,513	1,340,324	33,940,927

City of Lockhart
2015 BOND PROGRAM

Cost	Notes	Task Name	Duration	Start	Finish	2015	2016	2017
						FebMarAprMayJunJulAugSepOctNovDecJanFebMarAprMayJunJulAugSepOctNovDecJanFebMarAprMayJunJulAugSepOctNovDecJan		
\$14,124,890.00		TOTAL PROJECT COST						
\$2,068,024.00	1	DRAINAGE IMPROVEMENTS CONTRACT 1 - Mesquite/Wichita Street & Richland Drive						
		Surveying Proposal	17 days	Fri 3/6/15	Sun 3/22/15			
		Survey	30 days	Mon 3/23/15	Tue 4/21/15			
		Acquisition	120 days	Wed 4/22/15	Wed 8/19/15			
		Engineering Design	90 days	Wed 4/22/15	Mon 7/20/15			
		Bid Ad/NTP	60 days	Tue 7/21/15	Fri 9/18/15			
		Construction	180 days	Sat 9/19/15	Wed 3/16/16			
\$1,999,200.00	2	DRAINAGE IMPROVEMENTS CONTRACT 2 - Century Oaks/Market Street, & Ash/Comal Streets						
		Surveying Proposal	17 days	Fri 3/6/15	Sun 3/22/15			
		Survey	30 days	Sat 4/25/15	Sun 5/24/15			
		Acquisition	150 days	Mon 5/25/15	Wed 10/21/15			
		Engineering Design	120 days	Mon 5/25/15	Mon 9/21/15			
		Bid Ad/NTP	60 days	Tue 9/22/15	Fri 11/20/15			
		Construction	180 days	Sat 11/21/15	Wed 5/18/16			
\$3,394,038.00	3	DRAINAGE IMPROVEMENTS CONTRACT 3 - Downtown Improvements Project						
		Surveying Proposal	15 days	Sun 8/2/15	Sun 8/16/15			
		Survey	45 days	Mon 8/17/15	Wed 9/30/15			
		Engineering Design	180 days	Thu 10/1/15	Mon 3/28/16			
		Bid Ad/NTP	60 days	Tue 3/29/16	Fri 5/27/16			
		Construction	365 days	Sat 5/28/16	Sat 5/27/17			
\$323,400.00	4	DRAINAGE IMPROVEMENTS CONTRACT 4 - Medina & US183 Project						
		Surveying Proposal	15 days	Sun 11/1/15	Sun 11/15/15			
		Survey	7 days	Mon 11/16/15	Sun 11/22/15			
		Acquisition	90 days	Mon 11/23/15	Sat 2/20/16			
		Engineering Design	60 days	Mon 11/23/15	Thu 1/21/16			
		Bid Ad/NTP	60 days	Fri 1/22/16	Mon 3/21/16			
		Construction	90 days	Tue 3/22/16	Sun 6/19/16			
\$1,764,000.00	5	FM 2001 ELEVATED TANK PROJECT						
		Surveying Proposal	15 days	Sat 1/2/16	Sat 1/16/16			
		Survey	15 days	Sun 1/17/16	Sun 1/31/16			
		Acquisition	120 days	Mon 2/1/16	Mon 5/30/16			
		Engineering Design	90 days	Mon 2/1/16	Sat 4/30/16			
		Bid Ad/NTP	60 days	Sun 5/1/16	Wed 6/29/16			

City of Lockhart
2015 BOND PROGRAM

Cost		Notes Task Name	Duration	Start	Finish	2015						2016						2017											
						Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan
		Construction	365 days	Thu 6/30/16	Thu 6/29/17																								
\$1,355,516.00	6	SH130 WATER MAIN PROJECT - City Line Rd. to Existing Tank, SH 130 @ Hwy. 142, Borchert/Mockingbird, Control Valves, FM 2001																											
		Surveying 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																								