

PUBLIC NOTICE

AGENDA

LOCKHART CITY COUNCIL

October 18, 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 declaring October 2022 as National Domestic Violence Awareness Month. **6**
- B. Discuss City Council minutes of the September 6, 2022 and September 20, 2022 meetings. **7-25**
- C. Discuss an agreement with Lower Colorado River Authority (LCRA) and McCoy Tree Service for tree trimming in the right-of-way and utility easements. **26-29**
- D. Discuss Hotel Occupancy Tax (HOT) application from Hill Country Cook-off Association. **30-42**
- E. Discuss non-profit allocation to Ascension Children's Care-A-Van and approve Budget Amendment #71 by Ordinance 2022-57 to the Fiscal Year 2022-2023 Annual Operating Budget. **43-52**
- F. Discuss submission of a Texas Department of Emergency Management Grant Program Application; and authorizing the City Manager to sign a match certification/commitment letter. **53-55**
- G. Discuss Ordinance 2022-56 of the City Council of the City of Lockhart, Texas repealing uncodified Ordinance 2020-16 in its entirety and adopting this ordinance establishing the payment of a monetary recruitment incentive for new police officer hires and establishing a recruiting and retention incentive for current certified police officers, setting forth criteria for the incentives. **56-61**

- H. Discuss Ordinance 2022-54 amending Chapter 28, "Historical Districts and Landmarks," Section 28-10, "Ordinary Maintenance," subsection (e)(3) to expand the requirements for Certificates for Alteration for changing the color of painted surfaces; amending Chapter 46, "Signs," Section 46-2 "Definitions," to add a definition of Mural, and adding Section 46-10 (j), "Murals," to establish standards regulating murals within the City of Lockhart. 62-70
- I. Discuss Ordinance 2022-55 vacating and abandoning a 1,243 square-foot segment of alley right-of-way situated in the Reed's Addition between Block 2 in the 200 block of South Rio Grande Street and Block 3 in the 200 Block of Concho Street; and authorizing the City Manager to execute a deed conveying said right-of-way to the owner of the adjacent properties. 71-77
- J. Discuss Ordinance allowing the possession of open alcoholic containers and consumption of alcoholic beverages on city property under certain circumstances. 78-84
- K. Discuss Interlocal Agreement with Caldwell County regarding air ambulance and Budget Amendment #72 by Ordinance 2022-58. 85-105

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-22-23 by Rebecca Briceno, and discussion and/or action to consider Ordinance 2022-48 for a **Zoning Change** from *CLB Commercial Light Business District* to *RMD Residential Medium Density District* on a total of 0.586 acre in the Byrd Lockhart League, Abstract No. 17, located at 915 Red River Street. 106-122

- B. Hold a PUBLIC HEARING on application ZC-22-24 by Tamara K. Carlisle on behalf of The Lumberyard Lockhart, LLC, and discussion and/or action to consider Ordinance 2022-49 for a **Zoning Change** from *CMB Commercial Medium Business District* to *RMD Residential Medium Density District* on a total of 0.562 acre consisting of all of Lot 24 and part of Lot 22, A.R. Chews Addition, located at 500 Block West Market Street. 123-136
- C. Hold a PUBLIC HEARING on application ZC-22-25 and consider a request by Tamara K. Carlisle on behalf of The Lumberyard Lockhart, LLC, and discussion and/or action to consider Ordinance 2022-50 for a **Zoning Change** from *CMB Commercial Medium Business District* to *RMD Residential Medium Density District* on a total of 0.135 acre consisting of part of Lot 20, A.R. Chews Addition, located at 500 West Market Street. 137-148
- D. Hold a PUBLIC HEARING on application ZC-22-26 by Chris Elizondo of Cuatro Consultants, Ltd., on behalf of Jimbo Cotton of 2401 CR 119, LLC, and discussion and/or action to consider Ordinance 2022-51 for a **Zoning Change** from *AO Agricultural-Open Space District* to *RMD Residential Medium Density District* on 19.367 acres in the Byrd Lockhart League, Abstract No. 17, located at 1400 Lovers Lane. 149-162
- E. Hold a PUBLIC HEARING on application ZC-22-27 by Dan Ross on behalf of Thomas Staub of Roed Prop Co, LLC, and discussion and/or action to consider Ordinance 2022-52 for a **Zoning Change** from *AO Agricultural-Open Space District* to *RMD Residential Medium Density District* on a total of 89.775 acres in the John A. Neill League, Abstract No. 20, located at 2400 FM 1322. 163-175
- F. Hold a PUBLIC HEARING and discussion/action to consider Ordinance 2022-53 for a **Zoning Text Amendment** revising Chapter 64 "Zoning" of the Code of Ordinances, Article VII "Zoning Districts and Standards", Section 64-197 "Regulations Common To All Or Several Districts", Subsection (g)(2) "Additional Parking Requirements Within Residential Districts", Paragraph (a), to allow front-facing garage doors for any size garage to occupy up to 50 percent of the width of detached single-family dwellings. 176-182

5. **CONSENT AGENDA**

- A. Approve City Council minutes of the September 6, 2022 and September 20, 2022 meetings. 183-201
- B. Approve an agreement with Lower Colorado River Authority (LCRA) and McCoy Tree Service for tree trimming in the right-of-way and utility easements. 202-205
- C. Approve Hotel Occupancy Tax (HOT) application from Hill Country Cook-off Association. 206-218
- D. Approve non-profit allocation to Ascension Children's Care-A-Van and approve Budget Amendment #71 by Ordinance 2022-57 to the Fiscal Year 2022-2023 Annual Operating Budget. 219-228
- E. Approve the submission of a Texas Department of Emergency Management Grant Program Application; and authorizing the City Manager to sign a match certification/commitment letter. 229-231

6. **DISCUSSION/ACTION ITEMS**

- A. Discussion and/or action to consider Ordinance 2022-56 of the City Council of the City of Lockhart, Texas repealing uncodified Ordinance 2020-16 in its entirety and adopting this ordinance establishing the payment of a monetary recruitment incentive for new police officer hires and establishing a recruiting and retention incentive for current certified police officers, setting forth criteria for the incentives. 232-237
- B. Discussion and/or action to consider adoption of Ordinance 2022-54 amending Chapter 28, "Historical Districts and Landmarks," Section 28-10, "Ordinary Maintenance," subsection (e)(3) to expand the requirements for Certificates for Alteration for changing the color of painted surfaces; amending Chapter 46, "Signs," Section 46-2 "Definitions," to add a definition of Mural, and adding Section 46-10 (j), "Murals," to establish standards regulating murals within the City of Lockhart. 238-246
- C. Discussion and/or action to consider adoption of Ordinance 2022-55 vacating and abandoning a 1,243 square-foot segment of alley right-of-way situated in the Reed's Addition between Block 2 in the 200 block of South Rio Grande Street and Block 3 in the 200 Block of Concho Street; and authorizing the City Manager to execute a deed conveying said right-of-way to the owner of the adjacent properties. 247-253
- D. Discussion and possible action on an ordinance allowing the possession of open alcoholic containers and consumption of alcoholic beverages on city property under certain circumstances. 254-260

- E. Discussion and/or action to consider Interlocal Agreement with Caldwell County regarding air ambulance and approving Budget Amendment #72 by Ordinance 2022-58.

261-281

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

- Update regarding the November 8, 2022 General Election changes in Early Voting.
- Texas Monthly BBQ fest on November 5 and 6.
- Halloween Spooktacular Preschool Storytime will Trick-or-Treat around the downtown square on October 31st.
- Plans are underway for *A Christmas to Remember in Lockhart* (formerly Dickens) on December 2nd and 3rd. The Lighted Parade will be held on Saturday, December 3, 2022.

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 14th day of October, 2022 at 3:40 p.m.



PROCLAMATION

WHEREAS, the crime of domestic violence violates the basic human rights of safety and dignity, and 228 Texans were killed due to domestic violence; and

WHEREAS, the problems of domestic violence and teen dating violence are not confined to any group of people, but cut across all economic, racial, gender and societal barriers; and

WHEREAS, the impact of domestic violence and teen dating violence directly affects individuals and communities when society ignores or tolerates violence in relationships; and

WHEREAS, last year HCWC provided face-to-face services to over 816 local victims of domestic violence and provided 7,753 days of shelter; and

WHEREAS, last year HCWC provided these direct services to 46 victims from the City of Lockhart.

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

October 2022

as

“National Domestic Violence Awareness Month”

and call upon the people of Lockhart to work together with HCWC and local partners to bring an end to domestic violence and teen dating violence.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Seal of the City of Lockhart, Texas to be affixed this 18th day of October 2022.

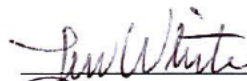
ATTEST:



Connie Constancio, TRMC
City Secretary



CITY OF LOCKHART



Lew White
Mayor

**REGULAR MEETING
LOCKHART CITY COUNCIL**

SEPTEMBER 6, 2022

6:30 P.M.

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

Council present:

Mayor Pro-Tem Angie Gonzales-Sanchez
Councilmember Juan Mendoza
Councilmember Jeffry Michelson

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

Staff present:

Steven Lewis, City Manager
Monte Akers, City Attorney
Pam Larison, Finance Director
Julie Bowermon, Civil Service/HR Director
Dan Gibson, City Planner
Cean Charles, EMS Director

Connie Constancio, City Secretary
Victoria Maranan, Public Information Officer
Sean Kelley, Public Works Director
Mike Kamerlander, Economic Dev. Director
David Fowler, Senior Planner

Citizens/Visitors Addressing the Council: Kevin Heller, CEO of Ziegenfelder, LLC; Dan Ross of Red Oak Development Group; Brad Laughlin of Garden Gate Holdings

Work Session 6:30 p.m.

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

DISCUSSION ONLY

A. EXECUTIVE SESSION IN ACCORDANCE WITH THE PROVISIONS OF THE GOVERNMENT CODE, TITLE 5, SUBCHAPTER D, SECTION 551.074, TO DELIBERATE THE APPOINTMENT, EMPLOYMENT, EVALUATION, REASSIGNMENT, DUTIES, DISCIPLINE, OR DISMISSAL OF A PUBLIC OFFICER OR EMPLOYEE. Conduct interview of Municipal Court Presiding Judge candidate.

Mayor White announced that the Council would enter Executive Session at 6:32 p.m.

Mayor White announced that the Council would enter Open Session at 7:40 p.m.

B. DISCUSS THE MINUTES OF THE CITY COUNCIL MEETINGS OF AUGUST 2, 2022, AUGUST 16, 2022 AND AUGUST 25, 2022.

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

C. DISCUSS REVISED JOINT ELECTION AGREEMENT FOR ELECTION SERVICES WITH CALDWELL COUNTY ELECTIONS ADMINISTRATOR TO CONDUCT THE CITY OF LOCKHART'S NOVEMBER 8, 2022 GENERAL ELECTION.

Ms. Constancio stated that on March 1, 2022, the City Council approved a contract for joint election services with the Caldwell County Elections Administrator to conduct the City of Lockhart's General Election on November 8, 2022. Since that date, Kimber Daniels, Caldwell County Elections Administrator, informed staff that the County's Attorney has revised the Joint Election Agreement. After comparing and reviewing the agreements, the revised agreement adds details about the election, such as

early voting dates and times, and requires each participating entity to sign the document. Details about the costs of services remain the same. The City of Lockhart will pay a 10% Administrative Fee of the total cost of the election plus a ratio formula shared between participating entities. There was discussion.

D. DISCUSS CHAPTER 380 AGREEMENT WITH THE ZIEGENFELDER CO. TO PROVIDE INCENTIVES FOR ECONOMIC DEVELOPMENT.

Mr. Kamerlander stated that 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.

Details are as follows:

Employment: 100

Investment: \$39 million

Facility Size: 96,000 square feet

Status: Company is under contract for land in Lockhart Industrial Park III. The company has indicated that it intends to close quickly.

The incentive before Council is for 5 years beginning in year 2 with the following schedule:

Year 2: 80% rebate of real and personal property taxes

Year 3: 75%

Year 4: 66%

Year 5: 66%

Year 6: 33%

The net benefit to the City of Lockhart over 10 years is estimated to be \$1.67 million. The County Commissioners Court will also be considering an incentive at its next Court meeting.

Kevin Heller, CEO of Ziegenfelder stated that his company looked at other cities while scouting a new location to expand the business, and decided to choose Lockhart because of the welcoming community and the ease of working with city staff.

E. DISCUSSION REGARDING RESOLUTION 2022-32 FOR AN ECONOMIC DEVELOPMENT PERFORMANCE AGREEMENT AND PROPERTY SALE AGREEMENT FOR 2.468 ACRES IN LOCKHART INDUSTRIAL PARK II WITH WARELOCK PARTNERS 2, LLC.

Mr. Kamerlander stated that the economic development performance agreement is for a possible speculative building collaboration project for the 2.468-acres of land owned by the Lockhart Economic Development Corporation (LEDC) in Industrial Park II. Since this is only for the construction of new spec buildings, it is hard to pinpoint the entire value of the project and the jobs that will be created as a result although staff would expect at least \$1.5 million estimate at full buildout. This performance agreement and contract match the terms from the first deal with this development group for the 5-acres previously owned by LEDC across from this land. The LEDC closed on that transaction on July 29th. The facility size: Up to 20,000 square feet. This performance agreement was discussed and unanimously passed by the LEDC Board at its August 8th board meeting. The property sale contract does not place a time constraint on the construction itself. This would be done with an economic development performance agreement which is needed to offer the price below. The developer says his intentions are to complete construction within a year of contract and to try to coordinate it with the project on the recently acquired

5-acres across the street. Incentives: The board approved the offer of \$1.50/square foot land cost for the 2.468 acres owned by LEDC in Industrial Park II. The total revenue generated by the sale of the land to LEDC would be \$161,259.12. Mr. Kamerlander recommended approval. There was discussion.

F. DISCUSSION REGARDING ORDINANCE 2022-40 ADOPTING THE CITY OF LOCKHART'S ANNUAL OPERATING BUDGET FOR FISCAL YEAR 2022-2023 AND APPROPRIATING RESOURCES, BEGINNING OCTOBER 1, 2022, ENDING SEPTEMBER 30, 2023, FOR THE CITY OF LOCKHART, CALDWELL COUNTY, TEXAS AND THE LOCKHART ECONOMIC DEVELOPMENT CORPORATION AND ADOPTING THE CITY'S INVESTMENT POLICY, FINANCIAL POLICY, AND FUND BALANCE - STABILIZATION AND EXCESS OF RESERVES POLICIES.

Ms. Larison stated that in accordance with the provisions of Article IX, Section 9.09 of the City of Lockhart Charter - a vote is required for adoption; the budget shall be adopted by the favorable vote of a majority of the members of the whole City Council. This budget also sets forth the fiduciary policies for the City of Lockhart and the Lockhart Economic Development Corporation for the fiscal year October 1, 2022 and ending September 30, 2023. This ordinance will adopt the City's Investment Policy, Financial Policy, and the Fund Balance - Stabilization and Excess of Reserve Policy. The City of Lockhart's Investment Policy must be adopted annually by ordinance according to the City's Charter, Chapter 2256, Section 2256.005. Two additions were added to the City of Lockhart's Financial Policy. Upon completion of the Fiscal Year 2020-2021 audit, the City's external auditor, BrooksWatson & Company, made two recommendations which involved additions to the City's Financial Policy. The first concerns uncollectible debt and the second is a GASB 87 statement dealing with capital leasing. The budget for Fiscal Year 2022-2023 includes the revised City of Lockhart Financial Policy with the recommended additions. This agenda item allows for the City Council to suggest any budget allocations or deletions to the budget before a vote is taken. If no additional allocations or deletions are presented, action can be taken to adopt the Fiscal Year 2022-2023 Annual Operating Budget for the City of Lockhart, Caldwell County, Texas and the Lockhart Economic Development Corporation. There was discussion.

G. DISCUSSION REGARDING ORDINANCE 2022-41 LEVYING MAINTENANCE AND OPERATIONS PROPERTY TAXES FOR THE USE AND SUPPORT OF THE CITY OF LOCKHART, TEXAS AND INTEREST AND SINKING PROPERTY TAXES FOR THE DEBT SERVICE OBLIGATIONS OF THE CITY OF LOCKHART, CALDWELL COUNTY, TEXAS FOR FISCAL YEAR 2023, BEGINNING OCTOBER 1, 2022 AND ENDING SEPTEMBER 30, 2023.

Ms. Larison stated that the proposed tax rate is \$0.6006 per \$100 of assessed value. The Ordinance describes the two required components of the tax rate: Maintenance and Operations (M&O) and Interest and Sinking (I&S). State law requires a statement regarding the amount by which taxes for maintenance and operations on a \$100,000 home will be raised. Based on the proposed tax rate, the maintenance and operations portion of the rate will be \$0.4504 per \$100 assessed value compared to last year's maintenance and operations rate of \$0.5254 per \$100 assessed value, resulting in a decrease of \$0.075 or 14.3%. The interest and sinking portion of the tax rate increased from \$0.1057 to \$0.1502 per \$100 assessed value, resulting in an increase of \$0.0445 or 42.3%. Therefore, there will be no increase in the maintenance and operations tax due on a \$100,000 home. The City of Lockhart's portion of a homeowner's property tax bill is only 27% of their total bill based on current tax rates. The remaining 73% of the tax bill is for property taxes charged by the other taxing jurisdictions, including the Lockhart Independent School District (42%), Caldwell County (29%), Farm-to-Market (0.004%), and Plum Creek Conservation District and Groundwater tax (2.0%). Property taxes paid to the City of Lockhart make up approximately 37% of the City's General Fund revenues. Sales tax revenue makes up another 15%, while other fees and services

cover the remaining 48%. The revenues from the General Fund provide maintenance and operational support for streets, parks, infrastructure, police and fire protection. The verbiage contained within this ordinance is in strict compliance with requirements of Section 26.05(b)(1)(B) of the Texas Tax Code. There was discussion.

H. DISCUSSION REGARDING ORDINANCE 2022-42 REPEALING UNCODIFIED ORDINANCE 2021-29 IN ITS ENTIRETY AND ADOPTING THIS ORDINANCE REGARDING THE CITY PERSONNEL POLICY MANUAL; REMOVING PERFORMANCE OR MERIT PAY FOR POLICE AND FIRE PERSONNEL AND ADOPTING A STEP PAY PLAN FOR POLICE AND FIRE DEPARTMENTS UNDER CIVIL SERVICE.

Ms. Bowermon stated that the Fiscal Year 2022-2023 Budget includes a 4% pay increase for all full-time and part-time regular City of Lockhart employees. In compliance with Civil Service, classified police and fire positions are paid per a step pay plan, which is set by ordinance. The proposed ordinance reflects increasing the step plans as included in the budget. There was discussion.

I. DISCUSSION REGARDING RESOLUTIONS TO CONSENT TO THE INCLUSION OF CITY ETJ LAND IN THE CALDWELL CO. MUD NO. 2. (RESOLUTION NO. 2022-30 FOR 32.486 ACRES REQUESTED BY JAKOVICH INTERESTS, LLC AND RESOLUTION NO. 2022-31 FOR 135.731 ACRES REQUESTED BY PH LAND HOLDINGS, LLC.)

Mr. Akers stated that State law requires that a city consent to the inclusion of land in its extraterritorial jurisdiction (ETJ) in a municipal utility district ("MUD"). On January 15, 2019, the City approved Resolution No. 2019-04 and a Consent Agreement for creation of "Clear Fork Ranch MUD," a portion of which would be in the City's ETJ. The Legislature subsequently changed the name of the MUD to the "Caldwell Co. MUD No. 2." The Consent Agreement provided that additional land could be included in the MUD only with the City's consent, and on August 12, 2022, the City received petitions for inclusion of two tracts in the ETJ, being 32.486 acres from Jakovich Interests, LLC, and 135.731 acres from PH Land Holdings, LLC, both of which tracts were addressed in the Consent Agreement, the latter being described therein as "Option Land". There was discussion.

RECESS: Mayor White announced that the Council would recess for a break at 7:58 p.m.

REGULAR MEETING

ITEM 1. CALL TO ORDER.

Mayor Lew White called the meeting to order at 8:10 p.m.

ITEM 2. INVOCATION, PLEDGE OF ALLEGIANCE.

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

ITEM 3. PUBLIC COMMENT.

Mayor White requested citizens to address the Council.

ITEM 4. OPEN SESSION REGARDING ITEM DISCUSSED IN EXECUTIVE SESSION. Discussion and/or action to consider the appointment of Municipal Court Presiding Judge and authorize staff to execute Professional Services Agreement.

Mayor White announced that the Professional Services Agreement would be considered during the next Council meeting.

ITEM 5-A. HOLD A PUBLIC HEARING FOR THE CITY OF LOCKHART AND THE LOCKHART ECONOMIC DEVELOPMENT CORPORATION FISCAL YEAR 2022-2023 BUDGET.

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

Ms. Larison stated that the City Charter requires that the City Council hold one public hearing for the City of Lockhart Budget to allow for public comments. This is the final public hearing of the two recommended hearings to allow citizens an additional opportunity to comment on the proposed budget.

Mayor White requested citizens in favor of or against the proposed Fiscal Year 2022-2023 budget to address the Council. There were none. He closed the public hearing at 8:13 p.m.

ITEM 5-B. HOLD PUBLIC HEARING ON PROPOSED TAX RATE FOR 2022.

Mayor White opened the public hearing at 8:13 p.m.

Ms. Larison stated the City Council is required to hold a public hearing on the proposal to increase the tax revenues if the proposed tax rate exceeds the No New Revenue rate calculated by the Caldwell County Appraisal District. The public hearing is being held as a requirement by the Truth in Taxation laws of the State of Texas.

Mayor White requested citizens in favor of or against the proposed tax rate for 2022 to address the Council. There were none. He closed the public hearing at 8:15 p.m.

ITEM 5-C. HOLD A PUBLIC HEARING AND CONSIDER GRANTING A PETITION BY THOMAS STAUB ON BEHALF OF ROED PROP CO, LLC, AND DISCUSSION AND OR ACTION TO CONSIDER ORDINANCE 2022-36 ANNEXING 89.775 ACRES OUT OF THE J.A. NEILL SURVEY, ABSTRACT NUMBER 20, CALDWELL COUNTY, TEXAS LOCATED ON THE EAST SIDE OF FM 1322 APPROXIMATELY 2,600 FEET SOUTH OF SEAWILLOW ROAD, INCLUDING THE ADJACENT FM 1322 RIGHT-OF-WAY WHERE IT ABUTS THE CURRENT CITY LIMIT, APPROVING AN ANNEXATION SERVICE AGREEMENT FOR SAID PROPERTY, AND ASSIGNING THERETO A ZONING CLASSIFICATION OF *AO AGRICULTURAL-OPEN SPACE DISTRICT* AND AMENDING THE ZONING MAP ACCORDINGLY.

Mayor White opened the public hearing at 8:16 p.m.

Mr. Fowler stated that this item is to consider possible approval of an ordinance for the annexation of 89.775 acres located on the east side of FM 1322. The property is contiguous to the current city limits. The property is proposed to be developed as a residential subdivision. The property is uninhabited and is currently crop land. The property is not currently served by City of Lockhart water and wastewater utilities. As such, the extension of these services will be at the owner's expense, with a possible contribution by the city for a portion of the cost of the wastewater extension, including a force main and lift station, needed to support the proposed development type. In accordance with the sections of Chapter

43 of the Texas Local Government Code pertinent to annexations petitioned by the landowner, notice of the public hearing was advertised in the August 18, 2022, issue of the Lockhart Post Register and posted on the City website continuously since August 18, 2022. Additionally, notification letters have been sent to Lockhart ISD, Caldwell County, Caldwell County ESD 4, and other affected public entities. No comments have been received as a result of the notifications. An Annexation Service Agreement is included as an attachment to the ordinance. The service agreement details all city services that will be available to the developer at the time of annexation. Water and wastewater are listed as not currently serving the property in the Service Agreement. Staff has received a letter from Aqua Texas stating they would not object to the City serving the property and allowing the City to serve the site once waterlines have been extended. As the result of the annexation, the property will be zoned AO, Agricultural-Open Space District, effective upon annexation. The property owner plans to seek a zoning change to develop the site as a residential subdivision. The proposed annexation will also cause the Lockhart extraterritorial jurisdiction (ETJ) to extend further to the southeast as a result of the expanded city limit this annexation would create. There was discussion.

Mayor White requested citizens to address the Council regarding the annexation.

Dan Ross of Red Oak Development Group provided brief details about the proposed project. He requested approval.

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

Mayor Pro-Tem Sanchez made a motion to approve granting the petition for annexation, and approving Ordinance 2022-36, as presented. Councilmember Westmoreland seconded. The motion passed by a vote of 7-0.

ITEM 5-D. HOLD A PUBLIC HEARING ON APPLICATION ZC-22-20 BY BRAD LAUGHLIN ON BEHALF OF GARDEN GATE HOLDINGS OF LOCKHART, LLC AND DISCUSSION AND/OR ACTION TO CONSIDER ORDINANCE 2022-43 REQUESTING A ZONING CHANGE FROM RMD RESIDENTIAL MEDIUM DENSITY DISTRICT TO RHD RESIDENTIAL HIGH DENSITY DISTRICT ON 0.679 ACRE CONSISTING OF ALL OF LOTS 5 AND 6 IN BLOCK 2, A PART OF BLOCK 3, AND A PART OF A 15' ALLEY SITUATED BETWEEN BLOCK 2 AND BLOCK 3 OF REED'S ADDITION, LOCATED AT 200 S. RIO GRANDE STREET AND 203 CONCHO STREET.

Mayor White opened the public hearing at 8:23 p.m.

Mr. Fowler stated that the applicant has stated an intent to build several single family dwellings on a single lot on the subject property. The site's current RMD zoning does not permit more than one principal structure on a single lot, so the RHD district is being sought to allow the proposed development. The proposed housing could be aimed either at Lockhart ISD faculty and staff or senior citizens. The proposed zoning is not consistent with the site's Future Land Use Plan map's Medium Density Residential designation, but the proposed housing would be similar to the Greens Apartments next door, which are under the same ownership as the subject parcel. There are additional multifamily developments in the vicinity, including the three-building Stone Ridge apartment complex across Concho Street to the east. Two nearby residents spoke expressing concerns regarding the proposed zoning change during the public hearing. Mr. Fowler stated that the Planning and Zoning Commission and staff recommend approval.

Mayor White requested the applicant to address the Council.

Brad Laughlin of Garden Gate Holdings provided information about the development project. The goal of the project is to assist in providing additional single story housing for senior citizens and school staff in Lockhart.

Mayor White requested citizens in favor of or against the zoning change to address the Council. There were none. He closed the public hearing at 8:30 p.m.

Councilmember McGregor made a motion to approve Ordinance 2022-43, as presented. Mayor Pro-Tem Sanchez seconded. The motion passed by a vote of 7-0,

ITEM 5-E. HOLD A PUBLIC HEARING AND DISCUSSION AND/OR ACTION TO CONSIDER A TEXT AMENDMENT IN CHAPTER 64 "ZONING", APPENDIX I "SPECIFIC REQUIREMENTS FOR RESIDENTIAL DEVELOPMENT TYPES", TO DELETE THE LAST SENTENCE IN THE REMARKS COLUMN FOR THE PH-1 AND PH-2 DEVELOPMENT TYPES SO THAT PATIO HOMES WILL BE ALLOWED ON LOTS CREATED AFTER THE DATE OF ADOPTION OF ORDINANCE NO. 90-30 AS WELL AS ON LOTS EXISTING PRIOR TO THAT DATE. WITHDRAWN

Mayor White announced that the public hearing about the zoning text amendment was withdrawn.

ITEM 7-F. DISCUSSION AND/OR ACTION TO CONSIDER THE SCOPE OF A NEW OR UPDATED COMPREHENSIVE PLAN.

Mr. Gibson stated that this item is the first step in the process to adopt a new or updated comprehensive plan for Lockhart. It consists primarily of a summary of the items to be addressed in the content of the plan. It begins with background information about our current plan and how it has been used in the 22 years since it was adopted. Then, there is an outline of the major topics from the ten chapters of the current plan, with examples of issues addressed within each topic. The orange boxes contain suggested issues that could be included in a new plan that aren't covered in the current plan. Following the major topics from the current plan, there are three entirely new major topics or chapters listed that could also be included in the new plan. Finally, there is a summary of the typical major steps in the comprehensive planning process from establishing the scope to final adoption of the new plan by the City Council. There was discussion.

Mayor Pro-Tem Sanchez made a motion to authorize staff to proceed with the scope of a new or updated Comprehensive Plan. Councilmember Mendoza seconded. The motion passed by a vote of 7-0.

ITEM 6. CONSENT AGENDA.

Mayor Pro-Tem Sanchez made a motion to approve consent agenda items 6A, 6B and 6C. Councilmember McGregor seconded. The motion passed by a vote of 7-0.

The following are the consent agenda items that were approved:

- 6A: Approve minutes of the City Council meetings of August 2, 2022, August 16, 2022 and August 25, 2022.
- 6B: Approve revised Joint Election Agreement for Election Services with Caldwell County Elections Administrator to conduct the City of Lockhart's November 8, 2022 General Election.

6C: Approve Chapter 380 agreement with The Ziegenfelder Co. to provide incentives for economic development.

ITEM 7-A. DISCUSSION AND/OR ACTION REGARDING RESOLUTION 2022-32 FOR AN ECONOMIC DEVELOPMENT PERFORMANCE AGREEMENT AND PROPERTY SALE AGREEMENT FOR 2.468 ACRES IN LOCKHART INDUSTRIAL PARK II WITH WARELOCK PARTNERS 2, LLC.

Councilmember Michelson made a motion to approve Resolution 2022-32, as presented. Councilmember Westmoreland seconded. The motion passed by a vote of 7-0.

