

PUBLIC NOTICE

AGENDA

LOCKHART CITY COUNCIL

September 20, 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. Presentation of a Proclamation proclaiming September 26-30, 2022 as National GEAR UP Week in Lockhart. 5
- B. Presentation by Mark Estrada, Lockhart Independent School District (LISD) Superintendent, about the LISD Bond/VATRE Election. 6-23
- C. Receive update and discuss support of the Children's Care-A-Van program. 24-33
- D. Discuss Resolution 2022-33 extending the Depository Agreement with First Lockhart National Bank for the period October 15, 2022 through October 14, 2024. 34-48
- E. Discuss the purchase of a 2024 Spartan Fire, LLC. custom 75' rear-mount aerial fire apparatus through Metro Fire Apparatus Specialists, Inc. utilizing the Houston Galveston Area Council (HGAC) Purchasing Cooperative and authorizing the City Manager to execute a Purchase Order for the aerial fire apparatus. 49-52
- F. Discuss recommendation to award bid to Fuquay, Inc. of New Braunfels, Texas in the amount of \$475,196.00 for the 2022 Street Improvements Project and appointing the Mayor to sign all contractual documents. 53-56
- G. Discuss Resolution 2022-34 for an economic development performance agreement with The Ziegenfelder Company. 57-67
- H. Discuss Professional Services Agreement and appointment of Robert A. Haedge as Municipal Court Presiding Judge. 68-74

- I. Discuss appointing two Representatives of the City of Lockhart to the General Assembly of the Capital Area Council of Governments (CAPCOG). 75-78
- J. Discussion regarding an ordinance allowing the possession of open alcoholic beverage containers and consumption of alcoholic beverages on city property under certain circumstances. 79-84
- K. Discussion regarding matters related to COVID-19. 85-107

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-22-21 by HMT Engineering & Surveying on behalf of Greenwood Boutique Townhomes, LLC, and discussion and/or action to consider Ordinance 2022-44 for a Zoning Change from *RMD Residential Medium Density District* to *RHD Residential High Density District* on a total of 1.746 acres in the James George Survey, Abstract No. 9, located at 202 and 204 State Park Road (FM 20). 108-124
- B. Hold a PUBLIC HEARING on application ZC-22-22 by Lendi Capital Group, LLC, on behalf of Sharon Truett and discussion and/or action to consider Ordinance 2022-45 for a **Zoning Change** from *AO Agricultural Open-Space District* and *RLD Residential Low Density District* to *RHD Residential High Density District* on a total of 8.798 acres in the Cornelius Crenshaw Survey, Abstract No. 68, located at 1711 and 1715 West San Antonio Street (SH 142). 125-138

- C. Hold a PUBLIC HEARING and consider Ordinance 2022-46 Amending Chapter 64 "Zoning" of the Lockhart Code of Ordinances, as follows: 1) Modify the definition of *Patio home* in Article I "General", Section 64-2 "Definitions"; 2) Modify selected text in the *Min. Building Setback From Property Line (ft.)* column for the PH-1 and PH-2 development types in Appendix I "Specific Requirements For Residential Development Types"; 3) Delete selected text in the *Remarks* column for the PH-1 and PH-2 development types in Appendix I "Specific Requirements For Residential Development Types"; and, 4) Increase the building height in the *Maximum Height – Stories/Feet* column for the IL Industrial Light District from 40 feet to 50 feet in Appendix II, "Specific Requirements For Commercial Districts", Subsection "Specific Requirements For All Other Districts".

139-149

5. **CONSENT AGENDA**

- A. Approve Resolution 2022-33 extending the Depository Agreement with First Lockhart National Bank for the period October 15, 2022 through October 14, 2024. 150-164
- B. Approve the purchase of a 2024 Spartan Fire, LLC. custom 75' rear-mount aerial fire apparatus through Metro Fire Apparatus Specialists, Inc. utilizing the Houston Galveston Area Council (HGAC) Purchasing Cooperative and authorizing the City Manager to execute a Purchase Order for the aerial fire apparatus. 165-168
- C. Approve recommendation to award bid to Fuquay, Inc. of New Braunfels, Texas in the amount of \$475,196.00 for the 2022 Street Improvements Project and appointing the Mayor to sign all contractual documents. 169-172

6. **DISCUSSION/ACTION ITEMS**

- A. Receive update and consider support of the Children's Care-A-Van program. 173-183
- B. Discussion and/or action regarding Resolution 2022-34 for an economic development performance agreement with The Ziegenfelder Company. 184-193
- C. Discussion and/or action to consider Professional Services Agreement and appointment of Robert A. Haedge as Municipal Court Presiding Judge. 194-200
- D. Discussion and/or action to consider appointing two Representatives of the City of Lockhart to the General Assembly of the Capital Area Council of Governments (CAPCOG). 201-204

E. Discussion and possible action on an ordinance allowing the possession of open alcoholic beverage containers and consumption of alcoholic beverages on city property under certain circumstances. 205-210

F. Discussion regarding matters related to COVID-19. 211-233

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

- National Night Out - Tuesday, October 4th.
- October 4th Lockhart City Council meeting is cancelled.
- Citywide Bulk Cleanup - Saturday, October 15th.
- Update about the November 8, 2022 General Election.

8. COUNCIL AND STAFF COMMENTS - ITEMS OF COMMUNITY INTEREST

9. 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 16th day of September, 2022 at 3:30 p.m.



Proclamation

Whereas, the Gaining Early Awareness and Readiness for Undergraduate Programs (GEAR UP) is a federally-funded program designed to increase the number of students who stay in school and pursue postsecondary education; and

Whereas, GEAR UP focuses on students who might be the first person in their family to go to college; and

Whereas, GEAR UP provides seven-year grants to states or partnership to deliver support and resources to students and their families, starting no later than the 7th grade (middle school) through high school and onward to fulfill their dreams attaining a postsecondary education; and

Whereas, GEAR UP services including tutoring, mentoring, advising, rigorous academic preparation and financial education to improve access and success in higher education; and

Whereas, GEAR UP is built around public-private partnerships to support students as they prepare to enter and succeed in education beyond high school; and

Whereas, GEAR UP has enabled thousands of students since 1999 to achieve their dreams of higher education; and

Whereas, GEAR UP is committed to providing a quality education for all students helping them to achieve their highest potential.

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

September 26-30, 2022

as

“National GEAR UP Week in Lockhart, Texas”

and I encourage all people in our state to join in this special observance.

IN TESTIMONY, WHEREOF, I have hereto set my hand and cause to be affixed the Seal of the City of Lockhart, Texas this the 20th day of September, 2022.

ATTEST:


Connie Constancio, TRMC
City Secretary



CITY OF LOCKHART


Lew White
Mayor

City of Lockhart, Texas

Council Agenda Item Cover Sheet

COUNCIL MEETING DATE: September 20, 2022

AGENDA ITEM CAPTION: Presentation by Mark Estrada, Lockhart Independent School District (LISD) Superintendent, about the LISD Bond/VATRE Election.

ORIGINATING DEPARTMENT AND CONTACT: Administration - Steven Lewis

ACTION REQUESTED: Other

BACKGROUND/SUMMARY/DISCUSSION:

Mark Estrada, LISD Superintendent, will give the Council an update about the Bond Election.

PROJECT SCHEDULE (if applicable): N/A

AMOUNT & SOURCE OF FUNDING:

Funds Required: N/A

Account Number: N/A

Funds Available: N/A

Account Name: N/A

FISCAL NOTE (if applicable): N/A

PREVIOUS COUNCIL ACTION: N/A

COMMITTEE/BOARD/COMMISSION ACTION: N/A

STAFF RECOMMENDATION/REQUESTED MOTION: N/A

LIST OF SUPPORTING DOCUMENTS: LISD Bond Presentation



LOCKHART ISD
**BOND &
VATRE**
PENNY PUT-BACK
NOVEMBER 2022

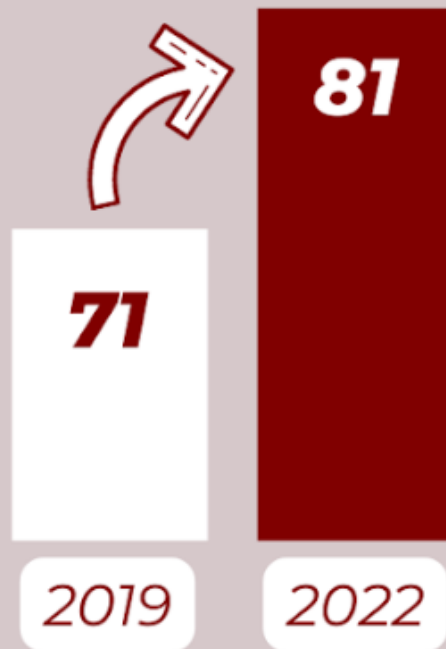
LOCKED ON EXCELLENCE

Lockhart ISD's exceptional academic growth



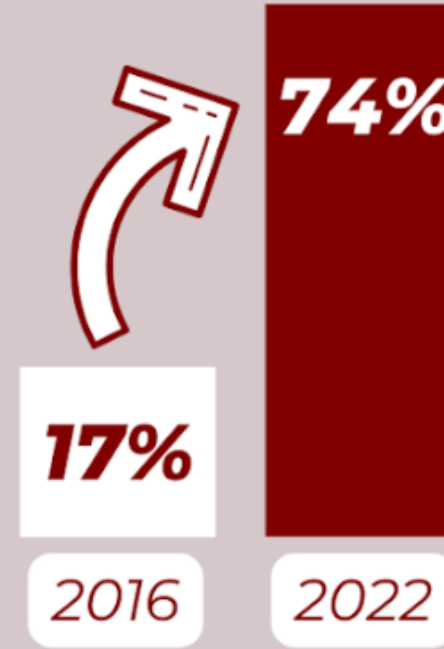
A-F RATING

*Grade received from the State of Texas
evaluating districtwide academic performance*



1.5 GROWTH

*Percentage of LISD students achieving 1.5
years of growth in a single academic year*



LOCKHART ISD: 2022 REGION 13

School Board of the Year!



Sam Lockhart



Dr. Barbara Sanchez



Tom Guyton
Secretary



Michael Wright
President



Warren Burnett
Vice President



Rene Rayos



Rebecca Pulliam

#LOCKEDONEXCELLENCE



#LOCKHARTLEADING

NOVEMBER 2022 BOND

How will Lockhart ISD use the proposed bond investments?

1

**PURCHASE
LAND FOR
ELEMENTARY #6**



\$836,352

The land purchase will be used for the future development of a sixth elementary school.

2

**BUILD
ELEMENTARY
SCHOOL #6**



\$41,153,652

The new elementary school will house an additional 500 students zoned for the western part of LISD.

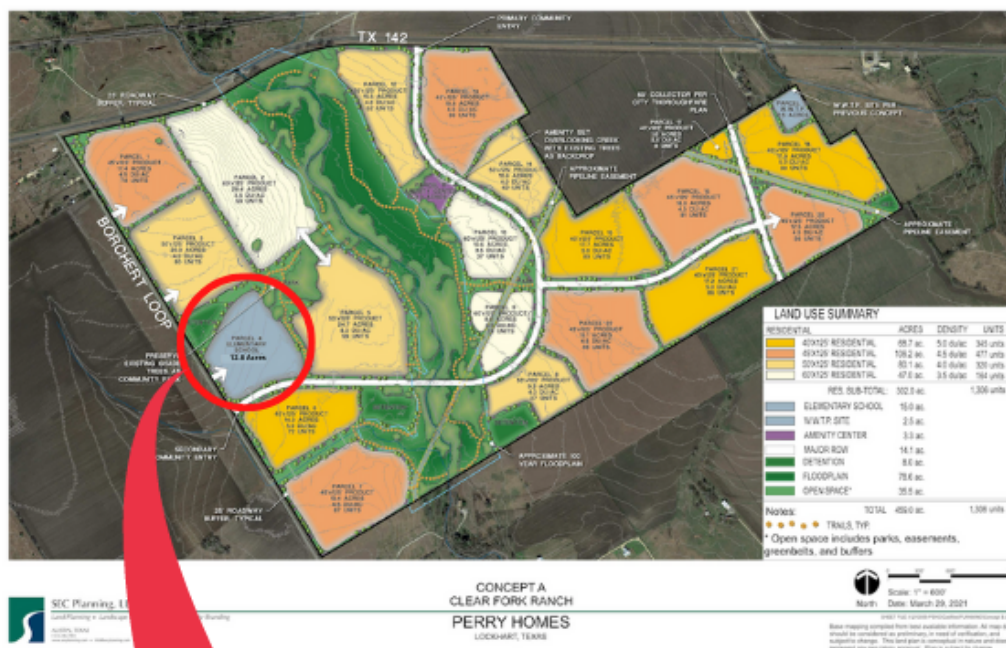
3

**BUILD AN
ADDITIONAL
WING AT
LOCKHART
HIGH SCHOOL**



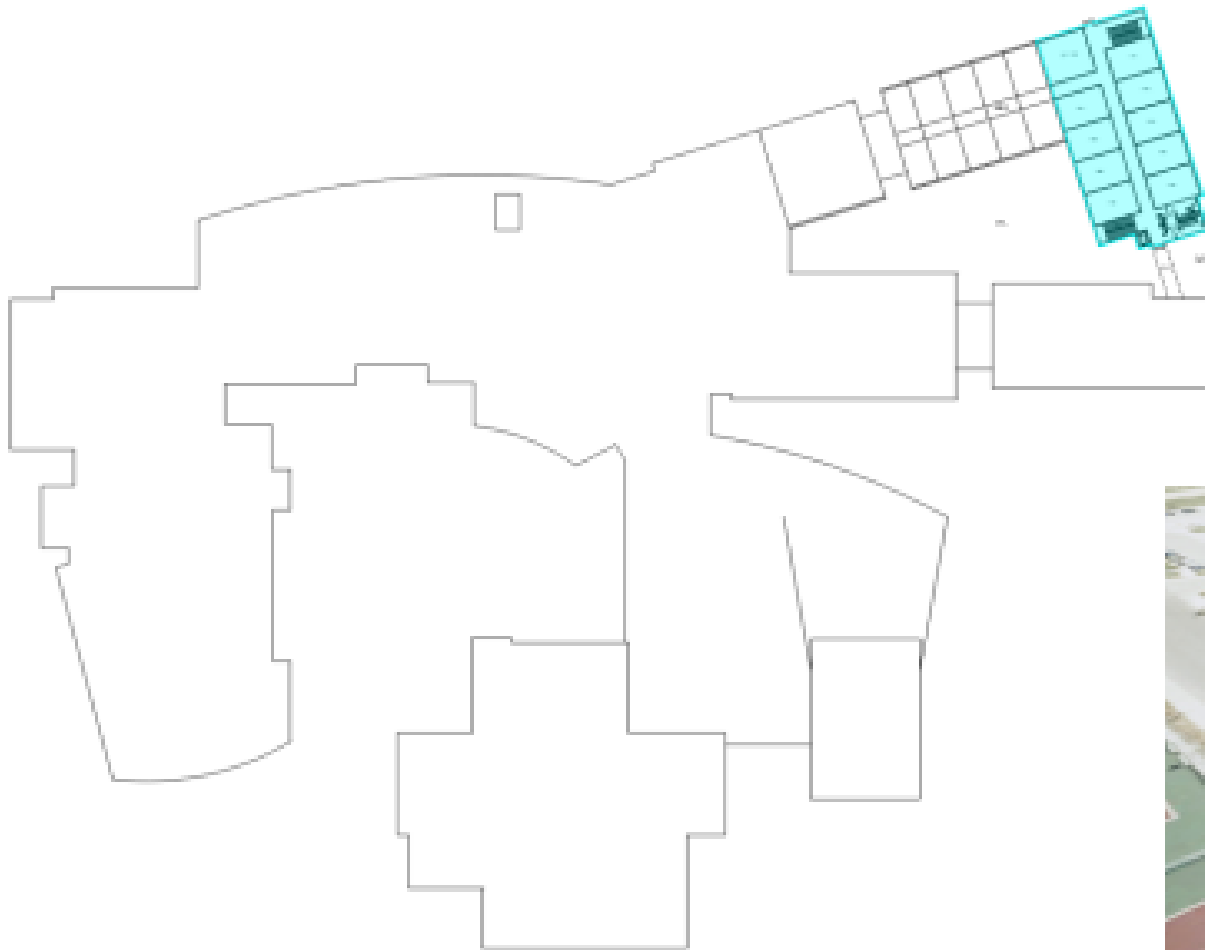
\$28,825,226

The construction of an additional wing at Lockhart High School will allow the campus to house 500 additional students.



Elementary School #6 Proposed Site

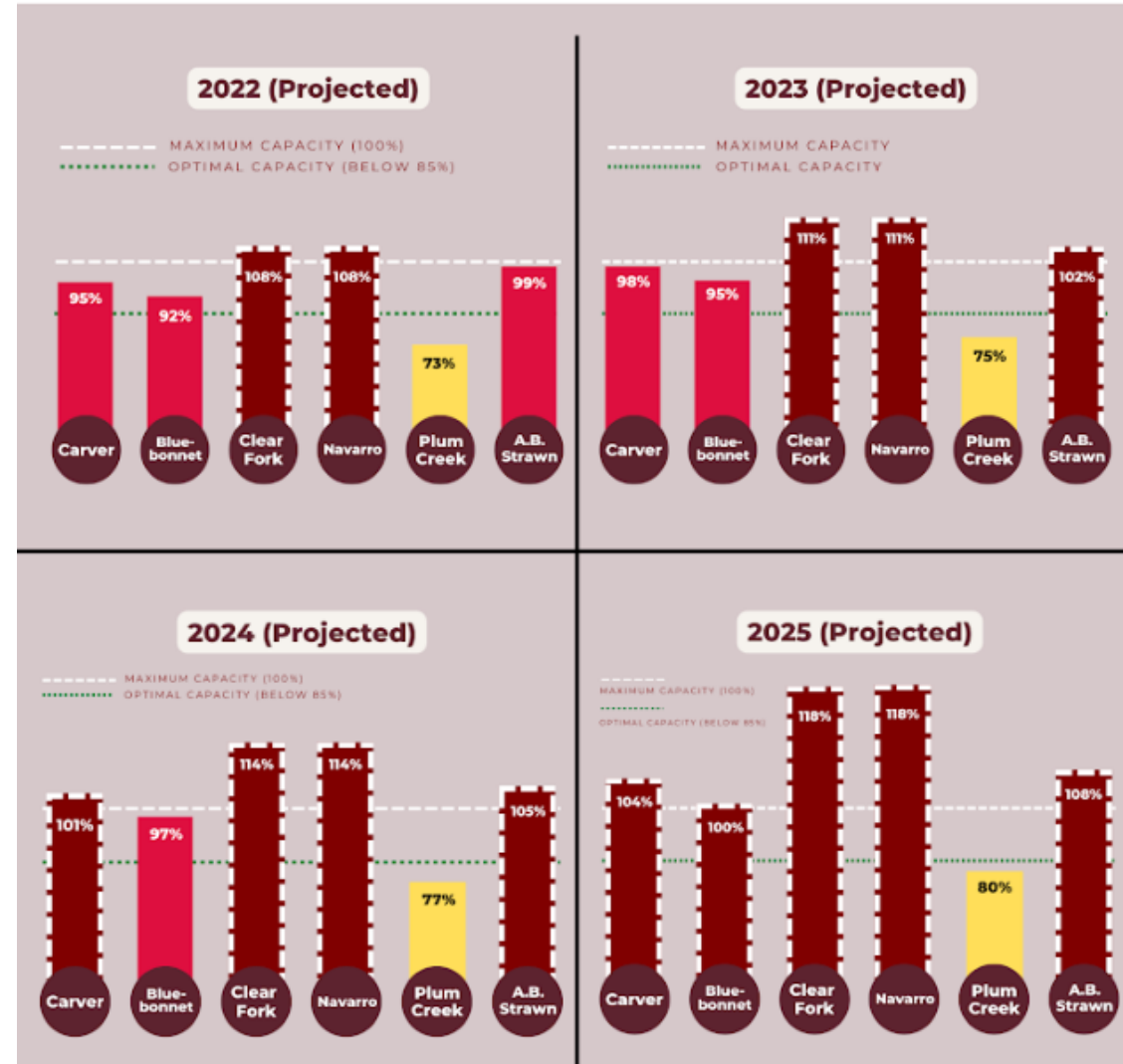
Lockhart High School Addition



GROWTH & ENROLLMENT CAPACITY

Lockhart ISD Elementary Schools & Pre-K

As of 2022, 5 out of 6 Lockhart ISD non-secondary schools have exceeded optimal capacity levels for learning. By 2025, those same schools will have exceeded the maximum capacity levels.

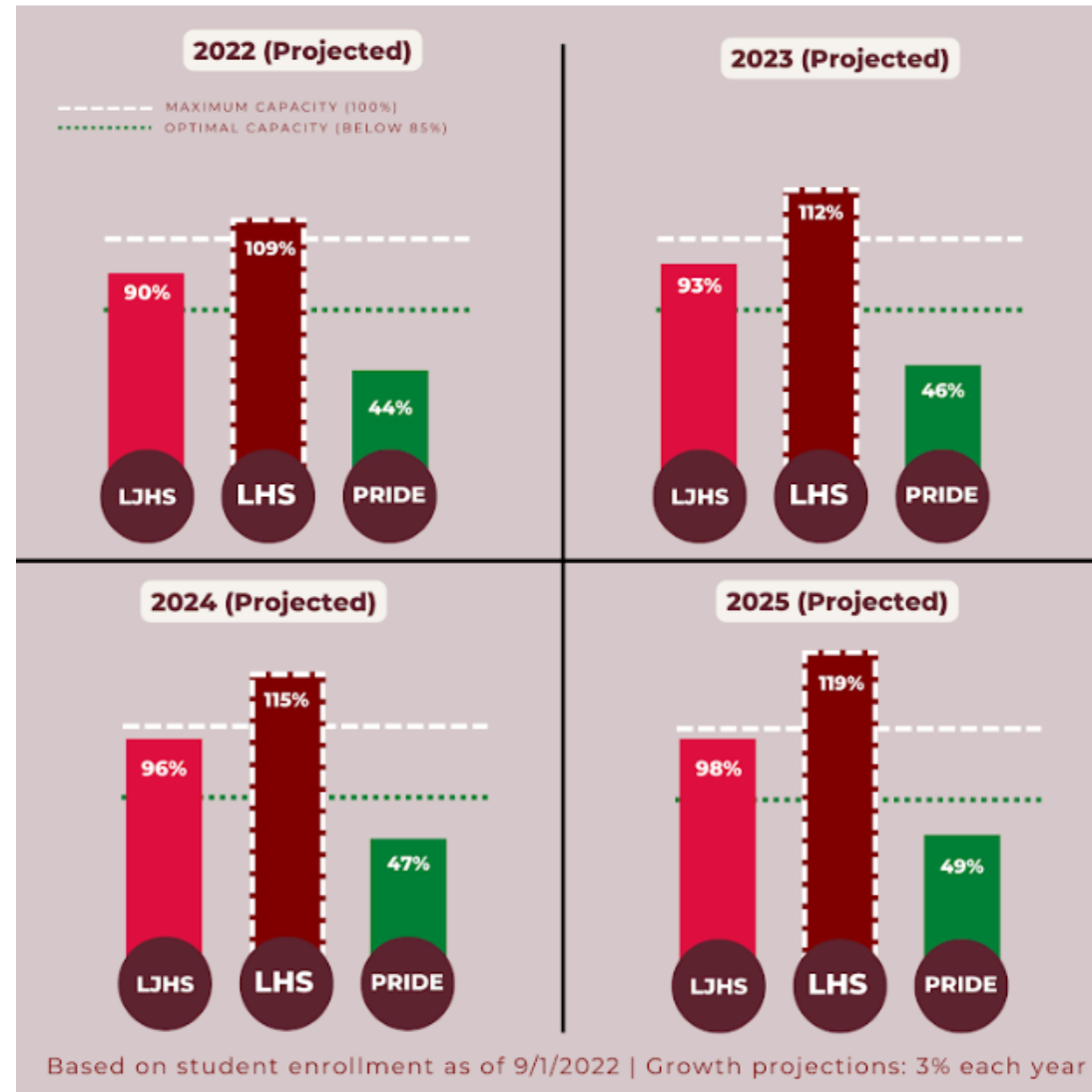


Based on student enrollment as of 9/1/2022 | Growth projections: 3% each year

GROWTH & ENROLLMENT CAPACITY

Lockhart ISD Secondary Schools

As of 2022, 2 out of 3 secondary schools in Lockhart ISD have exceeded the optimal capacity for learning and Lockhart High School has exceeded its maximum capacity.



DISTRICT GROWTH PHASES

Growing alongside our community through 2028.



PHASE 1 **2022 BOND**

- Elementary #6
- Additional wing at Lockhart High School for 500 students

PHASE 2 **2025 BOND**

- Elementary #7
- Junior High #2
- Career & Technology expansion at Lockhart High School
- Pre-K expansion

PHASE 3 **2028 BOND**

- Elementary #8
- Additional wing at Lockhart High School to support 500 students

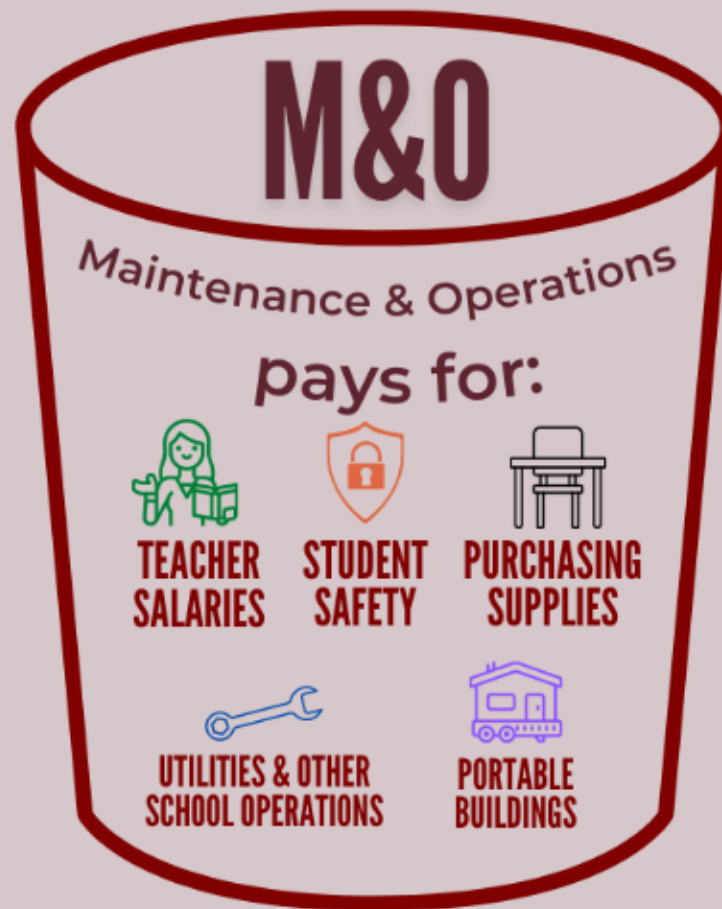


**Time frames dependent upon growth rate and may change if growth accelerates.*

Why three separate phases? Why not expand all at once?

By dividing the bonds into three phases, Lockhart ISD will grow with our community. The district will conservatively expand over time, fulfilling only our most urgent growth needs with each bond. Meanwhile, the district will begin strategically staffing teachers and other employees to prepare for each phase.

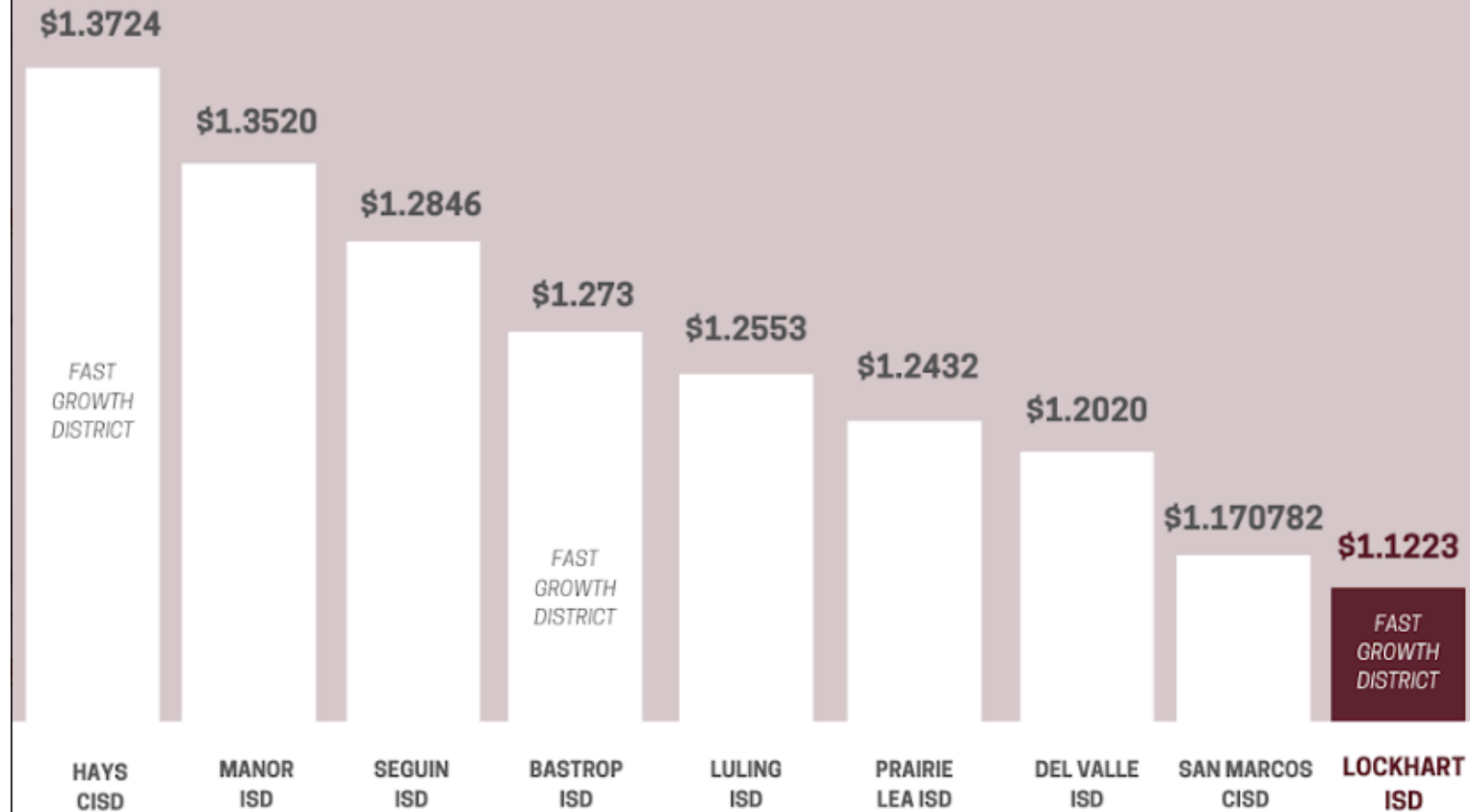
SCHOOL TAX RATE FUNDS FALL INTO TWO BUCKETS:





Lockhart ISD Total Tax Rate

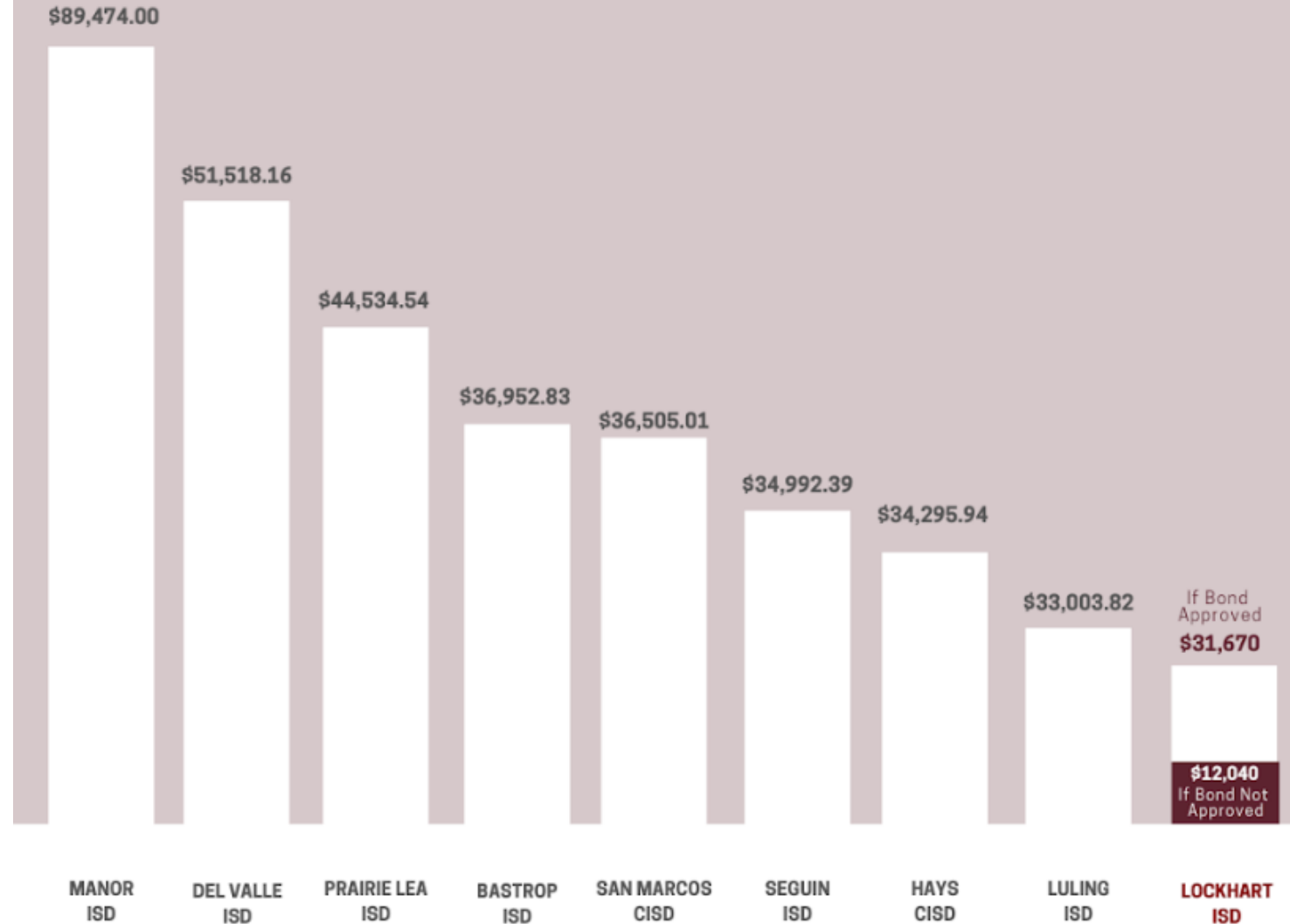
Compared to other area ISDs



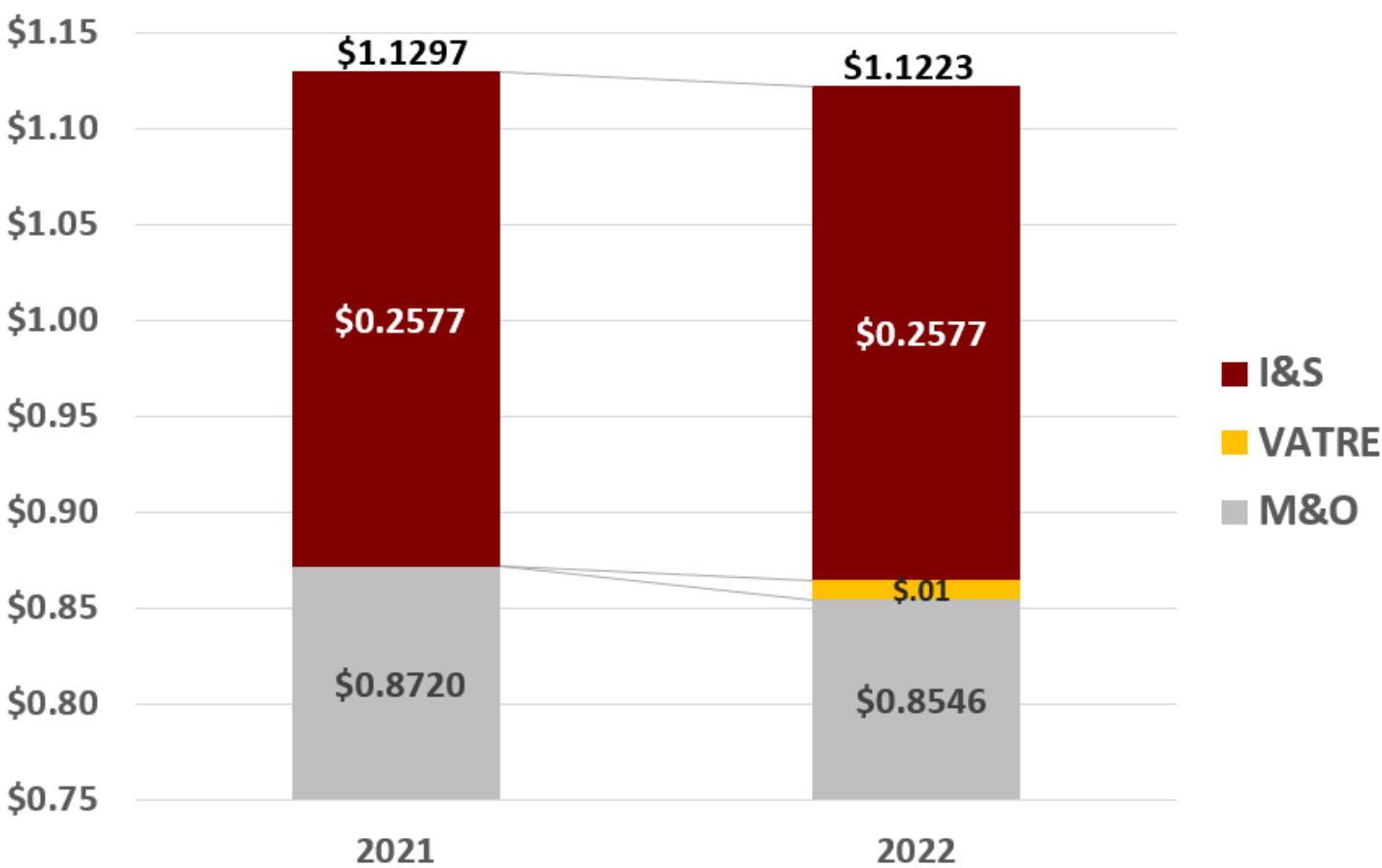
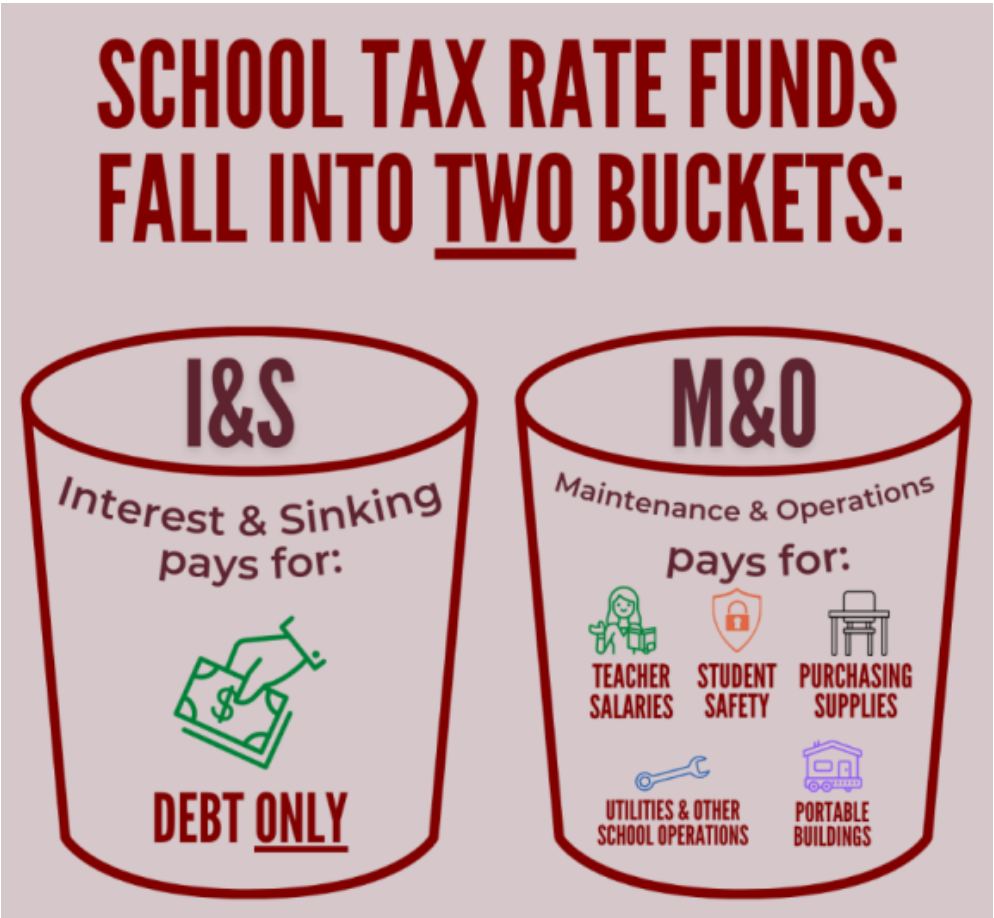


Debt-Per-Student Comparison

Lockhart ISD vs. Similar ISDs



Voter Approved Tax Ratification Election (VATRE)



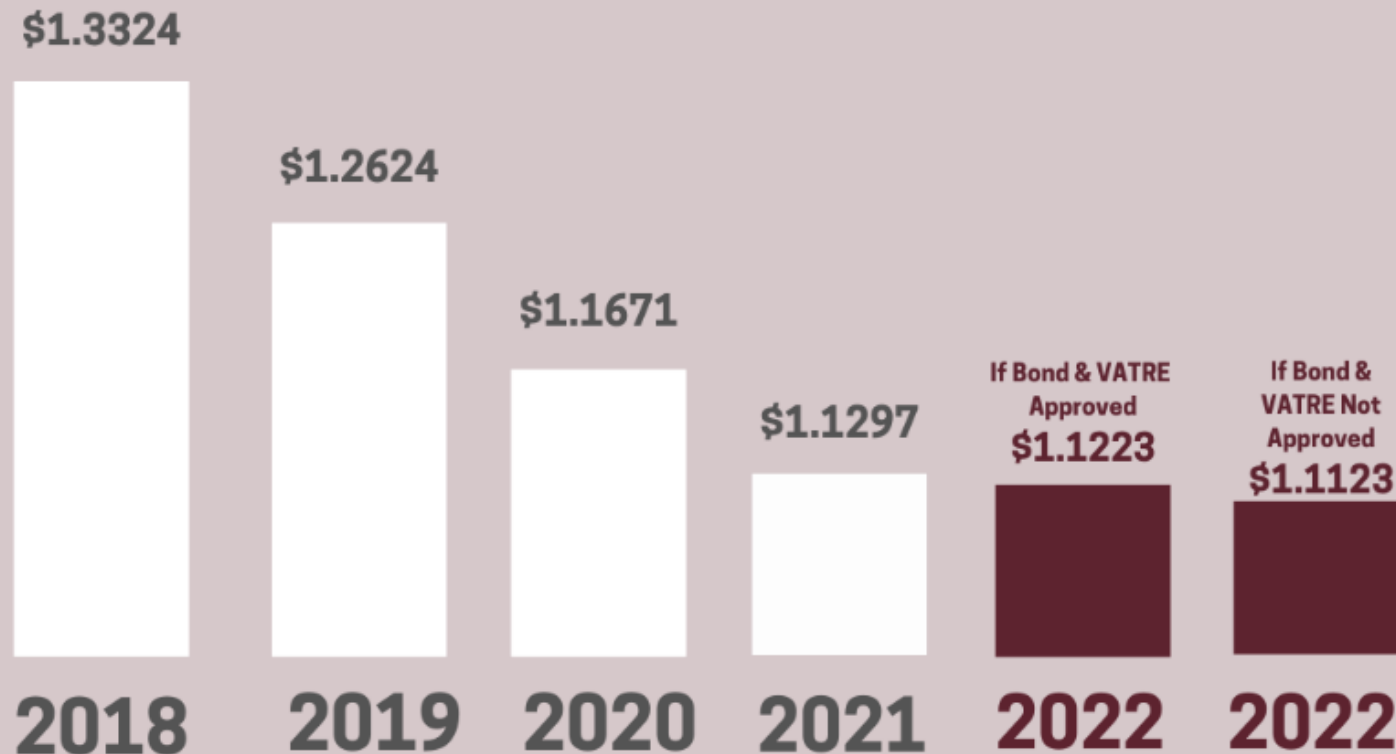


Lockhart ISD Total Tax Rate

2018 to 2022

Lockhart ISD remains committed to low tax rates with the highest rate of return for our community.

