

PUBLIC NOTICE

AGENDA

LOCKHART CITY COUNCIL

August 2, 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. Executive Session in accordance with the provisions of the Government Code, Title 5, Subchapter D, Section 551.087 to deliberate or for discussion regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations; or to deliberate the offer of a financial or other incentive to a business prospect.
- A. Discussion regarding Project Summertime.
- B. Discuss City Council minutes of the June 21, 2022 and July 19, 2022 Council meetings.
- C. Receive 3rd Quarter Fiscal Year 2022 Investment Report. 4-20 21-30
- D. Presentation of the City of Lockhart's FY 2022-2023 Proposed Budget and consider the Lockhart Economic Development Corporation's Budget for Fiscal Year 2022-2023, and set two public hearings on the Fiscal Year 2022-2023 City of Lockhart Proposed Budget. 31-33
- E. Discussion regarding Ordinance 2022-34 adopting a code of ethics and anti-discrimination policy for city council members and city board/commission members. 34-50
- F. Discussion regarding Downtown Alcohol Beverage Regulations & Enforcement. 51-55
- G. Discussion regarding the nomination of Phyllis Eggimann to the Lockhart Historical Preservation Commission by Councilmember Brad Westmoreland with a term to expire in November 2022. 56-62
- H. Discussion regarding matters related to COVID-19. 63-85

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-22-19 by Chandresh Gohel on behalf of SSPC Development, LLC, and discussion and/or action to consider Ordinance 2022-35, for a **Zoning Change** from AO *Agricultural-Open Space District* to *CHB Commercial Heavy Business District* on 8.827 acres in the Byrd Lockhart Survey, Abstract No. 17, located at 1717 North Colorado Street (US 183). 86-97

B. Hold a public hearing and consider granting a petition by Thomas Staub on behalf of ROED Prop Co, LLC for approval of Ordinance 2022-36 **Annexing** 89.775 acres out of the J.A. Neill Survey, Abstract Number 20, Caldwell County, Texas located on the east side of FM 1322 approximately 2,600 feet south of Seawillow Road into the city limits, approving an **Annexation Service Agreement** for said property, and assigning thereto a zoning classification of AO *Agricultural-Open Space District* and amending the zoning map accordingly. 98-112

5. CONSENT AGENDA

A. Approve City Council minutes of the June 21, 2022 and July 19, 2022 Council meetings. 113-129

B. Accept 3rd Quarter Fiscal Year 2022 Investment Report. 130-139

6. DISCUSSION/ACTION ITEMS

A. Presentation of the City of Lockhart's FY 2022-2023 Proposed Budget and consider approval of the Lockhart Economic Development Corporation's Budget for Fiscal Year 2022-2023, and set two public hearings on the Fiscal Year 2022-2023 City of Lockhart Proposed Budget. 140-142

- B. Discussion and/or action to consider Ordinance 2022-34 adopting a code of ethics and anti-discrimination policy for city council members and city board/commission members. 143-159
- C. Discussion and/or action regarding Downtown Alcohol Beverage Regulations & Enforcement. 160-164
- D. Consider the nomination of Phyllis Eggimann to the Lockhart Historical Preservation Commission by Councilmember Brad Westmoreland with a term to expire in November 2022. 165-171
- E. Discussion regarding matters related to COVID-19. 172-194

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

- Movies in the Park - *Jungle Cruise* on August 6.
- Public Safety Fair on August 6.
- Sales tax holiday for school supplies: August 5 – 7.
- Update regarding Civil Service examinations for Public Safety positions.
- Water consumption/conservation update.
- Carrizo Groundwater Supply project update.

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 551.071, PRIVATE CONSULTATION WITH ITS ATTORNEY TO SEEK ADVICE ABOUT PENDING OR CONTEMPLATED LITIGATION; SETTLEMENT OFFER; OR LEGAL MATTERS SUBJECT TO ATTORNEY/CLIENT PRIVILEGE.**

- A. Consultation with City Attorney regarding Code of Ethics.

10. **OPEN SESSION**

- A. Discussion and/or action regarding matters discussed in Executive 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 29th day of July, 2022 at 2:30 p.m.

**REGULAR MEETING
LOCKHART CITY COUNCIL**

JUNE 21, 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
Randy Jenkins, Fire Chief
Dan Gibson, City Planner

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

Citizens/Visitors Addressing the Council: Shanna Ramzinski of the Caldwell County Appraisal District; Jason Eeds and Eduardo Montoya of the Guadalupe-Blanco River Authority; William Wachel of TRC Engineers; Bobby Eichholz of Rialto Studio; Mark Estrada, LISD Superintendent; Citizens: Gary Clements, Jeff Utzinger, Jessica Rutland, Wayne Walther, Robert Steinbomer, Jaston Williams, Michael Laird, Robyn Gonzalez, Donna Daniels, Len Gabbay, and Arysta Soler.

Work Session 6:30 p.m.

Mayor White opened the work session and advised the Council, staff and the audience that staff would provide information and explanations about the following items:

DISCUSSION ONLY

Mayor White recognized Monte Akers, City Attorney, for being recognized by the Texas City Attorney Association's prestigious Susan Rocha Award for outstanding public service. Mayor White, City Council and staff commended and thanked Mr. Akers for his 50 year law career and for his service to the City of Lockhart. Mr. Akers thanked the Association for selecting him to receive the award and the City of Lockhart for recognizing it.

A. PRESENTATION OF A PROCLAMATION CONCERNING PRIDE WEEK ACTIVITIES IN THE CITY OF LOCKHART.

Mayor White read the proclamation. He encouraged everyone to be mindful of each other.

B. PRESENTATION OF THE CALDWELL COUNTY APPRAISAL DISTRICT'S APPRAISAL AND COLLECTION BUDGET FOR FISCAL YEAR 2022-2023.

Ms. Larison stated that on June 13, 2022, the City of Lockhart received the Caldwell County Appraisal District's proposed budgets for collections and appraisals for the year January 1, 2023 through December 31, 2023. The most notable increases are in salaries, benefits and building costs. The Caldwell County Appraisal District's Board of Directors must approve their budget by September 15, 2022.

Shanna Ranzinski of the Caldwell County Appraisal District (CCAD) provided information about the CCAD's budget. She stated that the CCAD has had difficulties filling vacant positions because of the low salaries. The CCAD hired a firm to conduct a salary comparison study and assisted in setting updated personnel pay structures for each position. The increase in building costs is for unexpected building maintenance necessities. There was discussion.

C. PRESENTATION OF THE GUADALUPE-BLANCO RIVER AUTHORITY'S (GBRA) ANNUAL BUDGET FOR SERVICES IN FISCAL YEAR 2022-2023.

Ms. Larison stated that on June 9, 2022, representatives of GBRA met with the City Manager, Public Works Director and Finance Director to discuss the proposed budget for the Guadalupe-Blanco River Authority's maintenance and operations costs associated with the Lockhart water and wastewater plants and the City of Luling water plant. The debt allocations associated with the Carrizo Groundwater Supply Project and the Luling to Lockhart water pipeline debt were also discussed.

Notable changes in GBRA's proposed budget:

Water Department

- decrease in maintenance and operations of Lockhart water plant costs.
- increases in debt payments for Carrizo Groundwater Supply Project and Luling to Lockhart pipeline debt.

Wastewater Department

- decrease in maintenance and operations of Lockhart wastewater plant costs.

Jason Eeds, Chief Operator of the GBRA provided information and there was discussion regarding their Fiscal Year 2022-2023 budget.

D. DISCUSS ALLOCATIONS TO NON-PROFIT ORGANIZATIONS FOR FISCAL YEAR 2022-2023.

Ms. Larison stated that on June 7th and June 14th, the City Council received requests for funding from non-profit organizations that will provide social services within the city limits of Lockhart for its residents. These funding requests are for the upcoming Fiscal Year of 2022-2023. The requests totaled \$49,732.

There was discussion regarding the allocations.

CONSENSUS: After discussion, the consensus of the Council was to allocate funds to non-profit organizations as follows:

CARTS	\$6,000
Hays-Caldwell Women's Center	\$5,255
Cenikor Foundation	\$2,000
Combined Community Action-Sr. Nutrition	\$8,221
Lockhart Area Senior Citizen Center	\$4,462
CASA of Central Texas	\$4,517
Caldwell County Christian Ministries	\$6,587

E. DISCUSS PROFESSIONAL SERVICE AGREEMENT AND ENGINEERING SCOPE OF WORK PROPOSAL WITH TRC ENGINEERS, INC. FOR THE LOCKHART DOWNTOWN REVITALIZATION PROJECT AND APPOINTING THE CITY MANAGER TO SIGN THE ENGINEER SERVICES AGREEMENT, IF APPROVED.

Mr. Kelley stated that during the May 3, 2022 meeting, Council requested additional information regarding the existing parking configuration downtown and the impact of Option 1B on the parking space count. TRC has prepared exhibits explaining approximate parking space conditions for the project. On May 3, 2022, Council also approved Downtown Revitalization Option 1B as the selected design for the project and directed staff to come back with a contract for the design and scope of work for the project.

The Downtown Improvements Project Engineering Scope of Work Proposal based on Option 1B includes:

- Review field data and survey the nine block project area to establish boundaries and ROW including title research.
- Conduct an extensive drainage study of the project area.
- Work within the Texas Historical Commissions guidelines to protect historical features during the project.
- Ensure Texas Accessibility Standards are met.
- Design water, wastewater and storm drain systems in the project area.
- Design traffic control elements.
- Design the expansion of approximately 3,900 linear feet of sidewalks around the Courthouse and Retail Frontages.
- Design, planting, irrigation, lighting, and electrical plan.
- Provide project deliverable to the city at 30%, 60% and 90% milestones.
- Engage in public outreach for the project.
- Conduct the bidding for the project.
- Assist City staff with inspections on a weekly basis.

William Wachel of TRC Engineers and Bobby Eichholz of Rialto Studio provided information and there was discussion regarding the Downtown Revitalization project.

There was discussion regarding the truck reroute options. City Council will consider the truck reroute ordinance at a future meeting.

F. DISCUSS ORDINANCE 2022-25 AMENDING CHAPTER 20, FIRE PREVENTION AND PROTECTION OF THE CODE OF ORDINANCES OF THE CITY OF LOCKHART, ADOPT THE 2018 INTERNATIONAL FIRE CODE (IFC) WITH AMENDMENTS, AND ADOPT THE 2018 LIFE SAFETY CODE (NFPA 101) WITH AMENDMENTS.

Chief Jenkins expressed condolences to the families of Firefighters Jonathan and Hunter Coco for their loss.

Chief Jenkins stated that the purpose of this agenda item is to update Chapter 20, Fire Prevention and Protection of the Code of Ordinance of the City of Lockhart to include adopting the 2018 International Fire Code (IFC) with local amendments, and the 2018 Life Safety Code (NFPA 101) with local amendments. Several sections of Chapter 20, Fire Prevention and Protection Code of Ordinances were amended based on the review by the Fire Chief to best reflect the current operations of the fire department. He provided information regarding several articles and sections that were amended. The fire codes are being updated in comparison of other Lockhart codes, such as the Building Code.

G. DISCUSS ORDINANCE 2022-26 AMENDING CHAPTER 48 "SOLID WASTE" OF THE CODE OF ORDINANCES BY REVISING ARTICLE II CHAPTER 48-41 "MUNICIPAL COLLECTION".

Mr. Kelley stated that in an effort to improve solid waste services, the City of Lockhart's solid waste collection contractor, Central Texas Refuse (CTR) converted its waste collection schedule for commercial hand collection (commercial 95 gallon carts customers only) from two days per week to once per week starting on June 13, 2022. Commercial customers with dumpster service are not affected by this modification to the schedule. CTR offered an additional cart to existing customers to minimize the impact that this change may have. These changes were made to keep up with Lockhart's growth and to balance collection routes. Approximately 125 commercial customers were affected by this modification. The affected customers were notified of the changes leading up to the week of June 13th. Ordinance 2022-26 reflects the modifications to commercial hand collection customers by reducing the days of collection for these customers from two days a week down to once per week. Mr. Kelley recommended approval.

H. DISCUSS TERMINATION OF UTILITY EASEMENT THAT WAS REPLACED ON MARCH 22, 2022 BY A 20 FOOT WIDE WATER UTILITY EASEMENT AT 1724 NORTH COLORADO STREET.

Mr. Kelley stated that the property owner of 1724 North Colorado Street and their counsel expressed to city staff that they would like to resolve a dated easement that was originally granted to Polonia WSC in 1971. The utility easement that was granted was a 20 foot wide easement and encompassed the water main that was placed on the property. However, the current easement reads "blanket in nature". Terminating the existing easement and reestablishing a new easement with metes and bounds will clear up future confusion of the easement boundaries. In 2000, the City of Lockhart acquired this water service area (CCN-Certificated of Convenience and Necessity), which includes the easement along with the other previously granted easements in the acquired service area. Although the easement of the property could have been modified during the subdivision process upon developing the property, staff has no issues with the termination of the previous easement and the replacement easement as presented. Mr. Kelley recommended approval. There was discussion.

RECESS: Mayor White announced that the Council would recess for a break at 7:48 p.m.

REGULAR MEETING

ITEM 1. CALL TO ORDER.

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

ITEM 2. INVOCATION, PLEDGE OF ALLEGIANCE.

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

ITEM 4-A. HOLD A PUBLIC HEARING ON APPLICATION ZC-22-18 BY JAMES ACUNA ON BEHALF OF LOCKHART ISD, AND DISCUSSION AND/OR ACTION TO CONSIDER ORDINANCE 2022-24 FOR A ZONING CHANGE FROM PI PUBLIC AND INSTITUTIONAL DISTRICT TO RHD RESIDENTIAL HIGH DENSITY DISTRICT ON 2.253 ACRES IN THE BYRD LOCKHART SURVEY, ABSTRACT NO. 17, LOCATED AT 507 PECOS STREET.

Mayor White opened the public hearing at 8:05 p.m.

Mr. Fowler stated that the applicant has stated an intent to build housing for Lockhart Independent School District (LISD) teachers and staff on the site. The site's current PI zoning does not permit housing, so the RHD district is being sought to allow the proposed development. The current concept is 8-16 houses, which would be located on a single lot. The proposed zoning is not consistent with the site's Future Land Use Plan map's Public and Institutional designation, but the aim of providing staff housing serves the institutional mission of Lockhart ISD. Three nearby residents spoke in opposition to the proposed zoning change during the public hearing. Mr. Fowler stated that the Planning and Zoning Commission and staff recommend approval. There was discussion.

Mayor White requested the applicant to address the Council.

Mark Estrada, LISD Superintendent, stated that the LISD will maintain the properties, such as mowing home maintenance, etc. The occupants of the homes will be solely for teachers and staff. The LISD's goal is to recruit and maintain quality personnel which has been a challenge due to the lack of affordable housing. Creating affordable rental housing assists with teacher recruitment. It is a pilot project that will begin with eight units to allow the school district to see how the pilot project/affordable housing works. There was discussion.

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 8:17 p.m.

Councilmember Michelson made a motion to approve Ordinance 2022-24, as presented. Mayor Pro-Tem Sanchez seconded. The motion passed by a vote of 7-0.

ITEM 5-D. DISCUSSION AND/OR ACTION REGARDING PROFESSIONAL SERVICE AGREEMENT AND ENGINEERING SCOPE OF WORK PROPOSAL WITH TRC ENGINEERS, INC. FOR THE LOCKHART DOWNTOWN REVITALIZATION PROJECT AND APPOINTING THE CITY MANAGER TO SIGN THE ENGINEER SERVICES AGREEMENT, IF APPROVED.

Councilmember McGregor made a motion to approve the Professional Service Agreement and Engineering Scope of Work Proposal with TRC Engineers, Inc. for the Lockhart Downtown Revitalization Project and appointing the City Manager to sign the Engineer Services Agreement. Councilmember Westmoreland seconded. The motion passed by a vote of 7-0.

ITEM 3. PUBLIC COMMENT.

Mayor White requested the following to address the Council:

Gary Clements, Pastor of Martindale Baptist Church, spoke against the city presenting the proclamation because the city did not sponsor a PRIDE week event.

Jeff Utzinger of Lockhart spoke in favor of the proclamation celebrating PRIDE Week. He stated that the LBGTQ community is not new to Lockhart. It has been a part of Lockhart for many years and citizens should continue to support each other.

Jessica Rutland of Lockhart thanked Mayor White for the proclamation celebrating Pride Week. She stated that she will continue to be supportive of the LBGTQ community.

Wayne Walther of Lockhart spoke in favor of the proclamation. He stated that the community should continue to be supportive of each other.

Robert Steinbomer of Lockhart stated that his family chose to move from Austin to Lockhart because of the citizens of the community being so welcoming. He encouraged everyone to be supportive and accepting of each other.

Jaston Williams of Lockhart stated that a gay person does not need a proclamation to be proud. He stated that gay individuals are the same as other individuals. He explained the challenging experience that he and his husband went through when adopting their child from China many years ago.

Michael Laird of Lockhart supported the PRIDE week proclamation. He encouraged everyone to continue to be supportive of each other. He congratulated the LISD for generating affordable housing for teachers.

Robin Katz Gonzales of Buda spoke about several areas of concern at the Lockhart Animal Shelter that she hoped would be rectified.

Donna Daniels of Lockhart stated that her family attended several PRIDE week events. She and her husband were proud to show their daughter the diversity of individuals in the community.

Len Gabbay of Lockhart stated that his family enjoyed PRIDE week events. He spoke about the tragic accident where two firefighters lost their lives. He encouraged everyone to be safe on the roads. He requested a moment of silence in honor of the loss of the Coco brothers.

Arysta Soler of Lockhart stated that she is a board member of the local PRIDE LGBTQ organization. She spoke in support of the proclamation. She stated that several teens attended PRIDE week events in Lockhart that were just now showing comfort of expressing who they are and of becoming a part of the LGBTQ community.

Mayor White requested a motion regarding agenda items 5A, 5B, 5C, 5E, 5F, and 5G simultaneously since they were discussed during the work session.

Councilmember McGregor made a motion to approve agenda items 5A, 5B, 5C, 5E, 5F, and 5G as listed below. Councilmember Westmoreland seconded. The motion passed by a vote of 7-0.

- **ITEM 5-A. PRESENTATION OF THE CALDWELL COUNTY APPRAISAL DISTRICT'S APPRAISAL AND COLLECTION BUDGET FOR FISCAL YEAR 2022-2023.**
- **ITEM 5-B. PRESENTATION AND CONSIDER THE GUADALUPE-BLANCO RIVER AUTHORITY'S ANNUAL BUDGET FOR SERVICES IN FISCAL YEAR 2022-2023.**
- **ITEM 5-C. CONSIDER ALLOCATIONS TO NON-PROFIT ORGANIZATIONS FOR FISCAL YEAR 2022-2023.**

CARTS	\$6,000
Hays-Caldwell Women's Center	\$5,255
Cenikor Foundation	\$2,000
Combined Community Action-Sr. Nutrition	\$8,221
Lockhart Area Senior Citizen Center	\$4,462
CASA of Central Texas	\$4,517
Caldwell County Christian Ministries	\$6,587

- **ITEM 5-E. DISCUSSION AND/OR ACTION TO CONSIDER ORDINANCE 2022-25 AMENDING CHAPTER 20, FIRE PREVENTION AND PROTECTION OF THE CODE OF ORDINANCES OF THE CITY OF LOCKHART, ADOPT THE 2018 INTERNATIONAL FIRE CODE (IFC) WITH AMENDMENTS, AND ADOPT THE 2018 LIFE SAFETY CODE (NFPA 101) WITH AMENDMENTS.**
- **ITEM 5-F. DISCUSSION AND/OR ACTION TO CONSIDER ORDINANCE 2022-26 AMENDING CHAPTER 48 "SOLID WASTE" OF THE CODE OF ORDINANCES BY REVISING ARTICLE II CHAPTER 48-41 "MUNICIPAL COLLECTION".**
- **ITEM 5-G. DISCUSSION AND/OR ACTION REGARDING TERMINATION OF UTILITY EASEMENT THAT WAS REPLACED ON MARCH 22, 2022 BY A 20 FOOT WIDE WATER UTILITY EASEMENT AT 1724 NORTH COLORADO STREET.**

ITEM 5-H. DISCUSSION AND/OR ACTION TO CONSIDER RESOLUTION 2022-27 ADOPTING THE CITY OF LOCKHART'S STRATEGIC PRIORITIES FOR 2022-2023.

Mr. Lewis stated that the City Manager, City Department Heads, and City Council participated in a two-day strategic planning session facilitated by a professional consultant with Opportunity Strategies, LLC. It produced a series of goals and objectives for the City of Lockhart to focus on the upcoming fiscal year.

Councilmember Michelson made a motion to approve Resolution 2022-27, as presented. Councilmember McGregor seconded. The motion passed by a vote of 7-0.

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

There was no discussion.

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

- Fireworks Extravaganza at City Park on July 3.
- Update regarding water conservation.
- City Park updates.
- Library updates

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

Councilmember Westmoreland thanked the community for making it a great place to live. He thanked organizations and citizens for community efforts and for accepting that everyone is their own individual.

Councilmember Mendoza expressed condolences to the Coco family for their loss.

Mayor Pro-Tem Sanchez thanked organizations that hosted the Juneteenth and PRIDE events. She expressed condolences to the families of Hunter and Jonathon Coco, Julio Jimenez, and Dave Studer for their loss. She stated that Lockhart is a very diverse community and appreciated how the citizens are respectful to one another.

Councilmember McGregor thanked all for participating in successful community events and for remaining a community that expresses respect to one another. She thanked citizens that attended and expressed their comments at tonight's meeting.

Councilmember Bryant expressed condolences to the Coco family for their loss. He thanked citizens that addressed the Council tonight. He spoke against the City Council acknowledging PRIDE-LGBTQ week.

Councilmember Michelson thanked everyone that attended the meeting and expressed their comments. He thanked St. John's Colony for hosting a successful Juneteenth event on Saturday.

Mayor White expressed condolences on behalf of the City of Lockhart to all involved in the tragic loss this week. He thanked all involved in hosting Juneteenth events. He requested that the City Attorney and City Manager report about a possible local ordinance notifying citizens about sex offenders' residency status. He encouraged the citizens to continue to accept each other regardless of their sexual orientation.

ITEM 8. ADJOURNMENT.

Mayor Pro-Tem Sanchez made a motion to adjourn the meeting. Councilmember Mendoza seconded. The motion passed by a vote of 7-0. The meeting was adjourned at 9:18 p.m.

PASSED and APPROVED this the 2nd day of August 2022.

CITY OF LOCKHART

Lew White, Mayor

ATTEST:

Connie Constancio, TRMC
City Secretary

**REGULAR MEETING
LOCKHART CITY COUNCIL**

JULY 19, 2022

6:30 P.M.

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

Council present:

Councilmember Juan Mendoza
Councilmember Jeffry Michelson

Mayor Lew White
Councilmember Kara McGregor
Councilmember Brad Westmoreland

Council absent:

Councilmember Derrick David Bryant
Mayor Pro-Tem Angie Gonzales-Sanchez

Staff present:

Steven Lewis, City Manager
Monte Akers, City Attorney
Randy Jenkins, Fire Chief
Pam Larison, Finance Director
David Fowler, Senior Planner

Connie Constancio, City Secretary
Victoria Maranan, Public Information Officer
Sean Kelley, Public Works Director
Dan Gibson, City Planner

Citizens/Visitors Addressing the Council: James Green of PHI Air Medical; Citizens: Christine Ohlendorf, Ronda Reagan, Sally Daniel; Garrison Welch; Chris Bancroft; and Amy Anton.

Work Session 6:30 p.m.

Mayor White announced that Councilmember Bryant will not be able to attend tonight's meeting and that Mayor Pro-Tem Sanchez will be arriving late. 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. PRESENTATION BY PHI AIR MEDICAL REGARDING COUNTY-WIDE PARTICIPATION IN THE PHI CARES MEMBERSHIP PROGRAM TO PROVIDE MEDICALLY NECESSARY EMERGENCY AIR MEDICAL TRANSPORTATION TO THE CITIZENS OF CALDWELL COUNTY.

Chief Jenkins introduced James Green of PHI Air Medical who will make the presentation about their services.

James Green, Flight Paramedic of PHI Air Medical stated that he also presented this information to Caldwell County and the City of Luling. PHI Air Medical is staffed 365/24/7 by highly trained and experienced medical and aviation professionals. Their aircraft and crews provide life-saving emergency medical transport services. He stated that they offer a PHI Cares membership program to individuals, groups and communities which is a benefits program that shields them from any financial burdens, including co-pays, deductibles and any out-of-pocket expenses. PHI Air Medical is proposing a County-wide program that would cost residents \$6.00 per household. PHI will contract with Caldwell County and local governing entities would thereafter enter a county-wide interlocal agreement for participation in the PHI Cares Program.

The County-wide Program consists of the following:

- Provides membership benefits for all residents of Caldwell County for flights originating from Caldwell County and any adjacent county (not National Coverage).
 - Caldwell, Gonzales, Guadalupe, Hays, Travis, Bastrop, Fayette
- Residents can “upgrade” their county coverage to national benefit coverage for an additional \$45.00 per year by contacting the PHI Cares membership office.
- Based on US Census Data, there are 13,744 households in Caldwell County.
- The cost for limited benefit coverage would be \$6.00 per household or \$82,464 per year.
- The City of Lockhart would be responsible for \$27,018 per year which provides coverage to their 4,503 households.
- The program does not provide benefits for non-residents of Caldwell County.
- County residents who are transported by PHI would be required to contact PHI if they or a qualified household dependent are transported by PHI Air Medical.

There was discussion regarding costs, the billing process, and the availability of the Air Medical transport. If approved, the contract with Caldwell County would be renewed annually.

Mr. Lewis stated that the Commissioners Court and the City of Luling are in favor of proceeding with the program contingent upon all entities agreeing to participate.

B. DISCUSS MINUTES OF THE JULY 5, 2022 CITY COUNCIL MEETING.

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

C. DISCUSS OFFICE LEASE FOR CITY ADMINISTRATIVE OFFICES AND AUTHORIZE THE CITY MANAGER TO EXECUTE THE LEASE AGREEMENT.

Ms. Larison stated that on April 9, 2022, the City Council held a Strategic Goals Retreat to discuss their vision for the upcoming fiscal year. One major concern was the lack of office space due to the continued growth of the city. The number one goal was about city facilities which was to: 1) begin plans to replace/update City Hall, Police/Fire/Training facilities, Maintenance/City barn, and Utilities; 2) lease additional space where the Lockhart Economic Development Corporation (LEDC) currently offices; and 3) conduct a facilities space study. After the retreat, staff contacted the leasing agent for the LEDC building and discussed additional office space. This option allows for renovations to be performed to City Hall, (built circa 1963) Utility Customer/Billing Services and provide easier access to the Community Planning and Development and the Building Inspection Department. The office space located at 105 S. Colorado Street contains 4,906 square feet. The term would be for 60 months, beginning August 1, 2022. Annual base rent would begin at \$13/sq ft and increase by 4% annually. The City would be responsible for all utilities and the Landlord will be obligated to provide HVAC services. The City will maintain a public liability insurance policy in a minimum amount of \$2,000,000. Repair and maintenance responsibilities are listed individually in the lease agreement. The Landlord has agreed to improvements not to exceed \$5,000. Off-street parking located on the northside of the building is dedicated to city uses.

There was discussion.

D. DISCUSSION REGARDING THE REGULATION OF MURALS IN THE CITY.

Mr. Akers stated that on July 6, 2022, the Lockhart Historical Preservation Commission (LHPC) considered an application (from Allison Geneser and Erika Kottwitz) for a mural to be painted on the south wall of the Stampworthy Goods business facing an alley. Measuring 10 feet wide by 16 feet tall, or 160 square feet, the mural would read “Welcome to Lockhart” in stylized lettering and featuring a cowgirl on a rearing horse. According to the applicants, the mural “...will provide a fun and safe photo op for visitors and locals alike, and (will) pave the way for more art around town.” After consideration,

the LHPC voted to table the proposal until mural guidelines are set in place. The Commission's ordinance (28-3)(e)(16), provides that the Commission shall "Formulate detailed design review guidelines and procedures addressing alterations of designated properties which shall be reviewed and ratified by the city council forthwith." Municipal regulation of murals is a complicated area of the law involving first amendment and other issues for which there is limited precedent to follow. It is requested that the Council provide staff with guidance on how such guidelines should be established and what they should contain. Currently neither Lockhart nor many cities in Texas have regulations regarding murals. He stated that staff is seeking direction from the Council about how to proceed with creating regulations of murals.

There was discussion regarding definitions of different types of murals, the complexity of creating guidelines of murals, and if guidelines were to be developed, would they apply citywide or only within the downtown historic district.

CONSENSUS: After discussion, the consensus of the Council was to direct staff and the LHPC to develop guidelines for murals in the historic district.

E. DISCUSS ORDINANCE NO. 2022-34 ADOPTING A CODE OF ETHICS AND ANTI-DISCRIMINATION POLICY.

Mr. Akers stated that the Council has previously considered the Ethics ordinance at two separate meetings. A draft ordinance has been provided to the Council which provides details that the Council previously requested to be included. There was discussion.

CONSENSUS: After discussion, the consensus of the Council was to further discuss the ethics ordinance when there is full attendance, possibly during the next meeting.

Mr. Akers requested that Mayor/Councilmembers email him with any suggested revisions to the ordinance.

F. DISCUSSION REGARDING MATTERS RELATED TO COVID-19.

Mr. Lewis stated that the COVID cases have increased which has raised Caldwell County to the high level.

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 7:40 p.m.

ITEM 2. INVOCATION, PLEDGE OF ALLEGIANCE.

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

ITEM 3. PUBLIC COMMENT.

Mayor White requested the following citizens to address the Council:

Christine Ohlendorf, 815 W. San Antonio St., member of the Lockhart Historical Preservation Commission (LHPC) stated that the application for murals did not have enough information to allow the LHPC to make a determination about the request. She has researched other cities' mural regulations and believes there is guidance to model ordinances about mural regulations. She encouraged mural regulations

to be established to allow the LHPC to have guidelines to follow when receiving applications for murals in the downtown historic district.

Ronda Reagan, 412 W. San Antonio Street, member of the LHPC stated that they do not have guidelines or criteria to consider a mural on a historic building. She also expressed concern about who would maintain the mural after it has faded. She stated that she believes that the historic properties should not be covered with murals and that the original historic aesthetic of the brick should remain unpainted. She stated that she believes that movies are filmed in Lockhart because of the original historic integrity of the buildings and that adding murals on the original brick might deter future filming. She does not believe that the LHPC's duties as outlined in the city's ordinance includes consideration of murals because it is not a construction project. She suggested that the Council review the City of Richmond's guidelines about murals.

Sally Daniel, 113 E. San Antonio Street, Chair of Keep Lockhart Beautiful, suggested that murals be allowed in other areas of the city except the downtown historic district and that the Council establish a committee to assist with establishing the guidelines for murals.

ITEM 4-A. CONTINUE A PUBLIC HEARING ON APPLICATION ZC-22-06 BY CURTIS THIGPEN OF PARAVEL CAPITAL, AND DISCUSSION AND/OR ACTION TO CONSIDER ORDINANCE 2022-30, FOR A ZONING CHANGE FROM RMD RESIDENTIAL MEDIUM DENSITY DISTRICT TO RHD RESIDENTIAL HIGH DENSITY DISTRICT ON 19.906 ACRES IN THE CORNELIUS CRENSHAW SURVEY, ABSTRACT NO. 68, LOCATED AT 1900 NORTH CESAR CHAVEZ PARKWAY NORTHBOUND (SH 130). TABLED 6-7-22

Mayor White opened the public hearing at 7:53 p.m.