ITEM 7-B. DISCUSSION AND/OR ACTION OF THE CITY COUNCIL TO CONSIDER ORDINANCE 2022-40 ADOPTING THE CITY OF LOCKHART'S ANNUAL OPERATING BUDGET FOR FISCAL YEAR 2022-2023 AND APPROPRIATING RESOURCES, BEGINNING OCTOBER 1, 2022, ENDING SEPTEMBER 30, 2023, FOR THE CITY OF LOCKHART, CALDWELL COUNTY, TEXAS AND THE LOCKHART ECONOMIC DEVELOPMENT CORPORATION AND ADOPTING THE CITY'S INVESTMENT POLICY, FINANCIAL POLICY, AND FUND BALANCE - STABILIZATION AND EXCESS OF RESERVES POLICIES.

Councilmember McGregor made a motion to approve Ordinance 2022-40, as presented. Councilmember Michelson seconded. The motion passed by a vote of 7-0.

ITEM 7-C. DISCUSSION AND/OR ACTION TO CONSIDER ORDINANCE 2022-41 LEVYING MAINTENANCE AND OPERATIONS PROPERTY TAXES FOR THE USE AND SUPPORT OF THE CITY OF LOCKHART, TEXAS AND INTEREST AND SINKING PROPERTY TAXES FOR THE DEBT SERVICE OBLIGATIONS OF THE CITY OF LOCKHART, CALDWELL COUNTY, TEXAS FOR FISCAL YEAR 2023, BEGINNING OCTOBER 1, 2022 AND ENDING SEPTEMBER 30, 2023.

Mayor White made a motion that the maintenance and operations rate be adopted at \$0.4504 per \$100 of assessed value as indicated/listed in Ordinance 2022-41, thereby adopting said ordinance. Mayor White also made a motion that the interest and sinking rate be adopted at \$0.1502 per \$100 of assessed value as indicated/listed in Ordinance 2022-41, thereby adopting said ordinance. Councilmember Bryant seconded both motions. The motion passed by a vote of 7-0.

ITEM 7-D. DISCUSSION AND/OR ACTION TO CONSIDER ORDINANCE 2022-42 REPEALING UNCODIFIED ORDINANCE 2021-29 IN ITS ENTIRETY AND ADOPTING THIS ORDINANCE REGARDING THE CITY PERSONNEL POLICY MANUAL; REMOVING PERFORMANCE OR MERIT PAY FOR POLICE AND FIRE PERSONNEL AND ADOPTING A STEP PAY PLAN FOR POLICE AND FIRE DEPARTMENTS UNDER CIVIL SERVICE.

Mayor Pro-Tem Sanchez made a motion to approve Ordinance 2022-42, as presented. Councilmember Mendoza seconded. The motion passed by a vote of 7-0.

ITEM 7-E. CONSIDERATION AND ACTION TO APPROVE RESOLUTIONS TO CONSENT TO THE INCLUSION OF CITY ETJ LAND IN THE CALDWELL CO. MUD NO. 2. (RESOLUTION NO. 2022-30 FOR 32.486 ACRES REQUESTED BY JAKOVICH INTERESTS, LLC AND RESOLUTION NO. 2022-31 FOR 135.731 ACRES REQUESTED BY PH LAND HOLDINGS, LLC.)

Councilmember McGregor made a motion to approve Resolutions 2022-30 and 2022-31 consenting to the inclusion of city extraterritorial jurisdiction land in the Caldwell County MUD No. 2, as presented. Councilmember Michelson seconded. The motion passed by a vote of 7-0.

ITEM 7-G. DISCUSSION AND/OR ACTION TO CONSIDER ADOPTING AERONAUTICAL MINIMUM STANDARDS FOR COMMERCIAL AND NON-COMMERCIAL OPERATORS AT THE LOCKHART MUNICIPAL AIRPORT.

Mr. Kelley stated that the Lockhart Municipal Airport currently does not have adopted comprehensive minimum standards for commercial and non-commercial operations. Airport standards set forth the minimum requirements for individuals or entities wishing to provide aeronautical services to the public on a publicly-used airport. They must meet the minimum standards to provide those services. The minimum standards would be used to regulate conduct at the airport and specify provisions that will be included in the airport leases, permits or concession agreements, and apply uniformly to all persons operating at the airport.

Established minimum standards provide a host of benefits to municipal airports, such as:

- Safe operating environments.
- Higher quality of services for the public.
- Airport sponsors can avoid conflicts and political entanglements.
- Orderly and efficient development of the airport and its services.
- Helps maintain compliance with Federal Grant Assurances.
- Protects the airport sponsor by ensuring services provided maintain a minimum level of insurance coverage.

The proposed minimum standards provide the following:

- Ensures compliance with all Federal, State, and local laws, including building and applicable zoning codes.
- Fixed-Based Operator (FBO) Building sizes (Minimum of 2,000 SF).
- Hours of operation requirements for fueling (7 days a week, 9/hour day minimum).
- Equipment required for operations (fueling, etc.).
- Insurance requirements that meet FAA standards.
- Establishes an Airport Business Permit Application process that includes qualifications, consistency with the Municipal Airport Layout Plan, submission of a business plan and inclusion of a financial package that demonstrates the capital necessary to provide desired operations.
- Establishes guidelines for operating specific businesses such as sales, mechanics, rental services, charter services, aerial applicators, and washing services.
- Maintenance duties of each lessee (mowing, debris removal and free of hazards).
- Creates uniform leasing practices.
- Requires the commencement of construction on land leases to begin within one year of lease and completion of the minimum improvements to be completed within one year after construction commences.
- Protects the airport sponsor by ensuring services provided maintain a minimum level of insurance coverage.

Mr. Kelley stated that all new contracts will be written to the standards applicable at the time. If a new contract gives an economic advantage to a new FBO, the City may renegotiate its contract with the disadvantaged FBO. Existing lease agreements will remain in place as described in their current lease agreement, no modification will be required on existing FBO's and land leases. There was discussion,

Mayor Pro-Tem Sanchez made a motion to approve adoption of Aeronautical Minimum Standards for Commercial and Non-Commercial operators at the Lockhart Municipal Airport. Councilmember McGregor seconded. The motion passed by a vote of 7-0.

ITEM 7-H. DISCUSSION AND/OR ACTION TO CONSIDER THE SELECTION OF FOUR CANDIDATES FOR PLACES 6-9 OF THE TML INTERGOVERNMENTAL RISK POOL BOARD OF TRUSTEES.

Mayor White recommended selecting the following:

Place 6 - Allison Hayward

Place 7 – Mary Dennis

Place 8 – Mike Land

Place 9 – Opeal Mauldin-Jones

Mayor White made a motion to mark the ballot as indicated above. Councilmember Michelson seconded. The motion passed by a vote of 7-0.

ITEM 7-I. DISCUSSION AND/OR ACTION TO CONSIDER THE NOMINATION OF YOLANDA STREY TO THE LOCKHART ECONOMIC DEVELOPMENT CORPORATION BY COUNCILMEMBER DAVID BRYANT WITH A TERM TO EXPIRE IN NOVEMBER 2022.

Mayor Pro-Tem Sanchez made a motion to appoint Yolanda Strey to the Lockhart Economic Development Corporation. Councilmember Bryant seconded. The motion passed by a vote of 7-0.

ITEM 7-J. DISCUSSION AND/OR ACTION TO CONSIDER THE NOMINATION OF THOMAS HUGHES TO THE AIRPORT ADVISORY BOARD BY COUNCILMEMBER KARA MCGREGOR WITH A TERM TO EXPIRE IN NOVEMBER 2023.

Councilmember McGregor made a motion to appoint Thomas Hughes to the Airport Advisory Board. Mayor Pro-Tem Sanchez seconded. The motion passed by a vote of 7-0.

ITEM 7-K. DISCUSSION REGARDING MATTERS RELATED TO COVID-19.

There was no discussion.

ITEM 8. CITY MANAGER'S REPORT, PRESENTATION AND POSSIBLE ACTION.

- Cemetery Cleanup - October 3-7.
- Citywide Bulk Cleanup - Saturday, October 15.
- Splash Pad closes September 30th.

ITEM 9. COUNCIL AND STAFF COMMENTS - ITEMS OF COMMUNITY INTEREST.

Councilmember Mendoza congratulated Lisa Contreras for accomplishments in boxing. He invited citizens to contact him with concerns.

Mayor Pro-Tem Sanchez expressed condolences to the families of Barbara Kay Smith Stroud, Raul Caudillo, Abraham Serrato, Jr., Hippolito “Polo” Ruiz, and Jimmy Rector for their loss. She wished the Lions Varsity football team best of luck and she invited all to the Diez y Seis event next weekend.

Councilmember Bryant wished the Hispanic Chamber good luck for a successful Diez y Seis event next weekend.

Mayor White requested that an item be placed on the next agenda recognizing the Lockhart ISD Board of Trustees for being awarded the Region 13 Board of the Year by the Texas Association of School Administrators. He also invited all to attend presentation of a proclamation during the Diez y Seis event. He wished the Lockhart Lions football team luck.

ITEM 10. ADJOURNMENT.

Mayor Pro-Tem Sanchez made a motion to adjourn the meeting. Councilmember Mendoza seconded. The motion passed by a vote of 7-0. The meeting was adjourned at 9:22 p.m.

PASSED and APPROVED this the 18th day of October 2022.

CITY OF LOCKHART

Lew White, Mayor

ATTEST:

Connie Constancio, TRMC
City Secretary

**REGULAR MEETING
LOCKHART CITY COUNCIL**

SEPTEMBER 20, 2022

6:30 P.M.

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

Council present:

Mayor Pro-Tem Angie Gonzales-Sanchez
Councilmember Juan Mendoza
Councilmember Jeffry Michelson

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

Staff present:

Steven Lewis, City Manager
Monte Akers, City Attorney
Pam Larison, Finance Director
Julie Bowermon, Civil Service/HR Director
David Fowler, Senior Planner
Randy Jenkins, Fire Chief

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

Citizens/Visitors Addressing the Council: Lockhart Independent School District Board of Trustees: Michael Wright, Barbara Sanchez, Rene Rayos, Warren Burnett, and Sam Lockhart; Mark Estrada, Lockhart ISD Superintendent; Samuel Marquez of the LISD GEAR UP Program; Paige Johnson of Seton Children's Care-a-Van; Robert Haedge; Chris Van Heerde of HMT Engineering; Joseph Theriot of Republic Engineering; and Citizens: Lois Jones and Sharon Truitt.

Work Session 6:30 p.m.

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

DISCUSSION ONLY

Mayor White acknowledged and congratulated the Lockhart Independent School (LISD) Board of Trustees for being awarded the Region 13 Board of the year by the Texas Association of School Administrators.

A. PRESENTATION OF A PROCLAMATION PROCLAIMING SEPTEMBER 26-30, 2022 AS NATIONAL GEAR UP WEEK IN LOCKHART.

Mayor White presented a proclamation to the Lockhart ISD School Board of Trustees and LISD teachers.

B. PRESENTATION BY MARK ESTRADA, LOCKHART INDEPENDENT SCHOOL DISTRICT (LISD) SUPERINTENDENT, ABOUT THE LISD BOND/VATRE ELECTION.

Mark Estrada, Lockhart ISD Superintendent, provided information regarding the LISD Bond/VATRE Election. There was discussion.

C. RECEIVE UPDATE AND DISCUSS SUPPORT OF THE CHILDREN'S CARE-A-VAN PROGRAM.

Paige Johnson of the Seton Children's Care-a-Van provided an update about the medical services that the van provides to children in the community. She requested a contribution in the amount of \$2,500 towards the endowment. There was discussion.

H. DISCUSS PROFESSIONAL SERVICES AGREEMENT AND APPOINTMENT OF ROBERT A. HAEDGE AS MUNICIPAL COURT PRESIDING JUDGE.

Ms. Bowermon stated that the Council interviewed Mr. Haedge during the previous Council meeting and elected to pursue with a Professional Services Agreement. 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. Mr. Haedge's background check is very favorable.

Mr. Haedge thanked the Council for their consideration and stated that he looked forward to working with the community to provide fair justice proceedings.

RECESS: Mayor White announced that the Council would recess for a break at 7:35 p.m.

REGULAR MEETING

ITEM 1. CALL TO ORDER.

Mayor Lew White called the meeting to order at 7:48 p.m.

ITEM 2. INVOCATION, PLEDGE OF ALLEGIANCE.

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

ITEM 3. PUBLIC COMMENT.

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

ITEM 4-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).

Mayor White opened the public hearing at 7:48 p.m.

Mr. Fowler stated that 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. 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. Mr. Fowler stated that the Planning and Zoning Commission and staff recommend approval. There was discussion.

Mayor White requested the applicant to address the Council.

Chris Van Heerde of HMT Engineering provided details and there was discussion regarding the proposed development. He requested approval.

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

Mayor White requested citizens against the zoning change to address the Council.

Lois Jones, 200 State Park Road, spoke against the zoning change because of increased traffic.

Mayor White requested additional citizens to address the Council. There were none. He closed the public hearing at 8:08 p.m.

There was discussion.

Councilmember McGregor made a motion to approve Ordinance 2022-44, as presented. Councilmember Bryant seconded. The motion passed by a vote of 7-0.

ITEM 4-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).

Mayor White opened the public hearing at 8:10 p.m.

Mr. Fowler stated that 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. Mr. Fowler stated that the Planning and Zoning Commission and staff recommend approval.

Mayor White requested the applicant to address the Council.

Joseph Theriot of Republic Engineering provided information and there was discussion about the proposed development and the access points in and out onto SH 142.

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

Sharon Truitt, owner, spoke in favor of the zoning change. She stated that she decided to sell the property because it is surrounded by apartment complexes and new developments.

Mayor White requested citizens against the zoning change to address the Council. There were none. He closed the public hearing at 8:25 p.m.

Councilmember Westmoreland made a motion to approve Ordinance 2022-45, as presented. Councilmember McGregor seconded. The motion passed by a vote of 7-0.

ITEM 4-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”.

Mayor White opened the public hearing at 8:25 p.m.

Mr. Gibson stated that 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-i 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. Mr. Gibson stated that the Planning and Zoning Commission and staff recommend approval.

Mayor White requested citizens in favor of or against the zoning text amendments to address the Council. There were none. He closed the public hearing at 8:43 p.m.

Councilmember Michelson made a motion to approve Ordinance 2022-46, as presented. Councilmember Mendoza seconded. The motion passed by a vote of 7-0

ITEM 5. CONSENT AGENDA.

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

ITEM 5-A. APPROVE RESOLUTION 2022-33 EXTENDING THE DEPOSITORY AGREEMENT WITH FIRST LOCKHART NATIONAL BANK FOR THE PERIOD OCTOBER 15, 2022 THROUGH OCTOBER 14, 2024.

Ms. Larison stated that 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.

Councilmember Westmoreland made a motion to approve Resolution, 2022-23, as presented. Councilmember Mendoza seconded. The motion passed by a vote of 6-0-1, with Councilmember Michelson abstaining.

ITEM 5-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.

Chief Jenkins stated that 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. There was discussion.

Councilmember Michelson made a motion to approve the purchase of a 2024 Spartan Fire, LLC, as presented. Councilmember Mendoza seconded. The motion passed by a vote of 7-0.

ITEM 5-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.

Mr. Kelley stated that 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 identified for the improvement project 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
- Persimmon Street from Neches Street to Sabine Street

Mr. Kelley stated that 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.

Mayor Pro-Tem Sanchez made a motion to approve awarding the bid to Fuquay, Inc. of New Braunfels, as presented. Councilmember Mendoza seconded. The motion passed by a vote of 7-0.

ITEM 6-A. RECEIVE UPDATE AND CONSIDER SUPPORT OF THE CHILDREN'S CARE-A-VAN PROGRAM.

Councilmember Westmoreland made a motion to table consideration of support to the Children's Care-A-Van program until the October 18, 2022 Council meeting. Councilmember McGregor seconded. The motion passed by a vote of 7-0.

ITEM 6-B. DISCUSSION AND/OR ACTION REGARDING RESOLUTION 2022-34 FOR AN ECONOMIC DEVELOPMENT PERFORMANCE AGREEMENT WITH THE ZIEGENFELDER COMPANY.

Ms. Larison stated that the item is brought to the Council to consider the Performance Agreement that will reimburse the company up to \$50,000 towards an electric transformer. The company is 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.

Councilmember Michelson made a motion to approve Resolution 2022-34, as presented. Councilmember Westmoreland seconded. The motion passed by a vote of 7-0.

ITEM 6-C. DISCUSSION AND/OR ACTION TO CONSIDER PROFESSIONAL SERVICES AGREEMENT AND APPOINTMENT OF ROBERT A. HAEDGE AS MUNICIPAL COURT PRESIDING JUDGE.

Mr. Lewis stated that if approved, Mr. Haedge will begin on October 1, 2022. Judge Sojak will train Mr. Haedge of the Municipal Court Presiding Judge duties.

Mayor Pro-Tem Sanchez made a motion to approve the Professional Services Agreement with Robert A. Haedge as Municipal Court Presiding Judge. Councilmember McGregor seconded. The motion passed by a vote of 7-0.

ITEM 6-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).

Mayor White stated that he and Councilmember Michelson have served and recommended that they continue.

Councilmember Westmoreland made a motion to appoint Mayor Lew White and Councilmember Jeffry Michelson to the CAPCOG General Assembly. Councilmember Mendoza seconded. The motion passed by a vote of 7-0.

ITEM 6-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.

Mr. Akers stated that 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. There was discussion and revisions to the ordinance.

CONSENSUS: After discussion, the consensus of the Council was to direct the City Attorney to return with a revised ordinance during the next Council meeting.

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

Mayor White encouraged everyone to stay safe.

ITEM 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.

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

Councilmember Westmoreland expressed condolences to the family of Jim Sells for their loss.

Councilmember Mendoza expressed condolences to the family of Jim Sells for their loss. He thanked the group that cleaned and painted over the graffiti at Old Carver school.

Mayor Pro-Tem Sanchez expressed condolences to the families of Domingo Fernandez, Jr., Loretha Renee Taylor, Jim Sells, and Myrtle Moore for their loss. She congratulated the Hispanic Chamber for a successful Diez y Seis event. She wished the Lockhart Lion football team good luck during the homecoming game. She expressed Happy Birthday wishes to Councilmember Juan Mendoza.

Councilmember McGregor expressed Happy Birthday wishes to Councilmember Mendoza. She thanked the Hispanic Chamber and Courthouse Nights for a successful Diez y Seis event.

Councilmember Michelson expressed condolences to the family of Jim Sells for their loss. He congratulated the Hispanic Chamber for a successful Diez y Seis event. He wished the Lockhart Lion football team good luck during the homecoming game.

Mayor White expressed condolences to the family of Jim Sells for their loss. He also congratulated the Hispanic Chamber for a successful Diez y Seis event. He wished the Lockhart Lion football team good luck during the homecoming game.

ITEM 9. ADJOURNMENT.

Mayor Pro-Tem Sanchez made a motion to adjourn the meeting. Councilmember Mendoza seconded. The motion passed by a vote of 7-0. The meeting was adjourned at 9:35 p.m.

PASSED and APPROVED this the 18th day of October 2022.

CITY OF LOCKHART

Lew White, Mayor

ATTEST:

Connie Constancio, TRMC, City Secretary

City of Lockhart, Texas

Council Agenda Item Cover Sheet

COUNCIL MEETING DATE: October 18, 2022

AGENDA ITEM CAPTION: Discuss an agreement with Lower Colorado River Authority (LCRA) and McCoy Tree Service for tree trimming in the right-of-way and utility easements.

ORIGINATING DEPARTMENT AND CONTACT: Electric - Bobby Leos

ACTION REQUESTED: Agreement

BACKGROUND/SUMMARY/DISCUSSION: It is recommended that the City continue the tree trimming program with McCoy Tree Service in an effort to reduce voltage flickers, outages, losses, and to improve public safety and satisfaction. Trees and tree limbs falling onto power lines is the most common cause of outages. Downed power lines caused by falling trees are a public safety hazard.

McCoy Tree Service specializes in vegetation management for the electric utility industry. Their pruning methods comply with industry standards for safety and tree care, and are endorsed by the International Society of Arboriculture and Tree Care Industry. There is no charge to customers for the service.

PROJECT SCHEDULE (if applicable): Approximately 9 weeks with a 7 person crew

AMOUNT & SOURCE OF FUNDING:

Funds Required: \$130,257.54

Account Number: 500-5745-299

Funds Available: 130,257.54

Account Name: Other Contracts & Services

FISCAL NOTE (if applicable):

PREVIOUS COUNCIL ACTION:

COMMITTEE/BOARD/COMMISSION ACTION:

STAFF RECOMMENDATION/REQUESTED MOTION: Electric Superintendent recommends continued service with McCoy Tree Service.

LIST OF SUPPORTING DOCUMENTS: Lockhart-Tree-contract-9.2.2022

**CUSTOMER
SERVICES CONTRACT**

CUSTOMER:
City of Lockhart
P.O. Box 239
Lockhart, Texas 78644
Attn: Bobby Leos

DATE SUBMITTED: September 2, 2022

SCOPE OF SERVICES:

JOB NUMBER:

The Lower Colorado River Authority ("LCRA") will provide the Customer access to LCRA's tree trimming services contract (the "Agreement") with McCoy Tree Surgery ("McCoy"). The City will specify which lines McCoy is to clear prior to the start of work.

Per hour rates will depend on individual classification of each employee. (See attached rate schedule). McCoy will bill Customer directly, on a weekly basis, and Customer will pay invoices directly to McCoy in accordance with the terms and conditions of the Agreement.

Scope of Tree Trimming: Estimated at about 10 crew-weeks of trimming
Estimated Services Value: \$ 124,054.80 per year (direct charge from McCoy) **Total Amount of Services**
(includes LCRA Fee): \$ 130,257.54 **Estimate**

See Attached Terms and Conditions.

SCHEDULE:

Customer and McCoy will determine a mutually acceptable time for the start of services. Services will be scheduled to be agreeable to the city and contractor, TBD.

CONTRACT PRICE:

LCRA Administration Fee: \$ 6,202.74
The Administration Fee will be added to the Customer's monthly power bill upon execution of contract.
(or invoiced direct as applicable).

Customer and the Lower Colorado River Authority agree that the work described above shall be performed in accordance with the terms and conditions on the front and reverse (or attached) sides of this form.

City of Lockhart

Lower Colorado River Authority

By: By: _____

Title: _____

Sam Wooldard

Title: _____
VP, Trans Const & Maintenance

Date: _____

Date: _____

OFFICE USE ONLY

Approved By: Accounting: _____

0

Completion Date: _____

Personnel Level	Rates	1	2021 Rate
Supervisor/General Foreperson	\$ 50.53	1	\$ 50.53
Foreperson	\$ 40.00	1	\$ 40.00
Trimmer	\$ 34.30	1	\$ 34.30

Equipment

Chain Saws (each)	0.92	1	\$ 0.92
Bucket Truck with Chip bed	15.3	1	\$ 15.30
Chipper	5.82	1	\$ 5.82
GF PickUp	10.97	1	\$ 10.97

Crew Rate (using Max Rates)

Supervisor/General Foreperson	\$ 50.53	1	\$ 50.53
GF PickUp	\$ 10.97	1	\$ 10.97
Foreperson	\$ 40.00	2	\$ 80.00
Trimmer	\$ 34.30	4	\$ 137.20
Chain Saws (each)	\$ 0.92	6	\$ 5.52
Bucket Truck with Chip bed	\$ 15.30	2	\$ 30.60
Chipper	\$ 5.82	2	\$ 11.64

Total Hourly Crew Rate		\$ 326.46
Total Weekly Crew Rate		\$ 13,058.40

Total weeks (estimated)	9.5	\$ 124,054.80
-------------------------	-----	---------------

Total Trimmers	7
----------------	---

Includes per diem costs for Lodging and meals

Total (using max rates)	\$ 124,054.80	Note: This is the estimated direct
Average/week	\$ 13,058.40	charge from McCoy

Actual Charges according to the rate schedule will be billed.

LCRA will bill a fee to cover the cost of scheduling and administering the program

The Administration fee is: \$ 6,202.74

FOR BUDGETING PURPOSES ONLY

Total (LCRA and McCoy)	\$ 130,257.54	7 PERSON CREW
Total (LCRA and McCoy) weekly avg.	\$ 13,711.32	

TERMS AND CONDITIONS

The Lower Colorado River Authority ("LCRA") will provide the Customer access to LCRA's tree trimming services contract (the "Agreement") with McCoy Tree Surgery ("McCoy").

LCRA will add a fee to Customer's wholesale power bill to cover administration of this program. The fee is noted on the front of the contract.

The services under this Customer Services Contract are provided pursuant to the Technical Services Agreement between LCRA and the City, dated December 11, 1979 and under the authority of Chapter 791 of the Texas Government Code, Chapter 271, Subchapter F of the Texas Local Government Code, and in furtherance of LCRA's statutory and constitutional authority to provide electric utility services. The purpose of this Customer Services Contract is to increase the reliability of electric service within Customer's service territory, and to realize savings and efficiencies by cooperatively procuring services.

Customer will purchase services from McCoy under the same terms and conditions and pricing contained in the Agreement. All orders and payments for such purchases will be issued directly from Customer to McCoy, and McCoy will provide the services and associated invoices directly to Customer. LCRA is not a party to, and will in no way be responsible to either Customer or McCoy for, such orders, including without limitation any payments, performance, costs, expenses, losses or damages arising from such transactions between McCoy and Customer. Customer releases LCRA from any liability associated with Customer's transactions under the Agreement.

Customer represents that (i) all payments made pursuant to this Customer Services Contract will be paid from current revenues and (ii) it has the authority to enter into this Customer Services Contract.



City of Lockhart, Texas

Council Agenda Item Cover Sheet

COUNCIL MEETING DATE: October 18, 2022

AGENDA ITEM CAPTION: Discuss Hotel Occupancy Tax (HOT) application from Hill Country Cook-off Association.

ORIGINATING DEPARTMENT AND CONTACT: Finance - Pam Larison

ACTION REQUESTED: Other

BACKGROUND/SUMMARY/DISCUSSION: On September 14, 2022, a special meeting of the HOT Advisory Board was called to consider the request for funding from Hill Country Cook-off Association. The request was for \$2,000 to be used for advertising, solicitations, promotional programs to attract tourists and convention delegates or registrants to Lockhart. The Board voted 5-0 to recommend the approval for funding and a new one-year contract with Hill Country Cook-off Association and the City of Lockhart.

The contract requires Hill Country Cook-off Association to use the City of Lockhart's logo in all print and media advertising.

PROJECT SCHEDULE (if applicable):

AMOUNT & SOURCE OF FUNDING:

Funds Required: \$2,000

Account Number: 220-5199-299-00

Funds Available: \$75,000

Account Name: Hotel/Motel Fund Balance

FISCAL NOTE (if applicable):

PREVIOUS COUNCIL ACTION:

COMMITTEE/BOARD/COMMISSION ACTION:

STAFF RECOMMENDATION/REQUESTED MOTION: The HOT Advisory Board recommended funding of \$2,000 to Hill Country Cook-off Association for the year of 2022.

LIST OF SUPPORTING DOCUMENTS: Hill Country Cook-off Association Application for Funding

FUNDING APPLICATION FORM

HOTEL OCCUPANCY TAX USE GUIDELINES UNDER TEXAS STATE LAW



State Law: By law of the State of Texas, the City of Lockhart collects a Hotel Occupancy Tax (HOT) from hotels, bed & breakfasts, and other lodging facilities. Under state law, the revenue from the HOT may be used only to directly promote tourism and the hotel and convention industry. **Chapter 351 of the Tax Code states that the use of HOT funds is limited to:**

- a) **Convention Centers and Visitor Information Centers:** the acquisition of sites for and the construction, improvement, enlarging, equipping, repairing operation and maintenance of convention center facilities or visitor information centers, or both;
- b) **Registration of Convention Delegates:** the furnishing of facilities, personnel, and materials for the registration of convention delegates or registrants;
- c) **Advertising, Solicitations and Promotions that Directly Promote Tourism and the Hotel and Convention Industry:** advertising and conducting solicitations and promotional programs to attract tourists and convention delegates or registrants to the municipality or its vicinity;
- d) **Promotions of the Arts that Directly Promote Tourism and the Hotel and Convention Industry:** the encouragement, promotion, improvement, and application of the arts that can be shown to have some direct impact on tourism and the hotel/convention industry. The impact may be that the art facility or event can show hotel nights that are booked due to their events or that guests at hotels attend the arts event. Eligible forms of art include instrumental and vocal music, dance, drama, folk art, creative writing, architecture, design and allied fields, painting, sculpture photography, graphic and craft arts, motion picture, radio, television, tape and sound recording, and other arts related to the presentation, performance, execution, and exhibition of these major art forms.
- e) **Historical Restoration and Preservation Activities that Directly Promote Tourism and the Hotel and Convention Industry:** historical restoration and preservation projects or activities or advertising and conducting solicitation and promotional programs to encourage tourists and convention delegates to visit preserved historic sites or museums.
- f) **Sporting Event Expenses that Substantially Increase Economic Activity at Hotels:** Expenses including promotional expenses, directly related to a sporting event in which the majority of participants are tourists. The event must substantially increase economic activity at hotels within the city or its vicinity.
- g) **Funding transportation systems for transporting tourists from hotels to and near the city to any of the following destinations:**
 - 1. the commercial center of the city;
 - 2. a convention center in the city;

*Received
8/19/22*

3. other hotels in or near the city; or
4. tourist attractions in or near the city.

The law specifically prohibits the use of the local hotel tax to cover the costs for general city transit costs to transport the general public.

- h) Signage directing tourists to sights and attractions that are visited frequently by hotel guests in the municipality.**

City Policy: The City of Lockhart accepts applications from groups and businesses whose program fits into one or more of the above categories. All requests for funds should be submitted by the official application. The application will be reviewed by the City of Lockhart's HOT Advisory Board at a regularly scheduled meeting. The applicant may choose to be present at the meeting to answer any questions regarding the application.

Based on the application, the City of Lockhart's HOT Advisory Board will make a recommendation to the City Council. The City Council will make the final decision on your request.