The total tax rate is a combination of the M&O (Maintenance and Operations) and I&S (Interest and Sinking) rates.



	2021 Actual	2022 with proposed Bond & VATRE	2022 without proposed Bond & VATRE
Average Market Value of Residences	\$ 191,033	\$265,259	\$265,259
Average Taxable Value of Residences	\$150,962	\$160,834	\$160,834
School Tax Rate per \$100	\$1.1297	\$1.1223	\$1.1123
Annual School Taxes Due on Average Residence	\$1,705	\$1,805	\$1,789
Annual Increase In School Taxes		\$100 	\$84

Voting Information

Election Day is November 8, 2022.

Register to vote by October 11, 2022.

Early voting lasts from October 24, 2022 -
November 4, 2022.

LOCKHART ISD
**BOND &
VATRE**
PENNY PUT-BACK
NOVEMBER 2022

Bond Oversight Committee

Ryan Lozano
Chris Knudsen
Alfredo Munoz
David Gratz
Angela Meitler
Buck Johnson
Tony Andric
Diane Neely
Dani Ramirez
Kacie Brown



City of Lockhart, Texas

Council Agenda Item Cover Sheet

COUNCIL MEETING DATE: September 20, 2022

AGENDA ITEM CAPTION: Receive update and discuss support of the Children's Care-A-Van program.

ORIGINATING DEPARTMENT AND CONTACT: Administration - Steven Lewis

ACTION REQUESTED: Other

BACKGROUND/SUMMARY/DISCUSSION:

Paige Johnson, Associate Director of Development of Seton Foundations, will update the Council about the Caldwell County Children's Care-a-Van program, and request that the City of Lockhart consider providing support for the program in 2022.

In past years, the City Council would attend The Foundation's annual fundraising gala and would provide support to the Children's Care-a-Van in the amount of \$2,000. The last gala was held in 2018.

PROJECT SCHEDULE (if applicable): N/A

AMOUNT & SOURCE OF FUNDING:

Funds Required:

Account Number:

Funds Available:

Account Name:

FISCAL NOTE (if applicable): N/A

PREVIOUS COUNCIL ACTION: N/A

COMMITTEE/BOARD/COMMISSION ACTION: N/A

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

LIST OF SUPPORTING DOCUMENTS: SHF Care-a-Van Slides Sept 2022



Seton
Hays Foundation

Caldwell County Children's Care-a-Van

Paige Johnson, Associate Director of Development
Seton Hays Foundation



Ascension Seton Hays
(Kyle)

Ascension Seton
Southwest (Austin)

Ascension Seton Edgar
B. Davis (Luling)

Ascension Seton
Bastrop & Smithville



Caldwell County
Children's Care-a-Van

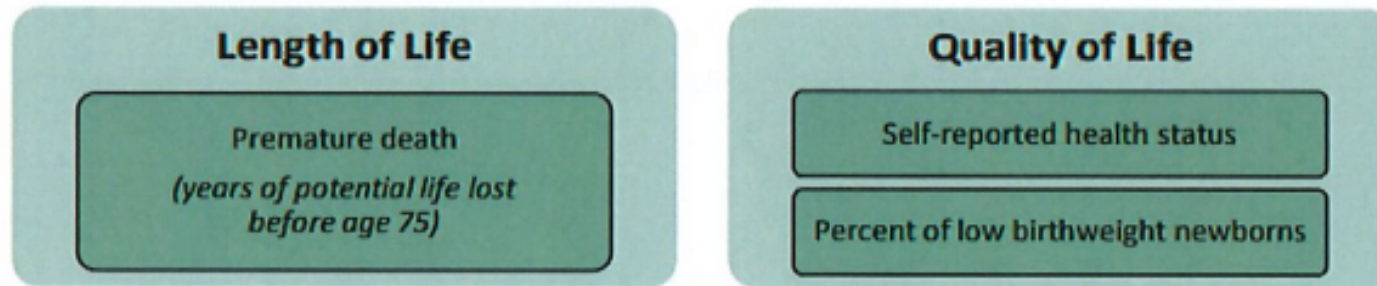
- 18.9% Poverty rate
- 23% Noninsured
- 27% Medicaid or Medicare



Source: <https://datausa.io/profile/geo/caldwell-county-tx#health>

What are Health Outcomes?

Everyone wants to experience long and healthy lives, yet places have different resources and opportunities. To understand the health outcomes in a community, we measure both length and quality of life by county within Texas.

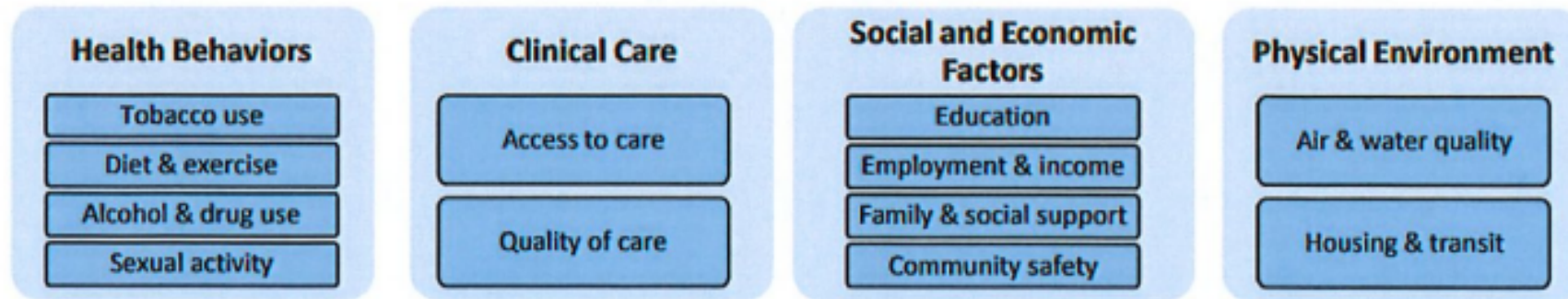


Caldwell County: 124th

Source: https://www.countyhealthrankings.org/sites/default/files/media/document/CHR2021_TX.pdf
<https://www.countyhealthrankings.org/reports/state-reports/2020-texas-report>

What are Health Factors?

Many factors shape our opportunities to be healthy and influence how well and how long we live. Health factors represent the things we can change to improve health for all, like opportunities for quality education, good paying jobs, access to quality clinical care, healthy foods, green spaces, and secure and affordable housing. Health factors are measured by:



Caldwell County: 168th

Source: https://www.countyhealthrankings.org/sites/default/files/media/document/CHR2021_TX.pdf
<https://www.countyhealthrankings.org/reports/state-reports/2020-texas-report>



970

Total Patient Visits
at the Care-a-Van



611

Immunizations



895

Unduplicated
Patients Seen

80

Brand New
Patients



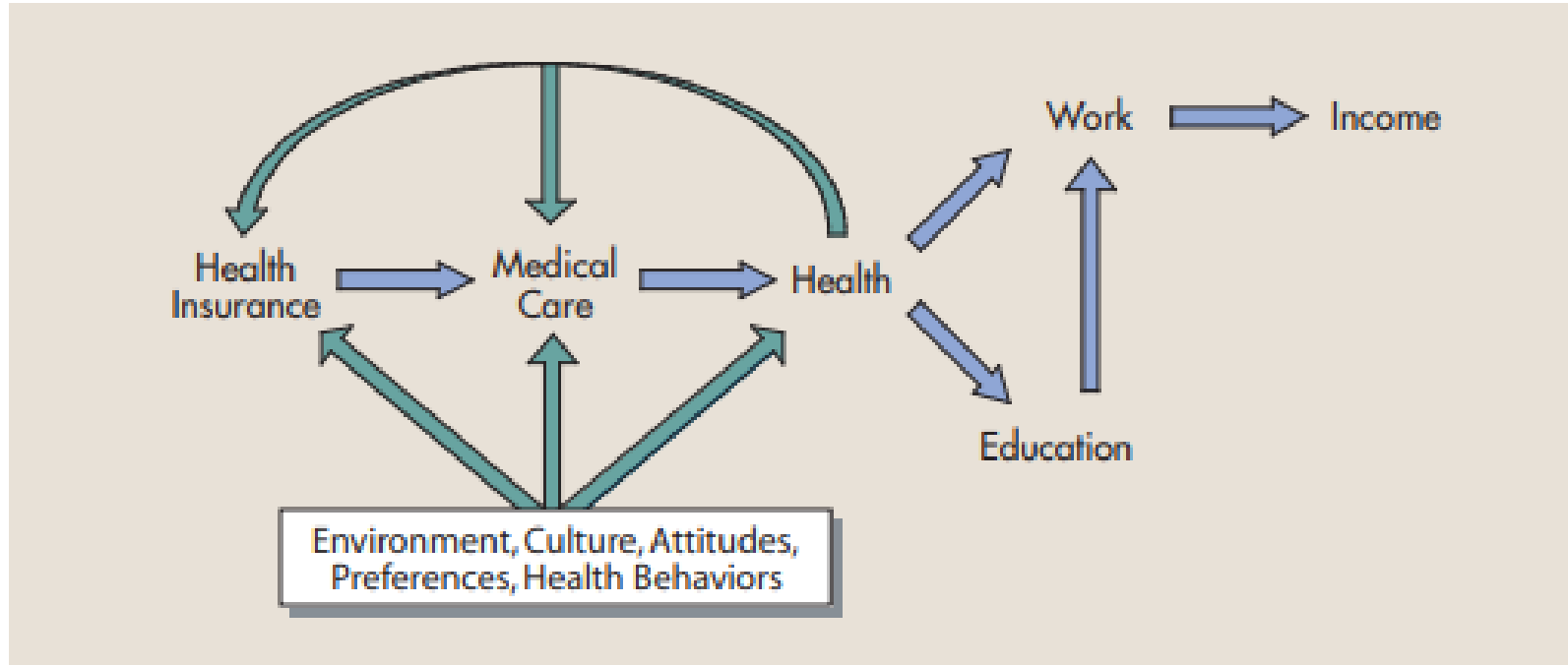
83.7%

Patients are Under
or Uninsured

45

Virtual Visits





Source: <https://www.urban.org/sites/default/files/publication/50321/1001001-Consequences-of-the-Lack-of-Health-Insurance-on-Health-and-Earnings.PDF>

Children's Healthcare Endowment at Ascension Seton Edgar B. Davis

103

Endowment
gifts



65

Endowment
donors



47

Ascension employees
donated





Seton
Hays Foundation

Paige Johnson, Associate Director of Development
Seton Hays Foundation

Paige.johnson3@ascension.org

512.481.8557

City of Lockhart, Texas

Council Agenda Item Cover Sheet

COUNCIL MEETING DATE: September 20, 2022

AGENDA ITEM CAPTION: Discuss Resolution 2022-33 extending the Depository Agreement with First Lockhart National Bank for the period October 15, 2022 through October 14, 2024.

ORIGINATING DEPARTMENT AND CONTACT: Finance - Pam Larison

ACTION REQUESTED: Resolution

BACKGROUND/SUMMARY/DISCUSSION: According to the Local Government Code for the State of Texas, Chapter 105 - Depositories for Municipal Funds, Section 105.017 - Term of a Depository Contract, a municipality may approve, execute, and deliver any depository services whose term does not exceed five years.

According to the City of Lockhart's Investment Policy, at least every five years a Depository shall be selected through the City's banking services procurement process, which shall include a formal request for proposal (RFP).

On September 17, 2019, the City Council designated First Lockhart National Bank as their Depository Bank for the City of Lockhart for a term of three years beginning on October 15, 2019 and ending October 14, 2022. It is the request of staff to extend the Depository services agreement with First Lockhart National Bank for an additional two years, ending on October 14, 2024. During the request for proposal process in 2019, First Lockhart National Bank had the advantage due to the interest rate being set at 75% of the 91-day US Treasury bill discount rate with a minimum of 1% and with all banking services being provided at no charge.

This extension will coincide with the separation of funds between the City of Lockhart and the Lockhart Economic Development Corporation. At the end of the fiscal year 2021, the City's external auditing firm, BrooksWatson recommended the separation of funds between the City and LEDC prior to the end of fiscal year 2022. The Lockhart Economic Development Board approved Resolution 2022-09 on September 12, 2022, establishing a two-year Depository Agreement with First Lockhart National Bank beginning October 15, 2022 to October 14, 2024.

PROJECT SCHEDULE (if applicable):

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): not applicable.

PREVIOUS COUNCIL ACTION: Approved Resolution 2019-21, Designating First Lockhart National Bank of Lockhart, Texas as the Depository for the City of Lockhart.

COMMITTEE/BOARD/COMMISSION ACTION:

STAFF RECOMMENDATION/REQUESTED MOTION: Staff respectfully request the approval of this Resolution.

LIST OF SUPPORTING DOCUMENTS: RESOLUTION NO 2022-33 Depository extension resolution, RESOLUTION NO 2019-21 Depository Agreement

RESOLUTION NO. 2022-33

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOCKHART, TEXAS, AUTHORIZING THE EXTENSION FOR TWO YEARS OF THE BANK DEPOSITORY AGREEMENT WITH FIRST LOCKHART NATIONAL BANK, AND OTHER MATTERS IN CONNECTION THEREWITH

WHEREAS, the City of Lockhart, Texas entered into a bank depository agreement with First Lockhart National Bank on October 15, 2019, per resolution 2019-21 for a three-year term with the option to extend up to two additional years; and

WHEREAS, the City Council has determined that it is in the best interest of the City to extend the bank depository agreement for two additional years pursuant to the Depository Agreement.

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

The City Council of the City of Lockhart, Texas does hereby select and designate First Lockhart National Bank of Lockhart, Texas as the Depository of the City of Lockhart, Texas for an additional term of two years beginning on or about October 15, 2022.

PASSED AND APPROVED on this 20th day of September 2022.

CITY OF LOCKHART, TEXAS

By: _____
Lew White, Mayor

ATTEST:

APPROVED AS TO FORM:

Connie Constancio, City Secretary

Monte Akers, City Attorney

RESOLUTION NO. 2019-21

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOCKHART, TEXAS, DESIGNATING FIRST LOCKHART NATIONAL BANK OF LOCKHART, TEXAS AS THE DEPOSITORY FOR THE CITY OF LOCKHART, AND AUTHORIZING THE CITY MANAGER TO EXECUTE A DEPOSITORY AGREEMENT WITH SAID BANK.

WHEREAS, the City of Lockhart, Texas on August 1, 2019 began the process for Request for Proposals for Depository Banking Services. The office of the Director of Finance received the official proposals on September 4, 2019 no later than 4:30 p.m.; at 4:45 p.m. following the official receipt the proposals were opened by City staff in the presence of the City Secretary. Proposals were received by First Lockhart National Bank and Bank OZK. City staff reviewed the proposals and based on the selection criteria, the most responsible proposal was submitted by First Lockhart National Bank; and

WHEREAS, the City Council of the City of Lockhart, in exercise of its discretion, has determined that the proposal submitted by First Lockhart National Bank of Lockhart, Texas offered the most favorable terms and conditions for handling of the City's funds; and

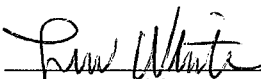
WHEREAS, the City Council has been furnished a form of the depository agreement acceptable to it, a copy of which is attached hereto as Exhibit "A" and made part hereof for all purposes;

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

The City Council of the City of Lockhart, Texas does hereby select and designate First Lockhart National Bank of Lockhart, Texas as the Depository of the City of Lockhart, Texas for a term of three years beginning on or about October 15, 2019.

PASSED AND APPROVED on this 17th day of September 2019.

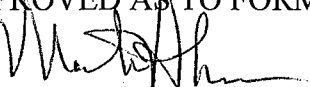
CITY OF LOCKHART, TEXAS

By: 
Lew White, Mayor

ATTEST:


Connie Constancio, City Secretary

APPROVED AS TO FORM:


Monte Akers, City Attorney

10 f 12

Exhibit A

**First Lockhart National Bank
Bank Depository
Application
2019**

*Res 2019-21
20 of 12*

**CITY OF LOCKHART
308 W. San Antonio St.
Lockhart, TX 78644**

**REQUEST FOR APPLICATIONS
DEPOSITORY BANKING SERVICES**

The City of Lockhart (the City) will be accepting applications for banking depository services for fiscal year(s) ending 2020-2022.

Sealed applications marked "Application for Depository Banking Services" will be accepted until 4:30 p.m., September 4, 2019 at the City's offices located at 308 W. San Antonio, Lockhart, TX 78644. Submission instructions and information may be obtained from Pam Larison, Director of Finance at 512/398-3461. It is the responsibility of the firm to ensure that the application is received by the City by the date and time specified above. The City reserves the right to reject any and all applications received. Only applications received at the location and in the timeframe given will be considered.

*Res 2019-21
3 of 12*

**City of Lockhart
Application for
Bank Depository Agreement**

Res 2019-21
4 of 12

**SPECIFICATIONS AND APPLICATION
FOR
DEPOSITORY OF THE CITY OF LOCKHART**

SEALED APPLICATIONS WILL BE RECEIVED BY THE CITY COUNCIL OF THE CITY OF LOCKHART, TEXAS, IN THE OFFICE OF THE DIRECTOR OF FINANCE UNTIL 4:30 P.M. ON SEPTEMBER 4, 2019 TO DETERMINE THE DEPOSITORY BANK FOR THE CITY OF LOCKHART. EACH APPLICATION SHALL CONTAIN ONE (1) ORIGINAL AND THREE (3) COPIES. THE TERM FOR THE DEPOSITORY BEING FOR A PERIOD OF THREE (3) YEARS, BEGINNING ON OR ABOUT OCTOBER 1, 2018. EACH BANK TO APPLY IN ACCORDANCE WITH THE FOLLOWING:

I

During the above-specified term, the Bank will receive and accept for deposit or safekeeping or both, from the City, to the City's credit, all sums of monies, securities and instruments unless otherwise limited herein, which City may deposit. All monies, securities, and instruments deposited with the Bank shall be carried by the Bank in such account or accounts as designated by the City or re-designated by the City from time to time.

II

Bank will furnish the following services and items. Bank will enter a monthly per-unit fee for services listed below.

<u>Bank Service</u>	<u>Bank Fee Per Unit</u>
1. Account Maintenance	\$ <u>None</u>
2. Demand Deposit Account Credits	<u>None</u>
3. Demand Deposit Account Debits	<u>None</u>
4. Deposited Items	<u>None</u>
5. Charge Backs	<u>None</u>
6. Purchase & Sale of Treasury Securities	<u>None</u>
7. Unlimited Preprinted 3-Part Deposit Slips	<u>None</u>
8. Furnish copies of cancelled checks and bank statements on all accounts by the fifth working day of each month or upon request.	<u>None</u>
9. Safety Deposit Box (5x5)	<u>None</u>
10. Cashiers Checks	<u>None</u>

11. Night Depository with Bags & Keys	<u>None</u>
12. "For Deposit Only" Stamps	<u>None</u>
13. Currency Wrappers	<u>None</u>
14. Outgoing Wire Transfers	<u>None</u>
15. Incoming Wire Transfers	<u>None</u>
16. Stop Payment	<u>None</u>
17. ACH Credit	<u>None</u>
18. ACH Debit	<u>None</u>
19. ACH Return Item	<u>None</u>
20. Account Inquiry	<u>None</u>
21. ACH Deletes/Reversals	<u>None</u>
22. Account Analysis	<u>None</u>
23. Federal Tax Deposits	<u>None</u>
24. Monthly fee for account to remain open six months after end of contract term allowing out-standing checks to clear.	<u>None</u>
25. Other (any other item(s) for which Bank intends to charge City)	
a. NSF Check Charges - Stated Rate (currently \$32.50)	

III

INTEREST RATES

All monies deposited with the Bank, other than time deposits, shall be carried by the Bank for the Account of the City demand deposits and shall be subject to withdrawal in whole or in part upon demand at any time. The anticipated balance in all demand accounts will average approximately \$ 300,000 monthly but may vary from as little as \$0 to over \$ 1,000,000. Please indicate an interest rate or the method to be used in determining interest to be paid (if any) on demand deposits. All interest will be compounded daily on a 365-day basis and shall be paid monthly.

First-Lockhart National Bank proposes that all demand deposit accounts be set up as Interest Bearing Super Now Accounts with an Annual Rate of 75.00% of the 91 Day T Bill discount rate with a minimum of 1.00%. This rate will be calculated on the daily collected balance and updated monthly on the 2nd business day of the month. Interest will be compounded daily and paid monthly as mentioned above.

COLLATERAL REQUIREMENTS

A. Securities Pledged:

For the purpose of securing the City's funds deposited with the Bank, Bank agrees and obligates itself to pledge with, and at all times keep on pledge with the City, securities equal in value to the total of all funds of City on deposit with the Bank, less the amount of coverage provided by the Federal Deposit Insurance

Corporation (F.D.I.C.), including interest thereon, whether in demand or time deposits, and whether characterized as checking, savings, or other accounts. Securities so pledged must be of such character and nature as are required under the laws of the State of Texas for such purpose, must be satisfactory to the City, and must be approved by the City as to kind and value. Repurchase agreements are not acceptable as collateral. The securities comprising the pledge shall be valued at par or market, whichever is lower. Said securities are and shall be pledged to insure the safety of the City's public monies, to insure performance of all duties and obligations evolving by law upon the Bank as depository of City's funds, to insure payment upon presentation of all checks drawn upon any demand account of City in said Bank, or upon presentation of demand for return of any time or other deposit of the City in Bank, and to insure that said funds shall be faithfully kept by Bank and accounted for according to law.

Requirement noted by First-Lockhart National Bank with a maximum collateral (pledged securities) up to \$3,000,000.00. Any additional pledging above the amount listed above will need to be approved by the City and First-Lockhart National Bank

B. Reporting Requirements:

The Bank shall provide the City a report of securities pledged at the end of each month or at any time requested by the City Finance Director or designated representative. This report should reflect the following information at the end of each quarter:

Total pledged securities itemized by:

1. Name.
2. Type/description/cusip number
3. Par value.
4. Market value at month end.
5. Maturity date.
6. Moody's or Standard and Poor's rating.

If the market value of the pledged securities falls below the ledger balances of the City's accounts at any time, the City will require more securities to be pledged.

Acknowledged by First-Lockhart National Bank

C. Safekeeping:

The securities pledged shall be held in safekeeping under the name of the Depository Bank and pledged to the City of Lockhart. Safekeeping must be done at a Non-affiliated Bank (approved by the City) with a signed three-party agreement. The original copy of all security receipts shall be filed with the Finance Director of the City of Lockhart. The safekeeping agreement shall clearly state that the Non-affiliated Bank is instructed to release the collateral to the City of Lockhart if the City has determined that the Depository Bank has failed to pay on any accounts, has been closed by a regulatory authority, or is in

default of this agreement, and if the instructions for release have been formally requested by the City Council by ordinance or resolution. The safekeeping agreement shall have signatories from the Non-affiliated Bank (as Trustee), the Depository Bank, and the City of Lockhart. **Securities will be held at Federal Home Loan Bank of Dallas. Any change in safekeeping location will need approval of the City and Bank.**

D. Value of Securities:

Whenever, in the opinion of the City, the total value of the securities so pledged becomes less than the total amount of City's funds on deposit with the Bank, Bank shall upon the order of City, pledge additional securities of the same character and nature as set out herein before and in such number and amount as directed by City, to the end that such additional securities so pledged shall at no time have aggregate value less than the total amount of City's funds with the Bank, including all interest thereon. If any demand by City for delivery and pledge of other and additional securities shall not be fully complied with by Bank within five (5) days after a written copy of such order has been served upon Bank, this entire agreement may be terminated at the option of City. Should City elect to terminate the agreement by reason thereof, all City's funds on deposit with the Bank shall immediately become due and payable and shall forthwith be accounted for and paid over to City, including all demand and time deposits of whatever character and nature, without charge or penalties, regardless of maturity date.

In the event the total of City's funds on deposit are not immediately paid over to City upon demand of City as herein above provided, Bank hereby agrees to and authorizes City to sell any or all of said securities pledged with or without notice of demand, presentment, sale, dishonor, notice of sale whether public or private, and any other notice of whatsoever nature. Proceeds from any such sale or sales shall become the property of City and shall be first applied to expenses of sale, then to interest accumulated and continuing to accrue, and then to the balance of City's funds deposited, but not paid over to City as herein specified.

In the event any such sale of securities results in a deficiency after all expenses shall have been paid, Bank hereby agrees, immediately after such sale, to pay City the amount of such deficiency from any source available to Bank whatsoever. City shall not be responsible for any depreciation in the value of the securities pledged. **Acknowledged by First-Lockhart National Bank**

E. Substitutions:

Bank may from time to time substitute other securities for those under pledge, provided the securities so substituted meet the requirements of law and are approved as to kind and value by City before such substitution occurs. Interest coupons or other evidence of interest which are attached to any such pledged securities shall be retained by the holder of pledged securities, unless the City shall have earlier given written notice to the holder of the pledged securities to surrender such interest coupons or other evidences of interest to Bank. In all cases the determination of the value of securities pledged or to be pledged shall be

Res 2019-21⁵ 80F12

in the discretion of the City and decision of the City shall be final and binding upon the Bank.

Bank does further agree that in case it shall fail to faithfully perform all duties and obligations evolving by law or ordinance upon it as City depository, or if it shall fail to pay upon presentation any and all checks drawn upon said depository by City's duly authorized agent, or if Bank shall fail to faithfully keep all funds of said City and account therefore with interest, according to law and this agreement, or if said Bank shall at any time become insolvent, or if the same should, for any reason, be taken over by the State Banking Commissioner, or by any duly qualified legally appointed liquidating agent, then and in that event, upon the happening of any of the above contained contingencies, the holder of the pledged securities shall be authorized, empowered, and is hereby directed by Bank to immediately deliver to City, in writing, the said pledged securities, and the said City or its duly authorized representative is hereby authorized and empowered to immediately sell whether by public or private sale, the pledged securities, in the manner provided by law and to apply the proceeds as set forth above.

City reserves the right through its City Council to at any time demand additional security of any kind it may see fit and reasonable, to protect said funds, and to withdraw all said funds and cancel such designation as depository, unless such demands shall be immediately complied with. **Acknowledged by First-Lockhart National Bank**

IV

City reserves the right to invest any and all of its funds in direct obligations of, or obligations unconditionally guaranteed by, the United States of America as provided in the ordinances authorizing the issuance of Lockhart, Texas bonds, or other types of bonds, securities, certificates, warrants, etc, which the City is authorized by law to invest in. Bank will and shall aid City in any investment without charge. **Acknowledged by First-Lockhart National Bank**

V

Bank agrees to handle all accounts in accordance with generally accepted banking practice. Statements will be rendered on a calendar monthly basis reflecting last banking business day of monthly balances. **Acknowledged by First-Lockhart National Bank**

VI

Bank agrees to comply with all the provisions of the laws of the State of Texas relating to municipal depositories now in effect or that may hereafter be passed, consistent with banking laws of the State of Texas, and where applicable, the laws of the United States of America. **Acknowledged by First-Lockhart National Bank**

VII

It is expressly agreed that City is not obligated by reason hereof to deposit all or any particular amount of monies or all or any particular funds from bond proceeds or from any other source, with Bank. **Acknowledged by First-Lockhart National Bank**

VIII

Bank obligates itself to keep safely, account for and pay over as agreed, any and all monies of the City deposited with it, and to pay interest thereon as above stipulated, and to perform faithfully all of the duties and obligations evolving upon it by law or by this contract or agreement or both. **Acknowledge by First-Lockhart National Bank**

IX

In the event any term or provision of this agreement shall conflict with any requirement or provision of the Texas Local Government Code, Chapter 105, as amended, or other law, the provisions and requirements of such laws shall control. If any part of this agreement is unenforceable, the remaining parts of the agreement will remain valid. **Acknowledged by First-Lockhart National Bank**

X

This agreement is and shall be binding upon the parties, their legal representatives, successors and assigns. **Acknowledged by First-Lockhart National Bank**

XI

The laws of the State of Texas shall apply to this agreement and venue for all purposes shall be in Caldwell County, Texas. **Acknowledged by First-Lockhart National Bank**

XII

Sealed applications clearly marked "Depository Applications" shall be delivered to the office of the following person by 4:30 P.M., September 4, 2019.

Pam Larison, Director of Finance
City of Lockhart
308 West San Antonio
P.O. Box 239
Lockhart, Texas 78644

NO APPLICATIONS WILL BE RECEIVED AFTER 4:30 P.M.
ON SEPTEMBER 4, 2019.

Res 2019-21 7 10 of 12

The Bank shall use this form as the OFFICIAL APPLICATION FORM to submit rates and to answer questions. Any alterations, changes, or deletions to this application shall be grounds for the City to disregard and reject the application.

If a service requirement cannot be met by an application, then the term "No Bid" should be entered on the Application Form for that specific requirement. In the case of a "NO Bid" remark, the applicant may offer an alternative equivalent service for the City's consideration.

Services for which an applicant intends to charge a fee must have the applicable fee indicated on the Application Form. **Any service which does not have a fee indicated on the Application Form will be considered to be free of charge in the Depository Agreement or Contract.**

Any fees and cost for services not noted on this form will be negotiated by First-Lockhart National Bank at the time of the service request.

The City reserves the right to request additional information or to meet with representatives from proposing organizations to discuss points in the application before and after submission, any and all of which may be used in forming a recommendation.

The City reserves the right to reject any and all applications.

The Bank states that it is a banking institution chartered under the laws of the United States and of the State of Texas. **Acknowledged by First-Lockhart National Bank**

XIII

The initial three (3) year term of this contract may be extended automatically for an additional one (1) year term with an option to extend for one (1) more one (1) year period unless one party notifies the other party, in writing, not less than 90 days prior to the expiration of the initial three (3) year term or any of the two (2) successive option terms, of its intentions to terminate this contract. Any such notice shall be served by certified mail with return receipt requested.

The City of Lockhart may require a review meeting at least once every six months to evaluate the working relationship between the City and the Depository Bank. The objective shall be to address any problems and to discuss the procedures involved in protecting the City's funds and pledged collateral.

The final appointment of a Depository Bank shall be made by the Lockhart City Council at its October 15, 2019 meeting. The Bank may be required to enter into a contract which incorporates all of the obligatory points in the Application, otherwise a resolution shall be adopted accepting the Bank's completed Application as the OFFICIAL DEPOSITORY AGREEMENT with accompanying related schedules and materials called for in this Application.

This Application has been posted to the City's website and is being offered to other financial institutions.

Res 2019-21⁸

110 F12

Upon being awarded the agreement or contract, the Depository Bank shall designate an individual to be the official contact person for all correspondence. The City of Lockhart official contact person will be Pam Larison, Director of Finance. If you have any questions regarding this Application, please address them to Ms. Larison at 512-398-3461.

The Bank shall be responsible for training and communicating the terms of this contract to bank employees. **Acknowledged by First-Lockhart National Bank**

This Application is submitted by the following person duly authorized to act on behalf of the Bank:



Officer's Signature

Randall Till Sr. VP/Controller

Officer's Name and Title (Please print)

First-Lockhart National Bank

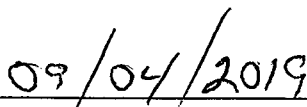
Name of Bank

P.O. Box 600, 111 S. Main St., Lockhart, TX 78644

Address

512-398-3416

Telephone Number



Date

Res 2019-21

9

12 of 12

City of Lockhart, Texas

Council Agenda Item Cover Sheet

COUNCIL MEETING DATE: September 20, 2022

AGENDA ITEM CAPTION: Discuss the purchase of a 2024 Spartan Fire, LLC. custom 75' rear-mount aerial fire apparatus through Metro Fire Apparatus Specialists, Inc. utilizing the Houston Galveston Area Council (HGAC) Purchasing Cooperative and authorizing the City Manager to execute a Purchase Order for the aerial fire apparatus.

ORIGINATING DEPARTMENT AND CONTACT: Fire - Randy Jenkins

ACTION REQUESTED: Award of Contract

BACKGROUND/SUMMARY/DISCUSSION: The 75' custom rear-mount aerial fire apparatus will be deployed as an emergency response vehicle to fires in residential, multi-family, commercial structures, motor vehicle accidents, and other incidents as needed. This will be the first aerial apparatus for the City of Lockhart, and it will be housed at Fire Station #2 at 1911 Borchert Dr.

The 75' aerial fire apparatus will meet the requirements of a Quint aerial fire apparatus with a fire pump, water tank, fire hose storage, aerial device with waterway, and a compliment of ground ladders. Highlights of the aerial apparatus include a 1,500 gallon per minute (gpm) fire pump, 1,000 feet of large diameter hose, a 75' aerial ladder with 1,250 gpm automatic nozzle at the tip, assorted handlines, a foam system, and a 500-gallon water tank.

The best practice is for an aerial fire apparatus to serve approximately 15 years as a front-line and 10 years as a reserve. The aerial fire apparatus will meet or exceed the current NFPA 1901, Standard for Automotive Fire Apparatus and enhance our Fire Suppression Rating Schedule (FSRS) as established by the Insurance Services Office (ISO).

The cost of the aerial fire apparatus is \$1,229,670, which includes a \$60,000 discount for payment upon ordering. The cost includes the aerial fire apparatus and associated installed equipment such as two-way radios, flashlights, fire hose, axes, pry bars, positive pressure fan, nozzles, rescue saws, appliances, adapters, and HGAC fee, etc. delivered to Lockhart with training for fire personnel.

The delivery time upon ordering is approximately 500 days. The aerial fire apparatus will be built in Ephrata, Pennsylvania with the final make-ready completed at Metro Fire Apparatus Specialists, Inc. in Houston. Detailed specifications can be viewed in the Fire Chief's office.

PROJECT SCHEDULE (if applicable): The delivery time upon ordering is approximately 500 days. The aerial fire apparatus will be built in Ephrata, Pennsylvania with the final make-ready

City of Lockhart, Texas

Council Agenda Item Cover Sheet

completed at Metro Fire Apparatus Specialists, Inc. in Houston.

AMOUNT & SOURCE OF FUNDING:

Funds Required: \$1,229,670

Account Number: 418-5318-906-00

Funds Available: \$2,300,000

Account Name: Series 2022 Tax Note

FISCAL NOTE (if applicable): The City of Lockhart issued debt by Series 2022 Tax Note, of which \$1,200,000 was allocated for the purchase of a new fire apparatus.