Mr. Gibson stated that the subject property is part of a 50.77 acre tract that was rezoned from AO to RMD in October 2021 for the stated purpose of developing a duplex subdivision. However, the applicant for this zoning change proposes a multifamily development, which is allowed only in the RHD district. The proposed development is the upper portion of the attached concept plan labeled "*Medium Density Residential Development*", which also includes a proposed duplex subdivision in the lower portion. The proposed RHD zoning classification is *not* consistent with the *Medium Density Residential* future land use designation shown on the land use plan map. As explained in the staff report, there is currently a total lack of sanitary sewer service in the Silent Valley Road area, while the city continues to receive applications for zoning changes and specific use permits that will potentially increase residential densities in that area above those anticipated by the comprehensive plan. The land use plan map was the basis for the sizing of proposed wastewater lines included in the wastewater impact fee capital improvement plan (CIP). It became apparent that the 12-inch line proposed to serve the Silent Valley Road area (northwest quadrant) may not be large enough for the increased densities being requested, and an increase to a larger size would require not only an extension from Tank Street, but also replacement and upgrading of existing lines. This item was last tabled at the Council's June 7th meeting to allow completion of wastewater capacity studies for both the Northwest Quadrant of the city and the North Colorado Street Corridor. The city engineer has now submitted a report that does recommend increasing the sizes of planned wastewater line extensions, as well as upsizing the existing trunk main all the way to the treatment plant. The total estimated cost of the project is \$7,668,000. However, after subtracting the City's available funds from an Economic Development Administration (EDA) grant and the wastewater impact fee account, \$4,687,000 remains that will need to be provided by developers to get a wastewater line of suitable size to the north side of Silent Valley Road at Stueve Lane to serve that area. He referred to a map showing the various segments of the proposed wastewater projects in the north part of the city. So far, there has been no public opposition to this zoning change. Mr. Gibson stated that the Planning and Zoning Commission and staff recommend approval.

Mayor White requested the applicant to address the Council.

Garrison Welch, Austin, Texas, stated that they are aware of the costs associated to get wastewater to their site. He has met with consultants to prepare all aspects of the project. He spoke in favor of a multi-family development in the neighborhood.

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 8:10 p.m.

Councilmember McGregor made a motion to approve Ordinance 2022-30, as presented. Councilmember Mendoza seconded. The motion passed by a vote of 5-0.

ITEM 4-B. CONTINUE A PUBLIC HEARING ON APPLICATION ZC-22-09 BY CHRIS BANCROFT ON BEHALF OF ALMA EWALD, AND DISCUSSION AND/OR ACTION TO CONSIDER ORDINANCE 2022-31, FOR A ZONING CHANGE FROM AO AGRICULTURAL--OPEN SPACE DISTRICT TO 18.535 ACRES RHD RESIDENTIAL HIGH DENSITY DISTRICT AND 4.529 ACRES CMB COMMERCIAL MEDIUM BUSINESS DISTRICT ON 23.064 ACRES IN THE BYRD LOCKHART LEAGUE, ABSTRACT NO. 17, LOCATED AT 1650 NORTH COLORADO STREET (US 183). TABLED 6-7-22

Mayor White opened the public hearing at 8:12 p.m.

Mr. Gibson stated that the purpose of the zoning change is to allow future development of 4.529 acres of general commercial land uses along the Colorado Street frontage, and 18.535 acres of multifamily housing behind the commercial area. Although the tract extends eastward to Plum Creek, the zoning change is only for the portion of the tract that is in the city limits, which is roughly 27 percent of the original tract. The Plum Creek floodplain encroaches slightly into the rear of the area proposed to be zoned RHD. This item was tabled multiple times by the Planning and Zoning Commission and City Council due to concerns about the lack of wastewater service in the North Colorado Street corridor, and to allow time for the city engineer to conduct a study for determining the size and cost of necessary wastewater line extensions. The proposed RHD and CMB zoning classifications are *not* consistent with the Low Density Residential future land use designation shown on the land use plan map. Applications for zoning changes such as this increase potential land use intensities in the area above those anticipated by the comprehensive plan. The current wastewater impact fee CIP does include wastewater infrastructure that would serve this area, but the sizes of the lines were based on the land use assumptions that were used to develop the CIP. It was determined in the recently completed wastewater capacity study done by the city engineer that increasing the size of the planned wastewater line extension and lift station, as well as upsizing the existing trunk main all the way to the treatment plant, will be required. The total estimated cost of the project is \$8,909,000. However, after subtracting City contributions of EDA grant and wastewater impact fee funds, the amount remaining that will need to be provided by developers to serve all of the proposed developments is \$4,914,000. He referred to a map showing the various segments of the proposed wastewater projects in the north part of the city. Mr. Gibson stated that the Planning and Zoning Commission and staff recommend approval.

Mayor White requested the applicant to address the Council.

Chris Bancroft, Austin, spoke in favor of the zoning change. He provided details about the multifamily housing development project and stated that their first priority is to install the infrastructure for the development, if the zoning change is approved.

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 8:28 p.m.

Councilmember McGregor made a motion to approve Ordinance 2022-31, as presented. Councilmember Westmoreland seconded. The motion passed by a vote of 5-0.

ITEM 4-C. CONTINUE A PUBLIC HEARING ON APPLICATION ZC-22-10 BY CHRIS BANCROFT ON BEHALF OF ERNEST EWALD, JR., AND DISCUSSION AND/OR ACTION TO CONSIDER ORDINANCE 2022-32, FOR A ZONING CHANGE FROM AO AGRICULTURAL--OPEN SPACE DISTRICT TO 12.262 ACRES RHD RESIDENTIAL HIGH DENSITY DISTRICT AND 3.644 ACRES CMB COMMERCIAL MEDIUM BUSINESS DISTRICT ON 15.906 ACRES IN THE BYRD LOCKHART LEAGUE, ABSTRACT NO. 17, LOCATED AT 1724 NORTH COLORADO STREET (US 183). TABLED 6-7-22

Mayor White opened the public hearing at 8:30 p.m.

Mr. Gibson stated that the information is the same as what was presented with the previous zoning change (ZC-22-09).

Mayor White requested the applicant to address the Council.

Chris Bancroft stated that the property is the second parcel of same multifamily development and that the same comments apply.

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 8:30 p.m.

Councilmember Westmoreland made a motion to approve Ordinance 2022-32, as presented. Councilmember Michelson seconded. The motion passed by a vote of 5-0.

ITEM 4-D. CONTINUE A PUBLIC HEARING ON APPLICATION ZC-22-12 BY JIM MEREDITH ON BEHALF OF ROBERT A. SCHMIDT, AND DISCUSSION AND/OR ACTION TO CONSIDER ORDINANCE 2022-33 FOR A ZONING CHANGE FROM CHB COMMERCIAL HEAVY BUSINESS DISTRICT TO RHD RESIDENTIAL HIGH DENSITY DISTRICT ON 14.57 ACRES IN THE BYRD LOCKHART SURVEY, ABSTRACT NO. 17, LOCATED AT 101 EAST CHINA STREET. TABLED 6-7-22

Mayor White opened the public hearing at 8:30 p.m.

Mr. Fowler stated that the applicant wishes to construct a single-family detached residential project on a common lot at the subject location. As this is a residential development type, it would not be permitted in the site's current Commercial Heavy Business (CHB) zoning. The proposed zoning change is not fully consistent with the Mixed Retail, Office, and Residential designation of the future land use map. However, residential on this site, combined with existing and proposed retail nearby, would contribute to an overall mixed-use environment along North Colorado Street. The site is adequately served by water, but the wastewater service is insufficient for a development of this size and intensity. The applicant would have to contribute to the construction of a lift station and force main serving this and other proposed projects along the North Colorado Street corridor, as well as constructing a line to access the lift station from the subject property. The project would require subdivision platting and the construction of the necessary wastewater improvements before building permits could be issued. The total estimated cost of all the sewer projects required to extend wastewater along North Colorado Street is \$8,909,000. However, after subtracting City contributions and Economic Development Administration

(EDA) grant and wastewater impact fee funds, the amount remaining that will need to be provided by developers to serve all the proposed developments is \$4,914,000. The exact amount that would be required from each developer for their share of the projects has not yet been determined. He referred to a map showing the various segments of the proposed wastewater projects in the north part of the city. Mr. Fowler stated that the Planning and Zoning Commission and staff recommend approval.

Mayor White requested the applicant to address the Council.

Amy Anton, Lockhart, realtor representing Jim Meredith, stated that, if approved, they will meet with city staff this week to discuss details about how to proceed with the development.

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 8:38 p.m.

Councilmember Michelson made a motion to approve Ordinance 2022-33, as presented. Councilmember McGregor seconded. The motion passed by a vote of 5-0.

ITEM 4-E. HOLD A PUBLIC HEARING AND DISCUSSION AND/OR ACTION TO CONSIDER ORDINANCE 2022-29 FOR A ZONING TEXT AMENDMENT REVISING CHAPTER 64 "ZONING" OF THE LOCKHART CODE OF ORDINANCES, ARTICLE VII "ZONING DISTRICTS AND STANDARDS", SECTION 64-197 "REGULATIONS COMMON TO ALL OR SEVERAL DISTRICTS", SUBSECTION (G)(2) "ADDITIONAL PARKING REQUIREMENTS WITHIN RESIDENTIAL DISTRICTS", TO MODIFY THE COVERED-PARKING REQUIREMENTS FOR DETACHED SINGLE-FAMILY DWELLINGS; EXTEND COVERED-PARKING STANDARDS TO INCLUDE DUPLEXES, TWO-UNIT CONDOMINIUMS, AND TWO-UNIT TOWNHOUSES; AND ADD AN EXEMPTION FOR DWELLINGS CONSTRUCTED ON NONCONFORMING LOTS LESS THAN 50 FEET WIDE THAT WERE PLATTED PRIOR TO APRIL 15, 1990. TABLED 7-5-22

Mayor White opened the public hearing at 8:40 p.m.

Mr. Gibson stated that this past February the City Council adopted a zoning text amendment requiring covered-parking for detached single-family dwellings (SF-1 and SF-2 development types). At the May 3rd City Council meeting, at the request of Council-member Kara McGregor, the City Council discussed exempting homes on nonconforming (grandfathered) platted lots from the covered parking requirement because there are old subdivisions, primarily on the east side of the city, where the lots are less than the current minimum width of 50 feet. The result was that the Council passed a motion to direct staff to prepare an amendment to make the covered parking standards more reasonable for houses constructed on such lots. The Council also requested that we determine how many platted nonconforming residential lots, including both vacant and developed lots, there are in the city. He referred to a map that shows that there are a total of 317 nonconforming platted lots based on the development type (SF-1 or SF-2) allowed by the zoning of the lot. This does not include unplatted residential parcels. SF-1 has a minimum lot width of 65 feet and minimum lot area of 8,500 square feet, and under the current ordinance requires at least a two-car garage or carport. SF-2 has a minimum lot width of 50 feet and minimum lot area of 5,500 square feet, and requires at least a one-car garage or carport. Although the main concern of the City Council was to provide an exemption from the ordinance for nonconforming platted lots less than 50-feet wide, staff and the Planning and Zoning Commission are proposing additional substantive amendments. At their June 22nd meeting, the Planning and Zoning Commission recommended the proposed amendments. On July 5th, the City Council postponed this item to the July 19th meeting.

Councilmember McGregor stated that she suggested the zoning text amendment because there are a few small lots of which she believed the amendment would apply.

Mayor White stated that he did not agree with the zoning text amendment. The zoning text amendment would apply to approximately 300 nonconforming lots that he believes should follow the same guidelines as larger lot sizes.

There was discussion.

Mayor White requested citizens in favor of or against the zoning text amendments to address the Council. There were none. He closed the public hearing at 9:00 p.m.

Councilmember McGregor made a motion to approve Ordinance 2022-29, as presented. Councilmember Mendoza seconded. The motion passed by a vote of 4-1, with Mayor White opposing.

ITEM 5-A. DISCUSSION AND/OR ACTION TO CONSIDER MINUTES OF THE JULY 5, 2022 CITY COUNCIL MEETING.

Councilmember Michelson made a motion to approve the minutes. Councilmember Westmoreland seconded. The motion passed by a vote of 4-0-1, with Councilmember McGregor abstaining.

ITEM 5-B. DISCUSSION AND/OR ACTION TO CONSIDER AN OFFICE LEASE FOR CITY ADMINISTRATIVE OFFICES AND AUTHORIZE THE CITY MANAGER TO EXECUTE THE LEASE AGREEMENT.

Councilmember Michelson made a motion to approve the office lease, as presented. Councilmember McGregor seconded. The motion passed by a vote of 5-0.

ITEM 5-C. DISCUSSION AND POSSIBLE ACTION REGARDING THE REGULATION OF MURALS IN THE CITY.

Mr. Lewis clarified that the Council will not appoint a separate committee to recommend regulations of murals and that the direction is that the Lockhart Historical Preservation Commission work with staff on developing recommended regulations for murals. Mayor White confirmed that was correct.

ITEM 5-D. DISCUSSION AND POSSIBLE ACTION REGARDING ORDINANCE NO. 2022-34 ADOPTING A CODE OF ETHICS AND ANTI-DISCRIMINATION POLICY.

Mayor White stated that the ordinance would be workshopped at a future council meeting. He requested that Councilmembers email Mr. Akers with proposed revisions to the ordinance.

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

There was no discussion.

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

- City of Lockhart Third Quarter Fiscal Year 2022 Financial report.
- 3rd Movies in the Park on August 6 - *Jungle Cruise*.
- Candidate filing period for the November 8, 2022 City of Lockhart General Election is July 23 - August 22.
- Library updates.
- Creation of Assistant City Manager position.
- PHI Air Medical: Council clarified that City Staff is authorized to work with the Caldwell County Judge and other cities to consider membership.

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

Councilmember Mendoza thanked all involved with the mural that was painted on the brick of the building at Lions Park. He thanked staff for working on the zoning text amendments.

Councilmember McGregor encouraged everyone to stay safe and to keep careful in the heat.

Mayor White informed the Council about several topics that will be considered at future Council meetings. He reminded Council about completing cybersecurity training by August 1, 2022.

ITEM 8. EXECUTIVE SESSION IN ACCORDANCE WITH THE PROVISIONS OF THE GOVERNMENT CODE, TITLE 5, SUBCHAPTER D, SECTION 551.071, PRIVATE CONSULTATION WITH ITS ATTORNEY TO SEEK ADVICE ABOUT PENDING OR CONTEMPLATED LITIGATION; SETTLEMENT OFFER; OR LEGAL MATTERS SUBJECT TO ATTORNEY/CLIENT PRIVILEGE.

- A. Consultation with City Attorney regarding Code of Ethics.
- B. Consultation with City Attorney regarding the regulation of murals.

No Executive Session was held.

ITEM 9. ADJOURNMENT.

Councilmember Mendoza made a motion to adjourn the meeting. Councilmember Westmoreland seconded. The motion passed by a vote of 5-0. The meeting was adjourned at 9:20 p.m.

PASSED and APPROVED this the 2nd day of August 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: August 2, 2022

AGENDA ITEM CAPTION: Receive 3rd Quarter Fiscal Year 2022 Investment Report.

ORIGINATING DEPARTMENT AND CONTACT: Finance - Pam Larison

ACTION REQUESTED: Other

BACKGROUND/SUMMARY/DISCUSSION: The Texas Public Funds Investment Act requires local governments to review and accept the quarterly investment reports for each quarterly reporting period of the fiscal year. The 3rd Quarter Investment Report of Fiscal Year 2022, ending June 30, 2022 is presented for your review and acceptance.

PROJECT SCHEDULE (if applicable):

AMOUNT & SOURCE OF FUNDING:

Funds Required:

Account Number:

Funds Available:

Account Name:

FISCAL NOTE (if applicable):

PREVIOUS COUNCIL ACTION:

COMMITTEE/BOARD/COMMISSION ACTION:

STAFF RECOMMENDATION/REQUESTED MOTION: Staff respectfully request a motion to accept the 3rd Quarter Investment Report for Fiscal Year 2022.

LIST OF SUPPORTING DOCUMENTS: Quarterly Investment Report for Quarter ending June 30, 2022

CITY OF LOCKHART

Quarterly Investment Report
For the Quarter Ended June 30, 2022

August 2, 2022

CITY of LOCKHART
Quarterly Investment Report
For the Quarter Ended June 30, 2022

This report is presented in accordance with the Texas Government Code, Title 10, Chapter 2256, Public Funds Investment; Section 2256.023 known as the "Public Funds Investment Act". Attached is a detailed City of Lockhart investment report for the period April 1, 2022 through June 30, 2022. The Investment Portfolio Summary reports the beginning and ending book values and market values for the quarterly reporting period as follows:

April 1, 2022

Cash
Marketable Securities
Investment Pools
Certificates of Deposits
Total:

Investment Portfolio	
Book Value	Market Value
2,993,029	2,993,029
0	0
30,863,260	30,859,946
0	0
33,856,288	33,852,975

Cash	1,635,536	1,635,536
Marketable Securities	0	0
Investment Pools	35,047,940	35,036,499
Certificates of Deposits	0	0
Total:	36,683,476	36,672,035

June 30, 2022

Cash
Marketable Securities
Investment Pools
Certificates of Deposits
Total:

April 1, 2022

Unrestricted Funds
Restricted Funds
Total Funds

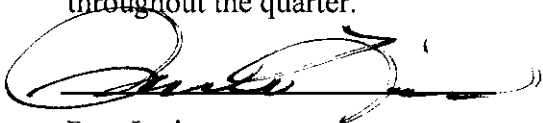
Fund Availability	
12,031,873	12,031,873
21,824,415	21,821,102
33,856,288	33,852,975

Unrestricted Funds	10,386,629	10,386,629
Restricted Funds	26,296,847	26,285,407
Total Funds	36,683,476	36,672,035

June 30, 2022

Unrestricted Funds
Restricted Funds
Total Funds

The investment portfolio, at all times during the quarter, complied with the Public Funds Investment Act and the City of Lockhart Investment Policy. TexPool, Texas CLASS and TexSTAR were also in compliance with the Public Funds Investment Act and the City of Lockhart Investment Policy throughout the quarter.



Pam Larison
Finance Director

7-15-22

Date

CITY of LOCKHART
Investment Portfolio Summary
For the Quarter Ended June 30, 2022

	Investment Portfolio			
	Book Value	% of Total	Market Value	% of Total
<u>April 1, 2022</u>				
Cash	2,993,029	8.8%	2,993,029	8.8%
Marketable Securities	0	0.0%	0	0.0%
Investment Pools	30,863,260	91.2%	30,859,946	91.2%
Certificates of Deposits	0	0.0%	0	0.0%
Portfolio Total	33,856,288	100.0%	33,852,975	100.0%
<u>June 30, 2022</u>				
Cash	1,635,536	4.5%	1,635,536	4.5%
Marketable Securities	0	0.0%	0	0.0%
Investment Pools	35,047,940	95.5%	35,036,499	95.5%
Certificates of Deposits	0	0.0%	0	0.0%
Portfolio Total	36,683,476	100.0%	36,672,035	100.0%
<u>Change in Value</u>				
Cash	(1,357,493)		(1,357,493)	
Marketable Securities	0		0	
Investment Pools	4,184,681		4,176,553	
Certificates of Deposits	0		0	
Portfolio Total	2,827,188		2,819,060	
	0			
<u>Maturity Data</u>	Book Value @ 6/30/2022	Weighted Average Maturity	Yield to Maturity	
Cash	1,635,536	0 Days	1.00%	
Marketable Securities	0	0 Days	0.00%	
Investment Pools - Texas CLASS	11,454,348	38 Days *	1.16%	
Investment Pools - TexPool	15,140,457	23 Days *	1.00%	
Investment Pools - TexSTAR	8,453,135	35 Days *	0.99%	
Certificates of Deposits	0	0 Days	0.00%	
	36,683,476	29 Days	1.05%	

Benchmark - 4 Week Treasury Bills - Secondary Market @ June 30, 2022

1.28%

* Weighted Average Maturity of Pool Investments - City funds are available from pools upon request.

<u>Total Return On Investment</u>	<u>Interest Earned</u>
Cash	5,821
Marketable Securities	0
Investment Pools - Texas CLASS	23,227
Investment Pools - TexPool	17,254
Investment Pools - TexSTAR	13,706
Certificates of Deposits	0
Total Return on Investment	60,008

CITY OF LOCKHART
Cash Accounts (as reconciled to FLNB)
For the Quarter Ended June 30, 2022

General Operating Account - FLNB		
		<u>Value</u>
April 1, 2022	\$	2,993,029
Deposits		9,753,590
Withdrawals		(11,116,903)
Interest Earned		5,821
June 30, 2022	\$	1,635,536

Total Cash Accounts		
		<u>Value</u>
April 1, 2022	\$	2,993,029
Deposits		9,753,590
Withdrawals		(11,116,903)
Interest Earned		5,821
June 30, 2022	\$	1,635,536

CITY of LOCKHART
Marketable Securities Transaction Summary
For the Quarter Ended June 30, 2022

<u>Holdings During the Quarter</u>									Beginning Value @ Par	Beginning Book Value	Beginning Market Value	Ending Value @ Par	Ending Book Value	Ending Market Value
Type of Security	CUSIP	Purchase Date	Par Value	Coupon 0.34%	Date of Maturity	Yield to Maturity	Purchase Price	Quarterly Interest Earned	April 1, 2022			June 30, 2022		
								-						0
								-						0
Totals			\$ -				\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -

<u>Purchases</u>									
Type of Security	CUSIP	Purchase Date	Par Value	Coupon Rate 0.22%	Date of Maturity	Yield to Maturity	Settlement Total	Price	Accrued Interest
			\$ -				\$ -		\$ -
Totals			\$ -				\$ -		\$ -

<u>Maturities</u>							
Type of Security	CUSIP	Purchase Date	Par Value	Coupon Rate	Date of Maturity	Yield to Maturity	Settlement Total
\$ -							
Totals			\$ -	0.59%			\$ -

CITY OF LOCKHART
Investment Pool Transactions Summary
For the Quarter Ended June 30, 2022

TexPool					
	<u>Book Value</u>	<u>Market Value</u>	<u>Net Asset Value</u>	<u>Weighted Aver. Maturity</u>	<u>Average Monthly Yield</u>
April 1, 2022	10,992,710	10,990,182	0.99977	29 Days	0.1500%
Deposits	8,931,320				
Withdrawals	(4,800,826)				
Interest Earned	17,254				
June 30, 2022	15,140,457	15,134,401	0.99960	23 Days	1.0000%

Texas CLASS					
	<u>Book Value</u>	<u>Market Value</u>	<u>Net Asset Value</u>	<u>Weighted Aver. Maturity</u>	<u>Average Monthly Yield</u>
April 1, 2022	11,431,120	11,431,120	1.00000	49 Days	0.2900%
Deposits	0				
Withdrawals	0				
Interest Earned	23,227				
June 30, 2022	11,454,348	11,454,348	1.00000	38 Days	1.1577%

TexSTAR					
	<u>Book Value</u>	<u>Market Value</u>	<u>Net Asset Value</u>	<u>Weighted Aver. Maturity</u>	<u>Average Monthly Yield</u>
April 1, 2022	8,439,429	8,438,644	0.99991	38 Days	0.1070%
Deposits	0				
Withdrawals	0				
Interest Earned	13,706				
June 30, 2022	8,453,135	8,447,750	0.999363	35 Days	0.9850%

CITY of LOCKHART
Certificates of Deposit Transaction Summary
For the Quarter Ended June 30, 2022

Holdings During the Quarter

<u>CD Number</u>	<u>Holder</u>	<u>Purchase Date</u>	<u>Face Value</u>	<u>Interest Rate</u>	<u>Date of Maturity</u>	<u>Yield to Maturity</u>	<u>Purchase Price</u>	<u>Quarterly Interest Earned</u>	<u>Beginning Face Value</u>	<u>Beginning Market Value</u>	<u>Ending Face Value</u>	<u>Ending Market Value</u>
									April 1, 2022		June 30, 2022	
			<u>\$ -</u>				<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>

Purchases

<u>CD Number</u>	<u>Holder</u>	<u>Purchase Date</u>	<u>Face Value</u>	<u>Interest Rate</u>	<u>Date of Maturity</u>	<u>Yield to Maturity</u>	<u>Purchase Price</u>
			<u>\$ -</u>				<u>\$ -</u>

Maturities

<u>CD Number</u>	<u>Holder</u>	<u>Purchase Date</u>	<u>Face Value</u>	<u>Interest Rate</u>	<u>Date of Maturity</u>	<u>Yield to Maturity</u>	<u>Settlement Total</u>
			<u>\$ -</u>				<u>\$ -</u>

City of Lockhart

Investment Pools

Standard and Poor's Ratings

<u>Month</u>	<u>TexPool</u>	<u>TexSTAR</u>	<u>Texas CLASS</u>
July-21	AAAm	AAAm	AAAm
August-21	AAAm	AAAm	AAAm
September-21	AAAm	AAAm	AAAm
October-21	AAAm	AAAm	AAAm
November-21	AAAm	AAAm	AAAm
December-21	AAAm	AAAm	AAAm
January-22	AAAm	AAAm	AAAm
February-22	AAAm	AAAm	AAAm
March-22	AAAm	AAAm	AAAm
April-22	AAAm	AAAm	AAAm
May-22	AAAm	AAAm	AAAm
June-22	AAAm	AAAm	AAAm

City of Lockhart

Bank Collateralization

Standard and Poor's Ratings

<u>Month</u>			FLNB <u>Collateralization *</u>
July-21			AAA
August-21			AAA
September-21			AAA
October-21			AAA
November-21			AAA
December-21			AAA
January-22			AAA
February-22			AAA
March-22			AAA
April-22			AAA
May-22			AAA
June-22			AAA
* Guaranteed by US government (AAA)			

City of Lockhart, Texas

Council Agenda Item Cover Sheet

COUNCIL MEETING DATE: August 2, 2022

AGENDA ITEM CAPTION: Presentation of the City of Lockhart's FY 2022-2023 Proposed Budget and consider the Lockhart Economic Development Corporation's Budget for Fiscal Year 2022-2023, and set two public hearings on the Fiscal Year 2022-2023 City of Lockhart Proposed Budget.

ORIGINATING DEPARTMENT AND CONTACT: Finance - Pam Larison

ACTION REQUESTED: Other

BACKGROUND/SUMMARY/DISCUSSION: According to the City of Lockhart Charter, Article 9, Section 9.07, Public Hearing on Budget, the City Council shall hold a public hearing on the budget submitted and all interested persons shall be given an opportunity to be heard for or against any item or the amount of any item therein contained.

According to the Lockhart Economic Development Corporation's bylaws, Article 5, Section 3 Annual Corporate Budget, the President shall submit the budget to the City Council for approval prior to submittal to the Board for final adoption.

The City of Lockhart is required by Charter to hold one public hearing on the budget. Staff recommends conducting two public hearings to allow the citizens of Lockhart the opportunity to discuss any item or amount presented in the proposed FY 2022-2023 Budget. The following dates are presented to the Council for public hearings:

- August 16, 2022 at 7:30 p.m.
- September 6, 2022 at 7:30 p.m.

To be held in the Council Chambers located at the Clark Library Annex - 217 South Main Street, 3rd floor, Lockhart, Texas.

The City of Lockhart and the Lockhart Economic Development budget for Fiscal Year 2022-23 can be located on the City's website and hard copies are located in City Hall and the City Library.

PROJECT SCHEDULE (if applicable):

AMOUNT & SOURCE OF FUNDING:

Funds Required:

Account Number:

Funds Available:

City of Lockhart, Texas

Council Agenda Item Cover Sheet

Account Name:

FISCAL NOTE (if applicable):

PREVIOUS COUNCIL ACTION:

COMMITTEE/BOARD/COMMISSION ACTION:

STAFF RECOMMENDATION/REQUESTED MOTION: Staff respectfully request the approval of the Lockhart Economic Development Corporation's budget and of the two dates presented to Council for public hearings on the City's proposed budget.

LIST OF SUPPORTING DOCUMENTS: 2022-2023 PROPOSED ANNUAL OPERATING BUDGET

**CITY OF LOCKHART
BUDGET
FISCAL YEAR 2022-23**

	2019-20	2020-21	2021-22	2021-22	FY 2022-23
	ACTUAL	ACTUAL	BUDGET	ESTIMATE	PROPOSED BUDGET
REVENUE SUMMARY					
GENERAL FUND	10,564,504	10,104,475	12,550,366	0	16,206,700
DEBT SERVICE FUND	1,110,350	694,187	1,186,422	0	1,667,464
ELECTRIC FUND	11,905,013	11,411,162	12,069,155	0	13,573,255
WATER FUND	3,605,509	3,711,636	5,744,622	0	4,934,269
WASTEWATER FUND	2,330,657	2,432,390	3,034,591	0	4,363,300
SOLID WASTE FUND	1,909,163	2,038,352	2,063,450	0	2,154,685
EMS FUND	1,314,079	1,278,135	1,338,482	0	1,721,200
AIRPORT FUND	92,529	86,279	122,039	0	142,039
LOCKHART ECO DEV FUND	1,021,657	1,408,929	1,093,140	0	1,179,140
TOTAL - REVENUES	33,853,461	33,165,546	39,202,267	0	45,942,052

EXPENSE SUMMARY						DELTA
GENERAL FUND	9,901,120	9,529,580	12,544,007	0	16,193,127	13,573
DEBT SERVICE FUND	1,148,008	836,117	1,186,422	0	1,667,464	0
ELECTRIC FUND	11,333,717	12,105,294	12,063,397	0	13,339,635	233,620
WATER FUND	3,234,488	4,060,478	5,582,950	0	4,931,945	2,324
WASTEWATER FUND	2,187,162	1,299,299	2,985,120	0	4,207,293	156,007
SOLID WASTE FUND	1,845,323	1,927,824	1,827,138	0	1,888,917	265,768
EMS FUND	1,656,385	1,349,015	1,283,279	0	1,522,854	198,346
AIRPORT FUND	78,258	22,364	67,839	0	89,807	52,232
LOCKHART ECO DEV FUND	1,270,668	2,196,875	1,092,933	0	1,043,869	135,271
TOTAL - EXPENSES	32,655,129	33,326,846	38,633,085	0	44,884,911	

City of Lockhart, Texas

Council Agenda Item Cover Sheet

COUNCIL MEETING DATE: August 2, 2022

AGENDA ITEM CAPTION: Discussion regarding Ordinance 2022-34 adopting a code of ethics and anti-discrimination policy for city council members and city board/commission members.

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

ACTION REQUESTED: Ordinance

BACKGROUND/SUMMARY/DISCUSSION: Although state law addresses many ethical issues (e.g. Ch. 171 LGC for Conflicts of interest; Ch. 573 GC for nepotism, etc.), cities often adopt a code of ethics that is more stringent than or which addresses issues not covered in detail by state law (e.g. social media, revolving door issues). A draft ethics policy has been prepared for the Council's consideration that is intended to do the latter. It was previously considered by the Council and changes have been made for its reconsideration. It differs from drafts previously distributed by limiting its application to Council members and members of boards and commissions, by significantly reducing the "revolving door" provision, and by modification of other provisions reflected in the attached "redline" of the draft ordinance.

PROJECT SCHEDULE (if applicable): N/A

AMOUNT & SOURCE OF FUNDING:

Funds Required: N/A

Account Number: N/A

Funds Available: N/A

Account Name: N/A

FISCAL NOTE (if applicable): N/A

PREVIOUS COUNCIL ACTION: Consideration and discussion of a draft ordinance occurred at Council meetings on March 15, April 5, and July 19, 2022.

COMMITTEE/BOARD/COMMISSION ACTION: N/A

STAFF RECOMMENDATION/REQUESTED MOTION: Adoption of the Ordinance.

LIST OF SUPPORTING DOCUMENTS: Proposed Code of Ethics Ordinance Redline, Proposed Code of Ethics Lockhart -clean version

ORDINANCE NO. 2022-~~143~~4

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

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

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

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

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

Section 1. Adoption of Code of Ethics and Anti-Discrimination Policy. The City Council hereby amends Chapter 2 of the City of Lockhart Code of Ordinances to add a new Article ~~VIII~~VII to adopt a Code of Ethics and Anti-Discrimination Policy, as follows:

ARTICLE VII. CODE OF ETHICS AND ANTI-DISCRIMINATION POLICY

Sec. 2-320 – Statement of Purpose.

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

Sec. 2-321. - Definitions.

The following words, terms and phrases when used in this article, shall have the meanings

ascribed to them in this section, except where the context clearly indicates a different meaning:

Appointed official means a member of a City Board

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

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

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

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

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

Employee

Elected officer means ~~a person employed or paid a salary by the mayor and members of the city on a full-time basis excluding officers and officials.~~ council.

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

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

Officer means the mayor and members of the city council.

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

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

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

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

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

Sec. 3-322. - Policy.