Eligibility and Priority for Hotel Tax Funds: Priority will be given to those events and entities based on their ability to generate overnight visitors to the City of Lockhart. Events can prove this potential to generate overnight visitors by:

- a) **historic information on the number of room nights used during previous years of the same events;**
- b) **current information on the size of a room block that has been reserved at area hotels to accommodate anticipated overnight guests attending the funded event;**
- c) **historical information on the number of guests at hotel or other lodging facilities that attended the funded event (through surveys, guest directories, or other sources; and/or**
- d) **examples of the planned marketing of the programs and activities that will likely generate overnight visitors to local lodging properties from this event.**

Use of Revenues from Event: A portion of the revenues from any event and/or project receiving any type of funding assistance from the HOT funds should be channeled back into the future costs of operating that same event or the continued operation of the project.



Supplemental Information Required With Application: Along with the application, please submit the following:

- ☒ Proposed Marketing Plan for Funded Event
- ☒ Schedule of Activities or Events Relating to the Funded Project

Submit to: City of Lockhart HOT Advisory Board
c/o Finance Department
P.O. Box 239
Lockhart, TX 78644



ApplicationDate: 8-16-2022**Organization Information**Name of Organization: Hill Country Cook-off AssociationAddress: 102 CAPISTRANO DRCity, State, Zip: SAN MARCOS TX 78666Contact Name: RICHARD ANZALDUA Contact Phone Number: 512-644-0881Web Site Address for Event or Sponsoring Entity N/ANon-Profit or For-Profit status: 501 c 3 Tax ID #: 46-1967558Entity's Creation Date: 2-6-2013Purpose of your organization: Helping families IN CENTRAL TEXAS DEALING
WITH KIDSWITH CANCER, HECO KIDS WITH CANCER PROJECTS**Event Information**Name of Event or Project: Hill Country State Championship BBQ CookoffDate of Event or Project: Nov 18-19Primary Location of Event or Project: LOCKHART CITY PARKAmount Requested: \$ 2,000How will the funds be used: To Pay for Newspaper Ads, flyer
And Posters to Promote Event,
Radio Advertisement, custom Banners Promoting
Event,
Direct mailing cost to out of town Recipients

Primary Purpose of Funded Activity/Facility:

Percentage of Hotel Tax Support of Related Costs

100 Percentage of Total Event Costs Covered by Hotel Occupancy Tax

0 Percentage of Total Facility Costs Covered by Hotel Occupancy Tax for the Funded Event

0 Percentage of Staff Costs Covered by Hotel Occupancy Tax for the Funded Event

If staff costs are covered, estimate percentage of time staff spends annually on the funded event(s) compared to other activities _____%

Which Category or Categories Apply to Funding Request, and Amount Requested Under Each Category:

- ☐ **a) Convention Center or Visitor Information Center:** construction, improvement, equipping, repairing, operation, and maintenance of convention center facilities or visitor information centers, or both. Amount requested under this category: \$ _____
- ☐ **b) Registration of Convention Delegates:** furnishing of facilities, personnel, and materials for the registration of convention delegates or registrants. Amount requested under this category: \$ _____
- ☒ **c) Advertising, Solicitations, Promotional programs to attract tourists and convention delegates or registrants** to the municipality or its vicinity. Amount requested under this category: \$ 2,000
- ☐ **d) Promotion of the Arts that Directly Enhance Tourism and the Hotel & Convention Industry:** the encouragement, promotion, improvement, and application of the arts that can be shown to have some direct impact on tourism and the hotel/convention industry. The impact may be that the art facility or event can show hotel nights that are booked due to their events or that guests at hotels attend the arts event. Eligible forms of art include instrumental and vocal music, dance, drama, folk art, creative writing, architecture, design and allied fields, painting, sculpture photography, graphic and craft arts, motion picture, radio, television, tape and soundrecording,



and other arts related to the presentation, performance, execution, and exhibition of these major art forms : \$ _____

- ☐ e) Historical restoration and preservation projects or activities or advertising and conducting solicitation and promotional programs to encourage tourists and convention delegates to visit preserved historic sites or museums. Amount requested under this category: \$ _____



- ☒ f) Expenses including promotional expenses, directly related to a sporting event in which the majority of participants are tourists. The event must substantially increase economic activity at hotels within the city or its vicinity. Amount requested under this category:

\$ 2,000

How many individuals are expected to participate in the sporting related event? 1500

How many of the participants at the sporting related event are expected to be from another city or county? 900

Quantify how the sporting related event will substantially increase economic activity at hotels within the city or its vicinity?

Families come INTO LOCKHART for the event, ITS
A 2 DAY EVENT, They Rent Hotels and EAT AT LOCAL
RESTAURANTS and VISIT THE DOWNTOWN SHOPS, buy GAS and GROCERIES

- ☐ g) Funding transportation systems for transporting tourists from hotels to and near the city to any of the following destinations: 1) the commercial center of the city; 2) a convention center in the city; 3) other hotels in or near the city; and 4) tourist attractions in or near the city. Amount requested under this category: \$ _____

What sites or attractions will tourists be taken to by this transportation? _____

Will members of the general public (non-tourists) be riding on this transportation? _____

What percentage of the ridership will be local citizens? _____

- ☐ h) Signage directing tourists to sights and attractions that are visited frequently by hotel guests in the municipality. Amount requested under this category: \$ _____

What tourist attractions will be the subject of the signs?



Questions for All Funding Request Categories:

1. How many years have you held this Event or Project: 16 years
2. Expected Attendance: 1500
3. How many people attending the Event or Project will use City of Lockhart hotels? 300
Number of the people many nights will they stay: 2
4. Do you reserve a room block for this event at an area hotel and if so, for how many rooms and at which hotels: WE block ~~off~~ 10 Rooms of each Hotel, Lockhart Inn, OYO, Best Western

5. List other years (over the last three years) that you have hosted your Event or Project with amount of assistance given from HOT and the number of hotel rooms used:

Month/Year Held	Assistance Amount	Number of Hotel Rooms Used
<u>Oct 22</u>	<u>2,000</u>	<u>60 (Estimated)</u>
<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>

6. How will you measure the impact of your event on area hotel activity (e.g.; room block usage Information, survey of hoteliers, etc.)? USE A PASS CODE WHEN THEY REGISTER, GET COUNT AFTER EVENT.
7. Please list other organization, government entities, and grants that have offered financial support to your project: NONE



8. Will the event charge admission? Do you anticipate a net profit from the event? If there is a net profit, what is the anticipated amount and how will it be used?

NO Admission onto Grounds -

COOK TEAMS PAY A ENTRY fee

NET PROFIT, HOPEFULLY 10,000 - BENEFITTING

COMMUNITY ACTION BREAST CANCER AWARENESS PROGRAM.

9. Please list all promotion efforts your organization is coordinating and the amount financially committed to each media outlet:

Newspaper: \$ ~~500~~ 200

Radio: \$ 1000

TV: \$ 5

Other Paid Advertising: \$ 500

Number of Press Releases to Media _____

Number Direct Mailings to out-of-town recipients 200 Poster Design

Other Promotions Flyers, Posters, over the street Banners

10. Will you include a link to local hotels on your website for booking during this event?

YES

11. Will you negotiate a special rate or hotel/event package to attract overnight stays?

YES

12. What new marketing initiatives will you utilize to promote hotel and convention activity for this event?

Social meding,

13. What geographic areas does your advertising and promotion reach: _____

LOCAL - STATE, NATIONAL LEVELS



14. How many individuals will your proposed marketing reach who are located in another city or county? 4,000

15. If the funding requested is related to a permanent facility (e.g. museum, visitor center):

Expected Attendance Monthly/Annually: _____

Percentage of those in attendance that are staying at area hotels/lodging facilities: _____%

Please Submit to:

City of Lockhart HOT Advisory Board
c/o Finance Department
P.O. Box 239
Lockhart, TX 78644





Proposed Marketing plan for funded event

Design posters and flyers to promote event and advertise event.

Flyers and posters will include hotel accommodations.

Schedule of activities or events relating to the funded project

Hcco will promote event on social media (Facebook, Instagram, tweeter)

Hcco will buy newspaper add's relating to event.

Hcco will be passing out flyers of event at other cook-off's.



Hello fellow BBQ Family:

The Hill Country Cook-Off Association would like to announce

The Hill Country State Championship BBQ Cook-Off.

November 18th and 19th 2022

The location for the cook-off will be in the Lockhart Texas.
"Capitol City of Texas BBQ"

The beautiful city of Lockhart has opened their doors for us to let us host the cook-off at the Lockhart City Park, They also extend their welcome to all the cooks and families to visit their downtown shops and eat at the many famous Bbq joints in town. Hotels are available on the City of Lockhart website under " Lodging" .

HCCO continues to support our community, through funds from this fundraiser by supporting other non-profit organizations, such as the Make A Wish Foundation of Central Texas, The Ronald McDonald House, and families dealing with cancer.

This year Hcco will be donating to the Community Action Breast Cancer Awareness Program that extends to Hays, Caldwell and Guadalupe counties.

We will continue to serve and respect the needs of you the cooks whom participate in the cook-off. Our mission and our goal is to host one of the best cookoff's in Texas. With you as cooks, we will achieve this goal. We ask you to join us in Lockhart ,Texas in November for the "Hill Country State Championship BBQ Cook-Off.
Till Then Keep Em Smoking!

For any questions please contact me at 512-644-0881 or email me richanza@yahoo.com.

Thank You,
Hill Country Cook-Off Association Crew.

NOV
18TH & 19TH

BBO CAPITAL OF TEXAS

LOCKHART CITY PARK - 504 E PARK RD



BW Best Western
Hotels & Resorts

Lockhart Inn



EARLY BIRD - \$175
DEADLINE OCT 31ST
AFTER DEADLINE - \$200

golf carts, rv, buses, campers,
goats & horses...ALL WELCOME!
NO POWER, NO WATER AVAILABLE

JACK POT - \$25 ea
PAYING 1ST-5TH 80/20

FRIDAY
TEXAS ORIGINAL
CHARCOAL
**BONELESS
RIB EYE
STEAK**
MIX COCKTAIL
CHALLENGE

SATURDAY
MEAT & MARKET
**BREAKFAST
CHALLENGE**
INCLUDES 1 POUND OF
PAN SAUSAGE PER ENTRY
**OPEN PINTO
BEANS**



RIBS	BRISKET	CHICKEN
1st \$1,000	6th \$350	11th \$205
2nd \$635	7th \$300	12th \$175
3rd \$435	8th \$275	13th \$150
4th \$400	9th \$250	14th \$125
5th \$375	10th \$225	15th \$100

***+\$100 for EACH place**
in Ribs, Brisket & Chicken

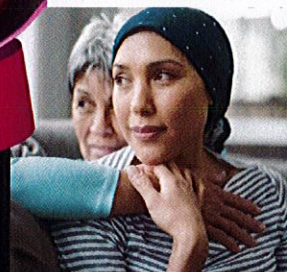
Friends of IBCA \$1,000 added money
HCCO added money

Must be a registered IBCA member to receive added money



BENEFITING

Community Action, Inc.
of Central Texas
DEVELOPING OPPORTUNITIES



SPECIAL GUEST
ARTURO RAMÓN



LIVE FIRE SHOW
4:00pm - 8:00pm

COOK-OFF
REGISTRATION



2022 HEAD JUDGE
Melissa Briggs



FOR COOK-OFF INFO CONTACT RICHARD ANZALDUA • 512-644-0881 • RICHANZA@YAHOO.COM

Put Your
Logo Here



City of Lockhart, Texas

Council Agenda Item Cover Sheet

COUNCIL MEETING DATE: October 18, 2022

AGENDA ITEM CAPTION: Discuss non-profit allocation to Ascension Children's Care-A-Van and approve Budget Amendment #71 by Ordinance 2022-57 to the Fiscal Year 2022-2023 Annual Operating Budget.

ORIGINATING DEPARTMENT AND CONTACT: Finance - Pam Larison

ACTION REQUESTED: Ordinance

BACKGROUND/SUMMARY/DISCUSSION: On September 20, 2022, Ms. Paige Johnson from the Seton Foundation presented an update and there was discussion regarding support for the Children's Care-A-Van. Ms. Johnson provided a detailed presentation of the current activities provided by Ascension Seton Edgar B. Davis Children's Care-A-Van. In conclusion, Ms. Johnson requested that the City Council consider a one-time financial contribution of \$2,500 to allow the Children's Care-A-Van to continue their operations in and around the Caldwell County area. The City of Lockhart's contribution would also ensure the longevity of the program.

The Mayor asked Ms. Johnson to return with a formal request on the October 18, 2022 agenda.

PROJECT SCHEDULE (if applicable):

AMOUNT & SOURCE OF FUNDING:

Funds Required: \$2,500

Account Number: 100-5101-729-00

Funds Available: \$30,568

Account Name: Mayor/Council Contra-Contingency (Non-profit)

FISCAL NOTE (if applicable): This request will require a budget amendment (#71) to the Fiscal Year 2022-2023 Annual Operating Budget by way of Ordinance 2022-54. The Fiscal Year 2022-2023 General Fund Budget is \$30,568 revenues over expenditures.

PREVIOUS COUNCIL ACTION:

COMMITTEE/BOARD/COMMISSION ACTION:

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

City of Lockhart, Texas

Council Agenda Item Cover Sheet

LIST OF SUPPORTING DOCUMENTS: Ascension Children's Care-a-Van Endowment
Proposal request, ORDINANCE 2022-57 City Council budget amendment, BUDGET
AMENDMENT #71



October 11, 2022

The Honorable Lew White
Mayor, City of Lockhart
City of Lockhart
308 W. San Antonio St.
Lockhart, Texas 78644

Dear Mayor and Council Members,

On behalf of the thousands who have received outstanding care on the Ascension Seton Edgar B. Davis Children's Care-a-Van, we would like to thank the City of Lockhart for your continued support of our mission. Your support has allowed Ascension Seton to be the first to provide the local community with a mobile healthcare unit providing world-class pediatric medical care. This was not only the first mobile care unit in Caldwell County, but one of the first in the country. We are honored you chose to be a part of our mission. Your gifts have changed the lives of those patients and will continue to impact the hundreds moving here each day.

We are grateful for the opportunity to present the City of Lockhart the attached consolidated partnership proposal totaling \$2,500 to benefit the Children's Healthcare Endowment at Ascension Seton Edgar B. Davis. We have included a snapshot of your past giving history for reference as well.

Your support will allow us to create a sustainable program, while also providing us the means to expand and enhance the services on the Ascension Seton Edgar B. Davis Children's Care-a-Van.

Please let me know if you have any questions regarding this proposal. We look forward to our continued partnership.

Best Regards,

Paige Johnson

Associate Director of Development, Seton Hays Foundation

2022 Care-a-Van Support



Through thoughtful planning and collaboration with our hospital system leadership, we identified the Ascension Seton Edgar B. Davis Care-a-Van as a high priority for the network. Needing long-term sustainability solutions an endowment was deemed the most efficient use of resources to ensure the longevity of the program. Below please find history and general information about the Care-a-Van as well as a description of the endowment. Our proposal requests a total of \$2,500 in fundraising initiative support. This support can be pledged out for three to five years and include naming opportunities, where available.

One goal—Your healthcare needs here, in Central Texas, at Ascension Seton.

As our community continues to grow and evolve, we must offer the healthcare needed by our community within our community keeping our patients and families here, in Caldwell County, at Ascension Seton.

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City of Lockhart Giving History Snapshot	6

2022 Care-a-Van Support



Seton Hays Foundation Overview

Supporting care in Hays, Caldwell, and Bastrop Counties.

Established in 2008, the Seton Hays Foundation is a 501c3 nonprofit organization based in Kyle, Texas. We partner with Ascension Seton Texas' South Market, which is south of Austin, Texas, to provide high quality, affordable, and local healthcare. We serve as fundraising arm for the Ascension Texas' South Market of hospitals, which includes Ascension Seton Hays (Kyle), Ascension Seton Southwest (Austin), Ascension Seton Bastrop & Smithville, and Ascension Seton Edgar B. Davis (Luling).

Our mission is rooted in the loving ministry of Jesus as healer, we commit ourselves to serving all persons with special attention to those who are poor and vulnerable. Our Catholic health ministry is dedicated to spiritually centered holistic

care which sustains and improves the health of individuals and communities.

Our philosophy is to serve each person as a Christian would serve Christ Himself. As a caring community, we respect the dignity and needs of one another.

Ascension Seton is a faith-based nonprofit healthcare system founded in 1902 by the Daughters of Charity. Called to be a sign of God's unconditional love for all, Ascension Seton strives to expand access to high-quality, low-cost, person-centered care and services. All services are provided without regard to ability to pay, religious beliefs or other discrimination.



2022 Care-a-Van Support

Ascension Seton Edgar B. Davis Care-a-Van Overview

The Seton Hays Foundation will focus on funding the Ascension Seton Edgar B. Davis Care-a-Van by establishing an endowment to support operations and capital in perpetuity.

The Ascension Seton Edgar B. Davis Care-a-Van began in 2003 with initial support from the Michael and Susan Dell Foundation and has continued to serve the Caldwell County community with the support of local businesses, community members and grants. In the past 19 years, this rural outreach has directly aided and improved the health of approximately 25,100 medically underserved children.

This program was initially designed to be the bridge to help children with immediate medical needs and then link them to a medical home. Due to a continuing lack of resources, including available primary care physicians, the Care-a-Van quickly became the medical home for thousands of families across Caldwell County. The Care-a-Van is critical to the families in need of accessible, affordable, quality care when otherwise facing many barriers to access (transportation, funding, issues related to being undocumented, etc.) Through partnerships with schools and other organizations, the consistency and availability of this mobile clinic ensures a medical home.

Impact during Fiscal Year 2021

- 970 clinic visits; 611 immunizations
- 80 patients new to mobile clinic

Patient Demographics:

- 74% self-identifying as Hispanic; and adding to 100%
 - Anglo (74%), Mixed-Race/other (9%), African American (8%), or Unspecified (9%)
- Adolescents, ages 11-18 (36%)
- Elementary ages 6-10 (25%)
- Pre-K/Kindergarten ages 4-5 (13%)
- Infants/Toddlers ages 0-3 (26%)

Insurance Coverage:

- None (25%)
- Medicaid (57%)
- Private Insurance (16%)
- CHIP (2%)



2022 Care-a-Van Support



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

The Children's Healthcare Endowment at Ascension Seton Edgar B. Davis will be established to ensure children in the Caldwell County area will continue to receive the highest level of medical care now, and for generations to come.

Your gift will be invested into a pooled fund, and the original gift amount is protected while distributions support the endowment's purpose. Investment earnings above distribution help the endowment value grow over time, to keep pace with inflation and maintain your endowments spending power. Seton Foundations grant 4% of each endowment annually to support the purpose of the endowment while reinvesting the remaining earnings to grow the endowment.

The Children's Healthcare Endowment at Ascension Seton Edgar B. Davis will support:

- Primary support will go to operational and capital expenses for the Ascension Seton Edgar B. Davis Children's Care-a-Van
- Additionally, the endowment will allow the use of corpus (principal funds) to purchase or replace a mobile unit (capital)

Texas has 4.7 million uninsured, the most people of any other U.S. State without medical coverage under age 65, for the first time in years uninsured rates in Texas are starting to climb again. Ascension Seton is the only healthcare provider in Caldwell County that accepts Medicaid and CHIP and serves those with no insurance coverage. The need every year will continue to increase as the Care-a-Van is the safety net and primary medical home for uninsured or underinsured children throughout rural central Texas.

This endowment is the primary source of long-term funding for programs including the Ascension Seton Edgar B. Davis Care-a-Van.

If this program no longer needs financial support these funds will be used for pediatric healthcare for patients in Caldwell County and the surrounding rural communities.

2022 Care-a-Van Support



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

There are several ways to make a contribution to the Children's Healthcare Endowment at Ascension Seton Edgar B. Davis.

The Seton Hays Foundation is committed to helping you find the best avenue to support the endowment. A few options include:

- A one-time gift in cash or marketable assets such as securities or real estate.
- A gift with installment payments paid within a five-year period.
- Other funding methods, such as a deferred gift activated by your will, a trust or other planned gifts to provide future support.

Your gift to the Children's Healthcare Endowment at Ascension Seton Edgar B. Davis will be recognized.

Your generosity will be recognized on the Children's Care-a-Van and on our Children's Healthcare Endowment wall at Ascension Seton Edgar B. Davis Hospital.

The City of Lockhart has been a valued partner of the Seton Foundations since 2003. We are grateful for your support and changing healthcare for Caldwell County.

- **\$14,450** Overall Giving
- First Gift in **2003**
- **\$2,000** Largest Gift
- **\$14,400** Special Event Giving, which benefited the Children's Care-a-Van and contributed to the annual operational expenses



ORDINANCE 2022-57

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LOCKHART, TEXAS, AMENDING THE BUDGET FOR THE FISCAL YEAR 2023 IN ACCORDANCE WITH EXISTING STATUTORY REQUIREMENTS; RE-APPROPRIATING THE VARIOUS AMOUNTS HEREIN, AS ATTACHED IN BUDGET AMENDMENT NO. 71; REPEALING ALL PRIOR ORDINANCES AND ACTIONS IN CONFLICT HERewith; AND ESTABLISHING FOR AN EFFECTIVE DATE.

WHEREAS, the Finance Director of the City of Lockhart, Texas has submitted to the Mayor and City Council proposed amendment to the City of Lockhart, Texas budget of expenditures/expenses of conducting affairs of said city and providing a complete financial plan for Fiscal Year 2023; and

WHEREAS, the Finance Director has requested a budget amendment to the City Council Departmental Budget; and

WHEREAS, the Mayor and Council concur with the recommendation of the Finance Director and staff that the budget amendment is to be processed to reflect the proper expense account within the City Council budget; and

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

That Ordinance 2022-57 is hereby adopted amending the City Council Department Budget for Fiscal Year 2022-2023 as the same are contained in Budget Amendments 71, which are attached hereto and incorporated herein for all purposes.

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

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

CITY OF LOCKHART

Lew White, Mayor

Attest:

APPROVED AS TO FORM:

Connie Constancio, TRMC, City Secretary

Monte Akers, City Attorney

CITY OF LOCKHART
BUDGET AMENDMENT FORM
Amendment No. 71

EXPENSES	ACCOUNT NO.	Adopted Budget	Current Amendment	Total Budget after Current Amendment
Mayor/Council - Contra Contingency (Non-Profit)	100-5101-729-00	\$0.00	\$2,500.00	\$2,500.00
				0.00
			\$2,500.00	\$2,500.00

REVENUES	ACCOUNT NO.	AMOUNT
		\$0.00
		\$0.00
		-
		\$0.00

REASON FOR AMENDMENT

To provide financial support to the Ascension Children's Care-A-Van Program

REQUESTED BY: Seton Foundation/Paige Johnson _____
DATE _____

APPROVED BY: _____
DATE _____

POSTED _____
FINANCE _____
DATE _____

City of Lockhart, Texas

Council Agenda Item Cover Sheet

COUNCIL MEETING DATE: October 18, 2022

AGENDA ITEM CAPTION: Discuss submission of a Texas Department of Emergency Management Grant Program Application; and authorizing the City Manager to sign a match certification/commitment letter.

ORIGINATING DEPARTMENT AND CONTACT: Public Works - Pam Larison, Sean Kelley

ACTION REQUESTED: Other

BACKGROUND/SUMMARY/DISCUSSION: Staff has identified a grant opportunity offered by the Texas Department of Emergency Management (TDEM) that will cover costs associated with the purchase and installation of generators for the Water Plant.

Governor Abbott and TDEM announced the open application period for the FEMA Hazard Mitigation Program related to FEMA-FM-5420 (Post-Fire Fiscal 2022). Entities seeking funding for this opportunity must have a FEMA approved Hazard Mitigation Plan for consideration. Eligible expenses include the strengthening of water systems and purchasing of high service pumps and generators. The application process requires a grant match commitment letter to be provided in the amount of 25% or more.

The costs of the high service pumps and generators that were placed in the Fiscal Year 2021-2022 Annual Operating Budget to be financed from ARPA Funds were \$750,000. The purchase of the two generators can now be made through this FEMA Hazard Mitigation Grant Program and ARPA funds may be used for the 25% grant match. TRC has completed the design, TCEQ approval is secured, and bids are to be received in mid-November.

PROJECT SCHEDULE (if applicable):

AMOUNT & SOURCE OF FUNDING:

Funds Required: \$87,500

Account Number: 202-5750-911-00

Funds Available: \$350,000

Account Name: ARPA Project and Improvements

FISCAL NOTE (if applicable): This agenda item only requires a commitment letter from the City of Lockhart for a 25% or more grant match, which may be covered using ARPA Funds.

PREVIOUS COUNCIL ACTION:

COMMITTEE/BOARD/COMMISSION ACTION:

City of Lockhart, Texas

Council Agenda Item Cover Sheet

STAFF RECOMMENDATION/REQUESTED MOTION: Staff respectfully request authorization to submit this grant application and authorize the City Manager to sign the match certification/commitment letter.

LIST OF SUPPORTING DOCUMENTS: TDEM Match Certification Commitment Letter



(512) 398-3461 • FAX (512) 398-5103
P. O. BOX 239 • Lockhart, Texas 78644
308 West San Antonio Street

October 18, 2022

Texas Department of Emergency Management

RE: 5420 FY2022 Post Fire – Hazard Mitigation Grant Program

Match Certification/Commitment Statement

I certify that the City of Lockhart can meet the 25% or more cost share needed for our Hazard Mitigation Grant Program Projects – 5420 FY2022 Post Fire

Thank you,

Steve Lewis
City Manager
City of Lockhart, Texas



City of Lockhart, Texas

Council Agenda Item Cover Sheet

COUNCIL MEETING DATE: October 18, 2022

AGENDA ITEM CAPTION: Discuss Ordinance 2022-56 of the City Council of the City of Lockhart, Texas repealing uncodified Ordinance 2020-16 in its entirety and adopting this ordinance establishing the payment of a monetary recruitment incentive for new police officer hires and establishing a recruiting and retention incentive for current certified police officers, setting forth criteria for the incentives.

ORIGINATING DEPARTMENT AND CONTACT: Administration - Julie Bowermon

ACTION REQUESTED: Ordinance

BACKGROUND/SUMMARY/DISCUSSION: There is a shortage across the nation of police officers. Lockhart is no different. In surveying surrounding law enforcement agencies, it is apparent that their compensation packages have been adjusted upward to address the shortage. A neighboring city and county law enforcement agency are reporting approximately 20 vacancies **each**. The intent of proposed Ordinance 2022-56 is to improve the City's ability to compete with surrounding agencies' competitive packages.

It has been a challenge to recruit certified, qualified police officer applicants. The most recent police officer entrance exam was held July 23, 2022. 2 certified police officers applied for the exam. The Police Department successfully hired 1 from that applicant pool. The Police Department currently has 4 officer vacancies and 1 lieutenant vacancy. The Department currently has 4 cadets attending police academies projected to graduate in early 2023. Starting December 1, 2022, the Police Department will also have 2 sergeant vacancies as a result of the newly created sergeant positions as a School Resource Officer and supervisory support for the Lockhart Animal Shelter.

To improve recruitment of qualified certified police officers, proposed Ordinance 2022-56 increases the current hiring incentive from \$5,000 to \$10,000 beginning November 1, 2022. Officers accepting the hiring incentive will be required to sign an agreement to repay the incentive if they leave before completing two years as a Lockhart Police Officer. The hiring incentive would be paid out in 2 payments: \$5,000 at the time of hire and \$5,000 after successful completion of the department field training program.

To improve retention of current Lockhart Police Officers, proposed Ordinance 2022-56 provides a one-time payment of \$5,000 to all Lockhart Police Department Officers who are actively at work, certified, and have completed the department's field training program as of April 1, 2023. This will include all officers (at any rank) that were hired prior to the hiring incentive being increased to \$10,000. This will not include the department's 4 cadets currently attending police academies. An entrance exam is scheduled for October 22, 2022 (at which time the City will still be operating under the \$5,000 hiring incentive rate). If any certified officers hired from the October 22, 2022 exam are not released from the field training program

City of Lockhart, Texas

Council Agenda Item Cover Sheet

by April 1, 2023, staff will ask Council to consider an exception at that time to extend the \$5,000 retention incentive to them.

PROJECT SCHEDULE (if applicable):

AMOUNT & SOURCE OF FUNDING:

Funds Required:

Account Number:

Funds Available:

Account Name:

FISCAL NOTE (if applicable):

PREVIOUS COUNCIL ACTION:

COMMITTEE/BOARD/COMMISSION ACTION:

STAFF RECOMMENDATION/REQUESTED MOTION: Staff respectfully requests approval of proposed Ordinance 2022-56.

LIST OF SUPPORTING DOCUMENTS: Ordinance 2022 - 56

ORDINANCE NO. 2022-56

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LOCKHART, TEXAS REPEALING UNCODIFIED ORDINANCE 2020-16 IN ITS ENTIRETY AND ADOPTING THIS ORDINANCE ESTABLISHING THE PAYMENT OF A MONETARY RECRUITMENT INCENTIVE FOR NEW POLICE OFFICER HIRES AND ESTABLISHING A RECRUITING AND RETENTION INCENTIVE FOR CURRENT CERTIFIED POLICE OFFICERS, SETTING FORTH CRITERIA FOR THE INCENTIVES; PROVIDING FOR SEVERABILITY; PROVIDING FOR PUBLICATION AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Lockhart is facing a shortage of qualified police applicants, because, in part, of the availability of other types of employment and other employers' willingness to provide signing bonuses or other hiring incentives;

WHEREAS, the City Council believes that by offering a financial recruitment incentive to qualified newly hired Police Officer candidates, the City will benefit by recruiting and retaining police officers;

WHEREAS, the City has increased recruiting qualified Police Officer candidates, it is believed that increasing the financial recruitment incentive will improve recruiting and retention efforts;

WHEREAS, the City Council, in order to protect the public's funds, authorizes the establishment of a mechanism for a return of the monetary recruitment incentive if the Police Officer's employment is ended within two (2) years of the hire date;

WHEREAS, the City Council believes that by offering a financial retention incentive to current certified City of Lockhart Police Officers, the City will benefit by retaining certified police officers currently employed by the City of Lockhart;

WHEREAS, the City Council believes that increasing recruitment and retention of certified Police Officers serves an important public purpose; and

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

I. That the City Council hereby finds the statements made in the preamble are true and correct.

II. Effective October 18, 2022, the City Council authorizes the payment of a monetary recruitment incentive in the amount of \$10,000 to each Probationary Police Officer who takes an entrance examination after November 1, 2022, who possesses a Texas Commission on Law Enforcement peace officer certification by their hire date, based on the following conditions:

- 1) At the time of hire, the Police Officer candidate must execute an Acknowledgment Form (attached and incorporated by reference into this Ordinance) subject to the terms set out in the Acknowledgement Form, prior to receiving the monetary recruitment incentive. An explicit requirement contained in the Form is that the financial incentive must be repaid to the City if employment is ended within two (2) years of the Probationary Police Officer's hire date.