PREVIOUS COUNCIL ACTION: N/A

COMMITTEE/BOARD/COMMISSION ACTION: N/A

STAFF RECOMMENDATION/REQUESTED MOTION: Staff recommends the purchase of a 2024 Spartan Fire, LLC. custom 75' rear-mount aerial fire apparatus through Metro Fire Apparatus Specialists, Inc. utilizing the Houston Galveston Area Council (HGAC) Purchasing Cooperative.

LIST OF SUPPORTING DOCUMENTS: Lockhart TX 75' RMA Proposal REV 4, Lockhart TX 75' RMA Drawing Rev 4



Apparatus Specialists, Inc.

514 Michigan / South Houston, Texas 77587 / (713) 692-0911 / (713) 692-1591 fax

PROPOSAL

Tuesday, September 13, 2022

Lockhart Fire Department
Chief Randy Jenkins
201 W Market St
Lockhart TX, 78644

The undersigned is prepared to furnish for you, upon an order being placed by you, for final acceptance by Metro Fire Apparatus Specialists, Inc at its office in Houston, Texas the apparatus and equipment herein named and for the following prices:

One (1) Spartan 75' Rear-Mount Aerial on a Metro Star Chassis and equipment as specified:

Pumper Price \$1,203,356.00

HGAC Fee \$2000

Equipment/Make Ready \$84,309.00

100% Pre-Payment Discount (\$60,000)

TOTAL \$1,229,670.00

No State, Federal or local taxes included

The apparatus and equipment are to be supplied and shipped in accordance with the specifications and approvals by the Lockhart Fire Department. Delays due to strikes, war or other causes beyond our control not preventing, within 500 **calendar days after signing change order A**. The completed apparatus will be delivered to you at:

*Lockhart Fire Department
Lockhart, Texas*

The specifications herein contained shall form a part of the final contract, and are subject to changes desired by the Lockhart Fire Department. The proposal specifications are supplied for construction purposes. Any additions and/or changes to the enclosed specifications shall be generated and/or approved by the Lockhart Fire Department, and accepted by Metro Fire Apparatus Specialists, Inc.

Unless accepted within 45 days from this date, Metro Fire Apparatus Specialists, Inc. reserves the right to withdraw this proposal.

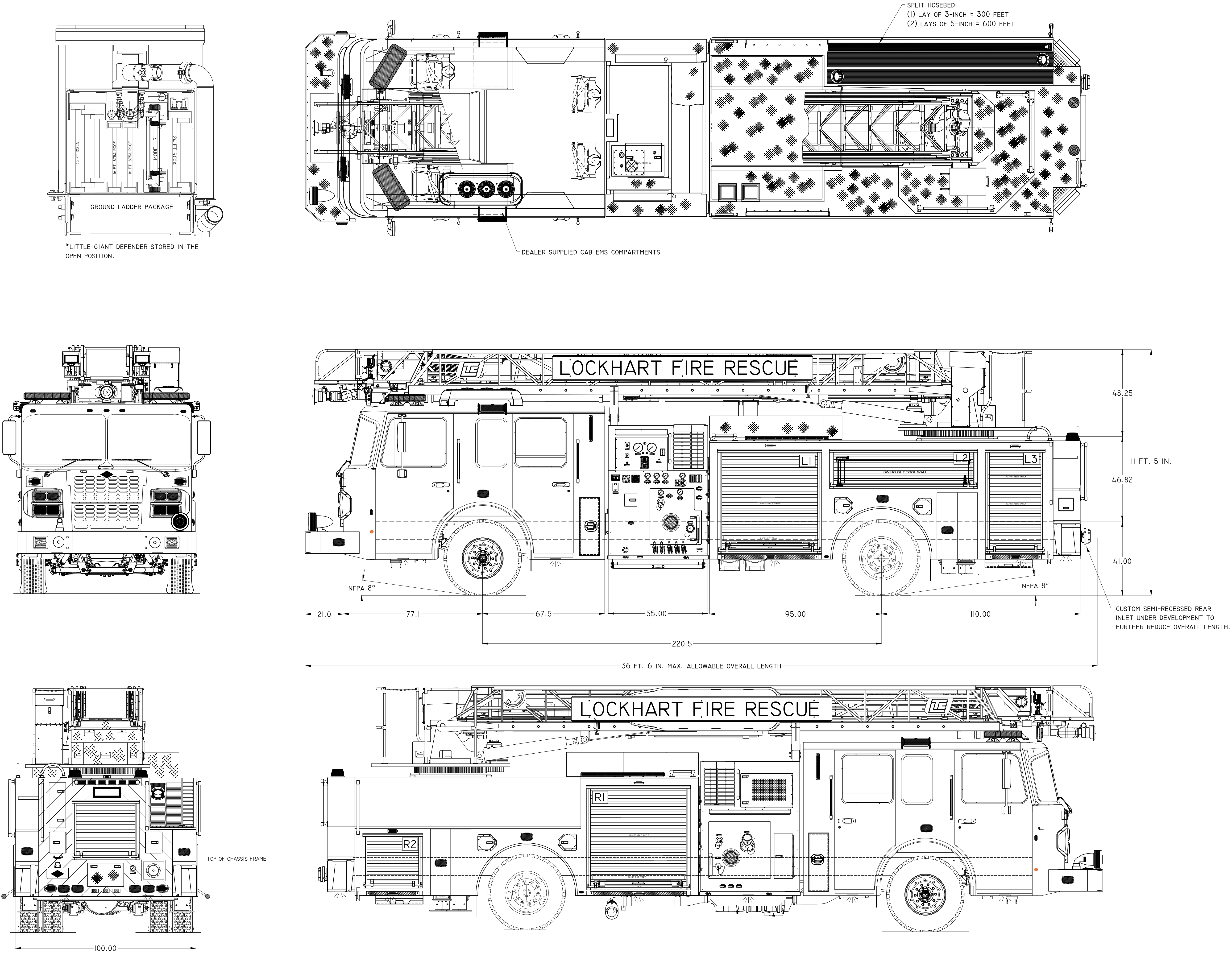
TERMS:

By Brian Cudaback

Brian Cudaback – Apparatus Manager

**Payment due upon delivery and acceptance
of completed apparatus.**

“The Apparatus Specialists”



SPARTAN FIRE, LLC.
EPHRATA, PA 17522

CHASSIS:	SPARTAN METRO STAR LFD
ENGINE:	CUMMINS XI2 525 HP
TRANSMISSION:	ALLISON 4000 EVS
AXLES:	24,000 LB. FRONT / 33,000 LB. REAR
MODEL:	C23R-75 AERIAL LADDER
WATER/FOAM:	475 WATER / 20 FOAM
PUMP:	WATEROUS CSU 1500GPM
FOAM SYSTEM:	FoamPro 1600
GENERATOR:	N/A

COMPARTMENT DIMENSIONS

I.D.	OPENING	INTERIOR
L1	55.0-W x 56.0-H	57.75-W x 61.75-H x 24.75-D
L2	80.0-W x 20.0-H	81.75-W x 26.0-H x 24.75-D
L3	30.5-W x 56.0-H	33.25-W x 61.75-H x 24.75-D
R1	55.0-W x 56.0-H	57.75-W x 61.75-H x 24.75-D
R2	30.5-W x 24.0-H	33.25-W x 29.25-H x 24.75-D

GROUND LADDERS:
ONE DUO-SAFETY 35 FT. 1225A 3-SECTION
ONE DUO-SAFETY 24 FT. 900A 2-SECTION
TWO DUO-SAFETY 16 FT. ROOF LADDERS
ONE LITTLE GIANT MODEL 17 DEFENDER
ONE DUO-SAFETY 10 FT. 585A FOLDER
ONE DUO-SAFETY 14 FT. 775A (SPECIAL WIDTH)
IN AERIAL FLY LADDER
FD SUPPLIED HOOKS & POLES

CUSTOMER

THIS DRAWING IS A CLOSE APPROXIMATION OF YOUR FIRE APPARATUS. IN ALL CASES WHERE THE DRAWING AND THE WRITTEN SPECIFICATION DIFFER, THE SPECIFICATION SHALL PREVAIL. PLEASE WORK WITH YOUR DEALER TO ASSURE THAT THE WRITTEN SPECIFICATION REPRESENTS WHAT YOU WANT IN YOUR FINISHED PRODUCT. SPARTAN EMERGENCY RESPONSE BUILDS TO THE WRITTEN SPECIFICATION, NOT THE DRAWING TO ASSURE THAT YOUR NEEDS ARE MET.

PROPRIETARY AND CONFIDENTIAL

THE INFORMATION CONTAINED IN THIS DRAWING IS THE SOLE PROPERTY OF SPARTAN EMERGENCY RESPONSE. ANY REPRODUCTION IN PART OR AS A WHOLE WITHOUT THE WRITTEN PERMISSION OF SPARTAN EMERGENCY RESPONSE IS PROHIBITED. SPARTAN MOTORS USA, INC. D/B/A SPARTAN EMERGENCY RESPONSE.

REV	DATE	DESCRIPTION	NAME
4	8/18/22	FOURTH REVIEW	WB
3	7/29/22	ADDED CAB UTILITY COMPARTMENTS	WB
2	7/27/22	THIRD REVIEW	WB
1	6/29/22	SECOND REVIEW	WB
0	5/26/22	INITIAL DRAWING	WB

SCALE: NOT TO SCALE

LOCKHART FIRE DEPARTMENT
LOCKHART, TEXAS

TRUCK NUMBER:	3-071-0195
---------------	------------

City of Lockhart, Texas

Council Agenda Item Cover Sheet

COUNCIL MEETING DATE: September 20, 2022

AGENDA ITEM CAPTION: Discuss recommendation to award bid to Fuquay, Inc. of New Braunfels, Texas in the amount of \$475,196.00 for the 2022 Street Improvements Project and appointing the Mayor to sign all contractual documents.

ORIGINATING DEPARTMENT AND CONTACT: Public Works - Sean Kelley

ACTION REQUESTED: Award of Contract

BACKGROUND/SUMMARY/DISCUSSION: This year it was necessary for the City Engineer to evaluate various treatment methods for the 2022 Street Improvement Project to ensure the extended life of the pavement on the selected streets. In Fiscal Year Budget 2022, six streets were included for resurfacing and treatment methods specific to each street. These streets include:

- N. Medina Street from Bois D' Arc Street to Peach Street
- W. Live Oak Street from Cibilo Street to Guadalupe Street
- Center Street From Guadalupe Street to Blanco Street
- Willow Street From Pecos Street to Blanco Street
- Red River Street from Willow Street to Ash Street
- Persimmion Street from Neches Street to Sabine Street

The selected improvement methods for the 2022 Street Improvements Project consist of approximately 4,400 SY of 6" Mill and Overlay, 6,610 Sy of 2" Mill and Overlay, 1,000 SY of Flexible Base and Subgrade Excavation and Reconstruction, adjusting Manholes and Water Vales as required, on various Streets. Bids were advertised in compliance with State Law for the construction of the 2022 Street Improvements Project. Five (5) bids were received ranging from \$475,196.00 to \$683,430.00. The lowest bid was received by Fuquay, Inc. This company has a commendable reputation in the construction business along with the personnel and equipment to get the job done successfully and on time.

PROJECT SCHEDULE (if applicable): Summer 2022

AMOUNT & SOURCE OF FUNDING:

Funds Required:

Account Number:

Funds Available:

Account Name:

FISCAL NOTE (if applicable): Funds Required: \$??????

City of Lockhart, Texas

Council Agenda Item Cover Sheet

Account Number: 100-5633-433

Funds Available: \$???????

Account Name: Streets, Maintenance and Resurfacing

PREVIOUS COUNCIL ACTION:

COMMITTEE/BOARD/COMMISSION ACTION:

STAFF RECOMMENDATION/REQUESTED MOTION: Staff respectfully recommends approval of the bid award to Fuquay, Inc. in the amount of \$475,196.00 for the 2022 Street Improvements Project .

LIST OF SUPPORTING DOCUMENTS: Bid Award Recommendation and Bid Tab for the 2022 Street Improvements Project



505 East Huntland Drive
Suite 250
Austin, Texas 78752

T 512.454.8716
TRCcompanies.com
T.B.P.E. #F-8632

September 16, 2022

Mr. Sean Kelley, Public Works Director
City of Lockhart
705 Wichita Street
Lockhart, Texas 78644

**RE: 2022 Street Improvements Project
Bid Award Recommendation**

Dear Mr. Kelley:

Five (5) sealed bids were received at Lockhart City Council Chambers on September 15, 2022, at 11:00 A.M. for the above-referenced project. The total bids ranged from \$475,196.00 from Fuquay, Inc. of New Braunfels, Texas to \$683,430.00 from Texas Materials Group of Cedar Park, Texas. A detailed bid tabulation is attached for your reference.

The project consists of Installation of approximately 4,400 SY of 6" Mill and Overlay, approximately 6,610 SY of 2" Mill and Overlay, approximately 1,000 SY of Flexible Base and Subgrade Excavation and Reconstruction, and adjustment of Manholes and Water Valves as required, on various City streets. The construction completion period is sixty (60) days.

Fuquay, Inc. has previously worked on Phase I of the 2020 Street Improvement Project for the City and has completed the work to the satisfaction of the City. Therefore, it is recommended that the City award the project to the low bidder, Fuquay, Inc., in the amount of \$475,196.00. The Contractor has a bid bond and will be required to furnish a Standard Form of Agreement, Performance Bond, and Payment Bond to the City.

If you have any other questions or comments, please do not hesitate to contact this office.

Sincerely,

A handwritten signature in blue ink that reads "William Wachel".

William Wachel, PE
Deputy Director - DMS

Attachment: Bid Tabulation



				Fuquay, Inc 4861 Old Hwy 81 New Braunfels, TX 78132		Asphalt, Inc, dba Lone Star Paving 11675 Jollyville Rd Ste 119 Austin, TX 78759		Hayden Paving, Inc 5655 Wexford Dr Kirby, TX 78129		Bennett Paving, Inc 23004 Windy Valley Rd Leander, TX 78641		Texas Materials Group 1320 Arrow Point Dr Cedar Park, TX 78613	
Item	Description	Qty.	Unit	Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total
P.1	Performance and Payment Bonds	1	LS	\$7,500.00	\$7,500.00	\$5,300.00	\$5,300.00	\$6,280.00	\$6,280.00	\$10,000.00	\$10,000.00	\$3,400.00	\$3,400.00
P.2	Mobilization/Demobilization	1	LS	\$40,000.00	\$40,000.00	\$37,000.00	\$37,000.00	\$32,641.00	\$32,641.00	\$50,000.00	\$50,000.00	\$50,000.00	\$50,000.00
P.3	North Medina Street	2,280	SY	\$54.05	\$123,234.00	\$53.00	\$120,840.00	\$70.12	\$159,873.60	\$80.00	\$182,400.00	\$75.00	\$171,000.00
P.4	West Live Oak Street	890	SY	\$54.05	\$48,104.50	\$59.00	\$52,510.00	\$92.87	\$82,654.30	\$80.00	\$71,200.00	\$75.00	\$66,750.00
P.5	Center Street - 6" depth	1,230	SY	\$54.05	\$66,481.50	\$51.50	\$63,345.00	\$69.71	\$85,743.30	\$80.00	\$98,400.00	\$75.00	\$92,250.00
P.6	Center Street - 2" depth	2,950	SY	\$21.60	\$63,720.00	\$15.50	\$45,725.00	\$22.11	\$65,224.50	\$26.50	\$78,175.00	\$23.00	\$67,850.00
P.7	Willow Street	2,160	SY	\$21.60	\$46,656.00	\$19.50	\$42,120.00	\$23.82	\$51,451.20	\$26.50	\$57,240.00	\$23.00	\$49,680.00
P.8	Red River Street	680	SY	\$21.60	\$14,688.00	\$20.00	\$13,600.00	\$24.70	\$16,796.00	\$26.50	\$18,020.00	\$23.00	\$15,640.00
P.9	Persimmon Street	820	LF	\$21.60	\$17,712.00	\$26.00	\$21,320.00	\$34.31	\$28,134.20	\$26.50	\$21,730.00	\$23.00	\$18,860.00
P.10	Installing 8" Lime Treated Subgrade	1,000	SY	\$39.00	\$39,000.00	\$64.50	\$64,500.00	\$82.06	\$82,060.00	\$64.00	\$64,000.00	\$136.00	\$136,000.00
P.11	Adjust manhole tops	2	EA	\$1,800.00	\$3,600.00	\$1,800.00	\$3,600.00	\$2,500.00	\$5,000.00	\$2,500.00	\$5,000.00	\$3,500.00	\$7,000.00
P.12	Adjust water valves	5	EA	\$900.00	\$4,500.00	\$1,680.00	\$8,400.00	\$2,500.00	\$12,500.00	\$1,750.00	\$8,750.00	\$1,000.00	\$5,000.00
TOTAL BID					\$475,196.00		\$478,260.00		\$628,358.10		\$664,915.00		\$683,430.00

City of Lockhart, Texas

Council Agenda Item Cover Sheet

COUNCIL MEETING DATE: September 20, 2022

AGENDA ITEM CAPTION: Discuss Resolution 2022-34 for an economic development performance agreement with The Ziegenfelder Company.

ORIGINATING DEPARTMENT AND CONTACT: Economic Development - Pam Larison

ACTION REQUESTED: Resolution

BACKGROUND/SUMMARY/DISCUSSION: Based in Wheeling, WV, the Ziegenfelder Company is a private, family-owned frozen novelty manufacturer that focuses on producing the highest quality frozen ice treats. Its signature item, Budget Saver Assorted Twin Pops, is commonly referred to as the "Rainbow Array™". They are a significant manufacturer of twin pops with production facilities in Wheeling, WV; Chino, CA; and Denver, CO.

Employment:

100

Investment:

\$37 million

Facility Size:

96,000 SF

Status:

Company is under contract for land in Lockhart Industrial Park III and should close within 60 days.

The attached performance agreement is to reimburse up to \$50,000 towards an electric transformer.

The net benefit to the City of Lockhart over 10 years is estimated to be \$1.67 million.

PROJECT SCHEDULE (if applicable):

AMOUNT & SOURCE OF FUNDING:

Funds Required:

Account Number:

Funds Available:

Account Name:

FISCAL NOTE (if applicable):

PREVIOUS COUNCIL ACTION: City Council passed a Chapter 380 property tax rebate at it

City of Lockhart, Texas

Council Agenda Item Cover Sheet

September 6, 2022 meeting.

COMMITTEE/BOARD/COMMISSION ACTION: LEDC Board of Directors unanimously approved the performance agreement at its regular meeting on September 12, 2022.

STAFF RECOMMENDATION/REQUESTED MOTION: Approve Resolution 2022-34

LIST OF SUPPORTING DOCUMENTS: City Resolution 2022-34 Ziegenfelder, LEDC Draft Minutes 9.12.22

RESOLUTION NO. 2022-34

A RESOLUTION OF THE OF CITY COUNCIL OF LOCKHART, TEXAS APPROVING AN ECONOMIC DEVELOPMENT PERFORMANCE AGREEMENT WITH ZIEGENFELDER COMPANY TO AUTHORIZE THE LOCKHART ECONOMIC DEVELOPMENT CORPORATION TO PROVIDE A REBATE OF UP TO \$50,000 TO ZIEGENFELDER COMPANY FOR REIMBURSEMENT OF ELECTRIC TRANSFORMER.

WHEREAS, the City of Lockhart (“City”) is a Type B corporation operating pursuant to Chapters 501 and 505, Texas Local Government Code; and

WHEREAS, pursuant to the EDPA, ZIEGENFELDER COMPANY (Ziegenfelder) will engage in a project whereby it will make a capital investment of \$37,000,000 to construct a facility in the Lockhart area, including utility extensions, and to bring primary jobs to the City of Lockhart, all as more fully described in the EDPA; and

WHEREAS, the LEDC finds that the project will promote new or expanded business development in the City of Lockhart and the surrounding area and that it qualifies as a project pursuant to Chapters 501 and 505, Texas Local Government Code; and

WHEREAS, pursuant to the EDPA, the LEDC will provide a grant of up to \$50,000 to reimburse Ziegenfelder for the cost of an electrical transformer; and

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

1. Recitals: The foregoing recitals are adopted and incorporated herein for all purposes.
2. Approval of the EDPA: The City Council of Lockhart, Texas hereby approves the EDPA between the LEDC and Ziegenfelder, a copy of which Agreement is attached hereto as Exhibit “A,” which is incorporated herein for all purposes.

Approved and adopted on this, the 20th day of September 2022.

CITY OF LOCKHART

Lew White, Mayor

Attest:

Approved as to form:

Connie Constancio, City Secretary

Monte Akers, City Attorney

“Exhibit A”

ECONOMIC DEVELOPMENT PERFORMANCE AGREEMENT

This Economic Development Performance Agreement (“Agreement”) is made and entered into by and between THE LOCKHART ECONOMIC DEVELOPMENT CORPORATION OF LOCKHART, TEXAS (“LEDC”), a Type B Economic Development Corporation, and The Ziegenfelder Company, a West Virginia corporation. (“ZIEGENFELDER”).

RECITALS

WHEREAS, Ziegenfelder desires to construct a facility and conduct business operations in the City of Lockhart, Texas (“City”) and to participate in the Economic Development Program established in this Agreement; and

WHEREAS, LEDC desires to establish this Economic Development Program and to offer incentives to Ziegenfelder to locate such business in the City; and

WHEREAS, the LEDC is authorized to promote state and local economic development and to stimulate business and commercial activity within the City, and LEDC has determined that substantial economic benefits, including the bringing of new primary jobs to the City, an increase in the City’s tax rolls, and the creation of new opportunities for local employment, will accrue to the City and the surrounding area, if such business is successfully developed on such property; and

WHEREAS, LEDC and Ziegenfelder desire to enter into this Agreement in order to comply with Sec. 501.158, Texas Local Government Code, which requires an economic development corporation, in order to offer incentives or make expenditures on behalf of a business enterprise under a project, to enter into a performance agreement that addresses a schedule of jobs created or retained, capital investment to be made, direct incentives provided, and the terms under which repayment shall be made in the event a business enterprise does not meet the requirements specified in the Agreement;

NOW THEREFORE, in consideration of the foregoing and the covenants, agreements, representations, and warranties hereinafter set forth and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, LEDC and Ziegenfelder agree as follows:

AGREEMENTS

Section 1. Recitals

The recitals set forth above are incorporated herein by reference as if fully set forth in their entirety.

Section 2: Definitions

- (a) "Building" or "Facility" shall mean the building to be occupied by ZIEGENFELDER on the Property and in which it will operate its business.
- (b) "Effective Date" shall mean the date that both parties have executed this Agreement.
- (c) "Full Time Equivalent Job" ("FTE Job") shall mean employment during a calendar year that is equal to a total of at least 1,820 hours including hours associated with holidays, vacation, sick and personal time, and overtime. Two part-time jobs, but no more than two, may be counted as one FTE Job for the purposes of this Agreement.
- (d) "Property" shall mean 6.788 acres known as Block B, Lot 1 of the Lockhart Industrial Park III, being located near the intersection of W. San Antonio Street and State Highway 130 in Lockhart, Caldwell County, Texas, being all or a portion of the tax parcel with Property ID # 79142, as described and/or depicted in Exhibit A to this Agreement, and being all or a portion of the tax parcel with Property ID # 79142

Section 3: Term

This Agreement shall have a term of five (5) years, commencing on January 1 of the calendar year following Company's completion of construction and securing of a Certificate of Occupancy from the City and terminating at midnight on the fifth anniversary of that date unless sooner terminated as provided herein. For example, if construction is completed and a Certificate of Occupancy obtained in 2023, Year One of this agreement will commence on January 1, 2024.

Section 4. Ziegenfelder Requirements

In consideration of the financial incentives described and offered by LEDC pursuant to this Agreement, Ziegenfelder agrees:

- (a) To, directly and/or through one or more of its affiliates, make a capital investment of approximately thirty-seven million dollars (\$37,000,000.00) in the Project.
- (b) To cause the Facility to be constructed and to notify LEDC in writing when it has received a Certificate of Occupancy from the City of Lockhart for the Facility and specifying the date that ZIEGENFELDER and/or one or more of its affiliates will move into the Facility and begin operation therein.
- (c) To move into the Facility and/or cause one or more of its affiliates to move into the Facility and commence operations not later than by December 31, 2024.
- (d) Other than due to a Business Interruption Exception, to create and fill and/or

cause the creation and filling of at least sixty (60) Full Time Equivalent Jobs positions at the Facility at following rate:

By end of calendar year 2024: a total of 20 FTE jobs positions

By end of calendar year 2025: a total of 40 FTE jobs positions

By end of calendar year 2026: a total of 50 FTE jobs positions.

By end of calendar year 2027: a total of 55 FTE jobs positions.

By end of calendar year 2028: a total of 60 FTE jobs positions.

(Such persons may work in shifts and shall not be required to all be at the Facility at the same time)

- (e) To continue business operations at the Facility (or at such other location in the City approved by the LEDC) throughout the term of this Agreement.
- (f) To keep current (after notice and thirty (30) days' opportunity to cure) in the payment of taxes owed by ZIEGENFELDER to any taxing jurisdiction having jurisdiction in connection with its operations in Lockhart, unless such taxes are being legally contested by ZIEGENFELDER.
- (g) To provide payroll records to LEDC annually showing compliance with Section 4(d) as well as Employment and Payroll Certification during the term of this Agreement.
- (h) To reasonably meet all requirements of this Agreement and to reasonably comply with all material applicable City of Lockhart ordinances, state and federal law, and related requirements during the term of this Agreement.

Section 5. LEDC Requirements

In consideration of ZIEGENFELDER's agreement to locate its business within the City and to perform the other acts described herein, LEDC agrees it will:

- i) Reimburse ZIEGENFELDER an amount not to exceed fifty thousand dollars (\$50,000.00) for an electrical transformer, to be paid to ZIEGENFELDER no later than thirty (30) days following LEDC's receipt of satisfactory written documentation of ZIEGENFELDER's satisfactory purchase and installation of such electrical transformer .

Section 6. Recapture/Termination

- (a) In the event that ZIEGENFELDER and/or one or more of its affiliates begins operating its business, but subsequently discontinues operating its business in Lockhart for any reason except as a result of fire, explosion, or other casualty or accident, force majeure or other natural disaster, war or civil unrest, a taking under eminent domain, regulatory restrictions of any applicable governmental entity which makes conduct of the ZIEGENFELDER illegal or economically untenable, or other event beyond the reasonable control of

ZIEGENFELDER (the "Business Interruption Exceptions") for a period of more than one year during the term of this Agreement, then in such event ZIEGENFELDER shall be required to repay to LEDC any and all monies expended by the LEDC under Section 5 of this Agreement within thirty (30) days of written demand therefore following the expiration of such period. The burden shall be upon ZIEGENFELDER to prove to the satisfaction of the LEDC that the discontinuance of operating its business was a result of one of the Business Interruption Exceptions. In the event that following the occurrence of a Business Interruption Exception which may reasonably be cured within one (1) year of the cessation of business operations, then should ZIEGENFELDER fail to resume business operations within one (1) year of the date of discontinuance of operations, ZIEGENFELDER shall be required to repay LEDC any monies expended by the LEDC under Section 5 of this Agreement within thirty (30) days of written demand therefore following the expiration of the one (1) year period. The parties agree that there may be certain circumstances that result in the cessation of operations at the facility that are beyond the control of ZIEGENFELDER where ZIEGENFELDER is unable to restart its operations within one year (i.e. significant damage to the facility not repairable within one year). In such instances, ZIEGENFELDER agrees to work in good faith and exercise fair dealing in developing and executing a plan for the reopening of the facility in such time as is reasonable under the circumstances as soon as practicable and, in such event, the City of Lockhart will not exercise its rights hereunder for the reimbursement of the monies paid to ZIEGENFELDER under Section 5 hereof.

- (b) In the event that ZIEGENFELDER allows ad valorem taxes owed to the City of Lockhart, Texas on the Property, or its business personal property or inventory to become delinquent and fails to timely and properly follow the legal procedures for their protest or contest (after notice and thirty (30) days' opportunity to cure), ZIEGENFELDER shall be required to repay LEDC any monies expended by the LEDC under Section 5 of this Agreement within thirty (30) days of written demand therefore following such event.

Section 7. Dispute Resolution, Applicable Law, Venue, and Attorney's Fees

(a) In the event of any controversy or claim arising out of or relating to this Agreement or the breach of this Agreement, the parties shall attempt in good faith to resolve the same by good faith mediation before a mediator mutually agreed to by the parties. LEDC and ZIEGENFELDER expressly waive any statutory or other legal requirements that may exist for serving notices or engaging in alternative dispute resolution prior to doing so.

(b) In the event that the claim or controversy is not settled by mediation or any other alternative dispute resolution method agreed to by the parties, either party may file suit in a court of competent jurisdiction sitting in the State of Texas. Venue shall lie in Caldwell County, Texas. The prevailing party in any litigation arising out of this Agreement shall be entitled to recover its reasonable and necessary costs and attorney's fees from the non-prevailing party pursuant to applicable law.

Section 8. Entire Agreement

This Agreement, when executed, contains the entire agreement between the LEDC and Ziegenfelder with respect to the transactions contemplated herein. This Agreement may be amended, altered, or revoked only by written instrument signed by the LEDC and Ziegenfelder.

Section 9. Successors and Assigns

This Agreement may not be assigned to any third party by ZIEGENFELDER without the written consent of LEDC. In the event of such assignment or in the event of legal succession of ZIEGENFELDER's interest in this Agreement by operation of law, this Agreement shall be binding on and inure to the benefit of such assign or successor.

Section 10. Notices

Any notice and/or statement required and permitted to be delivered shall be deemed delivered by depositing same in the United States mail, certified with return receipt requested, postage prepaid, addressed to the appropriate party at the following addresses or at such addresses provided by the parties in writing hereafter:

Ziegenfelder Co.:

Ziegenfelder Company
Attn: Kevin Heller, CEO
87 18th Street
Wheeling, WV 26003

With a Copy to

General Counsel
Armstrong Group
One Armstrong Place
Butler, PA 16001

Lockhart Economic Development Corporation:

Lockhart Economic Development Corporation
Attn: Executive Director
308 W. San Antonio
P.O. Box 239
Lockhart, TX 78644

Section 11. Interpretation

Regardless of the actual drafter of this Agreement, this Agreement shall in the event of dispute over its meaning or application, be interpreted fairly and reasonably, and neither more strongly for or against either party.

Section 12. Severability

In the event that any provision of this Agreement is illegal, invalid, or unenforceable under present or future laws, then and in that event it is the intention of the parties hereto that the remainder of this Agreement shall not be affected thereby, and it is also the intention of the parties to this Agreement that in lieu of each clause or provision that is found to be illegal, invalid, or unenforceable, a provision be added to this Agreement which is legal, valid and enforceable and is as similar in terms as possible to the provision found to be illegal, invalid, or unenforceable.

Section 13. Mutual Assistance

LEDC and Ziegenfelder agree to do all things reasonably necessary and appropriate to carry out the terms and provisions of this Agreement and to aid and assist each other in carrying out such terms and provisions.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the _____ day of _____, 2022.

THE LOCKHART ECONOMIC DEVELOPMENT CORPORATION

Steve Lewis, President

ATTEST:

Michael Kamerlander, LEDC Secretary

The Ziegenfelder Company

Kevin Heller, CEO

DRAFT MINUTES
LOCKHART ECONOMIC DEVELOPMENT CORPORATION

MONDAY, SEPTEMBER 12, 2022
6:00 P.M.

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

Board Members Present: Alan Fielder, Chairman; Doug Foster; Juan Alvarez; Yolanda Strey; Alfredo Muñoz; Sally Daniel

Board Members Absent: Frank Estrada

Staff Present: Mike Kamerlander; Pam Larison, Treasurer; Nicole Warren, LEDC Attorney

1. CALL TO ORDER
The meeting was called to order by Alan Fielder, Chairman at 6:00 pm
2. PUBLIC HEARING
 - 2.1 Hold a public hearing regarding a performance agreement with The Ziegenfelder Company pursuant to Sec. 505.159, Local Government Code.
Public Hearing Open: 6:02 PM
Public Hearing Closed: 6:03 PM
3. PUBLIC COMMENTS
No public comments
4. DISCUSSION AND/OR ACTION
 - 4.1 Discussion and/or action regarding minutes from the August 8, 2022 meeting.

No Discussion.

Motion to approve the minutes from the August 8, 2022 meeting.

Motion: Doug Foster Second: Juan Alvarez Vote: 6 of 6

4.2 Discussion and/or action regarding sales tax and financial statements for August 2022

Ms. Larison provided an overview of the financials from August with no significant issues to report. Sales tax revenues continue to outpace last year's collections. Final numbers will be reported after the Fiscal Year closes and the audit is completed. Account 802 has a balance of \$361,733.

Motion to approve the August 2022 financial statements.

Motion: Alfredo Muñoz Second: Juan Alvarez Vote: 6 of 6

4.3 Discussion and/or action regarding Resolution 2022-09 designating First Lockhart National Bank of Lockhart, Texas, as the depository for the Lockhart Economic Development Corporation, and authorizing the Chairman to execute a depository agreement with said bank.

The City Auditors while auditing the City and LEDC accounts at the close of FY 2021 recommended the separation of funds between the City of Lockhart and the Lockhart Economic Development Corporation.

The LEDC Board was presented with this recommendation at the conclusion of the audit

and the LEDC Board agreed the separation is prudent. Staff set to work to initiate that change and tonight the board is being asked to finalize it by opening an account with First Lockhart National Bank which is the City's depository bank, having been chosen through an RFP process which began in 2019.

Motion to adopt LEDC Resolution 2022-09 and establish the President of the LEDC as signatory on the account.

Motion: Doug Foster

Second: Alfredo Muñoz

Vote: 4 of 6

Alan Fielder abstained from the vote due to conflict of interest.
Juan Alvarez abstained from the vote due to personal reasons.

4.4 Discussion and/or action regarding LEDC Resolution 2022-10 for an economic development performance agreement with The Ziegenfelder Company

Motion to adopt LEDC Resolution 2022-10 providing incentives to the Ziegenfelder Company.

Motion: Alfredo Muñoz

Second: Sally Daniel

Vote: 6 of 6

4.5 Discussion and/or action regarding awarding a contract for infrastructure construction for Lockhart Industrial Park III phase 2.

The Board was provided with a comparison table of the estimates that were received for the construction of Lockhart Industrial Park III Phase 2. The lowest bid was from Patin Construction which was the contractor for phase 1.

I move to award the construction contract for Lockhart Industrial Park III Phase 2 infrastructure to Patin Construction and authorize the President to execute a contract.

Motion: Alfredo Muñoz

Second: Doug Foster

Vote: 6 of 6

5. DISCUSSION ONLY

5.1 Activity Updates

Mr. Kamerlander gave an update on the LEDC Staff activities for August 2022.

ADJOURN

Motion to Adjourn.

Motion: Alfredo Muñoz

Second: Doug Foster

Vote: 6 of 6

LEDC Board of Directors Adjourned at 6:37 PM.

Minutes approved this the 10th day of October, 2022.

Alan Fielder, Chairman LEDC

Michael Kamerlander, Secretary LEDC

City of Lockhart, Texas

Council Agenda Item Cover Sheet

COUNCIL MEETING DATE: September 20, 2022

AGENDA ITEM CAPTION: Discuss Professional Services Agreement and appointment of Robert A. Haedge as Municipal Court Presiding Judge.

ORIGINATING DEPARTMENT AND CONTACT: Council - Mayor Lew White

ACTION REQUESTED: Agreement

BACKGROUND/SUMMARY/DISCUSSION: Pursuant to City Charter, Section 4.04, the City Council appoints the Presiding Judge. Following the resignation announcement of Judge Darlon Sojak, the City Council interviewed Robert A. Haedge for the Municipal Court Presiding Judge position. The attached agreement reflects the terms of Mr. Haedge's appointment to the Judge position.

The agreement reflects that the Judge shall hold office for a two-year term, unless terminated earlier as provided in the Agreement. The Judge shall perform all duties and responsibilities of the Office of the Municipal Court Presiding Judge of the City. These duties and obligations include those contained under the City's Charter and Code of Ordinances, Texas Criminal Code, Texas Local Government Code, and other pertinent State and Federal Statutes, and Regulations. Municipal Court is often thought of as traffic court, but it has a broad range of authority that contributes to the missions of other City departments, including Code Enforcement, Police Department, and Planning Department. The Judge shall be on call to perform such obligations after hours. The Agreement shall commence on October 1, 2022 and shall expire on September 30, 2024. The Agreement will be automatically renewed if the Council does not take action within 91 days following the expiration of the two-year period.

Following the approval of this Agreement, Mr. Haedge will participate in training and transition activities with Judge Sojak prior to Judge Sojak's September 30, 2022 departure. Mr. Haedge will be paid a prorated fee while participating in these activities.

PROJECT SCHEDULE (if applicable): N/A

AMOUNT & SOURCE OF FUNDING:

Funds Required:

Account Number:

Funds Available:

Account Name:

FISCAL NOTE (if applicable): N/A

City of Lockhart, Texas

Council Agenda Item Cover Sheet

PREVIOUS COUNCIL ACTION: September 6, 2022 the City Council conducted an interview of the Municipal Court Presiding Judge candidate; no action was taken and Mayor directed the appointment of judge to be placed on the following City Council agenda.

COMMITTEE/BOARD/COMMISSION ACTION: N/A

STAFF RECOMMENDATION/REQUESTED MOTION: None. Council discretion.

LIST OF SUPPORTING DOCUMENTS: Municipal Judge Professional Services Agreement:
ROBERT HAEDGE

**CITY OF LOCKHART, TEXAS
PROFESSIONAL SERVICES AGREEMENT
MUNICIPAL COURT PRESIDING JUDGE**

This employment agreement for judicial services is made by and between the City of Lockhart, Texas ("City") and Robert Haedge ("Judge") effective the 1st day of October 2022 (the "effective date") upon the following terms and conditions:

In consideration of the covenants herein contained, the City hereby hires and appoints the Judge as the Presiding Judge of the Municipal Court and the Judge agrees to perform the full duties and responsibilities as the Presiding Judge for the Municipal Court for the City as discussed herein. The Judge shall have all the powers and authority prescribed by the laws of the state for municipal court judges and shall perform the duties as prescribed by the laws of the state.

APPOINTMENT AND TERM

The Presiding Judge of the Municipal Court shall be filled by appointment by the City Council pursuant to Section 4.04 of the City's Charter. The Judge shall hold office for a two-year term, unless terminated earlier as provided in this Agreement, and until the successor to office has been appointed, qualified, and has assumed office.

For purposes of this agreement, the Judge shall take office once it has been executed by both parties and the Judge takes the oath of office. Thereafter, the Judge shall serve a two-year term that shall commence on the effective date of this Agreement, and which shall expire at midnight on September 30, 2024, unless sooner terminated or extended as provided herein.

A judge who is not reappointed by the 91st day following the expiration of a term of office shall, absent action by the appointing authority terminating such appointment, continue to serve under the same terms and conditions contained in this Agreement, which shall be extended for another term of office beginning on the date the previous term of office expired.

The City reserves the right to appoint an associate judge or temporary replacement, as necessary.

TERMINATION

The City Council may terminate the Judge and this Agreement, in the manner provided by law, at a time before expiration of the initial or extended term for incompetence, corruption, misconduct, or malfeasance in office, such termination. The Judge may terminate this Agreement at any time for any reason following thirty (30) days' notice to the City.