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

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

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

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

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

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

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

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

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

(b) To implement this policy, the city council has determined that it is advisable to enact this code

of ethics and anti-discrimination policy for all officers, ~~officials, and employees, whether elected or appointed, paid or unpaid, advisory, or administrative~~ and officials, to serve not only as a guide for official conduct of the city's public servants, but also as a basis for discipline for those who refuse to abide by its terms.

(c) Nothing herein shall be construed to diminish or conflict with any rule, law, or ethical obligation applicable to officers, officials, employees or former officers, officials, and employees of the City under state law.

Sec. 3-323. - Standards of conduct.

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

- (1) Accept or solicit any money, property, service, or other thing of value by way of gift, favor, loan or otherwise which he knows or should know is being offered or given with the intent to unlawfully influence such person in the discharge of official duties, or in return for having exercised or performed official duties.
- (2) Use his or her position to secure special privileges or exemptions for himself, herself, or others.
- (3) Grant any special consideration, treatment or advantage to a person or organization beyond that which is available to every other person or organization. (This shall not prohibit the granting of fringe benefits to city employees as part of their contract of employment or as an added incentive to the securing or retaining of employees).
- (4) Disclose information deemed confidential by law that could adversely affect the property or affairs of the city, or directly or indirectly use any information understood to be confidential which was gained by reason of his or her official position ~~or employment~~ for his or her own personal gain or benefit or for the private interest of others.
- (5) Transact any business on behalf of the city in his or her official capacity with any entity with which he or she is an officer, agent, or member or in which he or she has an interest. In the event that such a circumstance should arise, no violation of this subsection occurs if he or she shall make known his or her interest, and:
 - ~~—A.— In the case of an officer or official, refrain from discussing the matter at any time with members of the body of which he is a member or any other body which will consider the matter and abstain from voting on the matter; or~~
 - ~~—B.— In the case of an employee, turn the matter over to his superior for reassignment, state the reasons for doing so and have nothing further to do with the matter involved._____~~
- (6) Accept other employment or engage in outside activities incompatible with the full and proper discharge of his or her duties and responsibilities with the city, or which might impair his or her independent judgment in the performance of his or her public duty.
- (7) Personally provide services for compensation, directly or indirectly, to a person, entity

or organization who is requesting an approval, investigation, or determination from the body or department of which the officer or ~~employee~~official is a member. This restriction does not apply to outside employment of an officer, ~~official,~~ or ~~employee~~official if the employment is the person's primary source of income.

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

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

—A. ~~Before~~ before the city council or any city board or department;

—B. ~~In any. This shall not prohibit representation or an appearance in regard to the officer's or official's property or other proceeding directly involving the city; officer or~~

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

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

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

—B. ~~Before the city council;~~

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

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

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

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

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

~~(e) Knowing or willfully characterizing his or her office or employment with the city as being the position of the city in any local, state, or national election.~~

~~—(d)~~

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

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

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

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

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

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

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

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

An officer or official may not participate in a vote or decision on a matter affecting a person, entity, or property in which the officer or official has a substantial interest ~~under Ch. 171, Local Gov't Code. In addition, an officer or official who serves as a corporate officer or member of the board of directors of a nonprofit entity which is not appointed by the city council may not participate in a vote or decision regarding funding by or through the city for the entity. Where the interest of an officer or official in the subject matter of a vote or decision is remote or incidental, such officer or official may participate in the vote or decision and need not disclose the interest.~~ except in compliance with Ch. 171 and Ch. 176, Local Gov't Code

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

~~—(a) When used in this section, the terms "before the city" shall mean before any officer~~

~~An officer or official of the city.~~

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

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

~~(d) An officer, official, or employee who leaves service or employment with the city shall not represent, formerly or informally, any person or entity in any case, project, or matter in which the former officer, or official, or employee was involved in any significant decision-making role, application processing, or vote, or inspection while with the city. Violation of this section may be grounds for denial, dismissal, or re-filing of the case, project or matter involved.~~

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

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

Sec. 3-327. – Social Media

- (a) Officers shall include a disclaimer on their social media pages stating the account is for the officer's personal use and is not sponsored or otherwise managed by the city, nor does it reflect the views or beliefs of the city or city council as an institution.
- (b) Officers and Officials should not utilize the City of Lockhart logos on their social media.
- (c) Officers are prohibited from posting content on their social media that disparages any person on the basis of protected personal characteristics.

Sec. 3-328 – Violations

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

~~(b)~~(a) Violations or alleged violations of this policy by officers or officials shall be subject to review and appropriate action by the city council. Upon determination that a violation has occurred, the city council may, by majority vote, impose any of the following actions, which are provided in a graduating scale of severity, as follows:

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

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

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

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

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

CITY OF LOCKHART

Lew White, Mayor

ATTEST:

Connie Constancio, TRMC, City Secretary

APPROVED AS TO FORM:

|

Monte Akers, City Attorney

ORDINANCE NO. 2022-34

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

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

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

WHEREAS, the City Council deems it advisable to adopt a Code of Ethics and Anti-Discrimination Policy to provide a code of ethics and standard of conduct for elected officers and appointed officials;

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

Section 1. Adoption of Code of Ethics and Anti-Discrimination Policy. The City Council hereby amends Chapter 2 of the City of Lockhart Code of Ordinances to add a new Article VII to adopt a Code of Ethics and Anti-Discrimination Policy, as follows:

ARTICLE VII. CODE OF ETHICS AND ANTI-DISCRIMINATION POLICY

Sec. 2-320 – Statement of Purpose.

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

Sec. 2-321. - Definitions.

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

meaning:

Appointed official means a member of a City Board

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

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

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

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

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

Elected officer means the mayor and members of the city council.

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

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

Officer means the mayor and members of the city council.

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

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

law

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

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

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

Sec. 3-322. - Policy.

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

(1) Officers and officials be impartial and responsible to the people of the city;

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

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

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

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

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

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

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

(b) To implement this policy, the city council has determined that it is advisable to enact this code of ethics and anti-discrimination policy for all officers and officials, to serve not only as a guide for official conduct of the city's public servants, but also as a basis for discipline for those who refuse to abide by its terms.

(c) Nothing herein shall be construed to diminish or conflict with any rule, law, or ethical obligation applicable to officers, officials, employees or former officers, officials, and employees of the City under state law.

Sec. 3-323. - Standards of conduct.

(a) No officer or official shall:

- (1) Accept or solicit any money, property, service, or other thing of value by way of gift, favor, loan or otherwise which he knows or should know is being offered or given with the intent to unlawfully influence such person in the discharge of official duties, or in return for having exercised or performed official duties.
- (2) Use his or her position to secure special privileges or exemptions for himself, herself, or others.
- (3) Grant any special consideration, treatment or advantage to a person or organization beyond that which is available to every other person or organization. (This shall not prohibit the granting of fringe benefits to city employees as part of their contract of employment or as an added incentive to the securing or retaining of employees).
- (4) Disclose information deemed confidential by law that could adversely affect the property or affairs of the city, or directly or indirectly use any information understood to be confidential which was gained by reason of his or her official position for his or her own personal gain or benefit or for the private interest of others.
- (5) Transact any business on behalf of the city in his or her official capacity with any entity with which he or she is an officer, agent, or member or in which he or she has an interest. In the event that such a circumstance should arise, no violation of this subsection occurs if he or she shall make known his or her interest, and:
- (6) Accept other employment or engage in outside activities incompatible with the full and proper discharge of his or her duties and responsibilities with the city, or which might impair his or her independent judgment in the performance of his or her public duty.
- (7) Personally provide services for compensation, directly or indirectly, to a person, entity or organization who is requesting an approval, investigation, or determination from the body or department of which the officer or official is a member. This restriction does not apply to outside employment of an officer or official if the employment is the person's 's primary source of income.
- (8) Receive any fee or compensation for his or her service as an officer or official of the city from any source other than the city, except as may be otherwise provided by law. This shall not prohibit his or her performing the same or other services for a public or private organization that he or she performs for the city if there is no conflict with his or her city duties and responsibilities.

(9) Personally represent or appear on behalf of the private interests of others before the city council or any city board or department. This shall not prohibit representation or an appearance in regard to the officer's or official's property or other proceeding directly involving the officer or official.

(b) Use his or her official position or city-owned facilities, personnel, equipment, supplies, vehicles, or any other resources for private purposes, personal advantage, pecuniary gain, or for any political campaign for himself, herself, or others

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

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

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

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

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

(h) Use such confidential information to advance any economic interest or personal interest of the officer or official or a family member related within the second degree of affinity or consanguinity.

(i) Use his or her position or influence to direct the appointment of a person to office by the City Manager or give orders to a subordinate of the City Manager.

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

An officer or official may not participate in a vote or decision on a matter affecting a person, entity, or property in which the officer or official has a substantial interest except in compliance with Ch. 171 and Ch. 176, Local Gov't Code

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

An officer or official who leaves service with the city shall not represent, formerly or informally, any person or entity in any case, project, or matter in which the former officer or official was involved in any significant decision-making role, application processing, or vote while with the city. Violation of this section may be grounds for denial, dismissal, or re-filing of the case, project or matter involved.

Sec. 3-327. – Social Media

- (a) Officers shall include a disclaimer on their social media pages stating the account is for the officer's personal use and is not sponsored or otherwise managed by the city, nor does it reflect the views or beliefs of the city or city council as an institution.
- (b) Officers and Officials should not utilize the City of Lockhart logos on their social media.
- (c) Officers are prohibited from posting content on their social media that disparages any person on the basis of protected personal characteristics.

Sec. 3-328 – Violations

- (a) Violations or alleged violations of this policy by officers or officials shall be subject to review and appropriate action by the city council. Upon determination that a violation has occurred, the city council may, by majority vote, impose any of the following actions, which are provided in a graduating scale of severity, as follows:
 - 1. Verbal reprimand in executive session held pursuant to Sec. 551.074, Tex. Gov't Code.
 - 2. Verbal reprimand in a public meeting.
 - 3. Written reprimand.
 - 4. Adoption of a resolution of censure.
 - 5. Adoption of a resolution of censure and its publication on the city website.
 - 6. Adoption of a resolution of censure and its publication in print media.
 - 7. Removal of the officer or official from council-appointed committees, commissions, or boards.
 - 8. Removal of the official from the board or commission on which he or she serves.
 - 9. Request for the officer or official's resignation.
- (b) Any individual who believes that an officer or official has acted in violation of this policy may promptly file a written complaint with the city manager, who shall, in consultation with the city attorney, determine the appropriate action or may submit the complaint to the city council for such determination.

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

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

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

CITY OF LOCKHART

ATTEST:

Connie Constancio, TRMC, City Secretary

Lew White, Mayor

APPROVED AS TO FORM:

Monte Akers, City Attorney

City of Lockhart, Texas

Council Agenda Item Cover Sheet

COUNCIL MEETING DATE: August 2, 2022

AGENDA ITEM CAPTION: Discussion regarding Downtown Alcohol Beverage Regulations & Enforcement.

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

ACTION REQUESTED: Direction

BACKGROUND/SUMMARY/DISCUSSION:

The City Code prohibits the consumption of alcohol and possession of open containers on city streets, sidewalks, and other public places. Some businesses are selling alcoholic beverages that citizens carry into the streets and sidewalks during the three types of events that occur in the Central Commercial Business ("CCB") district, and the police department issues Special Activity permits for most such events. However, the provision for issuance of Special Events Permits is currently applicable only to allow alcohol in parks rather than the district. The Council should determine the circumstances or types of events for which alcohol will be allowed on public property in the CCB district and should direct staff to draft an appropriate ordinance for that purpose.

PROJECT SCHEDULE (if applicable): N/A

AMOUNT & SOURCE OF FUNDING:

Funds Required: N/A

Account Number: N/A

Funds Available: N/A

Account Name: N/A

FISCAL NOTE (if applicable): N/A

PREVIOUS COUNCIL ACTION: The latest amendment to the Code regarding alcohol in the CCB district was in February 2019 to allow sales of alcohol within 300 feet of a church or school in the CCB district.

COMMITTEE/BOARD/COMMISSION ACTION: N/A

STAFF RECOMMENDATION/REQUESTED MOTION: Council should determine and give staff guidance regarding the circumstances or events for which alcoholic beverages will be allowed in city streets and sidewalks in the CCB district and the mechanism for allowing/regulating/enforcing the same.

City of Lockhart, Texas

Council Agenda Item Cover Sheet

LIST OF SUPPORTING DOCUMENTS: Memo dated July 29, 2022, from the City Attorney to the City Manager regarding this subject.

MEMORANDUM

TO: Steve Lewis, City Manager, City of Lockhart

FROM: Monte Akers, City Attorney

DATE: July 29, 2022

RE: Downtown Alcohol Beverage Regulations & Enforcement

Please accept this memo in regard to the item on the agenda for August 2 about regulation of alcohol in the City's Commercial Central Business ("CCB") district. You advised that the City, through the Police Dept., periodically issues Special Activity Permits for the CCB that include authorizations for open containers and consumption of alcohol on streets and sidewalks of the CCB for certain events. There are essentially three types of events that occur in the district—historically held community wide events, such as Cinco de Mayo and the Dickens festival; smaller events such as Courthouse Nights, and Chamber/Downtown Business-sponsored events such as 1st Friday Night and "Sip n. Stroll."

With regard to such events, certain businesses that sell/serve alcohol in the district are allowing open containers and public consumption on sidewalks and streets in the absence of permits or ordinance authorization. The City Council should discuss options for appropriately regulating the same, may carve out such exceptions as it deems appropriate regarding allowance of open containers and alcohol consumption in streets and on sidewalks in the CCB district, and should amend its ordinances accordingly.

The following discussion does not address possession of an open container or consumption of alcohol in vehicles.

I. Executive Summary

The City's ordinances related to the regulation of alcohol are generally consistent with state law. However, the authorization for issuance of Special Activity Permits by the Police Department is limited to City Parks and should be amended if such permits are to be used for the CCB District.

Although state law limits City regulation of alcohol, the City Council has significant discretion regarding open containers and consumption of alcohol in the district. State law allows a city to completely ban the same in its "central business district" which has not been done, and allows a

city to ban the same in streets, sidewalks, and other public places, which has been done. A question to be addressed at the meeting on August 2, 2022, is when, how, and for the type of events for which open containers and consumption of alcohol in streets and sidewalks in the CCB district will be allowed.

II. City Authority to Regulate Alcohol

Municipal authority over alcoholic beverages is limited to the following (excluding rules applicable to international border and certain populous cities):

1. A home rule city, in its charter, may prohibit the sale of liquor or malt beverages in all or part of its residential sections. (TABC Sec. 109.31 & 109.32)
2. A city may prohibit sales within 300 feet of a church, school, most childcare facilities, or a hospital, or within 1000 feet of a school if requested by the school. (TABC Sec. 109.33 & 109.331)
3. A city may prohibit possession of an open container or consumption in its central business district if (a) the governing body determines that it is a risk to health & safety; and (b) it adopts a map depicting the central business district (TABC Sec. 109.35)
4. A city may prohibit possession of an open container or consumption on a public street, alley, or sidewalk within 1,000 feet of a homeless shelter or substance abuse treatment center not located in a central business district. (TABC Sec. 109.36)
5. A city may regulate the location of (e.g. require a special use permit) for an establishment that derives 75% or more of its gross revenue from the on-premises sale of alcoholic beverages or a sexually oriented business. (TABC Sec. 109.57)
6. A city may impose more, or less, restrictive, hours of operation for the sale of beer from state law hours (i.e. sales allowed between 7 a.m. and midnight any day except Sunday, when beer cannot be sold between midnight and 1 p.m. (TABC Sec. 105.32 & 109.32)
7. A city may prohibit the possession or consumption of alcohol in city parks and other city property. (caselaw).
8. A city may require that a business that sells alcoholic beverages be licensed by the city and pay a license fee that cannot exceed one-half the amount of the license fee the business must pay for its state license. (TABC Sec. 11.38)
9. A city may not impose a license or permit requirement on a business that sells/serves alcohol that is not imposed on business that do not (i.e. the city may not discriminate against businesses licensed by TABC). (TABC Sec. 109.57)

III. City of Lockhart Regulation of Alcohol

The City's Code of Ordinances currently regulates alcohol in the following manners:

1. Requires licenses and a license fee (Sec. 6-2).
2. Restricts locations of sales: Except for the sale of beer and wine for off-premises consumption and the sale of alcoholic beverages for on-premises consumption in the CCB district, sales of alcohol are prohibited within 300 feet of any church or school. (Sec. 6-3).

3. Allows extended hours for sales of wine, beer, and mixed beverages until 2 a.m., but with prohibitions for possession or consumption in a public place on Sunday between 2:15 a.m. and noon, and on any other day between 2:15 a.m. and 7 a.m. (Sec. 6-4).
4. Prohibits possession of any alcoholic beverage on any street, sidewalk, or other public place (Sec. 36-2).
5. Prohibits consumption of alcohol on any street, sidewalk, or other public way in the City, and prohibits consumption in a city park without first obtaining permission from the police chief; requires possession of food in addition to alcohol in the park (Sec. 36-3).
6. Regulates or prohibits alcohol in manners or for purposes unrelated to the subject of this memo (i.e. aviation [4-74]; game Rooms [8-214]; permits for bands where alcohol is sold [18-28]; shooting range/firearms [36-1]; particular zoning districts [64-196]; and Sexually Oriented Businesses [64-201]).

IV. Special Rules for Central Business Districts

Prior to September 1, 2015, cities were allowed to petition the Texas Alcoholic Beverage Commission to adopt an order to prohibit possession of an open container or consumption of alcohol in the central business district of the city, and as of January 1, 2013, TABC had adopted such orders for the following cities:

Amarillo, Claude, College Station, Corpus Christi, Dallas, El Paso, Farmersville, Giddings, Groveton, Houston, Hubbard, Jefferson, McAllen, Rosenberg, San Angelo, San Antonio, San Marcos, Shamrock, Sinton, South Padre Island, Taylor, Timpson, and Vernon

However, with the passage of HB 2296 in 2015, the petition requirement was repealed and the current language of Sec. 109.35, discussed above in II 3, was enacted, meaning that a city may prohibit sales within its central business district without TABC approval.

V. Analysis and Conclusion

There is no statewide ban prohibiting possession of open containers or public consumption of alcohol in Texas except in vehicles, state parks, or on public property where the governing body of a city where has made it illegal. Lockhart ordinances are consistent with state laws, and open containers and consumption on city streets, sidewalks, and parks are prohibited. There is currently a mechanism in the City Code for allowing open containers and consumption in parks, but there is none regarding streets and sidewalks in the CCB district.

The City Council has significant discretion regarding open containers and consumption of alcohol in the district. State law allows a city to completely ban the same in its “central business district,” which has not been done, or it allows a city to determine the circumstances, or types of events, for which citizens are allowed to buy a drink and walk around the square, which should be done. Accordingly, the City Council may carve out such exceptions as it deems appropriate regarding allowance of open containers and alcohol consumption in streets and on sidewalks in the CCB district.

City of Lockhart, Texas

Council Agenda Item Cover Sheet

COUNCIL MEETING DATE: August 2, 2022

AGENDA ITEM CAPTION: Discussion regarding the nomination of Phyllis Eggimann to the Lockhart Historical Preservation Commission by Councilmember Brad Westmoreland with a term to expire in November 2022.

ORIGINATING DEPARTMENT AND CONTACT: Administration - Connie Constancio

ACTION REQUESTED: Other

BACKGROUND/SUMMARY/DISCUSSION:

Ms. Eggimann submitted her application to be considered to serve on the Lockhart Historical Preservation Commission on July 22, 2022. She is retired. Her career history indicates that she was an antique business owner, an interior designer, real estate broker, in the accounting field, and a property manager who was exposed to the Main Street Revitalization Program in New Mexico. She meets the residence and voter qualifications to serve on a Board.

The following is a synopsis of the tasks and qualifications of a member of the Lockhart Historical Preservation Commission:

Lockhart Historical Preservation Commission meets on the first and third Wednesday at 5:30 p.m. each month. The Commission shall consist of a registered architect, planner or representative of a design profession; a registered professional engineer in the State of Texas; a member of a nonprofit historical organization of Caldwell County; a local licensed real estate broker or member of the financial community; an owner of an historic landmark residential building; an owner or tenant of a business property that is an historic landmark or in an historic district; and a member of the Caldwell County Historical Commission. One Caldwell County resident who is also an owner of real property within any local historic district may be appointed as a full member. The Board consists of seven members that serve a three-year term. The City Planner is the staff liaison.

PROJECT SCHEDULE (if applicable): N/A

AMOUNT & SOURCE OF FUNDING:

Funds Required: N/A

Account Number: N/A

Funds Available: N/A

Account Name: N/A

FISCAL NOTE (if applicable): N/A

City of Lockhart, Texas

Council Agenda Item Cover Sheet

PREVIOUS COUNCIL ACTION: N/A

COMMITTEE/BOARD/COMMISSION ACTION: N/A

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

LIST OF SUPPORTING DOCUMENTS: Phyllis Eggimann's application, Qualification checklist

RECEIVED

In order to be considered for an appointment to a Lockhart Board or Commission, please complete the following application. You may also attach a current resume and letter of interest if you choose.

JUL 22 2022

1. PERSONAL INFORMATION

Full Legal Name Phyllis Kay Eggimann		Preferred Name	CITY OF LOCKHART CITY SECRETARY'S OFFICE
Physical Home Address 707 INDIAN BLANKET			
Mailing Address (if different)			
City LOCKHART	State TX	Zip 78644	
Home Phone NA		Work Phone Retired	
Mobile Phone 512-557-8059			
Email Address [REDACTED]			
Date of Birth [REDACTED]			

2. AREAS OF INTEREST

Please indicate the position(s) of interest to you.

☐ Airport Advisory Board	☒ Historical Preservation Commission
☐ Zoning Board of Adjustment & Appeals	☐ Hotel Occupancy Tax Advisory Board
☐ Charter Review Commission	☐ Library Advisory Board
☐ Construction Board of Appeals	☐ Parks & Recreation Advisory Board
☐ Economic Development Corp (1/2 Cent Sales Tax)	☐ Planning & Zoning Commission
☐ Electric Board	

In the space below, please explain your interest in the position(s) selected above. Also, please explain any experience you have related to your selection(s).

See Attached

3. BOARD MEMBER QUALIFICATIONS

The following are qualifications as outlined in Section 2-209 of the Lockhart Code of Ordinances to serve on a Board/Commission:

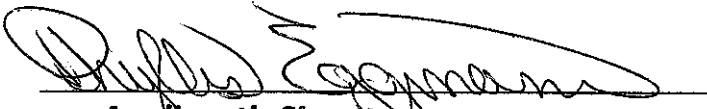
YES	NO	Please answer the following questions about Board/Commission qualifications:
☒	☐	Have you been a resident of the State of Texas/City of Lockhart for at least twelve (12) consecutive months preceding appointment?
☒	☐	Are you a registered voter?
☐	☒	Have you been removed from another city board or commission because of failure to attend meetings or for cause within the last three years?
☐	☒	Do you serve on any other City of Lockhart board/commission/committee at this time? If yes, please list: _____

For your reference, the following additional qualifications apply to appointed Board/Commission members:

- A member who is required to be a resident of the city (or county when applicable) when appointed and who thereafter moves his or her primary residence outside of the corporate limits of Lockhart (or county when applicable) vacates his or her position on a board of commission on the date the residency changes.
- The City Council shall have the right, but not the duty, to appoint up to two members who are not city residents but who are residents of Caldwell County to the Lockhart Airport Advisory Board, the Eugene Clark Library Board, and the Construction Board of Appeals.
- Any member of a board or commission who is absent from three consecutive regular meetings, or any four non-consecutive regular meetings of the board or commission during any twelve-month period, shall forfeit his or her position and the vacancy occurring shall be declared and filled by the Council.
- Members must maintain their qualifications while serving on a board or commission.
- No member of any appointed body shall serve on more than one quasi-judicial or advisory board or commission.
- No appointed body shall deviate from its charge, deliberate items not on its agendas, or speak for the council or City of Lockhart without council authorization.
- Members appointed serve without compensation.

Certification of Applicant

I hereby certify that the foregoing and any attached statements are true, accurate and complete. I also understand that this application is subject to disclosure under the Texas Public Information Act.


Applicant's Signature


Date

Completed application, resume and letter of interest may be submitted in person, email, mail, or by fax to:

City of Lockhart
City Secretary's Office
308 W. San Antonio Street / PO Box 239
Lockhart, TX 78644

Phone: 512.398.3461
FAX: 512.398.5103
cconstancio@lockhart-tx.org

July, 20, 2022

To: City of Lockhart

From: Phyllis Eggimann

Re: Vacant position on Historical Preservation Commission

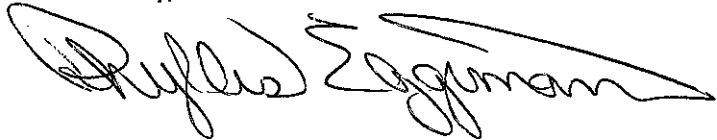
Thank you for the opportunity to apply for the above referenced position.

My life experiences should qualify me, as I am retired and in love with all things "old". In my past I have owned an antique business, and interior design business, spent 14 years of my life in banking, and for the past 23 years of my professional career I was a licensed real estate broker in the State of New Mexico. I did not sell real estate, rather I managed commercial office buildings, shopping centers, office buildings and industrial office parks in the City of Albuquerque and El Paso, Texas.

During those property management years, I was exposed to Main Street Revitalization Programs in both Albuquerque, NM and some smaller towns in the southeastern part of the state. I also had exposure and participation in Historical Preservation projects in Albuquerque as well as Amarillo, Texas.

I look forward to contributing what I can to the City of Lockhart.

Sincerely,

A handwritten signature in black ink, appearing to read "Phyllis Eggimann", written in a cursive style.

APPLICANT'S NAME: Phyllis EggmannBOARD NAME(S): Lockhart Historical Preservation Comm.

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

- Appointees must each be a resident of the State of Texas and a resident of the City of Lockhart for at least twelve (12) consecutive months preceding their appointment unless a particular board's or commission's composition or state law allows for membership by a non-resident of the City.
Date of residency in Lockhart: December 2017
- Appointees shall be qualified voters in the City of Lockhart or, if not a resident of the City, of Caldwell County.
Date qualified voter in Lockhart: December 2017
- Appointees shall not have been removed from another city board or commission because of failure to attend meetings or for cause within the last three years.
Removed from another board? YES or NO
If yes, date _____ and board _____
- No member of any appointed body shall serve on more than one quasi-judicial or advisory board or commission.
Serves on another board? YES or NO
If yes, board currently serving: _____

BOARD SPECIFIC QUALIFICATIONS:**LHPC**

- Y or (N) Registered architect? (must have one)
If no, current # members registered architect? 0
- Y or (N) Planner or rep. of a design profession? (must have one) Retired designer
If no, current # members planner/design profession? _____
- Y or (N) Registered professional engineer in the State of Texas? (must have one)
If no, current # members registered engineer? 0
- Y or (N) Member of a nonprofit historical organization of Caldwell County? (must have one)
If no, current # members a member of above? 1
- Y or (N) Local licensed real estate broker or member of the financial community? (must have one)
If no, current # members of above? 1 Retired Realtor
- Y or (N) Owner of an historic landmark residential building? (must have one)
If no, current # members of above? 1
- Y or (N) Owner or tenant of a business property that is an historic landmark or in an historic district?
(must have one)
If no, current # members of above? 1
- Y or (N) Member of the Caldwell County Historical Commission? (must have one)
If no, current # members of above? 1
- (Y) or N City Resident?
- Y or N If no, Caldwell County resident?
(one Caldwell County resident who is also an owner of real property within any local historic district)
How many members are qualified county residents? no County appointees at this time

Lockhart Historical Preservation Commission meets on the first and third Wednesday at 5:30 p.m. each month. The Commission shall consist of a registered architect, planner or representative of a design profession; a registered professional engineer in the State of Texas; a member of a nonprofit historical organization of Caldwell County; a local licensed real estate broker or member of the financial community; an owner of an historic landmark residential building; an owner or tenant of a business property that is an historic landmark or in an historic district; and a member of the Caldwell County Historical Commission. One Caldwell County resident who is also an owner of real property within any local historic district may be appointed as a full member. The Board consists of seven members that serve a three-year term. The City Planner is the staff liaison.

CITY SECRETARY'S DETERMINATION OF APPLICANT'S QUALIFICATION:

Is Applicant Qualified?

YES

NO

DISCRETION OF THE COUNCIL

NOTES: Retired realtor, designer & owned antique business

CURRENT LHPC MEMBER ROSTER

First Name	Last Name	Title	Status?	Council Member	Term Exp	Date Appt
Ray	Ramsey		Downtown historic property owner	Angie Sanchez	Nov-22	7/7/2020
VACANT	Thomson resigned 1-5-22			Brad Westmoreland	Nov-22	
Michael	Royal		Member Caldwell County His Comm	Jeffry Michelson	Nov-22	7/7/2020
Christine	Ohlendorf			Juan Mendoza	Nov-22	6/20/2020
Ron	Faulstich		Downtown historic property business	David Bryant	Nov-22	10/20/2020
John	Larsen	Vice-Chair	President-Gaslight Baker Theatre	Mayor White	Nov-23	1/19/2021
Ronda	Reagan	Chair	Realtor, Historic property owner	Kara McGregor	Nov-23	1/19/2021

City of Lockhart, Texas

Council Agenda Item Cover Sheet

COUNCIL MEETING DATE: August 2, 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.

On May 26, 2022, the CDC upgraded Caldwell County's COVID-19 Community Risk level to "Medium." This is the first time Caldwell County's community risk level has been elevated from "Low" risk since late February. The COVID-19 Community Level is determined by the higher of the new admissions and inpatient beds metrics, based on the current level of new cases per 100,000 population in the past seven days.

On July 19, 2022, the CDC upgraded Caldwell County's COVID-19 Community Risk level to "High". This is a result of increased COVID cases.

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: History of COVID information updates, GA-38, GA-39, Governor Abbott proclamation renewing the Declaration of Disaster, GA 40, Memorandum COVID19 level medium

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.

On **May 26, 2022**, the CDC upgraded Caldwell County's COVID-19 Community Risk level to "Medium." This is the first time Caldwell County's community risk level has been elevated from "Low" risk since late February. The COVID-19 Community Level is determined by the higher of the new admissions and inpatient beds metrics, based on the current level of new cases per 100,000 population in the past seven days.

On **July 19, 2022**, the CDC upgraded Caldwell County's COVID-19 Community Risk level to "High". This is due to an increase in COVID cases in the county.



GOVERNOR GREG ABBOTT

July 29, 2021

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

JUL 29 2021

Secretary of State

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

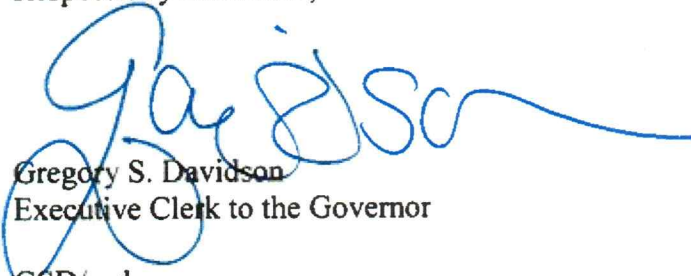
Dear Deputy Secretary Esparza:

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

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

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

Respectfully submitted,


Gregory S. Davidson
Executive Clerk to the Governor

GSD/gsd

Attachment

Executive Order

BY THE
GOVERNOR OF THE STATE OF TEXAS

Executive Department
Austin, Texas
July 29, 2021

EXECUTIVE ORDER GA 38

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

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

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

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

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

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

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

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

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

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

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

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

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

JUL 29 2021

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

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

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

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

FILED IN THE OFFICE OF THE
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.

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

JUL 29 2021

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

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

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

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
3:55pm O'CLOCK

JUL 29 2021

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

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

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



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

A handwritten signature in black ink, reading "Greg Abbott".