III. The City Council authorizes the one-time payment of \$5,000 Monetary Retention Incentive to all Lockhart Police Department Officers (regardless of rank) who are actively at work, certified, and who have completed the LPD's Field Training Officer Program as of April 1, 2023. The one-time Monetary Retention Incentive will be paid on the next paycheck after April 1, 2023. The Department Head is not eligible for the Monetary Retention Incentive.

IV. The monetary recruitment incentive will cease to be offered when the City reaches desired staffing at the Police Department and may be reinstated with the approval of the City Manager when one (1) or more entry level patrol officer positions are open.

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, section, 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. It is hereby officially found and determined that the meeting at which this ordinance was passed was open to the public as required by law.

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 on October 18, 2022.

**PASSED, APPROVED, AND ADOPTED BY THE CITY COUNCIL OF THE
CITY OF LOCKHART, TEXAS, ON THIS THE 18th DAY OF OCTOBER, 2022 .**

CITY OF LOCKHART

Lew White, Mayor

ATTEST:

APPROVED AS TO FORM:

Connie Constancio, TRMC, City Secretary

Monte Akers, City Attorney

**CITY OF LOCKHART
POLICE OFFICER HIRING INCENTIVE
EMPLOYEE ACKNOWLEDGMENT**

I, _____, (“Employee”) acknowledge and agree to the following terms of payment of the Police Officer Hiring Incentive:

1. The City will pay me \$5,000 at the end of the first pay period of the hire date.
2. The City will pay me \$5,000 after the successful completion of the Lockhart Police Department Field Training Program.
3. If I resign within two years of my hire date or my employment is terminated by the City of Lockhart, I acknowledge that I must re-pay this financial incentive to the City. I acknowledge that the City may deduct this incentive from my final paycheck, to include any sick leave, vacation or holiday leave accruals.
4. I understand that nothing herein is intended to alter the at-will employment status of my employment during my probationary period. I understand that failure to work the required time as specified in this agreement will constitute breach of this agreement. I understand the City will take whatever action that may be necessary to collect the amount I may owe.

EMPLOYEE

Employee

Date

WITNESS:

Printed Name

Signature

Date

RECEIVED BY:

Human Resources

Date

City of Lockhart, Texas

Council Agenda Item Cover Sheet

COUNCIL MEETING DATE: October 18, 2022

AGENDA ITEM CAPTION: Discuss Ordinance 2022-54 amending Chapter 28, "Historical Districts and Landmarks," Section 28-10, "Ordinary Maintenance," subsection (e)(3) to expand the requirements for Certificates for Alteration for changing the color of painted surfaces; amending Chapter 46, "Signs," Section 46-2 "Definitions," to add a definition of Mural, and adding Section 46-10 (j), "Murals," to establish standards regulating murals within the City of Lockhart.

ORIGINATING DEPARTMENT AND CONTACT: Development Services - David Fowler

ACTION REQUESTED: Ordinance

BACKGROUND/SUMMARY/DISCUSSION: At the Historical Preservation Commission (HPC) meeting held July 6, 2022, an application for a Certificate of Alteration for a mural at 115 North Commerce Street was tabled due to a perceived need for guidelines for murals in the Historical District. In response to the issues raised by the HPC's action, City Attorney Monte Akers gave a presentation regarding the legal environment facing the regulation of murals at the City Council meeting held July 19. At this meeting, City Council directed city staff and HPC to develop mural guidelines.

In response to the above two events, City staff presented overviews of several notable efforts by other cities to regulate murals at the HPC's August 17th meeting. The HPC discussed what they would like to see in terms of future regulation of murals. Three of the attending members stated they would prefer to see no further murals in the downtown area. After discussion, the commissioners agreed to provide written feedback to staff as they draft proposed ordinance language to provide suitable regulation of murals within the Historical District.

In response to feedback received at the meeting and from individual Commissioners, staff drafted mural ordinance provisions for possible referral to City Council. This draft was designed to minimize the impact of murals on the Historical District, especially the areas adjacent to the Courthouse Square. After discussion of this draft at the September 7th meeting, the Commission concluded that, as a group, they were opposed to the possibility of additional murals being located in the Historical District and directed staff to write an ordinance reflecting that sentiment.

As City Council had assigned staff to write citywide mural guidelines, the majority of language related to the regulation of murals would be created through a new section in Chapter 46, Signs. This section includes language that prohibits murals within the Courthouse Square Historical District. The major change to Chapter 28, Historic Districts and Landmarks, is that all proposed changes in paint color of a previously painted brick or stone surface, as well as building trim surfaces, will require approval of a Certificate for Alteration (CFA), in addition to the already existing prohibition on painting previously-unpainted masonry or stone surfaces.

City of Lockhart, Texas

Council Agenda Item Cover Sheet

While staff had intended to explicitly prohibit murals within Chapter 28, no part of Chapter 28 contains any prohibitions of specific designs or finishes within the historical District. As such, the sign ordinance, which does contain language prohibiting several types or locations of signs, was seen as the most appropriate place to prohibit murals within the Historical District. The proposed location-based restriction of murals in the sign ordinance, combined with the requirement of a CFA for changing paint colors on previously painted surfaces, and the existing restriction on painting previously unpainted surfaces, will both prohibit murals within the Historical District and ensure review of future painting of surfaces for historical appropriateness.

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: Directed staff to research ordinance regulations on July 19, 2022.

COMMITTEE/BOARD/COMMISSION ACTION: The Historical Preservation Commission reviewed the draft ordinances revisions and recommended approval of the proposed revisions to Chapter 28 and Chapter 46 by a vote of 5-1.

STAFF RECOMMENDATION/REQUESTED MOTION: Staff recommends approval of the Ordinance 2022-54, making revisions to Chapter 28, Historic Districts and Landmarks, and Chapter 46, Signs.

LIST OF SUPPORTING DOCUMENTS: Ordinance 2022-54 Mural ordinance, Citywide Mural Ordinance in sign code, Paint revisions for historic districts

ORDINANCE 2022-54

AN ORDINANCE OF THE CITY OF LOCKHART, TEXAS, AMENDING CHAPTER 28 "HISTORIC DISTRICTS AND LANDMARKS", OF THE CODE OF ORDINANCES, DIVISION 1 "HISTORIC DISTRICTS AND LANDMARKS REGULATIONS AND PROCEDURES", SECTION 28-10 "ORDINARY MAINTENANCE", SUBSECTION (e)(3); AND AMENDING CHAPTER 46 "SIGNS", SECTION 46-2 "DEFINITIONS" TO PROVIDE A DEFINITION OF MURAL; AND TO ADD SECTION 46-10 (j) "MURALS"; PROVIDING FOR SEVERABILITY, PROVIDING FOR PUBLICATION, AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, The Lockhart Historical Preservation Commission reviews all proposed development, redevelopment and alteration within the Courthouse Square Historical District,

WHEREAS, The Lockhart Historical Commission has recommended that new murals not be permitted in the Courthouse Square Historical District; and,

WHEREAS, Murals are not defined in Chapter 46, "Signs" and,

WHEREAS, There are currently no current standards to regulate murals in Chapter 46, signs and,

WHEREAS, Murals could serve as an adequate means of providing a means for expression for local artists where permitted, and,

WHEREAS, The City Council has determined that the current lack of standards regarding murals has resulted in unclear expectations regarding the size, location, and content of murals; and,

WHEREAS, Sign types are classified in Chapter 46 "Signs", Section 46-10 "Sign-type Standards",

WHEREAS, An amendment to Chapter 28 "Historic Districts and Standards", Section 28-10 "Ordinary Maintenance" is proposed to add a provision requiring a Certificate for Alteration for painting previously-unpainted brick and stone surfaces or changing paint colors of previously-painted surfaces within the Courthouse Square Historical District;

WHEREAS, An Amendment to Chapter 46 "Signs," Section 46-10 is proposed to be amended to add standards for location, size, messages, and maintenance; 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 28 “Historical Districts and Landmarks”, Section 28-10 “Ordinary Maintenance” is hereby amended as follows, with all existing provisions not shown remaining unchanged:

Sec. 28-10. Ordinary Maintenance.

(e) Ordinary maintenance does not include the following and will require a certificate for alteration and a city building permit prior to beginning work, except as exempted in subsection 28-11 (b):

(3) Painting a previously unpainted brick, stone or other masonry surface or changing the color of any previously painted surface, including trim.

III. Chapter 46 “Signs”, Section 46-2 “Definitions” is hereby amended to define the following term:

Mural. An original work of graphic, painting, or painted wall surface art that is visible from public rights-of-way or neighboring properties and projects a graphic display or image that does not direct attention to an organization, a business operated for profit, a product, a commodity, service, or any other similar image or message.

IV. Chapter 46, “Signs,” Section 46-10 “Sign Type Standards”, is hereby amended to add the following:

(j) Murals.

(1) Murals are not permitted within the Courthouse Square Historical District or on properties designated as historical landmarks.

(2) Murals are allowed on nonresidential or mixed-use buildings or structures.

(3) Murals on front walls of buildings are limited to 20 percent of that wall’s area.

(4) Murals are not permitted on walls adjacent to or across a right-of-way from a residential lot.

(5) Only one mural is allowed per building.

(6) A mural shall not extend higher than the second story of any building.

(7) Murals may not cover any architectural features including, but not limited to arches, cornices, window and door trim, feature bands, and any other recessed or projecting features.

(8) Murals shall be designed to meet the following guidelines

- a. Murals are expected to be an original expression of the artist. No copyrighted material, brand names, logos, or prior works by other artists may be incorporated into murals submitted for approval.
- b. Text or messages of any kind as part of a mural design should not be the primary focus of the mural design
- c. Art or murals may not be designed to represent the products offered or sold in the building on which the mural is located.
- d. Murals shall not promote any off-premises product or event, or depict nudity, violence, or obscene images.
- e. Nothing that could be considered a potential distraction or potential source of disruption of safe traffic flow will be allowed as part of a mural design.

(9) All proposed mural designs within must be submitted as part of a sign permit application. The following materials must be provided with each application for a Mural:

- a. Signed approval of the building owner.
- b. Legal Description of property
- c. Color photograph of existing building façade
- d. Artist biography, reproductions of past works and professional qualifications to undertake art in a public context.
- e. Map showing locations of existing or proposed murals on nearby buildings, if any.
- f. Building elevation drawn to scale that identifies the following:
 - i. Façade on which the mural is proposed.
 - ii. Location of proposed mural on the façade.
 - iii. Mural dimensions.
 - iv. Detailed color rendering of the proposed mural.
 - v. Height of top and bottom of the mural above grade.
 - vi. Technical details of media used, including paint and color types, non-paint materials used, if any, and materials used to affix the mural to the building, if any.
- g. Any approved mural for which installation has not commenced within 60 days of approval will be found to have its permit expired and a new application will be required.

(10) When painting on brick, silicate dye paints are recommended. The use of latex, acrylic and oil-based paints are discouraged. For non-brick surfaces, paints intended for exterior use shall be used

(11) Removal

- a. Any mural the deviates from the approved design shall be removed at the building owner's expense.
- b. The building owner shall file a permit for removal of the mural 14 days in advance of any proposed removal of an existing mural.

- c. As part of a proposed mural removal, the mural must be removed in its entirety, including any and all materials used to secure the material to the building.
- d. The method of removal must not damage the original exterior material of the underlying wall. Any holes remaining in the wall after removal of a mural must filled and finished the same as the remainder of the wall.

(12) If an approved or existing mural is found to have become worn or been damaged, the Code Enforcement Officer may take action, including requiring repair or removal. Fines may be imposed for noncompliance.

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

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

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

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

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

PASSED, APPROVED, AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF LOCKHART, TEXAS, ON THIS THE EIGHTEENTH DAY OF OCTOBER, 2022.

CITY OF LOCKHART

Lew White
Mayor

ATTEST:

APPROVED AS TO FORM:

Connie A. Constancio, TRMC
City Secretary

Monte Akers
City Attorney

Chapter 46

SIGNS

Sec. 46-2. Definitions

Mural. An original work of graphic, painting, or painted wall surface art that is visible from public rights-of-way or neighboring properties and projects a graphic display or image that does not direct attention to an organization, a business operated for profit, a product, a commodity, service, or any other similar image or message.

Sec. 46-10 Sign-type standards

(j) Murals.

- (1) Murals are not permitted within the Courthouse Square Historical District or on properties designated as historical landmarks.
- (2) Murals are allowed on nonresidential or mixed-use buildings or structures.
- (3) Murals on front walls of buildings are limited to 20 percent of that wall's area.
- (4) Murals are not permitted on walls adjacent to or across a right-of-way from a residential lot.
- (5) Only one mural is allowed per building.
- (6) A mural shall not extend higher than the second story of any building.
- (7) Murals may not cover any architectural features including, but not limited to arches, cornices, window and door trim, feature bands, and any other recessed or projecting features.
- (8) Murals shall be designed to meet the following guidelines
 - a. Murals are expected to be an original expression of the artist. No copyrighted material, brand names, logos, or prior works by other artists may be incorporated into murals submitted for approval.
 - b. Text or messages of any kind as part of a mural design should not be the primary focus of the mural design
 - c. Art or murals may not be designed to represent the products offered or sold in the building on which the mural is located.
 - d. Murals shall not promote any off-premises product or event, or depict nudity, violence, or obscene images.
 - e. Nothing that could be considered a potential distraction or potential source of disruption of safe traffic flow will be allowed as part of a mural design.
- (9) All proposed mural designs within must be submitted as part of a sign permit application. The following materials must be provided with each application for a Mural:
 - a. Signed approval of the building owner.
 - b. Legal Description of property
 - c. Color photograph of existing building façade

- d. Artist biography, reproductions of past works and professional qualifications to undertake art in a public context.
- e. Map showing locations of existing or proposed murals on nearby buildings, if any.
- f. Building elevation drawn to scale that identifies the following:
 - i. Façade on which the mural is proposed.
 - ii. Location of proposed mural on the façade.
 - iii. Mural dimensions.
 - iv. Detailed color rendering of the proposed mural.
 - v. Height of top and bottom of the mural above grade.
 - vi. Technical details of media used, including paint and color types, non-paint materials used, if any, and materials used to affix the mural to the building, if any.
- g. Any approved mural for which installation has not commenced within 60 days of approval will be found to have its permit expired and a new application will be required.

(10) When painting on brick, silicate dye paints are recommended. The use of latex, acrylic and oil-based paints are discouraged. For non-brick surfaces, paints intended for exterior use shall be used

(11) Removal

- a. Any mural that deviates from the approved design shall be removed at the building owner's expense.
- b. The building owner shall file a permit for removal of the mural 14 days in advance of any proposed removal of an existing mural.
- c. As part of a proposed mural removal, the mural must be removed in its entirety, including any and all materials used to secure the material to the building.
- d. The method of removal must not damage the original exterior material of the underlying wall. Any holes remaining in the wall after removal of a mural must be filled and finished the same as the remainder of the wall.

(12) If an approved or existing mural is found to have become worn or been damaged, the Code Enforcement Officer may take action, including requiring repair or removal. Fines may be imposed for noncompliance.

Chapter 28

HISTORIC DISTRICTS AND LANDMARKS

Sec. 28-10. Ordinary Maintenance

(e) Ordinary maintenance does not include the following and will require a certificate for alteration and a city building permit prior to beginning work, except as exempted in subsection 28-11 (b):

- (1) A physical change in exterior elements, design and finishes visible from grade level which affect the appearance and cohesiveness of a building, structure, site, or area (e.g., a physical change in the design, finishes, size, shape, etc., of facades, windows, doors, light fixtures, awnings, signs, sidewalks, fences, steps, paving, etc.).
- (2) Repainting or otherwise covering or altering a faded historic painted sign (ghost sign), even if the sign does not pertain to the current use of the building or is on a previously painted surface.
- (3) Painting a previously unpainted brick, stone, or other masonry surface ~~(e.g., masonry wall, etc.)~~ or changing the color of any previously painted surface, including trim.

City of Lockhart, Texas

Council Agenda Item Cover Sheet

COUNCIL MEETING DATE: October 18, 2022

AGENDA ITEM CAPTION: Discuss Ordinance 2022-55 vacating and abandoning a 1,243 square-foot segment of alley right-of-way situated in the Reed's Addition between Block 2 in the 200 block of South Rio Grande Street and Block 3 in the 200 Block of Concho Street; and authorizing the City Manager to execute a deed conveying said right-of-way to the owner of the adjacent properties.

ORIGINATING DEPARTMENT AND CONTACT: Development Services - Dan Gibson

ACTION REQUESTED: Ordinance

BACKGROUND/SUMMARY/DISCUSSION: There are several segments of unused alley right-of-way in the area of Block 2 and Block 3 of Reed's Addition, which are located between South Rio Grande Street and Concho Street, north of West Prairie Lea Street. This segment is in the northern part of the area. It is connected at the north end to another alley right-of-way crossing east-west between South Rio Grande Street and Concho Street that is to remain. In addition, there are other remaining alley segments in the southern part of the area that are disconnected from the subject segment, and which will be vacated separately at a later date. The same entity owns the land on both sides of this segment, so when it is abandoned the entire right-of-way will become part of their property. On September 6th, the owner's property, along with the subject alley segment, was rezoned to RHD Residential High Density District for the future development of rental housing in the form of multiple detached single-family dwellings on the same lot.

PROJECT SCHEDULE (if applicable): Not applicable.

AMOUNT & SOURCE OF FUNDING:

Funds Required:

Account Number:

Funds Available:

Account Name:

FISCAL NOTE (if applicable): Not applicable.

PREVIOUS COUNCIL ACTION: None.

COMMITTEE/BOARD/COMMISSION ACTION: None.

STAFF RECOMMENDATION/REQUESTED MOTION: Approve Ordinance 2022-55 abandoning alley right-of-way in the Reed's Addition.

City of Lockhart, Texas

Council Agenda Item Cover Sheet

LIST OF SUPPORTING DOCUMENTS: Ordinance 2022-55, Exhibit A - case map, Exhibit B-1, metes and bounds description, Exhibit B-2, Survey drawing (portrait)

ORDINANCE 2022-55

AN ORDINANCE OF THE CITY OF LOCKHART, TEXAS, VACATING AND ABANDONING A 1,243 SQUARE-FOOT SEGMENT OF ALLEY RIGHT-OF-WAY SITUATED IN THE REED'S ADDITION BETWEEN BLOCK 2 IN THE 200 BLOCK OF SOUTH RIO GRANDE STREET AND BLOCK 3 IN THE 200 BLOCK OF CONCHO STREET; AND AUTHORIZING THE CITY MANAGER TO EXECUTE A DEED CONVEYING SAID RIGHT-OF-WAY TO THE OWNER OF THE ADJACENT PROPERTIES.

WHEREAS, the City of Lockhart is a home rule municipality; and,

WHEREAS, Section 3.07(o) of "Powers of the City Council" in the City's Charter provides that the City may exercise exclusive dominion, control, and jurisdiction, including the right to close and abandon streets and alleys; and,

WHEREAS, Texas Transportation Code, Section 311.007 provides that a home rule municipality may vacate, abandon, or close a street or alley; and,

WHEREAS, the burden of continued maintenance of streets and alleys that are not being used exceeds the benefit that would be incurred if the City continued ownership; and,

WHEREAS, the City of Lockhart has never had any use for the subject alley right-of-way segment; and,

WHEREAS, an abutting segment of the same alley right-of-way was previously abandoned and conveyed to the owners of property adjacent to the alley; and,

WHEREAS, Garden Gate Holdings of Lockhart, LLC, is the owner of adjacent property on both sides of the subject alley, and has requested that the City vacate and abandon the subject segment of alley right-of-way; and,

WHEREAS, the City Council has determined that it is in the public interest that the property depicted in Exhibit "A", and more particularly described in Exhibits "B-1" and "B-2", should be vacated and abandoned as a public alley right-of-way.

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 1,243 square-foot segment of alley right-of-way depicted in Exhibit "A" and more particularly described in Exhibit "B" attached hereto and incorporated herein for all purposes, is hereby vacated and abandoned.

III. The City Manager is hereby authorized to convey by Deed Without Warranty all interest the City has in the subject alley right-of-way to the owner of the adjacent properties.

IV. 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.

V. All other ordinances, sections, or parts of ordinances heretofore adopted by the City of Lockhart in conflict herewith are hereby repealed or amended to the extent of the conflict only.

VI. The City Secretary is directed to cause this ordinance caption to be published in a newspaper of general circulation according to law.

V. 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 18th DAY OF OCTOBER, 2022.

CITY OF LOCKHART

Lew White
Mayor

ATTEST:

APPROVED AS TO FORM:

Connie Constancio, TRMC
City Secretary

Monte Akers
City Attorney

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All of a certain tract or parcel of land situated in the City of Lockhart, Caldwell County, Texas and being a part of a 15' Alley situated between Block 2 and Block 3 of Reed's Addition to the City of Lockhart as recorded in Volume 50 Page 285 of the Deed Records of Caldwell County, Texas and being more particularly described as follows:

BEGINNING at a 5/8" iron pin found used for basis of bearing in the SW line of the above mentioned Block 3 and the South corner of a tract of land conveyed to Dorothy F. Anderson by deed recorded in Volume 463 Page 567 of the Official Public Records of Caldwell County, Texas and the NE line of the said 15' Alley for the East corner this tract.

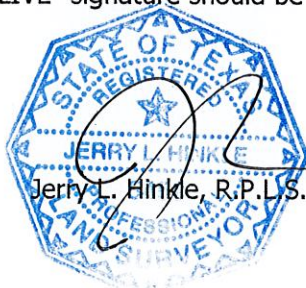
THENCE S 60°00'00" W over and across the said 15' Alley **15.00 feet** to a 5/8" iron pin found in the East corner of Lot 5 in Block 2 of the said Reed's Addition and the SW line of the said 15' Alley for the South corner this tract.

THENCE N 30°00'00" W with the SW line of the said 15' Alley and the NE line of the said Block 2 **83.45 feet** to a capped 1/2" iron pin set stamped HINKLE SURVEYORS in the intersection of the SW line of the said 15' Alley and the SE line of a 12' Alley shown of the said Reed's Addition plat and the North corner of Lot 6 in the said Block 2 for the West corner this tract.

THENCE N 64°31'47" E over and across the said 15' Alley **15.04 feet** to a capped 1/2" iron pin set stamped HINKLE SURVEYORS in the intersection of the NE line of the said 15' Alley and the SE line of the said 12' Alley and the West corner of the said Block 3 for the North corner this tract.

THENCE S 30°00'00" E with the NE line of the said 15' Alley and the SW line of the said Block 3 **82.26 feet** to the place of beginning containing **1243 sq ft** of land more or less.

I hereby certify that the foregoing field notes are a true and correct description of a survey made under my direct supervision on June 2, 2022. **THESE FIELD NOTES ARE CERTIFIED AND ITS CONTENTS GUARANTEED FOR USE WITH THIS ONE TRANSACTION ONLY DATED THIS DATE.** Only those prints containing the raised Surveyor's seal and an original "LIVE" signature should be considered official and relied upon by the user.



Jerry L. Hinkle, R.P.L.S. #5459

City of Lockhart Caldwell County, Texas Part of a 15' Alley between Blocks 2 and 3 of Reed's Addition

SURVEY PLAT

Showing 1243 sq. ft. of land being a part of a 15' Alley between Blocks 2 and 3 of REED'S ADDITION according to the map or plat thereof recorded in Volume 50 Page 285 of the Deed Records of Caldwell County, Texas and the improvements as found situated thereon. I do hereby certify, that (1) the foregoing plat is a true and correct representation of a survey made on the ground under my direct supervision on June 2, 2022, (2) No abstract of title, title commitment, nor research of record easements were supplied to the surveyor. There may exist easements of record that could affect this parcel. THIS SURVEY IS CERTIFIED TO THE PERSON(S) / COMPANY SHOWN HEREON AND ITS CONTENTS GUARANTEED FOR USE WITH THIS ONE TRANSACTION ONLY DATED THIS DATE. THE SURVEYOR SHALL INCUR NO LIABILITY FOR ANY USE OF THIS SURVEY BEYOND THIS TRANSACTION OR FOR ANY PERSON(S) / COMPANY NOT LISTED HEREON. Only those prints containing the raised Surveyor's seal and an original "LIVE" signature should be considered official and relied upon by the user.



LEGEND

- CAPED 1/2" IRON PIN SET
- STAMPED "HINKLE SURVEYORS"
- 1/2" IRON PIN FOUND
- 3/8" IRON PIN FOUND
- 5/8" IRON ROD FOUND
- △ EL POLE
- WATER METER
- FIRE HYDRANT
- GUY WIRE
- 600 NAIL FOUND
- ORIGINAL DEEDED CALLS
- FENCES MENDER
- OVERHEAD ELECTRIC LINE
- CONCRETE
- UNLESS OTHERWISE NOTED

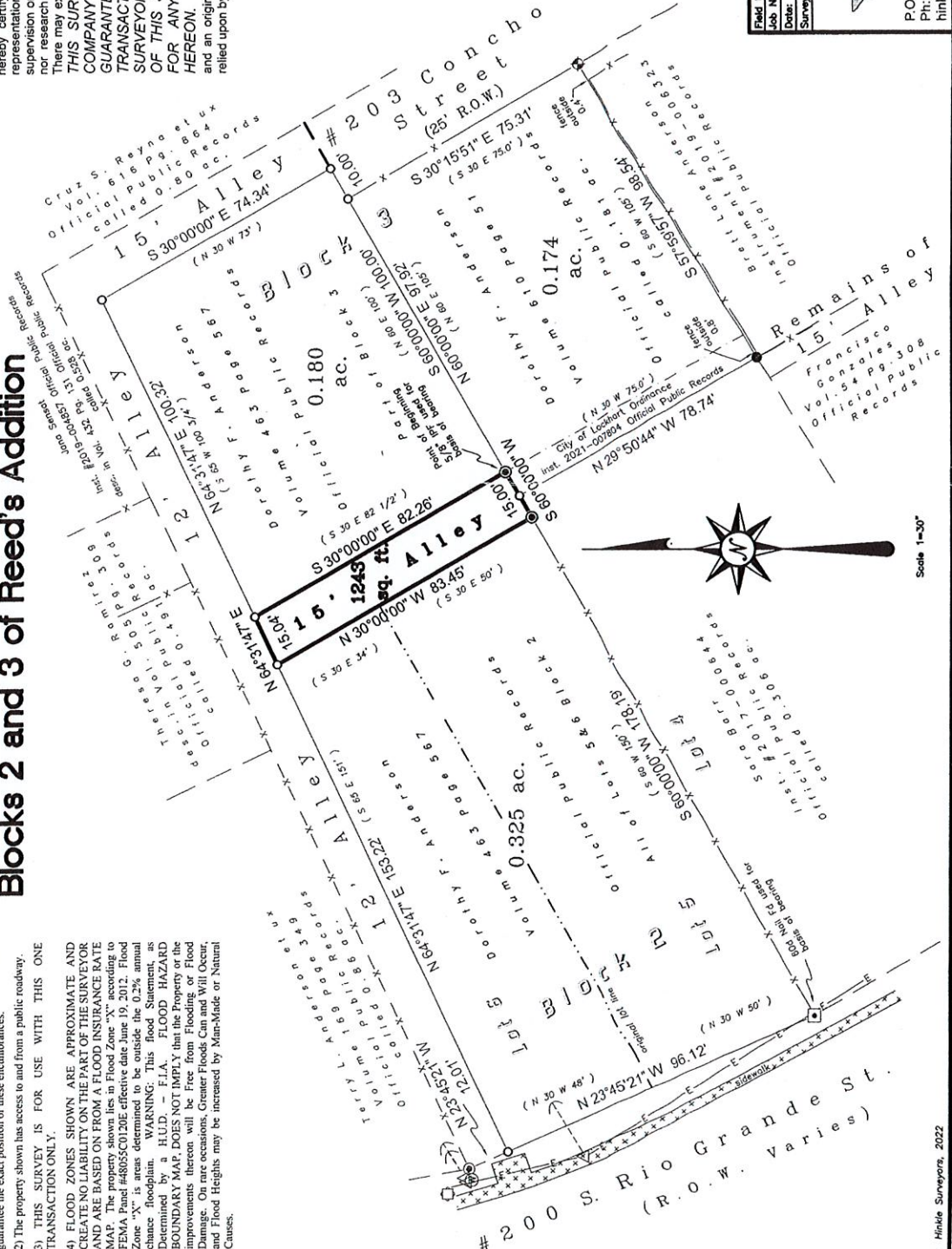
Field Book: d.s.	Drawn By: J.L.H. LH
Job No. 20221171-allyway.dwg	Drawing: 20221171reedodd.dwg
Date: June 2022	Word Date: Begin 06012022
Surveyed By: J.L.H. J08	Autocad Date: Begin 06012022

HINKLE SURVEYORS

P.O. Box 1027 1109 S. Main Street Lockhart, TX 78644
Ph: (512) 398-2000 Fax: (512) 398-7683 Email: contact@hinklesurveyors.com Firm Registration No. 100886-00

General Notes

- 1) Before digging call 811 to verify locations of any utilities, pipelines, or other easements of record since the surveyor cannot guarantee the exact position of these encumbrances.
- 2) The property shown has access to and from a public roadway.
- 3) THIS SURVEY IS FOR USE WITH THIS ONE TRANSACTION ONLY.
- 4) FLOOD ZONES SHOWN ARE APPROXIMATE AND CREATE NO LIABILITY ON THE PART OF THE SURVEYOR AND ARE BASED ON FROM A FLOOD INSURANCE RATE MAP. The property shown lies in Flood Zone "X" according to FEMA Panel #48055C0120E effective date June 19, 2012. Flood Zone "X" is areas determined to be outside the 0.2% annual chance floodplain. FLOODING This plat is shown as a BOUNDARY MAP. DOES NOT IMPLY that the Property or the improvements thereon will be Free from Flooding or Flood Damage. On rare occasions, Greater Floods Can and Will Occur, and Flood Heights may be increased by Man-Made or Natural Causes.