DEFAULT/RIGHT TO CURE

If either party hereto shall default in its performance of any term, covenant, or condition of this Agreement for twenty (20) days after notice of such default, or where such default cannot reasonably be cured within said twenty (20) days, then if the defaulting party does not promptly cure such default, then the other party may terminate this Agreement by thirty (30) days' notice to the other.

HOURS OF WORK

It is recognized that the Judge is expected to engage in the hours of work that are necessary to fulfill the obligations of the position unless prevented from doing so by events or circumstances beyond the control of either party, such as pandemic, severe weather, local or statewide states of disaster, or other "force majeure" events. It is agreed that the Judge will devote a sufficient number of hours on a weekly, monthly, and annual basis to address and accomplish all duties of a municipal court judge under this agreement and all applicable laws and regulations under state law.

DUTIES

The Judge shall perform all duties and responsibilities of the Office of the Municipal Court Judge of the City. These duties and obligations include those contained under the City's Charter and Code of Ordinance, Texas Criminal Code, Texas Local Government Code, Texas Government Code and other pertinent and applicable State and Federal Statutes, and Regulations. The Judge shall be on call to perform such obligations after hours. As the Presiding Judge, the Judge shall be responsible for the judicial supervision and management of the Court. The Municipal Court Manager and court staff, while coordinating daily functions of the court with the Judge, are considered to be municipal employees under the supervisions of the Municipal Court Manager and City Manager.

The Judge shall at all times faithfully and to the best of his ability, administer activities of the Municipal Court, assign and hear all cases and fulfill obligations of the Municipal Court as established by State or local law, rule, statute, regulation and City ordinance. The Judge's duties as Presiding Judge shall include meeting with the City Attorney, Prosecutor, City

Manager, the Chief of Police or such officials' respective designees, and all other personnel as needed to discuss procedures within the Municipal Court as well as establishing and presiding over a court security committee in compliance with Texas Government Code Section 29.014, as amended. The Judge's duties shall also include, but are not limited to:

- (1) conducting court sessions;
- (2) handling all court dockets;
- (3) reasonably responding to requests from 'the City's police department for arrest warrants and search warrants after normal business hours/days which shall be performed by the Judge; and
- (4) responding to all questions from court staff in a professional, efficient, courteous, and timely manner.

PROFESSIONAL LICENSE AND JUDICIAL TRAINING

The Judge shall attend and complete the accredited judicial training, in-person education program(s), and continuing judicial education required by the Rules of Judicial Education and the Texas Municipal Courts Education Center, and shall present proof of such attendance and completion to the City annually.

. The Judge shall be required to maintain his license to practice law with the State Bar of Texas in good standing as a requirement for this position, The Judge will be responsible for his own educational expenses, occupation taxes, bar and membership dues, and continuing education expenses for maintaining his license.

The City shall reimburse the Judge for the costs of all certification and licensing training that is required by the State of Texas, plus actual reasonable expenses for travel, meals, and lodging if any not covered by the training event sponsor. In the event the Judge attends such certification and licensing training on behalf of more than one employer, the Judge will notify the City of that fact and the City's obligation to reimburse costs and expenses shall be limited to a pro rata portion of the total.

OUTSIDE EMPLOYMENT/BUSINESS DEALINGS

It is understood and agreed that this position is as an appointed official of the City. However, the Judge will be allowed to hold outside employment or engage in business dealings that do not result in a conflict of interest, do not interfere with the duties and obligations required by this position and that do not interfere in the hours of work that are necessary to fulfill the obligations of the position. The Judge must give the City notice in writing of his outside

employment and/or business dealings upon the beginning of the term of this Agreement and immediately upon any change in his outside employment and/or business dealings.

COMPENSATION

The Judge shall be deemed an appointed official as well as a part-time contracted employee of the City. The City, for and in consideration of the services provided by the Judge shall hereby agree to pay the Judge a monthly salary of two thousand seven hundred dollars (\$2700.00) payable at the same time as other employees of the City are paid, on the schedule as other City employees and shall be paid net of any applicable withholdings or deductions required by applicable laws and authorities. However, the Judge will not be eligible for benefits offered by the City including health benefits, participation in the City's retirement plan, educational reimbursement, travel expenses and professional fees/taxes, and memberships, unless otherwise specified by this Agreement. The Judge shall furnish such surety bond if required by the City Council, the premium to be paid by the City.

TMLINSURANCE

The City shall ensure that Judge is included in coverage for liability and all errors and omissions while in the performance of his duties as Municipal Judge for the City.

SEVERABILITY

In case any part or provision contained in this Agreement shall, for any reason, be held to be invalid, illegal, or unenforceable by a Court in any respect, such invalidity, illegality, or unenforceability shall not destroy this Agreement, and this Agreement shall be construed and enforced as if the offending part or provision were not a part of this Agreement. .

TEXAS LAW TO APPLY

This Agreement shall be construed under and in accordance with the laws of the State of Texas, and all obligations of the parties created hereunder are performable in Caldwell County, Texas, Venue shall lie in Caldwell County, Texas.

ENTIRE AGREEMENT

All oral or written statements, representations, promises, understandings, and agreements of the parties hereto are superseded by and merged into this Agreement, which alone fully and completely expresses their agreement. This Agreement contains all of the terms agreed upon between the parties with respect to the subject matter hereof.

This Agreement may not be altered, amended, changed, waived, terminated, or modified in any respect or particular unless the same shall be

in writing signed by each of the parties hereto, the Judge and at the direction of City Manager. No waiver by any party of any breach hereunder shall be deemed a waiver of any other or subsequent breach.

Executed on this, the _____ day of _____, 2020.

JUDGE:

CITY OF LOCKHART:

Robert Haedge

Lew White, Mayor

Attest:

Connie Constancio
City Secretary

City of Lockhart, Texas

Council Agenda Item Cover Sheet

COUNCIL MEETING DATE: September 20, 2022

AGENDA ITEM CAPTION: Discuss appointing two Representatives of the City of Lockhart to the General Assembly of the Capital Area Council of Governments (CAPCOG).

ORIGINATING DEPARTMENT AND CONTACT: Council - Mayor Lew White

ACTION REQUESTED: Other

BACKGROUND/SUMMARY/DISCUSSION: CAPCOG, formed in 1970, serves as an advocate, planner and coordinator on regional issues in the 10-County encompassing Austin-Round Rock-Georgetown Metropolitan Statistical Area. The CAPCOG General Assembly serves as their governing body for purposes of selecting the Executive Committee, adopting operational bylaws and budget, determining membership dues, and guiding the organization's mission. The CAPCOG bylaws provide that Associate members (governmental agencies) can appoint "Sustaining members" (a non-voting representative) which is a person or organization with a positive interest in the welfare of the region. At least 2/3 of the General Assembly's voting representatives must be elected officials.

Based on the population estimates of the City of Lockhart, CAPCOG indicates that the city qualifies to have two representatives on the General Assembly. The General Assembly meets at least twice per year. The CAPCOG requests that the city updates our representatives which is currently Mayor Lew White and Councilmember Jeffry Michelson. Other Caldwell County General Assembly members include: Judge Haden, Commissioner Roland, Mayor Watts, (Luling), and Councilmember Bunker (Martindale).

PROJECT SCHEDULE (if applicable): N/A

AMOUNT & SOURCE OF FUNDING:

Funds Required: N/A

Account Number: N/A

Funds Available: N/A

Account Name: N/A

FISCAL NOTE (if applicable): N/A

PREVIOUS COUNCIL ACTION: N/A

COMMITTEE/BOARD/COMMISSION ACTION: N/A

City of Lockhart, Texas

Council Agenda Item Cover Sheet

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

LIST OF SUPPORTING DOCUMENTS: CAPCOG Board Appointment information



RECEIVED
CITY OF LOCKHART

AUG 29 2022

RECVD. BY:

TIME REC'D:

BASTROP BLANCO BURNET CALDWELL FAYETTE HAYS LEE LLANO TRAVIS WILLIAMSON

6800 Burleson Road, Building 310, Suite 165

Austin, Texas 78744-2306

Ph: 512-916-6000 Fax: 512-916-6001

www.capcog.org

General Assembly Representation Summary for the City of Lockhart

CAPCOG's General Assembly is the organization's governing body for the purposes of selecting the Executive Committee, amending the council's bylaws, adopting budgets, determining membership dues, and guiding the organization's mission. Each CAPCOG member appoints representatives to serve as their voice on the General Assembly, and every year CAPCOG provides a list to ensure member's representative are current. According to the CAPCOG bylaws, full members — counties and municipalities — are entitled at least one representative on the General Assembly; however, they can have additional representatives based on their population as shown below:

Counties	Municipalities	No. of Representatives
Under 20,000	Under 10,000	1
20,000-100,000	10,000-50,000	2
100,000+	50,000-100,000	3
-----	100,000+	4

Associate members — special government districts, school districts, nonprofits, utilities, chambers of commerce, and other governmental agencies — can appoint one representative to the General Assembly. Sustaining members, any person or organization with a positive interest in the welfare of the region, can participate as a non-voting General Assembly representative. At least two-thirds of the General Assembly's voting representatives must be elected officials.

Based on the State Data Center's most recent population estimates and CAPCOG's bylaws, the **City of Lockhart** qualifies for **2 representative(s)** on the General Assembly. Its current representatives are:

- **Mayor Lew White**
- **Council Member Jeffry Michelson**

Please provide any updates to **City of Lockhart's** representative(s) by completing the attached form. More information about CAPCOG's General Assembly representation is at <https://www.capcog.org/who-we-are/general-assembly/>.

As a reminder, General Assembly Representatives are invited to the September 14th General Assembly Meeting at the Hilton Austin Airport, 9515 Hotel Drive in Austin. Representatives can RSVP at <https://training.capcog.org/by-topic/general-assembly>.



APPOINTMENT FORM - GENERAL ASSEMBLY REPRESENTATIVE CAPITAL AREA COUNCIL OF GOVERNMENTS

The governing bodies of CAPCOG's members designate General Assembly representatives.

Counties: Official appointments are made at Commissioners Court.

Cities, Towns, Villages: Official appointments are made at City Council meetings.

Organizations: Official appointments are made by the Board or other governing body.

PLEASE COMPLETE THE FOLLOWING SECTION

Governing Body:

_____ County Commissioners Court (e.g., Travis County Commissioners Court)

-OR-

_____ City Council (e.g., Austin City Council)

-OR-

_____ Other (Board or other governing body)

City, County, or Organization being represented

Name of Representative

Position

Address

City, Zip Code

Telephone Number

Fax Number

Email address (General Assembly Reps. will be subscribed to CAPCOG Connections, Training Alerts, & other e-newsletters.)

Check One:

_____ Reappointment

_____ Filling Vacancy

_____ Changing Representative

Name of Previous Representative

I confirm our governing body appointed the above individual to serve as a CAPCOG General Assembly

Representative for the above entity on _____.

Date of Meeting

Signature of Chief Elected Official/Chair of Governing Board

Date

Please fax this form to 512-916-6001 or email it to dbrea@capcog.org. For questions about completing this form, call Deborah Brea at 512-916-6018.

City of Lockhart, Texas

Council Agenda Item Cover Sheet

COUNCIL MEETING DATE: September 20, 2022

AGENDA ITEM CAPTION: Discussion and possible action on an ordinance allowing the possession of open alcoholic beverage containers and consumption of alcoholic beverages on city property under certain circumstances.

ORIGINATING DEPARTMENT AND CONTACT: City Attorney - Monte Akers

ACTION REQUESTED: Other

BACKGROUND/SUMMARY/DISCUSSION: A draft ordinance has been prepared to allow open containers and consumption of alcohol on public sidewalks, streets, and other ways in the Commercial Central Business District ("CCBD") during selected special events. The Council is requested to provide feedback about the ordinance, particularly whether the special events listed are appropriate and whether businesses in the CCBD will be allowed to "lease" sidewalk, alley, or other public property for the purpose of obtaining TABC authority to sell alcohol from such property during special events. The process for obtaining a license for private use of public property is currently contained in Sec. 50-141 of the City Code, a copy of which is attached.

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: This matter was the subject of a special meeting with TABC representatives on August 25, 2022, and staff was directed to bring back a draft ordinance.

COMMITTEE/BOARD/COMMISSION ACTION: N/A

STAFF RECOMMENDATION/REQUESTED MOTION: Staff requests guidance from the Council regarding any desired changes to the draft ordinance, particularly in connection with the list of special events and licensing of private use of public property, as discussed above.

LIST OF SUPPORTING DOCUMENTS: Draft Ordinance, Section 50-141 of the City Code

ORDINANCE NO. 2022-47

AN ORDINANCE OF THE CITY OF LOCKHART ALLOWING THE POSSESSION OF OPEN ALCOHOLIC BEVERAGE CONTAINERS AND CONSUMPTION OF ALCOHOLIC BEVERAGES ON CITY PROPERTY UNDER CERTAIN CIRCUMSTANCES; PROVIDING CLAUSES FOR REPEALER, SEVERABILITY, AND EFFECTIVE DATE

WHEREAS, the City of Lockhart is a home rule city and the county seat of Caldwell County; and

WHEREAS, the county courthouse and surrounding area, known as the City's Commercial Central Business district ("CCBD"), is the site of various "special events," which are defined in Sec. 48-1 of the Lockhart Code of Ordinances as "Activities that include, but are not limited to, carnivals, fairs, festivals, sporting events, rodeos, special gatherings, rallies and parades which occur at infrequent intervals or only at certain times of the year;" and

WHEREAS, the Lockhart Code of Ordinances, in Sec. 36-3, provides that it shall be unlawful for any person to consume any alcoholic beverage while on any street, sidewalk or other public way within the city; and

WHEREAS, it is the desire of the City Council of the City of Lockhart to specify the circumstances when the possession of open alcoholic beverage containers and consumption of alcoholic beverages on streets, sidewalks, and other public ways in the CCBD shall be allowed during certain types of special events in the CCBD;

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

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

SECTION 2: Sec. 36-3 of the City of Lockhart Code of Ordinances is hereby repealed and replaced in its entirety with the following:

Sec. 36-3. - Consumption of alcoholic beverages in public.

- (a) It shall be unlawful for any person to consume any alcoholic beverage while on any street, sidewalk or other public way within the city. As used in this section the term "alcoholic beverage" shall have the meaning ascribed to it by the Texas Alcoholic Beverage Code ("TABC").
- (b) It shall be an exception to Subsection (a) if such consumption, including possession of an open container outside of a vehicle, occurs under the following circumstances:

- (1) In any city park, after first obtaining written permission from the chief of police or his duly appointed representative. Such written permission shall be limited to consumption of alcoholic beverages at a picnic table at which food is possessed at the same time. Alcoholic beverages shall be at all times prohibited in playground areas.
- (2) At a special event occurring in the City's Commercial Central Business district ("CCBD"), for which the sponsor of the event has first obtained a special activity permit from the chief of police or his duly appointed representative. Such permit shall be issued only for special events that meet the following criteria:
 - (i) An event for which the TABC has issued a temporary event authorization;
 - (ii) The event is one of the following:
 - a. Cinco de Mayo
 - b. Chisholm Trail Roundup
 - c. Diez y Seis
 - d. Dickens Festival
 - e. First Friday
 - f. Courthouse Nights
 - g. Sip-n-Stroll
 - h. Festival del Mariachi
 - i. Western Swing Festival
 - j. Texas Monthly Barbecue Festival
 - k. CTR Running of the Bulls
 - l. Dia de Los Muertos Art Show or
 - m. an event not listed above for which the City Council has granted permission for the issuance of the special activity permit regarding alcohol.

- (c) Nothing in this section shall be construed to authorize the consumption of alcohol by a person prohibited from such consumption by state law, or the sale of alcohol by any person except as authorized by the TABC. It shall be the responsibility of any person desiring to sell alcoholic beverages during a special event in the CCBD to obtain the necessary authority from the TABC.

SECTION 3. Any provision of the Code of Ordinances of the City of Lockhart in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

SECTION 4. It is the intention of the City Council that the components of this Ordinance are severable, and if any provision is declared invalid by a court of competent jurisdiction, such invalidity shall not affect any remaining components of this Ordinance.

SECTION 5. This ordinance is effective from the date of its adoption.

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

CITY OF LOCKHART

Lew White, Mayor

ATTEST:

APPROVED AS TO FORM:

Connie Constancio, TRMC, City Secretary

Monte Akers, City Attorney

ARTICLE V. - LICENSES FOR PRIVATE USE OF PUBLIC PROPERTY

Sec. 50-141. - Required; fees; exemptions; appeals.

(a) Except as otherwise noted in this section, a license for private use of public property may only be approved in accordance with the following procedure:

- (1) The applicant requesting a license shall submit an application together with a survey and a field note description to the city manager or designee. A nonrefundable application fee in the amount of \$50.00 must be submitted with the application. Payment of this application fee shall not relieve the applicant of the requirement to pay any other fees assessed under this Code, including, but without limitation the annual fees described in this section.
- (2) The city manager or designee shall distribute the application and attached materials to city departments and franchise holders with an interest in the property in question for review and comment.
- (3) If the city manager or designee finds that the proposed license does not interfere with the public use of the property, the appraised value of the area to be licensed and the annual license fee will be established by the city. An executed license agreement will be issued after the city's receipt of payment in an amount equal to the annual fee.
- (4) Existing uses and/or encroachments as of the date of this article shall be required to be licensed, but no fees shall apply.

(b) The initial annual fees for a license agreement shall be calculated in accordance with the following:

- (1) The minimum annual fee shall be \$125.00.
- (2) For surface licensing the fee shall be ten percent of the appraised value of the area subject to the license.
- (3) For underground licensing the fee shall be five percent of the appraised value of the area subject to the license.
- (4) For aerial licensing the fee shall be 7.5 percent of the appraised value of the area subject to the license.
- (5) The annual fee will be subject to change after each two-year period the license remains in effect and shall be adjusted according to changes in appraised values at that time.
- (6) No annual fee will be charged:
 - a. For any structure officially designated as historical or which is located on property with historic zoning;
 - b. For property dedicated to the city without charge only if the person or entity which originally dedicated the land in question continues to possess the adjacent property or an underlying interest; or

c. For any use which is considered minor and/or nonpermanent construction or materials.

(7) The city manager or designee may waive the annual fee for license agreements which in his sole discretion benefit the licensed property.

(8) Existing uses and/or encroachments as of the date of this article shall be exempt from the fee requirements, until such time as a change in ownership or control of the property occurs.

(c) If the agreement provides for an activity or encroachment which, in the opinion of the city manager, is unusual or of significant public interest, the city manager may, in his or her sole discretion, forward the proposed license agreement to the city council for consideration. Activities or encroachments which are unusual or of significant public interest may include, but are not limited to, pedestrian bridges or buildings over streets or alleys, or basements or tunnels under streets or alleys.

(d) License agreements under this section shall contain:

(1) A termination clause enabling the city manager or designee to terminate the license following 90 days' written notice to the licensee and to the affected adjoining landowners, if applicable. The remaining balance of fees paid will be refunded to the current owner, or person with control of the property if that person paid the fee, at the time the refund is made.

(2) Provisions addressing insurance requirements and establishing liens on the applicant's property adjacent to or covered by the license agreement, if applicable.

(3) Such other provisions which, in the city manager's or designee's sole discretion, are necessary to protect the interests of the city.

(4) This section shall not apply to the following:

a. Temporary construction barricades.

b. Banners over streets.

c. Temporary street closings.

d. Minor or temporary encroachments which, in the sole discretion of the city manager or designee, are adequately covered by other regulations to protect the interests of the city, such as mailboxes.

(e) The decision of the city manager or designee to deny a license may be appealed by the applicant to the city council. Before such an appeal may be filed:

(1) The city must first have completed an appraisal of the value of the property in question; and

(2) The applicant must first have submitted to the city manager or designee the amount of the first annual fee and a written statement describing the basis of the appeal.

City of Lockhart, Texas

Council Agenda Item Cover Sheet

COUNCIL MEETING DATE: September 20, 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

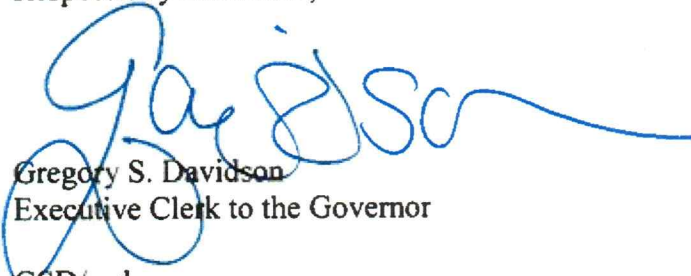
Dear Deputy Secretary Esparza:

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

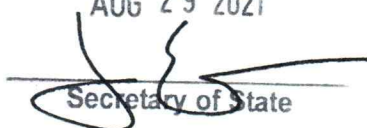


GOVERNOR GREG ABBOTT

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, 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.

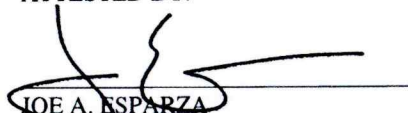
This executive order does not supersede Executive Orders GA-13, GA-37, GA-38, or GA-39. This executive order shall remain in effect and in full force unless it is modified, amended, rescinded, or superseded by the governor. This executive order may also be amended by proclamation of the governor.

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: September 20, 2022

AGENDA ITEM CAPTION: Hold a PUBLIC HEARING on application ZC-22-21 by HMT Engineering & Surveying on behalf of Greenwood Boutique Townhomes, LLC, and discussion and/or action to consider Ordinance 2022-44 for a Zoning Change from *RMD Residential Medium Density District* to *RHD Residential High Density District* on a total of 1.746 acres in the James George Survey, Abstract No. 9, located at 202 and 204 State Park Road (FM 20).

ORIGINATING DEPARTMENT AND CONTACT: Development Services - David Fowler

ACTION REQUESTED: Ordinance

BACKGROUND/SUMMARY/DISCUSSION: This item represents the proposed rezoning of 1.746 acres south of State Park Road from Residential Medium Density (RMD) to Residential High Density (RHD) zoning. The applicant has identified the site as the potential location of a condominium development or other small multifamily development. Access will be via State Park Road, but the southern property line will abut FM 20 after it has been realigned. The proposed zoning change is not consistent with the site's General-Heavy Commercial designation, but represents an equivalent level of intensity in a residential zoning district. The property is served by water and wastewater lines located in the State Park Road right-of-way. The Planning and Zoning Commission held a public hearing regarding the request at the September 14, 2022 meeting. The Commission voted 7-0 in favor of the proposed zoning change. One nearby property owner spoke at the meeting, expressing concerns about water runoff from the property as it develops. Prior to the meeting, a nearby resident and a nearby business owner had contacted staff with concerns related to drainage and traffic. Additional information is available in the supporting materials, including the staff report.

PROJECT SCHEDULE (if applicable): none.

AMOUNT & SOURCE OF FUNDING:

Funds Required:

Account Number:

Funds Available:

Account Name:

FISCAL NOTE (if applicable): None.

PREVIOUS COUNCIL ACTION: None.

City of Lockhart, Texas

Council Agenda Item Cover Sheet

COMMITTEE/BOARD/COMMISSION ACTION: The Planning and Zoning Commission unanimously recommended approval of the proposed zoning change at its September 14, 2022 meeting.

STAFF RECOMMENDATION/REQUESTED MOTION: APPROVE Ordinance 2022-44 Changing the zoning for 1.746 acres in the James George Survey, Abstract Number 9, from RMD Residential Medium Density District to RHD Residential High Density District

LIST OF SUPPORTING DOCUMENTS: zc2221 ordinance, ZC2221 exhibit A, ZC2221 case map, ZC2221 aerial, ZC2221 future landuse, ZC2221 zoning, zc2221 staff report--council, ZC2221 application

ORDINANCE 2022-44

AN ORDINANCE OF THE CITY OF LOCKHART, TEXAS, AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF LOCKHART, TEXAS, TO RECLASSIFY 1.746 ACRES IN THE JAMES GEORGE SURVEY, ABSTRACT NO. 9, LOCATED AT 202 AND 204 STATE PARK ROAD (FM 20), FROM RMD RESIDENTIAL MEDIUM DENSITY DISTRICT TO RHD RESIDENTIAL HIGH DENSITY DISTRICT.

WHEREAS, on September 14, 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-22-21, known as 1.746 acres in the James George Survey, Abstract Number 9, more particularly described in Exhibit A. located at 202 and 204 State Park Road, will be reclassified from RMD residential Medium Density District to RHD Residential High Density 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 20th DAY OF SEPTEMBER, 2022

CITY OF LOCKHART

Lew White, Mayor

ATTEST:

APPROVED AS TO FORM:

Connie Constancio, TRMC, City Secretary

Monte Akers, City Attorney

Exhibit "A"
Legal Description

All of a certain tract or parcel of land situated in City of Lockhart, Caldwell County, Texas and being also a part James George Survey A-9 and being also all of a tract of land called 0.172 acres and conveyed to David P. Castillo et ux by deed recorded in Volume 178 Page 654 of the Official Public Records of Caldwell County, Texas and being more particularly described as follows:

BEGINNING at a 1/2" iron pin found in the North corner of the above mentioned 0.172 acre tract and the apparent West corner of a tract of land conveyed to Lois W. Jones by deed recorded in Volume 442 Page 159 of the Deed Records of Caldwell County, Texas and in the SE line of EM #20 for the North corner this tract.

THENCE S 26° 29' 36" E with the NE line of the said 0.172 acre tract and the apparent SW line of the above mentioned Jones tract 100.36 feet to a capped 1/2" iron pin set stamped HINKLE SURVEYORS in the East corner of the said 0.172 acre tract and the NE line of a tract of land designated as Tract 1 called 3.35 acres and conveyed to Oakview Baptist Church by deed recorded in Volume 554 Page 843 of the said Official Public Records for the East corner this tract.

THENCE S 60° 16' 17" W with the SE line of the said 0.172 acre tract and entering the said 3.35 acre tract 75.00 feet to a capped iron pin found stamped HINKLE SURVEYORS in the South corner of the said 0.172 acre tract for the South corner this tract.

THENCE N 26° 33' 36" W with the SW line of the said 0.172 acre tract 100.19 feet to a capped iron pin found stamped HINKLE SURVEYORS in the West corner of the said 0.172 acre tract and the NW line of the said 3.35 acre tract for the West corner this tract.

THENCE N 60° 08' 55" E with the NW line of the said 0.172 acre tract and the SE line of F.M. #20 75.13 feet to the place of beginning containing 0.173 acres of land more or less.

FILED AND RECORDED

Instrument Number: 2022-002352 WARRANTY DEED

Filing and Recording Date: 03/28/2022 10:33:17 AM Pages: 4 Recording Fee: \$34.00

I hereby certify that this instrument was FILED on the date and time stamped hereon and RECORDED in the OFFICIAL PUBLIC RECORDS of Caldwell County, Texas.

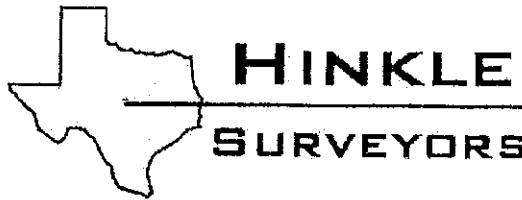


Teresa Rodriguez

Teresa Rodriguez, County Clerk
Caldwell County, Texas

ANY PROVISION CONTAINED IN ANY DOCUMENT WHICH RESTRICTS THE SALE, RENTAL, OR USE OF THE REAL PROPERTY DESCRIBED THEREIN BECAUSE OF RACE OR COLOR IS INVALID UNDER FEDERAL LAW AND IS UNENFORCEABLE.

DO NOT REMOVE. THIS PAGE IS PART OF THE OFFICIAL PUBLIC RECORD.



All of a certain tract or parcel of land situated in City of Lockhart, Caldwell County, Texas and being also a part James George Survey A-9 and being also a part of a tract of land designated as Tract I called 3.35 acres and conveyed to Oakview Baptist Church by deed recorded in Volume 554 Page 843 of the Official Public Records of Caldwell County, Texas and being more particularly described as follows:

BEGINNING at a 3/8" iron pin found used for basis of bearing in the SE line of F.M. #20 and the West corner of the above mentioned 3.35 acre tract and in the apparent North corner of a tract of land called 0.504 acres and conveyed to Maria L. Canchola et al by deed recorded in Instrument #2021-005387 of the said Official Public Records and in the apparent SW line of the said George Survey and the apparent NE line of the Francis Berry Survey A-2 for the West corner this tract.

THENCE N 60 degrees 25 minutes 03 seconds E with the NW line of the said 3.35 acre tract and the SE line of F.M. #20 **125.24 feet** to a capped iron pin found stamped HINKLE SURVEYORS in the apparent West corner of a tract of land called 0.172 acres and conveyed to David P. Castillo by deed recorded in Volume 178 Page 654 of the said Official Public Records for a reentrant corner this tract.

THENCE S 26 degrees 33 minutes 36 seconds E with the apparent SW line of the above mentioned 0.172 acre tract and entering the said 3.35 acre tract **100.19 feet** to a capped iron pin found stamped HINKLE SURVEYORS in the apparent South corner of the said 0.172 acre tract for an ell corner this tract.

THENCE N 60 degrees 16 minutes 17 seconds E with the apparent SE line of the said 0.172 acre tract **75.00 feet** to a capped 1/2" iron pin found in the East corner of the said 0.172 acre tract and the NE line of the said 3.35 acre tract and the apparent SW line of a tract of land conveyed to Lois W. Jones by deed recorded in Volume 442 Page 159 of the Deed Records of Caldwell County, Texas for an exterior corner this tract.

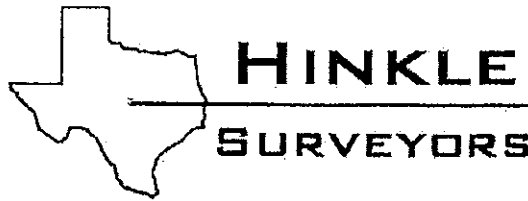
THENCE S 26 degrees 33 minutes 36 seconds E with a NE line of the said 3.35 acre tract and the apparent SW line of the said Jones tract at 29.11 feet pass a 1/2" iron pin found in an ell corner of the said 3.35 acre tract and the apparent South corner of the said Jones tract and continue entering the said 3.35 acre tract and with the SW line of a tract of land called 0.142 acres and conveyed to Lois W. Jones by deed recorded in Document Number 095236 for a total distance of **89.11 feet** to a 1/2" iron pin found in the apparent South corner of the above mentioned 0.142 acre tract for an ell corner this tract.

THENCE N 74 degrees 55 minutes 31 seconds E with the SE line of the said 0.142 acre tract **111.14 feet** to a capped 1/2" iron pin set stamped HINKLE SURVEYORS in the NE line of the said 3.35 acre tract and the apparent SW line of a tract of land called 0.805 acres and conveyed to William P. Butler Sr. et ux by deed recorded in Volume 88 Page 485 of the said Official Records for the most Easterly North corner this tract.

THENCE S 11 degrees 21 minutes 30 seconds E with the NE line of the said 3.35 acre tract and the apparent SW line of the above mentioned Butler tract **151.32 feet** to a 1/2" iron pin found in the apparent SW corner of the said Butler tract and the NE corner of a tract of land called 0.449 acres and conveyed to Linda J. Hinkle by deed recorded in Instrument #2015-006814 of the said Official Public Records for the most Southerly East corner this tract.

©Hinkle Surveyors 2022 Firm Registration No. 100866-00

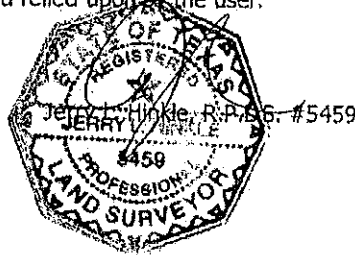
P.O. Box 1027 LOCKHART, TEXAS 78644 PHONE (512) 398-2000
FAX (512) 398-7683 EMAIL: CONTACT@HINKLESURVEYORS.COM

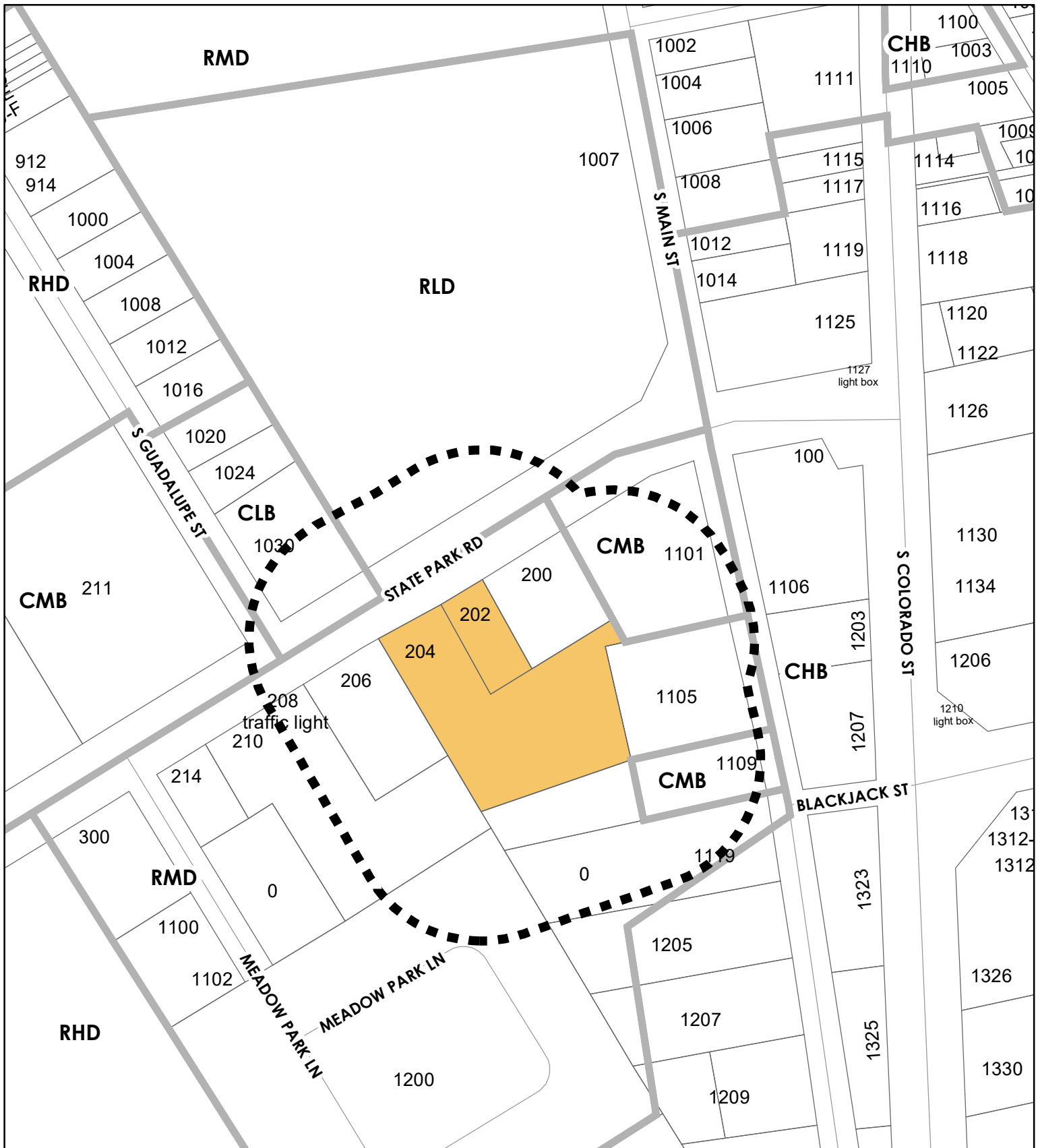


THENCE S 72 degrees 30 minutes 21 seconds W with the NW line of the above mentioned 0.449 acre tract and over and across the said 3.35 acre tract **253.93 feet** to a capped iron pin found used for basis of bearing in the SW line of the said 3.35 acre tract and the above mentioned apparent common George and Berry Survey line and the NE line of a tract of land called 1.5 acres designated as Tract III and conveyed to the said Oakview Baptist Church in the said Volume 554 Page 843 for the South corner this tract.

THENCE N 30 degrees 00 minutes 00 seconds W with the SW line of the said 3.35 acre tract and partially along the NE line of the above mentioned 1.5 acre tract and partially along the apparent NE line of the above mentioned 0.504 acre tract **307.25 feet** to the place of beginning containing **1.573 acres** of land more or less.

I hereby certify, that the foregoing field notes are a true and correct description of a survey made on the ground under my direct supervision on January 24, 2022. Only those prints containing the raised Surveyor's seal and an original "LIVE" signature should be considered official and relied upon by the user.