GREG ABBOTT
Governor

ATTESTED BY:

A handwritten signature in black ink, reading "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 25, 2021

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

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

AUG 25 2021

Secretary of State

Dear Deputy Secretary Esparza:

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

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

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

Respectfully submitted,


Gregory S. Davidson
Executive Clerk to the Governor

GSD/gsd

Attachment

Executive Order

BY THE
GOVERNOR OF THE STATE OF TEXAS

Executive Department
Austin, Texas
August 25, 2021

EXECUTIVE ORDER GA 39

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

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

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

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

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

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

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

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

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

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

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

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

AUG 25 2021

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

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

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

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

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

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

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
2:43 P.M. O'CLOCK

AUG 25 2021

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

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



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

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

GREG ABBOTT
Governor

ATTESTED BY:

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

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

AUG 25 2021

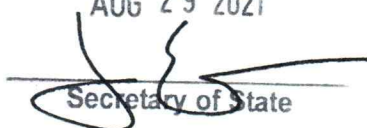


GOVERNOR GREG ABBOTT

August 29, 2021

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

AUG 29 2021


Secretary of State

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

Dear Mr. Deputy Secretary:

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

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

The original proclamation is attached to this letter of transmittal.

Respectfully submitted,


Gregory S. Davidson
Executive Clerk to the Governor

GSD/gsd

Attachment

PROCLAMATION

BY THE

Governor of the State of Texas

TO ALL TO WHOM THESE PRESENTS SHALL COME:

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

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

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

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

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

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

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

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



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

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

GREG ABBOTT
Governor

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

AUG 29 2021

Governor Greg Abbott
August 29, 2021

Proclamation
Page 2

ATTESTED BY:



JOE ESPARZA
Deputy Secretary of State

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



GOVERNOR GREG ABBOTT

October 11, 2021

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.

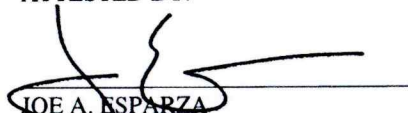
This executive order does not supersede Executive Orders GA-13, GA-37, GA-38, or GA-39. This executive order shall remain in effect and in full force unless it is modified, amended, rescinded, or superseded by the governor. This executive order may also be amended by proclamation of the governor.

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
4:30 PM O'CLOCK

OCT 11 2021



Memorandum

To: Mayor Lew White, Mayor Pro-Tem Angie Sanchez, Councilmembers Bryant, Michelson, Westmoreland, McGregor, and Mendoza
From: Steven Lewis, City Manager
Date: June 2, 2022
Re: County COVID-19 level update

Mayor and Council,

The Centers of Disease Control and Prevention (CDC) reported Caldwell County's COVID-19 Community Level has been upgraded to *Medium* this week. This is the first time Caldwell County's community risk level has been elevated from *Low* risk since late February. The COVID-19 Community Level is determined by the higher of the new admissions and inpatient beds metrics, based on the current level of new cases per 100,000 population in the past seven days. **Here are the latest numbers on Caldwell County from the CDC:**

Case Rate per 100,000 population	206.12
New COVID-19 admissions per 100,000 population	2.9
% Staffed inpatient beds in use by patients with confirmed COVID-19	0.1%

Based on the CDC's calculations, due to more than 200 new COVID-19 cases, Caldwell County's risk level has been upgraded to *Medium*. With this classification, the CDC recommends increased accessibility to vaccination, testing, and treatment, along with maintaining improved ventilation in public indoor spaces. As of this time, the Caldwell County Office of Emergency Management is not planning on issuing an advisory regarding the county's updated COVID-19 status.

The CDC has the following recommendations for people depending on which COVID-19 Community Level their county is in:

- Low Risk
 - Stay up-to-date with COVID vaccines
 - Get tested if you have symptoms
- Medium Risk

- Same precautions as low risk and:
 - Talk to your healthcare provider about whether you should wear a mask and take other precautions if you are at high risk for severe illness
- High Risk
 - Same precautions as medium risk and:
 - Wear a mask indoors in public
 - Additional precautions may be needed for people at high risk for severe illness

This information is also available through the [CDC's Data Tracker: Integrated County View](#), which is updated every Thursday.

City of Lockhart, Texas

Council Agenda Item Cover Sheet

COUNCIL MEETING DATE: August 2, 2022

AGENDA ITEM CAPTION: Hold a PUBLIC HEARING on application ZC-22-19 by Chandresh Gohel on behalf of SSPC Development, LLC, and discussion and/or action to consider Ordinance 2022-35, for a **Zoning Change** from *AO Agricultural–Open Space District* to *CHB Commercial Heavy Business District* on 8.827 acres in the Byrd Lockhart Survey, Abstract No. 17, located at 1717 North Colorado Street (US 183).

ORIGINATING DEPARTMENT AND CONTACT: Development Services - David Fowler

ACTION REQUESTED: Ordinance

BACKGROUND/SUMMARY/DISCUSSION: This item is the rezoning of 8.827 acres located at 1717 North Colorado Street from AO Agricultural and Open Space District to CHB Commercial Heavy Business District. The property is located on the west side of North Colorado Street, south of the Colorado Street/US 183 and SH 130 Interchange. The property is currently the site of a residence and several agricultural accessory structures. The site's vicinity is currently mostly agricultural with several houses to the south along North Colorado Street and North Pecos Street. However, on July 19, 2022, the two properties across North Colorado Street were rezoned to a combination of Residential High Density and Commercial Medium Business. This site has adequate water availability, but is past the current northern terminus of the city's sewer system. Sewer service could be provided to the site as part of the process of extending service to neighboring properties, as addressed in a study prompted by three recent zoning change requests along North Colorado Street. The site is well-suited to the proposed commercial zoning due to its location and long frontage along North Colorado Street. Although the parcel is designated for Low Density Residential in the Future Land Use Plan, single-family residential is unlikely to be built along this high-speed road frontage, and would be more likely to be developed in the area to the west of the subject parcel, further away from US 183.

The Planning and Zoning Commission held a public hearing regarding the proposed zoning change at their meeting held July 27, 2022. No nearby residents spoke at the hearing. City Staff has not received any letters or calls as a result of the notification of neighboring properties. The Commission recommended APPROVAL by a vote of 5-1.

PROJECT SCHEDULE (if applicable): None.

AMOUNT & SOURCE OF FUNDING:

Funds Required:

Account Number:

Funds Available:

Account Name:

City of Lockhart, Texas

Council Agenda Item Cover Sheet

FISCAL NOTE (if applicable): None.

PREVIOUS COUNCIL ACTION: None

COMMITTEE/BOARD/COMMISSION ACTION: The Planning and Zoning Commission voted to recommend APPROVAL by a vote of 5-1 at their meeting held July 27, 2022.

STAFF RECOMMENDATION/REQUESTED MOTION: APPROVAL of Ordinance 2022-35, changing the zoning from AO to CHB for 8.827 acres located at 1717 North Colorado Street.

LIST OF SUPPORTING DOCUMENTS: zc2219 ordinance, ZC2219 metes and bounds, ZC2219 case map, ZC2219 zoning, ZC2219 future landuse, ZC2219 aerial, zc2219 staff report-Council, ZC2219 application

ORDINANCE 2022-35

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 8.827-ACRES IN THE BYRD LOCKHART SURVEY, ABSTRACT NO. 17, LOCATED AT 1717 NORTH COLORADO STREET, FROM AO AGRICULTURAL–OPEN SPACE DISTRICT TO CHB COMMERCIAL HEAVY BUSINESS DISTRICT.

WHEREAS, on July 27, 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-22-19 known as 8.827-acres in the Byrd Lockhart Survey, Abstract No. 17, and more particularly described in Exhibit A and located at 1717 North Colorado 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 2nd DAY OF AUGUST 2022.

CITY OF LOCKHART

Lew White, Mayor

ATTEST:

APPROVED AS TO FORM:

Connie Constancio, TRMC, City Secretary

Monte Akers, City Attorney

PREMIER SURVEYING LLC

5700 W. Plano Parkway, Suite 2700
Plano, Texas 75093
972-612-3601
Fax: 972-964-7021

Exhibit "A"
(1717 N. COLORADO STREET)

BEING AN 8.827 ACRE TRACT OF LAND SITUATED IN THE BYRD LOCKHART SURVEY, ABSTRACT NO. 17, CALDWELL COUNTY, TEXAS, BEING ALL THAT CERTAIN TRACT OF LAND DESCRIBED IN DEED TO LOCKHART NORTH 130 PROPERTIES, L.P., AS RECORDED IN VOLUME 575, PAGE 472, OFFICIAL PUBLIC RECORDS, CALDWELL COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A FENCE CORNER AT THE COMMON EAST CORNER OF SAID LOCKHART NORTH TRACT AND THAT CERTAIN TRACT OF LAND DESCRIBED IN DEED TO JOSEPH B. GRIGGS, AS RECORDED IN VOLUME 389, PAGE 845, SAID OFFICIAL PUBLIC RECORDS, SAID FENCE CORNER BEING ON THE WEST LINE OF N. COLORADO STREET;

THENCE SOUTH 79° 31' 23" WEST ALONG THE COMMON LINE OF SAID CALDWELL NORTH AND GRIGGS TRACTS, PASSING THE NORTHWEST CORNER OF SAID GRIGGS TRACT AT A DISTANCE OF 464.53 FEET AND CONTINUING ALONG THE SOUTH LINE OF SAID LOCKHART NORTH TRACT A TOTAL DISTANCE OF 503.35 FEET TO A POINT FROM WHICH A FENCE CORNER BEARS NORTH 52° 19' EAST - 1.7 FEET, SAID POINT BEING THE SOUTHWEST CORNER OF SAID LOCKHART NORTH TRACT;

THENCE NORTH 03° 40' 24" EAST, A DISTANCE OF 1,197.71 FEET ALONG THE WEST LINE OF SAID LOCKHART NORTH TRACT TO A FENCE CORNER AT THE NORTHWEST CORNER OF SAID LOCKHART NORTH TRACT;

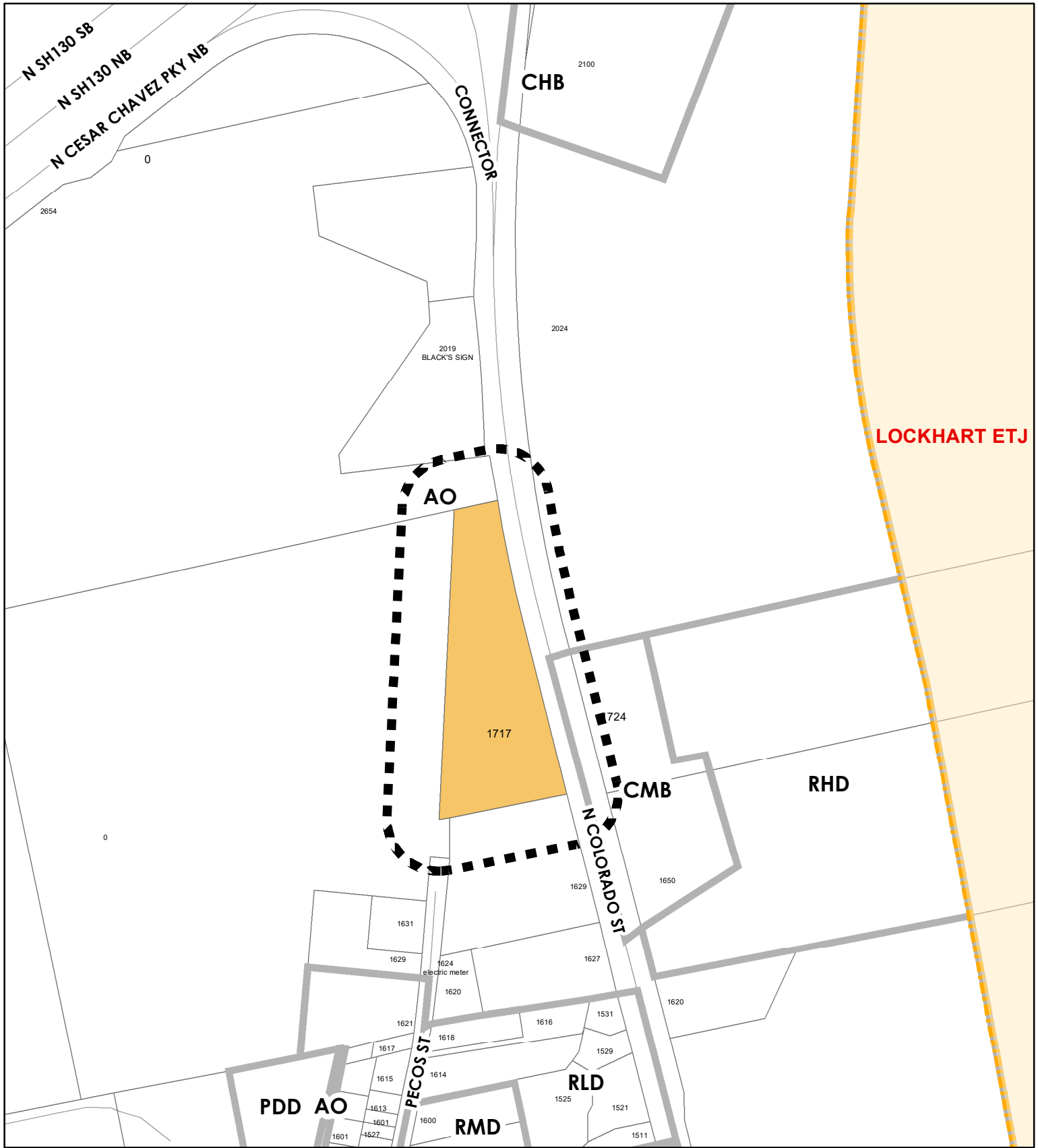
THENCE NORTH 78° 29' 52" EAST, A DISTANCE OF 172.30 FEET ALONG THE NORTH LINE OF SAID LOCKHART NORTH TRACT TO A POINT FROM WHICH A 5/8-INCH IRON ROD FOUND BEARS NORTH 33° 10' 55" WEST - 3.65 FEET, SAID POINT BEING THE NORTHEAST CORNER OF SAID LOCKHART NORTH TRACT, BEING ON THE AFORESAID WEST LINE OF N. COLORADO STREET, AND BEING THE BEGINNING OF A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 5,804.58 FEET;

THENCE ALONG SAID WEST LINE AND SAID CURVE AN ARC DISTANCE OF 474.50 FEET, HAVING A CHORD BEARING AND DISTANCE OF SOUTH 10° 59' 27" EAST - 474.37 FEET;

THENCE SOUTH 13° 18' 00" EAST, A DISTANCE OF 690.94 FEET ALONG SAID WEST LINE TO THE POINT OF BEGINNING AND CONTAINING 384,516 SQUARE FEET OR 8.827 ACRES OF LAND.

Survey Plat of even date attached hereto and made a part hereof.

Date: 02/17/17



ZC-22-19

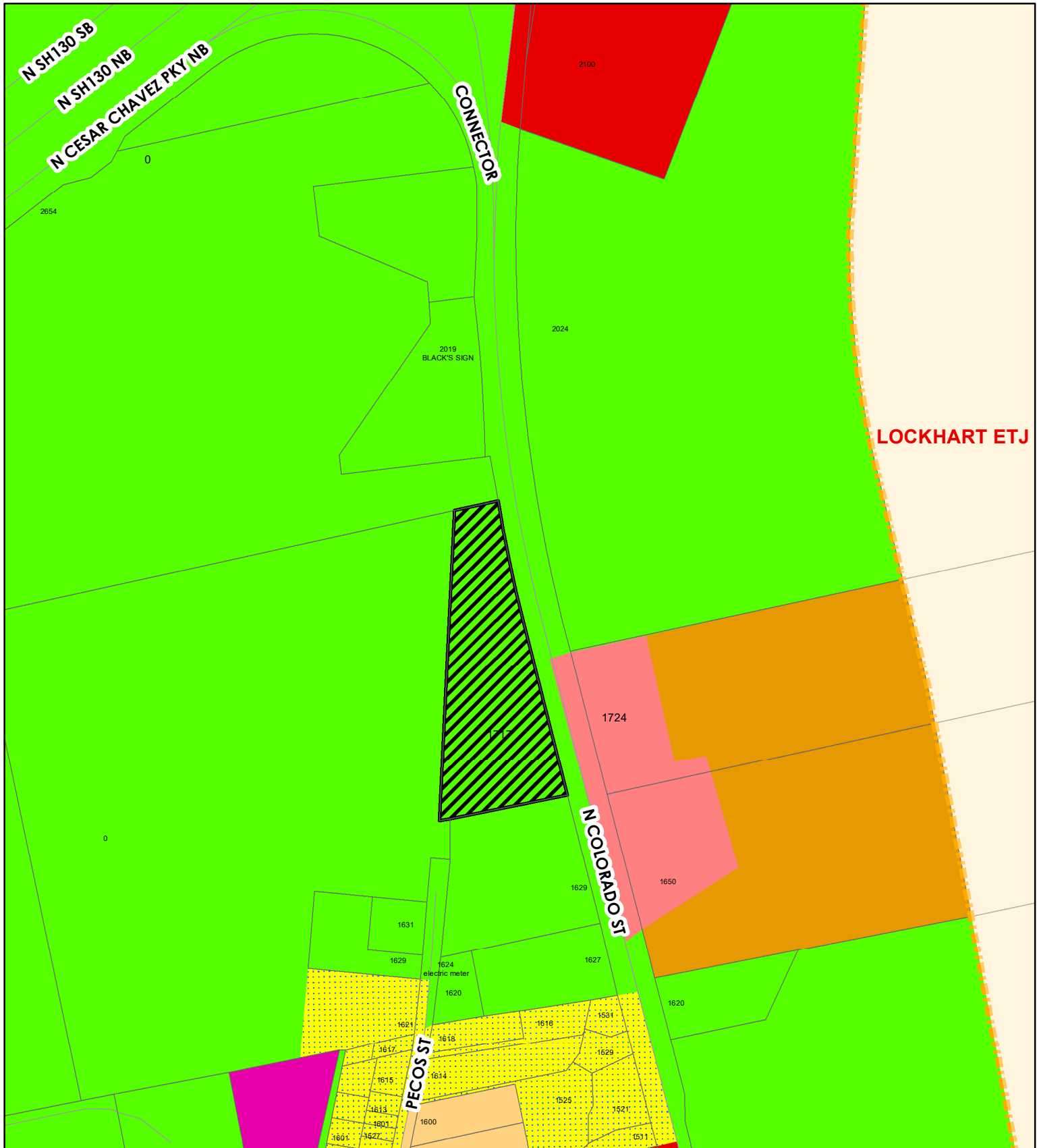
AO TO CHB

1717 N COLORADO ST



scale 1" = 500'

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



ZC-22-19

AO TO CHB

1717 N COLORADO ST



scale 1" = 500'

- ZONING DISTRICTS**
- AGRICULTURAL-OPEN SPACE
 - COMMERCIAL HEAVY BUSINESS
 - COMMERCIAL MEDIUM BUSINESS
 - PLANNED DEVELOPMENT
 - RESIDENTIAL HIGH DENSITY
 - RESIDENTIAL LOW DENSITY
 - RESIDENTIAL MEDIUM DENSITY



CASE SUMMARY

STAFF: David Fowler, Senior Planner
 REPORT DATE: July 28, 2022
 PLANNING AND ZONING COMMISSION HEARING DATE: July 27, 2022
 CITY COUNCIL HEARING DATE: August 2, 2022
 REQUESTED CHANGE: AO to CHB
 STAFF RECOMMENDATION: **Approval**
 PLANNING AND ZONING COMMISSION RECOMMENDATION: **Approval**

CASE NUMBER: ZC-22-19

BACKGROUND DATA

APPLICANT: Chandresh Gohel
 OWNER: SSPC Development LLC
 SITE LOCATION: 1717 North Colorado Street
 LEGAL DESCRIPTION: Metes and bounds
 SIZE OF PROPERTY: 8.827 acres
 EXISTING USE OF PROPERTY: Agricultural land with one residence
 LAND USE PLAN DESIGNATION: *Residential Low Density*

ANALYSIS OF ISSUES

REASON FOR REQUESTED ZONING CHANGE: The owner of the land is interested in selling it. They believe that commercial zoning will make the property easier to sell. No specific development type has been detailed. Only limited, agriculture-related commercial business types are allowed by the existing AO zoning.

AREA CHARACTERISTICS:

	Existing Use	Zoning	Future Land Use Plan
North	Vacant land	AO	<i>Low Density Residential</i>
East	Vacant land	AO, CMB, RHD	<i>Agriculture/Rural Development</i>
South	Residential	AO	<i>Low Density Residential</i>
West	Vacant Land	AO	<i>Low Density Residential</i>

TRANSITION OF ZONING DISTRICTS: There had been no other commercial zoning nearby, but on July 19, 2022, City Council approved the zoning change for two of the parcels directly across North Colorado Street to CMB Commercial Medium Business District and RHD , Residential High Density District. The remainder of the surrounding area is either AO or RLD, Residential Low Density.

ADEQUACY OF INFRASTRUCTURE: Vehicular access is available from North Colorado Street (US 183) Water is available along the property’s southern boundary, as well as on the east side of North Colorado Street. Wastewater is not available in the area, but may be extended northward towards the area in part by the developers of the properties across North Colorado Street.

POTENTIAL NEIGHBORHOOD IMPACT: The area to the north is currently rural in nature, with sparse development. As one travels south along North Colorado Street more houses, commercial and institutional uses appear. 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 not consistent with the property's *Residential Low Density* future land use designation. However, the property is very close to an identified high-intensity node on the future land use map at the intersection of US 183 and SH 130. The property's location at the planned intersection of North Colorado Street with a future east-west collector street, as well as the property's relatively shallow depth and long frontage along North Colorado Street also makes the location more suitable for commercial development than residential development.

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 CHANDRESH GOHEL ADDRESS SSPC Development LLC
DAY-TIME TELEPHONE 806 236 2628 5337 ponte-tresa dr.
E-MAIL cg1920@gmail.com Austin Tx 78738-4170

OWNER NAME SSPC Development LLC ADDRESS _____
DAY-TIME TELEPHONE 806 236 2628 _____
E-MAIL cg1920@gmail.com _____

PROPERTY

ADDRESS OR GENERAL LOCATION 1717 N Colorado St Lockhart Tx
LEGAL DESCRIPTION (IF PLATTED) A017 Lockhart, Byrd, Acres 8.828
SIZE 8.827 ACRE(S) LAND USE PLAN DESIGNATION low density residential
EXISTING USE OF LAND AND/OR BUILDING(S) Vacant
PROPOSED NEW USE, IF ANY Commercial use

REQUESTED CHANGE

FROM CURRENT ZONING CLASSIFICATION A0
TO PROPOSED ZONING CLASSIFICATION CHB
REASON FOR REQUEST planning to sell as commercial development,
it has lots of 183 road frontage & would be a great
space for a business to come into town.

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 \$ 320.50 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

6-16-22

OFFICE USE ONLY

ACCEPTED BY

Dan Gibson

RECEIPT NUMBER

1162035

DATE SUBMITTED

6-28-22

CASE NUMBER ZC -

22 - 19

DATE NOTICES MAILED

7-8-2022

DATE NOTICE PUBLISHED

7-14-22

PLANNING AND ZONING COMMISSION MEETING DATE

7-27-22

PLANNING AND ZONING COMMISSION RECOMMENDATION

Approval

CITY COUNCIL MEETING DATE

8-2-22

DECISION

City of Lockhart, Texas

Council Agenda Item Cover Sheet

COUNCIL MEETING DATE: August 2, 2022

AGENDA ITEM CAPTION: Hold a public hearing and consider granting a petition by Thomas Staub on behalf of ROED Prop Co, LLC for approval of Ordinance 2022-36 **Annexing** 89.775 acres out of the J.A. Neill Survey, Abstract Number 20, Caldwell County, Texas located on the east side of FM 1322 approximately 2,600 feet south of Seawillow Road into the city limits, approving an **Annexation Service Agreement** for said property, and assigning thereto a zoning classification of *AO Agricultural-Open Space District* and amending the zoning map accordingly.

ORIGINATING DEPARTMENT AND CONTACT: Development Services - David Fowler

ACTION REQUESTED: Ordinance

BACKGROUND/SUMMARY/DISCUSSION: This item is the public hearing and discussion and possible approval of an ordinance for the annexation of 89.775 acres located on the east side of FM 1322. The property is contiguous to the current city limits. The property is proposed to be developed as a residential subdivision with the possible inclusion of a site for a private school. The property is uninhabited and is currently crop land. The property is not currently served by City of Lockhart water and wastewater utilities. As such, the extension of such services will be at the owner's expense, with a possible contribution by the city for a portion of the cost of the wastewater extension needed to support the proposed development type.

At the July 5, 2022 City Council meeting, Resolution 2022-28 was adopted setting the public hearing date for August 2, 2022. In accordance with the sections of Chapter 43 of the Texas Local Government Code pertinent to annexations the petitioned by the landowner, notice of the public hearing was advertised in the July 21, 2022, issue of the Lockhart Post Register and posted on the City website continuously since July 14, 2022. Additionally, notification letters have been sent to Lockhart ISD, Caldwell County, Caldwell County ESD 4, and other affected public entities. No comments have been received as a result of the notifications.

An Annexation Service Agreement is included as an attachment to the ordinance. The service plan details all city services that will be available to the developer at the time of annexation. Water and wastewater are listed as not currently serving the property in the Service Agreement. Staff has received a letter from Aqua Texas stating they would not object to the city serving the property, allowing the city to serve the site once waterlines have been extended.

As the result of the annexation, the property will be zoned AO, Agricultural-Open Space District, effective upon annexation. The property owner will likely seek a zoning change to develop the site as a residential subdivision. The proposed annexation will also cause the Lockhart ETJ to extend further to the southeast as a result of the expanded city limit this annexation would create.

City of Lockhart, Texas

Council Agenda Item Cover Sheet

PROJECT SCHEDULE (if applicable): None.

AMOUNT & SOURCE OF FUNDING:

Funds Required:

Account Number:

Funds Available:

Account Name:

FISCAL NOTE (if applicable): Upon annexation, the property will be placed on the city property tax roll. The city will be required to provide services to the property as described in the Annexation Service Agreement.

PREVIOUS COUNCIL ACTION: On July 5, 2022, City Council adopted Resolution 2022-28, setting the date for the public hearing regarding the annexation for July 2, 2022.

COMMITTEE/BOARD/COMMISSION ACTION: None.

STAFF RECOMMENDATION/REQUESTED MOTION: APPROVAL of Ordinance 2022-36, thereby annexing 89.775 acres out of the J.A. Neill Survey located east of FM 1322, adopting the Annexation Service Agreement, and assigning zoning of AO Agricultural-Open Space Zoning District to the property.

LIST OF SUPPORTING DOCUMENTS: Red Oak-Seawillow Annexation Ordinance 8-02-2022, Red Oak petition and metes and bounds, RED OAK ANNEX--Exhibit C Map, NOTARIZED 2022 Seawillow Ranch -Red Oak service agreement revised 06-27-22

ORDINANCE NO. 2022-36

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF LOCKHART, TEXAS, BY ANNEXATION OF CERTAIN TERRITORY, BEING APPROXIMATELY 89.775 ACRES OF LAND LOCATED IN CALDWELL COUNTY, TEXAS, AS DESCRIBED IN EXHIBIT "B" AND AS DEPICTED IN EXHIBIT "C", DESCRIBED AS 89.775 ACRES OF LAND, MORE OR LESS, OUT OF THE J.A. NEIL SURVEY, CALDWELL COUNTY, TEXAS; DIRECTING THE CITY SECRETARY TO FILE A CERTIFIED COPY OF THIS ORDINANCE WITH CERTAIN AUTHORITIES; DIRECTING THAT THE MAP OF THE CITY BOUNDARIES AND EXTRATERRITORIAL JURISDICTION BE UPDATED TO INCLUDE THE ANNEXED PROPERTY; PROVIDING FOR APPROVAL OF THE ANNEXATION SERVICE AGREEMENT FOR THE ANNEXED PROPERTY; GRANTING TO SAID ANNEXED PROPERTY AND ALL FUTURE INHABITANTS ALL OF THE RIGHTS AND PRIVILEGES OF OTHER CITIZENS AND BINDING SAID FUTURE INHABITANTS BY ALL OF THE ACTS AND ORDINANCES OF SAID CITY; PROVIDING FOR SEVERABILITY; PROPER NOTICE AND MEETING; AND EFFECTIVE DATE.

WHEREAS, Section 43.0671 of the Texas Local Government Code additionally authorizes a City to annex an area if each owner of the land in the area requests the annexation; and

WHEREAS, in accordance with the Annexation Petition dated March 15, 2022, attached hereto as Exhibit "A", and incorporated herein for all purposes, the landowner of the property has voluntarily requested and consented to the annexation of the Property; and

WHEREAS, the Property is adjacent to and contiguous to the boundaries of the City; and

WHEREAS, an Annexation Service Agreement for the territory to be annexed has been negotiated and approved by the Landowner and is hereby approved by the City Council as required by Sec. 43.0672 of the Texas Local Government Code, a copy of which Service Agreement, is attached hereto as Exhibit "D"; and

WHEREAS, notices were provided and the public hearing was held in accordance with state law regarding the annexation of the subject Property at which time persons interested in the annexation were given the opportunity to be heard; and

WHEREAS, the territory is exempt from the municipal annexation plan requirements; and

WHEREAS, the Property is within the City's extraterritorial jurisdiction and the Property is not within the extraterritorial jurisdiction or corporate limits of any other city; and

WHEREAS, the City Council is of the opinion that annexing the subject Property is in the best interest of the City;

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

SECTION 1. PREAMBLE. All of the above premises are hereby found to be true and correct legislative and factual findings of the City of Lockhart and are hereby approved and incorporated into the body of this Ordinance as if copied in their entirety.

SECTION 2. ANNEXATION. That the Property described as approximately 89.775 acres of land, Caldwell County, Texas, described in Exhibit "B" and depicted in Exhibit "C" attached hereto, and incorporated herein for all purposes, is hereby annexed into the City of Lockhart, Caldwell County, Texas, and that the corporate limits of the City of Lockhart shall be and the same are hereby extended to include the Property within the territorial limits of said City, and said Property and the present and future inhabitants thereof shall hereafter be entitled to all rights and privileges of citizens of Lockhart, Texas, and shall be bound by the provisions of all ordinances and codification of ordinances of said City.

SECTION 3. ANNEXATION SERVICE AGREEMENT. An Annexation Service Agreement, attached hereto as Exhibit "D", and incorporated herein for all purposes, between the City and the Landowner for the Property is hereby approved and the Mayor is authorized to execute same.

SECTION 4. FILING OF ORDINANCE. That the City Secretary is hereby directed to file a certified copy of this Ordinance with the County Clerk of Caldwell County, Texas, the Voting Registrar of Caldwell County, the Caldwell County Appraisal District, the Secretary of the State of Texas, and the Comptroller of the State of Texas in the manner required by law.

SECTION 5. MAPS. That the Official Map showing the boundaries of the City and its extraterritorial jurisdiction shall be immediately updated to include the Annexed Property and the map shall be annotated to show the date of the annexation and the number of the annexation ordinance.

SECTION 6. SEVERABILITY. That if any provision of this Ordinance or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Ordinance and the application of such provision to other persons and circumstances shall nevertheless be valid, and the City Council hereby declares that this Ordinance would have been enacted without such invalid provision.

SECTION 7. REPEALER CLAUSE. The provisions of this Ordinance shall be cumulative of all other ordinances or parts of ordinances governing or regulating the same subject matter as that covered herein, provided, however, that all prior ordinance or parts of ordinances inconsistent or in conflict with any of the provisions of this Ordinance are hereby expressly repealed to the extent that such inconsistency is apparent. This Ordinance shall not be construed to require or allow any act which is prohibited by any other ordinance.

SECTION 8. NOTICE AND MEETING CLAUSE. It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Local Government Code.

SECTION 9. EFFECTIVE DATE. This Ordinance shall take effect immediately upon approval.