City of Lockhart, Texas

Council Agenda Item Cover Sheet

COUNCIL MEETING DATE: October 18, 2022

AGENDA ITEM CAPTION: Discuss Ordinance allowing the possession of open alcoholic containers and consumption of alcoholic beverages on city property under certain circumstances.

ORIGINATING DEPARTMENT AND CONTACT: City Attorney - Monte Akers

ACTION REQUESTED: Ordinance

BACKGROUND/SUMMARY/DISCUSSION:

The draft ordinance that was discussed at the City Council meeting on September 20, 2022, has been revised to reflect the Council's comments, and is attached. If adopted, the ordinance will allow open containers and consumption of alcohol on public sidewalks, streets, and other ways in the Commercial Central Business District ("CCBD") during eight listed, special events (note that the Dickens Festival has been deleted since 9/20) or at an event specifically approved by the Council. Rental by businesses of sidewalk or other public property for the purpose of selling alcohol in the district is not allowed, and compliance with TABC regulations is the responsibility of TABC licensees. Event sponsors are required to obtain a special activity permit from the Police Chief unless the event is sponsored by the City.

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: On September 20, 2022, the Council discussed Ordinance.

COMMITTEE/BOARD/COMMISSION ACTION: N/A

STAFF RECOMMENDATION/REQUESTED MOTION: Staff recommends approval.

LIST OF SUPPORTING DOCUMENTS: Draft Ordinance v3 redlined, Draft Ordinance v 3 Clean

ORDINANCE NO. _____

**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.

~~(i)~~ — At a special event occurring in the City’s Commercial Central Business district (“CCBD”), as that district is described or depicted by City ordinance, which is either sponsored by the City or 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 events being as follows:- Such permit shall be issued only for special events that meet the following criteria:

~~(ii)~~(i) The event is one of the following:

- a. Cinco de Mayo;
- b. Chisholm Trail Roundup;
- c. Diez y Seis;
- ~~d. Dickens Festival;~~
- e.d. First Friday;
- f.e. Courthouse Nights;
- g.f. Sip-n-Stroll;
- h.g. Texas Monthly Barbecue Festival;
- i.h. CTR Running of the Bulls; or

(ii) The event is ~~not~~ listed above, but is one 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.

(d) The provisions of Sec. 50-141 of the City of Lockhart Code of Ordinances, authorizing the licensing of public property for private use, shall not be applicable for or available to any person or business desiring to sell alcoholic beverages in the CCBD.

SECTION 3. Any provision of the Code of Ordinances of the City of Lockhart in conflict with the provisions of this Ordinance is 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

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"), as that district is described or depicted by City ordinance, which is either sponsored by the City or 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 events being as follows:
 - (i) The event is one of the following:
 - a. Cinco de Mayo;
 - b. Chisholm Trail Roundup;
 - c. Diez y Seis;
 - d. First Friday;
 - e. Courthouse Nights;
 - f. Sip-n-Stroll;
 - g. Texas Monthly Barbecue Festival;
 - h. CTR Running of the Bulls; or
 - (ii) The event is not listed above, but is one 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.

(d) The provisions of Sec. 50-141 of the City of Lockhart Code of Ordinances, authorizing the licensing of public property for private use, shall not be applicable for or available to any person or business desiring to sell alcoholic beverages in the CCBD.

SECTION 3. Any provision of the Code of Ordinances of the City of Lockhart in conflict with the provisions of this Ordinance is 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

City of Lockhart, Texas

Council Agenda Item Cover Sheet

COUNCIL MEETING DATE: October 18, 2022

AGENDA ITEM CAPTION: Discuss Interlocal Agreement with Caldwell County regarding air ambulance and Budget Amendment #72 by Ordinance 2022-58.

ORIGINATING DEPARTMENT AND CONTACT: Administration - Steven Lewis

ACTION REQUESTED: Agreement

BACKGROUND/SUMMARY/DISCUSSION:

Caldwell County has entered into an agreement with PHI Health, LLC d/b/a PHI Air Medical, whereby residents of Caldwell County will become members of the PHI Cares Program and will be protected from out-of-pocket cost should a Caldwell County resident be transported by a PHI Air Medical aircraft within the defined PHI Cares service area (Caldwell, Gonzales, Guadalupe, Hays, Travis or Fayette Counties). The cities of Lockhart, Luling, and Martindale have been requested to enter into an interlocal agreement whereby city residents will become members of the program and the City will compensate the County for their respective portions of the County population. Under the agreement, Lockhart will receive 4,503 memberships, for which it will pay \$6.00 per membership, or \$27,018.00. More memberships may be purchased if needed. Additional information about the program is contained in the "Frequently Asked Questions" sheet that is attached. Luling has approved participation in the agreement.

PROJECT SCHEDULE (if applicable): The agreement has a term of one year, commencing November 1, 2022.

AMOUNT & SOURCE OF FUNDING:

Funds Required: \$13,755

Account Number: 100-5101-299-00

Funds Available:

Account Name: Contracts & Services

FISCAL NOTE (if applicable): Funds will be available upon approval of Budget Amendment #72.

PREVIOUS COUNCIL ACTION:

COMMITTEE/BOARD/COMMISSION ACTION:

STAFF RECOMMENDATION/REQUESTED MOTION: Staff recommends approval.

City of Lockhart, Texas

Council Agenda Item Cover Sheet

LIST OF SUPPORTING DOCUMENTS: Caldwell County-rate breakdown for interlocal agreement, Caldwell County and PHI Cares Agreement 2022, Interlocal Cooperation Agreement - Air Ambulance, 2022-PHI Insurance, ORDINANCE 2022-58 Mayor and Council Budget Amendment - PHI, BUDGET AMENDMENT #72

Caldwell County
 \$6.00 per household
 13, 744 Total Households
 Total cost: \$82,464.00 per year

	Household Count (per census)	Cost/ year
Lockhart	4,503 Households	\$27,018.00
Luling	2,070 Households	\$12,420.00
Martindale	407 Households	\$2,442.00
Unincorporated Caldwell County	6,764 Households	\$40,584.00
Unincorporated Caldwell County/ Martindale	7,171 Households	\$43,026.00

**COUNTY AGREEMENT FOR PHI CARES MEMBERSHIPS
FOR
CALDWELL COUNTY, TEXAS**

This County Agreement for PHI Cares Memberships for Caldwell County, Texas (this “Agreement”) is made effective the **1st day of October, 2022 (the “Effective Date”)** between Caldwell County, Texas (“Caldwell County”) and PHI Health, LLC d/b/a PHI Air Medical, a Louisiana limited liability company (“PHI”). Caldwell County and PHI may hereinafter be referred to individually as a “Party” and collectively as the “Parties.”

Recitals

WHEREAS, Caldwell County has approximately **13,744 households** in the State of Texas, with approximately **35,734 residents** living in these households (each a “Resident” and collectively, the “Residents”);

WHEREAS, PHI is an air ambulance company that is licensed in the State of Texas and that provides a membership-based program (the “PHI Cares Program”) in compliance with all applicable laws and regulations to cover the uninsured or otherwise uncovered portion of the flight charges that may be incurred by members requiring emergency air medical transportation on a PHI aircraft; and

WHEREAS, Caldwell County desires to enter into this Agreement with PHI whereby the Residents within Caldwell County will be members of the PHI Cares Program and entitled to receive the privileges and benefits of the PHI Cares Program in accordance with the terms and limitations of this Agreement.

NOW, THEREFORE, in consideration of the mutual covenants contained herein and intending to be legally bound hereby, the Parties agree as follows:

Article I.

Scope of Agreement and Term

1.1 Contract for Ambulance Membership. This Agreement relates to the acquisition of PHI Cares memberships by Caldwell County for the benefit of Caldwell County Residents and covers the uninsured or otherwise uncovered portion of the flight charges that may be incurred by such Residents when requiring emergency air medical transportation on a PHI aircraft.

1.2 Term. The term of this Agreement commences as of the Effective Date set forth above and continues for a period of one (1) year, through **September 30, 2023** (the “Term”), unless otherwise terminated as provided for herein. At the end of the Term, the Parties may negotiate to extend this Agreement or enter into a new agreement.

Article II.

PHI Memberships

2.1 Annual Fee; Adjustment. Pursuant to this Agreement and effective during the Term of this Agreement, Caldwell County is purchasing PHI Cares memberships for the households and the Residents residing in these households of Caldwell County for a total annual amount equal to **\$82,464.00** (the “Annual Fee”). The Annual Fee is based on an expectation of **13,744 households** at a rate of **\$6.00 per household**, which shall cover the Residents residing in these households. The Annual Fee shall be paid in advance on or before the Effective Date.

2.2 Compliance. Caldwell County and PHI shall comply with all applicable federal and state laws and regulations governing membership programs.

2.3 Non-Exclusivity. It is understood and agreed by the Parties that PHI is not the exclusive carrier for air medical transports in Caldwell County. Any calls for air medical transports in Caldwell County shall be made in accordance with the protocols of the requesting EMS agency or referring hospital physician.

2.4 Terms and Conditions. The general terms and conditions of the PHI Cares Program are as described in the attached Exhibit “1,” which is made a part of this Agreement (the “PHI Cares General Terms and Conditions”). In addition, the following specific terms shall apply to this Agreement:

- (a) **Location.** Transport must be for a Caldwell County Resident requiring PHI to provide air medical transport from a pickup location within **Caldwell County**; or one of the following surrounding counties in Texas: **Bastrop, Gonzales, Guadalupe, Hays, Travis and Fayette (the “CALDWELL COUNTY Service Area”)**.
- (b) **Membership ID #.** PHI will provide Caldwell County with a supply of **15,000 membership cards** which Caldwell County will distribute and make available to the Residents of Caldwell County, Texas. This membership card will contain the Membership ID # for Caldwell County and the contract validity dates.
- (c) **Notifying PHI.** It is the responsibility of any transported Resident of Caldwell County to contact PHI and notify it that a Caldwell County Resident has been transported by PHI and to provide PHI with the name of such Resident. In addition, in order to avoid receiving a bill for their medical transport, Residents should inform the healthcare provider, dispatcher, or emergency personnel of their PHI Cares membership at the time an air transport is requested, as these personnel will not be aware of Residents’ PHI Cares membership.
- (d) **Not Insurance Product.** MEMBERSHIP ONLY APPLIES TO TRANSPORT ABOARD A PHI AIRCRAFT. MEMBERSHIP IS NOT AN INSURANCE PRODUCT AND DOES NOT PAY FOR SERVICES PROVIDED BY OTHER AIR OR GROUND AMBULANCE SERVICE PROVIDERS.
- (e) **Coverage.** Each membership covers the entire household (i.e., each individual member of the household that is a Resident of Caldwell County) except for any person in the household who is now or at the time of the transport request is a recipient of Medicaid benefits. Medicaid recipients are excluded from membership in accordance with applicable state law.
- (f) **Unavailability.** Caldwell County acknowledges that PHI may not always have an aircraft available to provide a transport due to prior use, weather, mechanical downtime, or other reasons, as set forth more fully in the PHI Cares Terms and Conditions. Further, medical or dispatch personnel may call another air ambulance provider in which event a PHI Cares membership will not cover the medical transport. Caldwell County and the Residents acknowledge and agree that PHI will have no liability to Caldwell County or any Resident as a result of PHI’s inability to respond to a transport request for any Caldwell County Resident.

2.5 Full National Household Membership Upgrade Option. Any individual who resides within the boundaries of Caldwell County may elect to upgrade his or her membership to a full national household membership (covering the entire household, as defined below), which shall include coverage

outside the Caldwell County Service Area, for an additional **\$45.00** per year; provided, however, that coverage would only extend to any current PHI Cares service areas and shall only apply to transport aboard a PHI aircraft. For a list of PHI Cares service areas, please see the PHI Cares website: www.phicare.com, or contact the membership office for a copy. To obtain this upgrade, Caldwell County Residents are required to call the PHI Cares Membership office directly or complete a Membership Upgrade Form for each Resident requesting this option.

2.6 Household. For purposes of this Agreement and PHI Cares membership, a household is considered to include all immediate family members and up to 3 non-family members who reside in the same household.

2.7 Refunds. No refunds will be extended to Caldwell County (or any individual) as a result of existing PHI Cares members, which are separate from this Agreement.

2.8 Conflicts. Should there be any conflict between the PHI Cares General Terms and Conditions and the terms set forth in this Agreement, the terms of this Agreement shall prevail.

Article III. Termination

3.1 Termination. Either Party may terminate this Agreement for any reason upon providing the other Party with at least thirty (30) days prior written notice. In the event that PHI terminates this Agreement for convenience pursuant to this Section 3.1, PHI shall refund Caldwell County the prorated amount of the Annual Fee for the remainder of the Term. In the event that Caldwell County terminates this Agreement for convenience pursuant to this Section 3.1, Caldwell County shall not be entitled to a refund of any portion of the Annual Fee.

3.2 Immediate Termination. Either Party may terminate this Agreement with ten (10) days' prior written notice (provided such notice period is legally permitted) if: (1) the Attorney General of Texas renders an official opinion that voids, modifies, or otherwise affects any provision in this Agreement; or (2) a court of competent jurisdiction issues a judgment or ruling that voids, modifies, or otherwise affects any provision of this Agreement; or (3) a duly authorized statute, law, rule, or regulation is enacted or modified by a competent legislative authority in such a manner that materially modifies, voids, or affects this Agreement (including having any material effect on PHI's cost, as determined in PHI's reasonable discretion). If any one of the above-described events occurs, the Parties will exert their best efforts to agree on an alternative agreement in conformance with any such opinion, judgment, or legislative enactment to the extent feasible.

3.3 Termination for Default.

(A) Caldwell County may terminate this Agreement for default if PHI breaches any material term of this Agreement or fails to perform as required under this Agreement and fails to cure or remedy such breach or failure of performance within fifteen (15) days of receiving written notice from Caldwell County.

(B) PHI may terminate this Agreement for default if Caldwell County breaches any term of this Agreement or fails to perform as required under this Agreement and fails to cure or remedy such breach or failure of performance within fifteen (15) days of receiving written notice from PHI.

(C) Remedies. In the event of a default by PHI and Caldwell County's termination pursuant to Section 3.3(A) above, Caldwell County's sole and exclusive remedy shall be the pro-rata refund of the Annual Fee for the remainder of the Term. In the event of a default by Caldwell County and PHI's termination pursuant to Section 3.3(B) above, PHI's sole and exclusive remedy shall be to retain the Annual Fee for the Term.

Article IV. Limitation of Liability

4.1 Limitation of Liability. Notwithstanding anything herein to the contrary, in no event, whether as a result of contract, tort, strict liability or otherwise, shall PHI be liable to Caldwell County or any Resident for any punitive, indirect, incidental or consequential damages, including, without limitation, loss of profits, loss of use or loss of contract.

4.2 Survival. The provisions of this Article IV will survive the expiration or early termination of this Agreement or any extensions hereof.

Article V. Miscellaneous

5.1 Entire Agreement. This Agreement (including any and all exhibits and attachments hereto) constitutes the entire agreement between the Parties with respect to the subject matter hereof and supersedes all previous communication, representations or agreements, either oral or written, with respect to the matters addressed herein. All modifications or amendments to this Agreement must be in expressed in a written instrument duly executed by both Parties mutually agreeing to such modification or amendment. No rights, duties, or obligations under this Agreement may be assigned nor may any interest or options contained herein be made available or otherwise assigned to any third party without the prior written consent of both of the Parties, which may be withheld in either Party's absolute and sole discretion. If any provision or application of this Agreement is held illegal, invalid, or unenforceable by any Court of competent jurisdiction, the invalidity of such provision will not affect or impair any of the remaining provisions of this Agreement, except as expressly set forth herein.

5.2 Applicable Law; Attorney's Fees. This Agreement is governed by and will be construed in accordance with the laws of the State of Texas, without giving regard to its conflicts of law rules or provisions. This Agreement will be interpreted and construed as broadly as possible consistent with the purposes stated herein. In the event of any litigation between the Parties arising out of or relating to this Agreement, the prevailing Party (as determined by the court) shall be entitled to recover its reasonable attorneys' fees, litigation expenses and court costs from the other Party.

5.3 Notice. Any notice required or permitted to be given pursuant to this Agreement shall be in writing and shall be personally delivered, sent via certified mail, postage prepaid, return receipt requested, or sent via facsimile to the following addresses:

If to Caldwell County:

Judge Hoppy Haden
Caldwell County, TX
110 S Main Street, Room 201
Lockhart, TX 78644

With a copy to:

If to PHI:

PHI Health, LLC
2800 N. 44th Street, Suite 800
Phoenix, Arizona 85008
Attn: David Motzkin, President
Email: dmotzkin@phiairmedical.com

With a copy to:

PHI Health, LLC
2800 N. 44th Street, Suite 800
Phoenix, Arizona 85008
Attn: Legal Department
legal@phiairmedical.com

Any Party may change their address for purposes of this Section by giving the other Party written notice of the new address in the manner set forth above.

5.4 Counterparts; Authority. This Agreement may be executed in counterparts, each of which shall be deemed an original, but all of which taken together shall constitute but one and the same instrument. Each individual executing this Agreement on behalf of a Party represents that he/she is authorized to enter into and deliver this Agreement and bind the Party hereto.

[Signature Page Follows]

IN WITNESS WHEREOF, the Parties hereto have entered into this Agreement as of the date and year written below, but which shall be effective for all purposes as of the Effective Date.

PHI HEALTH, LLC d/b/a PHI AIR MEDICAL CALDWELL COUNTY, TEXAS

By:_____

By:_____

Name: David Motzkin

Name: _____

Title: President

Title: _____

Date: _____

Date: _____

EXHIBIT 1

PHI Cares Membership Terms and Conditions

Membership

PHI Cares is a membership program operated by PHI Health, LLC, which covers the uninsured or otherwise uncovered portion of the flight charges that may be incurred by members who are transported on a PHI medically configured aircraft as set forth herein. Membership is valid for one (1) year beginning five (5) days after your completed application and nonrefundable payment have been received and processed by the PHI Cares membership office. These Terms and Conditions also apply to renewing memberships, provided that payment of the annual membership fee is received within thirty (30) days of the renewal date.

As used herein, the terms “you,” “your,” and “Member” shall mean any members enrolled in the PHI Cares Program; the terms “our,” “we,” “us,” and “PHI” shall mean PHI Health, LLC; the term “PHI Cares Program” shall mean the PHI Cares membership program operated by PHI; and the term “Terms and Conditions” shall mean the PHI Cares Program Terms and Conditions.

Billing

Members are charged an annual membership fee payable yearly in advance. The annual membership fee charged by PHI is based on certain factors, including whether or not you have healthcare insurance coverage.

A Member who receives a medically necessary transport through the PHI Cares Program is relieved from paying any charges related to the medical transport other than amounts paid or reimbursed to the Member by any available healthcare insurance, a third party payor, or a third party who may be legally responsible for the charges. In other words, PHI Cares accepts what your insurance or other third-party source of payment pays as “payment-in-full,” relieving you of any other charges for the air medical transport.

PHI will bill your healthcare insurer or other third-party payor (for example, Medicare), or seek recovery from any legally liable third party (for example, a car accident which causes you injury as a result of someone else’s fault or negligence) for the air medical transport. Should you receive payment directly from your healthcare insurer, other third-party payor, or from a legally liable third party for all or any portion of the charges for the air medical transport, you agree to promptly remit such payment to PHI. If any third party or his/her insurer who is legally liable pays for the air transport charges either through settlement of a claim or a judgment from a lawsuit, you agree to promptly remit the amount received by you for air transport charges included in such settlement or judgment.

Members who have no healthcare insurance coverage at the time of enrollment and no other third-party payor to cover air medical transport charges will be relieved by PHI from any patient transport charges for medically necessary air transport services on a PHI aircraft.

PHI Cares Members are responsible for and agree to pay for any charges that are not covered by the PHI Cares Program, including but not limited to air transport pick-ups outside of the PHI Cares service area or any ground ambulance transportation services that Members may incur in connection with any PHI air medical transport.

Eligibility & Availability

Medicaid participants are not eligible for membership in the PHI Cares Program.

Please note that a PHI aircraft may not be available at the time a flight request is made due to inclement weather, the PHI aircraft being in service at the time of the request, the PHI aircraft undergoing maintenance or repairs, weight limitations of the PHI aircraft, or other reasons that make the PHI aircraft unavailable to respond to a request.

Further, medical or dispatch personnel may call another air ambulance provider in which event your PHI Cares membership will not cover the medical transport.

Passenger weights and other operating restrictions may limit our ability to transport a Member. PHI, in consultation with other healthcare providers or dispatch agencies, reserves the right to determine whether air medical transport is medically necessary, safe, and appropriate under the circumstances.

Membership in the PHI Cares Program is not an insurance product. PHI Cares does not cover and will not pay or reimburse you for services performed by any other air medical transport services provider or any ground ambulance services provider. Notwithstanding the foregoing, in addition to covering medically necessary transports on PHI aircraft, your membership will also cover medically necessary transports on PHI's partners' aircraft if such transports occur within PHI's service areas. Please visit our website at www.PHICares.com or contact our Membership Department to obtain more information on our current air ambulance membership partners. Any medical transports on a PHI Cares partner aircraft shall be subject to the same Terms and Conditions stated herein.

Service Area

Membership provides household national coverage for medically necessary air transports on PHI medically configured aircraft to the closest appropriate facility within 200 miles for a rotor wing (helicopter) and 600 miles for a fixed wing (airplane). The point of pickup must be within the PHI Cares service area. For a list of service areas, please see the coverage map on the PHI Cares website: www.phicare.com/coverage.shtml or contact the membership office directly.

Notifying PHI Cares Membership Department of Transport

You should inform the healthcare provider, dispatcher, or emergency personnel of your PHI Cares membership at the time an air medical transport is requested, as these personnel will not be aware of your PHI Cares Membership. In addition, it is the responsibility of each Member to contact us if a registered and eligible household dependent has been flown by PHI. Please call our Membership Department at: **1.888.435.9744 (1.888. I Fly PHI), Monday-Friday, 0800 to 1600 Hours MST.**

Termination and Renewal of Coverage

PHI may terminate your membership for failure to comply with the Terms and Conditions of the PHI Cares membership program. PHI reserves the right to discontinue its PHI Cares Program at any time upon notice to Members. In such event, PHI shall return a pro rata portion of the membership fee. PHI also reserves the right to unilaterally modify the Terms and Conditions, including but not limited to the membership fee to be charged to Members who join or renew their membership after the effective date of such change. It is your responsibility to renew your membership prior to the expiration of the one-year term. A completed renewal application and nonrefundable payment must be received within thirty (30) days of the renewal date. If you do not renew your membership, your membership and coverage thereunder will automatically terminate at the end of the one-year term. Renewal contracts may include changes in coverage.

Acknowledgment

You acknowledge that all information included in the completed application is correct to the best of your knowledge, including all health insurance information. If your healthcare insurance is no longer in effect at the time air medical services are rendered, your PHI Cares membership will not cover your air medical transport charges, unless you have notified PHI Cares of such cancellation and have paid the supplemental membership fee charged to PHI Cares members who do not have healthcare insurance. Any changes in your healthcare insurance information, including the cancellation of healthcare insurance coverage, must be reported to the PHI Cares membership office within five (5) business days of such change or cancellation.

By approving and submitting your application for PHI Cares membership, you agree to all of the Terms and Conditions set forth herein.

**INTERLOCAL COOPERATION AGREEMENT
BETWEEN
CALDWELL COUNTY
AND
THE CITIES OF LOCKHART, LULING, AND MARTINDALE
FOR PHI AIR AMBULANCE SERVICES MEMBERSHIP**

This Interlocal Cooperation Agreement (the “Agreement”) is entered into by and among the undersigned participating municipalities of the State of Texas (the “Participating Municipalities”), acting by and through their respective governing bodies, and Caldwell County, Texas (the “County”), pursuant to and under authority of the Interlocal Cooperation Act, Chapter 791 of the Texas Government Code to share air ambulance services membership. The undersigned participating local governments adopting this Agreement upon a formal order of their respective governing bodies as provided for herein may be referred to individually as a “Party” or collectively as “Parties”.

WHEREAS, the Parties, as local governments of the State of Texas, are authorized to provide for government functions and services within Caldwell County, Texas, including the public health and welfare.

WHEREAS, the County desires to provide for the public health and welfare of the residents of Caldwell County by providing qualifying residents with an opportunity to cover the high cost of local air medical transportation by air ambulance services;

WHEREAS, the County intends to enter into an agreement with PHI Health, LLC d/b/a PHI Air Medical (PHI) for its residents’ inclusion in the PHI Cares Program, a membership-based program that covers the uninsured or otherwise uncovered portion of air ambulance flight charges by members requiring air medical transportation on a PHI aircraft;

WHEREAS, the Participating Municipalities desire to secure PHI Cares Program membership for the qualifying residents of their incorporated boundaries, and fairly compensate the County for their respective portions of the County population;

NOW, THEREFORE, in consideration of the promises, inducements, covenants, agreements, conditions, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the County and Participating Local Governments approving this Agreement agree as follows:

**Article I.
Term**

Section 1.01. **Term.** This Agreement shall have a term of one (1) year, to begin on October 1, 2022, and ending on September 30, 2023.

Section 1.02. **Contingent.** This Agreement is contingent upon the County entering into a one-year contract with PHI for PHI Cares Program memberships, to begin on October 1, 2022, and ending on September 30, 2023 (the “PHI Contract”). In the absence of the PHI Contract, this Agreement is null and void. If executed, the terms and conditions of the PHI Contract are incorporated by reference and made part of this Agreement. In the event of a conflict between the terms and conditions of this Agreement and the PHI Contract, the terms and conditions of the PHI Contract take precedence and control.

**Article II.
Party Obligations**

Section 2.01. **County to Provide Memberships.** The County will reserve and make available initial PHI Cares Program membership cards to residents within the Participating Municipalities, according to the following schedule:

<u>PARTICIPATING MUNICIPALITIES</u>	<u>INITIAL MEMBERSHIPS</u>	<u>COST PER MEMBERSHIP</u>	<u>INITIAL COST</u>
City of Lockhart	4,503	\$ 6.00	\$ 27,018.00
City of Luling	2,070	\$ 6.00	\$ 12,420.00
City of Martindale	407	\$ 6.00	\$ 2,442.00

Section 2.02. **Compensation.** The Participating Municipalities will pay to the County an initial cost, according to the schedule contained in Section 2.01.

Section 2.03. **Additional Memberships.** The Participating Municipalities may request additional membership cards, subject to approval by the County. A request for additional membership cards and subsequent County approval must be in writing. Approved additional memberships shall be invoiced according to the rate provided in the schedule contained in Section 2.01.

Section 2.04. **Time of Payment.** The Participating Municipalities will make any invoiced payments within thirty (30) days of receiving said invoice.

Section 2.05. **Payment from Current Revenues.** Payments made by each Participating Municipality must be made from current revenues available to the Participating Municipality.

Section 2.06. **Prorated Refund.** In the event the County receives a prorated refund from PHI, the County will, in turn, refund the Participating Municipalities a prorated amount of costs invoiced to the Participating Municipalities for the remainder of the Term.

**Section III.
Miscellaneous**

Section 3.01. **Entire Agreement.** This Agreement, including any exhibits hereto, contains the entire agreement between the Parties.

Section 3.02. **Amendments.** This Agreement may only be amended or altered by written instrument signed by all parties.

Section 3.03. **Legal Authority.** The Parties warrant that they possess adequate legal authority to enter into this Agreement. The Parties governing bodies have authorized the signatory officials to enter into this Agreement and bind the Parties to the terms of this Agreement and any subsequent amendments.

Section 3.04. **Assignment.** A Participating Municipality may not assign its rights and interests under this Agreement to any other party, unless approved in writing by the Parties. In the event of such assignment this Agreement shall be binding on and inure to the benefit of such assignee or successor.

Section 3.05. **Force majeure.** Any and all duties, obligations, and covenants of this Agreement will be suspended during time of natural disaster, war, acts of terrorism, or other "Acts of God" which prevent the Parties from fulfilling any and all duties, obligations, or

covenants of this Agreement. If a Party is prevented from fulfilling a duty, obligation, or covenant of this Agreement due to a force majeure event, the party prevented from fulfilling will notify the other party in writing, sent pursuant to Section 3.08, within fourteen (14) calendar days of the force majeure event.

Section 3.06. **Mutual Indemnification.** In no event shall the Parties to this Agreement be liable to the other party for any special, consequential, incidental, or punitive damages on any claim arising out of or concerning this Agreement. If a Participating Municipality is served with process in a suit or proceeding arising out of this Agreement, the Participating Municipality agrees to promptly furnish the County with a copy of the process. The Parties agree that these indemnification obligations apply to causes of action accruing during the term of this Agreement, and that for this purpose the obligations will survive the termination of this Agreement.

Section 3.07. **Waiver.** No term or condition of this Agreement shall be deemed to have been waived, nor shall there be any estoppel to enforce any provision of this Agreement, except by written instrument of the party charge with such waiver and estoppel.

Section 3.08. **Notices.** Any notice, statement, or communication required or permitted to be delivered hereunder shall be in writing and must be mailed by certified mail with return receipt requested, postage prepaid, or delivered by hand, and will be deemed delivered when received at the addresses of the parties set forth below, or at such other address furnished in writing to the other parties thereto:

Caldwell County: Caldwell County
Attn: County Judge
Caldwell County Courthouse
110 S. Main Street, Room 101
Lockhart, Texas 78644

City of Lockhart: The City of Lockhart
Attn: City Manager
PO Box 239
Lockhart, Texas 78644

City of Luling: The City of Luling
Attn:

Lockhart, Texas 78644

City of Martindale: The City of Martindale
Attn:

Lockhart, Texas 78644

Section 3.09. **Applicable Law and Venue.** This Agreement is made and will be construed and interpreted under the laws of the State of Texas. Venue for any legal proceedings shall lie in the district courts located in Caldwell County, Texas. Venue for any matters in federal court will be in the United States District Court for the Western District of Texas.