ZC-22-21

RMD TO RHD

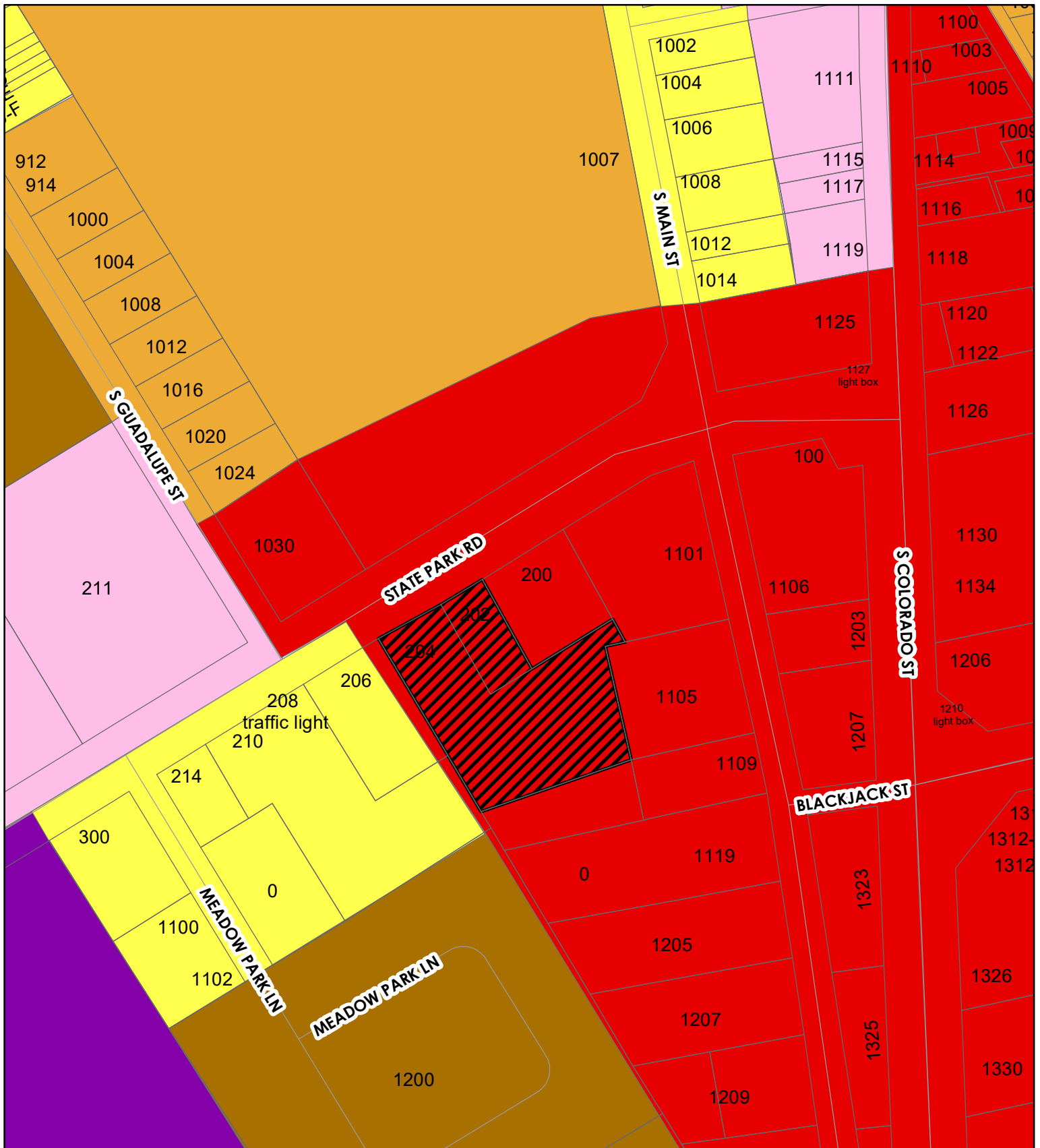
202 and 204 STATE PARK RD



scale 1" = 200'

- SUBJECT PROPERTY
- ZONING BOUNDARY
- 200 FT BUFFER





FUTURE LANDUSE

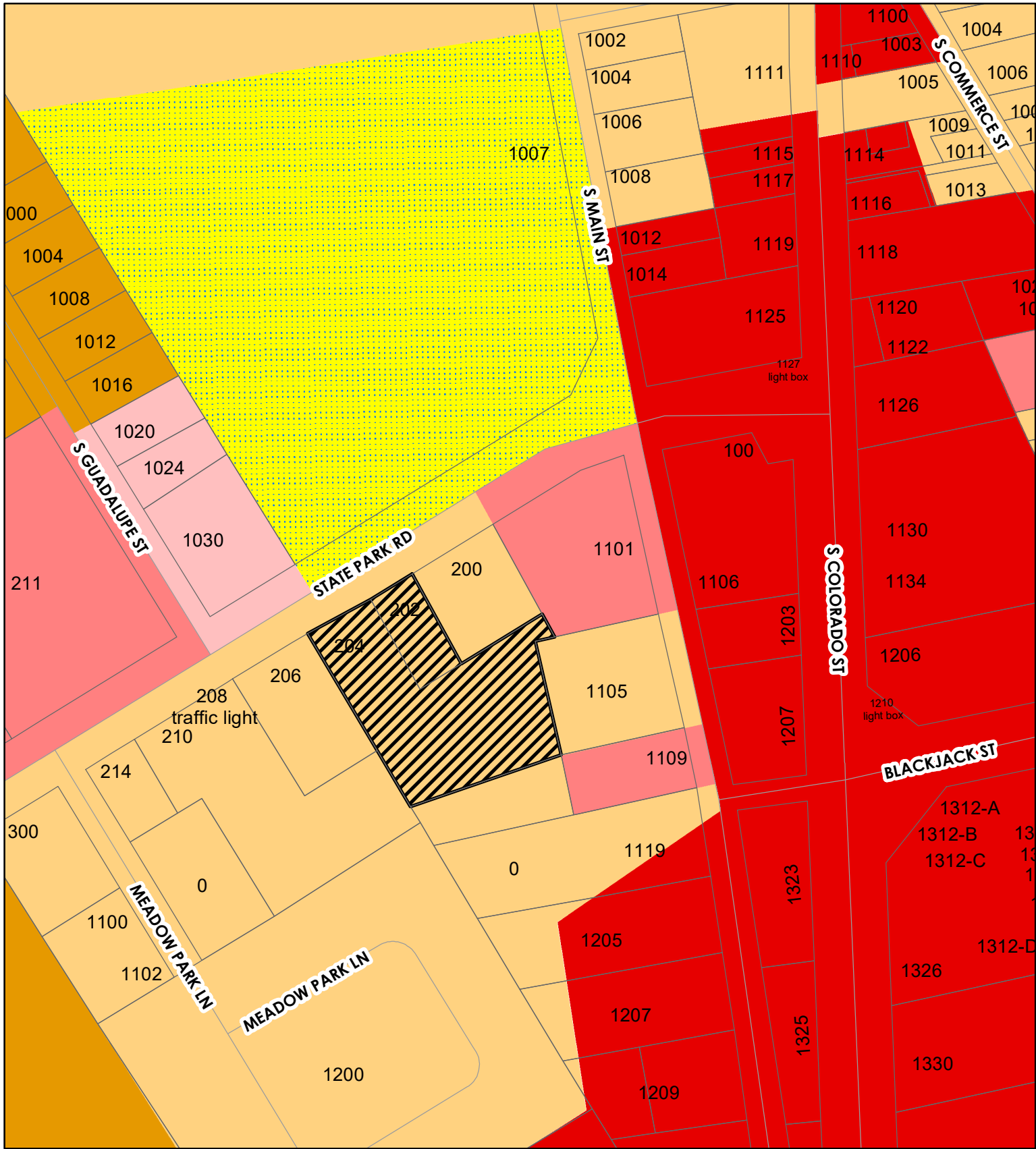
RMD TO RHD

202 and 204 STATE PARK RD



scale 1" = 200'

- GENERAL-HEAVY COMMERCIAL
- LIGHT-MEDIUM COMMERCIAL
- MIXED RETAIL, OFFICE, RESIDENTIAL
- RESIDENTIAL, HIGH DENSITY
- RESIDENTIAL, LOW DENSITY
- RESIDENTIAL, MEDIUM DENSITY



ZC-22-21

RMD TO RHD

202 and 204 STATE PARK RD



scale 1" = 200'

- ZONING DISTRICTS**
- COMMERCIAL HEAVY BUSINESS
 - COMMERCIAL LIGHT BUSINESS
 - COMMERCIAL MEDIUM BUSINESS
 - RESIDENTIAL HIGH DENSITY
 - RESIDENTIAL LOW DENSITY
 - RESIDENTIAL MEDIUM DENSITY

CASE SUMMARY

STAFF: David Fowler, Senior Planner

CASE NUMBER: ZC-22-21

REPORT DATE: September 15, 2022

PLANNING AND ZONING COMMISSION HEARING DATE: September 14, 2022

CITY COUNCIL HEARING DATE: September 20, 2022

REQUESTED CHANGE: RMD to RHD

STAFF RECOMMENDATION: **Approval**

PLANNING AND ZONING COMMISSION RECOMMENDATION: **Approval**

BACKGROUND DATA

APPLICANT: Chris Van Heerde

OWNER: Greenwood Boutique Townhomes, Inc

SITE LOCATION: 204 State Park Rd. (FM 20)

LEGAL DESCRIPTION: Metes and bounds

SIZE OF PROPERTY: 1.746 acres

EXISTING USE OF PROPERTY: Vacant land

LAND USE PLAN DESIGNATION: *General Heavy Commercial*

ANALYSIS OF ISSUES

REASON FOR REQUESTED ZONING CHANGE: The applicant would like to develop the site as a condominium development with a small number of multifamily structures. This use is not permitted in the existing RMD zoning, so RHD zoning has been requested.

AREA CHARACTERISTICS:

	Existing Use	Zoning	Future Land Use Plan
North	Vacant land, single-family residential, commercial	RLD, CLB,	<i>General-Heavy Commercial</i>
East	Vacant land, multifamily residential, commercial	RMD, CMB	<i>General-Heavy Commercial</i>
South	Vacant land, multifamily residential	AO, RHD	<i>General-Heavy Commercial</i>
West	Church, commercial	RMD	<i>Low Density Residential</i>

TRANSITION OF ZONING DISTRICTS: The area to the east is largely commercially-zoned, while the other adjacent areas are typically residential or lower-intensity commercial zones. The proposed RHD zoning district is not found adjacent to the subject parcel but is found on several nearby parcels. The proposed zoning change should not create conflicts with the zoning classifications of nearby parcels.

ADEQUACY OF INFRASTRUCTURE: Vehicular access will be available from State Park Road (FM 20). However, it is notable that the future realignment of FM 20 will run immediately south of the property's southern boundary, in order to lineup with FM 20 on Blackjack Street east of Colorado Street. Water and wastewater are both available in the State Park Road right-of-way, with an 8-inch waterline and a 10-in wastewater line both running along the south side of the street.

POTENTIAL NEIGHBORHOOD IMPACT: The surrounding area is currently in a transitional state, with many vacant lots either currently being developed or proposed to be developed soon. The nearby tracts are planned to be developed as a variety of residential and commercial densities and types, so the development of the subject property will be just one element in the changing character of the entire area. As this part of the city is developed, the greatest impact will be traffic on State Park Road, as well as the effects of shifting FM 20 southwards to eliminate the jog from State Park Road to Blackjack Street along Colorado Street. Each developer proposing access onto a state road 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 RHD zoning classification is not consistent with the *General-Heavy Commercial* future land use designation, but the subject property is located in a transition area from commercial land uses to the south and east, and more residential uses, combined with lighter commercial uses and several institutional uses such as schools and churches to the north and west, including some high-density residential areas. Therefore, the proposed RHD zoning classification represents an acceptable deviation from the comprehensive plan in terms of land use intensity, as it is a use that is found elsewhere in the areas along State Park Road.

ALTERNATIVE CLASSIFICATIONS: The zoning classification that would be most consistent with the land use plan map is CHB, Commercial Heavy Business, which is more typical of parcels closer to South Colorado Street (US 183).

RESPONSE TO NOTIFICATION: One nearby resident spoke at the Planning and Zoning Commission public hearing, who relayed concerns regarding drainage in the area. Additionally, two nearby property owners contacted staff prior to the meeting. One nearby resident detailed concern regarding increasing traffic on State Park Road, while a nearby business owner expressed concern about drainage in the area.

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 HMT Engineering & Surveying

DAY-TIME TELEPHONE 830.625.8555

E-MAIL chrisvh@hmtnb.com

OWNER NAME Greenwood Boutique Townhomes LLC

DAY-TIME TELEPHONE 512-583-5471

E-MAIL msanders@guildmortgage.com

ADDRESS 290 S Castell Ave St 100

New Braunfels, TX

78130

ADDRESS 6724 Shiva Kamini Way

Austin, TX 78754

PROPERTY

ADDRESS OR GENERAL LOCATION 204 State Park Rd Lockhart, TX

LEGAL DESCRIPTION (IF PLATTED) Meters & Bounds

SIZE 1.746 ACRE(S)

LAND USE PLAN DESIGNATION General-Highway Commercial

EXISTING USE OF LAND AND/OR BUILDING(S) Open

PROPOSED NEW USE, IF ANY Multi Family Condominiums

REQUESTED CHANGE

FROM CURRENT ZONING CLASSIFICATION Residential Medium Density

TO PROPOSED ZONING CLASSIFICATION Residential High Density

REASON FOR REQUEST The request is a change to Residential High density for the purposes of Multi-family condominiums.

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 \$ 181.20 $\Rightarrow 184.92 (3.72 \text{ short})$ 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

Christina Hendle

DATE 8/11/2022

OFFICE USE ONLY

ACCEPTED BY

D. Fowler

RECEIPT NUMBER

201170682

DATE SUBMITTED

8/12/2022

CASE NUMBER ZC

22 - 21

DATE NOTICES MAILED

8/29/2022

DATE NOTICE PUBLISHED

9-1-2022

PLANNING AND ZONING COMMISSION MEETING DATE

9/14/2022

PLANNING AND ZONING COMMISSION RECOMMENDATION

Approved

CITY COUNCIL MEETING DATE

9/20/2022

DECISION



June 20, 2022

Marshall Sanders
204 State Park Rd
Lockhart, TX 78644
msanders@guildmortgage.net

Re: Owner Authorization – 204 State Park Rd

I, Marshall Sanders III, authorize HMT Engineering & Surveying to act as my agent in the Zoning Services process with the City of Lockhart for the Residential High Density Zoning change at 204 State Park Rd, Lockhart, TX.

Thank you,

Marshall Sanders III

Marshall Sanders

Partner, Greenwood Boutique Townhomes

City of Lockhart, Texas

Council Agenda Item Cover Sheet

COUNCIL MEETING DATE: September 20, 2022

AGENDA ITEM CAPTION: Hold a PUBLIC HEARING on application ZC-22-22 by Lendi Capital Group, LLC, on behalf of Sharon Truett and discussion and/or action to consider Ordinance 2022-45 for a **Zoning Change** from *AO Agricultural Open-Space District and RLD Residential Low Density District* to *RHD Residential High Density District* on a total of 8.798 acres in the Cornelius Crenshaw Survey, Abstract No. 68, located at 1711 and 1715 West San Antonio Street (SH 142).

ORIGINATING DEPARTMENT AND CONTACT: Development Services - David Fowler

ACTION REQUESTED: Ordinance

BACKGROUND/SUMMARY/DISCUSSION: This item is a request to rezone two adjacent parcels from AO Agricultural-Open Space District and RLD Residential Low Density District to RHD Residential High Density District. The applicant intends to build an apartment complex or a similar housing development on a single lot that would be platted in the future. The site is designated as Medium Density Residential on the Future Land Use Plan map, so the proposed action is an increase in density. The property has street access to West San Antonio Street as well as a connection to a planned street within the Hansford Subdivision. The site is served by water and wastewater lines located in the West San Antonio Street right-of-way. The area around the site includes several single-family residential subdivisions, a nearby apartment complex under construction, and several existing residential and commercial developments. Further information, including the staff report, is available in the item attachments.

PROJECT SCHEDULE (if applicable): None.

AMOUNT & SOURCE OF FUNDING:

Funds Required:

Account Number:

Funds Available:

Account Name:

FISCAL NOTE (if applicable): None.

PREVIOUS COUNCIL ACTION: None.

City of Lockhart, Texas

Council Agenda Item Cover Sheet

COMMITTEE/BOARD/COMMISSION ACTION: The Planning and Zoning Commission held a public hearing regarding the zoning request at their September 14, 2022 meeting. The Commission voted unanimously to recommend approval. No nearby residents spoke during the public hearing.

STAFF RECOMMENDATION/REQUESTED MOTION: APPROVAL of the request to change the zoning from *AO Agricultural and Open Space District* and *RLD Residential Low Density District* to *RHD Residential High Density District* for 8.798 acres in the Cornelius Crenshaw Survey, Abstract Number 68, located at 1711 and 1715 West San Antonio Street.

LIST OF SUPPORTING DOCUMENTS: zc2222 ordinance, ZC2222 exhibit A, ZC2222 case map, ZC2222 aerial, ZC2222 zoning, ZC2222 future landuse, zc2222 staff report--council, ZC2222 application

ORDINANCE 2022-45

AN ORDINANCE OF THE CITY OF LOCKHART, TEXAS, AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF LOCKHART, TEXAS, TO RECLASSIFY 8.798 ACRES IN THE CORNELIUS CRENSHAW SURVEY, ABSTRACT NO. 68, LOCATED AT 1711 AND 1715 WEST SAN ANTONIO STREET (SH 142), FROM AO AGRICULTURAL-OPEN SPACE DISTRICT AND RLD RESIDENTIAL LOW DENSITY DISTRICT TO RHD RESIDENTIAL HIGH DENSITY DISTRICT.

WHEREAS, on September 14, 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-22-22, known as 8.798 acres in the Cornelius Crenshaw Survey, Abstract Number 68, More particularly described in Exhibit A, located at 1711 and 1715 West San Antonio Street, will be reclassified from AO Agricultural-Open Space District and RLD Residential Low Density District to RHD Residential High Density 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 20th DAY OF SEPTEMBER, 2022

CITY OF LOCKHART

Lew White, Mayor

ATTEST:

APPROVED AS TO FORM:

Connie Constancio, TRMC, City Secretary

Monte Akers, City Attorney

EXHIBIT A

LEGAL DESCRIPTION: Being 8.798 acres of land out of Cornelius Crenshaw Survey, Abstract No.68 in Caldwell County, Texas and being a combination of that certain 4.052 acre tract described in Volume 336, Page 480 of the Deed Records of said Caldwell County, Texas; Said 8.798 acre tract being more particularly described as follows and as surveyed under the supervision of Cross Texas Land Services Inc in August 2022:

BEGINNING at a concrete highway monument found in the north line of State Highway No. 142 for the southeast corner of that certain 46.541 acre tract described in Doc. #2021-004314 of the Official Public Records of said Caldwell County, Texas and the south corner hereof;

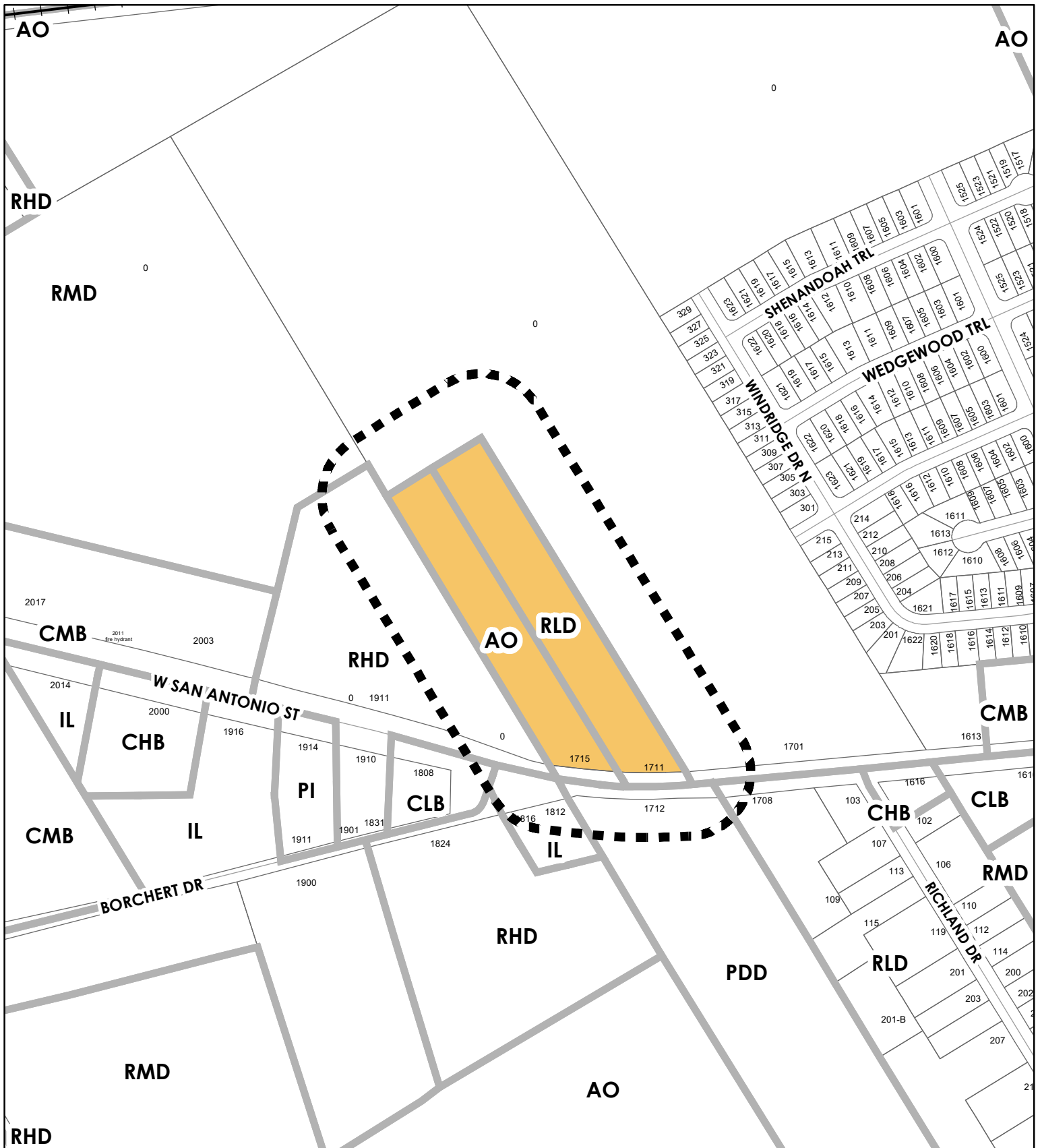
THENCE North 31°16'25" West a distance of 971.34 feet along the northeast line of said 46.541 acre tract to a ½" iron rod with cap found for a corner of that certain 50.745 acre tract described in Doc. #2022-004598 of the Official Public Records and the west corner hereof;

THENCE along the southwest line of said 50.745 acre tract, the following 2 courses:

1. North 58°52'57" East a distance of 349.91 feet to a 1" iron pipe found for the north corner hereof;
2. South 31°13'50" East a distance of 1202.06 feet to a ½" iron rod with cap set in the northwest line of said Highway for a corner of said 50.745 acre tract and the east corner hereof;

THENCE along the north line of said Highway with a curve turning to the right, with an arc length of 419.85 feet, with a radius of 1794.33 feet, with a chord of North 87°41'47" West a distance of 418.90 feet to the **POINT OF BEGINNING** containing 8.798 acres or less, and as shown hereon.

Note: Bearings, distances and acreage shown hereon are NAD 83, Texas South Central Zone and are derived from GPS techniques. Iron Rod set are 1/2 inch rod with plastic caps marked "CTLS".



ZC-22-22

AO & RLD TO RHD

1711 & 1715 W SAN ANTONIO ST



SUBJECT PROPERTY

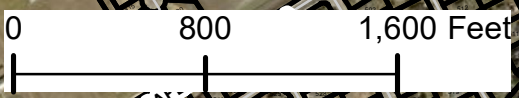
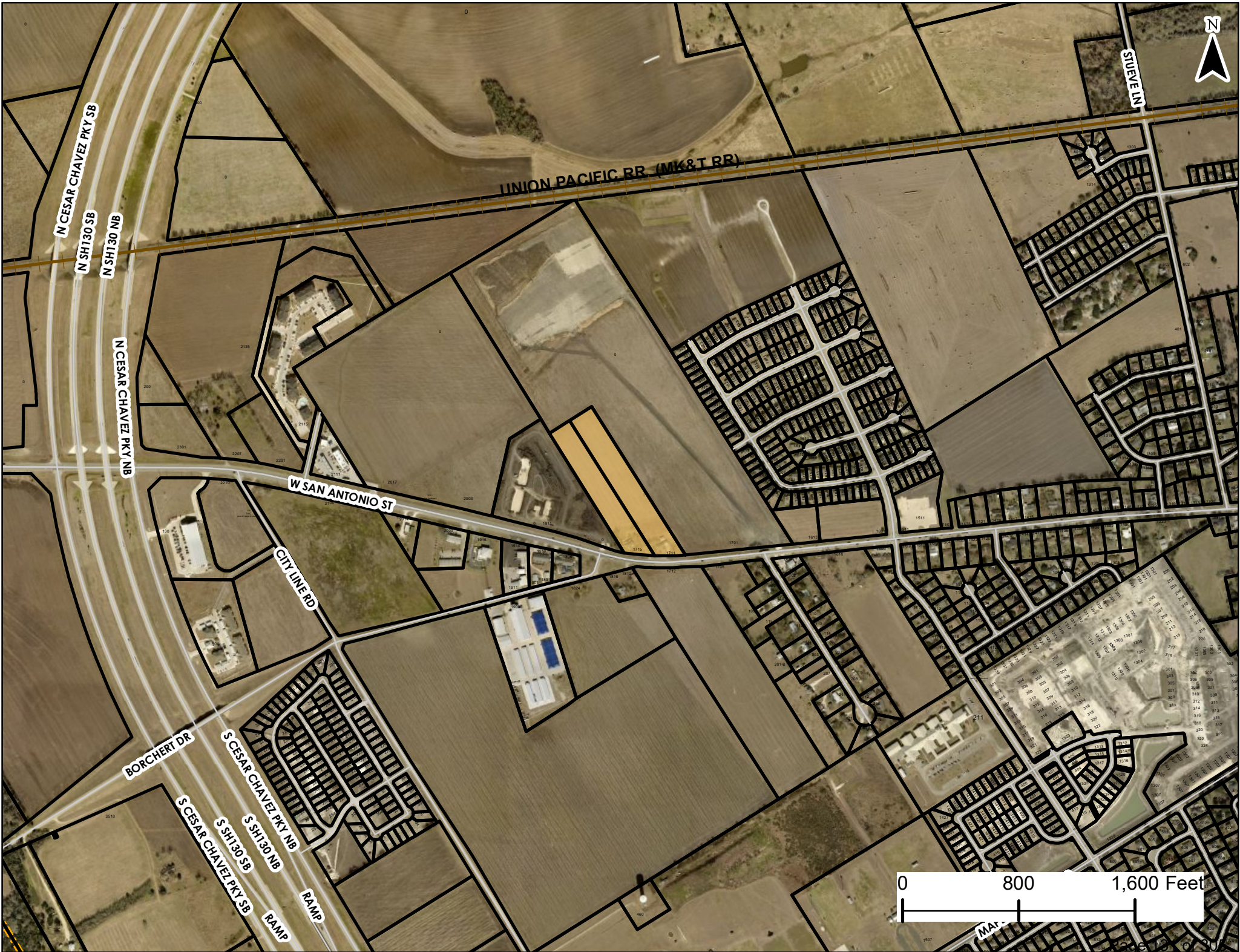


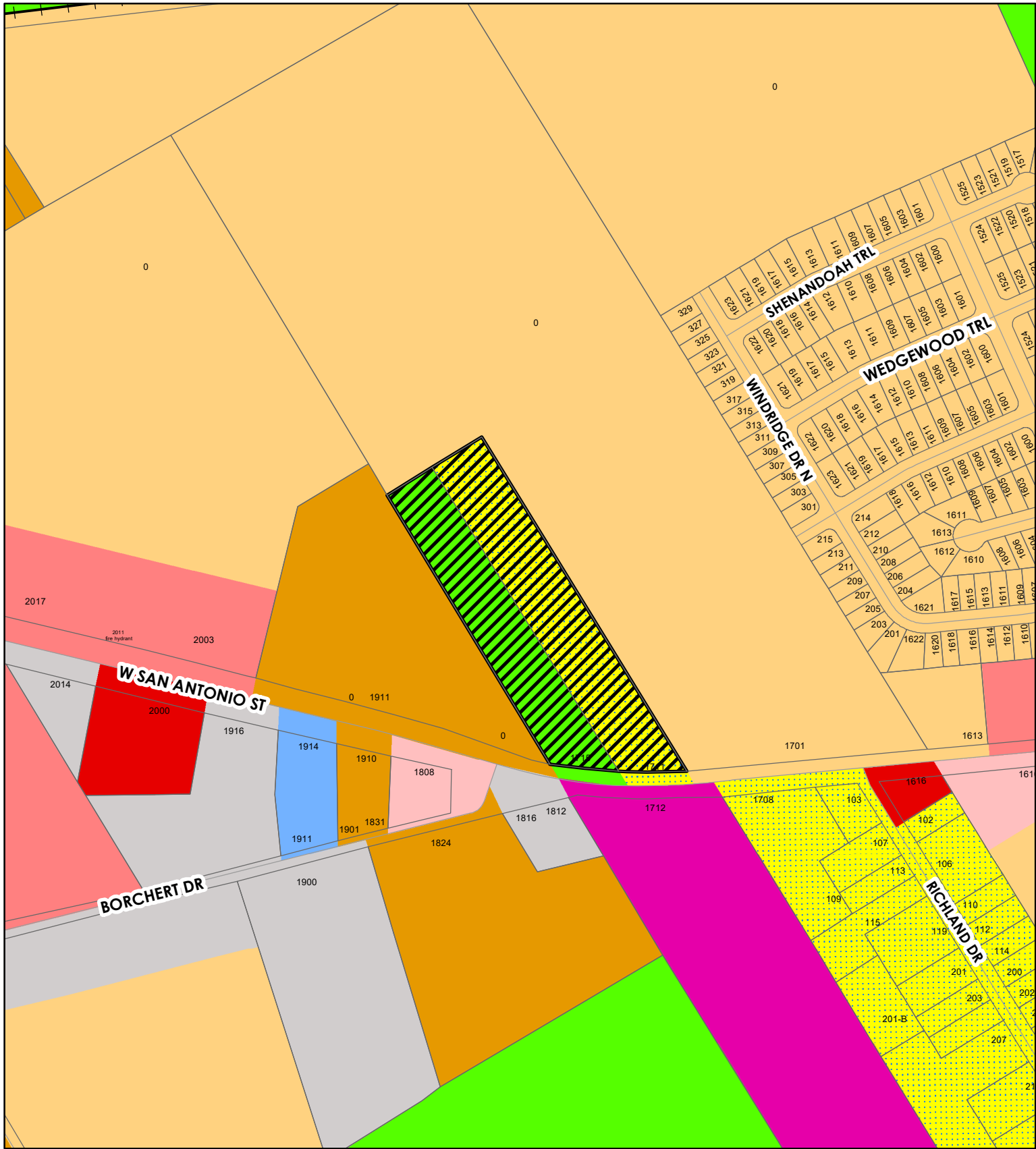
ZONING BOUNDARY



200 FT BUFFER

scale 1" = 400'





ZC-22-22

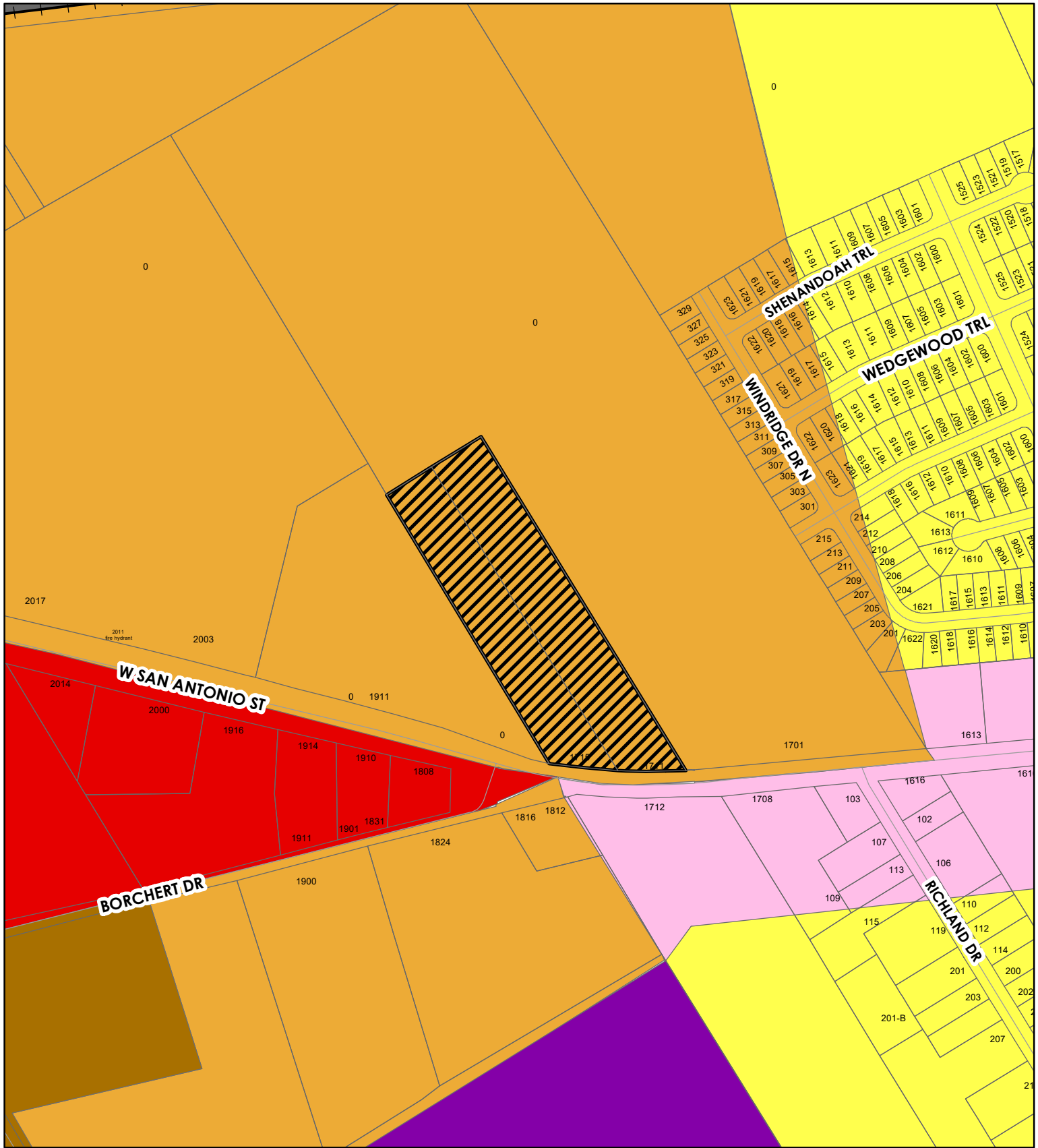
AO & RLD TO RHD

1711 & 1715 W SAN ANTONIO ST

scale 1" = 400'



- ZONING DISTRICTS**
- AGRICULTURAL-OPEN SPACE
 - COMMERCIAL HEAVY BUSINESS
 - COMMERCIAL LIGHT BUSINESS
 - COMMERCIAL MEDIUM BUSINESS
 - INDUSTRIAL LIGHT
 - PLANNED DEVELOPMENT
 - PUBLIC AND INSTITUTIONAL
 - RESIDENTIAL HIGH DENSITY
 - RESIDENTIAL LOW DENSITY
 - RESIDENTIAL MEDIUM DENSITY



FUTURE LANDUSE

AO & RLD TO RHD

1711 & 1715 W SAN ANTONIO ST



scale 1" = 400'

- GENERAL-HEAVY COMMERCIAL
- INDUSTRY
- LIGHT-MEDIUM COMMERCIAL
- MIXED RETAIL, OFFICE, RESIDENTIAL
- RESIDENTIAL, HIGH DENSITY
- RESIDENTIAL, LOW DENSITY
- RESIDENTIAL, MEDIUM DENSITY

CASE SUMMARY

STAFF: David Fowler, Senior Planner

CASE NUMBER: ZC-22-22

REPORT DATE: September 8, 2022

PLANNING AND ZONING COMMISSION HEARING DATE: September 14, 2022

CITY COUNCIL HEARING DATE: September 20, 2022

REQUESTED CHANGE: AO and RLD to RHD

STAFF RECOMMENDATION: **Approval**

PLANNING AND ZONING COMMISSION RECOMMENDATION: **Approval**

BACKGROUND DATA

APPLICANT: Madhu Andanamala, Lendi Capital Group

OWNER: Sharon Truett

SITE LOCATION: 1711 and 1715 West San Antonio Street

LEGAL DESCRIPTION: Metes and bounds

SIZE OF PROPERTY: 8.798 acres

EXISTING USE OF PROPERTY: Residential/agricultural

LAND USE PLAN DESIGNATION: *Medium Density Residential*

ANALYSIS OF ISSUES

REASON FOR REQUESTED ZONING CHANGE: The subject property is in the process purchased by the applicant with the intent of developing as a multi-family residential complex. Neither of the two zoning districts on the site allows for this use, so the zoning change has been requested to RHD, which does allow the use.

AREA CHARACTERISTICS:

	Existing Use	Zoning	Future Land Use Plan
North	Vacant Land	RMD	<i>Medium Density Residential</i>
East	Vacant land	RMD	<i>Medium Density Residential</i>
South	Vacant land, residential	PDD, LI, RLD	<i>Light-Medium Commercial, Medium Density Residential</i>
West	Multifamily residential, vacant land	IL	<i>Medium Density Residential</i>

TRANSITION OF ZONING DISTRICTS: The area immediately west of the subject parcel shares the same RHD zoning and is currently being developed as an apartment complex. A larger tract to the east and north is the site of a single-family residential development zoned RMD. Where RHD abuts one of the other residential zoning districts, an opaque fence must be constructed at the property line. RHD also can be found south of West San Antonio Street, as can a PDD-zoned area where 80 duplex buildings will be constructed on a single lot, in a manner similar to development in an RHD-zoned area. There is one Residential Low Density (RLD) district southeast of West San Antonio Street from the property and an area of AO (Agricultural-Open Space district) south of Borchert Drive. Altogether, the proposed zoning should not create any conflicts between adjoining or nearby zoning districts.

ADEQUACY OF INFRASTRUCTURE: All City utilities are available and adequate. Vehicular access is available from West San Antonio Street and from a stub street that will be created in the Hansford Subdivision. Any driveway onto a state road will require TxDOT approval.

POTENTIAL NEIGHBORHOOD IMPACT: Considering the mixture of existing land uses, zoning classifications, and future land use designations on the Land Use Plan map in the area around the property, the characteristics of multi-family residential would not have unusually adverse impacts. Zoning standards will require the development to be screened with an opaque fence or wall where it abuts the existing RMD zoning on the east and north sides.

CONSISTENCY WITH COMPREHENSIVE PLAN: The proposed RHD zoning classification is not entirely consistent with the Land Use Plan map, which designates the subject property as *Medium Density Residential*. However, the two zoning classifications are only one step apart in terms of density ranges. There are several areas designated for High Density Residential in nearby locations along the West San Antonio Street corridor.

ALTERNATIVE CLASSIFICATIONS: RMD would be consistent with the Land Use Plan map but would not permit the intended apartment use.

RESPONSE TO NOTIFICATION: None.

STAFF RECOMMENDATION: Staff believes that the proposed rezoning to RHD is an acceptable solution for the subject property given the wide range of existing land uses and zoning classifications in the area, the property's shape, and the property's location along the busy West San Antonio Road frontage.

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 Lendi Capital Group, LLC
(Madhu Andanamala)
DAY-TIME TELEPHONE (832) 909-4920
E-MAIL mandanamala@yahoo.com

ADDRESS Lendi Capital Group, LLC
26603 Clear Mill Ln
Katy, Tx 77494

OWNER NAME Sharon Truett
DAY-TIME TELEPHONE (512) 848-2302
E-MAIL satruett1@yahoo.com

ADDRESS Sharon Truett
1715 W San Antonio St
Lockhart, Tx 78644

PROPERTY

ADDRESS OR GENERAL LOCATION 1711 & 1715 W. San Antonio St
LEGAL DESCRIPTION (IF PLATTED) _____
SIZE 8.798 ACRE(S) LAND USE PLAN DESIGNATION Residential, Medium Density
EXISTING USE OF LAND AND/OR BUILDING(S) Residential & Agriculture
PROPOSED NEW USE, IF ANY Multi-Family

REQUESTED CHANGE

FROM CURRENT ZONING CLASSIFICATION Agricultural-Open Space & Residential Low Density
TO PROPOSED ZONING CLASSIFICATION Residential High Density
REASON FOR REQUEST Construct an apartment complex. We feel that based on
surrounding zonings, Residential High Density (W) and Residential Medium
Density (N & E), this zoning fits the uses of the area.

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 \$ 325.96 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  A. Madhu DATE 08/24/2022
8/24/2022 2:41:31 PM GMT

OFFICE USE ONLY

ACCEPTED BY D. Fowler RECEIPT NUMBER Roll 72655
 DATE SUBMITTED 8/24/2022 CASE NUMBER ZC - 22 - 22
 DATE NOTICES MAILED 8-29-2022 DATE NOTICE PUBLISHED 9-1-2022
 PLANNING AND ZONING COMMISSION MEETING DATE 9-14-2022
 PLANNING AND ZONING COMMISSION RECOMMENDATION Approval
 CITY COUNCIL MEETING DATE 9-20-2022
 DECISION _____

Sharon Truett
1715 W. San Antonio Street
Lockhart, TX 78644

August 18, 2022

Mr. David Fowler
City of Lockhart Development Services
308 W. San Antonio Street
Lockhart, TX 78644

RE: A068 Crenshaw, Cornelius, Acres 4.8, City of Lockhart, Caldwell County, TX
AND A068 Crenshaw, Cornelius, Acres 4.052, City of Lockhart, Caldwell County, TX
ALSO KNOWN AS 1711 and 1715 West San Antonio Street, Lockhart, TX 78644

Dear Mr. Fowler,

The subject property is currently under contract for sale to Lendi Capital Group, LLC and or assigns. I authorize this prospective buyer to make an application to zone or rezone the property at their expense to the appropriate zoning for their intended use.