Passed and Approved: _____, 2022

CITY OF LOCKHART

Lew White, Mayor

ATTEST:

Connie Constancio
City Secretary

APPROVED AS TO FORM:

Monte Akers, City Attorney

PETITION FOR ANNEXATION

TO THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF LOCKHART, TEXAS:

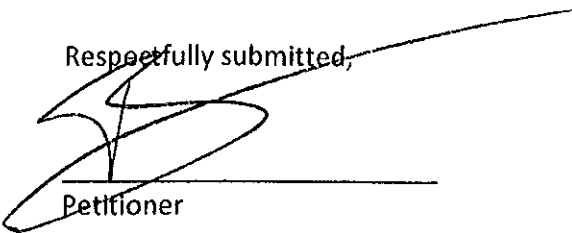
ROED Prop Co, LLC
(Thomas Staub), herein collectively referred to as "Petitioner", files this Petition requesting the annexation of certain property they own, being the real property described in by metes and bounds and plat in Exhibit A, attached hereto and made a part hereof for all purposes ("Property") into the boundaries of the City of Lockhart, Texas ("City"), in accordance with the provisions of Sections 43.0671 of the Texas Local Government Code. In support hereof, the Petitioner states the following:

1. The City has the authority under Section 43.0671 of the Texas Local Government Code to extend its boundaries by the annexation of additional territory upon request by the landowners of said territory.
2. In accordance with the requirements of Chapter 43 of the Texas Local Government Code, the Property: (a) is contiguous and adjacent to the current corporate limits of the City; and, (b) is vacant and without residents.
3. The Petitioner is the sole owner of the Property.
4. By execution of this Petition, Petitioner declares that the Property is not appraised for ad valorem tax purposes as land for agricultural or wildlife management use, or for timber purposes under Subchapter C or D, Chapter 23, Texas Property Tax Code, or if such Property is appraised for agricultural or wildlife management use, or for timber purposes, Petitioner waives the right to request a Development Agreement pursuant to Section 43.016 of the Texas Local Government Code.

THEREFORE, Petitioner respectfully requests that after the fifth (5th) day but on or before the thirtieth (30th) day from the filing of this Petition, the Lockhart City Council will consider this Petition, the arguments for and against the annexation, and grant this Petition in accordance with the terms hereof and thereafter by ordinance annex the Property so that on the effective date of such ordinance the area to be annexed shall become a part of the City and therefore be entitled to the rights and privileges of all of the territory within the City and be bound by the acts and ordinances adopted by the City.

DATED the 14th day of April, 2022

Respectfully submitted,



Petitioner

8512 Bestwick Bend Austin, TX 78744
Address

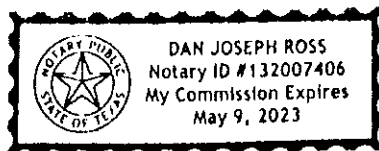
STATE OF TEXAS §
COUNTY OF Texas §

BEFORE ME, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared Thomas Staub known to me to be the person whose name is subscribed to the foregoing instrument. This instrument was acknowledged before me on the 14th day of April, 2022, by Fair Beals.



Notary Public, State of Texas

(SEAL)



BEING 89.775 acres of land situated in the J.A. NEILL SURVEY, ABSTRACT NO. 20, Caldwell County, Texas, and being a portion of and part of a called 169.811 acres of land described in deed to SVAG Investments, LLC, a Texas Limited Liability Company, as recorded in Document Number 2021-006881 of the Official Public Records of Caldwell County, Texas, and being more particularly described by metes and bounds as follows:

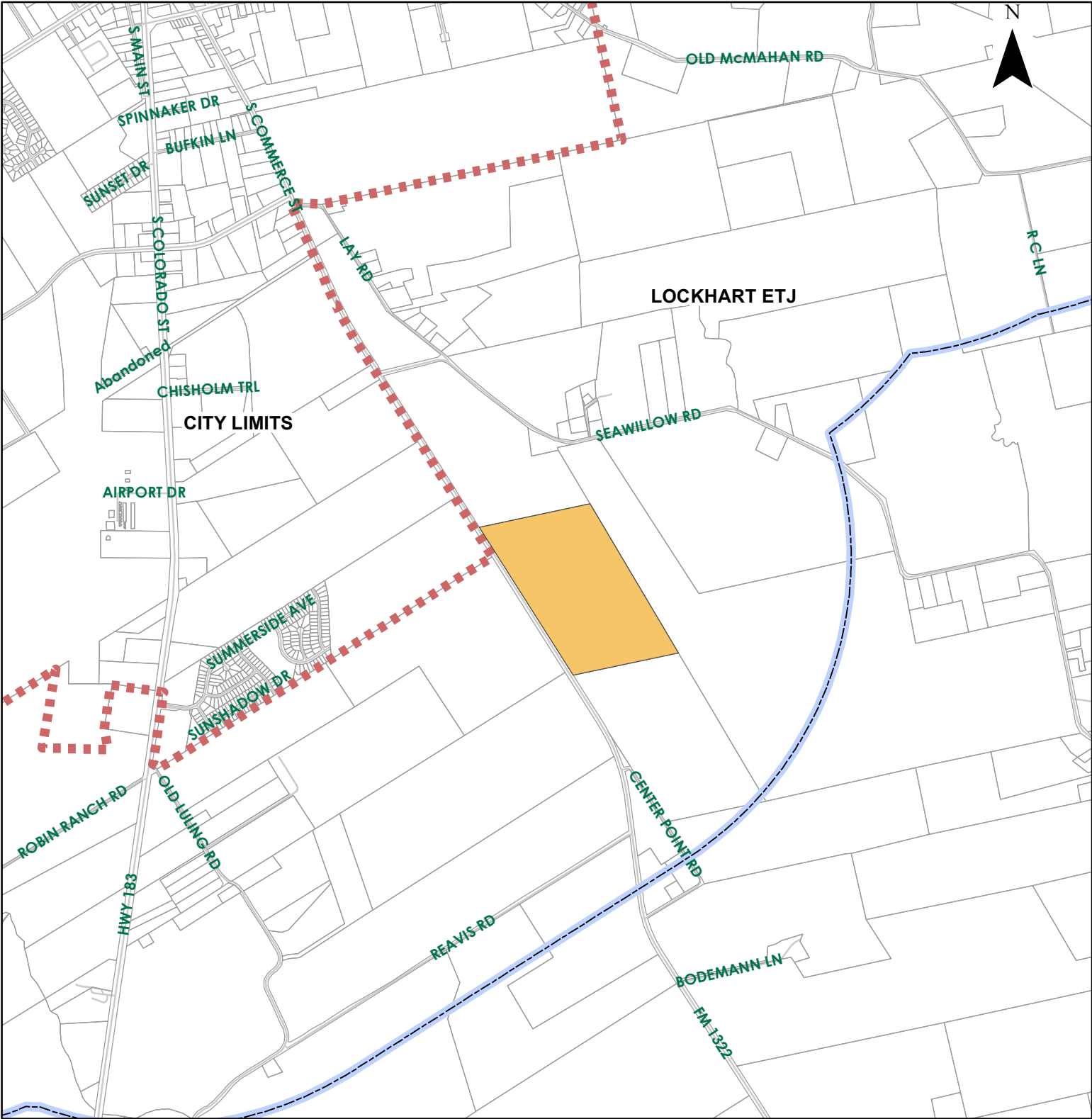
BEGINNING at a ½ inch capped iron rod found, marked Hinkle Surveying, on the Northeast Right-of-Way line of Farm to Market Road 1322, an 80 foot Right-of-Way, and for the Northwest corner of a called 85.00 acre tract of land as described in a deed to Charles D. Spillmann and Jane Spillmann as recorded in Document Number 2016-005533 of said Official Public Records, same being the Southwest corner of said 169.811 acre tract and the of this herein described tract;

THENCE North 31 degrees 43 minutes 06 seconds West, along said Right-of-Way and the Southwest line of this tract, a distance of 2,572.95 feet to a ½ inch capped iron rod found, marked Jones Carter Prop Corner, for the Northwest corner of this therein described tract;

THENCE North 78 degrees 46 minutes 11 seconds East, crossing said 169.811 acre tract, a distance of 1,665.32 feet to a ½ inch iron rod found on the Southwest line of a called 358.536 acre tract of land as described in a deed to David V. Acevedo and Marge Margarita Acevedo as recorded in Volume 209, Page 425 of said Official Public Records, same being the Northeast line of said 169.811 acre tract, and being the Northeast corner of this herein described tract;

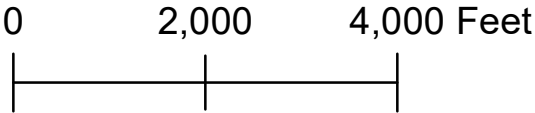
THENCE South 29 degrees 54 minutes 41 seconds East, along the common line of said 358.536 acre tract, a distance of 2,544.30 feet to a ½ inch capped iron rod found, marked Hinkle Surveying, for the Northeast corner of said 85.00 acre tract, and being the Southeast corner of this tract;

THENCE South 78 degrees 46 minutes 18 seconds West, along the common line of said 85.00 acre tract, a distance of 1,579.70 feet to the **POINT OF BEGINNING**, containing 89.775 acres of land, more or less.



CITY OF
Lockhart
TEXAS

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.



Map Legend

- REDOAK ANNEXATION
- PARCEL BOUNDARY
- CITY LIMITS
- LOCKHART ETJ

ORDINANCE EXHIBIT "D"

CITY OF LOCKHART SERVICE AGREEMENT FOR SEAWILLOW RANCH ANNEXATION - 2022

WHEREAS, the City of Lockhart, Texas (the "City") has instituted annexation proceedings for the land described in Exhibit "A", attached hereto (referred to herein as the "Annexed Property"); and,

WHEREAS, Chapter 43, Texas Local Government Code, (referred to herein as "TLGC") requires a service plan agreement between the Landowner and the City adopted with, or prior to, the annexation ordinance;

NOW, THEREFORE, by execution hereof, the City and the Landowner agree to the Annexation Services set out herein for the Annexed Property on the date of annexation:

1. Intent

As used in this Agreement, *providing services* includes having services provided by any method or means by which the City may extend municipal services to any other area of the City, including the City's infrastructure extension policies and Landowner participation in accordance with applicable City ordinances. Provided however, that nothing in this Service Plan Agreement shall require the City to provide a uniform level of full municipal services to each area of the City, including the Annexed Property, if different characteristics of topography, land use, and population density are considered a sufficient basis for providing different levels of service.

The City shall provide the Annexed Property or cause the Annexed Property to be provided with services in accordance with this Agreement. This may include, but is not limited to, causing or allowing private utilities, governmental entities, and other agencies to provide such services, in whole or in part. The parties acknowledge and agree that it is not the intent of this Agreement to create any vested rights to develop the Annexed Property, until such time that development of the Annexed Property is commenced as evidenced by the submittal of one or more complete development applications in accordance with the City's Code of Ordinances.

2. Police, EMS, and animal control

Immediately upon annexation, City of Lockhart Police will provide regular and routine patrols in the area as part of its overall patrol activities, and will respond to any calls for assistance. Similarly, Emergency Medical Service and animal control services will be provided by the City. The Bufkin Lane EMS station is the closest to and has the most direct access to this annexation area. No additional personnel or equipment is anticipated as a result of this annexation.

3. Fire protection

Immediately upon annexation, the Lockhart Fire Department will provide fire suppression service from Fire Station No. 1, located at 201 W. Market St. Fire prevention activities, including subdivision/building plan review and fire inspections of structures, will be provided by the City, or a firm contracted by the City. Although no additional personnel or equipment is anticipated as a result of this annexation, the pace of future development will determine the need for a fire substation in the southeast part of the city.

4. Solid waste collection

Immediately upon annexation, refuse collection and voluntary household curbside recycling will be provided by the City in accordance with the rates and conditions of the Lockhart City Code. Recycling is also available at the City's voluntary drop-off center located at 110 N. Brazos St. No additional personnel or equipment is anticipated as a result of this annexation.

5. Water facilities

The closest City water mains are a 12-inch line along FM 1322 that is being connected to the Summerside Subdivision on the west side of FM 1322. The Annexed Property is adjacent to, but not within, the City's water service jurisdiction, but Aqua Water Supply Corporation has issued a letter allowing the city to serve the Annexed Property until a formal transfer of jurisdiction can be completed. Further water line extensions are the responsibility of the Landowner or developer desiring service, in accordance with the City's subdivision regulations, water facility construction standards, and utility extension policy. The City of Lockhart will maintain any new public water facilities that are not in the service area of another utility, in accordance with standard City maintenance procedures.

6. Wastewater facilities.

The Annexed Property will be served by the City's centralized sanitary wastewater system which is not currently available to the Annexed Property. The cost of extending such centralized wastewater service to the Annexed Property shall be the Landowner's responsibility in accordance with the City's Utility Extension Ordinance, unless the city and the landowner agree to alternative arrangements. However, should the extension of such centralized wastewater system result in the City's oversizing of the wastewater system to serve properties outside of the Annexed Property or, in the event that the installation or construction of sewer system facilities will benefit the overall performance of the City's wastewater system to properties located outside of the Annexed Property, the Landowner's share shall be determined on a pro-rata basis and shall be limited to costs associated with the extension of the wastewater service to the Annexed Property. The City of Lockhart will maintain any wastewater facilities serving the Annexed Property in accordance with standard City maintenance procedures and the Code of Ordinances.

7. Electric service and street lighting

The Annexed Property is not within the City's jurisdiction for electric service. Electric service is provided by Bluebonnet Electric Cooperative.

8. Streets and drainage

Access to the Annexed Property is currently provided by FM 1322. Immediately upon annexation, street and drainage facility and public rights-of-way maintenance will be performed by the Lockhart Public Works Department in accordance with standard City maintenance procedures for streets located within the subject area that are not under the jurisdiction of the State. Construction of new streets and drainage facilities is the responsibility of the Landowner or developer desiring them, in accordance with the City's subdivision regulations and street and drainage facility construction standards.

9. Traffic control

Immediately upon annexation, the City of Lockhart will maintain street name signs, traffic control devices, and other required traffic system design improvements for any new public streets in the Annexed Property.

10. Parks and recreation

Immediately upon annexation, Lockhart Parks and Recreation Department facilities and services, including the use of any and all public parks, will be available to residents of the Annexed Property. There are currently no City parks or recreation facilities in the subject Annexed Property. Dedication of land, or payment of a fee-in-lieu-of land dedication, for new parkland is the responsibility of the Landowner at the time of land development in accordance with the City's subdivision regulations. Construction of park improvements on the dedicated land, and maintenance thereafter, will be in accordance with the standards of the Lockhart subdivision regulations unless otherwise negotiated with the Landowner or developer.

11. Public Library

Immediately upon annexation, all residents of the subject Annexed Property will be eligible for library services available to Lockhart citizens at the Lockhart Public Library.

12. Planning and zoning

Immediately upon annexation, the Annexed Property will be zoned "AO" Agricultural-Open Space District, in accordance with the City of Lockhart zoning ordinance. Any other zoning classification for specific parcels may be subsequently requested by individual property owners in accordance with the standard City application, notification, and public hearing procedures.

The Lockhart 2020 Land Use Plan indicates primarily future Agricultural/Rural Development, with a commercial node where a future collector street would cross through the northern portion of the Annexed Property. The land use plan also indicates a future arterial passing near the southeast corner of the annexation area. All services of the Lockhart Planning Department will be available to residents and owners of annexed Property.

13. Building inspection and code enforcement

Immediately upon annexation, the City of Lockhart Building Inspection Division, or a firm contracted by the City, will enforce the adopted building and nuisance codes within the Annexed Property. This includes consultation with developers, plan review, and on-site inspections for construction activity, as well as investigation of complaints and prosecution of code violations related to buildings, property maintenance, and other health and safety hazards or nuisances.

14. Environmental health code services

Immediately upon annexation, the City of Lockhart Health Officer will enforce the City's food-handler and other adopted health regulations within the Annexed Property area. This includes regular inspections as well as investigation of complaints and prosecution of violations.

15. Floodplain management

Immediately upon annexation, floodplain management will be in accordance with FEMA and City of Lockhart flood hazard regulations. There are no identified 100-year floodplains in the Annexed Property.

16. Miscellaneous municipal facilities and services

Should any other municipal facilities, buildings, or services be constructed or located within the subject area subsequent to annexation, all required operation or maintenance will be provided by the appropriate City department.

17. Term and Effective Date

This agreement shall be effective on the date the Annexed Property is annexed by the City. This Annexation Services Agreement shall be valid for a term of ten (10) years.

CITY OF LOCKHART

LANDOWNER

Lew White, Mayor

Thomas Earl Staub
By:

Date: _____

Date: 06/30/2022

State of Florida County of Miami Dade

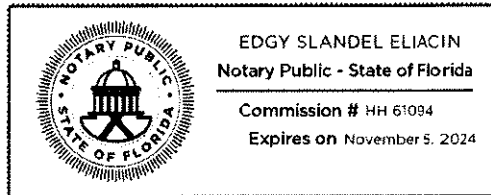
Acknowledged before me Thomas Earl Staub

on 06/30/2022

produced Texas drivers license

Edgy Slandel Eliacin

Edgy Slandel Eliacin



Notarized online using audio-video communication

**REGULAR MEETING
LOCKHART CITY COUNCIL**

JUNE 21, 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
Randy Jenkins, Fire Chief
Dan Gibson, City Planner

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

Citizens/Visitors Addressing the Council: Shanna Ramzinski of the Caldwell County Appraisal District; Jason Eeds and Eduardo Montoya of the Guadalupe-Blanco River Authority; William Wachel of TRC Engineers; Bobby Eichholz of Rialto Studio; Mark Estrada, LISD Superintendent; Citizens: Gary Clements, Jeff Utzinger, Jessica Rutland, Wayne Walther, Robert Steinbomer, Jaston Williams, Michael Laird, Robyn Gonzalez, Donna Daniels, Len Gabbay, and Arysta Soler.

Work Session 6:30 p.m.

Mayor White opened the work session and advised the Council, staff and the audience that staff would provide information and explanations about the following items:

DISCUSSION ONLY

Mayor White recognized Monte Akers, City Attorney, for being recognized by the Texas City Attorney Association's prestigious Susan Rocha Award for outstanding public service. Mayor White, City Council and staff commended and thanked Mr. Akers for his 50 year law career and for his service to the City of Lockhart. Mr. Akers thanked the Association for selecting him to receive the award and the City of Lockhart for recognizing it.

A. PRESENTATION OF A PROCLAMATION CONCERNING PRIDE WEEK ACTIVITIES IN THE CITY OF LOCKHART.

Mayor White read the proclamation. He encouraged everyone to be mindful of each other.

B. PRESENTATION OF THE CALDWELL COUNTY APPRAISAL DISTRICT'S APPRAISAL AND COLLECTION BUDGET FOR FISCAL YEAR 2022-2023.

Ms. Larison stated that on June 13, 2022, the City of Lockhart received the Caldwell County Appraisal District's proposed budgets for collections and appraisals for the year January 1, 2023 through December 31, 2023. The most notable increases are in salaries, benefits and building costs. The Caldwell County Appraisal District's Board of Directors must approve their budget by September 15, 2022.

Shanna Ranzinski of the Caldwell County Appraisal District (CCAD) provided information about the CCAD's budget. She stated that the CCAD has had difficulties filling vacant positions because of the low salaries. The CCAD hired a firm to conduct a salary comparison study and assisted in setting updated personnel pay structures for each position. The increase in building costs is for unexpected building maintenance necessities. There was discussion.

C. PRESENTATION OF THE GUADALUPE-BLANCO RIVER AUTHORITY'S (GBRA) ANNUAL BUDGET FOR SERVICES IN FISCAL YEAR 2022-2023.

Ms. Larison stated that on June 9, 2022, representatives of GBRA met with the City Manager, Public Works Director and Finance Director to discuss the proposed budget for the Guadalupe-Blanco River Authority's maintenance and operations costs associated with the Lockhart water and wastewater plants and the City of Luling water plant. The debt allocations associated with the Carrizo Groundwater Supply Project and the Luling to Lockhart water pipeline debt were also discussed.

Notable changes in GBRA's proposed budget:

Water Department

- decrease in maintenance and operations of Lockhart water plant costs.
- increases in debt payments for Carrizo Groundwater Supply Project and Luling to Lockhart pipeline debt.

Wastewater Department

- decrease in maintenance and operations of Lockhart wastewater plant costs.

Jason Eeds, Chief Operator of the GBRA provided information and there was discussion regarding their Fiscal Year 2022-2023 budget.

D. DISCUSS ALLOCATIONS TO NON-PROFIT ORGANIZATIONS FOR FISCAL YEAR 2022-2023.

Ms. Larison stated that on June 7th and June 14th, the City Council received requests for funding from non-profit organizations that will provide social services within the city limits of Lockhart for its residents. These funding requests are for the upcoming Fiscal Year of 2022-2023. The requests totaled \$49,732.

There was discussion regarding the allocations.

CONSENSUS: After discussion, the consensus of the Council was to allocate funds to non-profit organizations as follows:

CARTS	\$6,000
Hays-Caldwell Women's Center	\$5,255
Cenikor Foundation	\$2,000
Combined Community Action-Sr. Nutrition	\$8,221
Lockhart Area Senior Citizen Center	\$4,462
CASA of Central Texas	\$4,517
Caldwell County Christian Ministries	\$6,587

E. DISCUSS PROFESSIONAL SERVICE AGREEMENT AND ENGINEERING SCOPE OF WORK PROPOSAL WITH TRC ENGINEERS, INC. FOR THE LOCKHART DOWNTOWN REVITALIZATION PROJECT AND APPOINTING THE CITY MANAGER TO SIGN THE ENGINEER SERVICES AGREEMENT, IF APPROVED.

Mr. Kelley stated that during the May 3, 2022 meeting, Council requested additional information regarding the existing parking configuration downtown and the impact of Option 1B on the parking space count. TRC has prepared exhibits explaining approximate parking space conditions for the project. On May 3, 2022, Council also approved Downtown Revitalization Option 1B as the selected design for the project and directed staff to come back with a contract for the design and scope of work for the project.

The Downtown Improvements Project Engineering Scope of Work Proposal based on Option 1B includes:

- Review field data and survey the nine block project area to establish boundaries and ROW including title research.
- Conduct an extensive drainage study of the project area.
- Work within the Texas Historical Commissions guidelines to protect historical features during the project.
- Ensure Texas Accessibility Standards are met.
- Design water, wastewater and storm drain systems in the project area.
- Design traffic control elements.
- Design the expansion of approximately 3,900 linear feet of sidewalks around the Courthouse and Retail Frontages.
- Design, planting, irrigation, lighting, and electrical plan.
- Provide project deliverable to the city at 30%, 60% and 90% milestones.
- Engage in public outreach for the project.
- Conduct the bidding for the project.
- Assist City staff with inspections on a weekly basis.

William Wachel of TRC Engineers and Bobby Eichholz of Rialto Studio provided information and there was discussion regarding the Downtown Revitalization project.

There was discussion regarding the truck reroute options. City Council will consider the truck reroute ordinance at a future meeting.

F. DISCUSS ORDINANCE 2022-25 AMENDING CHAPTER 20, FIRE PREVENTION AND PROTECTION OF THE CODE OF ORDINANCES OF THE CITY OF LOCKHART, ADOPT THE 2018 INTERNATIONAL FIRE CODE (IFC) WITH AMENDMENTS, AND ADOPT THE 2018 LIFE SAFETY CODE (NFPA 101) WITH AMENDMENTS.

Chief Jenkins expressed condolences to the families of Firefighters Jonathan and Hunter Coco for their loss.

Chief Jenkins stated that the purpose of this agenda item is to update Chapter 20, Fire Prevention and Protection of the Code of Ordinance of the City of Lockhart to include adopting the 2018 International Fire Code (IFC) with local amendments, and the 2018 Life Safety Code (NFPA 101) with local amendments. Several sections of Chapter 20, Fire Prevention and Protection Code of Ordinances were amended based on the review by the Fire Chief to best reflect the current operations of the fire department. He provided information regarding several articles and sections that were amended. The fire codes are being updated in comparison of other Lockhart codes, such as the Building Code.

G. DISCUSS ORDINANCE 2022-26 AMENDING CHAPTER 48 "SOLID WASTE" OF THE CODE OF ORDINANCES BY REVISING ARTICLE II CHAPTER 48-41 "MUNICIPAL COLLECTION".

Mr. Kelley stated that in an effort to improve solid waste services, the City of Lockhart's solid waste collection contractor, Central Texas Refuse (CTR) converted its waste collection schedule for commercial hand collection (commercial 95 gallon carts customers only) from two days per week to once per week starting on June 13, 2022. Commercial customers with dumpster service are not affected by this modification to the schedule. CTR offered an additional cart to existing customers to minimize the impact that this change may have. These changes were made to keep up with Lockhart's growth and to balance collection routes. Approximately 125 commercial customers were affected by this modification. The affected customers were notified of the changes leading up to the week of June 13th. Ordinance 2022-26 reflects the modifications to commercial hand collection customers by reducing the days of collection for these customers from two days a week down to once per week. Mr. Kelley recommended approval.

H. DISCUSS TERMINATION OF UTILITY EASEMENT THAT WAS REPLACED ON MARCH 22, 2022 BY A 20 FOOT WIDE WATER UTILITY EASEMENT AT 1724 NORTH COLORADO STREET.

Mr. Kelley stated that the property owner of 1724 North Colorado Street and their counsel expressed to city staff that they would like to resolve a dated easement that was originally granted to Polonia WSC in 1971. The utility easement that was granted was a 20 foot wide easement and encompassed the water main that was placed on the property. However, the current easement reads "blanket in nature". Terminating the existing easement and reestablishing a new easement with metes and bounds will clear up future confusion of the easement boundaries. In 2000, the City of Lockhart acquired this water service area (CCN-Certificated of Convenience and Necessity), which includes the easement along with the other previously granted easements in the acquired service area. Although the easement of the property could have been modified during the subdivision process upon developing the property, staff has no issues with the termination of the previous easement and the replacement easement as presented. Mr. Kelley recommended approval. There was discussion.

RECESS: Mayor White announced that the Council would recess for a break at 7:48 p.m.

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

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

ITEM 2. INVOCATION, PLEDGE OF ALLEGIANCE.

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

ITEM 4-A. HOLD A PUBLIC HEARING ON APPLICATION ZC-22-18 BY JAMES ACUNA ON BEHALF OF LOCKHART ISD, AND DISCUSSION AND/OR ACTION TO CONSIDER ORDINANCE 2022-24 FOR A ZONING CHANGE FROM *PI PUBLIC AND INSTITUTIONAL DISTRICT* TO *RHD RESIDENTIAL HIGH DENSITY DISTRICT* ON 2.253 ACRES IN THE BYRD LOCKHART SURVEY, ABSTRACT NO. 17, LOCATED AT 507 PECOS STREET.

Mayor White opened the public hearing at 8:05 p.m.

Mr. Fowler stated that the applicant has stated an intent to build housing for Lockhart Independent School District (LISD) teachers and staff on the site. The site's current PI zoning does not permit housing, so the RHD district is being sought to allow the proposed development. The current concept is 8-16 houses, which would be located on a single lot. The proposed zoning is not consistent with the site's Future Land Use Plan map's Public and Institutional designation, but the aim of providing staff housing serves the institutional mission of Lockhart ISD. Three nearby residents spoke in opposition to the proposed zoning change during the public hearing. Mr. Fowler stated that the Planning and Zoning Commission and staff recommend approval. There was discussion.

Mayor White requested the applicant to address the Council.

Mark Estrada, LISD Superintendent, stated that the LISD will maintain the properties, such as mowing home maintenance, etc. The occupants of the homes will be solely for teachers and staff. The LISD's goal is to recruit and maintain quality personnel which has been a challenge due to the lack of affordable housing. Creating affordable rental housing assists with teacher recruitment. It is a pilot project that will begin with eight units to allow the school district to see how the pilot project/affordable housing works. There was discussion.

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 8:17 p.m.

Councilmember Michelson made a motion to approve Ordinance 2022-24, as presented. Mayor Pro-Tem Sanchez seconded. The motion passed by a vote of 7-0.

ITEM 5-D. DISCUSSION AND/OR ACTION REGARDING PROFESSIONAL SERVICE AGREEMENT AND ENGINEERING SCOPE OF WORK PROPOSAL WITH TRC ENGINEERS, INC. FOR THE LOCKHART DOWNTOWN REVITALIZATION PROJECT AND APPOINTING THE CITY MANAGER TO SIGN THE ENGINEER SERVICES AGREEMENT, IF APPROVED.

Councilmember McGregor made a motion to approve the Professional Service Agreement and Engineering Scope of Work Proposal with TRC Engineers, Inc. for the Lockhart Downtown Revitalization Project and appointing the City Manager to sign the Engineer Services Agreement. Councilmember Westmoreland seconded. The motion passed by a vote of 7-0.

ITEM 3. PUBLIC COMMENT.

Mayor White requested the following to address the Council:

Gary Clements, Pastor of Martindale Baptist Church, spoke against the city presenting the proclamation because the city did not sponsor a PRIDE week event.

Jeff Utzinger of Lockhart spoke in favor of the proclamation celebrating PRIDE Week. He stated that the LBGTQ community is not new to Lockhart. It has been a part of Lockhart for many years and citizens should continue to support each other.

Jessica Rutland of Lockhart thanked Mayor White for the proclamation celebrating Pride Week. She stated that she will continue to be supportive of the LBGTQ community.

Wayne Walther of Lockhart spoke in favor of the proclamation. He stated that the community should continue to be supportive of each other.

Robert Steinbomer of Lockhart stated that his family chose to move from Austin to Lockhart because of the citizens of the community being so welcoming. He encouraged everyone to be supportive and accepting of each other.

Jaston Williams of Lockhart stated that a gay person does not need a proclamation to be proud. He stated that gay individuals are the same as other individuals. He explained the challenging experience that he and his husband went through when adopting their child from China many years ago.

Michael Laird of Lockhart supported the PRIDE week proclamation. He encouraged everyone to continue to be supportive of each other. He congratulated the LISD for generating affordable housing for teachers.

Robin Katz Gonzales of Buda spoke about several areas of concern at the Lockhart Animal Shelter that she hoped would be rectified.

Donna Daniels of Lockhart stated that her family attended several PRIDE week events. She and her husband were proud to show their daughter the diversity of individuals in the community.

Len Gabbay of Lockhart stated that his family enjoyed PRIDE week events. He spoke about the tragic accident where two firefighters lost their lives. He encouraged everyone to be safe on the roads. He requested a moment of silence in honor of the loss of the Coco brothers.

Arysta Soler of Lockhart stated that she is a board member of the local PRIDE LGBTQ organization. She spoke in support of the proclamation. She stated that several teens attended PRIDE week events in Lockhart that were just now showing comfort of expressing who they are and of becoming a part of the LGBTQ community.

Mayor White requested a motion regarding agenda items 5A, 5B, 5C, 5E, 5F, and 5G simultaneously since they were discussed during the work session.

Councilmember McGregor made a motion to approve agenda items 5A, 5B, 5C, 5E, 5F, and 5G as listed below. Councilmember Westmoreland seconded. The motion passed by a vote of 7-0.

- **ITEM 5-A. PRESENTATION OF THE CALDWELL COUNTY APPRAISAL DISTRICT'S APPRAISAL AND COLLECTION BUDGET FOR FISCAL YEAR 2022-2023.**
- **ITEM 5-B. PRESENTATION AND CONSIDER THE GUADALUPE-BLANCO RIVER AUTHORITY'S ANNUAL BUDGET FOR SERVICES IN FISCAL YEAR 2022-2023.**
- **ITEM 5-C. CONSIDER ALLOCATIONS TO NON-PROFIT ORGANIZATIONS FOR FISCAL YEAR 2022-2023.**

CARTS	\$6,000
Hays-Caldwell Women's Center	\$5,255
Cenikor Foundation	\$2,000
Combined Community Action-Sr. Nutrition	\$8,221
Lockhart Area Senior Citizen Center	\$4,462
CASA of Central Texas	\$4,517
Caldwell County Christian Ministries	\$6,587

- **ITEM 5-E. DISCUSSION AND/OR ACTION TO CONSIDER ORDINANCE 2022-25 AMENDING CHAPTER 20, FIRE PREVENTION AND PROTECTION OF THE CODE OF ORDINANCES OF THE CITY OF LOCKHART, ADOPT THE 2018 INTERNATIONAL FIRE CODE (IFC) WITH AMENDMENTS, AND ADOPT THE 2018 LIFE SAFETY CODE (NFPA 101) WITH AMENDMENTS.**
- **ITEM 5-F. DISCUSSION AND/OR ACTION TO CONSIDER ORDINANCE 2022-26 AMENDING CHAPTER 48 "SOLID WASTE" OF THE CODE OF ORDINANCES BY REVISING ARTICLE II CHAPTER 48-41 "MUNICIPAL COLLECTION".**
- **ITEM 5-G. DISCUSSION AND/OR ACTION REGARDING TERMINATION OF UTILITY EASEMENT THAT WAS REPLACED ON MARCH 22, 2022 BY A 20 FOOT WIDE WATER UTILITY EASEMENT AT 1724 NORTH COLORADO STREET.**

ITEM 5-H. DISCUSSION AND/OR ACTION TO CONSIDER RESOLUTION 2022-27 ADOPTING THE CITY OF LOCKHART'S STRATEGIC PRIORITIES FOR 2022-2023.