Section 3.10. **Severability.** In the event any provision of this Agreement is illegal, invalid, or unenforceable under the applicable present or future laws, then, in that event, it is the intention of the Board and Foundation 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 3.11. **No Joint Venture.** Nothing in this Agreement is intended by the parties to create a partnership or joint venture between the Board and Foundation, and any implication to the contrary is expressly disavowed. It is understood and agreed that this Agreement does not create a joint enterprise, nor does it appoint either party as an agent of the other for any purpose whatsoever. Except as otherwise specifically provided herein, neither party shall in any way assume any of the liability of the other for acts of the other or obligations of the other.

Section 3.12. **Counterparts.** This Agreement may be executed in multiple counterparts, each of which shall be considered an original, but all of which constitute one instrument.

This Agreement between the Participating Municipalities and Caldwell County is hereby executed in duplicate originals, to be effective as of the date of the latest signature below.

CALDWELL COUNTY:

By: _____ Date: _____
Hoppy Haden
County Judge

CITY OF LOCKHART:

By: _____ Date: _____
Lew White
Mayor

CITY OF LULING:

By: _____ Date: _____
Mayor

CITY OF MARTINDALE:

By: _____ Date: _____
Mayor

CERTIFICATE OF INSURANCE

Issued on behalf of Insurers by
Willis Towers Watson Northeast, Inc.
5 Concourse Pkwy, 18th Floor
Atlanta, GA 30328
Telephone (404) 224-5000, Fax (404) 224-5001

This is to certify to:

City of Lockhart
308 W. San Antonio St.
Lockhart, TX 78644

(Sometimes referred to herein as the Certificate Holder(s))

that the Insurers listed below, each for their own part and not one for the other, are providing the following insurance:

NAMED INSURED(s): PHI Group, Inc., PHI Aviation, LLC, PHI Health, LLC, and any subsidiary or affiliated company now in existence or hereinafter acquired or created and any other company under PHI GROUP, INC.'s control or in which it assumes active management and PHI GROUP, INC.'s interest in any joint ventures or partnerships.

ADDRESS: 2001 SE Evangeline Thruway, Lafayette, LA 70509

POLICY PERIOD: July 1, 2022 to July 1, 2023 both days at 00:01 Local Standard Time at the address of the Named Insured.

COVERAGES:

ALL RISKS (GROUND AND FLIGHT) AIRCRAFT HULL INSURANCE

HULL VALUE: As held on file

Coverage applies to the Aircraft including the propulsion system and equipment usually installed in or on the Aircraft (1) while installed in or on the Aircraft; (2) while temporarily removed from the Aircraft prior to being installed; and (3) while removed from the Aircraft for replacement until such time as replacement has commenced at which time the replacement part shall be considered a part of the Aircraft.

AVIATION HULL WAR AND ALLIED PERILS INSURANCE

HULL WAR VALUE: As held on file

Aviation Hull War and Allied Perils as per Form LSW555D, including, but not limited to, threats against the aircraft or its passengers or crew made during currency of the policy; or ransom following kidnap of passengers and crew, following hijacking only, Extra Expenses incurred following confiscation, or hijacking of the aircraft.

COMPREHENSIVE AVIATION LIABILITY INSURANCE

LIABILITY LIMIT: \$5,000,000.

Including, but not limited to: Comprehensive General Liability, Bodily Injury and Property Damage to Third Parties, Passenger Liability, Personal Injury Liability, Contractual Liability, Passengers' Checked and Unchecked Baggage, Premises, Products, Ground Hangarkeepers and Completed Operations Liabilities, Limited Sudden and Accidental Pollution (if caused by a crash, fire explosion, collision or a recorded in flight emergency causing abnormal aircraft operation), Excess Automobile, and Employers' and Cargo Legal Liabilities.

War Risk Liability AVN52E Extended Coverage Endorsement (Aviation Liabilities): \$5,000,000.

Auto Legal Liability: \$25,000,000 excess of \$1,000,000 (Primary)

Employers Liability Insurance: \$25,000,000 Excess of \$3,000,000 (Primary)

REFER TO THE POLICY. AN ANNUAL AGGREGATE LIMIT APPLIES TO SOME COVERAGES.

GEOGRAPHICAL LIMITS: Worldwide (including Gulf of Mexico)

AIRCRAFT INSURED: Any aircraft owned, used, maintained and/or operated by the Named Insured.

CONTRACTS: Agreement between the Named Insured(s) and the Certificate Holder(s) (hereinafter, the 'Contract(s)').

SPECIAL PROVISION(S)

Subject always to the scope of the policies noted above and all the policies' declarations, insuring agreements, definitions, terms, conditions, limitations, exclusions, deductibles, warranties and endorsements thereof remaining paramount: Solely as respects: (i) The Coverage(s) noted above; (ii) the Contract(s) (and then only to the extent of the Named Insured's obligation to provide insurance under the terms of the Contract(s)); and (iii) the operations of the Named Insured; the following provision(s) apply(ies):

The use of the terms "Additional Insured" / "Additional Insureds", when used in the context of coverages other than Liability Coverage(s), are solely for the purpose of identifying parties and does not, by virtue of the use of these terms, convey any benefits or rights not provided for under the policies.

Solely as respects Liability Coverage(s): The Certificate Holder(s) and their directors, officers, employees, agents and assigns are included as Additional Insureds (collectively, the Additional Insureds, individually, an Additional Insured) as their respective interests may appear, warranted no operational interest.

As respects all Coverage(s): If such insurance is canceled for any reason whatsoever, or if any change is made in the policy that reduces the amount of insurance or the coverage certified hereunder to the Certificate Holders or if such insurance is allowed to lapse for nonpayment of premium, Insurers agree that such cancellation, change or lapse shall not be effective as to any Additional Insured until thirty (30) days (seven (7) days or such shorter period as may be customary in the case of Aircraft Hull War Risks and Allied Perils Insurance and Extended Coverage Endorsement (Aviation Liabilities)) after receipt by the Certificate Holders of written notice from the Insurers of such cancellation, change or lapse.

This Certificate of Insurance is issued as summary of the insurances under the policies noted above and confers no rights upon the Certificate Holders as regards the insurances other than those provided by the policies. The undersigned has been authorized by the above insurers to issue this certificate on their behalf and is not an insurer and has no liability of any sort under the above policies as an insurer as a result of this certification.

This certificate or verification of insurance is not an insurance policy and does not amend, extend or alter the coverage afforded by the policies listed herein. Notwithstanding any requirement, term, or condition of any contract or other document with respect to which this certificate or verification of insurance may be issued or may pertain, the insurance afforded by the policies described herein is subject to all terms, exclusions, limitations and conditions of such policies (including, but not limited to an Electronic Date Recognition Exclusion Clause, and a related Electronic Date Recognition Exclusion Limited Coverage Endorsement; copies of which will be made available on request).

Jason Klevens

Jason Klevens, Authorized Representative

September 22, 2022

Issue Date

SECURITY SHEET

POLICY TERM: July 1, 2022 to July 1, 2023 on both dates at 12:01 A.M. Local Standard Time at the address of the Named Insured.

AVIATION HULL AND LIABILITY COVERAGE

Allianz Global Risks US Insurance Company Financial Rating: AM Best "A+":	A1GA000392022AM	25.0%
Starr Indemnity & Liability Company through Starr Aviation Financial Rating: AM Best "A"	SASICOM60016722-12	12.5%
National Union Fire Insurance Company of Pittsburgh Pa. Through AIG Aerospace Insurance Services, Inc. Financial Rating: AM Best "A"	FQ 013468409-06	12.0%
Old Republic Insurance Company through Old Republic Aerospace Financial Rating: AM Best "A+"	AVC 003084-11	12.5%
United States Insurance Group through one or more Member Companies of USAIG Columbia Insurance Company Rating: A++ Ace American Insurance Company Rating: A++	SIHL2-3081	4.5%
Underwriters at Lloyd's & certain Insurance Companies through Willis Limited, London	B080125366A22	33.5%
Total		100.0%

EXCESS LIABILITY COVERAGE

National Union Fire Insurance Company of Pittsburgh Pa. Through AIG Aerospace Insurance Services, Inc. Financial Rating: AM Best "A"	EX 013468507-03	100%
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*Excess Liability Policy applies to Contract Specific Aircraft Only

SEVERAL LIABILITY NOTICE

The subscribing insurers' obligations under contracts of insurance to which they subscribe are several and not joint and are limited solely to the extent of their individual subscriptions. The subscribing insurers are not responsible for the subscription of any co-subscribing insurer who for any reason does not satisfy all or part of its obligations.

ORDINANCE 2022-58

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LOCKHART, TEXAS, AMENDING THE BUDGET FOR THE FISCAL YEAR 2023 IN ACCORDANCE WITH EXISTING STATUTORY REQUIREMENTS; RE-APPROPRIATING THE VARIOUS AMOUNTS HEREIN, AS ATTACHED IN BUDGET AMENDMENT NO. 72; REPEALING ALL PRIOR ORDINANCES AND ACTIONS IN CONFLICT HERewith; AND ESTABLISHING FOR AN EFFECTIVE DATE.

WHEREAS, the Fire Chief of the City of Lockhart, Texas has submitted to the Mayor and City Council proposed amendment to the City of Lockhart, Texas budget of expenditures/expenses of conducting affairs of said city and providing a complete financial plan for Fiscal Year 2023; and

WHEREAS, the Fire Chief has requested a budget amendment to the Mayor and Council departmental budget; and

WHEREAS, the Mayor and Council concur with the recommendation of the Fire Chief and staff that the budget amendment is to be processed to reflect the proper expense account within the Mayor and Council departmental budget; and

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

That Ordinance 2022-58 is hereby adopted amending the Mayor and Council Departmental Budget for Fiscal Year 2022-2023 as the same are contained in Budget Amendments 72, which are attached hereto and incorporated herein for all purposes.

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

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

CITY OF LOCKHART

Lew White, Mayor

Attest:

APPROVED AS TO FORM:

Connie Constancio, TRMC, City Secretary

Monte Akers, City Attorney

CITY OF LOCKHART
BUDGET AMENDMENT FORM
Amendment No. 72

EXPENSES	ACCOUNT NO.	Adopted Budget	Current Amendment	Total Budget after Current Amendment
Mayor/Council - Contracts & Services	100-5101-299-00	\$13,755.00	\$27,018.00	\$40,773.00
				0.00

\$40,773.00

REVENUES	ACCOUNT NO.	AMOUNT
		\$0.00
		\$0.00
		\$0.00

REASON FOR AMENDMENT

Interlocal agreement with Caldwell County regarding air ambulance services for citizens of Lockhart, Texas

REQUESTED BY: Randy Jenkins, Fire Chief DATE _____

APPROVED BY: _____ DATE _____

POSTED FINANCE DATE _____

City of Lockhart, Texas

Council Agenda Item Cover Sheet

COUNCIL MEETING DATE: October 18, 2022

AGENDA ITEM CAPTION: Hold a PUBLIC HEARING on application ZC-22-23 by Rebecca Briceno, and discussion and/or action to consider Ordinance 2022-48 for a **Zoning Change** from *CLB Commercial Light Business District* to *RMD Residential Medium Density District* on a total of 0.586 acre in the Byrd Lockhart League, Abstract No. 17, located at 915 Red River Street.

ORIGINATING DEPARTMENT AND CONTACT: Development Services - David Fowler

ACTION REQUESTED: Ordinance

BACKGROUND/SUMMARY/DISCUSSION: The subject property is the site of a residential duplex building that had previously included a laundry business. The owner wishes to divide their lot into two smaller lots for residential use. The requested zoning district will both make the construction of a dwelling on a new lot created through subdividing the site possible, while also making the site's zoning consistent with surrounding properties. The site is adequately served by water and wastewater services while having access to both Red River Street and Birch Street.

The Planning and Zoning Commission held a public hearing on the application at their September 28th meeting. Staff received three letters that stated support for the zoning change request as long as any new construction on the site was new and well-maintained.

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

COMMITTEE/BOARD/COMMISSION ACTION: On September 28, 2022, The Planning and Zoning Commission unanimously recommended approval of the proposed zoning change.

City of Lockhart, Texas

Council Agenda Item Cover Sheet

STAFF RECOMMENDATION/REQUESTED MOTION: Approval of application ZC-22-23, changing the zoning from Commercial Light Business District to Residential Medium Density District for 0.586 acre located at 915 Red River Street.

LIST OF SUPPORTING DOCUMENTS: zc2223 ordinance, ZC2223 exhibit a, ZC2223 case map, ZC2223 zoning, ZC2223 aerial, ZC2223 future landuse, zc2223 staff report--council, ZC2223 application and letters

ORDINANCE 2022-48

AN ORDINANCE OF THE CITY OF LOCKHART, TEXAS, AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF LOCKHART, TEXAS, TO RECLASSIFY 0.586 ACRE IN THE BYRD LOCKHART LEAGUE, ABSTRACT NO. 17, LOCATED AT 915 RED RIVER STREET, FROM CLB COMMERCIAL LIGHT BUSINESS DISTRICT TO RMD RESIDENTIAL MEDIUM DENSITY DISTRICT.

WHEREAS, on September 28, 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-22-23, known as 0.586 acre in the Byrd Lockhart League, Abstract Number 17, more particularly described in Exhibit A, located at 915 Red River Street, will be reclassified from CLB Commercial Light Business District to RMD residential Medium 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 18th DAY OF OCTOBER, 2022

CITY OF LOCKHART

Lew White, Mayor

ATTEST:

APPROVED AS TO FORM:

Connie Constancio, TRMC, City Secretary

Monte Akers, City Attorney

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

General Warranty Gift Deed

Date: August 21, 2013

Grantor: Felix Briceno and Ruth Briceno, husband and wife

Grantor's Mailing Address:

Felix Briceno and Ruth Briceno
835 Birch
Lockhart, Texas 78644
Caldwell County

Grantee: Rebecca Briceno

Grantee's Mailing Address:

Rebecca Briceno
915-B Red River
Lockhart, Texas 78644
Caldwell County

Consideration:

Love of, and affection for, Grantee.

Property (including any improvements):

BEING A PART OF THE BYRD LOCKHART LEAGUE, IN CALDWELL COUNTY, TEXAS; AND BEING LOTS NO.

BEGINNING AT THE SOUTHEAST CORNER OF LOT NO. ELEVEN (11) IN SAID BLOCK:

THENCE SOUTH 10 DEGREES EAST 138 FEET TO THE SOUTHEAST CORNER OF LOT NO. THIRTEEN (13);

THENCE SOUTH 80 DEGREES WEST 185 FEET TO THE SOUTHWEST CORNER OF SAID LOT;

THENCE NORTH 10 DEGREES WEST 138 FEET TO THE NORTHWEST CORNER OF LOT NO. TWELVE (12);

THENCE NORTH 80 DEGREES EAST 185 FEET TO THE PLACE OF BEGINNING, AND BEING THE SAME TRACT OR PARCEL OF LAND DESCRIBED IN THAT CERTAIN DEED FROM ORENE M. GRADY, INDIVIDUALLY AND AS INDEPENDENT EXECUTRIX OF THE ESTATE OF NEAL GREENWOOD GRADY, DECEASED, TO JERRY LEE DOYLE, ET UX, DATED MARCH 31, 1971, RECORDED IN VOLUME 342 AT PAGE 195 OF THE CALDWELL COUNTY DEED RECORDS.

Reservations from Conveyance:

None

Exceptions to Conveyance and Warranty:

Liens described as part of the Consideration and any other liens described in this deed as being assumed or subject to which title is taken; validly existing easements, rights-of-way, and prescriptive rights, whether of record or not; all presently recorded and validly existing restrictions, reservations, covenants, conditions, oil and gas leases, mineral interests, and water interests outstanding in persons other than Grantor, and other instruments, other than conveyances of the surface fee estate, that affect the Property; validly existing rights of adjoining owners in any walls and fences situated on a common boundary; any discrepancies, conflicts, or shortages in area or boundary lines; any encroachments or overlapping of improvements; all rights, obligations, and other matters arising from and existing by reason of the creation, establishment, maintenance and operation of any applicable governmental district, agency, authority, etc., and taxes for 2013, which Grantee assumes and agrees to pay, and subsequent assessments for that and prior years due to change in land usage, ownership, or both, the payment of which Grantee assumes.

Grantor, for the Consideration and subject to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty, grants, gives, and conveys to Grantee the Property, together with all and singular the rights and appurtenances thereto in any way belonging, to have and to hold it to Grantee and Grantee's heirs, successors, and assigns forever. Grantor binds Grantor and Grantor's heirs and successors to warrant and forever defend all and singular the Property to Grantee and Grantee's heirs, successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty.

Grantor grants and conveys the Property to Grantee as separate property.

When the context requires, singular nouns and pronouns include the plural.

Felix Briceno
Felix Briceno

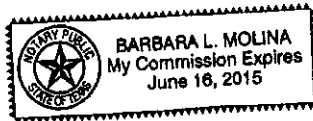
Ruth Briceno
Ruth Briceno

This instrument was prepared based on information furnished by the parties, and no independent title search has been made.

STATE OF TEXAS)

COUNTY OF CALDWELL)

This instrument was acknowledged before me on August 21, 2013, by Felix Briceno and Ruth Briceno.



[Signature]
Notary Public, State of Texas
My commission expires:
6/16/2015

PREPARED IN THE OFFICE OF:

Law Office of Barbara L. Molina
P. O. Box 807
Lockhart, Texas 78644
(512) 376-9998
(512) 376-6339 Fax

AFTER RECORDING RETURN TO:

Rebecca Briceno
915-B Red River
Lockhart, Texas 78644

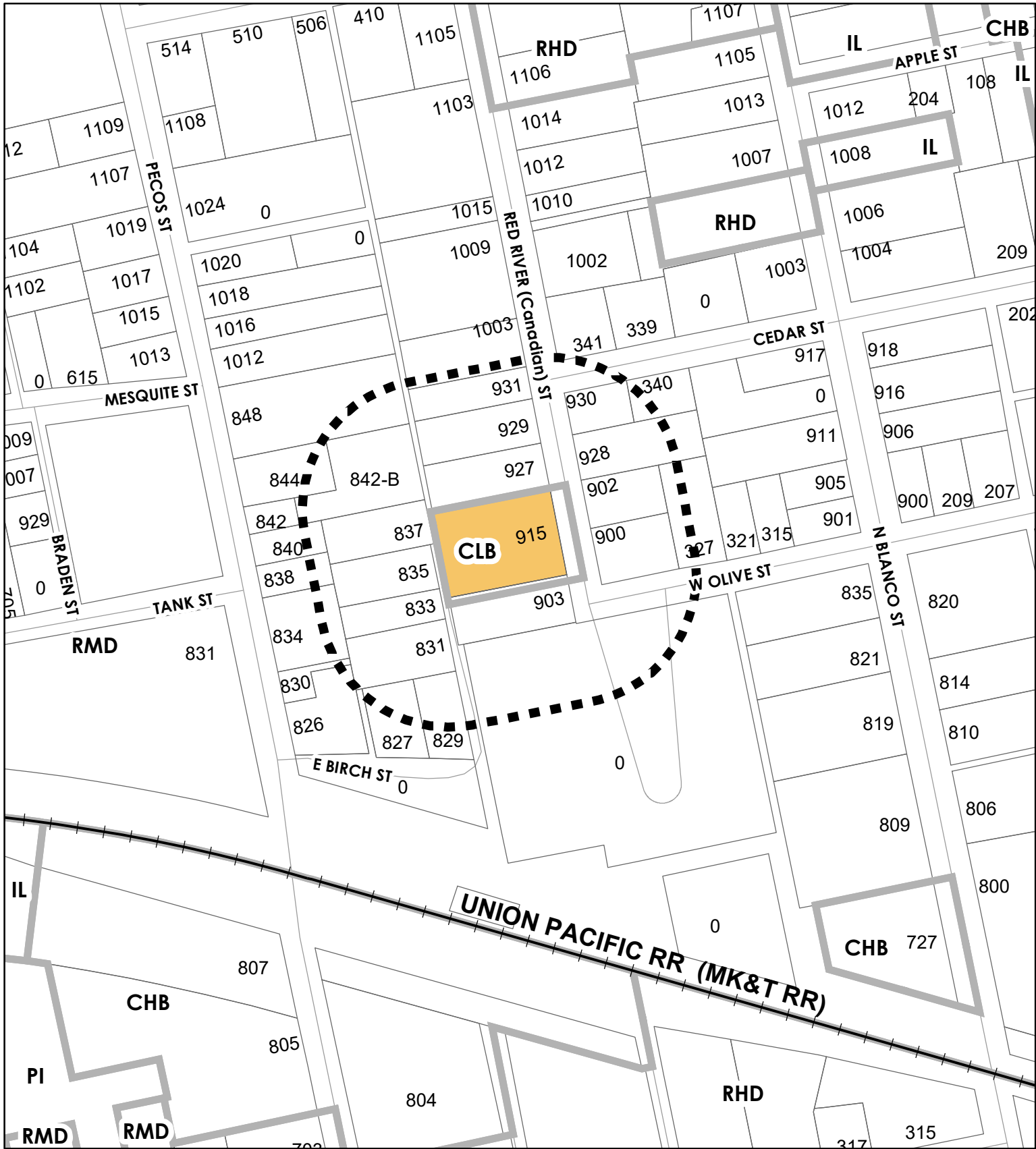
Any provisions herein which restricts the sale, rental or use of the described property because of color or race is invalid and unenforceable under Federal Law, STATE OF TEXAS
COUNTY OF CALDWELL
I hereby certify that this instrument was FILED in File Number Sequence on the date and time stamped hereon by me and was duly RECORDED in Official Public records of Real Property of Caldwell County Texas on

SEP 09 2013

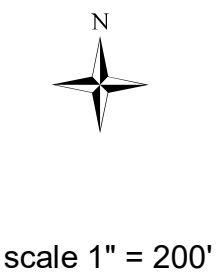


Carol Halcomb

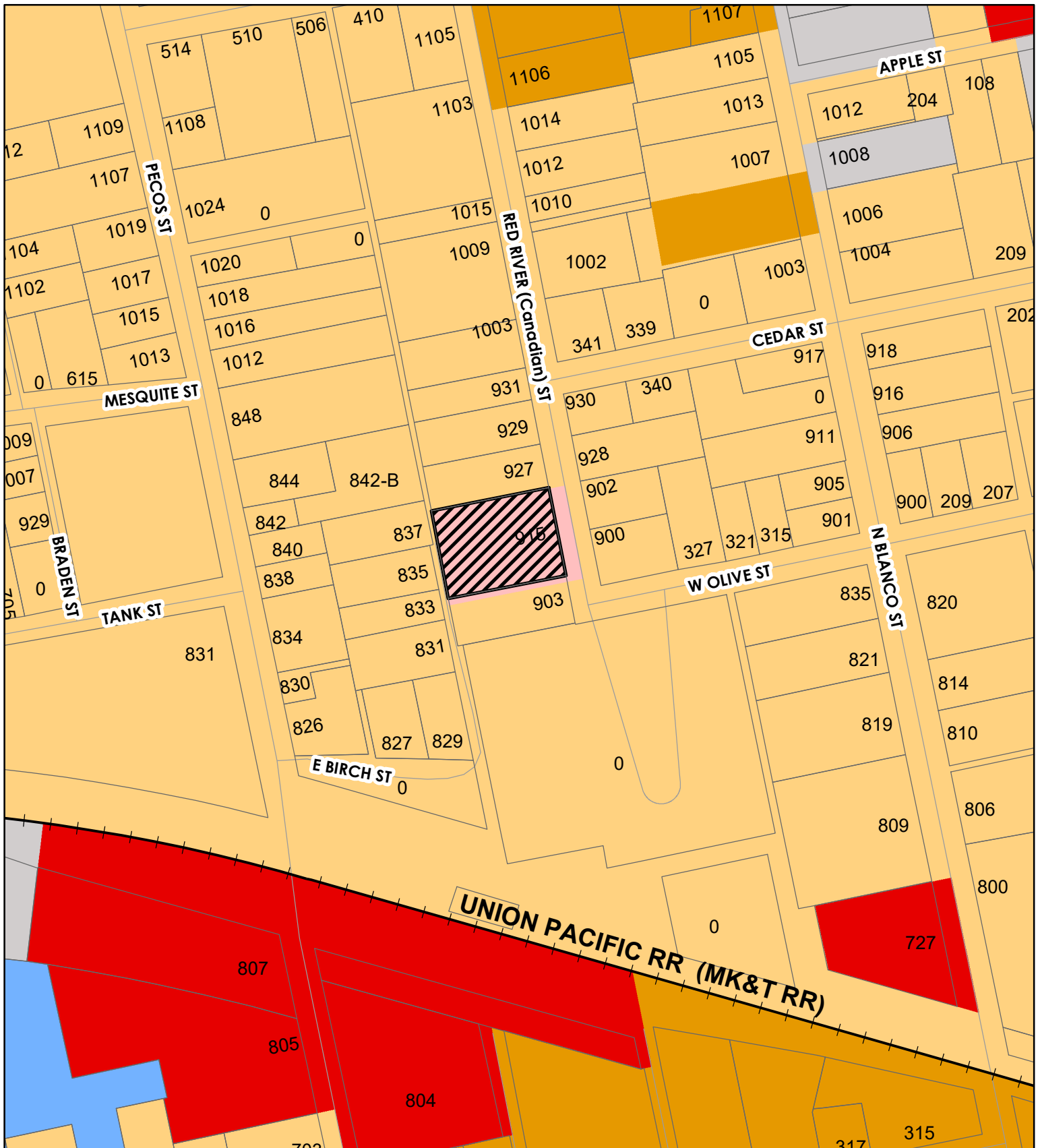
FILED this 9th day of Sept 2013
10:55



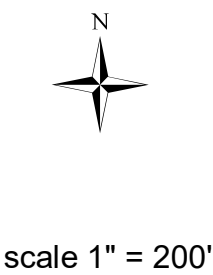
ZC-22-23
CLM TO RMD
915 RED RIVER ST



- SUBJECT PROPERTY
- ZONING BOUNDARY
- 200 FT BUFFER



ZC-22-23
 CLM TO RMD
 915 RED RIVER ST



- ZONING DISTRICTS**
- COMMERCIAL HEAVY BUSINESS
 - COMMERCIAL LIGHT BUSINESS
 - INDUSTRIAL LIGHT
 - PUBLIC AND INSTITUTIONAL
 - RESIDENTIAL HIGH DENSITY
 - RESIDENTIAL MEDIUM DENSITY



CASE SUMMARY

STAFF: David Fowler, Senior Planner

CASE NUMBER: ZC-22-23

REPORT DATE: October 13, 2022

PLANNING AND ZONING COMMISSION HEARING DATE: September 28, 2022

CITY COUNCIL HEARING DATE: October 18, 2022

REQUESTED CHANGE: CLB to RMD

STAFF RECOMMENDATION: **Approval**

PLANNING AND ZONING COMMISSION RECOMMENDATION: **Approval**

BACKGROUND DATA

APPLICANT: Rebecca Briceño

OWNER: Rebecca Briceño

SITE LOCATION: 915 Red River Street

LEGAL DESCRIPTION: Metes and Bounds

SIZE OF PROPERTY: 0.586 acre

EXISTING USE OF PROPERTY: Residential

LAND USE PLAN DESIGNATION: *Medium Density Residential*

ANALYSIS OF ISSUES

REASON FOR REQUESTED ZONING CHANGE: The owner wishes to divide their lot into two smaller lots for residential use. As the Current Commercial Light Business (CLB) zoning does not allow residential uses, a residential zoning district will be required to construct a house on the property created through the subdivision. RMD has been selected as it is the zoning found in adjacent properties.

AREA CHARACTERISTICS:

	Existing Use	Zoning	Future Land Use Plan
North	Residential	RMD	<i>Medium Density Residential</i>
East	Residential	RMD	<i>Medium Density Residential</i>
South	Residential	RMD	<i>Medium Density Residential</i>
West	Residential	RMD	<i>Medium Density Residential</i>

TRANSITION OF ZONING DISTRICTS: The site is the only commercially-zoned parcel in an area that is otherwise all within the Residential Medium Density (RMD) district, because there used to be a laundry business on the site. The proposed zoning change will remove this anomaly.

ADEQUACY OF INFRASTRUCTURE: Vehicular access is available from Red River Street. Water is available and adequate, with the site being served by a 6" line in the Red River Street right-of-way and a 6" wastewater line, also in the Red River Street right-of way. There is also water and wastewater available in Birch Street, to the west of the property.

POTENTIAL NEIGHBORHOOD IMPACT: The surrounding area is overwhelmingly residential, with mostly single-family detached lots as well as a few smaller multi-unit properties, such as the nearby Lockhart Housing Authority development. There are also several undeveloped RMD lots within the nearby area. As there are no nearby commercial uses, the proposed RMD zoning will be more consistent with the surrounding area than the current CLB zoning. If the applicant desires to place a manufactured home on the new lot to be created, a Specific Use Permit (SUP) would be required.

CONSISTENCY WITH COMPREHENSIVE PLAN: The proposed RMD zoning classification is consistent with the *Medium Density Residential* future land use that is designated for the subject lot.

ALTERNATIVE CLASSIFICATIONS: None.

RESPONSE TO NOTIFICATION: Two letters were received from neighboring property owners stating they approved of the proposed zoning change request as long as any further building on the site was well-maintained new construction.

STAFF RECOMMENDATION: Staff recommends approval of the proposed zoning change from CLB, Commercial Light Business District, to RMD, Residential Medium Density District.