The Lendi Capital Group principals may delegate this process to their assigns; likely an engineer.

If you have questions, you may contact me at 512-848-2302. The Broker representing me in this transaction is Amelia Smith with Countywide Realty. Her phone no. is 512-787-5180.

Sincerely,

DocuSigned by:

Sharon Truett
E0A5E599E77045C
Sharon Truett

City of Lockhart, Texas

Council Agenda Item Cover Sheet

COUNCIL MEETING DATE: September 20, 2022

AGENDA ITEM CAPTION: Hold a PUBLIC HEARING and consider Ordinance 2022-46 Amending Chapter 64 “Zoning” of the Lockhart Code of Ordinances, as follows: 1) Modify the definition of *Patio home* in Article I “General”, Section 64-2 “Definitions”; 2) Modify selected text in the *Min. Building Setback From Property Line (ft.)* column for the PH-1 and PH-2 development types in Appendix I “Specific Requirements For Residential Development Types”; 3) Delete selected text in the *Remarks* column for the PH-1 and PH-2 development types in Appendix I “Specific Requirements For Residential Development Types”; and, 4) Increase the building height in the *Maximum Height – Stories/Feet* column for the IL Industrial Light District from 40 feet to 50 feet in Appendix II, “Specific Requirements For Commercial Districts”, Subsection “Specific Requirements For All Other Districts”.

ORIGINATING DEPARTMENT AND CONTACT: Development Services - Dan Gibson

ACTION REQUESTED: Ordinance

BACKGROUND/SUMMARY/DISCUSSION: There are currently no patio homes, which are also known as zero-lot-line homes or garden homes, developed in Lockhart. They are a form of detached single-family dwelling where the exterior wall on one side of the structure is located on the side property line instead of having a standard building setback, and the exterior wall on the opposite side is set back twice or more the usual minimum building setback. This allows for a more usable side yard on one side, typically in the form of a patio or court. Because the side wall that is on the property line must meet stricter fire code standards, and to maintain privacy for the adjoining lot’s patio area, it does not contain any windows or doors. As viewed from the street, patio homes appear the same as standard detached single-family dwellings, and no one would know the difference unless the side lot lines were painted on the ground.

A development was recently proposed that would include patio homes, among other uses. However, the definition of *Patio home* in Section 64-2, and some of the standards for the PH-1 and PH-2 patio home residential development types listed in Appendix I, are not consistent with the commonly accepted patio home form of housing. In addition, the existing provisions limit construction of new patio homes to lots existing prior to the date of adoption of the original version of the current zoning ordinance in 1990, therefore effectively prohibiting them in any new subdivisions. This ordinance will make the necessary changes to facilitate construction of the PH-1 and PH-2 patio home residential development types in Lockhart.

City of Lockhart, Texas

Council Agenda Item Cover Sheet

In addition to addressing deficiencies in the zoning provisions for patio homes, this ordinance also proposes to increase the maximum building height in the IL Industrial Light District from 40 feet to 50 feet. A prospective industrial business in the new industrial park, which is zoned IL, needs a building over 40 feet tall, but less than 50 feet tall, to accommodate their production and storage functions. This zoning text amendment is an appropriate means of addressing the situation if the City Council determines that a ten-foot increase in the allowable building height is not a significant difference within the context of industrial development. The current maximum building height in the IH Industrial Heavy District will remain 60 feet.

The proposed zoning text amendments are explained in more detail in the attached memo and supporting exhibits.

PROJECT SCHEDULE (if applicable): Not applicable.

AMOUNT & SOURCE OF FUNDING:

Funds Required:

Account Number:

Funds Available:

Account Name:

FISCAL NOTE (if applicable): Not applicable.

PREVIOUS COUNCIL ACTION: A more limited version of this agenda item was on the Council's September 6th agenda, but was withdrawn by staff due to the need to readvertise the public hearing so that more content could be added.

COMMITTEE/BOARD/COMMISSION ACTION: At their September 14th meeting, the Planning and Zoning Commission unanimously recommended APPROVAL of all of the proposed zoning text amendments.

STAFF RECOMMENDATION/REQUESTED MOTION: Staff recommends approval of Ordinance 2022-46 amending Chapter 64 "Zoning" of the Lockhart Code of Ordinances.

LIST OF SUPPORTING DOCUMENTS: Patio home amendment Ordinance 2022-46, 09-15-22 text amendment memo for CC, Section 64-2, Appendix I, and Appendix II amendments 2022, Existing patio home definition, Existing Appendix I, Existing Appendix II

ORDINANCE 2022-46

AN ORDINANCE OF THE CITY OF LOCKHART, TEXAS, AMENDING CHAPTER 64 “ZONING”, OF THE CODE OF ORDINANCES, AS FOLLOWS, TO: 1) MODIFY THE DEFINITION OF *PATIO HOME* IN ARTICLE I “GENERAL”, SECTION 64-2 “DEFINITIONS”; 2) MODIFY SELECTED TEXT IN THE *MIN. BUILDING SETBACK FROM PROPERTY LINE (FT.)* COLUMN FOR THE PH-1 AND PH-2 DEVELOPMENT TYPES IN APPENDIX I “SPECIFIC REQUIREMENTS FOR RESIDENTIAL DEVELOPMENT TYPES”; 3) DELETE SELECTED TEXT IN THE *REMARKS* COLUMN FOR THE PH-1 AND PH-2 DEVELOPMENT TYPES IN APPENDIX I “SPECIFIC REQUIREMENTS FOR RESIDENTION DEVELOPMENT TYPES”; AND, 4) INCREASE THE BUILDING HEIGHT IN THE *MAXIMUM HEIGHT – STORIES/FEET* COLUMN FOR THE IL INDUSTRIAL LIGHT DISTRICT FROM 40 FEET TO 50 FEET IN APPENDIX II “SPECIFIC REQUIREMENTS FOR COMMERCIAL DISTRICTS”, SUBSECTION “SPECIFIC REQUIREMENTS FOR ALL OTHER DISTRICTS”; PROVIDING FOR SEVERABILITY; PROVIDING A REPEALER; PROVIDING FOR PENALTY; PROVIDING FOR PUBLICATION; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, there are currently no patio homes in Lockhart, although developers have shown interest in constructing them in subdivisions; and,

WHEREAS, patio homes are a form of detached single-family dwelling, also known as zero-lot-line or garden homes, where the exterior wall on one side of the structure is locate on the side property line instead of having a standard building setback, while the exterior wall on the opposite side is set back twice or more the usual minimum building setback; and,

WHEREAS, the exterior wall that is on the side property line has no openings, while the yard on the opposite side typically contains a patio or courtyard; and,

WHEREAS, as viewed from the street, patio homes appear the same as standard detached single-family dwellings; and,

WHEREAS, the existing definition of *Patio home* in Section 64-2 does not clearly describe the characteristics of a patio home to distinguish it from a standard detached single-family dwelling, and limits patio homes to “presently existing small lots within the city”, thereby prohibiting the patio home residential development type in new subdivisions; and,

WHEREAS, the text in the *Minimum Building Setback From Property Line* column in Appendix I for the side setbacks of the PH-1 and PH-2 patio home residential development types is not consistent with the *Patio home* development type as proposed to be defined; and,

WHEREAS, the text in the *Remarks* column in Appendix I for the PH-1 and PH-2 patio home residential development types currently states that manufactured homes are allowed, although no manufactured homes, defined as constructed to the HUD code, meet the fire code standards for being located with an exterior wall on the side property line, and therefore cannot be a patio home; and,

WHEREAS, the text in the *Remarks* column in Appendix I currently states that the PH-1 and PH-2 residential development types are allowed only on lots existing prior to the date of Ordinance No. 90-30, and therefore are prohibited in new subdivisions; and,

WHEREAS, the definition of *Patio home* in Section 64-2, and the standards for the PH-1 and PH-2 residential development types in Appendix 1, must be amended if patio homes are to be properly described and allowed on lots in subdivisions platted after the adoption of Ordinance 90-30 in 1990; and,

WHEREAS, an industrial business prospect requires a building height taller than 40 feet, but less than 50 feet, for their proposed site that is zoned IL Industrial Light District; and,

WHEREAS, the *Maximum Height – Stories/Feet* column in Appendix II for the IL zoning classification limits the maximum height of buildings to 40 feet; and,

WHEREAS, an increase in the maximum building height limit in Appendix II for the IL zoning classification from 40 feet to 50 feet is the most appropriate means of facilitating the construction of buildings in the IL district that need to be between 40 and 50 feet tall due to the necessary internal functions of certain types of manufacturing and warehouse businesses; and,

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

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

- I. The foregoing recitals are approved and adopted herein for all purposes.
- II. Chapter 64 “Zoning”, Article I “General”, is hereby amended as follows, with all existing provisions not shown remaining unchanged:

Sec. 64-2. Definitions.

Patio home: A residential single-family detached development type where one side wall of the dwelling abuts the property line and has no doors, windows, or other openings, while the opposite side of the dwelling has a larger than normal side yard that typically contains a patio or courtyard. The exterior wall abutting the common side property line with an adjacent patio home faces the patio or courtyard of the adjacent patio home. This development type is also known as a zero-lot-line home or garden home.

- III. Chapter 64 “Zoning”, Appendix I “Specific Requirements For Residential Development Types”, is hereby amended as follows, with all existing provisions not shown remaining unchanged:

The *Min. Building Setback From Property Line (ft.)* column of the table for the “PH-1 Patio home – 1” residential development type, is changed to:

“Zero on one side, 10 on opposite side”

The *Remarks* column of the table for the PH-1 Patio home – 1 and the PH-2 Patio home – 2 residential development types, is changed to:

“When a corner lot, the street setback shall be 20 ft. minimum on one street and 15 ft. minimum on the other. Structures shall not have common walls.”

IV. Chapter 64 “Zoning”, Appendix IL “Specific Requirements for Commercial Districts”, Subsection “Specific Requirements For All Other Districts”, is hereby amended as follows, with all existing provisions not shown remaining unchanged:

The *Maximum Height – Stories/Feet* column of the table for the “IL Industrial Light District”, is changed to:

“50”

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

VI. 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.

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

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

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

**PASSED, APPROVED, AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF LOCKHART, TEXAS,
ON THIS THE 20th DAY OF SEPTEMBER, 2022.**

CITY OF LOCKHART

Lew White
Mayor

ATTEST:

Connie A. Constancio, TRMC
City Secretary

APPROVED AS TO FORM:

Monte Akers
City Attorney

MEMORANDUM

TO: Mayor and City Council
FROM: Dan Gibson, City Planner
DATE: September 15, 2022
SUBJECT: Zoning Text Amendments

A simpler version of this item was on the Council's September sixth agenda, but staff had withdrawn it due to the need to readvertise the public hearing to add more content to the proposed zoning text amendment. There are now four parts to it, and three of them concern patio homes, which are also known as zero-lot-line or garden homes. Refer to the attached annotated version of the proposed changes, whereby added text is underlined and deleted text is crossed-out.

Both the definition of *Patio home*, and the text in the *Remarks* and the *Min. Building Setback From Property Line* columns for the PH-1 and PH-2 residential development types in the Appendix I table, are not appropriate for current application of the patio home development types. The definition limits patio homes to only "presently existing small lots within the city", and doesn't actually explain what differentiates that residential development type from standard detached single-family dwellings. Likewise, the *Remarks* column in Appendix I states that the PH-1 and PH-2 development types are "allowed only on lots existing prior to the date of Ordinance No. 90-30", which is when the current zoning ordinance was originally adopted in 1990. Therefore, these provisions effectively prohibit patio homes on lots in new subdivisions. If new patio homes are to be constructed, the provision in the *Remarks* column must be deleted and the definition of *Patio home* must be modified.

There is also a provision in the *Remarks* column for the PH-1 and Ph-2 residential development types stating that manufactured housing is allowed. Manufactured housing is a totally different type of use that is not even listed as a residential development type in Appendix I. Patio homes, by definition, have one side wall that has no openings, and are constructed to a higher fire code standard than manufactured homes. There are no manufactured homes, defined as constructed to the HUD code, that would be allowed to be located with an exterior wall on the side property line. The remaining text in the *Remarks* column can be left unchanged.

The minimum side building setback listed in the *Min. Building Setback From Property Line (ft.)* column for the PH-1 development type is listed as "Same as above or 10 ft. on 1 side only". "Same as above" is 5 (five feet) for the SF-2 development type. Five feet is not an option for patio homes. One exterior wall is located abutting the side property line (zero setback), while the other one is typically twice the normal side setback, which would be ten feet in this case. Therefore, this provision should be amended to state "Zero on one side, 10 on the opposite side". No change is needed for the PH-2 development type since the side setback is listed as "Same as above", which is the PH-1 district.

The last amendment is to increase the maximum building height in the IL Industrial Light District, which is in the *Maximum Height – Stories/Feet* column in the Appendix II table. The proposed change is to increase the height limit from 40 feet to 50 feet. This was prompted by a building over 40 feet tall being planned for construction on a lot in the new industrial park, which is zoned IL. Fifty feet is an acceptable height in an industrial district, and is still lower than the 60-foot limit in the IH district.

Chapter 64 – ZONING

ARTICLE I. GENERAL

Sec. 64-2. Definitions.

Patio home: A residential single-family detached development type where one side wall of the dwelling abuts the property line and has no doors, windows, or other openings, while the opposite side of the dwelling has a larger than normal side yard that typically contains a patio or courtyard which provides for utilization of presently existing small lots within the city. The exterior wall abutting the common side property line with an adjacent patio home faces the patio or courtyard of the adjacent patio home. This development type is also known as a ~~term includes~~ zero-lot-line home, or garden home, and other similar dwellings.

Patio-home: A residential single-family detached development type where one side wall of the dwelling abuts the property line and has no doors, windows, or other openings, while the opposite side of the dwelling has a larger than normal side yard that typically contains a patio or courtyard. The exterior wall abutting the common side property line with an adjacent patio home faces the patio or courtyard of the adjacent patio home. This development type is also known as a zero-lot-line home or garden home. [**Clean version**]

APPENDIX I. SPECIFIC REQUIREMENTS FOR RESIDENTIAL DEVELOPMENT TYPES

In the *Min. Building Setback From Property Line (ft.)* column of the table for the PH-1 Patio home – 1 residential development type, amend the text as follows:

~~Same as above or 10 ft. on 1 side only~~ Zero on one side, 10 on opposite side

In the *Remarks* column of the table for the PH-1 Patio home – 1 and the PH-2 Patio home – 2 residential development types, amend the text as follows:

~~Manufactured housing allowed.~~ When a corner lot, the street setback shall be 20 ft. minimum on one street and 15 ft. minimum on the other. Structures shall not have common walls. ~~This development type is allowed only on lots existing prior to the date of Ordinance No. 90-30.~~

APPENDIX II. SPECIFIC REQUIREMENTS FOR COMMERCIAL DISTRICTS

SPECIFIC REQUIREMENTS FOR ALL OTHER DISTRICTS

In the *Maximum Height – Stories/Feet* column of the table for the IL Industrial Light District, change the 40 to 50 so that the maximum building height is 50 feet.

longterm lease or rent to the public for the placement of manufactured homes, and which may include private streets, buildings, and other facilities and services for common use by the residents, in conformance with chapter 34 of this Code.

Manufactured home subdivision: A division of land not less than five acres in size for the purpose of sale of two or more lots intended to be developed with residential units including manufactured homes, and having all necessary public utilities, streets, and other facilities required by chapter 52 of this Code.

Mobile home: A structure that was constructed before June 15, 1976, transportable in one or more sections, which in the traveling mode is eight body feet or more in width or 40 body feet or more in length, or when erected on site is 320 or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air conditioning, and electrical systems. The term does not include recreational vehicles as defined in this section.

Modular dwelling: A prefabricated single-family or duplex dwelling assembled on a permanent foundation that is not a manufactured home, as defined in this section, and has been constructed and inspected so that it complies with the Texas Industrialized Housing and Buildings Act as administered by the Texas Department of Licensing and Regulation, and which complies with the International Residential Code as currently adopted by the City of Lockhart. Modular dwellings shall be considered the same as the corresponding site-built single-family or duplex residential development types for the purpose of regulation under this chapter, subject to the additional requirements of subsection 64-200(c).

Motel: See *Hotel*.

Multifamily: A residential development type which provides for five or more dwelling units within a single principal structure. Separate ownership of one or more units shall constitute a condominium. This term includes and is synonymous with apartment.

Nonconforming building: Any building, or part thereof, lawfully existing or occupied at the effective date of this chapter [April 15, 1990] that does not comply, after the passage of this chapter, with the height, yard, or coverage area regulations of the district in which it is located.

Nonconforming lot: Any lot lawfully existing at the effective date of this chapter [April 15, 1990,] that does not comply, after the passage of this chapter, to the width, depth, and area regulations of the zoning district in which it is located.

Nonconforming use: Any use lawfully existing at the effective date of this chapter [April 15, 1990] that does not comply, after the passage of this chapter, with the use, parking, loading, or screening regulations of the district in which it is located.

Patio home: A residential single-family development type which provides for utilization of the presently existing small lots within the city. This term includes zero-lot-line home, garden home, and other similar dwellings.

APPENDIX I. SPECIFIC REQUIREMENTS FOR RESIDENTIAL DEVELOPMENT TYPES

Development Type	Max. Dwelling Units Per Structure	Min. Lot Area (sq. ft.)	Max. Dwelling Units per Gross Acre (Note 4)	Min. Lot Dimensions (ft.) Width Depth (Note 1)	Max. Percent Lot Coverage With Buildings	Min. Building Setback From Property Line (ft.)			Max. Height Stories Feet	Min. Off-Street Parking Spaces per Dwelling Unit Excluding Garages (Note 3)	Remarks
						Street (Note 10)	Side (Note 2)	Rear			
SF-1 Single-family 1	1	8,500	5	$\frac{65}{120}$	30	25	7.5	10	2.5 stories	2, plus 1 for each additional bedroom over 3 per dwelling unit	When a corner lot, the street setback shall be 25 ft. minimum on one street, and 15 minimum on the other.
SF-2 Single-family 2	1	5,500	7	$\frac{50}{105}$	40	20	5	Same as above	Same as above	Same as above	When a corner lot, the street setback shall be 20 ft. minimum on one street, and 15 ft. minimum on the other.
DF-1 Duplex-family 1	2	8,500	10	$\frac{65}{120}$	Same as above	25	Same as above	Same as above	Same as above	Same as above	Same as for SF-1
DF-2 Duplex-family 2	2	6,000	14	$\frac{50}{105}$	50	20	Same as above	Same as above	Same as above	Same as above	Same as for SF-2
PH-1 Patio home-1	1	5,000	9	$\frac{50}{100}$	30	20	Same as above or 10 ft. on 1 side only	20	1.5	Same as above	Manufactured housing allowed. When a corner lot, the street setback shall be 20 ft. minimum on one street and a 15 ft. minimum on the other. Structures shall not have common walls. This development type is allowed only on lots existing prior to the date of Ordinance No. 90-30.
PH-2 Patio home-2	1	3,200	12	$\frac{40}{80}$	40	Same as above	Same as above	Same as above	Same as above	Same as above	

District	Minimum Lot area (sq. ft.)	Minimum Lot Dimensions (ft.) Width Depth (Note 1)	Maximum Lot Coverage with Structures	Minimum Building Setback from Property Line (ft.)			Maximum Height Stories Feet (Note 5)	Off-Street Parking Spaces Required (Note 7)	Remarks
				Street	Side (Note 2)	Rear			
MH Manufactured Home (Note 9)	7,000	65/100	30	25	7.5 each side abutting another lot	10	2	2, plus 1 for each additional bedroom over 3 (Note 3)	On corner lots, the street setback shall be 25 ft. minimum on one street and 15 ft. minimum on the other street. See Chapter 34, Code of Ordinances for manufactured home parks.
IL Industrial-Light	6,500	$\frac{60}{105}$	50	25	10	10	$\frac{40}{40}$	1 per each 1,000 sq. ft. of gross floor area	Note 6
IH Industrial-Heavy	8,000	$\frac{70}{110}$	50	1 per each 1,000 sq. ft. of gross floor area	15	15	$\frac{60}{60}$	1 per each 1,000 sq. ft. of gross floor area	Note 6
PDD Planned Development	5 acres	N/A	N/A	N/A	N/A	N/A	N/A	N/A	See section 64-199.

(Ord. No. 90-03, pt. 2, 3-6-90; Ord. No. 93-20, pt. 2, 10-19-93; Ord. No. 94-03, pt. 1(9), 2-1-94; Ord. No. 95-07, pt. 1(G), 11-7-95; Ord. No. 97-21, § VI, 10-7-97; Ord. No. 97-34, § II, 12-16-97)

Note—Notes 1 through 10 are set out following this appendix.

City of Lockhart, Texas

Council Agenda Item Cover Sheet

COUNCIL MEETING DATE: September 20, 2022

AGENDA ITEM CAPTION: Approve Resolution 2022-33 extending the Depository Agreement with First Lockhart National Bank for the period October 15, 2022 through October 14, 2024.

ORIGINATING DEPARTMENT AND CONTACT: Finance - Pam Larison

ACTION REQUESTED: Resolution

BACKGROUND/SUMMARY/DISCUSSION: According to the Local Government Code for the State of Texas, Chapter 105 - Depositories for Municipal Funds, Section 105.017 - Term of a Depository Contract, a municipality may approve, execute, and deliver any depository services whose term does not exceed five years.

According to the City of Lockhart's Investment Policy, at least every five years a Depository shall be selected through the City's banking services procurement process, which shall include a formal request for proposal (RFP).

On September 17, 2019, the City Council designated First Lockhart National Bank as their Depository Bank for the City of Lockhart for a term of three years beginning on October 15, 2019 and ending October 14, 2022. It is the request of staff to extend the Depository services agreement with First Lockhart National Bank for an additional two years, ending on October 14, 2024. During the request for proposal process in 2019, First Lockhart National Bank had the advantage due to the interest rate being set at 75% of the 91-day US Treasury bill discount rate with a minimum of 1% and with all banking services being provided at no charge.

This extension will coincide with the separation of funds between the City of Lockhart and the Lockhart Economic Development Corporation. At the end of the fiscal year 2021, the City's external auditing firm, BrooksWatson recommended the separation of funds between the City and LEDC prior to the end of fiscal year 2022. The Lockhart Economic Development Board approved Resolution 2022-09 on September 12, 2022, establishing a two-year Depository Agreement with First Lockhart National Bank beginning October 15, 2022 to October 14, 2024.

PROJECT SCHEDULE (if applicable):

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): not applicable.

PREVIOUS COUNCIL ACTION: Approved Resolution 2019-21, Designating First Lockhart National Bank of Lockhart, Texas as the Depository for the City of Lockhart.

COMMITTEE/BOARD/COMMISSION ACTION:

STAFF RECOMMENDATION/REQUESTED MOTION: Staff respectfully request the approval of this Resolution.

LIST OF SUPPORTING DOCUMENTS: RESOLUTION NO 2022-33 Depository extension resolution, RESOLUTION NO 2019-21 Depository Agreement

RESOLUTION NO. 2022-33

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOCKHART, TEXAS, AUTHORIZING THE EXTENSION FOR TWO YEARS OF THE BANK DEPOSITORY AGREEMENT WITH FIRST LOCKHART NATIONAL BANK, AND OTHER MATTERS IN CONNECTION THEREWITH

WHEREAS, the City of Lockhart, Texas entered into a bank depository agreement with First Lockhart National Bank on October 15, 2019, per resolution 2019-21 for a three-year term with the option to extend up to two additional years; and

WHEREAS, the City Council has determined that it is in the best interest of the City to extend the bank depository agreement for two additional years pursuant to the Depository Agreement.

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

The City Council of the City of Lockhart, Texas does hereby select and designate First Lockhart National Bank of Lockhart, Texas as the Depository of the City of Lockhart, Texas for an additional term of two years beginning on or about October 15, 2022.

PASSED AND APPROVED on this 20th day of September 2022.

CITY OF LOCKHART, TEXAS

By: _____
Lew White, Mayor

ATTEST:

APPROVED AS TO FORM:

Connie Constancio, City Secretary

Monte Akers, City Attorney

RESOLUTION NO. 2019-21

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOCKHART, TEXAS, DESIGNATING FIRST LOCKHART NATIONAL BANK OF LOCKHART, TEXAS AS THE DEPOSITORY FOR THE CITY OF LOCKHART, AND AUTHORIZING THE CITY MANAGER TO EXECUTE A DEPOSITORY AGREEMENT WITH SAID BANK.

WHEREAS, the City of Lockhart, Texas on August 1, 2019 began the process for Request for Proposals for Depository Banking Services. The office of the Director of Finance received the official proposals on September 4, 2019 no later than 4:30 p.m.; at 4:45 p.m. following the official receipt the proposals were opened by City staff in the presence of the City Secretary. Proposals were received by First Lockhart National Bank and Bank OZK. City staff reviewed the proposals and based on the selection criteria, the most responsible proposal was submitted by First Lockhart National Bank; and

WHEREAS, the City Council of the City of Lockhart, in exercise of its discretion, has determined that the proposal submitted by First Lockhart National Bank of Lockhart, Texas offered the most favorable terms and conditions for handling of the City's funds; and

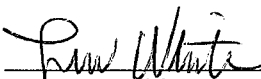
WHEREAS, the City Council has been furnished a form of the depository agreement acceptable to it, a copy of which is attached hereto as Exhibit "A" and made part hereof for all purposes;

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

The City Council of the City of Lockhart, Texas does hereby select and designate First Lockhart National Bank of Lockhart, Texas as the Depository of the City of Lockhart, Texas for a term of three years beginning on or about October 15, 2019.

PASSED AND APPROVED on this 17th day of September 2019.

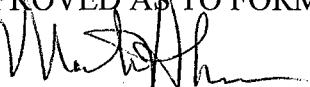
CITY OF LOCKHART, TEXAS

By: 
Lew White, Mayor

ATTEST:


Connie Constancio, City Secretary

APPROVED AS TO FORM:


Monte Akers, City Attorney

10 f 12

Exhibit A

**First Lockhart National Bank
Bank Depository
Application
2019**

*Res 2019-21
20 of 12*

**CITY OF LOCKHART
308 W. San Antonio St.
Lockhart, TX 78644**

**REQUEST FOR APPLICATIONS
DEPOSITORY BANKING SERVICES**

The City of Lockhart (the City) will be accepting applications for banking depository services for fiscal year(s) ending 2020-2022.

Sealed applications marked "Application for Depository Banking Services" will be accepted until 4:30 p.m., September 4, 2019 at the City's offices located at 308 W. San Antonio, Lockhart, TX 78644. Submission instructions and information may be obtained from Pam Larison, Director of Finance at 512/398-3461. It is the responsibility of the firm to ensure that the application is received by the City by the date and time specified above. The City reserves the right to reject any and all applications received. Only applications received at the location and in the timeframe given will be considered.

*Res 2019-21
3 of 12*

**City of Lockhart
Application for
Bank Depository Agreement**

Res 2019-21
4 of 12

**SPECIFICATIONS AND APPLICATION
FOR
DEPOSITORY OF THE CITY OF LOCKHART**

SEALED APPLICATIONS WILL BE RECEIVED BY THE CITY COUNCIL OF THE CITY OF LOCKHART, TEXAS, IN THE OFFICE OF THE DIRECTOR OF FINANCE UNTIL 4:30 P.M. ON SEPTEMBER 4, 2019 TO DETERMINE THE DEPOSITORY BANK FOR THE CITY OF LOCKHART. EACH APPLICATION SHALL CONTAIN ONE (1) ORIGINAL AND THREE (3) COPIES. THE TERM FOR THE DEPOSITORY BEING FOR A PERIOD OF THREE (3) YEARS, BEGINNING ON OR ABOUT OCTOBER 1, 2018. EACH BANK TO APPLY IN ACCORDANCE WITH THE FOLLOWING:

I

During the above-specified term, the Bank will receive and accept for deposit or safekeeping or both, from the City, to the City's credit, all sums of monies, securities and instruments unless otherwise limited herein, which City may deposit. All monies, securities, and instruments deposited with the Bank shall be carried by the Bank in such account or accounts as designated by the City or re-designated by the City from time to time.

II

Bank will furnish the following services and items. Bank will enter a monthly per-unit fee for services listed below.

<u>Bank Service</u>	<u>Bank Fee Per Unit</u>
1. Account Maintenance	\$ <u>None</u>
2. Demand Deposit Account Credits	<u>None</u>
3. Demand Deposit Account Debits	<u>None</u>
4. Deposited Items	<u>None</u>
5. Charge Backs	<u>None</u>
6. Purchase & Sale of Treasury Securities	<u>None</u>
7. Unlimited Preprinted 3-Part Deposit Slips	<u>None</u>
8. Furnish copies of cancelled checks and bank statements on all accounts by the fifth working day of each month or upon request.	<u>None</u>
9. Safety Deposit Box (5x5)	<u>None</u>
10. Cashiers Checks	<u>None</u>

11. Night Depository with Bags & Keys	<u>None</u>
12. "For Deposit Only" Stamps	<u>None</u>
13. Currency Wrappers	<u>None</u>
14. Outgoing Wire Transfers	<u>None</u>
15. Incoming Wire Transfers	<u>None</u>
16. Stop Payment	<u>None</u>
17. ACH Credit	<u>None</u>
18. ACH Debit	<u>None</u>
19. ACH Return Item	<u>None</u>
20. Account Inquiry	<u>None</u>
21. ACH Deletes/Reversals	<u>None</u>
22. Account Analysis	<u>None</u>
23. Federal Tax Deposits	<u>None</u>
24. Monthly fee for account to remain open six months after end of contract term allowing out-standing checks to clear.	<u>None</u>
25. Other (any other item(s) for which Bank intends to charge City)	
a. NSF Check Charges - Stated Rate (currently \$32.50)	

III

INTEREST RATES

All monies deposited with the Bank, other than time deposits, shall be carried by the Bank for the Account of the City demand deposits and shall be subject to withdrawal in whole or in part upon demand at any time. The anticipated balance in all demand accounts will average approximately \$ 300,000 monthly but may vary from as little as \$0 to over \$ 1,000,000. Please indicate an interest rate or the method to be used in determining interest to be paid (if any) on demand deposits. All interest will be compounded daily on a 365-day basis and shall be paid monthly.

First-Lockhart National Bank proposes that all demand deposit accounts be set up as Interest Bearing Super Now Accounts with an Annual Rate of 75.00% of the 91 Day T Bill discount rate with a minimum of 1.00%. This rate will be calculated on the daily collected balance and updated monthly on the 2nd business day of the month. Interest will be compounded daily and paid monthly as mentioned above.

COLLATERAL REQUIREMENTS

A. Securities Pledged:

For the purpose of securing the City's funds deposited with the Bank, Bank agrees and obligates itself to pledge with, and at all times keep on pledge with the City, securities equal in value to the total of all funds of City on deposit with the Bank, less the amount of coverage provided by the Federal Deposit Insurance

Corporation (F.D.I.C.), including interest thereon, whether in demand or time deposits, and whether characterized as checking, savings, or other accounts. Securities so pledged must be of such character and nature as are required under the laws of the State of Texas for such purpose, must be satisfactory to the City, and must be approved by the City as to kind and value. Repurchase agreements are not acceptable as collateral. The securities comprising the pledge shall be valued at par or market, whichever is lower. Said securities are and shall be pledged to insure the safety of the City's public monies, to insure performance of all duties and obligations evolving by law upon the Bank as depository of City's funds, to insure payment upon presentation of all checks drawn upon any demand account of City in said Bank, or upon presentation of demand for return of any time or other deposit of the City in Bank, and to insure that said funds shall be faithfully kept by Bank and accounted for according to law.

Requirement noted by First-Lockhart National Bank with a maximum collateral (pledged securities) up to \$3,000,000.00. Any additional pledging above the amount listed above will need to be approved by the City and First-Lockhart National Bank

B. Reporting Requirements:

The Bank shall provide the City a report of securities pledged at the end of each month or at any time requested by the City Finance Director or designated representative. This report should reflect the following information at the end of each quarter:

Total pledged securities itemized by:

1. Name.
2. Type/description/cusip number
3. Par value.
4. Market value at month end.
5. Maturity date.
6. Moody's or Standard and Poor's rating.

If the market value of the pledged securities falls below the ledger balances of the City's accounts at any time, the City will require more securities to be pledged.

Acknowledged by First-Lockhart National Bank

C. Safekeeping:

The securities pledged shall be held in safekeeping under the name of the Depository Bank and pledged to the City of Lockhart. Safekeeping must be done at a Non-affiliated Bank (approved by the City) with a signed three-party agreement. The original copy of all security receipts shall be filed with the Finance Director of the City of Lockhart. The safekeeping agreement shall clearly state that the Non-affiliated Bank is instructed to release the collateral to the City of Lockhart if the City has determined that the Depository Bank has failed to pay on any accounts, has been closed by a regulatory authority, or is in

default of this agreement, and if the instructions for release have been formally requested by the City Council by ordinance or resolution. The safekeeping agreement shall have signatories from the Non-affiliated Bank (as Trustee), the Depository Bank, and the City of Lockhart. **Securities will be held at Federal Home Loan Bank of Dallas. Any change in safekeeping location will need approval of the City and Bank.**

D. Value of Securities:

Whenever, in the opinion of the City, the total value of the securities so pledged becomes less than the total amount of City's funds on deposit with the Bank, Bank shall upon the order of City, pledge additional securities of the same character and nature as set out herein before and in such number and amount as directed by City, to the end that such additional securities so pledged shall at no time have aggregate value less than the total amount of City's funds with the Bank, including all interest thereon. If any demand by City for delivery and pledge of other and additional securities shall not be fully complied with by Bank within five (5) days after a written copy of such order has been served upon Bank, this entire agreement may be terminated at the option of City. Should City elect to terminate the agreement by reason thereof, all City's funds on deposit with the Bank shall immediately become due and payable and shall forthwith be accounted for and paid over to City, including all demand and time deposits of whatever character and nature, without charge or penalties, regardless of maturity date.

In the event the total of City's funds on deposit are not immediately paid over to City upon demand of City as herein above provided, Bank hereby agrees to and authorizes City to sell any or all of said securities pledged with or without notice of demand, presentment, sale, dishonor, notice of sale whether public or private, and any other notice of whatsoever nature. Proceeds from any such sale or sales shall become the property of City and shall be first applied to expenses of sale, then to interest accumulated and continuing to accrue, and then to the balance of City's funds deposited, but not paid over to City as herein specified.

In the event any such sale of securities results in a deficiency after all expenses shall have been paid, Bank hereby agrees, immediately after such sale, to pay City the amount of such deficiency from any source available to Bank whatsoever. City shall not be responsible for any depreciation in the value of the securities pledged. **Acknowledged by First-Lockhart National Bank**

E. Substitutions:

Bank may from time to time substitute other securities for those under pledge, provided the securities so substituted meet the requirements of law and are approved as to kind and value by City before such substitution occurs. Interest coupons or other evidence of interest which are attached to any such pledged securities shall be retained by the holder of pledged securities, unless the City shall have earlier given written notice to the holder of the pledged securities to surrender such interest coupons or other evidences of interest to Bank. In all cases the determination of the value of securities pledged or to be pledged shall be

Res 2019-21⁵ 80F12

in the discretion of the City and decision of the City shall be final and binding upon the Bank.

Bank does further agree that in case it shall fail to faithfully perform all duties and obligations evolving by law or ordinance upon it as City depository, or if it shall fail to pay upon presentation any and all checks drawn upon said depository by City's duly authorized agent, or if Bank shall fail to faithfully keep all funds of said City and account therefore with interest, according to law and this agreement, or if said Bank shall at any time become insolvent, or if the same should, for any reason, be taken over by the State Banking Commissioner, or by any duly qualified legally appointed liquidating agent, then and in that event, upon the happening of any of the above contained contingencies, the holder of the pledged securities shall be authorized, empowered, and is hereby directed by Bank to immediately deliver to City, in writing, the said pledged securities, and the said City or its duly authorized representative is hereby authorized and empowered to immediately sell whether by public or private sale, the pledged securities, in the manner provided by law and to apply the proceeds as set forth above.

City reserves the right through its City Council to at any time demand additional security of any kind it may see fit and reasonable, to protect said funds, and to withdraw all said funds and cancel such designation as depository, unless such demands shall be immediately complied with. **Acknowledged by First-Lockhart National Bank**

IV

City reserves the right to invest any and all of its funds in direct obligations of, or obligations unconditionally guaranteed by, the United States of America as provided in the ordinances authorizing the issuance of Lockhart, Texas bonds, or other types of bonds, securities, certificates, warrants, etc, which the City is authorized by law to invest in. Bank will and shall aid City in any investment without charge. **Acknowledged by First-Lockhart National Bank**

V

Bank agrees to handle all accounts in accordance with generally accepted banking practice. Statements will be rendered on a calendar monthly basis reflecting last banking business day of monthly balances. **Acknowledged by First-Lockhart National Bank**

VI

Bank agrees to comply with all the provisions of the laws of the State of Texas relating to municipal depositories now in effect or that may hereafter be passed, consistent with banking laws of the State of Texas, and where applicable, the laws of the United States of America. **Acknowledged by First-Lockhart National Bank**

VII

It is expressly agreed that City is not obligated by reason hereof to deposit all or any particular amount of monies or all or any particular funds from bond proceeds or from any other source, with Bank. **Acknowledged by First-Lockhart National Bank**

VIII

Bank obligates itself to keep safely, account for and pay over as agreed, any and all monies of the City deposited with it, and to pay interest thereon as above stipulated, and to perform faithfully all of the duties and obligations evolving upon it by law or by this contract or agreement or both. **Acknowledge by First-Lockhart National Bank**

IX

In the event any term or provision of this agreement shall conflict with any requirement or provision of the Texas Local Government Code, Chapter 105, as amended, or other law, the provisions and requirements of such laws shall control. If any part of this agreement is unenforceable, the remaining parts of the agreement will remain valid. **Acknowledged by First-Lockhart National Bank**

X

This agreement is and shall be binding upon the parties, their legal representatives, successors and assigns. **Acknowledged by First-Lockhart National Bank**

XI

The laws of the State of Texas shall apply to this agreement and venue for all purposes shall be in Caldwell County, Texas. **Acknowledged by First-Lockhart National Bank**

XII

Sealed applications clearly marked "Depository Applications" shall be delivered to the office of the following person by 4:30 P.M., September 4, 2019.

Pam Larison, Director of Finance
City of Lockhart
308 West San Antonio
P.O. Box 239
Lockhart, Texas 78644

NO APPLICATIONS WILL BE RECEIVED AFTER 4:30 P.M.
ON SEPTEMBER 4, 2019.

Res 2019-21 7 10 of 12

The Bank shall use this form as the OFFICIAL APPLICATION FORM to submit rates and to answer questions. Any alterations, changes, or deletions to this application shall be grounds for the City to disregard and reject the application.

If a service requirement cannot be met by an application, then the term "No Bid" should be entered on the Application Form for that specific requirement. In the case of a "NO Bid" remark, the applicant may offer an alternative equivalent service for the City's consideration.

Services for which an applicant intends to charge a fee must have the applicable fee indicated on the Application Form. **Any service which does not have a fee indicated on the Application Form will be considered to be free of charge in the Depository Agreement or Contract.**

Any fees and cost for services not noted on this form will be negotiated by First-Lockhart National Bank at the time of the service request.

The City reserves the right to request additional information or to meet with representatives from proposing organizations to discuss points in the application before and after submission, any and all of which may be used in forming a recommendation.

The City reserves the right to reject any and all applications.