Mr. Lewis stated that the City Manager, City Department Heads, and City Council participated in a two-day strategic planning session facilitated by a professional consultant with Opportunity Strategies, LLC. It produced a series of goals and objectives for the City of Lockhart to focus on the upcoming fiscal year.

Councilmember Michelson made a motion to approve Resolution 2022-27, as presented. Councilmember McGregor seconded. The motion passed by a vote of 7-0.

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

There was no discussion.

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

- Fireworks Extravaganza at City Park on July 3.
- Update regarding water conservation.
- City Park updates.
- Library updates

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

Councilmember Westmoreland thanked the community for making it a great place to live. He thanked organizations and citizens for community efforts and for accepting that everyone is their own individual.

Councilmember Mendoza expressed condolences to the Coco family for their loss.

Mayor Pro-Tem Sanchez thanked organizations that hosted the Juneteenth and PRIDE events. She expressed condolences to the families of Hunter and Jonathon Coco, Julio Jimenez, and Dave Studer for their loss. She stated that Lockhart is a very diverse community and appreciated how the citizens are respectful to one another.

Councilmember McGregor thanked all for participating in successful community events and for remaining a community that expresses respect to one another. She thanked citizens that attended and expressed their comments at tonight's meeting.

Councilmember Bryant expressed condolences to the Coco family for their loss. He thanked citizens that addressed the Council tonight. He spoke against the City Council acknowledging PRIDE-LGBTQ week.

Councilmember Michelson thanked everyone that attended the meeting and expressed their comments. He thanked St. John's Colony for hosting a successful Juneteenth event on Saturday.

Mayor White expressed condolences on behalf of the City of Lockhart to all involved in the tragic loss this week. He thanked all involved in hosting Juneteenth events. He requested that the City Attorney and City Manager report about a possible local ordinance notifying citizens about sex offenders' residency status. He encouraged the citizens to continue to accept each other regardless of their sexual orientation.

ITEM 8. ADJOURNMENT.

Mayor Pro-Tem Sanchez made a motion to adjourn the meeting. Councilmember Mendoza seconded. The motion passed by a vote of 7-0. The meeting was adjourned at 9:18 p.m.

PASSED and APPROVED this the 2nd day of August 2022.

CITY OF LOCKHART

Lew White, Mayor

ATTEST:

Connie Constancio, TRMC
City Secretary

**REGULAR MEETING
LOCKHART CITY COUNCIL**

JULY 19, 2022

6:30 P.M.

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

Council present:

Councilmember Juan Mendoza
Councilmember Jeffry Michelson

Mayor Lew White
Councilmember Kara McGregor
Councilmember Brad Westmoreland

Council absent:

Councilmember Derrick David Bryant
Mayor Pro-Tem Angie Gonzales-Sanchez

Staff present:

Steven Lewis, City Manager
Monte Akers, City Attorney
Randy Jenkins, Fire Chief
Pam Larison, Finance Director
David Fowler, Senior Planner

Connie Constancio, City Secretary
Victoria Maranan, Public Information Officer
Sean Kelley, Public Works Director
Dan Gibson, City Planner

Citizens/Visitors Addressing the Council: James Green of PHI Air Medical; Citizens: Christine Ohlendorf, Ronda Reagan, Sally Daniel; Garrison Welch; Chris Bancroft; and Amy Anton.

Work Session 6:30 p.m.

Mayor White announced that Councilmember Bryant will not be able to attend tonight's meeting and that Mayor Pro-Tem Sanchez will be arriving late. 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. PRESENTATION BY PHI AIR MEDICAL REGARDING COUNTY-WIDE PARTICIPATION IN THE PHI CARES MEMBERSHIP PROGRAM TO PROVIDE MEDICALLY NECESSARY EMERGENCY AIR MEDICAL TRANSPORTATION TO THE CITIZENS OF CALDWELL COUNTY.

Chief Jenkins introduced James Green of PHI Air Medical who will make the presentation about their services.

James Green, Flight Paramedic of PHI Air Medical stated that he also presented this information to Caldwell County and the City of Luling. PHI Air Medical is staffed 365/24/7 by highly trained and experienced medical and aviation professionals. Their aircraft and crews provide life-saving emergency medical transport services. He stated that they offer a PHI Cares membership program to individuals, groups and communities which is a benefits program that shields them from any financial burdens, including co-pays, deductibles and any out-of-pocket expenses. PHI Air Medical is proposing a County-wide program that would cost residents \$6.00 per household. PHI will contract with Caldwell County and local governing entities would thereafter enter a county-wide interlocal agreement for participation in the PHI Cares Program.

The County-wide Program consists of the following:

- Provides membership benefits for all residents of Caldwell County for flights originating from Caldwell County and any adjacent county (not National Coverage).
 - Caldwell, Gonzales, Guadalupe, Hays, Travis, Bastrop, Fayette
- Residents can “upgrade” their county coverage to national benefit coverage for an additional \$45.00 per year by contacting the PHI Cares membership office.
- Based on US Census Data, there are 13,744 households in Caldwell County.
- The cost for limited benefit coverage would be \$6.00 per household or \$82,464 per year.
- The City of Lockhart would be responsible for \$27,018 per year which provides coverage to their 4,503 households.
- The program does not provide benefits for non-residents of Caldwell County.
- County residents who are transported by PHI would be required to contact PHI if they or a qualified household dependent are transported by PHI Air Medical.

There was discussion regarding costs, the billing process, and the availability of the Air Medical transport. If approved, the contract with Caldwell County would be renewed annually.

Mr. Lewis stated that the Commissioners Court and the City of Luling are in favor of proceeding with the program contingent upon all entities agreeing to participate.

B. DISCUSS MINUTES OF THE JULY 5, 2022 CITY COUNCIL MEETING.

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

C. DISCUSS OFFICE LEASE FOR CITY ADMINISTRATIVE OFFICES AND AUTHORIZE THE CITY MANAGER TO EXECUTE THE LEASE AGREEMENT.

Ms. Larison stated that on April 9, 2022, the City Council held a Strategic Goals Retreat to discuss their vision for the upcoming fiscal year. One major concern was the lack of office space due to the continued growth of the city. The number one goal was about city facilities which was to: 1) begin plans to replace/update City Hall, Police/Fire/Training facilities, Maintenance/City barn, and Utilities; 2) lease additional space where the Lockhart Economic Development Corporation (LEDC) currently offices; and 3) conduct a facilities space study. After the retreat, staff contacted the leasing agent for the LEDC building and discussed additional office space. This option allows for renovations to be performed to City Hall, (built circa 1963) Utility Customer/Billing Services and provide easier access to the Community Planning and Development and the Building Inspection Department. The office space located at 105 S. Colorado Street contains 4,906 square feet. The term would be for 60 months, beginning August 1, 2022. Annual base rent would begin at \$13/sq ft and increase by 4% annually. The City would be responsible for all utilities and the Landlord will be obligated to provide HVAC services. The City will maintain a public liability insurance policy in a minimum amount of \$2,000,000. Repair and maintenance responsibilities are listed individually in the lease agreement. The Landlord has agreed to improvements not to exceed \$5,000. Off-street parking located on the northside of the building is dedicated to city uses.

There was discussion.

D. DISCUSSION REGARDING THE REGULATION OF MURALS IN THE CITY.

Mr. Akers stated that on July 6, 2022, the Lockhart Historical Preservation Commission (LHPC) considered an application (from Allison Geneser and Erika Kottwitz) for a mural to be painted on the south wall of the Stampworthy Goods business facing an alley. Measuring 10 feet wide by 16 feet tall, or 160 square feet, the mural would read “Welcome to Lockhart” in stylized lettering and featuring a cowgirl on a rearing horse. According to the applicants, the mural “...will provide a fun and safe photo op for visitors and locals alike, and (will) pave the way for more art around town.” After consideration,

the LHPC voted to table the proposal until mural guidelines are set in place. The Commission's ordinance (28-3)(e)(16), provides that the Commission shall "Formulate detailed design review guidelines and procedures addressing alterations of designated properties which shall be reviewed and ratified by the city council forthwith." Municipal regulation of murals is a complicated area of the law involving first amendment and other issues for which there is limited precedent to follow. It is requested that the Council provide staff with guidance on how such guidelines should be established and what they should contain. Currently neither Lockhart nor many cities in Texas have regulations regarding murals. He stated that staff is seeking direction from the Council about how to proceed with creating regulations of murals.

There was discussion regarding definitions of different types of murals, the complexity of creating guidelines of murals, and if guidelines were to be developed, would they apply citywide or only within the downtown historic district.

CONSENSUS: After discussion, the consensus of the Council was to direct staff and the LHPC to develop guidelines for murals in the historic district.

E. DISCUSS ORDINANCE NO. 2022-34 ADOPTING A CODE OF ETHICS AND ANTI-DISCRIMINATION POLICY.

Mr. Akers stated that the Council has previously considered the Ethics ordinance at two separate meetings. A draft ordinance has been provided to the Council which provides details that the Council previously requested to be included. There was discussion.

CONSENSUS: After discussion, the consensus of the Council was to further discuss the ethics ordinance when there is full attendance, possibly during the next meeting.

Mr. Akers requested that Mayor/Councilmembers email him with any suggested revisions to the ordinance.

F. DISCUSSION REGARDING MATTERS RELATED TO COVID-19.

Mr. Lewis stated that the COVID cases have increased which has raised Caldwell County to the high level.

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 7:40 p.m.

ITEM 2. INVOCATION, PLEDGE OF ALLEGIANCE.

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

ITEM 3. PUBLIC COMMENT.

Mayor White requested the following citizens to address the Council:

Christine Ohlendorf, 815 W. San Antonio St., member of the Lockhart Historical Preservation Commission (LHPC) stated that the application for murals did not have enough information to allow the LHPC to make a determination about the request. She has researched other cities' mural regulations and believes there is guidance to model ordinances about mural regulations. She encouraged mural regulations

to be established to allow the LHPC to have guidelines to follow when receiving applications for murals in the downtown historic district.

Ronda Reagan, 412 W. San Antonio Street, member of the LHPC stated that they do not have guidelines or criteria to consider a mural on a historic building. She also expressed concern about who would maintain the mural after it has faded. She stated that she believes that the historic properties should not be covered with murals and that the original historic aesthetic of the brick should remain unpainted. She stated that she believes that movies are filmed in Lockhart because of the original historic integrity of the buildings and that adding murals on the original brick might deter future filming. She does not believe that the LHPC's duties as outlined in the city's ordinance includes consideration of murals because it is not a construction project. She suggested that the Council review the City of Richmond's guidelines about murals.

Sally Daniel, 113 E. San Antonio Street, Chair of Keep Lockhart Beautiful, suggested that murals be allowed in other areas of the city except the downtown historic district and that the Council establish a committee to assist with establishing the guidelines for murals.

ITEM 4-A. CONTINUE A PUBLIC HEARING ON APPLICATION ZC-22-06 BY CURTIS THIGPEN OF PARAVEL CAPITAL, AND DISCUSSION AND/OR ACTION TO CONSIDER ORDINANCE 2022-30, FOR A ZONING CHANGE FROM RMD RESIDENTIAL MEDIUM DENSITY DISTRICT TO RHD RESIDENTIAL HIGH DENSITY DISTRICT ON 19.906 ACRES IN THE CORNELIUS CRENSHAW SURVEY, ABSTRACT NO. 68, LOCATED AT 1900 NORTH CESAR CHAVEZ PARKWAY NORTHBOUND (SH 130). TABLED 6-7-22

Mayor White opened the public hearing at 7:53 p.m.

Mr. Gibson stated that the subject property is part of a 50.77 acre tract that was rezoned from AO to RMD in October 2021 for the stated purpose of developing a duplex subdivision. However, the applicant for this zoning change proposes a multifamily development, which is allowed only in the RHD district. The proposed development is the upper portion of the attached concept plan labeled "*Medium Density Residential Development*", which also includes a proposed duplex subdivision in the lower portion. The proposed RHD zoning classification is **not** consistent with the *Medium Density Residential* future land use designation shown on the land use plan map. As explained in the staff report, there is currently a total lack of sanitary sewer service in the Silent Valley Road area, while the city continues to receive applications for zoning changes and specific use permits that will potentially increase residential densities in that area above those anticipated by the comprehensive plan. The land use plan map was the basis for the sizing of proposed wastewater lines included in the wastewater impact fee capital improvement plan (CIP). It became apparent that the 12-inch line proposed to serve the Silent Valley Road area (northwest quadrant) may not be large enough for the increased densities being requested, and an increase to a larger size would require not only an extension from Tank Street, but also replacement and upgrading of existing lines. This item was last tabled at the Council's June 7th meeting to allow completion of wastewater capacity studies for both the Northwest Quadrant of the city and the North Colorado Street Corridor. The city engineer has now submitted a report that does recommend increasing the sizes of planned wastewater line extensions, as well as upsizing the existing trunk main all the way to the treatment plant. The total estimated cost of the project is \$7,668,000. However, after subtracting the City's available funds from an Economic Development Administration (EDA) grant and the wastewater impact fee account, \$4,687,000 remains that will need to be provided by developers to get a wastewater line of suitable size to the north side of Silent Valley Road at Stueve Lane to serve that area. He referred to a map showing the various segments of the proposed wastewater projects in the north part of the city. So far, there has been no public opposition to this zoning change. Mr. Gibson stated that the Planning and Zoning Commission and staff recommend approval.

Mayor White requested the applicant to address the Council.

Garrison Welch, Austin, Texas, stated that they are aware of the costs associated to get wastewater to their site. He has met with consultants to prepare all aspects of the project. He spoke in favor of a multi-family development in the neighborhood.

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 8:10 p.m.

Councilmember McGregor made a motion to approve Ordinance 2022-30, as presented. Councilmember Mendoza seconded. The motion passed by a vote of 5-0.

ITEM 4-B. CONTINUE A PUBLIC HEARING ON APPLICATION ZC-22-09 BY CHRIS BANCROFT ON BEHALF OF ALMA EWALD, AND DISCUSSION AND/OR ACTION TO CONSIDER ORDINANCE 2022-31, FOR A ZONING CHANGE FROM AO AGRICULTURAL--OPEN SPACE DISTRICT TO 18.535 ACRES RHD RESIDENTIAL HIGH DENSITY DISTRICT AND 4.529 ACRES CMB COMMERCIAL MEDIUM BUSINESS DISTRICT ON 23.064 ACRES IN THE BYRD LOCKHART LEAGUE, ABSTRACT NO. 17, LOCATED AT 1650 NORTH COLORADO STREET (US 183). TABLED 6-7-22

Mayor White opened the public hearing at 8:12 p.m.

Mr. Gibson stated that the purpose of the zoning change is to allow future development of 4.529 acres of general commercial land uses along the Colorado Street frontage, and 18.535 acres of multifamily housing behind the commercial area. Although the tract extends eastward to Plum Creek, the zoning change is only for the portion of the tract that is in the city limits, which is roughly 27 percent of the original tract. The Plum Creek floodplain encroaches slightly into the rear of the area proposed to be zoned RHD. This item was tabled multiple times by the Planning and Zoning Commission and City Council due to concerns about the lack of wastewater service in the North Colorado Street corridor, and to allow time for the city engineer to conduct a study for determining the size and cost of necessary wastewater line extensions. The proposed RHD and CMB zoning classifications are *not* consistent with the Low Density Residential future land use designation shown on the land use plan map. Applications for zoning changes such as this increase potential land use intensities in the area above those anticipated by the comprehensive plan. The current wastewater impact fee CIP does include wastewater infrastructure that would serve this area, but the sizes of the lines were based on the land use assumptions that were used to develop the CIP. It was determined in the recently completed wastewater capacity study done by the city engineer that increasing the size of the planned wastewater line extension and lift station, as well as upsizing the existing trunk main all the way to the treatment plant, will be required. The total estimated cost of the project is \$8,909,000. However, after subtracting City contributions of EDA grant and wastewater impact fee funds, the amount remaining that will need to be provided by developers to serve all of the proposed developments is \$4,914,000. He referred to a map showing the various segments of the proposed wastewater projects in the north part of the city. Mr. Gibson stated that the Planning and Zoning Commission and staff recommend approval.

Mayor White requested the applicant to address the Council.

Chris Bancroft, Austin, spoke in favor of the zoning change. He provided details about the multifamily housing development project and stated that their first priority is to install the infrastructure for the development, if the zoning change is approved.

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 8:28 p.m.

Councilmember McGregor made a motion to approve Ordinance 2022-31, as presented. Councilmember Westmoreland seconded. The motion passed by a vote of 5-0.

ITEM 4-C. CONTINUE A PUBLIC HEARING ON APPLICATION ZC-22-10 BY CHRIS BANCROFT ON BEHALF OF ERNEST EWALD, JR., AND DISCUSSION AND/OR ACTION TO CONSIDER ORDINANCE 2022-32, FOR A ZONING CHANGE FROM AO AGRICULTURAL--OPEN SPACE DISTRICT TO 12.262 ACRES RHD RESIDENTIAL HIGH DENSITY DISTRICT AND 3.644 ACRES CMB COMMERCIAL MEDIUM BUSINESS DISTRICT ON 15.906 ACRES IN THE BYRD LOCKHART LEAGUE, ABSTRACT NO. 17, LOCATED AT 1724 NORTH COLORADO STREET (US 183). TABLED 6-7-22

Mayor White opened the public hearing at 8:30 p.m.

Mr. Gibson stated that the information is the same as what was presented with the previous zoning change (ZC-22-09).

Mayor White requested the applicant to address the Council.

Chris Bancroft stated that the property is the second parcel of same multifamily development and that the same comments apply.

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 8:30 p.m.

Councilmember Westmoreland made a motion to approve Ordinance 2022-32, as presented. Councilmember Michelson seconded. The motion passed by a vote of 5-0.

ITEM 4-D. CONTINUE A PUBLIC HEARING ON APPLICATION ZC-22-12 BY JIM MEREDITH ON BEHALF OF ROBERT A. SCHMIDT, AND DISCUSSION AND/OR ACTION TO CONSIDER ORDINANCE 2022-33 FOR A ZONING CHANGE FROM CHB COMMERCIAL HEAVY BUSINESS DISTRICT TO RHD RESIDENTIAL HIGH DENSITY DISTRICT ON 14.57 ACRES IN THE BYRD LOCKHART SURVEY, ABSTRACT NO. 17, LOCATED AT 101 EAST CHINA STREET. TABLED 6-7-22

Mayor White opened the public hearing at 8:30 p.m.

Mr. Fowler stated that the applicant wishes to construct a single-family detached residential project on a common lot at the subject location. As this is a residential development type, it would not be permitted in the site's current Commercial Heavy Business (CHB) zoning. The proposed zoning change is not fully consistent with the Mixed Retail, Office, and Residential designation of the future land use map. However, residential on this site, combined with existing and proposed retail nearby, would contribute to an overall mixed-use environment along North Colorado Street. The site is adequately served by water, but the wastewater service is insufficient for a development of this size and intensity. The applicant would have to contribute to the construction of a lift station and force main serving this and other proposed projects along the North Colorado Street corridor, as well as constructing a line to access the lift station from the subject property. The project would require subdivision platting and the construction of the necessary wastewater improvements before building permits could be issued. The total estimated cost of all the sewer projects required to extend wastewater along North Colorado Street is \$8,909,000. However, after subtracting City contributions and Economic Development Administration

(EDA) grant and wastewater impact fee funds, the amount remaining that will need to be provided by developers to serve all the proposed developments is \$4,914,000. The exact amount that would be required from each developer for their share of the projects has not yet been determined. He referred to a map showing the various segments of the proposed wastewater projects in the north part of the city. Mr. Fowler stated that the Planning and Zoning Commission and staff recommend approval.

Mayor White requested the applicant to address the Council.

Amy Anton, Lockhart, realtor representing Jim Meredith, stated that, if approved, they will meet with city staff this week to discuss details about how to proceed with the development.

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 8:38 p.m.

Councilmember Michelson made a motion to approve Ordinance 2022-33, as presented. Councilmember McGregor seconded. The motion passed by a vote of 5-0.

ITEM 4-E. HOLD A PUBLIC HEARING AND DISCUSSION AND/OR ACTION TO CONSIDER ORDINANCE 2022-29 FOR A ZONING TEXT AMENDMENT REVISING CHAPTER 64 "ZONING" OF THE LOCKHART CODE OF ORDINANCES, ARTICLE VII "ZONING DISTRICTS AND STANDARDS", SECTION 64-197 "REGULATIONS COMMON TO ALL OR SEVERAL DISTRICTS", SUBSECTION (G)(2) "ADDITIONAL PARKING REQUIREMENTS WITHIN RESIDENTIAL DISTRICTS", TO MODIFY THE COVERED-PARKING REQUIREMENTS FOR DETACHED SINGLE-FAMILY DWELLINGS; EXTEND COVERED-PARKING STANDARDS TO INCLUDE DUPLEXES, TWO-UNIT CONDOMINIUMS, AND TWO-UNIT TOWNHOUSES; AND ADD AN EXEMPTION FOR DWELLINGS CONSTRUCTED ON NONCONFORMING LOTS LESS THAN 50 FEET WIDE THAT WERE PLATTED PRIOR TO APRIL 15, 1990. TABLED 7-5-22

Mayor White opened the public hearing at 8:40 p.m.

Mr. Gibson stated that this past February the City Council adopted a zoning text amendment requiring covered-parking for detached single-family dwellings (SF-1 and SF-2 development types). At the May 3rd City Council meeting, at the request of Council-member Kara McGregor, the City Council discussed exempting homes on nonconforming (grandfathered) platted lots from the covered parking requirement because there are old subdivisions, primarily on the east side of the city, where the lots are less than the current minimum width of 50 feet. The result was that the Council passed a motion to direct staff to prepare an amendment to make the covered parking standards more reasonable for houses constructed on such lots. The Council also requested that we determine how many platted nonconforming residential lots, including both vacant and developed lots, there are in the city. He referred to a map that shows that there are a total of 317 nonconforming platted lots based on the development type (SF-1 or SF-2) allowed by the zoning of the lot. This does not include unplatted residential parcels. SF-1 has a minimum lot width of 65 feet and minimum lot area of 8,500 square feet, and under the current ordinance requires at least a two-car garage or carport. SF-2 has a minimum lot width of 50 feet and minimum lot area of 5,500 square feet, and requires at least a one-car garage or carport. Although the main concern of the City Council was to provide an exemption from the ordinance for nonconforming platted lots less than 50-feet wide, staff and the Planning and Zoning Commission are proposing additional substantive amendments. At their June 22nd meeting, the Planning and Zoning Commission recommended the proposed amendments. On July 5th, the City Council postponed this item to the July 19th meeting.

Councilmember McGregor stated that she suggested the zoning text amendment because there are a few small lots of which she believed the amendment would apply.

Mayor White stated that he did not agree with the zoning text amendment. The zoning text amendment would apply to approximately 300 nonconforming lots that he believes should follow the same guidelines as larger lot sizes.

There was discussion.

Mayor White requested citizens in favor of or against the zoning text amendments to address the Council. There were none. He closed the public hearing at 9:00 p.m.

Councilmember McGregor made a motion to approve Ordinance 2022-29, as presented. Councilmember Mendoza seconded. The motion passed by a vote of 4-1, with Mayor White opposing.

ITEM 5-A. DISCUSSION AND/OR ACTION TO CONSIDER MINUTES OF THE JULY 5, 2022 CITY COUNCIL MEETING.

Councilmember Michelson made a motion to approve the minutes. Councilmember Westmoreland seconded. The motion passed by a vote of 4-0-1, with Councilmember McGregor abstaining.

ITEM 5-B. DISCUSSION AND/OR ACTION TO CONSIDER AN OFFICE LEASE FOR CITY ADMINISTRATIVE OFFICES AND AUTHORIZE THE CITY MANAGER TO EXECUTE THE LEASE AGREEMENT.

Councilmember Michelson made a motion to approve the office lease, as presented. Councilmember McGregor seconded. The motion passed by a vote of 5-0.

ITEM 5-C. DISCUSSION AND POSSIBLE ACTION REGARDING THE REGULATION OF MURALS IN THE CITY.

Mr. Lewis clarified that the Council will not appoint a separate committee to recommend regulations of murals and that the direction is that the Lockhart Historical Preservation Commission work with staff on developing recommended regulations for murals. Mayor White confirmed that was correct.

ITEM 5-D. DISCUSSION AND POSSIBLE ACTION REGARDING ORDINANCE NO. 2022-34 ADOPTING A CODE OF ETHICS AND ANTI-DISCRIMINATION POLICY.

Mayor White stated that the ordinance would be workshopped at a future council meeting. He requested that Councilmembers email Mr. Akers with proposed revisions to the ordinance.

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

There was no discussion.

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

- City of Lockhart Third Quarter Fiscal Year 2022 Financial report.
- 3rd Movies in the Park on August 6 - *Jungle Cruise*.
- Candidate filing period for the November 8, 2022 City of Lockhart General Election is July 23 - August 22.
- Library updates.
- Creation of Assistant City Manager position.
- PHI Air Medical: Council clarified that City Staff is authorized to work with the Caldwell County Judge and other cities to consider membership.

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

Councilmember Mendoza thanked all involved with the mural that was painted on the brick of the building at Lions Park. He thanked staff for working on the zoning text amendments.

Councilmember McGregor encouraged everyone to stay safe and to keep careful in the heat.

Mayor White informed the Council about several topics that will be considered at future Council meetings. He reminded Council about completing cybersecurity training by August 1, 2022.

ITEM 8. EXECUTIVE SESSION IN ACCORDANCE WITH THE PROVISIONS OF THE GOVERNMENT CODE, TITLE 5, SUBCHAPTER D, SECTION 551.071, PRIVATE CONSULTATION WITH ITS ATTORNEY TO SEEK ADVICE ABOUT PENDING OR CONTEMPLATED LITIGATION; SETTLEMENT OFFER; OR LEGAL MATTERS SUBJECT TO ATTORNEY/CLIENT PRIVILEGE.

- A. Consultation with City Attorney regarding Code of Ethics.
- B. Consultation with City Attorney regarding the regulation of murals.

No Executive Session was held.

ITEM 9. ADJOURNMENT.

Councilmember Mendoza made a motion to adjourn the meeting. Councilmember Westmoreland seconded. The motion passed by a vote of 5-0. The meeting was adjourned at 9:20 p.m.

PASSED and APPROVED this the 2nd day of August 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: August 2, 2022

AGENDA ITEM CAPTION: Accept 3rd Quarter Fiscal Year 2022 Investment Report.

ORIGINATING DEPARTMENT AND CONTACT: Finance - Pam Larison

ACTION REQUESTED: Other

BACKGROUND/SUMMARY/DISCUSSION: The Texas Public Funds Investment Act requires local governments to review and accept the quarterly investment reports for each quarterly reporting period of the fiscal year. The 3rd Quarter Investment Report of Fiscal Year 2022, ending June 30, 2022 is presented for your review and acceptance.

PROJECT SCHEDULE (if applicable):

AMOUNT & SOURCE OF FUNDING:

Funds Required:

Account Number:

Funds Available:

Account Name:

FISCAL NOTE (if applicable):

PREVIOUS COUNCIL ACTION:

COMMITTEE/BOARD/COMMISSION ACTION:

STAFF RECOMMENDATION/REQUESTED MOTION: Staff respectfully request a motion to accept the 3rd Quarter Investment Report for Fiscal Year 2022.

LIST OF SUPPORTING DOCUMENTS: Quarterly Investment Report for Quarter ending June 30, 2022

CITY OF LOCKHART

Quarterly Investment Report
For the Quarter Ended June 30, 2022

August 2, 2022

CITY of LOCKHART
Quarterly Investment Report
For the Quarter Ended June 30, 2022

This report is presented in accordance with the Texas Government Code, Title 10, Chapter 2256, Public Funds Investment; Section 2256.023 known as the "Public Funds Investment Act". Attached is a detailed City of Lockhart investment report for the period April 1, 2022 through June 30, 2022. The Investment Portfolio Summary reports the beginning and ending book values and market values for the quarterly reporting period as follows:

April 1, 2022

Cash
Marketable Securities
Investment Pools
Certificates of Deposits
Total:

Investment Portfolio		
	Book Value	Market Value
Cash	2,993,029	2,993,029
Marketable Securities	0	0
Investment Pools	30,863,260	30,859,946
Certificates of Deposits	0	0
Total:	33,856,288	33,852,975

June 30, 2022

Cash
Marketable Securities
Investment Pools
Certificates of Deposits
Total:

Fund Availability		
Unrestricted Funds	12,031,873	12,031,873
Restricted Funds	21,824,415	21,821,102
Total Funds	33,856,288	33,852,975
Unrestricted Funds	10,386,629	10,386,629
Restricted Funds	26,296,847	26,285,407
Total Funds	36,683,476	36,672,035

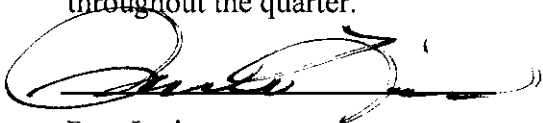
April 1, 2022

Unrestricted Funds
Restricted Funds
Total Funds

June 30, 2022

Unrestricted Funds
Restricted Funds
Total Funds

The investment portfolio, at all times during the quarter, complied with the Public Funds Investment Act and the City of Lockhart Investment Policy. TexPool, Texas CLASS and TexSTAR were also in compliance with the Public Funds Investment Act and the City of Lockhart Investment Policy throughout the quarter.



Pam Larison
Finance Director

7-15-22

Date

CITY of LOCKHART
Investment Portfolio Summary
For the Quarter Ended June 30, 2022

	Investment Portfolio			
	Book Value	% of Total	Market Value	% of Total
<u>April 1, 2022</u>				
Cash	2,993,029	8.8%	2,993,029	8.8%
Marketable Securities	0	0.0%	0	0.0%
Investment Pools	30,863,260	91.2%	30,859,946	91.2%
Certificates of Deposits	0	0.0%	0	0.0%
Portfolio Total	33,856,288	100.0%	33,852,975	100.0%
<u>June 30, 2022</u>				
Cash	1,635,536	4.5%	1,635,536	4.5%
Marketable Securities	0	0.0%	0	0.0%
Investment Pools	35,047,940	95.5%	35,036,499	95.5%
Certificates of Deposits	0	0.0%	0	0.0%
Portfolio Total	36,683,476	100.0%	36,672,035	100.0%
<u>Change in Value</u>				
Cash	(1,357,493)		(1,357,493)	
Marketable Securities	0		0	
Investment Pools	4,184,681		4,176,553	
Certificates of Deposits	0		0	
Portfolio Total	2,827,188		2,819,060	
	0			
<u>Maturity Data</u>	Book Value @ 6/30/2022	Weighted Average Maturity	Yield to Maturity	
Cash	1,635,536	0 Days	1.00%	
Marketable Securities	0	0 Days	0.00%	
Investment Pools - Texas CLASS	11,454,348	38 Days *	1.16%	
Investment Pools - TexPool	15,140,457	23 Days *	1.00%	
Investment Pools - TexSTAR	8,453,135	35 Days *	0.99%	
Certificates of Deposits	0	0 Days	0.00%	
	36,683,476	29 Days	1.05%	

Benchmark - 4 Week Treasury Bills - Secondary Market @ June 30, 2022

1.28%

* Weighted Average Maturity of Pool Investments - City funds are available from pools upon request.