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 Rebecca Briceño
DAY-TIME TELEPHONE 512-758-9238
E-MAIL Beckybriceno@gmail.com
OWNER NAME Rebecca Briceño
DAY-TIME TELEPHONE 512-758-9238
E-MAIL same

ADDRESS 915 B Red River St
Lockhart, TX 78644
ADDRESS _____

PROPERTY

ADDRESS OR GENERAL LOCATION 915 Red River
LEGAL DESCRIPTION (IF PLATTED) Attached
SIZE 0.586 ACRE(S) LAND USE PLAN DESIGNATION Residential Medium Density
EXISTING USE OF LAND AND/OR BUILDING(S) Residential
PROPOSED NEW USE, IF ANY Manufactured home (requires SUP)

REQUESTED CHANGE

FROM CURRENT ZONING CLASSIFICATION Commercial light business
TO PROPOSED ZONING CLASSIFICATION Residential Medium Density
REASON FOR REQUEST To subdivide lot to
place house on new lot. May
be manufactured home (with SUP)

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 \$ 150.00 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 Relucca Bricano

DATE 9-27-22

OFFICE USE ONLY

ACCEPTED BY 8/31/2022

RECEIPT NUMBER R01173696

DATE SUBMITTED 9/31/2022

CASE NUMBER ZC - 22 - 23

DATE NOTICES MAILED 9-12-2022

DATE NOTICE PUBLISHED 9-15-2022

PLANNING AND ZONING COMMISSION MEETING DATE 9-28-2022

PLANNING AND ZONING COMMISSION RECOMMENDATION Approval

CITY COUNCIL MEETING DATE 10-18-22

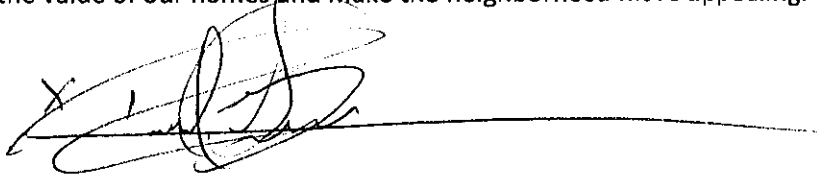
DECISION _____

September 26, 2022

To The City of Lockhart Planning and zoning Commission

Re: ZC-22-23 Request for zoning change by Rebecca Briceno

Raul Banuelos the owner of 928 Red River Lockhart, Texas in the county of Caldwell. I received notice of this request submitted by Mrs. Briceno (915 Red River). I am not opposing to the zoning change from CLB to residential. I would prefer that any future buildings or constructions added to the property are new. I am hoping in the future to attempt to get the whole neighborhood looking more attractive and hopefully increase the value of our homes and make the neighborhood more appealing.

A handwritten signature in black ink, appearing to read "Raul Banuelos", is written over a horizontal line. The signature is stylized with loops and a long horizontal stroke extending to the right.

September 26, 2022

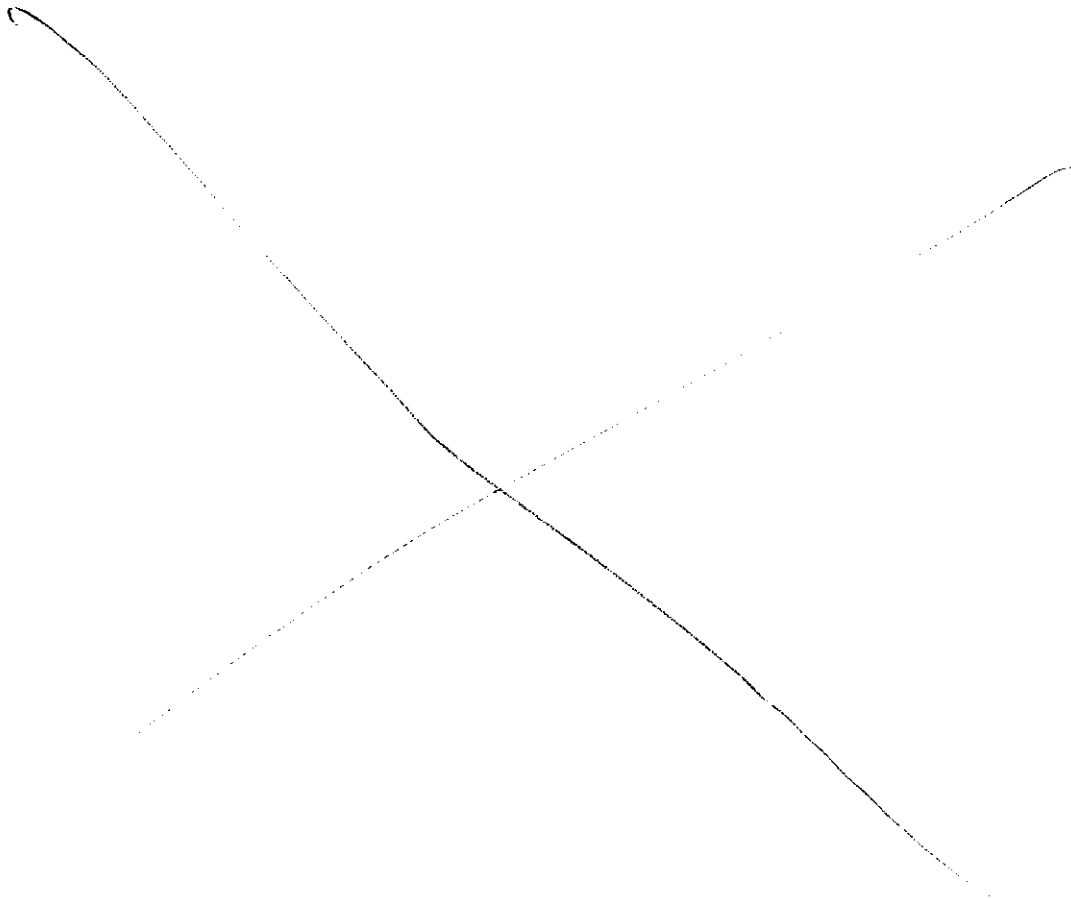
To The City of Lockhart Planning and zoning Commission

Re: ZC-22-23 Request for zoning change by Rebecca Briceno

Banuelos Jose E. and Maria the owner of 902 Red River Lockhart, Texas in the county of Caldwell. I received notice of this request submitted by Mrs. Briceno (915 Red River). I am not opposing to the zoning change from CLB to residential. I would prefer that any future buildings or constructions added to the property are new. I am hoping in the future to attempt to get the whole neighborhood looking more attractive and hopefully increase the value of our homes and make the neighborhood more appealing.

X Jose E. Banuelos

X Maria A. Banuelos



September 22, 2022

To whom it may concern

I, Santos Garcia give permission to Rebecca Briceno to put a trailer on the property located at 915 Red River Street, Lockhart Texas 78644. If you have any questions please feel free to contact me.

Thank you

Santos Garcia

A handwritten signature in blue ink that reads "Santos Garcia". The signature is written in a cursive style with a large, stylized "S" at the beginning and a long, sweeping underline.

City of Lockhart, Texas

Council Agenda Item Cover Sheet

COUNCIL MEETING DATE: October 18, 2022

AGENDA ITEM CAPTION: Hold a PUBLIC HEARING on application ZC-22-24 by Tamara K. Carlisle on behalf of The Lumberyard Lockhart, LLC, and discussion and/or action to consider Ordinance 2022-49 for a **Zoning Change** from *CMB Commercial Medium Business District* to *RMD Residential Medium Density District* on a total of 0.562 acre consisting of all of Lot 24 and part of Lot 22, A.R. Chews Addition, located at 500 Block West Market Street.

ORIGINATING DEPARTMENT AND CONTACT: Development Services - David Fowler

ACTION REQUESTED: Ordinance

BACKGROUND/SUMMARY/DISCUSSION: The subject property was an outparcel associated with the former Wilson-Riggins Lumber business. The proposed rezoning is to facilitate redevelopment of the site as four single-family residential lots. The proposed zoning district would allow the intended use while matching the zoning of adjacent residential properties. The proposed zoning district is consistent with the Medium Density Residential designation on the Future Land Use Map. Water and wastewater service to the site is adequate. Vehicular access is available to the site from both Market and Cibolo Streets. A subdivision plat would be required to allow the applicant to build the proposed homes on the site. Staff has received one letter in support of the zoning change request.

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

COMMITTEE/BOARD/COMMISSION ACTION: The Planning and Zoning Commission unanimously recommended approval of the proposed zoning change at their October 12, 2022 meeting. One nearby resident spoke in favor of the proposed zoning change request.

STAFF RECOMMENDATION/REQUESTED MOTION: Approval of application ZC-22-24, changing the zoning from Commercial Medium Business District to Residential Medium Density district for 0.562 acre located at 500 Block of West Market Street.

City of Lockhart, Texas

Council Agenda Item Cover Sheet

LIST OF SUPPORTING DOCUMENTS: zc2224 ordinance, ZC2224 exhibit a, ZC2224 case map, ZC2224 zoning, ZC2224 future landuse, ZC2224 aerial, zc2224 staff report--council, ZC2224 application and letter

ORDINANCE 2022-49

AN ORDINANCE OF THE CITY OF LOCKHART, TEXAS, AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF LOCKHART, TEXAS, TO RECLASSIFY 0.562 ACRE CONSISTING OF ALL OF LOT 24 AND PART OF LOT 22, A.R. CHEWS SUBDIVISION, LOCATED AT 500 BLOCK WEST MARKET STREET, FROM CMB COMMERCIAL MEDIUM BUSINESS DISTRICT TO RMD RESIDENTIAL MEDIUM DENSITY DISTRICT.

WHEREAS, on October 12, 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-22-24, being 0.562 acre consisting of all of Lot 24 and part of Lot 22, A.R. Chews Addition, more particularly described in Exhibit A, located at 500 Block West Market Street, will be reclassified from CMB Commercial Medium Business District to RMD Residential Medium 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 18th DAY OF OCTOBER, 2022

CITY OF LOCKHART

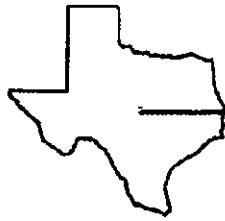
Lew White, Mayor

ATTEST:

APPROVED AS TO FORM:

Connie Constancio, TRMC, City Secretary

Monte Akers, City Attorney



All of a certain tract or parcel of land situated in the City of Lockhart, Caldwell County, Texas and being all of Lot 24 and a part of Lot 22 of A.R. Chews Addition as recorded in Volume 12 Page 149 of the Deed Records of Caldwell County, Texas and being also all of a tract of land designated as Lot 24 and conveyed to Cardwell-Wilson Lumber Co., Inc. by deed recorded in Volume 379 Page 665 of the said Deed Records and being also all of a tract of land designated as Fourth Tract called North 110 feet of Lot 22 and conveyed to Cardwell-Wilson Lumber Co., Inc. by deed recorded in Volume 338 Page 133 of the said Deed Records and being more particularly described as follows:

BEGINNING at a capped ½" iron pin set stamped HINKLE SURVEYORS in the intersection of the South line of W. Market St. in the West line of Cibilo Street and in the NE corner the said Lot 22 for the NE corner this tract.

THENCE S 10 degrees 00 minutes 00 seconds E with the East line the said Lot 22 and the West line of Cibilo Street **110.00 feet** to a capped ½" iron pin set stamped HINKLE SURVEYORS in the SE corner the above mentioned Fourth Tract and in the apparent NE corner of a tract of land called 0.369 acres and conveyed to Niki Land et vir by deed recorded in Instrument number 2016-000078 of the Official Public Records of Caldwell County, Texas for the most Easterly SE corner this tract.

THENCE S 80 degrees 00 minutes 00 seconds W with a South line of the said Fourth Tract and the apparent North line of the above mentioned 0.369 acre tract **100.00 feet** to an "X" carved in concrete in the SW corner of the said Fourth Tract and the apparent NW corner of the said 0.369 acre tract and in the West line the said Lot 22 and the East line of the said Lot 24 for an ell corner this tract.

THENCE S 10 degrees 00 minutes 00 seconds E with the West line of the said Lot 22 and the East line of the said Lot 24 **25.00 feet** to a capped ½" iron pin set stamped HINKLE SURVEYORS in the South East corner of the said Lot 24 and the SW corner of the said Lot 22 in the NE corner of Lot 23 of the said A.R. Chews Addition for the most Southerly SE corner this tract.

THENCE S 80 degrees 00 minutes 00 seconds W with the South line of the said Lot 24 and the North line of the said Lot 23 **100.00 feet** capped ½" iron pin set stamped HINKLE SURVEYORS in the SW corner the said Lot 24 and the SE corner of Lot 26 of the said Chews Addition for the SW corner this tract.

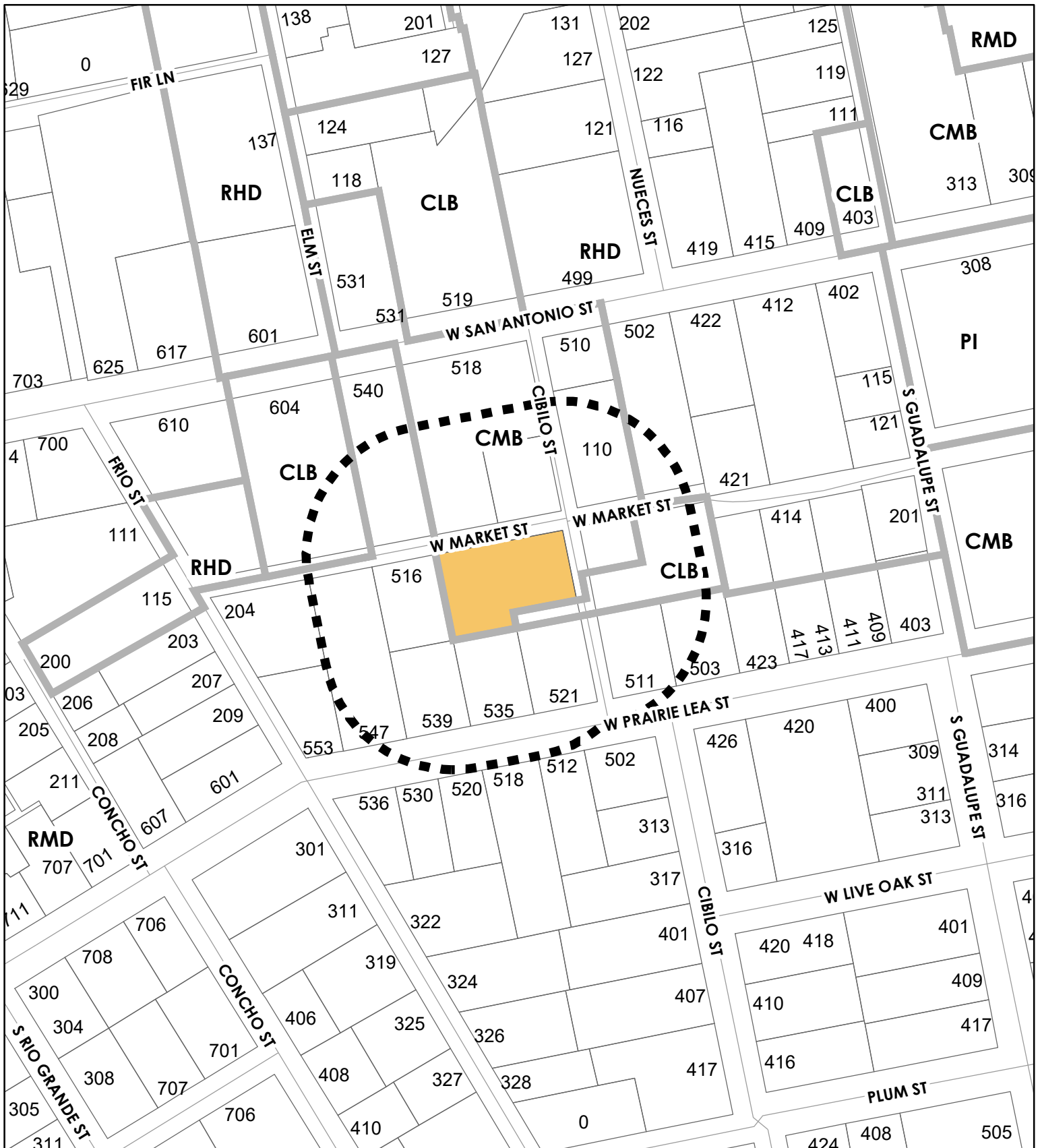
THENCE N 10 degrees 00 minutes 00 seconds W with the West line the said Lot 24 and the East line of the said Lot 26 **135.00 feet** capped ½" iron pin set stamped HINKLE SURVEYORS in the NW corner of the said Lot 24 and the NE corner of the said Lot 26 and the South line of W. Market St. for the NW corner this tract.



THENCE N 80 degrees 00 minutes 00 seconds E with the North line of the said Lot 24 and the North line of the said Lot 22 South line of W. Market St. 200.00 feet to the place of BEGINNING containing 0.562 acres of land more or less.

I hereby certify that the foregoing field notes are a true and correct description of a survey made under my direct supervision on August 22, 2022. **THESE FIELD NOTES ARE CERTIFIED AND ITS CONTENTS GUARANTEED FOR USE WITH THIS ONE TRANSACTION ONLY DATED THIS DATE.** Only those prints containing the raised Surveyor's seal and an original "LIVE" signature should be considered official and relied upon by the user.





ZC-22-24

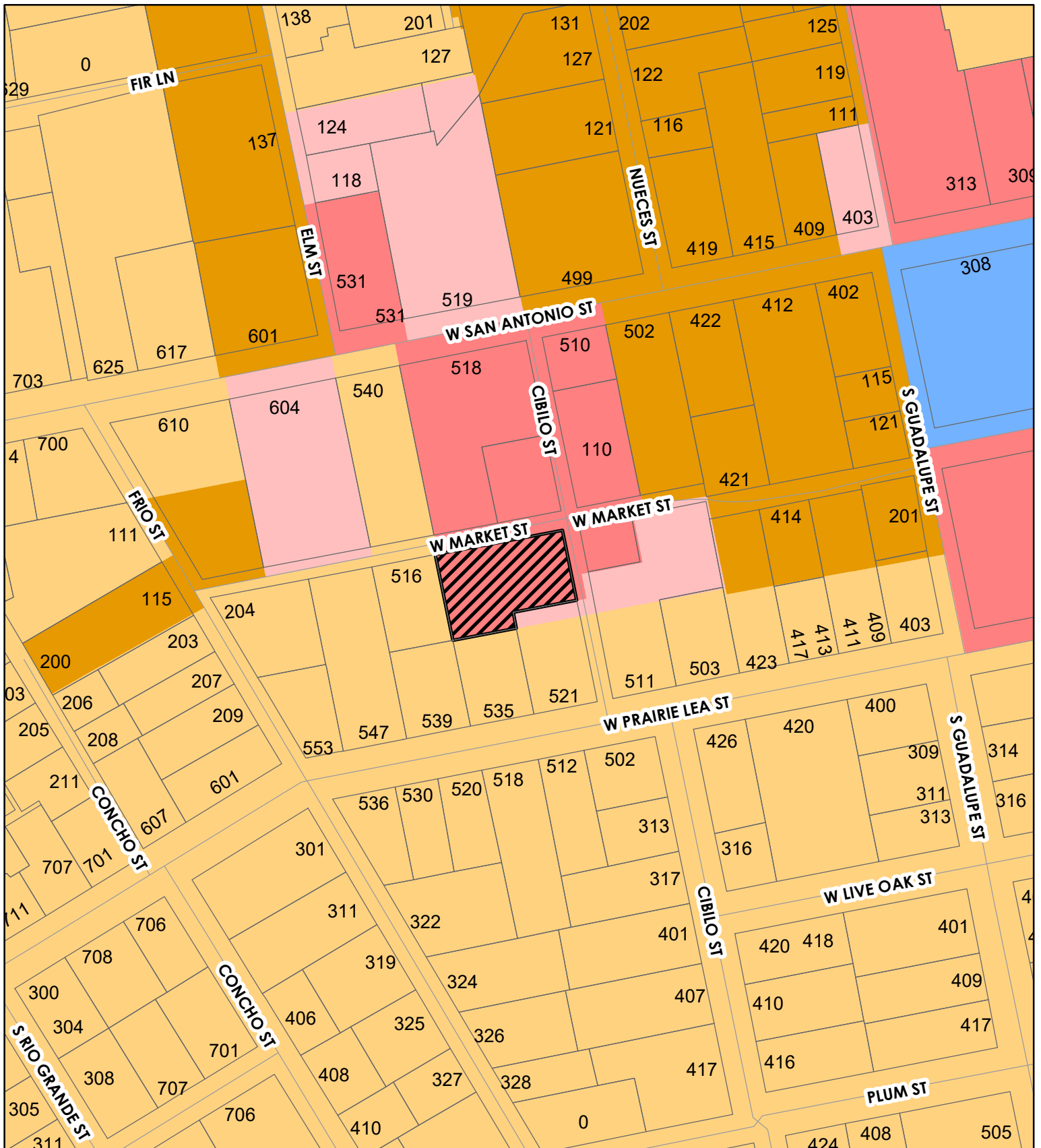
CMB TO RMD

500 BLK W MARKET ST

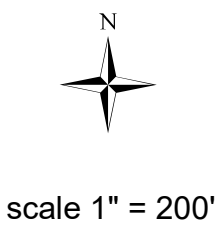


scale 1" = 200'

-  SUBJECT PROPERTY
-  ZONING BOUNDARY
-  200 FT BUFFER



ZC-22-24
 CMB TO RMD
 500 BLK W MARKET ST



- ZONING DISTRICTS**
- COMMERCIAL LIGHT BUSINESS
 - COMMERCIAL MEDIUM BUSINESS
 - PUBLIC AND INSTITUTIONAL
 - RESIDENTIAL HIGH DENSITY
 - RESIDENTIAL MEDIUM DENSITY



CASE SUMMARY

STAFF: David Fowler, Senior Planner

CASE NUMBER: ZC-22-24

REPORT DATE: October 13, 2022

PLANNING AND ZONING COMMISSION HEARING DATE: October 12, 2022

CITY COUNCIL HEARING DATE: October 18, 2022

REQUESTED CHANGE: CMB to RMD

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

APPLICANT: Tamara Carlisle

OWNER: Tamara Carlisle

SITE LOCATION: 500 Block of West Market Street

LEGAL DESCRIPTION: All of Lot 24, part of Lot 22, A.R. Chews Subdivision

SIZE OF PROPERTY: 0.562 acre

EXISTING USE OF PROPERTY: Commercial

LAND USE PLAN DESIGNATION: *Medium Density Residential***ANALYSIS OF ISSUES**

REASON FOR REQUESTED ZONING CHANGE: The owner wishes to divide the lot into four lots to be used as single-family residences. As the Current Commercial Medium Business (CMB) zoning does not allow residential uses, a residential zoning district will be required to construct houses on the property created through the subdivision. Residential Medium Density (RMD) has been selected as it is the zoning found on adjacent properties.

AREA CHARACTERISTICS:

	Existing Use	Zoning	Future Land Use Plan
North	Single-family residential	CMB, RHD	<i>Medium Density Residential</i>
East	Commercial, Single-family residential	RMD	<i>Medium Density Residential</i>
South	Single-family residential	RMD, CLB	<i>Medium Density Residential</i>
West	Single-family residential	CMB	<i>Medium Density Residential</i>

TRANSITION OF ZONING DISTRICTS: The site is one of two lots located south of West Market Street that were outparcels of the recently-closed lumber business. The lots are currently zoned Commercial Medium Business (CMB), but all of the lots to the south, east and west of the two lots are residential uses zoned Residential Medium Density (RMD) district. The proposed zoning change will move the transition from commercial to residential to the center of West Market Street, so no commercial lots are directly abutting residential lots south of Market Street.

ADEQUACY OF INFRASTRUCTURE: Vehicular access is available from Cibolo Street and West Market Street. Water is available and adequate, with the site being served by a 6-inch line in the West Market Street right-of-way and a 6-inch wastewater line, also in the West Market Street right-of way.

POTENTIAL NEIGHBORHOOD IMPACT: The nearby area south of West San Antonio Street other than the lumber yard and hardware store sites is overwhelmingly residential, with mostly single-family detached lots as well as a few smaller multi-unit properties. The proposed RMD zoning will be more consistent with the area south of the commercial uses along west San Antonio Street than the current CLB zoning. The four-unit subdivision proposed for the site will remove the current condition of several nearby residential lots abutting a commercial zoning classification.

CONSISTENCY WITH COMPREHENSIVE PLAN: The proposed RMD zoning classification is consistent with the *Medium Density Residential* future land use that is designated for the subject lot.

ALTERNATIVE CLASSIFICATIONS: None.

RESPONSE TO NOTIFICATION: Staff has received one letter in favor of the proposed rezoning.

STAFF RECOMMENDATION: Staff recommends approval of the proposed zoning change from CMB, Commercial Medium Business District, to RMD, Residential Medium Density District.

41 houses

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

Bonny Blair The Lumberyard Lockhart LLC
Tamara Carlisle

ADDRESS

110 Cibola St

DAY-TIME TELEPHONE

512 657 1850

E-MAIL

TAMARA.K.Carlisle@gmail

78644

OWNER NAME

Bonny Blair
Tamara Carlisle

ADDRESS

102 S Commerce St

DAY-TIME TELEPHONE

512 657 1850

78644

E-MAIL

TAMARA.K.Carlisle@gmail

PROPERTY

ADDRESS OR GENERAL LOCATION

110 Cibola 500 Blk W Market
Sublot - Market Street

LEGAL DESCRIPTION (IF PLATTED)

TRACT 7
Being all of lot 24 A.E. Chas Addition ^{SEE ATTACHED}

SIZE .562 ACRE(S)

LAND USE PLAN DESIGNATION

Residential (RTD)

EXISTING USE OF LAND AND/OR BUILDING(S)

open large shed

PROPOSED NEW USE, IF ANY

4 residential homes 2 stories
under 2,000 sq ft

REQUESTED CHANGE

FROM CURRENT ZONING CLASSIFICATION

Commercial (CUB)

TO PROPOSED ZONING CLASSIFICATION

Medium density residential (MD)

REASON FOR REQUEST

To build 4 homes
2 stories

Each home under 2,000 sq ft

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 \$ 150⁰⁰ 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

Tanner Collier

DATE

7/6/22

OFFICE USE ONLY

ACCEPTED BY

David Fowler

RECEIPT NUMBER

01176784

DATE SUBMITTED

9-15-2022

CASE NUMBER ZC -

22 - 24

DATE NOTICES MAILED

9-26-2022

DATE NOTICE PUBLISHED

9-29-2022

PLANNING AND ZONING COMMISSION MEETING DATE

10-12-2022

PLANNING AND ZONING COMMISSION RECOMMENDATION

CITY COUNCIL MEETING DATE

10-18-2022

DECISION

540 San Antonio LLC
Lockhart, Texas 78644-0990
(512) 398 - 9300 / (512) 398 - 6000 (Fax)
Email : black525@sbcglobal.net

September 29, 2022

City of Lockhart

Attn: David Fowler, AICP

P.O. Box 239

Lockhart, TX 78644

David,

Terry Black, of 540 San Antonio LLC, would like to submit a statement of support for a Zoning Change from CMB Commercial Medium Business District to RMD Residential Medium Density District on a total of 0.562 acre consisting of all of Lot 24 and part of Lot 22, A. R. Chews Addition, located at 500 Block West Market Street.

Sincerely,

Terry Black

City of Lockhart, Texas

Council Agenda Item Cover Sheet

COUNCIL MEETING DATE: October 18, 2022

AGENDA ITEM CAPTION: Hold a PUBLIC HEARING on application ZC-22-25 and consider a request by Tamara K. Carlisle on behalf of The Lumberyard Lockhart, LLC, and discussion and/or action to consider Ordinance 2022-50 for a **Zoning Change** from *CMB Commercial Medium Business District* to *RMD Residential Medium Density District* on a total of 0.135 acre consisting of part of Lot 20, A.R. Chews Addition, located at 500 West Market Street.

ORIGINATING DEPARTMENT AND CONTACT: Development Services - David Fowler

ACTION REQUESTED: Ordinance

BACKGROUND/SUMMARY/DISCUSSION: The subject property was an outparcel associated with the former Wilson-Riggins Lumber business. The proposed rezoning is to facilitate redevelopment of the site as a single-family residential lot. The proposed zoning district would allow the intended use while matching the zoning of adjacent residential properties. The proposed zoning district is consistent with the Medium Density Residential designation on the Future Land Use Plan Map. Water and wastewater service to the site is adequate. Vehicular access is available to the site from both Market and Cibolo Streets. A special exception from the Board of Adjustment would be required to allow the applicant to build the proposed home on the site due to having an existing nonconforming lot depth that does not meet the threshold to be considered grandfathered. Staff has not received any correspondence in reaction to the notification of the zoning change request.

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

COMMITTEE/BOARD/COMMISSION ACTION: The Planning and Zoning Commission unanimously recommended approval of the proposed zoning change at their meeting held October 12, 2022.

City of Lockhart, Texas

Council Agenda Item Cover Sheet

STAFF RECOMMENDATION/REQUESTED MOTION: Approval of application ZC-22-25, changing the zoning from Commercial Medium Business to Residential Medium Density for 0.135 acre located at 500 West Market Street.

LIST OF SUPPORTING DOCUMENTS: zc2225 ordinance, ZC2225 exhibit a, ZC2225 case map, ZC2225 zoning, ZC2225 future landuse, ZC2225 aerial, zc2225 staff report-council, ZC2225 application and letter

ORDINANCE 2022-50

AN ORDINANCE OF THE CITY OF LOCKHART, TEXAS, AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF LOCKHART, TEXAS, TO RECLASSIFY 0.135 ACRE CONSISTING OF PART OF LOT 20, A.R. CHEWS SUBDIVISION, LOCATED AT 500 WEST MARKET STREET, FROM CMB COMMERCIAL MEDIUM BUSINESS DISTRICT TO RMD RESIDENTIAL MEDIUM DENSITY DISTRICT.