The Bank states that it is a banking institution chartered under the laws of the United States and of the State of Texas. **Acknowledged by First-Lockhart National Bank**

XIII

The initial three (3) year term of this contract may be extended automatically for an additional one (1) year term with an option to extend for one (1) more one (1) year period unless one party notifies the other party, in writing, not less than 90 days prior to the expiration of the initial three (3) year term or any of the two (2) successive option terms, of its intentions to terminate this contract. Any such notice shall be served by certified mail with return receipt requested.

The City of Lockhart may require a review meeting at least once every six months to evaluate the working relationship between the City and the Depository Bank. The objective shall be to address any problems and to discuss the procedures involved in protecting the City's funds and pledged collateral.

The final appointment of a Depository Bank shall be made by the Lockhart City Council at its October 15, 2019 meeting. The Bank may be required to enter into a contract which incorporates all of the obligatory points in the Application, otherwise a resolution shall be adopted accepting the Bank's completed Application as the OFFICIAL DEPOSITORY AGREEMENT with accompanying related schedules and materials called for in this Application.

This Application has been posted to the City's website and is being offered to other financial institutions.

Res 2019-21⁸

110 F12

Upon being awarded the agreement or contract, the Depository Bank shall designate an individual to be the official contact person for all correspondence. The City of Lockhart official contact person will be Pam Larison, Director of Finance. If you have any questions regarding this Application, please address them to Ms. Larison at 512-398-3461.

The Bank shall be responsible for training and communicating the terms of this contract to bank employees. **Acknowledged by First-Lockhart National Bank**

This Application is submitted by the following person duly authorized to act on behalf of the Bank:



Officer's Signature

Randall Till Sr. VP/Controller

Officer's Name and Title (Please print)

First-Lockhart National Bank

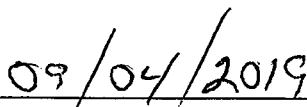
Name of Bank

P.O. Box 600, 111 S. Main St., Lockhart, TX 78644

Address

512-398-3416

Telephone Number



Date

Res 2019-21

9

12 of 12

City of Lockhart, Texas

Council Agenda Item Cover Sheet

COUNCIL MEETING DATE: September 20, 2022

AGENDA ITEM CAPTION: Approve the purchase of a 2024 Spartan Fire, LLC. custom 75' rear-mount aerial fire apparatus through Metro Fire Apparatus Specialists, Inc. utilizing the Houston Galveston Area Council (HGAC) Purchasing Cooperative and authorizing the City Manager to execute a Purchase Order for the aerial fire apparatus.

ORIGINATING DEPARTMENT AND CONTACT: Fire - Randy Jenkins

ACTION REQUESTED: Award of Contract

BACKGROUND/SUMMARY/DISCUSSION: The 75' custom rear-mount aerial fire apparatus will be deployed as an emergency response vehicle to fires in residential, multi-family, commercial structures, motor vehicle accidents, and other incidents as needed. This will be the first aerial apparatus for the City of Lockhart, and it will be housed at Fire Station #2 at 1911 Borchert Dr.

The 75' aerial fire apparatus will meet the requirements of a Quint aerial fire apparatus with a fire pump, water tank, fire hose storage, aerial device with waterway, and a compliment of ground ladders. Highlights of the aerial apparatus include a 1,500 gallon per minute (gpm) fire pump, 1,000 feet of large diameter hose, a 75' aerial ladder with 1,250 gpm automatic nozzle at the tip, assorted handlines, a foam system, and a 500-gallon water tank.

The best practice is for an aerial fire apparatus to serve approximately 15 years as a front-line and 10 years as a reserve. The aerial fire apparatus will meet or exceed the current NFPA 1901, Standard for Automotive Fire Apparatus and enhance our Fire Suppression Rating Schedule (FSRS) as established by the Insurance Services Office (ISO).

The cost of the aerial fire apparatus is \$1,229,670, which includes a \$60,000 discount for payment upon ordering. The cost includes the aerial fire apparatus and associated installed equipment such as two-way radios, flashlights, fire hose, axes, pry bars, positive pressure fan, nozzles, rescue saws, appliances, adapters, and HGAC fee, etc. delivered to Lockhart with training for fire personnel.

The delivery time upon ordering is approximately 500 days. The aerial fire apparatus will be built in Ephrata, Pennsylvania with the final make-ready completed at Metro Fire Apparatus Specialists, Inc. in Houston. Detailed specifications can be viewed in the Fire Chief's office.

PROJECT SCHEDULE (if applicable): The delivery time upon ordering is approximately 500 days. The aerial fire apparatus will be built in Ephrata, Pennsylvania with the final make-ready

City of Lockhart, Texas

Council Agenda Item Cover Sheet

completed at Metro Fire Apparatus Specialists, Inc. in Houston.

AMOUNT & SOURCE OF FUNDING:

Funds Required: \$1,229,670

Account Number: 418-5318-906-00

Funds Available: \$2,300,000

Account Name: Series 2022 Tax Note

FISCAL NOTE (if applicable): The City of Lockhart issued debt by Series 2022 Tax Note, of which \$1,200,000 was allocated for the purchase of a new fire apparatus.

PREVIOUS COUNCIL ACTION: N/A

COMMITTEE/BOARD/COMMISSION ACTION: N/A

STAFF RECOMMENDATION/REQUESTED MOTION: Staff recommends the purchase of a 2024 Spartan Fire, LLC. custom 75' rear-mount aerial fire apparatus through Metro Fire Apparatus Specialists, Inc. utilizing the Houston Galveston Area Council (HGAC) Purchasing Cooperative.

LIST OF SUPPORTING DOCUMENTS: Lockhart TX 75' RMA Proposal REV 4, Lockhart TX 75' RMA Drawing Rev 4



Apparatus Specialists, Inc.

514 Michigan / South Houston, Texas 77587 / (713) 692-0911 / (713) 692-1591 fax

PROPOSAL

Tuesday, September 13, 2022

Lockhart Fire Department
Chief Randy Jenkins
201 W Market St
Lockhart TX, 78644

The undersigned is prepared to furnish for you, upon an order being placed by you, for final acceptance by Metro Fire Apparatus Specialists, Inc at its office in Houston, Texas the apparatus and equipment herein named and for the following prices:

One (1) Spartan 75' Rear-Mount Aerial on a Metro Star Chassis and equipment as specified:

Pumper Price \$1,203,356.00

HGAC Fee \$2000

Equipment/Make Ready \$84,309.00

100% Pre-Payment Discount (\$60,000)

TOTAL \$1,229,670.00

No State, Federal or local taxes included

The apparatus and equipment are to be supplied and shipped in accordance with the specifications and approvals by the Lockhart Fire Department. Delays due to strikes, war or other causes beyond our control not preventing, within 500 **calendar days after signing change order A**. The completed apparatus will be delivered to you at:

*Lockhart Fire Department
Lockhart, Texas*

The specifications herein contained shall form a part of the final contract, and are subject to changes desired by the Lockhart Fire Department. The proposal specifications are supplied for construction purposes. Any additions and/or changes to the enclosed specifications shall be generated and/or approved by the Lockhart Fire Department, and accepted by Metro Fire Apparatus Specialists, Inc.

Unless accepted within 45 days from this date, Metro Fire Apparatus Specialists, Inc. reserves the right to withdraw this proposal.

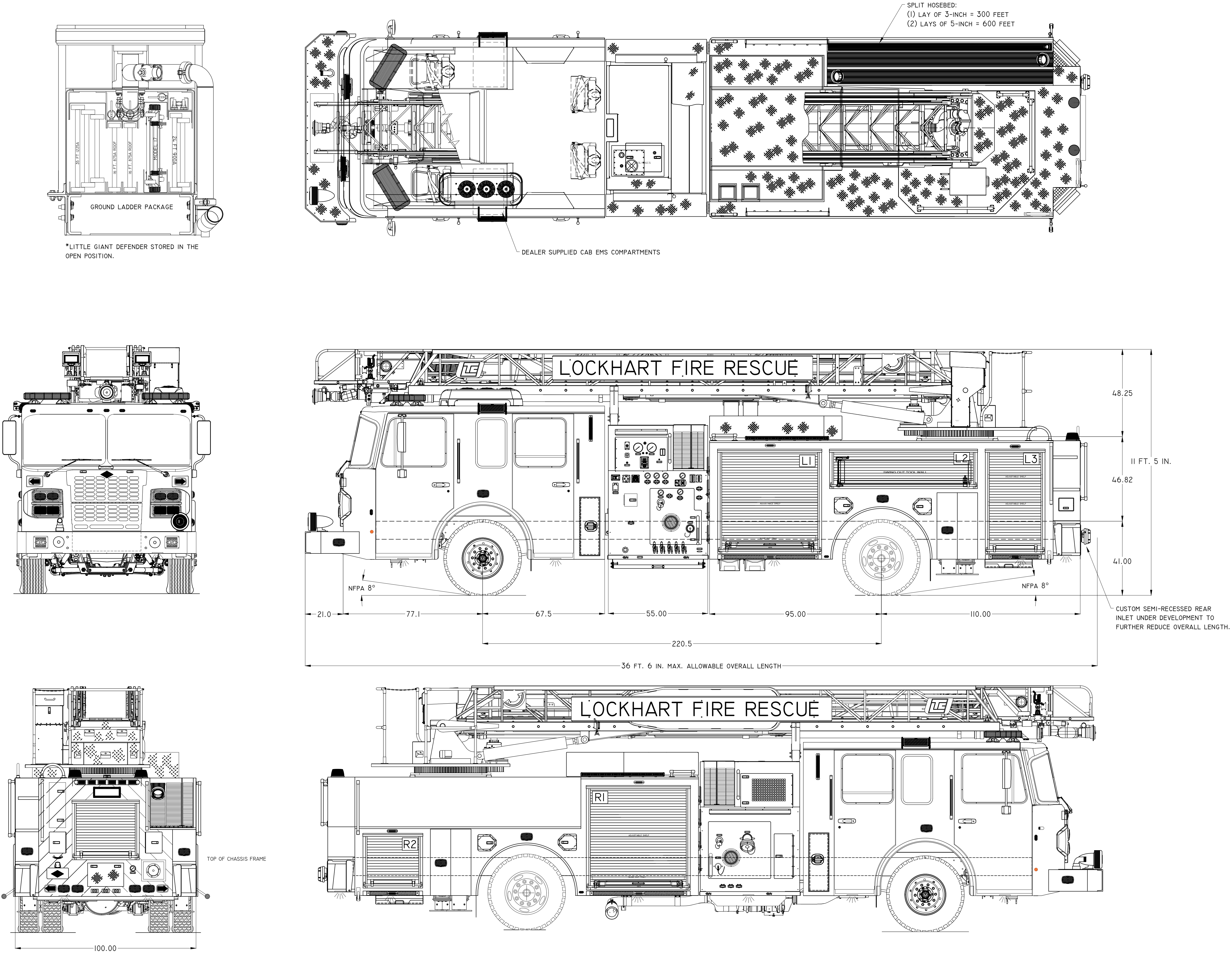
TERMS:

By *Brian Cudaback*

Brian Cudaback – Apparatus Manager

**Payment due upon delivery and acceptance
of completed apparatus.**

“The Apparatus Specialists”



SPARTAN FIRE, LLC.
EPHRATA, PA 17522

CHASSIS:	SPARTAN METRO STAR LFD
ENGINE:	CUMMINS XI2 525 HP
TRANSMISSION:	ALLISON 4000 EVS
AXLES:	24,000 LB. FRONT / 33,000 LB. REAR
MODEL:	C23R-75 AERIAL LADDER
WATER/FOAM:	475 WATER / 20 FOAM
PUMP:	WATEROUS CSU 1500GPM
FOAM SYSTEM:	FoamPro 1600
GENERATOR:	N/A

COMPARTMENT DIMENSIONS

I.D.	OPENING	INTERIOR
L1	55.0-W x 56.0-H	57.75-W x 61.75-H x 24.75-D
L2	80.0-W x 20.0-H	81.75-W x 26.0-H x 24.75-D
L3	30.5-W x 56.0-H	33.25-W x 61.75-H x 24.75-D
R1	55.0-W x 56.0-H	57.75-W x 61.75-H x 24.75-D
R2	30.5-W x 24.0-H	33.25-W x 29.25-H x 24.75-D

GROUND LADDERS:

ONE DUO-SAFETY 35 FT. 1225A 3-SECTION
ONE DUO-SAFETY 24 FT. 900A 2-SECTION
TWO DUO-SAFETY 16 FT. ROOF LADDERS
ONE LITTLE GIANT MODEL 17 DEFENDER
ONE DUO-SAFETY 10 FT. 585A FOLDER
ONE DUO-SAFETY 14 FT. 775A (SPECIAL WIDTH)
IN AERIAL FLY LADDER
FD SUPPLIED HOOKS & POLES

CUSTOMER

THIS DRAWING IS A CLOSE APPROXIMATION OF YOUR FIRE APPARATUS. IN ALL CASES WHERE THE DRAWING AND THE WRITTEN SPECIFICATION DIFFER, THE SPECIFICATION SHALL PREVAIL. PLEASE WORK WITH YOUR DEALER TO ASSURE THAT THE WRITTEN SPECIFICATION REPRESENTS WHAT YOU WANT IN YOUR FINISHED PRODUCT. SPARTAN EMERGENCY RESPONSE BUILDS TO THE WRITTEN SPECIFICATION, NOT THE DRAWING TO ASSURE THAT YOUR NEEDS ARE MET.

PROPRIETARY AND CONFIDENTIAL

THE INFORMATION CONTAINED IN THIS DRAWING IS THE SOLE PROPERTY OF SPARTAN EMERGENCY RESPONSE. ANY REPRODUCTION IN PART OR AS A WHOLE WITHOUT THE WRITTEN PERMISSION OF SPARTAN EMERGENCY RESPONSE IS PROHIBITED. SPARTAN MOTORS USA, INC. D/B/A SPARTAN EMERGENCY RESPONSE.

REV	DATE	DESCRIPTION	NAME
4	8/18/22	FOURTH REVIEW	WB
3	7/29/22	ADDED CAB UTILITY COMPARTMENTS	WB
2	7/27/22	THIRD REVIEW	WB
1	6/29/22	SECOND REVIEW	WB
0	5/26/22	INITIAL DRAWING	WB

SCALE: NOT TO SCALE

LOCKHART FIRE DEPARTMENT
LOCKHART, TEXAS

TRUCK NUMBER:	3-071-0195
---------------	------------

City of Lockhart, Texas

Council Agenda Item Cover Sheet

COUNCIL MEETING DATE: September 20, 2022

AGENDA ITEM CAPTION: Approve recommendation to award bid to Fuquay, Inc. of New Braunfels, Texas in the amount of \$475,196.00 for the 2022 Street Improvements Project and appointing the Mayor to sign all contractual documents.

ORIGINATING DEPARTMENT AND CONTACT: Public Works - Sean Kelley

ACTION REQUESTED: Award of Contract

BACKGROUND/SUMMARY/DISCUSSION: This year it was necessary for the City Engineer to evaluate various treatment methods for the 2022 Street Improvement Project to ensure the extended life of the pavement on the selected streets. In Fiscal Year Budget 2022, six streets were included for resurfacing and treatment methods specific to each street. These streets include:

- N. Medina Street from Bois D' Arc Street to Peach Street
- W. Live Oak Street from Cibilo Street to Guadalupe Street
- Center Street From Guadalupe Street to Blanco Street
- Willow Street From Pecos Street to Blanco Street
- Red River Street from Willow Street to Ash Street
- Persimmion Street from Neches Street to Sabine Street

The selected improvement methods for the 2022 Street Improvements Project consist of approximately 4,400 SY of 6" Mill and Overlay, 6,610 Sy of 2" Mill and Overlay, 1,000 SY of Flexible Base and Subgrade Excavation and Reconstruction, adjusting Manholes and Water Vales as required, on various Streets. Bids were advertised in compliance with State Law for the construction of the 2022 Street Improvements Project. Five (5) bids were received ranging from \$475,196.00 to \$683,430.00. The lowest bid was received by Fuquay, Inc. This company has a commendable reputation in the construction business along with the personnel and equipment to get the job done successfully and on time.

PROJECT SCHEDULE (if applicable): Summer 2022

AMOUNT & SOURCE OF FUNDING:

Funds Required:

Account Number:

Funds Available:

Account Name:

FISCAL NOTE (if applicable): Funds Required: \$??????

City of Lockhart, Texas

Council Agenda Item Cover Sheet

Account Number: 100-5633-433

Funds Available: \$???????

Account Name: Streets, Maintenance and Resurfacing

PREVIOUS COUNCIL ACTION:

COMMITTEE/BOARD/COMMISSION ACTION:

STAFF RECOMMENDATION/REQUESTED MOTION: Staff respectfully recommends approval of the bid award to Fuquay, Inc. in the amount of \$475,196.00 for the 2022 Street Improvements Project .

LIST OF SUPPORTING DOCUMENTS: Bid Award Recommendation and Bid Tab for the 2022 Street Improvements Project



505 East Huntland Drive
Suite 250
Austin, Texas 78752

T 512.454.8716
TRCcompanies.com
T.B.P.E. #F-8632

September 16, 2022

Mr. Sean Kelley, Public Works Director
City of Lockhart
705 Wichita Street
Lockhart, Texas 78644

**RE: 2022 Street Improvements Project
Bid Award Recommendation**

Dear Mr. Kelley:

Five (5) sealed bids were received at Lockhart City Council Chambers on September 15, 2022, at 11:00 A.M. for the above-referenced project. The total bids ranged from \$475,196.00 from Fuquay, Inc. of New Braunfels, Texas to \$683,430.00 from Texas Materials Group of Cedar Park, Texas. A detailed bid tabulation is attached for your reference.

The project consists of Installation of approximately 4,400 SY of 6" Mill and Overlay, approximately 6,610 SY of 2" Mill and Overlay, approximately 1,000 SY of Flexible Base and Subgrade Excavation and Reconstruction, and adjustment of Manholes and Water Valves as required, on various City streets. The construction completion period is sixty (60) days.

Fuquay, Inc. has previously worked on Phase I of the 2020 Street Improvement Project for the City and has completed the work to the satisfaction of the City. Therefore, it is recommended that the City award the project to the low bidder, Fuquay, Inc., in the amount of \$475,196.00. The Contractor has a bid bond and will be required to furnish a Standard Form of Agreement, Performance Bond, and Payment Bond to the City.

If you have any other questions or comments, please do not hesitate to contact this office.

Sincerely,

A handwritten signature in blue ink, appearing to read "William Wachel".

William Wachel, PE
Deputy Director - DMS

Attachment: Bid Tabulation



				Fuquay, Inc 4861 Old Hwy 81 New Braunfels, TX 78132		Asphalt, Inc, dba Lone Star Paving 11675 Jollyville Rd Ste 119 Austin, TX 78759		Hayden Paving, Inc 5655 Wexford Dr Kirby, TX 78129		Bennett Paving, Inc 23004 Windy Valley Rd Leander, TX 78641		Texas Materials Group 1320 Arrow Point Dr Cedar Park, TX 78613	
Item	Description	Qty.	Unit	Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total
P.1	Performance and Payment Bonds	1	LS	\$7,500.00	\$7,500.00	\$5,300.00	\$5,300.00	\$6,280.00	\$6,280.00	\$10,000.00	\$10,000.00	\$3,400.00	\$3,400.00
P.2	Mobilization/Demobilization	1	LS	\$40,000.00	\$40,000.00	\$37,000.00	\$37,000.00	\$32,641.00	\$32,641.00	\$50,000.00	\$50,000.00	\$50,000.00	\$50,000.00
P.3	North Medina Street	2,280	SY	\$54.05	\$123,234.00	\$53.00	\$120,840.00	\$70.12	\$159,873.60	\$80.00	\$182,400.00	\$75.00	\$171,000.00
P.4	West Live Oak Street	890	SY	\$54.05	\$48,104.50	\$59.00	\$52,510.00	\$92.87	\$82,654.30	\$80.00	\$71,200.00	\$75.00	\$66,750.00
P.5	Center Street - 6" depth	1,230	SY	\$54.05	\$66,481.50	\$51.50	\$63,345.00	\$69.71	\$85,743.30	\$80.00	\$98,400.00	\$75.00	\$92,250.00
P.6	Center Street - 2" depth	2,950	SY	\$21.60	\$63,720.00	\$15.50	\$45,725.00	\$22.11	\$65,224.50	\$26.50	\$78,175.00	\$23.00	\$67,850.00
P.7	Willow Street	2,160	SY	\$21.60	\$46,656.00	\$19.50	\$42,120.00	\$23.82	\$51,451.20	\$26.50	\$57,240.00	\$23.00	\$49,680.00
P.8	Red River Street	680	SY	\$21.60	\$14,688.00	\$20.00	\$13,600.00	\$24.70	\$16,796.00	\$26.50	\$18,020.00	\$23.00	\$15,640.00
P.9	Persimmon Street	820	LF	\$21.60	\$17,712.00	\$26.00	\$21,320.00	\$34.31	\$28,134.20	\$26.50	\$21,730.00	\$23.00	\$18,860.00
P.10	Installing 8" Lime Treated Subgrade	1,000	SY	\$39.00	\$39,000.00	\$64.50	\$64,500.00	\$82.06	\$82,060.00	\$64.00	\$64,000.00	\$136.00	\$136,000.00
P.11	Adjust manhole tops	2	EA	\$1,800.00	\$3,600.00	\$1,800.00	\$3,600.00	\$2,500.00	\$5,000.00	\$2,500.00	\$5,000.00	\$3,500.00	\$7,000.00
P.12	Adjust water valves	5	EA	\$900.00	\$4,500.00	\$1,680.00	\$8,400.00	\$2,500.00	\$12,500.00	\$1,750.00	\$8,750.00	\$1,000.00	\$5,000.00
TOTAL BID					\$475,196.00		\$478,260.00		\$628,358.10		\$664,915.00		\$683,430.00

City of Lockhart, Texas

Council Agenda Item Cover Sheet

COUNCIL MEETING DATE: September 20, 2022

AGENDA ITEM CAPTION: Receive update and consider support of the Children's Care-A-Van program.

ORIGINATING DEPARTMENT AND CONTACT: Administration - Steven Lewis

ACTION REQUESTED: Other

BACKGROUND/SUMMARY/DISCUSSION:

Paige Johnson, Associate Director of Development of Seton Foundations, will update the Council about the Caldwell County Children's Care-a-Van program, and request that the City of Lockhart consider providing support for the program in 2022.

In past years, the City Council would attend The Foundation's annual fundraising gala and would provide support to the Children's Care-a-Van in the amount of \$2,000. The last gala was held in 2018.

PROJECT SCHEDULE (if applicable): N/A

AMOUNT & SOURCE OF FUNDING:

Funds Required:

Account Number:

Funds Available:

Account Name:

FISCAL NOTE (if applicable): N/A

PREVIOUS COUNCIL ACTION: N/A

COMMITTEE/BOARD/COMMISSION ACTION: N/A

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

LIST OF SUPPORTING DOCUMENTS: SHF Care-a-Van Slides Sept 2022



Seton
Hays Foundation

Caldwell County Children's Care-a-Van

Paige Johnson, Associate Director of Development
Seton Hays Foundation



Ascension Seton Hays
(Kyle)

Ascension Seton
Southwest (Austin)

Ascension Seton Edgar
B. Davis (Luling)

Ascension Seton
Bastrop & Smithville



Caldwell County
Children's Care-a-Van

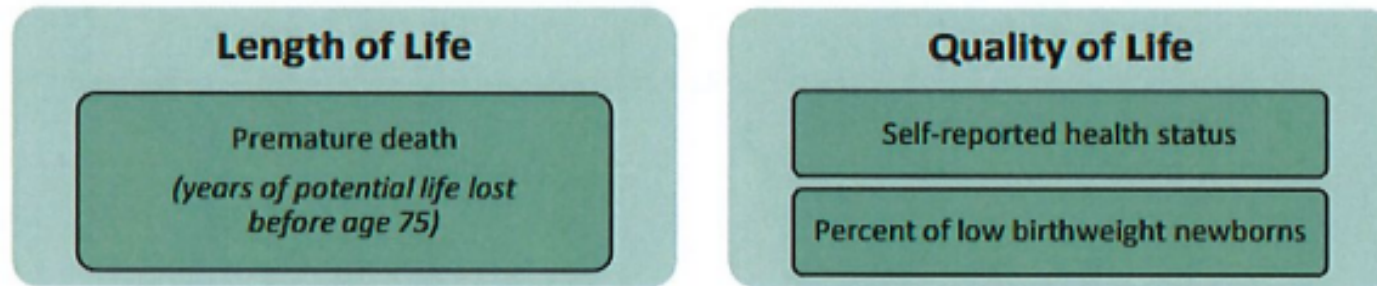
- 18.9% Poverty rate
- 23% Noninsured
- 27% Medicaid or Medicare



Source: <https://datausa.io/profile/geo/caldwell-county-tx#health>

What are Health Outcomes?

Everyone wants to experience long and healthy lives, yet places have different resources and opportunities. To understand the health outcomes in a community, we measure both length and quality of life by county within Texas.

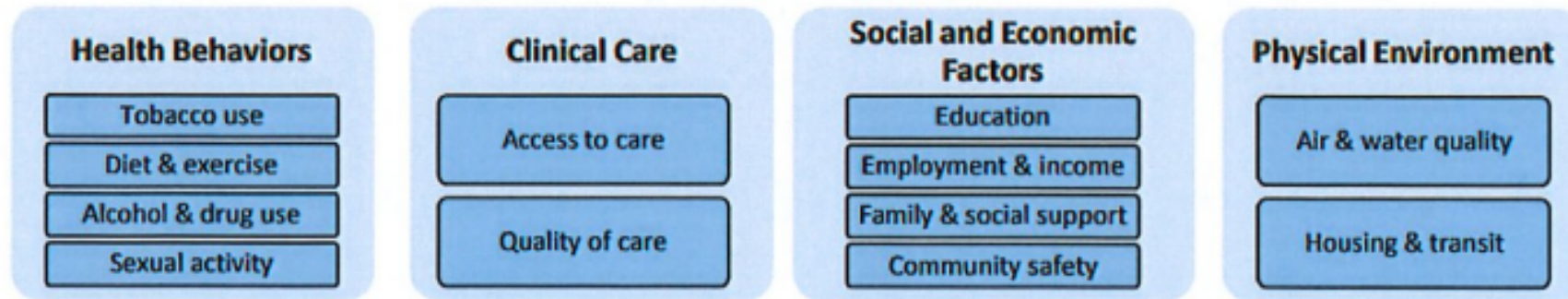


Caldwell County: 124th

Source: https://www.countyhealthrankings.org/sites/default/files/media/document/CHR2021_TX.pdf
<https://www.countyhealthrankings.org/reports/state-reports/2020-texas-report>

What are Health Factors?

Many factors shape our opportunities to be healthy and influence how well and how long we live. Health factors represent the things we can change to improve health for all, like opportunities for quality education, good paying jobs, access to quality clinical care, healthy foods, green spaces, and secure and affordable housing. Health factors are measured by:



Caldwell County: 168th

Source: https://www.countyhealthrankings.org/sites/default/files/media/document/CHR2021_TX.pdf
<https://www.countyhealthrankings.org/reports/state-reports/2020-texas-report>



970

Total Patient Visits
at the Care-a-Van



611

Immunizations



895

Unduplicated
Patients Seen

80

Brand New
Patients



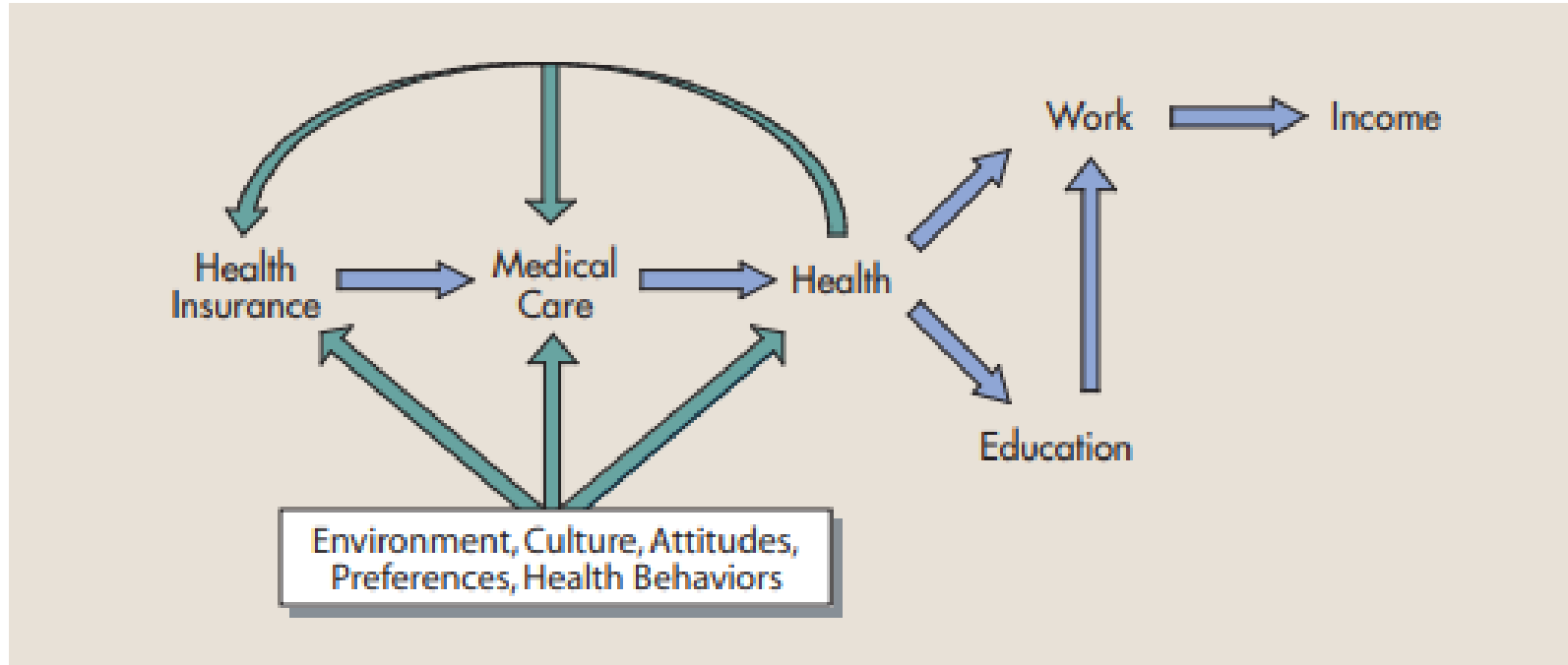
83.7%

Patients are Under
or Uninsured

45

Virtual Visits





Source: <https://www.urban.org/sites/default/files/publication/50321/1001001-Consequences-of-the-Lack-of-Health-Insurance-on-Health-and-Earnings.PDF>

Children's Healthcare Endowment at Ascension Seton Edgar B. Davis

103

Endowment
gifts



65

Endowment
donors



47

Ascension employees
donated





Seton
Hays Foundation

Paige Johnson, Associate Director of Development
Seton Hays Foundation

Paige.johnson3@ascension.org

512.481.8557

City of Lockhart, Texas

Council Agenda Item Cover Sheet

COUNCIL MEETING DATE: September 20, 2022

AGENDA ITEM CAPTION: Discussion and/or action regarding Resolution 2022-34 for an economic development performance agreement with The Ziegenfelder Company.

ORIGINATING DEPARTMENT AND CONTACT: Economic Development - Pam Larison

ACTION REQUESTED: Resolution

BACKGROUND/SUMMARY/DISCUSSION: Based in Wheeling, WV, the Ziegenfelder Company is a private, family-owned frozen novelty manufacturer that focuses on producing the highest quality frozen ice treats. Its signature item, Budget Saver Assorted Twin Pops, is commonly referred to as the "Rainbow Array™". They are a significant manufacturer of twin pops with production facilities in Wheeling, WV; Chino, CA; and Denver, CO.

Employment:

100

Investment:

\$37 million

Facility Size:

96,000 SF

Status:

Company is under contract for land in Lockhart Industrial Park III and should close within 60 days.

The attached performance agreement is to reimburse up to \$50,000 towards an electric transformer.

The net benefit to the City of Lockhart over 10 years is estimated to be \$1.67 million.

PROJECT SCHEDULE (if applicable):

AMOUNT & SOURCE OF FUNDING:

Funds Required:

Account Number:

Funds Available:

Account Name:

FISCAL NOTE (if applicable):

PREVIOUS COUNCIL ACTION: City Council passed a Chapter 380 property tax rebate at it

City of Lockhart, Texas

Council Agenda Item Cover Sheet

September 6, 2022 meeting.

COMMITTEE/BOARD/COMMISSION ACTION: LEDC Board of Directors unanimously approved the performance agreement at its regular meeting on September 12, 2022.

STAFF RECOMMENDATION/REQUESTED MOTION: Approve Resolution 2022-34

LIST OF SUPPORTING DOCUMENTS: City Resolution 2022-34 Ziegenfelder, LEDC Draft Minutes 9.12.22

RESOLUTION NO. 2022-34

A RESOLUTION OF THE OF CITY COUNCIL OF LOCKHART, TEXAS APPROVING AN ECONOMIC DEVELOPMENT PERFORMANCE AGREEMENT WITH ZIEGENFELDER COMPANY TO AUTHORIZE THE LOCKHART ECONOMIC DEVELOPMENT CORPORATION TO PROVIDE A REBATE OF UP TO \$50,000 TO ZIEGENFELDER COMPANY FOR REIMBURSEMENT OF ELECTRIC TRANSFORMER.

WHEREAS, the City of Lockhart ("City") is a Type B corporation operating pursuant to Chapters 501 and 505, Texas Local Government Code; and

WHEREAS, pursuant to the EDPA, ZIEGENFELDER COMPANY (Ziegenfelder) will engage in a project whereby it will make a capital investment of \$37,000,000 to construct a facility in the Lockhart area, including utility extensions, and to bring primary jobs to the City of Lockhart, all as more fully described in the EDPA; and

WHEREAS, the LEDC finds that the project will promote new or expanded business development in the City of Lockhart and the surrounding area and that it qualifies as a project pursuant to Chapters 501 and 505, Texas Local Government Code; and

WHEREAS, pursuant to the EDPA, the LEDC will provide a grant of up to \$50,000 to reimburse Ziegenfelder for the cost of an electrical transformer; and

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

1. Recitals: The foregoing recitals are adopted and incorporated herein for all purposes.
2. Approval of the EDPA: The City Council of Lockhart, Texas hereby approves the EDPA between the LEDC and Ziegenfelder, a copy of which Agreement is attached hereto as Exhibit "A," which is incorporated herein for all purposes.

Approved and adopted on this, the 20th day of September 2022.

CITY OF LOCKHART

Lew White, Mayor

Attest:

Approved as to form:

Connie Constancio, City Secretary

Monte Akers, City Attorney

“Exhibit A”

ECONOMIC DEVELOPMENT PERFORMANCE AGREEMENT

This Economic Development Performance Agreement (“Agreement”) is made and entered into by and between THE LOCKHART ECONOMIC DEVELOPMENT CORPORATION OF LOCKHART, TEXAS (“LEDC”), a Type B Economic Development Corporation, and The Ziegenfelder Company, a West Virginia corporation. (“ZIEGENFELDER”).

RECITALS

WHEREAS, Ziegenfelder desires to construct a facility and conduct business operations in the City of Lockhart, Texas (“City”) and to participate in the Economic Development Program established in this Agreement; and

WHEREAS, LEDC desires to establish this Economic Development Program and to offer incentives to Ziegenfelder to locate such business in the City; and

WHEREAS, the LEDC is authorized to promote state and local economic development and to stimulate business and commercial activity within the City, and LEDC has determined that substantial economic benefits, including the bringing of new primary jobs to the City, an increase in the City’s tax rolls, and the creation of new opportunities for local employment, will accrue to the City and the surrounding area, if such business is successfully developed on such property; and

WHEREAS, LEDC and Ziegenfelder desire to enter into this Agreement in order to comply with Sec. 501.158, Texas Local Government Code, which requires an economic development corporation, in order to offer incentives or make expenditures on behalf of a business enterprise under a project, to enter into a performance agreement that addresses a schedule of jobs created or retained, capital investment to be made, direct incentives provided, and the terms under which repayment shall be made in the event a business enterprise does not meet the requirements specified in the Agreement;

NOW THEREFORE, in consideration of the foregoing and the covenants, agreements, representations, and warranties hereinafter set forth and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, LEDC and Ziegenfelder agree as follows:

AGREEMENTS

Section 1. Recitals

The recitals set forth above are incorporated herein by reference as if fully set forth in their entirety.

Section 2: Definitions

- (a) "Building" or "Facility" shall mean the building to be occupied by ZIEGENFELDER on the Property and in which it will operate its business.
- (b) "Effective Date" shall mean the date that both parties have executed this Agreement.
- (c) "Full Time Equivalent Job" ("FTE Job") shall mean employment during a calendar year that is equal to a total of at least 1,820 hours including hours associated with holidays, vacation, sick and personal time, and overtime. Two part-time jobs, but no more than two, may be counted as one FTE Job for the purposes of this Agreement.
- (d) "Property" shall mean 6.788 acres known as Block B, Lot 1 of the Lockhart Industrial Park III, being located near the intersection of W. San Antonio Street and State Highway 130 in Lockhart, Caldwell County, Texas, being all or a portion of the tax parcel with Property ID # 79142, as described and/or depicted in Exhibit A to this Agreement, and being all or a portion of the tax parcel with Property ID # 79142

Section 3: Term

This Agreement shall have a term of five (5) years, commencing on January 1 of the calendar year following Company's completion of construction and securing of a Certificate of Occupancy from the City and terminating at midnight on the fifth anniversary of that date unless sooner terminated as provided herein. For example, if construction is completed and a Certificate of Occupancy obtained in 2023, Year One of this agreement will commence on January 1, 2024.

Section 4. Ziegenfelder Requirements

In consideration of the financial incentives described and offered by LEDC pursuant to this Agreement, Ziegenfelder agrees:

- (a) To, directly and/or through one or more of its affiliates, make a capital investment of approximately thirty-seven million dollars (\$37,000,000.00) in the Project.
- (b) To cause the Facility to be constructed and to notify LEDC in writing when it has received a Certificate of Occupancy from the City of Lockhart for the Facility and specifying the date that ZIEGENFELDER and/or one or more of its affiliates will move into the Facility and begin operation therein.
- (c) To move into the Facility and/or cause one or more of its affiliates to move into the Facility and commence operations not later than by December 31, 2024.
- (d) Other than due to a Business Interruption Exception, to create and fill and/or

cause the creation and filling of at least sixty (60) Full Time Equivalent Jobs positions at the Facility at following rate:

By end of calendar year 2024: a total of 20 FTE jobs positions

By end of calendar year 2025: a total of 40 FTE jobs positions

By end of calendar year 2026: a total of 50 FTE jobs positions.

By end of calendar year 2027: a total of 55 FTE jobs positions.

By end of calendar year 2028: a total of 60 FTE jobs positions.

(Such persons may work in shifts and shall not be required to all be at the Facility at the same time)

- (e) To continue business operations at the Facility (or at such other location in the City approved by the LEDC) throughout the term of this Agreement.
- (f) To keep current (after notice and thirty (30) days' opportunity to cure) in the payment of taxes owed by ZIEGENFELDER to any taxing jurisdiction having jurisdiction in connection with its operations in Lockhart, unless such taxes are being legally contested by ZIEGENFELDER.
- (g) To provide payroll records to LEDC annually showing compliance with Section 4(d) as well as Employment and Payroll Certification during the term of this Agreement.
- (h) To reasonably meet all requirements of this Agreement and to reasonably comply with all material applicable City of Lockhart ordinances, state and federal law, and related requirements during the term of this Agreement.