<u>Total Return On Investment</u>	<u>Interest Earned</u>
Cash	5,821
Marketable Securities	0
Investment Pools - Texas CLASS	23,227
Investment Pools - TexPool	17,254
Investment Pools - TexSTAR	13,706
Certificates of Deposits	0
Total Return on Investment	60,008

CITY OF LOCKHART
Cash Accounts (as reconciled to FLNB)
For the Quarter Ended June 30, 2022

General Operating Account - FLNB		
		<u>Value</u>
April 1, 2022	\$	2,993,029
Deposits		9,753,590
Withdrawals		(11,116,903)
Interest Earned		5,821
June 30, 2022	\$	1,635,536

Total Cash Accounts		
		<u>Value</u>
April 1, 2022	\$	2,993,029
Deposits		9,753,590
Withdrawals		(11,116,903)
Interest Earned		5,821
June 30, 2022	\$	1,635,536

CITY of LOCKHART
Marketable Securities Transaction Summary
For the Quarter Ended June 30, 2022

<u>Holdings During the Quarter</u>									Beginning Value @ Par	Beginning Book Value	Beginning Market Value	Ending Value @ Par	Ending Book Value	Ending Market Value
Type of Security	CUSIP	Purchase Date	Par Value	Coupon 0.34%	Date of Maturity	Yield to Maturity	Purchase Price	Quarterly Interest Earned	April 1, 2022			June 30, 2022		
								-						0
								-						0
Totals			\$ -				\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -

<u>Purchases</u>									
Type of Security	CUSIP	Purchase Date	Par Value	Coupon Rate 0.22%	Date of Maturity	Yield to Maturity	Settlement Total	Price	Accrued Interest
Totals			\$ -				\$ -		\$ -

<u>Maturities</u>							
		Purchase Date	Par Value	Coupon Rate	Date of Maturity	Yield to Maturity	Settlement Total
\$	-						
Totals			\$ -	0.59%			\$ -

CITY OF LOCKHART
Investment Pool Transactions Summary
For the Quarter Ended June 30, 2022

TexPool					
	<u>Book Value</u>	<u>Market Value</u>	<u>Net Asset Value</u>	<u>Weighted Aver. Maturity</u>	<u>Average Monthly Yield</u>
April 1, 2022	10,992,710	10,990,182	0.99977	29 Days	0.1500%
Deposits	8,931,320				
Withdrawals	(4,800,826)				
Interest Earned	17,254				
June 30, 2022	15,140,457	15,134,401	0.99960	23 Days	1.0000%

Texas CLASS					
	<u>Book Value</u>	<u>Market Value</u>	<u>Net Asset Value</u>	<u>Weighted Aver. Maturity</u>	<u>Average Monthly Yield</u>
April 1, 2022	11,431,120	11,431,120	1.00000	49 Days	0.2900%
Deposits	0				
Withdrawals	0				
Interest Earned	23,227				
June 30, 2022	11,454,348	11,454,348	1.00000	38 Days	1.1577%

TexSTAR					
	<u>Book Value</u>	<u>Market Value</u>	<u>Net Asset Value</u>	<u>Weighted Aver. Maturity</u>	<u>Average Monthly Yield</u>
April 1, 2022	8,439,429	8,438,644	0.99991	38 Days	0.1070%
Deposits	0				
Withdrawals	0				
Interest Earned	13,706				
June 30, 2022	8,453,135	8,447,750	0.999363	35 Days	0.9850%

CITY of LOCKHART
Certificates of Deposit Transaction Summary
For the Quarter Ended June 30, 2022

Holdings During the Quarter

<u>CD Number</u>	<u>Holder</u>	<u>Purchase Date</u>	<u>Face Value</u>	<u>Interest Rate</u>	<u>Date of Maturity</u>	<u>Yield to Maturity</u>	<u>Purchase Price</u>	<u>Quarterly Interest Earned</u>	Beginning Face Value	Beginning Market Value	Ending Face Value	Ending Market Value
									April 1, 2022		June 30, 2022	
			<u>\$ -</u>				<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>

Purchases

<u>CD Number</u>	<u>Holder</u>	<u>Purchase Date</u>	<u>Face Value</u>	<u>Interest Rate</u>	<u>Date of Maturity</u>	<u>Yield to Maturity</u>	<u>Purchase Price</u>
			<u>\$ -</u>				<u>\$ -</u>

Maturities

<u>CD Number</u>	<u>Holder</u>	<u>Purchase Date</u>	<u>Face Value</u>	<u>Interest Rate</u>	<u>Date of Maturity</u>	<u>Yield to Maturity</u>	<u>Settlement Total</u>
			<u>\$ -</u>				<u>\$ -</u>

<i>City of Lockhart</i>			
<i>Investment Pools</i>			
<u>Standard and Poor's Ratings</u>			
<u>Month</u>	<u>TexPool</u>	<u>TexSTAR</u>	<u>Texas CLASS</u>
July-21	AAAm	AAAm	AAAm
August-21	AAAm	AAAm	AAAm
September-21	AAAm	AAAm	AAAm
October-21	AAAm	AAAm	AAAm
November-21	AAAm	AAAm	AAAm
December-21	AAAm	AAAm	AAAm
January-22	AAAm	AAAm	AAAm
February-22	AAAm	AAAm	AAAm
March-22	AAAm	AAAm	AAAm
April-22	AAAm	AAAm	AAAm
May-22	AAAm	AAAm	AAAm
June-22	AAAm	AAAm	AAAm

City of Lockhart

Bank Collateralization

Standard and Poor's Ratings

<u>Month</u>			FLNB <u>Collateralization *</u>
July-21			AAA
August-21			AAA
September-21			AAA
October-21			AAA
November-21			AAA
December-21			AAA
January-22			AAA
February-22			AAA
March-22			AAA
April-22			AAA
May-22			AAA
June-22			AAA
* Guaranteed by US government (AAA)			

City of Lockhart, Texas

Council Agenda Item Cover Sheet

COUNCIL MEETING DATE: August 2, 2022

AGENDA ITEM CAPTION: Presentation of the City of Lockhart's FY 2022-2023 Proposed Budget and consider approval of the Lockhart Economic Development Corporation's Budget for Fiscal Year 2022-2023, and set two public hearings on the Fiscal Year 2022-2023 City of Lockhart Proposed Budget.

ORIGINATING DEPARTMENT AND CONTACT: Finance - Pam Larison

ACTION REQUESTED: Other

BACKGROUND/SUMMARY/DISCUSSION: According to the City of Lockhart Charter, Article 9, Section 9.07, Public Hearing on Budget, the City Council shall hold a public hearing on the budget submitted and all interested persons shall be given an opportunity to be heard for or against any item or the amount of any item therein contained.

According to the Lockhart Economic Development Corporation's bylaws, Article 5, Section 3 Annual Corporate Budget, the President shall submit the budget to the City Council for approval prior to submittal to the Board for final adoption.

The City of Lockhart is required by Charter to hold one public hearing on the budget. Staff recommends conducting two public hearings to allow the citizens of Lockhart the opportunity to discuss any item or amount presented in the proposed FY 2022-2023 Budget. The following dates are presented to the Council for public hearings:

- August 16, 2022 at 7:30 p.m.
- September 6, 2022 at 7:30 p.m.

To be held in the Council Chambers located at the Clark Library Annex - 217 South Main Street, 3rd floor, Lockhart, Texas.

The City of Lockhart and the Lockhart Economic Development budget for Fiscal Year 2022-23 can be located on the City's website and hard copies are located in City Hall and the City Library.

PROJECT SCHEDULE (if applicable):

AMOUNT & SOURCE OF FUNDING:

Funds Required:

Account Number:

Funds Available:

City of Lockhart, Texas

Council Agenda Item Cover Sheet

Account Name:

FISCAL NOTE (if applicable):

PREVIOUS COUNCIL ACTION:

COMMITTEE/BOARD/COMMISSION ACTION:

STAFF RECOMMENDATION/REQUESTED MOTION: Staff respectfully request the approval of the Lockhart Economic Development Corporation's budget and of the two dates presented to Council for public hearings on the City's proposed budget.

LIST OF SUPPORTING DOCUMENTS: 2022-2023 PROPOSED ANNUAL OPERATING BUDGET

**CITY OF LOCKHART
BUDGET
FISCAL YEAR 2022-23**

	2019-20	2020-21	2021-22	2021-22	FY 2022-23
	ACTUAL	ACTUAL	BUDGET	ESTIMATE	PROPOSED BUDGET
REVENUE SUMMARY					
GENERAL FUND	10,564,504	10,104,475	12,550,366	0	16,206,700
DEBT SERVICE FUND	1,110,350	694,187	1,186,422	0	1,667,464
ELECTRIC FUND	11,905,013	11,411,162	12,069,155	0	13,573,255
WATER FUND	3,605,509	3,711,636	5,744,622	0	4,934,269
WASTEWATER FUND	2,330,657	2,432,390	3,034,591	0	4,363,300
SOLID WASTE FUND	1,909,163	2,038,352	2,063,450	0	2,154,685
EMS FUND	1,314,079	1,278,135	1,338,482	0	1,721,200
AIRPORT FUND	92,529	86,279	122,039	0	142,039
LOCKHART ECO DEV FUND	1,021,657	1,408,929	1,093,140	0	1,179,140
TOTAL - REVENUES	33,853,461	33,165,546	39,202,267	0	45,942,052

EXPENSE SUMMARY						DELTA
GENERAL FUND	9,901,120	9,529,580	12,544,007	0	16,193,127	13,573
DEBT SERVICE FUND	1,148,008	836,117	1,186,422	0	1,667,464	0
ELECTRIC FUND	11,333,717	12,105,294	12,063,397	0	13,339,635	233,620
WATER FUND	3,234,488	4,060,478	5,582,950	0	4,931,945	2,324
WASTEWATER FUND	2,187,162	1,299,299	2,985,120	0	4,207,293	156,007
SOLID WASTE FUND	1,845,323	1,927,824	1,827,138	0	1,888,917	265,768
EMS FUND	1,656,385	1,349,015	1,283,279	0	1,522,854	198,346
AIRPORT FUND	78,258	22,364	67,839	0	89,807	52,232
LOCKHART ECO DEV FUND	1,270,668	2,196,875	1,092,933	0	1,043,869	135,271
TOTAL - EXPENSES	32,655,129	33,326,846	38,633,085	0	44,884,911	

City of Lockhart, Texas

Council Agenda Item Cover Sheet

COUNCIL MEETING DATE: August 2, 2022

AGENDA ITEM CAPTION: Discussion and/or action to consider Ordinance 2022-34 adopting a code of ethics and anti-discrimination policy for city council members and city board/commission members.

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

ACTION REQUESTED: Ordinance

BACKGROUND/SUMMARY/DISCUSSION: Although state law addresses many ethical issues (e.g. Ch. 171 LGC for Conflicts of interest; Ch. 573 GC for nepotism, etc.), cities often adopt a code of ethics that is more stringent than or which addresses issues not covered in detail by state law (e.g. social media, revolving door issues). A draft ethics policy has been prepared for the Council's consideration that is intended to do the latter. It was previously considered by the Council and changes have been made for its reconsideration. It differs from drafts previously distributed by limiting its application to Council members and members of boards and commissions, by significantly reducing the "revolving door" provision, and by modification of other provisions reflected in the attached "redline" of the draft ordinance.

PROJECT SCHEDULE (if applicable): N/A

AMOUNT & SOURCE OF FUNDING:

Funds Required: N/A

Account Number: N/A

Funds Available: N/A

Account Name: N/A

FISCAL NOTE (if applicable): N/A

PREVIOUS COUNCIL ACTION: Consideration and discussion of a draft ordinance occurred at Council meetings on March 15, April 5, and July 19, 2022.

COMMITTEE/BOARD/COMMISSION ACTION: N/A

STAFF RECOMMENDATION/REQUESTED MOTION: Adoption of the Ordinance.

LIST OF SUPPORTING DOCUMENTS: Proposed Code of Ethics Ordinance Redline, Proposed Code of Ethics Lockhart -clean version

ORDINANCE NO. 2022-~~143~~4

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

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

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

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

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

Section 1. Adoption of Code of Ethics and Anti-Discrimination Policy. The City Council hereby amends Chapter 2 of the City of Lockhart Code of Ordinances to add a new Article ~~VIII~~VII to adopt a Code of Ethics and Anti-Discrimination Policy, as follows:

ARTICLE VII. CODE OF ETHICS AND ANTI-DISCRIMINATION POLICY

Sec. 2-320 – Statement of Purpose.

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

Sec. 2-321. - Definitions.

The following words, terms and phrases when used in this article, shall have the meanings

ascribed to them in this section, except where the context clearly indicates a different meaning:

Appointed official means a member of a City Board

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

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

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

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

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

Employee

Elected officer means ~~a person employed or paid a salary by the mayor and members of the city on a full-time basis excluding officers and officials.~~ council.

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

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

Officer means the mayor and members of the city council.

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

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

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

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

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

Sec. 3-322. - Policy.

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

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

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

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

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

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

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

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

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

(b) To implement this policy, the city council has determined that it is advisable to enact this code

of ethics and anti-discrimination policy for all officers, ~~officials, and employees, whether elected or appointed, paid or unpaid, advisory, or administrative~~ and officials, to serve not only as a guide for official conduct of the city's public servants, but also as a basis for discipline for those who refuse to abide by its terms.

(c) Nothing herein shall be construed to diminish or conflict with any rule, law, or ethical obligation applicable to officers, officials, employees or former officers, officials, and employees of the City under state law.

Sec. 3-323. - Standards of conduct.

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

- (1) Accept or solicit any money, property, service, or other thing of value by way of gift, favor, loan or otherwise which he knows or should know is being offered or given with the intent to unlawfully influence such person in the discharge of official duties, or in return for having exercised or performed official duties.
- (2) Use his or her position to secure special privileges or exemptions for himself, herself, or others.
- (3) Grant any special consideration, treatment or advantage to a person or organization beyond that which is available to every other person or organization. (This shall not prohibit the granting of fringe benefits to city employees as part of their contract of employment or as an added incentive to the securing or retaining of employees).
- (4) Disclose information deemed confidential by law that could adversely affect the property or affairs of the city, or directly or indirectly use any information understood to be confidential which was gained by reason of his or her official position ~~or employment~~ for his or her own personal gain or benefit or for the private interest of others.
- (5) Transact any business on behalf of the city in his or her official capacity with any entity with which he or she is an officer, agent, or member or in which he or she has an interest. In the event that such a circumstance should arise, no violation of this subsection occurs if he or she shall make known his or her interest, and:
 - ~~—A.— In the case of an officer or official, refrain from discussing the matter at any time with members of the body of which he is a member or any other body which will consider the matter and abstain from voting on the matter; or~~
 - ~~—B.— In the case of an employee, turn the matter over to his superior for reassignment, state the reasons for doing so and have nothing further to do with the matter involved. _____~~
- (6) Accept other employment or engage in outside activities incompatible with the full and proper discharge of his or her duties and responsibilities with the city, or which might impair his or her independent judgment in the performance of his or her public duty.
- (7) Personally provide services for compensation, directly or indirectly, to a person, entity

or organization who is requesting an approval, investigation, or determination from the body or department of which the officer or ~~employee~~official is a member. This restriction does not apply to outside employment of an officer, ~~official,~~ or ~~employee~~official if the employment is the person's primary source of income.

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

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

—A. ~~Before~~ before the city council or any city board or department;

—B. ~~In any. This shall not prohibit representation or an appearance in regard to the officer's or official's property or other proceeding directly involving the city; officer or~~

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

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

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

—B. ~~Before the city council;~~

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

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

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

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

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

~~(e) Knowing or willfully characterizing his or her office or employment with the city as being the position of the city in any local, state, or national election.~~

~~—(d)~~

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

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

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

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

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

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

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

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

An officer or official may not participate in a vote or decision on a matter affecting a person, entity, or property in which the officer or official has a substantial interest ~~under Ch. 171, Local Gov't Code. In addition, an officer or official who serves as a corporate officer or member of the board of directors of a nonprofit entity which is not appointed by the city council may not participate in a vote or decision regarding funding by or through the city for the entity. Where the interest of an officer or official in the subject matter of a vote or decision is remote or incidental, such officer or official may participate in the vote or decision and need not disclose the interest.~~ except in compliance with Ch. 171 and Ch. 176, Local Gov't Code

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

~~—(a) When used in this section, the terms "before the city" shall mean before any officer~~

~~An officer or official of the city.~~

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

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

~~(d) An officer, official, or employee who leaves service or employment with the city shall not represent, formerly or informally, any person or entity in any case, project, or matter in which the former officer, or official, or employee was involved in any significant decision-making role, application processing, or vote, or inspection while with the city. Violation of this section may be grounds for denial, dismissal, or re-filing of the case, project or matter involved.~~

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

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

Sec. 3-327. – Social Media

- (a) Officers shall include a disclaimer on their social media pages stating the account is for the officer's personal use and is not sponsored or otherwise managed by the city, nor does it reflect the views or beliefs of the city or city council as an institution.
- (b) Officers and Officials should not utilize the City of Lockhart logos on their social media.
- (c) Officers are prohibited from posting content on their social media that disparages any person on the basis of protected personal characteristics.

Sec. 3-328 – Violations

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

~~(b)~~(a) Violations or alleged violations of this policy by officers or officials shall be subject to review and appropriate action by the city council. Upon determination that a violation has occurred, the city council may, by majority vote, impose any of the following actions, which are provided in a graduating scale of severity, as follows:

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

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

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

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

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

CITY OF LOCKHART

Lew White, Mayor

ATTEST:

Connie Constancio, TRMC, City Secretary

APPROVED AS TO FORM:

|

Monte Akers, City Attorney

ORDINANCE NO. 2022-34

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

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

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

WHEREAS, the City Council deems it advisable to adopt a Code of Ethics and Anti-Discrimination Policy to provide a code of ethics and standard of conduct for elected officers and appointed officials;

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

Section 1. Adoption of Code of Ethics and Anti-Discrimination Policy. The City Council hereby amends Chapter 2 of the City of Lockhart Code of Ordinances to add a new Article VII to adopt a Code of Ethics and Anti-Discrimination Policy, as follows:

ARTICLE VII. CODE OF ETHICS AND ANTI-DISCRIMINATION POLICY

Sec. 2-320 – Statement of Purpose.

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

Sec. 2-321. - Definitions.

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

meaning:

Appointed official means a member of a City Board

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

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

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

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

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

Elected officer means the mayor and members of the city council.

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

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

Officer means the mayor and members of the city council.

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

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

law

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

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

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

Sec. 3-322. - Policy.

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

(1) Officers and officials be impartial and responsible to the people of the city;

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

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

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

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

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

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

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

(b) To implement this policy, the city council has determined that it is advisable to enact this code of ethics and anti-discrimination policy for all officers and officials, to serve not only as a guide for official conduct of the city's public servants, but also as a basis for discipline for those who refuse to abide by its terms.

(c) Nothing herein shall be construed to diminish or conflict with any rule, law, or ethical obligation applicable to officers, officials, employees or former officers, officials, and employees of the City under state law.

Sec. 3-323. - Standards of conduct.

(a) No officer or official shall:

- (1) Accept or solicit any money, property, service, or other thing of value by way of gift, favor, loan or otherwise which he knows or should know is being offered or given with the intent to unlawfully influence such person in the discharge of official duties, or in return for having exercised or performed official duties.
- (2) Use his or her position to secure special privileges or exemptions for himself, herself, or others.
- (3) Grant any special consideration, treatment or advantage to a person or organization beyond that which is available to every other person or organization. (This shall not prohibit the granting of fringe benefits to city employees as part of their contract of employment or as an added incentive to the securing or retaining of employees).
- (4) Disclose information deemed confidential by law that could adversely affect the property or affairs of the city, or directly or indirectly use any information understood to be confidential which was gained by reason of his or her official position for his or her own personal gain or benefit or for the private interest of others.
- (5) Transact any business on behalf of the city in his or her official capacity with any entity with which he or she is an officer, agent, or member or in which he or she has an interest. In the event that such a circumstance should arise, no violation of this subsection occurs if he or she shall make known his or her interest, and:
- (6) Accept other employment or engage in outside activities incompatible with the full and proper discharge of his or her duties and responsibilities with the city, or which might impair his or her independent judgment in the performance of his or her public duty.
- (7) Personally provide services for compensation, directly or indirectly, to a person, entity or organization who is requesting an approval, investigation, or determination from the body or department of which the officer or official is a member. This restriction does not apply to outside employment of an officer or official if the employment is the person's 's primary source of income.
- (8) Receive any fee or compensation for his or her service as an officer or official of the city from any source other than the city, except as may be otherwise provided by law. This shall not prohibit his or her performing the same or other services for a public or private organization that he or she performs for the city if there is no conflict with his or her city duties and responsibilities.

(9) Personally represent or appear on behalf of the private interests of others before the city council or any city board or department. This shall not prohibit representation or an appearance in regard to the officer's or official's property or other proceeding directly involving the officer or official.

(b) Use his or her official position or city-owned facilities, personnel, equipment, supplies, vehicles, or any other resources for private purposes, personal advantage, pecuniary gain, or for any political campaign for himself, herself, or others

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

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

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

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

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

(h) Use such confidential information to advance any economic interest or personal interest of the officer or official or a family member related within the second degree of affinity or consanguinity.

(i) Use his or her position or influence to direct the appointment of a person to office by the City Manager or give orders to a subordinate of the City Manager.

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

An officer or official may not participate in a vote or decision on a matter affecting a person, entity, or property in which the officer or official has a substantial interest except in compliance with Ch. 171 and Ch. 176, Local Gov't Code

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

An officer or official who leaves service with the city shall not represent, formerly or informally, any person or entity in any case, project, or matter in which the former officer or official was involved in any significant decision-making role, application processing, or vote while with the city. Violation of this section may be grounds for denial, dismissal, or re-filing of the case, project or matter involved.

Sec. 3-327. – Social Media

- (a) Officers shall include a disclaimer on their social media pages stating the account is for the officer's personal use and is not sponsored or otherwise managed by the city, nor does it reflect the views or beliefs of the city or city council as an institution.
- (b) Officers and Officials should not utilize the City of Lockhart logos on their social media.
- (c) Officers are prohibited from posting content on their social media that disparages any person on the basis of protected personal characteristics.

Sec. 3-328 – Violations

- (a) Violations or alleged violations of this policy by officers or officials shall be subject to review and appropriate action by the city council. Upon determination that a violation has occurred, the city council may, by majority vote, impose any of the following actions, which are provided in a graduating scale of severity, as follows:
 - 1. Verbal reprimand in executive session held pursuant to Sec. 551.074, Tex. Gov't Code.
 - 2. Verbal reprimand in a public meeting.
 - 3. Written reprimand.
 - 4. Adoption of a resolution of censure.
 - 5. Adoption of a resolution of censure and its publication on the city website.
 - 6. Adoption of a resolution of censure and its publication in print media.
 - 7. Removal of the officer or official from council-appointed committees, commissions, or boards.
 - 8. Removal of the official from the board or commission on which he or she serves.
 - 9. Request for the officer or official's resignation.
- (b) Any individual who believes that an officer or official has acted in violation of this policy may promptly file a written complaint with the city manager, who shall, in consultation with the city attorney, determine the appropriate action or may submit the complaint to the city council for such determination.

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

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

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

CITY OF LOCKHART

ATTEST:

Connie Constancio, TRMC, City Secretary

Lew White, Mayor

APPROVED AS TO FORM:

Monte Akers, City Attorney

City of Lockhart, Texas

Council Agenda Item Cover Sheet

COUNCIL MEETING DATE: August 2, 2022

AGENDA ITEM CAPTION: Discussion and/or action regarding Downtown Alcohol Beverage Regulations & Enforcement.

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

ACTION REQUESTED: Direction

BACKGROUND/SUMMARY/DISCUSSION:

The City Code prohibits the consumption of alcohol and possession of open containers on city streets, sidewalks, and other public places. Some businesses are selling alcoholic beverages that citizens carry into the streets and sidewalks during the three types of events that occur in the Central Commercial Business ("CCB") district, and the police department issues Special Activity permits for most such events. However, the provision for issuance of Special Events Permits is currently applicable only to allow alcohol in parks rather than the district. The Council should determine the circumstances or types of events for which alcohol will be allowed on public property in the CCB district and should direct staff to draft an appropriate ordinance for that purpose.

PROJECT SCHEDULE (if applicable): N/A

AMOUNT & SOURCE OF FUNDING:

Funds Required: N/A

Account Number: N/A

Funds Available: N/A

Account Name: N/A

FISCAL NOTE (if applicable): N/A

PREVIOUS COUNCIL ACTION: The latest amendment to the Code regarding alcohol in the CCB district was in February 2019 to allow sales of alcohol within 300 feet of a church or school in the CCB district.

COMMITTEE/BOARD/COMMISSION ACTION: N/A

STAFF RECOMMENDATION/REQUESTED MOTION: Council should determine and give staff guidance regarding the circumstances or events for which alcoholic beverages will be allowed in city streets and sidewalks in the CCB district and the mechanism for allowing/regulating/enforcing the same.

City of Lockhart, Texas

Council Agenda Item Cover Sheet

LIST OF SUPPORTING DOCUMENTS: Memo dated July 29, 2022, from the City Attorney to the City Manager regarding this subject.

MEMORANDUM

TO: Steve Lewis, City Manager, City of Lockhart

FROM: Monte Akers, City Attorney

DATE: July 29, 2022

RE: Downtown Alcohol Beverage Regulations & Enforcement

Please accept this memo in regard to the item on the agenda for August 2 about regulation of alcohol in the City's Commercial Central Business ("CCB") district. You advised that the City, through the Police Dept., periodically issues Special Activity Permits for the CCB that include authorizations for open containers and consumption of alcohol on streets and sidewalks of the CCB for certain events. There are essentially three types of events that occur in the district—historically held community wide events, such as Cinco de Mayo and the Dickens festival; smaller events such as Courthouse Nights, and Chamber/Downtown Business-sponsored events such as 1st Friday Night and "Sip n. Stroll."

With regard to such events, certain businesses that sell/serve alcohol in the district are allowing open containers and public consumption on sidewalks and streets in the absence of permits or ordinance authorization. The City Council should discuss options for appropriately regulating the same, may carve out such exceptions as it deems appropriate regarding allowance of open containers and alcohol consumption in streets and on sidewalks in the CCB district, and should amend its ordinances accordingly.

The following discussion does not address possession of an open container or consumption of alcohol in vehicles.

I. Executive Summary

The City's ordinances related to the regulation of alcohol are generally consistent with state law. However, the authorization for issuance of Special Activity Permits by the Police Department is limited to City Parks and should be amended if such permits are to be used for the CCB District.

Although state law limits City regulation of alcohol, the City Council has significant discretion regarding open containers and consumption of alcohol in the district. State law allows a city to completely ban the same in its "central business district" which has not been done, and allows a

city to ban the same in streets, sidewalks, and other public places, which has been done. A question to be addressed at the meeting on August 2, 2022, is when, how, and for the type of events for which open containers and consumption of alcohol in streets and sidewalks in the CCB district will be allowed.

II. City Authority to Regulate Alcohol

Municipal authority over alcoholic beverages is limited to the following (excluding rules applicable to international border and certain populous cities):

1. A home rule city, in its charter, may prohibit the sale of liquor or malt beverages in all or part of its residential sections. (TABC Sec. 109.31 & 109.32)
2. A city may prohibit sales within 300 feet of a church, school, most childcare facilities, or a hospital, or within 1000 feet of a school if requested by the school. (TABC Sec. 109.33 & 109.331)
3. A city may prohibit possession of an open container or consumption in its central business district if (a) the governing body determines that it is a risk to health & safety; and (b) it adopts a map depicting the central business district (TABC Sec. 109.35)
4. A city may prohibit possession of an open container or consumption on a public street, alley, or sidewalk within 1,000 feet of a homeless shelter or substance abuse treatment center not located in a central business district. (TABC Sec. 109.36)
5. A city may regulate the location of (e.g. require a special use permit) for an establishment that derives 75% or more of its gross revenue from the on-premises sale of alcoholic beverages or a sexually oriented business. (TABC Sec. 109.57)
6. A city may impose more, or less, restrictive, hours of operation for the sale of beer from state law hours (i.e. sales allowed between 7 a.m. and midnight any day except Sunday, when beer cannot be sold between midnight and 1 p.m. (TABC Sec. 105.32 & 109.32)
7. A city may prohibit the possession or consumption of alcohol in city parks and other city property. (caselaw).
8. A city may require that a business that sells alcoholic beverages be licensed by the city and pay a license fee that cannot exceed one-half the amount of the license fee the business must pay for its state license. (TABC Sec. 11.38)
9. A city may not impose a license or permit requirement on a business that sells/serves alcohol that is not imposed on business that do not (i.e. the city may not discriminate against businesses licensed by TABC). (TABC Sec. 109.57)

III. City of Lockhart Regulation of Alcohol

The City's Code of Ordinances currently regulates alcohol in the following manners:

1. Requires licenses and a license fee (Sec. 6-2).
2. Restricts locations of sales: Except for the sale of beer and wine for off-premises consumption and the sale of alcoholic beverages for on-premises consumption in the CCB district, sales of alcohol are prohibited within 300 feet of any church or school. (Sec. 6-3).

3. Allows extended hours for sales of wine, beer, and mixed beverages until 2 a.m., but with prohibitions for possession or consumption in a public place on Sunday between 2:15 a.m. and noon, and on any other day between 2:15 a.m. and 7 a.m. (Sec. 6-4).
4. Prohibits possession of any alcoholic beverage on any street, sidewalk, or other public place (Sec. 36-2).
5. Prohibits consumption of alcohol on any street, sidewalk, or other public way in the City, and prohibits consumption in a city park without first obtaining permission from the police chief; requires possession of food in addition to alcohol in the park (Sec. 36-3).
6. Regulates or prohibits alcohol in manners or for purposes unrelated to the subject of this memo (i.e. aviation [4-74]; game Rooms [8-214]; permits for bands where alcohol is sold [18-28]; shooting range/firearms [36-1]; particular zoning districts [64-196]; and Sexually Oriented Businesses [64-201]).

IV. Special Rules for Central Business Districts

Prior to September 1, 2015, cities were allowed to petition the Texas Alcoholic Beverage Commission to adopt an order to prohibit possession of an open container or consumption of alcohol in the central business district of the city, and as of January 1, 2013, TABC had adopted such orders for the following cities:

Amarillo, Claude, College Station, Corpus Christi, Dallas, El Paso, Farmersville, Giddings, Groveton, Houston, Hubbard, Jefferson, McAllen, Rosenberg, San Angelo, San Antonio, San Marcos, Shamrock, Sinton, South Padre Island, Taylor, Timpson, and Vernon

However, with the passage of HB 2296 in 2015, the petition requirement was repealed and the current language of Sec. 109.35, discussed above in II 3, was enacted, meaning that a city may prohibit sales within its central business district without TABC approval.

V. Analysis and Conclusion

There is no statewide ban prohibiting possession of open containers or public consumption of alcohol in Texas except in vehicles, state parks, or on public property where the governing body of a city where has made it illegal. Lockhart ordinances are consistent with state laws, and open containers and consumption on city streets, sidewalks, and parks are prohibited. There is currently a mechanism in the City Code for allowing open containers and consumption in parks, but there is none regarding streets and sidewalks in the CCB district.

The City Council has significant discretion regarding open containers and consumption of alcohol in the district. State law allows a city to completely ban the same in its “central business district,” which has not been done, or it allows a city to determine the circumstances, or types of events, for which citizens are allowed to buy a drink and walk around the square, which should be done. Accordingly, the City Council may carve out such exceptions as it deems appropriate regarding allowance of open containers and alcohol consumption in streets and on sidewalks in the CCB district.

City of Lockhart, Texas

Council Agenda Item Cover Sheet

COUNCIL MEETING DATE: August 2, 2022

AGENDA ITEM CAPTION: Consider the nomination of Phyllis Eggimann to the Lockhart Historical Preservation Commission by Councilmember Brad Westmoreland with a term to expire in November 2022.

ORIGINATING DEPARTMENT AND CONTACT: Administration - Connie Constancio

ACTION REQUESTED: Other

BACKGROUND/SUMMARY/DISCUSSION:

Ms. Eggimann submitted her application to be considered to serve on the Lockhart Historical Preservation Commission on July 22, 2022. She is retired. Her career history indicates that she was an antique business owner, an interior designer, real estate broker, in the accounting field, and a property manager who was exposed to the Main Street Revitalization Program in New Mexico. She meets the residence and voter qualifications to serve on a Board.