Section 5. LEDC Requirements

In consideration of ZIEGENFELDER's agreement to locate its business within the City and to perform the other acts described herein, LEDC agrees it will:

- i) Reimburse ZIEGENFELDER an amount not to exceed fifty thousand dollars (\$50,000.00) for an electrical transformer, to be paid to ZIEGENFELDER no later than thirty (30) days following LEDC's receipt of satisfactory written documentation of ZIEGENFELDER's satisfactory purchase and installation of such electrical transformer .

Section 6. Recapture/Termination

- (a) In the event that ZIEGENFELDER and/or one or more of its affiliates begins operating its business, but subsequently discontinues operating its business in Lockhart for any reason except as a result of fire, explosion, or other casualty or accident, force majeure or other natural disaster, war or civil unrest, a taking under eminent domain, regulatory restrictions of any applicable governmental entity which makes conduct of the ZIEGENFELDER illegal or economically untenable, or other event beyond the reasonable control of

ZIEGENFELDER (the "Business Interruption Exceptions") for a period of more than one year during the term of this Agreement, then in such event ZIEGENFELDER shall be required to repay to LEDC any and all monies expended by the LEDC under Section 5 of this Agreement within thirty (30) days of written demand therefore following the expiration of such period. The burden shall be upon ZIEGENFELDER to prove to the satisfaction of the LEDC that the discontinuance of operating its business was a result of one of the Business Interruption Exceptions. In the event that following the occurrence of a Business Interruption Exception which may reasonably be cured within one (1) year of the cessation of business operations, then should ZIEGENFELDER fail to resume business operations within one (1) year of the date of discontinuance of operations, ZIEGENFELDER shall be required to repay LEDC any monies expended by the LEDC under Section 5 of this Agreement within thirty (30) days of written demand therefore following the expiration of the one (1) year period. The parties agree that there may be certain circumstances that result in the cessation of operations at the facility that are beyond the control of ZIEGENFELDER where ZIEGENFELDER is unable to restart its operations within one year (i.e. significant damage to the facility not repairable within one year). In such instances, ZIEGENFELDER agrees to work in good faith and exercise fair dealing in developing and executing a plan for the reopening of the facility in such time as is reasonable under the circumstances as soon as practicable and, in such event, the City of Lockhart will not exercise its rights hereunder for the reimbursement of the monies paid to ZIEGENFELDER under Section 5 hereof.

- (b) In the event that ZIEGENFELDER allows ad valorem taxes owed to the City of Lockhart, Texas on the Property, or its business personal property or inventory to become delinquent and fails to timely and properly follow the legal procedures for their protest or contest (after notice and thirty (30) days' opportunity to cure), ZIEGENFELDER shall be required to repay LEDC any monies expended by the LEDC under Section 5 of this Agreement within thirty (30) days of written demand therefore following such event.

Section 7. Dispute Resolution, Applicable Law, Venue, and Attorney's Fees

(a) In the event of any controversy or claim arising out of or relating to this Agreement or the breach of this Agreement, the parties shall attempt in good faith to resolve the same by good faith mediation before a mediator mutually agreed to by the parties. LEDC and ZIEGENFELDER expressly waive any statutory or other legal requirements that may exist for serving notices or engaging in alternative dispute resolution prior to doing so.

(b) In the event that the claim or controversy is not settled by mediation or any other alternative dispute resolution method agreed to by the parties, either party may file suit in a court of competent jurisdiction sitting in the State of Texas. Venue shall lie in Caldwell County, Texas. The prevailing party in any litigation arising out of this Agreement shall be entitled to recover its reasonable and necessary costs and attorney's fees from the non-prevailing party pursuant to applicable law.

Section 8. Entire Agreement

This Agreement, when executed, contains the entire agreement between the LEDC and Ziegenfelder with respect to the transactions contemplated herein. This Agreement may be amended, altered, or revoked only by written instrument signed by the LEDC and Ziegenfelder.

Section 9. Successors and Assigns

This Agreement may not be assigned to any third party by ZIEGENFELDER without the written consent of LEDC. In the event of such assignment or in the event of legal succession of ZIEGENFELDER's interest in this Agreement by operation of law, this Agreement shall be binding on and inure to the benefit of such assign or successor.

Section 10. Notices

Any notice and/or statement required and permitted to be delivered shall be deemed delivered by depositing same in the United States mail, certified with return receipt requested, postage prepaid, addressed to the appropriate party at the following addresses or at such addresses provided by the parties in writing hereafter:

Ziegenfelder Co.:

Ziegenfelder Company
Attn: Kevin Heller, CEO
87 18th Street
Wheeling, WV 26003

With a Copy to

General Counsel
Armstrong Group
One Armstrong Place
Butler, PA 16001

Lockhart Economic Development Corporation:

Lockhart Economic Development Corporation
Attn: Executive Director
308 W. San Antonio
P.O. Box 239
Lockhart, TX 78644

Section 11. Interpretation

Regardless of the actual drafter of this Agreement, this Agreement shall in the event of dispute over its meaning or application, be interpreted fairly and reasonably, and neither more strongly for or against either party.

Section 12. Severability

In the event that any provision of this Agreement is illegal, invalid, or unenforceable under present or future laws, then and in that event it is the intention of the parties hereto that the remainder of this Agreement shall not be affected thereby, and it is also the intention of the parties to this Agreement that in lieu of each clause or provision that is found to be illegal, invalid, or unenforceable, a provision be added to this Agreement which is legal, valid and enforceable and is as similar in terms as possible to the provision found to be illegal, invalid, or unenforceable.

Section 13. Mutual Assistance

LEDC and Ziegenfelder agree to do all things reasonably necessary and appropriate to carry out the terms and provisions of this Agreement and to aid and assist each other in carrying out such terms and provisions.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the _____ day of _____, 2022.

THE LOCKHART ECONOMIC DEVELOPMENT CORPORATION

Steve Lewis, President

ATTEST:

Michael Kamerlander, LEDC Secretary

The Ziegenfelder Company

Kevin Heller, CEO

DRAFT MINUTES
LOCKHART ECONOMIC DEVELOPMENT CORPORATION

MONDAY, SEPTEMBER 12, 2022
6:00 P.M.

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

Board Members Present: Alan Fielder, Chairman; Doug Foster; Juan Alvarez; Yolanda Strey; Alfredo Muñoz; Sally Daniel

Board Members Absent: Frank Estrada

Staff Present: Mike Kamerlander; Pam Larison, Treasurer; Nicole Warren, LEDC Attorney

1. CALL TO ORDER
The meeting was called to order by Alan Fielder, Chairman at 6:00 pm
2. PUBLIC HEARING
 - 2.1 Hold a public hearing regarding a performance agreement with The Ziegenfelder Company pursuant to Sec. 505.159, Local Government Code.
Public Hearing Open: 6:02 PM
Public Hearing Closed: 6:03 PM
3. PUBLIC COMMENTS
No public comments
4. DISCUSSION AND/OR ACTION
 - 4.1 Discussion and/or action regarding minutes from the August 8, 2022 meeting.

No Discussion.

Motion to approve the minutes from the August 8, 2022 meeting.

Motion: Doug Foster Second: Juan Alvarez Vote: 6 of 6

- 4.2 Discussion and/or action regarding sales tax and financial statements for August 2022

Ms. Larison provided an overview of the financials from August with no significant issues to report. Sales tax revenues continue to outpace last year's collections. Final numbers will be reported after the Fiscal Year closes and the audit is completed. Account 802 has a balance of \$361,733.

Motion to approve the August 2022 financial statements.

Motion: Alfredo Muñoz Second: Juan Alvarez Vote: 6 of 6

- 4.3 Discussion and/or action regarding Resolution 2022-09 designating First Lockhart National Bank of Lockhart, Texas, as the depository for the Lockhart Economic Development Corporation, and authorizing the Chairman to execute a depository agreement with said bank.

The City Auditors while auditing the City and LEDC accounts at the close of FY 2021 recommended the separation of funds between the City of Lockhart and the Lockhart Economic Development Corporation.

The LEDC Board was presented with this recommendation at the conclusion of the audit

and the LEDC Board agreed the separation is prudent. Staff set to work to initiate that change and tonight the board is being asked to finalize it by opening an account with First Lockhart National Bank which is the City's depository bank, having been chosen through an RFP process which began in 2019.

Motion to adopt LEDC Resolution 2022-09 and establish the President of the LEDC as signatory on the account.

Motion: Doug Foster

Second: Alfredo Muñoz

Vote: 4 of 6

Alan Fielder abstained from the vote due to conflict of interest.
Juan Alvarez abstained from the vote due to personal reasons.

4.4 Discussion and/or action regarding LEDC Resolution 2022-10 for an economic development performance agreement with The Ziegenfelder Company

Motion to adopt LEDC Resolution 2022-10 providing incentives to the Ziegenfelder Company.

Motion: Alfredo Muñoz

Second: Sally Daniel

Vote: 6 of 6

4.5 Discussion and/or action regarding awarding a contract for infrastructure construction for Lockhart Industrial Park III phase 2.

The Board was provided with a comparison table of the estimates that were received for the construction of Lockhart Industrial Park III Phase 2. The lowest bid was from Patin Construction which was the contractor for phase 1.

I move to award the construction contract for Lockhart Industrial Park III Phase 2 infrastructure to Patin Construction and authorize the President to execute a contract.

Motion: Alfredo Muñoz

Second: Doug Foster

Vote: 6 of 6

5. DISCUSSION ONLY

5.1 Activity Updates

Mr. Kamerlander gave an update on the LEDC Staff activities for August 2022.

ADJOURN

Motion to Adjourn.

Motion: Alfredo Muñoz

Second: Doug Foster

Vote: 6 of 6

LEDC Board of Directors Adjourned at 6:37 PM.

Minutes approved this the 10th day of October, 2022.

Alan Fielder, Chairman LEDC

Michael Kamerlander, Secretary LEDC

City of Lockhart, Texas

Council Agenda Item Cover Sheet

COUNCIL MEETING DATE: September 20, 2022

AGENDA ITEM CAPTION: Discussion and/or action to consider Professional Services Agreement and appointment of Robert A. Haedge as Municipal Court Presiding Judge.

ORIGINATING DEPARTMENT AND CONTACT: Council - Mayor Lew White

ACTION REQUESTED: Agreement

BACKGROUND/SUMMARY/DISCUSSION: Pursuant to City Charter, Section 4.04, the City Council appoints the Presiding Judge. Following the resignation announcement of Judge Darlon Sojak, the City Council interviewed Robert A. Haedge for the Municipal Court Presiding Judge position. The attached agreement reflects the terms of Mr. Haedge's appointment to the Judge position.

The agreement reflects that the Judge shall hold office for a two-year term, unless terminated earlier as provided in the Agreement. The Judge shall perform all duties and responsibilities of the Office of the Municipal Court Presiding Judge of the City. These duties and obligations include those contained under the City's Charter and Code of Ordinances, Texas Criminal Code, Texas Local Government Code, and other pertinent State and Federal Statutes, and Regulations. Municipal Court is often thought of as traffic court, but it has a broad range of authority that contributes to the missions of other City departments, including Code Enforcement, Police Department, and Planning Department. The Judge shall be on call to perform such obligations after hours. The Agreement shall commence on October 1, 2022 and shall expire on September 30, 2024. The Agreement will be automatically renewed if the Council does not take action within 91 days following the expiration of the two-year period.

Following the approval of this Agreement, Mr. Haedge will participate in training and transition activities with Judge Sojak prior to Judge Sojak's September 30, 2022 departure. Mr. Haedge will be paid a prorated fee while participating in these activities.

PROJECT SCHEDULE (if applicable): N/A

AMOUNT & SOURCE OF FUNDING:

Funds Required:

Account Number:

Funds Available:

Account Name:

FISCAL NOTE (if applicable): N/A

City of Lockhart, Texas

Council Agenda Item Cover Sheet

PREVIOUS COUNCIL ACTION: September 6, 2022 the City Council conducted an interview of the Municipal Court Presiding Judge candidate; no action was taken and Mayor directed the appointment of judge to be placed on the following City Council agenda.

COMMITTEE/BOARD/COMMISSION ACTION: N/A

STAFF RECOMMENDATION/REQUESTED MOTION: None. Council discretion.

LIST OF SUPPORTING DOCUMENTS: Municipal Judge Professional Services Agreement:
ROBERT HAEDGE

**CITY OF LOCKHART, TEXAS
PROFESSIONAL SERVICES AGREEMENT
MUNICIPAL COURT PRESIDING JUDGE**

This employment agreement for judicial services is made by and between the City of Lockhart, Texas ("City") and Robert Haedge ("Judge") effective the 1st day of October 2022 (the "effective date") upon the following terms and conditions:

In consideration of the covenants herein contained, the City hereby hires and appoints the Judge as the Presiding Judge of the Municipal Court and the Judge agrees to perform the full duties and responsibilities as the Presiding Judge for the Municipal Court for the City as discussed herein. The Judge shall have all the powers and authority prescribed by the laws of the state for municipal court judges and shall perform the duties as prescribed by the laws of the state.

APPOINTMENT AND TERM

The Presiding Judge of the Municipal Court shall be filled by appointment by the City Council pursuant to Section 4.04 of the City's Charter. The Judge shall hold office for a two-year term, unless terminated earlier as provided in this Agreement, and until the successor to office has been appointed, qualified, and has assumed office.

For purposes of this agreement, the Judge shall take office once it has been executed by both parties and the Judge takes the oath of office. Thereafter, the Judge shall serve a two-year term that shall commence on the effective date of this Agreement, and which shall expire at midnight on September 30, 2024, unless sooner terminated or extended as provided herein.

A judge who is not reappointed by the 91st day following the expiration of a term of office shall, absent action by the appointing authority terminating such appointment, continue to serve under the same terms and conditions contained in this Agreement, which shall be extended for another term of office beginning on the date the previous term of office expired.

The City reserves the right to appoint an associate judge or temporary replacement, as necessary.

TERMINATION

The City Council may terminate the Judge and this Agreement, in the manner provided by law, at a time before expiration of the initial or extended term for incompetence, corruption, misconduct, or malfeasance in office, such termination. The Judge may terminate this Agreement at any time for any reason following thirty (30) days' notice to the City.

DEFAULT/RIGHT TO CURE

If either party hereto shall default in its performance of any term, covenant, or condition of this Agreement for twenty (20) days after notice of such default, or where such default cannot reasonably be cured within said twenty (20) days, then if the defaulting party does not promptly cure such default, then the other party may terminate this Agreement by thirty (30) days' notice to the other.

HOURS OF WORK

It is recognized that the Judge is expected to engage in the hours of work that are necessary to fulfill the obligations of the position unless prevented from doing so by events or circumstances beyond the control of either party, such as pandemic, severe weather, local or statewide states of disaster, or other "force majeure" events. It is agreed that the Judge will devote a sufficient number of hours on a weekly, monthly, and annual basis to address and accomplish all duties of a municipal court judge under this agreement and all applicable laws and regulations under state law.

DUTIES

The Judge shall perform all duties and responsibilities of the Office of the Municipal Court Judge of the City. These duties and obligations include those contained under the City's Charter and Code of Ordinance, Texas Criminal Code, Texas Local Government Code, Texas Government Code and other pertinent and applicable State and Federal Statutes, and Regulations. The Judge shall be on call to perform such obligations after hours. As the Presiding Judge, the Judge shall be responsible for the judicial supervision and management of the Court. The Municipal Court Manager and court staff, while coordinating daily functions of the court with the Judge, are considered to be municipal employees under the supervisions of the Municipal Court Manager and City Manager.

The Judge shall at all times faithfully and to the best of his ability, administer activities of the Municipal Court, assign and hear all cases and fulfill obligations of the Municipal Court as established by State or local law, rule, statute, regulation and City ordinance. The Judge's duties as Presiding Judge shall include meeting with the City Attorney, Prosecutor, City

Manager, the Chief of Police or such officials' respective designees, and all other personnel as needed to discuss procedures within the Municipal Court as well as establishing and presiding over a court security committee in compliance with Texas Government Code Section 29.014, as amended. The Judge's duties shall also include, but are not limited to:

- (1) conducting court sessions;
- (2) handling all court dockets;
- (3) reasonably responding to requests from 'the City's police department for arrest warrants and search warrants after normal business hours/days which shall be performed by the Judge; and
- (4) responding to all questions from court staff in a professional, efficient, courteous, and timely manner.

PROFESSIONAL LICENSE AND JUDICIAL TRAINING

The Judge shall attend and complete the accredited judicial training, in-person education program(s), and continuing judicial education required by the Rules of Judicial Education and the Texas Municipal Courts Education Center, and shall present proof of such attendance and completion to the City annually.

. The Judge shall be required to maintain his license to practice law with the State Bar of Texas in good standing as a requirement for this position, The Judge will be responsible for his own educational expenses, occupation taxes, bar and membership dues, and continuing education expenses for maintaining his license.

The City shall reimburse the Judge for the costs of all certification and licensing training that is required by the State of Texas, plus actual reasonable expenses for travel, meals, and lodging if any not covered by the training event sponsor. In the event the Judge attends such certification and licensing training on behalf of more than one employer, the Judge will notify the City of that fact and the City's obligation to reimburse costs and expenses shall be limited to a pro rata portion of the total.

OUTSIDE EMPLOYMENT/BUSINESS DEALINGS

It is understood and agreed that this position is as an appointed official of the City. However, the Judge will be allowed to hold outside employment or engage in business dealings that do not result in a conflict of interest, do not interfere with the duties and obligations required by this position and that do not interfere in the hours of work that are necessary to fulfill the obligations of the position. The Judge must give the City notice in writing of his outside

employment and/or business dealings upon the beginning of the term of this Agreement and immediately upon any change in his outside employment and/or business dealings.

COMPENSATION

The Judge shall be deemed an appointed official as well as a part-time contracted employee of the City. The City, for and in consideration of the services provided by the Judge shall hereby agree to pay the Judge a monthly salary of two thousand seven hundred dollars (\$2700.00) payable at the same time as other employees of the City are paid, on the schedule as other City employees and shall be paid net of any applicable withholdings or deductions required by applicable laws and authorities. However, the Judge will not be eligible for benefits offered by the City including health benefits, participation in the City's retirement plan, educational reimbursement, travel expenses and professional fees/taxes, and memberships, unless otherwise specified by this Agreement. The Judge shall furnish such surety bond if required by the City Council, the premium to be paid by the City.

TMLINSURANCE

The City shall ensure that Judge is included in coverage for liability and all errors and omissions while in the performance of his duties as Municipal Judge for the City.

SEVERABILITY

In case any part or provision contained in this Agreement shall, for any reason, be held to be invalid, illegal, or unenforceable by a Court in any respect, such invalidity, illegality, or unenforceability shall not destroy this Agreement, and this Agreement shall be construed and enforced as if the offending part or provision were not a part of this Agreement. .

TEXAS LAW TO APPLY

This Agreement shall be construed under and in accordance with the laws of the State of Texas, and all obligations of the parties created hereunder are performable in Caldwell County, Texas, Venue shall lie in Caldwell County, Texas.

ENTIRE AGREEMENT

All oral or written statements, representations, promises, understandings, and agreements of the parties hereto are superseded by and merged into this Agreement, which alone fully and completely expresses their agreement. This Agreement contains all of the terms agreed upon between the parties with respect to the subject matter hereof.

This Agreement may not be altered, amended, changed, waived, terminated, or modified in any respect or particular unless the same shall be

in writing signed by each of the parties hereto, the Judge and at the direction of City Manager. No waiver by any party of any breach hereunder shall be deemed a waiver of any other or subsequent breach.

Executed on this, the _____ day of _____, 2020.

JUDGE:

CITY OF LOCKHART:

Robert Haedge

Lew White, Mayor

Attest:

Connie Constancio
City Secretary

City of Lockhart, Texas

Council Agenda Item Cover Sheet

COUNCIL MEETING DATE: September 20, 2022

AGENDA ITEM CAPTION: Discussion and/or action to consider appointing two Representatives of the City of Lockhart to the General Assembly of the Capital Area Council of Governments (CAPCOG).

ORIGINATING DEPARTMENT AND CONTACT: Council - Mayor Lew White

ACTION REQUESTED: Other

BACKGROUND/SUMMARY/DISCUSSION: CAPCOG, formed in 1970, serves as an advocate, planner and coordinator on regional issues in the 10-County encompassing Austin-Round Rock-Georgetown Metropolitan Statistical Area. The CAPCOG General Assembly serves as their governing body for purposes of selecting the Executive Committee, adopting operational bylaws and budget, determining membership dues, and guiding the organization's mission. The CAPCOG bylaws provide that Associate members (governmental agencies) can appoint "Sustaining members" (a non-voting representative) which is a person or organization with a positive interest in the welfare of the region. At least 2/3 of the General Assembly's voting representatives must be elected officials.

Based on the population estimates of the City of Lockhart, CAPCOG indicates that the city qualifies to have two representatives on the General Assembly. The General Assembly meets at least twice per year. The CAPCOG requests that the city updates our representatives which is currently Mayor Lew White and Councilmember Jeffry Michelson. Other Caldwell County General Assembly members include: Judge Haden, Commissioner Roland, Mayor Watts, (Luling), and Councilmember Bunker (Martindale).

PROJECT SCHEDULE (if applicable): N/A

AMOUNT & SOURCE OF FUNDING:

Funds Required: N/A

Account Number: N/A

Funds Available: N/A

Account Name: N/A

FISCAL NOTE (if applicable): N/A

PREVIOUS COUNCIL ACTION: N/A

COMMITTEE/BOARD/COMMISSION ACTION: N/A

City of Lockhart, Texas

Council Agenda Item Cover Sheet

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

LIST OF SUPPORTING DOCUMENTS: CAPCOG Board Appointment information



RECEIVED
CITY OF LOCKHART

AUG 29 2022

RECVD. BY:

TIME REC'D:

BASTROP BLANCO BURNET CALDWELL FAYETTE HAYS LEE LLANO TRAVIS WILLIAMSON

6800 Burleson Road, Building 310, Suite 165

Austin, Texas 78744-2306

Ph: 512-916-6000 Fax: 512-916-6001

www.capcog.org

General Assembly Representation Summary for the City of Lockhart

CAPCOG's General Assembly is the organization's governing body for the purposes of selecting the Executive Committee, amending the council's bylaws, adopting budgets, determining membership dues, and guiding the organization's mission. Each CAPCOG member appoints representatives to serve as their voice on the General Assembly, and every year CAPCOG provides a list to ensure member's representative are current. According to the CAPCOG bylaws, full members — counties and municipalities — are entitled at least one representative on the General Assembly; however, they can have additional representatives based on their population as shown below:

Counties	Municipalities	No. of Representatives
Under 20,000	Under 10,000	1
20,000-100,000	10,000-50,000	2
100,000+	50,000-100,000	3
-----	100,000+	4

Associate members — special government districts, school districts, nonprofits, utilities, chambers of commerce, and other governmental agencies — can appoint one representative to the General Assembly. Sustaining members, any person or organization with a positive interest in the welfare of the region, can participate as a non-voting General Assembly representative. At least two-thirds of the General Assembly's voting representatives must be elected officials.

Based on the State Data Center's most recent population estimates and CAPCOG's bylaws, the **City of Lockhart** qualifies for **2 representative(s)** on the General Assembly. Its current representatives are:

- **Mayor Lew White**
- **Council Member Jeffry Michelson**

Please provide any updates to **City of Lockhart's** representative(s) by completing the attached form. More information about CAPCOG's General Assembly representation is at <https://www.capcog.org/who-we-are/general-assembly/>.

As a reminder, General Assembly Representatives are invited to the September 14th General Assembly Meeting at the Hilton Austin Airport, 9515 Hotel Drive in Austin. Representatives can RSVP at <https://training.capcog.org/by-topic/general-assembly>.



APPOINTMENT FORM - GENERAL ASSEMBLY REPRESENTATIVE CAPITAL AREA COUNCIL OF GOVERNMENTS

The governing bodies of CAPCOG's members designate General Assembly representatives.

Counties: Official appointments are made at Commissioners Court.

Cities, Towns, Villages: Official appointments are made at City Council meetings.

Organizations: Official appointments are made by the Board or other governing body.

PLEASE COMPLETE THE FOLLOWING SECTION

Governing Body:

_____ County Commissioners Court (e.g., Travis County Commissioners Court)

-OR-

_____ City Council (e.g., Austin City Council)

-OR-

_____ Other (Board or other governing body)

City, County, or Organization being represented

Name of Representative

Position

Address

City, Zip Code

Telephone Number

Fax Number

Email address (General Assembly Reps. will be subscribed to CAPCOG Connections, Training Alerts, & other e-newsletters.)

Check One:

_____ Reappointment

_____ Filling Vacancy

_____ Changing Representative

Name of Previous Representative

I confirm our governing body appointed the above individual to serve as a CAPCOG General Assembly

Representative for the above entity on _____.

Date of Meeting

Signature of Chief Elected Official/Chair of Governing Board

Date

Please fax this form to 512-916-6001 or email it to dbrea@capcog.org. For questions about completing this form, call Deborah Brea at 512-916-6018.

City of Lockhart, Texas

Council Agenda Item Cover Sheet

COUNCIL MEETING DATE: September 20, 2022

AGENDA ITEM CAPTION: Discussion and possible action on an ordinance allowing the possession of open alcoholic beverage containers and consumption of alcoholic beverages on city property under certain circumstances.

ORIGINATING DEPARTMENT AND CONTACT: City Attorney - Monte Akers

ACTION REQUESTED: Other

BACKGROUND/SUMMARY/DISCUSSION: A draft ordinance has been prepared to allow open containers and consumption of alcohol on public sidewalks, streets, and other ways in the Commercial Central Business District ("CCBD") during selected special events. The Council is requested to provide feedback about the ordinance, particularly whether the special events listed are appropriate and whether businesses in the CCBD will be allowed to "lease" sidewalk, alley, or other public property for the purpose of obtaining TABC authority to sell alcohol from such property during special events. The process for obtaining a license for private use of public property is currently contained in Sec. 50-141 of the City Code, a copy of which is attached.

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: This matter was the subject of a special meeting with TABC representatives on August 25, 2022, and staff was directed to bring back a draft ordinance.

COMMITTEE/BOARD/COMMISSION ACTION: N/A

STAFF RECOMMENDATION/REQUESTED MOTION: Staff requests guidance from the Council regarding any desired changes to the draft ordinance, particularly in connection with the list of special events and licensing of private use of public property, as discussed above.

LIST OF SUPPORTING DOCUMENTS: Draft Ordinance, Section 50-141 of the City Code

ORDINANCE NO. 2022-47

AN ORDINANCE OF THE CITY OF LOCKHART ALLOWING THE POSSESSION OF OPEN ALCOHOLIC BEVERAGE CONTAINERS AND CONSUMPTION OF ALCOHOLIC BEVERAGES ON CITY PROPERTY UNDER CERTAIN CIRCUMSTANCES; PROVIDING CLAUSES FOR REPEALER, SEVERABILITY, AND EFFECTIVE DATE

WHEREAS, the City of Lockhart is a home rule city and the county seat of Caldwell County; and

WHEREAS, the county courthouse and surrounding area, known as the City's Commercial Central Business district ("CCBD"), is the site of various "special events," which are defined in Sec. 48-1 of the Lockhart Code of Ordinances as "Activities that include, but are not limited to, carnivals, fairs, festivals, sporting events, rodeos, special gatherings, rallies and parades which occur at infrequent intervals or only at certain times of the year;" and

WHEREAS, the Lockhart Code of Ordinances, in Sec. 36-3, provides that it shall be unlawful for any person to consume any alcoholic beverage while on any street, sidewalk or other public way within the city; and

WHEREAS, it is the desire of the City Council of the City of Lockhart to specify the circumstances when the possession of open alcoholic beverage containers and consumption of alcoholic beverages on streets, sidewalks, and other public ways in the CCBD shall be allowed during certain types of special events in the CCBD;

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

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

SECTION 2: Sec. 36-3 of the City of Lockhart Code of Ordinances is hereby repealed and replaced in its entirety with the following:

Sec. 36-3. - Consumption of alcoholic beverages in public.

- (a) It shall be unlawful for any person to consume any alcoholic beverage while on any street, sidewalk or other public way within the city. As used in this section the term "alcoholic beverage" shall have the meaning ascribed to it by the Texas Alcoholic Beverage Code ("TABC").
- (b) It shall be an exception to Subsection (a) if such consumption, including possession of an open container outside of a vehicle, occurs under the following circumstances:

- (1) In any city park, after first obtaining written permission from the chief of police or his duly appointed representative. Such written permission shall be limited to consumption of alcoholic beverages at a picnic table at which food is possessed at the same time. Alcoholic beverages shall be at all times prohibited in playground areas.
- (2) At a special event occurring in the City's Commercial Central Business district ("CCBD"), for which the sponsor of the event has first obtained a special activity permit from the chief of police or his duly appointed representative. Such permit shall be issued only for special events that meet the following criteria:
 - (i) An event for which the TABC has issued a temporary event authorization;
 - (ii) The event is one of the following:
 - a. Cinco de Mayo
 - b. Chisholm Trail Roundup
 - c. Diez y Seis
 - d. Dickens Festival
 - e. First Friday
 - f. Courthouse Nights
 - g. Sip-n-Stroll
 - h. Festival del Mariachi
 - i. Western Swing Festival
 - j. Texas Monthly Barbecue Festival
 - k. CTR Running of the Bulls
 - l. Dia de Los Muertos Art Show or
 - m. an event not listed above for which the City Council has granted permission for the issuance of the special activity permit regarding alcohol.

- (c) Nothing in this section shall be construed to authorize the consumption of alcohol by a person prohibited from such consumption by state law, or the sale of alcohol by any person except as authorized by the TABC. It shall be the responsibility of any person desiring to sell alcoholic beverages during a special event in the CCBD to obtain the necessary authority from the TABC.

SECTION 3. Any provision of the Code of Ordinances of the City of Lockhart in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

SECTION 4. It is the intention of the City Council that the components of this Ordinance are severable, and if any provision is declared invalid by a court of competent jurisdiction, such invalidity shall not affect any remaining components of this Ordinance.

SECTION 5. This ordinance is effective from the date of its adoption.

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

CITY OF LOCKHART

Lew White, Mayor

ATTEST:

APPROVED AS TO FORM:

Connie Constancio, TRMC, City Secretary

Monte Akers, City Attorney

ARTICLE V. - LICENSES FOR PRIVATE USE OF PUBLIC PROPERTY

Sec. 50-141. - Required; fees; exemptions; appeals.

(a) Except as otherwise noted in this section, a license for private use of public property may only be approved in accordance with the following procedure:

- (1) The applicant requesting a license shall submit an application together with a survey and a field note description to the city manager or designee. A nonrefundable application fee in the amount of \$50.00 must be submitted with the application. Payment of this application fee shall not relieve the applicant of the requirement to pay any other fees assessed under this Code, including, but without limitation the annual fees described in this section.
- (2) The city manager or designee shall distribute the application and attached materials to city departments and franchise holders with an interest in the property in question for review and comment.
- (3) If the city manager or designee finds that the proposed license does not interfere with the public use of the property, the appraised value of the area to be licensed and the annual license fee will be established by the city. An executed license agreement will be issued after the city's receipt of payment in an amount equal to the annual fee.
- (4) Existing uses and/or encroachments as of the date of this article shall be required to be licensed, but no fees shall apply.

(b) The initial annual fees for a license agreement shall be calculated in accordance with the following:

- (1) The minimum annual fee shall be \$125.00.
- (2) For surface licensing the fee shall be ten percent of the appraised value of the area subject to the license.
- (3) For underground licensing the fee shall be five percent of the appraised value of the area subject to the license.
- (4) For aerial licensing the fee shall be 7.5 percent of the appraised value of the area subject to the license.
- (5) The annual fee will be subject to change after each two-year period the license remains in effect and shall be adjusted according to changes in appraised values at that time.
- (6) No annual fee will be charged:
 - a. For any structure officially designated as historical or which is located on property with historic zoning;
 - b. For property dedicated to the city without charge only if the person or entity which originally dedicated the land in question continues to possess the adjacent property or an underlying interest; or

c. For any use which is considered minor and/or nonpermanent construction or materials.

(7) The city manager or designee may waive the annual fee for license agreements which in his sole discretion benefit the licensed property.

(8) Existing uses and/or encroachments as of the date of this article shall be exempt from the fee requirements, until such time as a change in ownership or control of the property occurs.

(c) If the agreement provides for an activity or encroachment which, in the opinion of the city manager, is unusual or of significant public interest, the city manager may, in his or her sole discretion, forward the proposed license agreement to the city council for consideration. Activities or encroachments which are unusual or of significant public interest may include, but are not limited to, pedestrian bridges or buildings over streets or alleys, or basements or tunnels under streets or alleys.

(d) License agreements under this section shall contain:

(1) A termination clause enabling the city manager or designee to terminate the license following 90 days' written notice to the licensee and to the affected adjoining landowners, if applicable. The remaining balance of fees paid will be refunded to the current owner, or person with control of the property if that person paid the fee, at the time the refund is made.

(2) Provisions addressing insurance requirements and establishing liens on the applicant's property adjacent to or covered by the license agreement, if applicable.

(3) Such other provisions which, in the city manager's or designee's sole discretion, are necessary to protect the interests of the city.

(4) This section shall not apply to the following:

a. Temporary construction barricades.

b. Banners over streets.

c. Temporary street closings.

d. Minor or temporary encroachments which, in the sole discretion of the city manager or designee, are adequately covered by other regulations to protect the interests of the city, such as mailboxes.

(e) The decision of the city manager or designee to deny a license may be appealed by the applicant to the city council. Before such an appeal may be filed:

(1) The city must first have completed an appraisal of the value of the property in question; and

(2) The applicant must first have submitted to the city manager or designee the amount of the first annual fee and a written statement describing the basis of the appeal.

City of Lockhart, Texas

Council Agenda Item Cover Sheet

COUNCIL MEETING DATE: September 20, 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, Goals

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

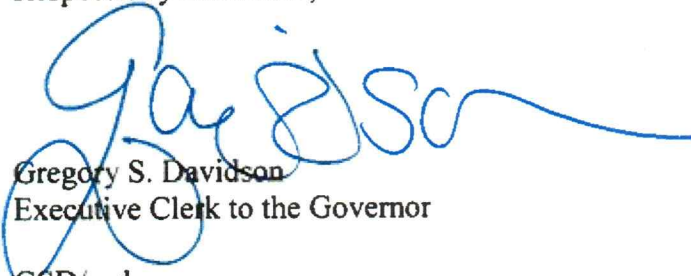
Dear Deputy Secretary Esparza:

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
3:15 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
2PM O'CLOCK

AUG 25 2021

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

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



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

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

GREG ABBOTT
Governor

ATTESTED BY:

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

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

AUG 25 2021

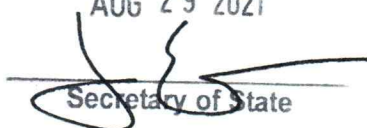


GOVERNOR GREG ABBOTT

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

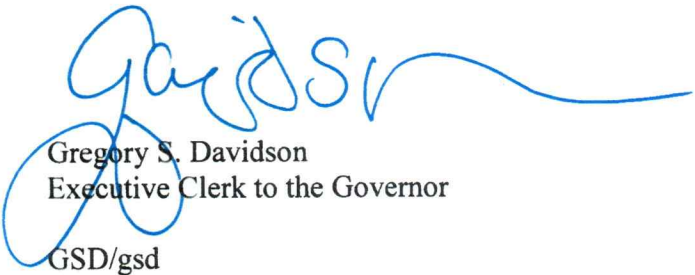
Dear Mr. Deputy Secretary:

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

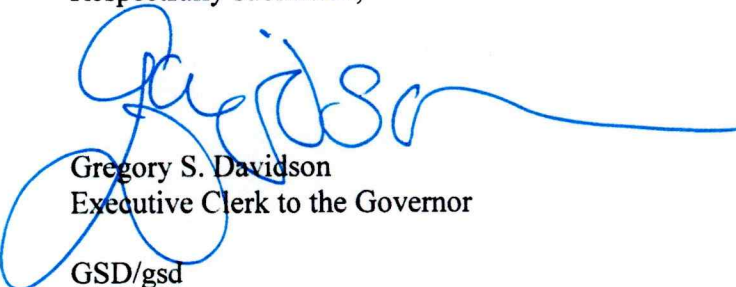
Dear Deputy Secretary Esparza:

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,


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.

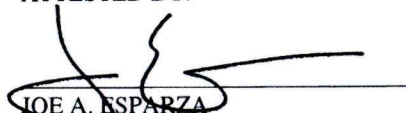
This executive order does not supersede Executive Orders GA-13, GA-37, GA-38, or GA-39. This executive order shall remain in effect and in full force unless it is modified, amended, rescinded, or superseded by the governor. This executive order may also be amended by proclamation of the governor.

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	City Facilities: Maintenance and repairs

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

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

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

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

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

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

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

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

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

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

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

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

City of Lockhart
2015 BOND PROGRAM

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

City of Lockhart
2015 BOND PROGRAM

Cost	Notes Task Name	Duration	Start	Finish	2015	2016	2017
					FebMarAprMayJunJulAugSepOctNovDecJanFebMarAprMayJunJulAugSepOctNovDecJanFebMarAprMayJunJulAugSepOctNovDecJan		
\$1,355,516.00	6 SH130 WATER MAIN PROJECT - City Line Rd. to Existing Tank, SH 130 @ Hwy. 142, Borchert/Mockingbird, Control Valves, FM 2001	365 days	Thu 6/30/16	Thu 6/29/17			
	Surveying Proposal	15 days	Mon 1/18/16	Mon 2/1/16			
	Survey	30 days	Tue 2/2/16	Wed 3/2/16			
	Acquisition	150 days	Thu 3/3/16	Sat 7/30/16			
	Engineering Design	120 days	Thu 3/3/16	Thu 6/30/16			
	Bid Ad/NTP	60 days	Fri 7/1/16	Mon 8/29/16			
	Construction	300 days	Fri 9/2/16	Wed 6/28/17			
\$470,400.00	7 SH130 PUMP STATION PROJECT						
	Survey	7 days	Mon 4/25/16	Sun 5/1/16			
	Engineering Design	90 days	Mon 5/2/16	Sat 7/30/16			
	Bid Ad/NTP	60 days	Sun 7/31/16	Wed 9/28/16			
	Construction	270 days	Sun 10/2/16	Wed 6/28/17			
\$859,186.00	8 SH130/TOWN BRANCH SEWER PROJECT						
	Surveying Proposal	15 days	Fri 5/20/16	Fri 6/3/16			
	Survey	30 days	Sat 6/4/16	Sun 7/3/16			
	Acquisition	120 days	Mon 7/4/16	Mon 10/31/16			
	Engineering Design	90 days	Mon 7/4/16	Sat 10/1/16			
	Bid Ad/NTP	60 days	Sun 10/2/16	Wed 11/30/16			
	Construction	240 days	Mon 12/5/16	Tue 8/1/17			
\$1,891,126.00	9 WATER TRANSMISSION MAIN PROJECT - Water Plant Transmission Main, MLK to FM 20 West Transmission Main						
	Surveying Proposal	17 days	Wed 11/16/16	Fri 12/2/16			
	Survey	30 days	Sat 12/3/16	Sun 1/1/17			
	Acquisition	120 days	Mon 1/2/17	Mon 5/1/17			
	Engineering Design	90 days	Mon 1/2/17	Sat 4/1/17			
	Bid Ad/NTP	60 days	Sun 4/2/17	Wed 5/31/17			
	Construction	180 days	Mon 6/5/17	Fri 12/1/17			