The following is a synopsis of the tasks and qualifications of a member of the Lockhart Historical Preservation Commission:

Lockhart Historical Preservation Commission meets on the first and third Wednesday at 5:30 p.m. each month. The Commission shall consist of a registered architect, planner or representative of a design profession; a registered professional engineer in the State of Texas; a member of a nonprofit historical organization of Caldwell County; a local licensed real estate broker or member of the financial community; an owner of an historic landmark residential building; an owner or tenant of a business property that is an historic landmark or in an historic district; and a member of the Caldwell County Historical Commission. One Caldwell County resident who is also an owner of real property within any local historic district may be appointed as a full member. The Board consists of seven members that serve a three-year term. The City Planner is the staff liaison.

PROJECT SCHEDULE (if applicable): N/A

AMOUNT & SOURCE OF FUNDING:

Funds Required: N/A

Account Number: N/A

Funds Available: N/A

Account Name: N/A

FISCAL NOTE (if applicable): N/A

City of Lockhart, Texas

Council Agenda Item Cover Sheet

PREVIOUS COUNCIL ACTION: N/A

COMMITTEE/BOARD/COMMISSION ACTION: N/A

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

LIST OF SUPPORTING DOCUMENTS: Phyllis Eggimann's application, Qualification checklist

RECEIVED

In order to be considered for an appointment to a Lockhart Board or Commission, please complete the following application. You may also attach a current resume and letter of interest if you choose.

JUL 22 2022

1. PERSONAL INFORMATION

Full Legal Name Phyllis Kay Eggimann		Preferred Name	CITY OF LOCKHART CITY SECRETARY'S OFFICE
Physical Home Address 707 INDIAN BLANKET			
Mailing Address (if different)			
City LOCKHART	State TX	Zip 78644	
Home Phone NA		Work Phone Retired	
Mobile Phone 512-557-8059			
Email Address [REDACTED]			
Date of Birth [REDACTED]			

2. AREAS OF INTEREST

Please indicate the position(s) of interest to you.

☐ Airport Advisory Board	☒ Historical Preservation Commission
☐ Zoning Board of Adjustment & Appeals	☐ Hotel Occupancy Tax Advisory Board
☐ Charter Review Commission	☐ Library Advisory Board
☐ Construction Board of Appeals	☐ Parks & Recreation Advisory Board
☐ Economic Development Corp (1/2 Cent Sales Tax)	☐ Planning & Zoning Commission
☐ Electric Board	

In the space below, please explain your interest in the position(s) selected above. Also, please explain any experience you have related to your selection(s).

See Attached

3. BOARD MEMBER QUALIFICATIONS

The following are qualifications as outlined in Section 2-209 of the Lockhart Code of Ordinances to serve on a Board/Commission:

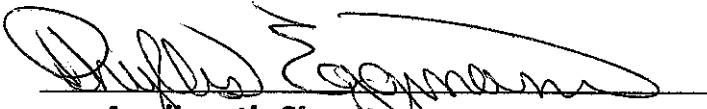
YES	NO	Please answer the following questions about Board/Commission qualifications:
☒	☐	Have you been a resident of the State of Texas/City of Lockhart for at least twelve (12) consecutive months preceding appointment?
☒	☐	Are you a registered voter?
☐	☒	Have you been removed from another city board or commission because of failure to attend meetings or for cause within the last three years?
☐	☒	Do you serve on any other City of Lockhart board/commission/committee at this time? If yes, please list: _____

For your reference, the following additional qualifications apply to appointed Board/Commission members:

- A member who is required to be a resident of the city (or county when applicable) when appointed and who thereafter moves his or her primary residence outside of the corporate limits of Lockhart (or county when applicable) vacates his or her position on a board of commission on the date the residency changes.
- The City Council shall have the right, but not the duty, to appoint up to two members who are not city residents but who are residents of Caldwell County to the Lockhart Airport Advisory Board, the Eugene Clark Library Board, and the Construction Board of Appeals.
- Any member of a board or commission who is absent from three consecutive regular meetings, or any four non-consecutive regular meetings of the board or commission during any twelve-month period, shall forfeit his or her position and the vacancy occurring shall be declared and filled by the Council.
- Members must maintain their qualifications while serving on a board or commission.
- No member of any appointed body shall serve on more than one quasi-judicial or advisory board or commission.
- No appointed body shall deviate from its charge, deliberate items not on its agendas, or speak for the council or City of Lockhart without council authorization.
- Members appointed serve without compensation.

Certification of Applicant

I hereby certify that the foregoing and any attached statements are true, accurate and complete. I also understand that this application is subject to disclosure under the Texas Public Information Act.


Applicant's Signature


Date

Completed application, resume and letter of interest may be submitted in person, email, mail, or by fax to:

City of Lockhart
City Secretary's Office
308 W. San Antonio Street / PO Box 239
Lockhart, TX 78644

Phone: 512.398.3461
FAX: 512.398.5103
cconstancio@lockhart-tx.org

July, 20, 2022

To: City of Lockhart

From: Phyllis Eggimann

Re: Vacant position on Historical Preservation Commission

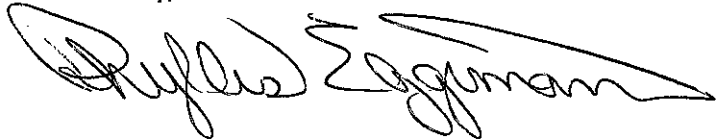
Thank you for the opportunity to apply for the above referenced position.

My life experiences should qualify me, as I am retired and in love with all things "old". In my past I have owned an antique business, and interior design business, spent 14 years of my life in banking, and for the past 23 years of my professional career I was a licensed real estate broker in the State of New Mexico. I did not sell real estate, rather I managed commercial office buildings, shopping centers, office buildings and industrial office parks in the City of Albuquerque and El Paso, Texas.

During those property management years, I was exposed to Main Street Revitalization Programs in both Albuquerque, NM and some smaller towns in the southeastern part of the state. I also had exposure and participation in Historical Preservation projects in Albuquerque as well as Amarillo, Texas.

I look forward to contributing what I can to the City of Lockhart.

Sincerely,

A handwritten signature in black ink, appearing to read "Phyllis Eggimann", written in a cursive style.

APPLICANT'S NAME: Phyllis EggmannBOARD NAME(S): Lockhart Historical Preservation Comm.

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

- Appointees must each be a resident of the State of Texas and a resident of the City of Lockhart for at least twelve (12) consecutive months preceding their appointment unless a particular board's or commission's composition or state law allows for membership by a non-resident of the City.
Date of residency in Lockhart: December 2017
- Appointees shall be qualified voters in the City of Lockhart or, if not a resident of the City, of Caldwell County.
Date qualified voter in Lockhart: December 2017
- Appointees shall not have been removed from another city board or commission because of failure to attend meetings or for cause within the last three years.
Removed from another board? YES or NO
If yes, date _____ and board _____
- No member of any appointed body shall serve on more than one quasi-judicial or advisory board or commission.
Serves on another board? YES or NO
If yes, board currently serving: _____

BOARD SPECIFIC QUALIFICATIONS:**LHPC**

- Y or (N) Registered architect? (must have one)
If no, current # members registered architect? 0
- Y or (N) Planner or rep. of a design profession? (must have one) Retired designer
If no, current # members planner/design profession? _____
- Y or (N) Registered professional engineer in the State of Texas? (must have one)
If no, current # members registered engineer? 0
- Y or (N) Member of a nonprofit historical organization of Caldwell County? (must have one)
If no, current # members a member of above? 1
- Y or (N) Local licensed real estate broker or member of the financial community? (must have one)
If no, current # members of above? 1 Retired Realtor
- Y or (N) Owner of an historic landmark residential building? (must have one)
If no, current # members of above? 1
- Y or (N) Owner or tenant of a business property that is an historic landmark or in an historic district?
(must have one)
If no, current # members of above? 1
- Y or (N) Member of the Caldwell County Historical Commission? (must have one)
If no, current # members of above? 1
- (Y) or N City Resident?
- Y or N If no, Caldwell County resident?
(one Caldwell County resident who is also an owner of real property within any local historic district)
How many members are qualified county residents? no County appointees at this time

Lockhart Historical Preservation Commission meets on the first and third Wednesday at 5:30 p.m. each month. The Commission shall consist of a registered architect, planner or representative of a design profession; a registered professional engineer in the State of Texas; a member of a nonprofit historical organization of Caldwell County; a local licensed real estate broker or member of the financial community; an owner of an historic landmark residential building; an owner or tenant of a business property that is an historic landmark or in an historic district; and a member of the Caldwell County Historical Commission. One Caldwell County resident who is also an owner of real property within any local historic district may be appointed as a full member. The Board consists of seven members that serve a three-year term. The City Planner is the staff liaison.

APPLICANT'S NAME: Phyllis Eggmann

BOARD NAME(S): Lockhart Historical Preservation Comm.

CITY SECRETARY'S DETERMINATION OF APPLICANT'S QUALIFICATION:

Is Applicant Qualified?

YES

NO

DISCRETION OF THE COUNCIL

NOTES: Retired realtor, designer & owned antique business

CURRENT LHPC MEMBER ROSTER

First Name	Last Name	Title	Status?	Council Member	Term Exp	Date Appt
Ray	Ramsey		Downtown historic property owner	Angie Sanchez	Nov-22	7/7/2020
VACANT	Thomson resigned 1-5-22			Brad Westmoreland	Nov-22	
Michael	Royal		Member Caldwell County His Comm	Jeffry Michelson	Nov-22	7/7/2020
Christine	Ohlendorf			Juan Mendoza	Nov-22	6/20/2020
Ron	Faulstich		Downtown historic property business	David Bryant	Nov-22	10/20/2020
John	Larsen	Vice-Chair	President-Gaslight Baker Theatre	Mayor White	Nov-23	1/19/2021
Ronda	Reagan	Chair	Realtor, Historic property owner	Kara McGregor	Nov-23	1/19/2021

City of Lockhart, Texas

Council Agenda Item Cover Sheet

COUNCIL MEETING DATE: August 2, 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.

On May 26, 2022, the CDC upgraded Caldwell County's COVID-19 Community Risk level to "Medium." This is the first time Caldwell County's community risk level has been elevated from "Low" risk since late February. The COVID-19 Community Level is determined by the higher of the new admissions and inpatient beds metrics, based on the current level of new cases per 100,000 population in the past seven days.

On July 19, 2022, the CDC upgraded Caldwell County's COVID-19 Community Risk level to "High". This is a result of increased COVID cases.

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: History of COVID information updates, GA-38, GA-39, Governor Abbott proclamation renewing the Declaration of Disaster, GA 40, Memorandum COVID19 level medium,

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.

On **May 26, 2022**, the CDC upgraded Caldwell County's COVID-19 Community Risk level to "Medium." This is the first time Caldwell County's community risk level has been elevated from "Low" risk since late February. The COVID-19 Community Level is determined by the higher of the new admissions and inpatient beds metrics, based on the current level of new cases per 100,000 population in the past seven days.

On **July 19, 2022**, the CDC upgraded Caldwell County's COVID-19 Community Risk level to "High". This is due to an increase in COVID cases in the county.



GOVERNOR GREG ABBOTT

July 29, 2021

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

JUL 29 2021

Secretary of State

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

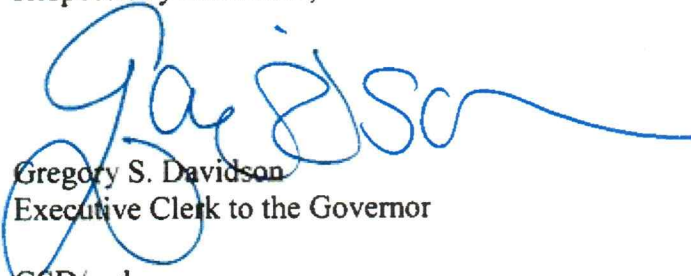
Dear Deputy Secretary Esparza:

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

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

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

Respectfully submitted,


Gregory S. Davidson
Executive Clerk to the Governor

GSD/gsd

Attachment

Executive Order

BY THE
GOVERNOR OF THE STATE OF TEXAS

Executive Department
Austin, Texas
July 29, 2021

EXECUTIVE ORDER GA 38

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

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

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

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

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

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

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

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

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

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

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

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

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

JUL 29 2021

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

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

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

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

FILED IN THE OFFICE OF THE
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.

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

JUL 29 2021

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

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

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

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
3:55pm O'CLOCK

JUL 29 2021

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

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

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



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

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
3:15pm O'CLOCK

JUL 29 2021



GOVERNOR GREG ABBOTT

August 25, 2021

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

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

AUG 25 2021

Secretary of State

Dear Deputy Secretary Esparza:

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

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

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

Respectfully submitted,


Gregory S. Davidson
Executive Clerk to the Governor

GSD/gsd

Attachment

Executive Order

BY THE
GOVERNOR OF THE STATE OF TEXAS

Executive Department
Austin, Texas
August 25, 2021

EXECUTIVE ORDER GA 39

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

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

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

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

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

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

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

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

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

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

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

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

AUG 25 2021

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

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

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

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

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

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

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
2:43 P.M. O'CLOCK

AUG 25 2021

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

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



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

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

GREG ABBOTT
Governor

ATTESTED BY:

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

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

AUG 25 2021

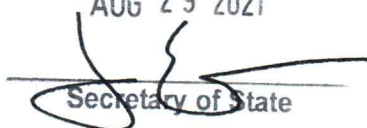


GOVERNOR GREG ABBOTT

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 that reads "Greg Abbott".

GREG ABBOTT
Governor

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

AUG 29 2021

Governor Greg Abbott
August 29, 2021

Proclamation
Page 2

ATTESTED BY:



JOE ESPARZA
Deputy Secretary of State

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



GOVERNOR GREG ABBOTT

October 11, 2021

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;

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.

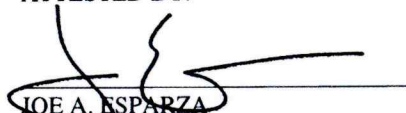
This executive order does not supersede Executive Orders GA-13, GA-37, GA-38, or GA-39. This executive order shall remain in effect and in full force unless it is modified, amended, rescinded, or superseded by the governor. This executive order may also be amended by proclamation of the governor.

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
4:30 PM O'CLOCK

OCT 11 2021



Memorandum

To: Mayor Lew White, Mayor Pro-Tem Angie Sanchez, Councilmembers Bryant, Michelson, Westmoreland, McGregor, and Mendoza
From: Steven Lewis, City Manager
Date: June 2, 2022
Re: County COVID-19 level update

Mayor and Council,

The Centers of Disease Control and Prevention (CDC) reported Caldwell County's COVID-19 Community Level has been upgraded to *Medium* this week. This is the first time Caldwell County's community risk level has been elevated from *Low* risk since late February. The COVID-19 Community Level is determined by the higher of the new admissions and inpatient beds metrics, based on the current level of new cases per 100,000 population in the past seven days. **Here are the latest numbers on Caldwell County from the CDC:**

Case Rate per 100,000 population	206.12
New COVID-19 admissions per 100,000 population	2.9
% Staffed inpatient beds in use by patients with confirmed COVID-19	0.1%

Based on the CDC's calculations, due to more than 200 new COVID-19 cases, Caldwell County's risk level has been upgraded to *Medium*. With this classification, the CDC recommends increased accessibility to vaccination, testing, and treatment, along with maintaining improved ventilation in public indoor spaces. As of this time, the Caldwell County Office of Emergency Management is not planning on issuing an advisory regarding the county's updated COVID-19 status.

The CDC has the following recommendations for people depending on which COVID-19 Community Level their county is in:

- Low Risk
 - Stay up-to-date with COVID vaccines
 - Get tested if you have symptoms
- Medium Risk

- Same precautions as low risk and:
 - Talk to your healthcare provider about whether you should wear a mask and take other precautions if you are at high risk for severe illness
- High Risk
 - Same precautions as medium risk and:
 - Wear a mask indoors in public
 - Additional precautions may be needed for people at high risk for severe illness

This information is also available through the [CDC's Data Tracker: Integrated County View](#), which is updated every Thursday.



Lockhart

T E X A S

2022-2023 Strategic Work Plan



The Strategic Planning Process

From January through April 2022, the City of Lockhart embarked on a strategic planning process to create strategic priorities for 2022-2023. The following is the process used to reach the conclusions for the plan:

The process kicked off with a preliminary Zoom between the City Manager, Steve Lewis, Mayor Lew White, and professional facilitator Alysia A. Cook, PCED, IOM with Opportunity Strategies LLC. The three met to review key issues facing the city, understand the programs and projects currently underway, and to prepare the process and format for the planning session.

On April 8, 2022, the City of Lockhart Management Team met at the Library for Part 1 of the Strategic Work Planning Session for 2022-2023.

On April 9, 2022, the City of Lockhart City Council and City Manager met at the Library for Part 2 of the Strategic Work Planning Session for 2022-2023.



Day One – Management Team

Day One began with City Manager Steve Lewis reviewing with the Management Team the City of Lockhart's accomplishments and success stories of 2021.

Following that, the City Manager and the facilitator shared some leadership concepts and considerations with the Lockhart Management Team. This led to some group discussions about the importance of continuous learning and leadership development.

The City Manager discussed with the participants that when goals are adopted by the City Council, they provide a positive impact for the Management Team in at least 4 different ways:

- a) Direction is clearly set by City Council
- b) Once that direction is established, differences can be discussed in a more open, less polarizing manner
- c) Saves time in decision making on projects/programs
- d) City Manager's recommendations can be better aligned with ultimate objectives

Mission of Lockhart Management Team

To promote and influence the alignment of organizational resources by focusing on:

- a) Organizational planning and issues
- b) Open communication with elected officials, staff, boards, commissions, and citizens
- c) Ensuring City of Lockhart is a leader in Central Texas regarding issues with community relevance
- d) Implementing programs that derive from the City Council and community's goals

Start – Stop – Continue

The facilitator then engaged the Management Team in a group exercise called *Start – Stop – Continue* which divides participants into small groups and has them offer feedback on what the City needs to start doing, stop doing, and continue doing.

These are individual manager recommendations and not necessarily agreed to by all managers or by City Council members. The responses are as follows:

Start

- Long-term capital planning
- Increasing non-emergency communications
- Administering annual customer service surveys that are statistically valid
- Developing recreation programs
- Indoor community recreation center
- City facilities and community infrastructure improvements
- New spaces for city facilities
- Modernize Human Resources policies including technology
- A vehicle acquisition fund
- Decreasing steps in the hiring process
- Staff planning for future growth
- Modernizing our contracts, best practices, attorney, etc. including reviewing for mutually beneficial language and avoiding one-sided contracts

Stop

- Ineffective/outdated contracts
- Thinking small
- Six-month probationary period for personnel
- Reconnecting customers after 10pm
- Providing free services (such as banners and road closures) and establish a fee schedule for these special requests
- Requiring utility inspections for every change of occupant

Continue

- Longevity pay
- Forward-looking planning for quality growth
- Law enforcement outreach with community
- Contracting (sending RFPs) for solid waste collection
- Supporting tourism
- Modernizing technology, e.g. paperless, Go Green
- Enhancing community investment
- Planning our wayfinding and signage
- Growing events that enhance overnight stays in Lockhart and maximize HOT \$ collections
- Economic growth including considering developing a 4th industrial park
- Striving for improved customer service
- Community engagement including public open houses and social media



Next, the Management Team embarked on a discussion around the following topics which also included some departmental reports on the status of various projects:

- Growth Trends
- Land Development
- Economic Development
- Service Delivery
- Workforce Development
- Long Range Financial Outlook

Following those discussions, the facilitator led the Management Team through a discussion of what they each thought should be the 2022-2023 goals City Council would establish the following day. She recorded those recommendations, then the group reached consensus on what would be put forth to the Council to consider.

The final decisions for 2022-2023 were made by City Council the following day and are listed below.

Day Two – City Council

Day Two began with City Manager Steve Lewis reviewing with City Council the City of Lockhart's accomplishments and success stories of 2021.

Expectations – City Council

Following that, the facilitator asked City Council to share any expectations for the day. Responses were as follows:

- TxDOT – Wayfinding and Signage
- Summerside Subdivision turn lane and traffic light
- Urgent Care facility
- Comprehensive mental health care for first responders
- Keeping City Staff wages competitive
- Need for an Assistant City Manager
- Need for a grantwriter
- Regional animal shelter
- Next industrial park and/or property

The following is the City of Lockhart 2022-2023 Strategic Work Plan.

City of Lockhart Vision:

- To be a first-class community that has maintained its integrity and sense of community characterized by livable neighborhoods and quality schools.
- To be a City that focuses on family by ensuring quality recreational and cultural activities, services, housing, economic, and educational opportunities that promote a well-rounded productive member of the community.
- To be a City that is friendly to visitors and future residents with a spirit of fellowship and cooperation by accommodating their needs and recognizing the wealth in cultural, ethnic and age diversity.
- To be a City committed to sustainability by diligently balancing community needs with available resources and managing growth in a smart and fiscally responsible manner.
- To be a City that celebrates and embraces its long and rich history by reinvesting in neighborhoods, preserving areas and buildings of historic significance and returning the Central Business District to an economically viable and lively activity center.
- To be a City recognized for the quality of its built environment and the integration of the natural landscape throughout the community.
- To be a City that ensures a good balance between residential, commercial, industrial, and public/institutional uses supported by quality infrastructure and transportation systems.
- To be a City known for its innovative solutions to managing growth, progressiveness of City government, and responsiveness to the needs of citizens and businesses.

Source: Lockhart 2020 Comprehensive Plan

Goal #1:

**City
Facilities**

Goal #2:

**Human Resources/
Staffing**

Goal #3:

**Parks &
Recreation**

Goal #4:

Infrastructure

Goal #5:

**Modernization &
Communications**

Goal #6:

**Development &
Quality of Life**

Goal #7:

**Revenue
Sustainability**

2022-2023 Goals:

Each of the following seven goals is guided by the values of diversity and inclusion. Diversity and inclusion are a tapestry that is woven through every goal, every service, and every program.

Goal #1: City Facilities

To begin planning for new city facilities and offices.

Goal #2: Human Resources/Staffing

To enhance our HR services to ensure Lockhart remains a competitive employer.

Goal #3: Parks & Recreation

To develop the Parks & Recreation program and services.

Goal #4: Infrastructure

To enhance physical infrastructure and branded wayfinding throughout Lockhart.

Goal #5: Modernization & Communications

To modernize our in-house and online technology, systems, and communications to serve residents more efficiently and tell the Lockhart story.

Goal #6: Development & Quality of Life

To continually improve the quality of life and employment opportunities of the people of Lockhart.

Goal #7: Revenue Sustainability

To ensure the long-term financial health and sustainability of the City of Lockhart.

Goal #1: City Facilities

To begin planning for new city facilities and offices.

- 1.1 Consider which facilities improvements should be funded by certificates of obligation vs. bonds
- 1.2 Begin plans to replace/update City Hall
- 1.3 Begin plans to replace/update Police/Fire/Training facilities
- 1.4 Begin plans to replace/update Maintenance/City Barn Utilities
- 1.5 Reclaim old space at the hospital
- 1.6 Lease additional space at the EDC building
- 1.7 Conduct a Facilities Study with architects and engineers
- 1.8 Consider Airport improvements (TxDOT Aviation) in the study

Goal #2: Human Resources/Staffing

To enhance our HR services to ensure Lockhart remains a competitive employer.

- 2.1 Hire ACM (Assistant City Manager) immediately
- 2.2 Hire City Manager Support Staff (Executive Assistant or Administrative Assistant)
- 2.3 Once new ACM is hired, assign him/her with developing a Staffing Plan
- 2.4 Once new ACM is hired, assign him/her with developing a Succession Plan
- 2.5 Consider adding additional staff city-wide as needed
- 2.6 Retain law enforcement officers by ensuring compensation competitiveness
- 2.7 Implement a formal EAP (Employee Assistance Program)
- 2.8 Secure a grantwriter (explore opportunities for hiring one vs. contractor)

Goal #3: Parks & Recreation

To develop the Parks & Recreation program and services.

- 3.1 Develop adult and youth programming that utilize existing facilities
- 3.2 Conduct successful outreach to sports leagues across Texas and neighboring states
- 3.3 Consider new Parks & Rec facilities such as pickleball, volleyball, and frisbee golf
- 3.4 Plan for and implement safety improvements of existing facilities
- 3.5 Plan for and implement aesthetic improvements of existing facilities
- 3.6 City Council requests to meet with Parks & Rec Director and City Manager to discuss ideas and brainstorm next steps in the Parks Plan including:
 - Work session, then tour Parks facilities with Parks & Rec Director
 - Discuss short-term vs. long-term Parks & Rec needs
 - Develop plan to survey citizens including bond exploration

Goal #4: Infrastructure

To enhance physical infrastructure and branded wayfinding throughout Lockhart.

- 4.1 Conduct public open houses to determine public wishes for Downtown
- 4.2 Council to approve a final Downtown Conceptual Design and authorize staff to implement
- 4.3 Consider an additional commercial district with retail and mixed-use offerings
- 4.4 Issue the RFP for a Comprehensive Plan update (hire firm by January 2023, then CIP (capital improvement plan) to follow
- 4.5 Explore downtown WiFi options including geofencing

Goal #5: Modernization & Communications

To modernize our in-house and online technology, systems, and communications to serve residents more efficiently and tell the Lockhart story.

- 5.1 PIO (Public Information Officer) to secure proposals for a new website design including:
 - Online forms and application portals (permitting, employment, variance requests, etc.)
 - Must be mobile responsive platform
 - Ensure ease of use and innovative utility of site
 - Include a portal to the Lockhart Economic Development Corporation website
- 5.2 Hire a consultant to 1) build a survey to ask the public what information they seek to find on the City of Lockhart website and 2) compare Lockhart website to other communities with high utilization of an innovative website
- 5.3 Streamline application processes of permits, developer proposals, engineering, employment, etc. to be placed on website (see 5.1)
- 5.4 Verify internet access at all City facilities



Goal #6: Development & Quality of Life

To continually improve the quality of life and employment opportunities of the people of Lockhart.

- 6.1 Consider proposed sidewalk ordinance
- 6.2 Facilitate/incentivize more housing options including:
 - Rental housing options
 - Workforce housing options
 - Higher-income housing
 - Infill/revitalized housing within centers of commerce (existing or planned)
 - Senior/retiree housing
- 6.3 Continue to promote family-friendly events in Downtown
- 6.4 Encourage higher development standards (within state legislature constraints) to research modernization techniques and make recommendations to City Manager for consideration
- 6.5 Continue to implement Animal Control Audit recommendations
- 6.6 Continue to provide concerts on the square

Goal #7: Revenue Sustainability

To ensure the long-term financial health and sustainability of the City of Lockhart.

- 7.1 Explore and increase film production permitting fees
- 7.2 Create and implement fees for banners, road closures, event special requests
- 7.3 Use grantwriter (see 2.8) to find and write grants that benefit the City of Lockhart and its residents
- 7.4 Conduct discussions between City Council and Staff regarding which items can/should be funded by certificates of obligation vs. bonds
- 7.5 Update/increase construction permit fees and impact fees
- 7.6 Explore a bond vote for the items proposed by Parks & Rec and Council from Goal #3
- 7.7 Explore the concept of a Community Foundation with community benefactor options including other communities who have successfully created and implemented a Community Foundation

City of Lockhart Leadership

The 2022 City Council and Management Team participating:

City Council:

Lew White, Mayor

Angie Gonzales-Sanchez, Mayor Pro-Tem

Brad Westmoreland, Councilmember At-Large

Juan Mendoza, Councilmember District 1

David Bryant, Councilmember District 2

Kara McGregor, Councilmember District 3

Jeffrey Michelson, Councilmember District 4

Management Team:

Steve Lewis, City Manager

Julie Bowermon, Director of Human Resources

Connie Constancio, City Secretary

Travis Hughes, Director of Parks & Recreation

Randy Jenkins, Fire Chief

Mike Kamerlander, Economic Development Director

Sean Kelley, Public Works Director

Pam Larison, Director of Finance

Bobby Leos, Electric Superintendent

Victoria Maranan, Public Information Officer

Bertha Martinez, Director of Library Services

Ernest Pedraza, Chief of Police





City of Lockhart

2020-2021 Strategic Priorities

Prepared by:



City of Lockhart

Summary

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

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

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

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

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

The following are the results.

Management Team Expectations for the Day's Discussion Topics

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

City Council Expectations for the Day's Discussion Topics

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

Start/Stop/Continue

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

Start

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

Stop

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

Continue

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

Recommendations from Staff:

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

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

Goal Development from City Council:

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

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

Progress Reporting

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

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

Goal 1: Economic Development / Planning

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

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

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

Goal #1 KPIs / Metrics:

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

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

Goal 2: Quality of Life / Quality of Facilities

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

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

Goal #2 KPIs / Metrics:

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

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

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

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

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

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

Which facilities did we improve the image of? _____

☐ Did we implement elements of the Parks Master Plan?

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

of City-owned buildings we renovated or retrofitted? _____

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

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

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

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

☐ Did we court hospital providers?

☐ Did we sell the church property?

☐ Did we create a Youth Advisory Board?

☐ Did we implement downtown drainage improvements?

☐ Did we fully investigate issuing a street bond?

☐ Did we fully enforce trash clean up around town?

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

Goal 3: Staffing / Personnel

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

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

Goal #3 KPIs / Metrics:

of new positions in 2019? _____

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

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

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

Goal 4: Procedures / IT Management and Services

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

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

Goal #4 KPIs / Metrics:

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

Goal 5: Public Safety

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

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

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

Goal #5 KPIs / Metrics:

of new law enforcement officers hired in 2019? _____

of new law enforcement officers hired in 2020? _____

of new law enforcement officers hired in 2021? _____

% law enforcement officers retained? _____ %

of new firefighters hired in 2019? _____

of new firefighters hired in 2020? _____

of new firefighters hired in 2021? _____

% firefighters retained? _____ %

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

Conclusion

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

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



City of Lockhart

2019-2020 Strategic Priorities

Prepared by:



City of Lockhart

Summary

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

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

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

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

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

The following are the results.

Management Team Expectations for the Day's Discussion Topics

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

City Council Expectations for the Day's Discussion Topics

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

SWOT Analysis

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

Strengths

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

Weaknesses / Challenges

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

Opportunities

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

Threats

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

Start/Stop/Continue

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

Start

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

Stop

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

Continue

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

Goal 1: Economic Development / Planning

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

Goal #1 KPIs / Metrics:

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

Goal 2: Quality of Life / Quality of Facilities

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

Goal #2 KPIs / Metrics:

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

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

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

of City facilities we improved the appearance of? _____

☐ Which facilities did we improve the image of?

☐ Did we implement elements of the Parks Master Plan?

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

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

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

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

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

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

Goal 3: Staffing / Personnel

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

Goal #3 KPIs / Metrics:

of new positions in 2019 and 2020? _____

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

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

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

Goal 4: Procedures / IT / Software and Hardware

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

Goal #4 KPIs / Metrics:

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

Goal 5: Public Safety

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

Goal #5 KPIs / Metrics:

of new law enforcement officers hired in 2019?

of new law enforcement officers hired in 2020?

% law enforcement officers retained?

of new firefighters hired in 2019?

of new firefighters hired in 2020?

% firefighters retained?

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

☐ Did we develop a public safety equipment replacement schedule?

☐ Did we implement that new replacement schedule?

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

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

☐ Did we explore and evaluate Accreditation opportunities?

Conclusion

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

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

CITY COUNCIL FY 18-19 GOALS (FINAL COMBINED)

PRIORITY ORDER

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

U:\Vance Files\1A Public Works\City Council\Goals and Objectives\FY 18-19\FINAL GROUP\COMBINED GROUP SUBMITTED

CITY COUNCIL FY 18-19 GOALS (FINAL COMBINED)

PRIORITY ORDER

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

U:\Vance Files\1A Public Works\City Council\Goals and Objectives\FY 18-19\FINAL GROUP\COMBINED GROUP SUBMITTED



CITY COUNCIL FY 18-19 GOALS

Category Order and Comments by City Manager

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

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

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

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

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

8:56 AMU:\Vance Files\1A Public Works\City Council\Goals and Objectives\FY 18-19\COUNCIL COMBINED FY 18-19 Goals

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

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

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

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

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

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

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

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

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

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

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

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

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

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

City of Lockhart
2015 BOND PROGRAM

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

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	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																
		Construction	365 days	Thu 6/30/16	Thu 6/29/17																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																				</