WHEREAS, on October 12, 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-22-25, being 0.135 acre consisting of part of Lot 20, A.R. Chews Addition, more particularly described in Exhibit A, located at 500 West Market Street, will be reclassified from CMB Commercial Medium Business District to RMD Residential Medium 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 18th DAY OF OCTOBER, 2022

CITY OF LOCKHART

Lew White, Mayor

ATTEST:

APPROVED AS TO FORM:

Connie Constancio, TRMC, City Secretary

Monte Akers, City Attorney

**HINKLE
SURVEYORS**

All of a certain tract or parcel of land situated in the City of Lockhart, Caldwell County, Texas and being a part of Lot 20 of A.R. Chews Addition as recorded in Volume 12 Page 149 of the Deed Records of Caldwell County, Texas and being also all of a tract of land designated as Fifth Tract and conveyed to Cardwell-Wilson Lumber Co., Inc. by deed recorded in Volume 338 Page 133 of the said Deed Records and being more particularly described as follows:

BEGINNING at a capped $\frac{1}{2}$ " iron pin set stamped HINKLE SURVEYORS in the intersection of the South line of W. Market St. in the East line of Cibilo Street and in the NW corner the said Lot 20 for the NW corner this tract.

THENCE N 80 degrees 00 minutes 00 seconds E with the South line of W. Market St. and the North line of the said Lot 20 **82.00 feet** to a capped iron pin found stamped HINKLE SURVEYORS in the NE corner of the said Fifth Tract and the most Northerly NW corner of a tract of land called 0.798 acres and conveyed to Christina Davenport et vir by deed recorded in Volume 571 Page 696 of the Official Public Records of Caldwell County, Texas for the NE corner this tract.

THENCE S 10 degrees 00 minutes 00 seconds E with the East line of the said Fifth Tract and a West line of the above mentioned 0.798 acre tract **71.50 feet** to a capped iron pin found stamped HINKLE SURVEYORS in the SE corner of the said Fifth Tract and an apparent ell corner of the said 0.798 acre tract for the SE corner this tract.

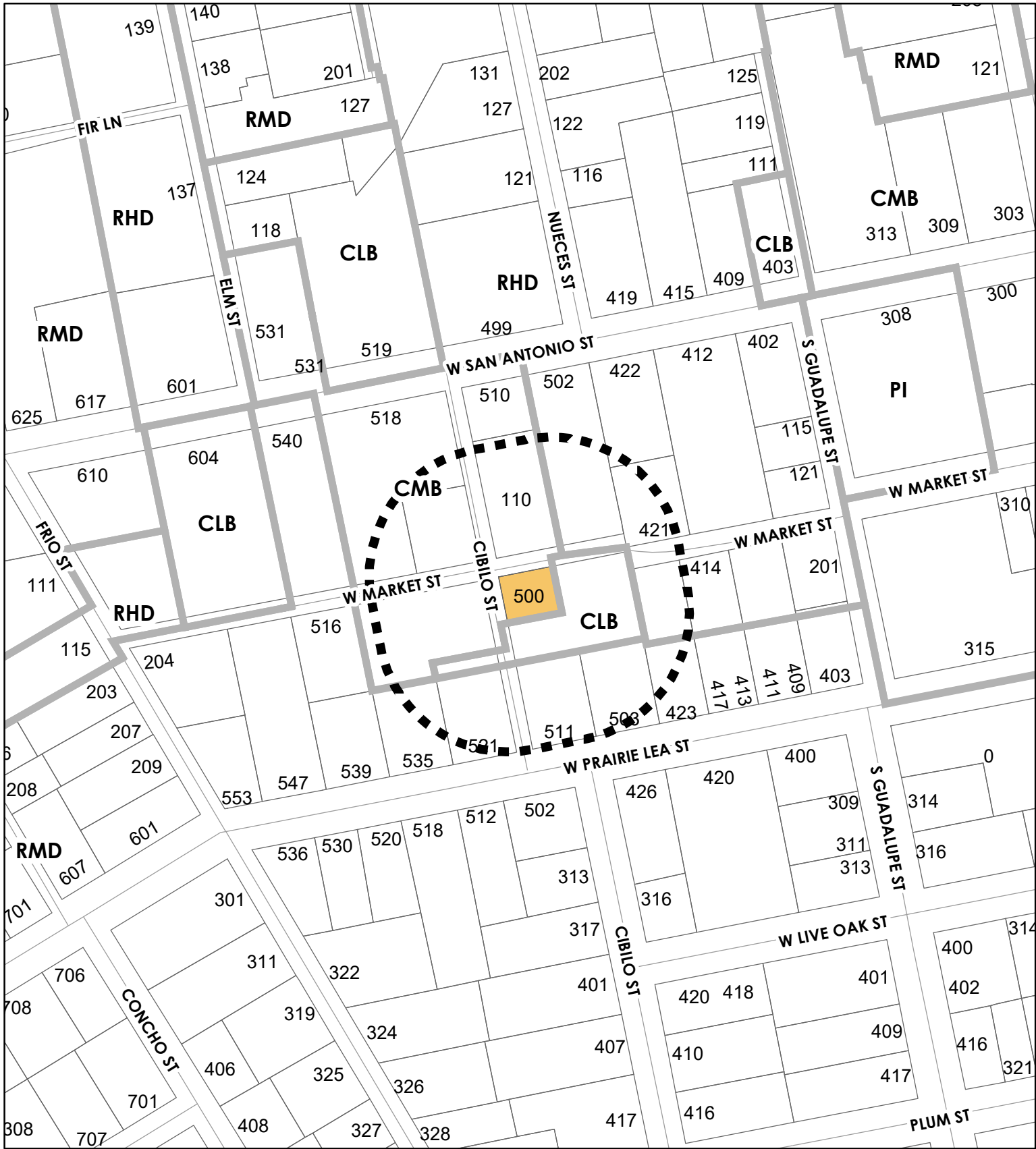
THENCE S 80 degrees 00 minutes 00 seconds W with the South line of the said Fifth Tract and the apparent North line of the said 0.798 acre tract **82.00 feet** to a capped iron pin found stamped HINKLE SURVEYORS in the SW corner of the said Fifth Tract and the apparent most Westerly NW corner of the said 0.798 acre tract and in the West line of the said Lot 20 and in the East line of Cibilo Street for the SW corner this tract.

THENCE N 10 degrees 00 minutes 00 seconds W with the West line the said Lot 20 and the East line of Cibilo Street **71.50 feet** to the place of BEGINNING containing **0.135 acres** of land more or less.

I hereby certify that the foregoing field notes are a true and correct description of a survey made under my direct supervision on August 22, 2022. **THESE FIELD NOTES ARE CERTIFIED AND ITS CONTENTS GUARANTEED FOR USE WITH THIS ONE TRANSACTION ONLY DATED THIS DATE.** Only those prints containing the raised Surveyor's seal and an original "LIVE" signature should be considered official and relied upon by the user.

Jerry L. Hinkle, R.P.L.S. #5459



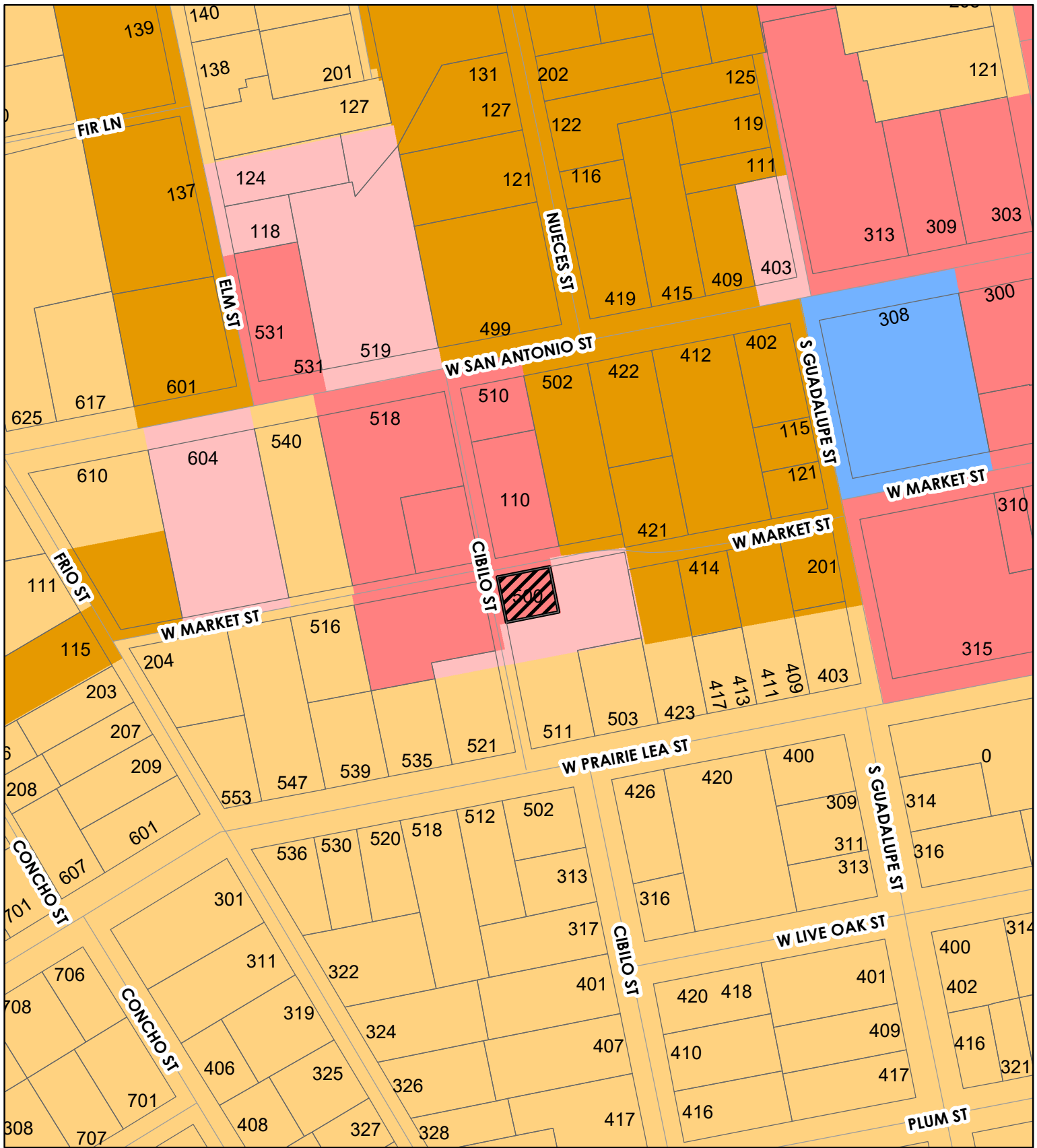


ZC-22-25
CMB TO RMD
500 W MARKET ST

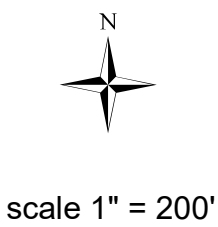


scale 1" = 200'

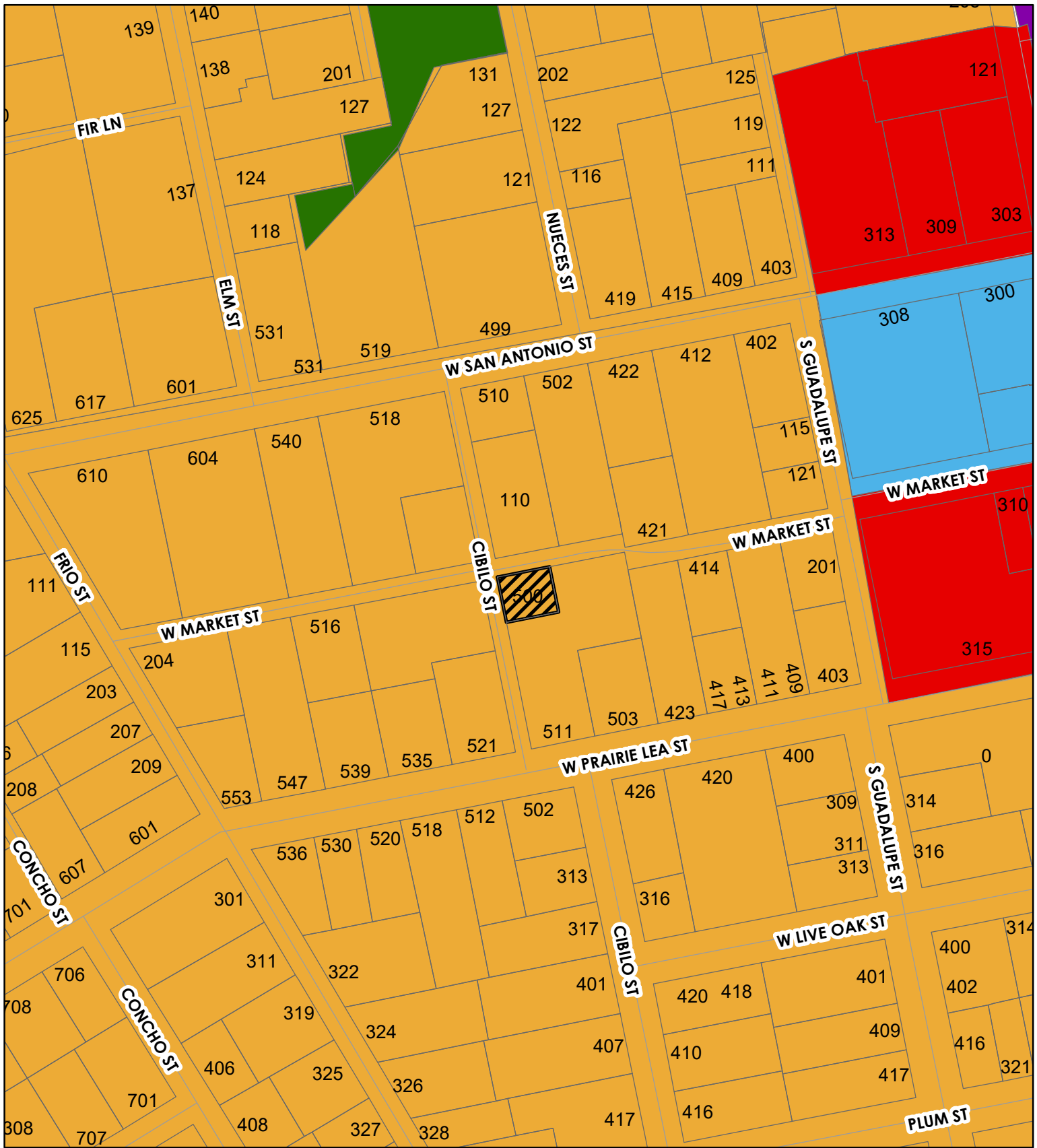
-  SUBJECT PROPERTY
-  ZONING BOUNDARY
-  200 FT BUFFER



ZC-22-25
 CMB TO RMD
 500 W MARKET ST



- ZONING DISTRICTS**
- COMMERCIAL LIGHT BUSINESS
 - COMMERCIAL MEDIUM BUSINESS
 - PUBLIC AND INSTITUTIONAL
 - RESIDENTIAL HIGH DENSITY
 - RESIDENTIAL MEDIUM DENSITY



FUTURE LANDUSE

CMB TO RMD

500 W MARKET ST



scale 1" = 200'

- GENERAL-HEAVY COMMERCIAL
- MIXED RETAIL, OFFICE, RESIDENTIAL
- PARKS AND OPEN SPACE
- PUBLIC AND INSTITUTIONAL
- RESIDENTIAL, MEDIUM DENSITY



CASE SUMMARY

STAFF: David Fowler, Senior Planner

CASE NUMBER: ZC-22-25

REPORT DATE: October 13, 2022

PLANNING AND ZONING COMMISSION HEARING DATE: October 12, 2022

CITY COUNCIL HEARING DATE: October 18, 2022

REQUESTED CHANGE: CMB to RMD

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

APPLICANT: Tamara Carlisle

OWNER: Tamara Carlisle

SITE LOCATION: 500 West Market Street

LEGAL DESCRIPTION: Part of Lot 20, A.R. Chews Subdivision

SIZE OF PROPERTY: 0.135 acre

EXISTING USE OF PROPERTY: Commercial

LAND USE PLAN DESIGNATION: *Medium Density Residential***ANALYSIS OF ISSUES**

REASON FOR REQUESTED ZONING CHANGE: The owner wishes to develop the lot to be a single-family residence. As the current Commercial Medium Business (CMB) zoning does not allow residential uses, a residential zoning district will be required to construct a house on the property. Residential Medium Density (RMD) has been selected as it is the zoning found on adjacent properties.

AREA CHARACTERISTICS:

	Existing Use	Zoning	Future Land Use Plan
North	Commercial, single-family residential	CMB, RHD	<i>Medium Density Residential</i>
East	Residential	RMD	<i>Medium Density Residential</i>
South	Residential	RMD, CLB	<i>Medium Density Residential</i>
West	Commercial	CMB	<i>Medium Density Residential</i>

TRANSITION OF ZONING DISTRICTS: The site is one of two lots located south of West Market Street that were outparcels of the recently-closed lumber business. The lots are currently zoned Commercial Medium Business (CMB), but all the lots to the south, east and west of the two lots are residential uses zoned Residential Medium Density (RMD) district. The proposed zoning change will move the transition from commercial to residential to the center of West Market Street so no commercial lots are directly abutting residential lots south of Market Street.

ADEQUACY OF INFRASTRUCTURE: Vehicular access is available from Cibolo Street and West Market Street. Water is available and adequate, with the site being served by a 6-inch line in the West Market Street right-of-way and a 6-inch wastewater line, also in the West Market Street right-of way.

POTENTIAL NEIGHBORHOOD IMPACT: The nearby area south of West San Antonio Street other than the lumber yard and hardware store sites is overwhelmingly residential, with mostly single-family detached lots as well as a few smaller multi-unit properties. The proposed RMD zoning will be more consistent with the area south of the commercial uses along west San Antonio Street than the current CLB zoning. Because of the shallow depth (approximately 71 feet) of the lot, the Board of Adjustment would have to grant a special exception before a building permit could be issued for the site.

CONSISTENCY WITH COMPREHENSIVE PLAN: The proposed RMD zoning classification is consistent with the *Medium Density Residential* future land use that is designated for the subject lot.

ALTERNATIVE CLASSIFICATIONS: None.

RESPONSE TO NOTIFICATION: None to date.

STAFF RECOMMENDATION: Staff recommends approval of the proposed zoning change from CMB, Commercial Medium Business District, to RMD, Residential Medium Density District.

Small Lot

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 The Humboldt Lockhart LLC ADDRESS 110 Cibola St
DAY-TIME TELEPHONE 512 657 1850 Lockhart
E-MAIL TAMARA K CARLISLE@gmail.com
OWNER NAME TAMARA CARLISLE ADDRESS 102 S Commerce
DAY-TIME TELEPHONE 512 657 1850 78644
E-MAIL TAMARA K CARLISLE@gmail.com

PROPERTY

ADDRESS OR GENERAL LOCATION 500 W Market St
~~Southeast corner of Cibola & Market~~
LEGAL DESCRIPTION (IF PLATTED) Being all of Lot 20 AR Chews ... attached
SIZE .135 ACRE(S) LAND USE PLAN DESIGNATION _____
EXISTING USE OF LAND AND/OR BUILDING(S) Commercial old shed
PROPOSED NEW USE, IF ANY Residential
one house

REQUESTED CHANGE

FROM CURRENT ZONING CLASSIFICATION Commercial (CMB) (CMB)
TO PROPOSED ZONING CLASSIFICATION Medium density Residential (MD)
REASON FOR REQUEST So we can build one home
2 stories
less than 2,000 sq ft

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 \$ 125 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

Tamara Carline

DATE

7/6/22

OFFICE USE ONLY

ACCEPTED BY DFawler

RECEIPT NUMBER 01176785

DATE SUBMITTED 9-15-2022

CASE NUMBER ZC - 22 - 25

DATE NOTICES MAILED 9-26-2022

DATE NOTICE PUBLISHED 9-29-2022

PLANNING AND ZONING COMMISSION MEETING DATE 10-12-2022

PLANNING AND ZONING COMMISSION RECOMMENDATION Approval

CITY COUNCIL MEETING DATE 10-18-2022

DECISION _____

City of Lockhart, Texas

Council Agenda Item Cover Sheet

COUNCIL MEETING DATE: October 18, 2022

AGENDA ITEM CAPTION: Hold a PUBLIC HEARING on application ZC-22-26 by Chris Elizondo of Cuatro Consultants, Ltd., on behalf of Jimbo Cotton of 2401 CR 119, LLC, and discussion and/or action to consider Ordinance 2022-51 for a **Zoning Change** from *AO Agricultural-Open Space District* to *RMD Residential Medium Density District* on 19.367 acres in the Byrd Lockhart League, Abstract No. 17, located at 1400 Lovers Lane.

ORIGINATING DEPARTMENT AND CONTACT: Development Services - David Fowler

ACTION REQUESTED: Ordinance

BACKGROUND/SUMMARY/DISCUSSION: The applicant proposes to rezone the subject property to develop a single-family residential subdivision. The applicant plans to develop the property and adjacent land currently in the RMD zoning district in a manner consistent with the Single-Family 2 (SF-2) development type. The subject tract is shown as Low Density Residential on the Future Land Use Map. Water and Wastewater service are available at the site, especially in conjunction with the remainder of the land planned for the subdivision which abuts Blackjack Street (FM 20). The site has access to Lover's Lane, which will need to be upgraded to city standards as part of subdivision improvements. City staff received one letter expressing concern regarding the impact of the proposed development on nearby roads.

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: The property was annexed and assigned Agricultural-Open Space zoning on September 15, 2009.

COMMITTEE/BOARD/COMMISSION ACTION: The Planning and Zoning Commission unanimously recommended approval of the proposed zoning change at their October 12, 2022 meeting. One nearby resident spoke, raising concerns about the potential impact of the proposed subdivision on nearby traffic.

City of Lockhart, Texas

Council Agenda Item Cover Sheet

STAFF RECOMMENDATION/REQUESTED MOTION: Approval of application ZC-22-26, changing the zoning from Agricultural-Open Space District to Residential Medium Density District for 19.36 acres located at 1400 Lovers Lane.

LIST OF SUPPORTING DOCUMENTS: zc2226 ordinance, ZC2226 exhibit a, ZC2226 case map, ZC2226 zoning, ZC2226 future landuse, ZC2226 aerial, zc-22-26 staff report-council, ZC2226 application and letters

ORDINANCE 2022-51

AN ORDINANCE OF THE CITY OF LOCKHART, TEXAS, AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF LOCKHART, TEXAS, TO RECLASSIFY 19.367 ACRES IN THE BYRD LOCKHART LEAGUE, ABSTRACT NUMBER 17, LOCATED AT 1400 LOVERS LANE, FROM AO AGRICULTURAL-OPEN SPACE DISTRICT TO RMD RESIDENTIAL MEDIUM DENSITY DISTRICT.

WHEREAS, on October 12, 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-22-26, known as 19.367 acres in the Byrd Lockhart League, Abstract Number 17, more particularly described in Exhibit A, located at 1400 Lovers Lane, will be reclassified from AO Agricultural-Open Space District to RMD Residential Medium 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 18th DAY OF OCTOBER, 2022

CITY OF LOCKHART

Lew White, Mayor

ATTEST:

APPROVED AS TO FORM:

Connie Constancio, TRMC, City Secretary

Monte Akers, City Attorney

EXHIBIT A



Claude Hinkle Surveyors

All of a certain tract or parcel of land situated in Caldwell County, Texas and being a part of the Byrd Lockhart Survey A-17 and being also a part of all of a tract of land described as Tract One called 9.359 acres and also being all of a tract of land described as Tract Two called 10.00 acres and conveyed to Harold Seglar by deed recorded in Volume 282 Page 348 of the Official Records of Caldwell County, Texas and being more particularly described as follows:

BEGINNING at a 5/8" iron pin found used for basis of bearing in the NW corner of the above mentioned Tract Two and the South line of County Road #187 (a.k.a. Lovers Lane) and in the apparent East line of a tract of land called 71.30 acres and conveyed to Duran Gravel Co., by deed recorded in Volume 378 Page 592 of the Deed Records of Caldwell County, Texas for the NW corner this tract.

THENCE N 79degrees 07 minutes 13 seconds E 644.44 feet to a capped 1/2" iron pin set in the NE corner of the said Tract Two and the apparent NW corner of a tract of land called 10.00 acres and conveyed to W. H. Havard by deed recorded in Volume 414 Page 380 of the said Deed Records for the NE corner this tract.

THENCE S 10 degrees 37 minutes 00 seconds E with the East line of the said Tract Two and the West line of the above mentioned Vol. 414 Pg. 380 675.32 feet to a capped 1/2" iron pin set in the SE corner of the said Tract Two and the SW corner of the said Vol. 414 Pg. 380 and in the North line of the said 9.359 acre tract for an ell corner this tract.

THENCE N 79 degrees 08 minutes 00 seconds E with the North line of the said 9.359 acre tract and the South line of the said Vol. 414 Pg. 380 424.96 feet to a capped 1/2" iron pin set in the NE corner of the said 9.359 acre tract and the North line of a tract of land called 11.652 acres and conveyed to W.H. Havard by deed recorded in Volume 403 page 698 of the said Deed Records for the most Easterly NE corner this tract.

THENCE S 10 degrees 04 minutes 09 seconds E with the East line of the said 9.359 acre tract and over and across the above mentioned 11.652 acre tract 384.13 feet to a capped 1/2" iron pin set in the SE corner of the said 9.359 acre tract and the South line of the said Byrd Lockhart Survey A-17 and the North line of the James George Survey A-8 for the SE corner this tract.

THENCE S 79 degrees 20 minutes 00 seconds W with the said common Lockhart and George Survey line and with the South line of the said 9.359 acre tract 1065.72 feet to a 1/2" iron pin found used for basis of bearing in the SW corner of the said 9.359 acre tract and the apparent SE corner of the above mentioned Duran tract for the SW corner this tract.

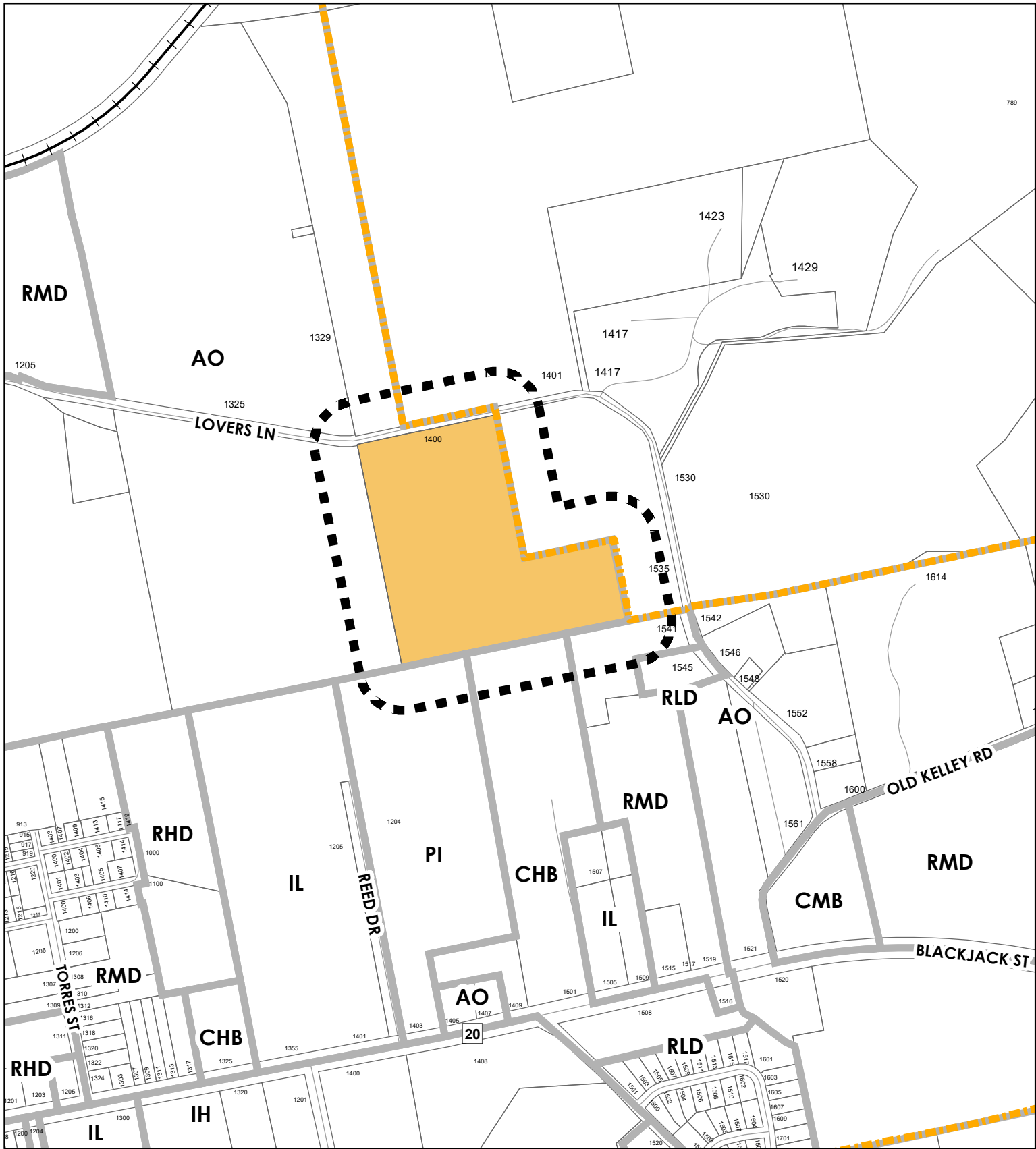
THENCE N 10 degrees 37 minutes 00 seconds W with the apparent East line of the said Duran tract and the West line of the said 9.359 acre tract at 379.31 feet pass a 1/4" iron pipe found in the NW corner of the said 9.359 acre tract and the SW corner of the said Seglar 10.00 acre tract and continue with the West line of the said Seglar 10.00 acre tract for a total distance of 1056.15 feet to the place of beginning containing 19.367 acres of land more or less.

I hereby certify to ALEJANDRO GUTIERREZ, G.F. #066196U, that the foregoing field notes are a true and correct description of a survey made under my direct supervision on October 19, 2006. **THESE FIELD NOTES ARE CERTIFIED AND ITS CONTENTS GUARANTEED FOR USE WITH THIS ONE TRANSACTION ONLY DATED THIS DATE.** Only those prints containing the raised Surveyor's seal and an original "LIVE" signature should be considered official and relied upon by the client.



Exhibit "A-1"

Page 1 of 1



ZC-22-26

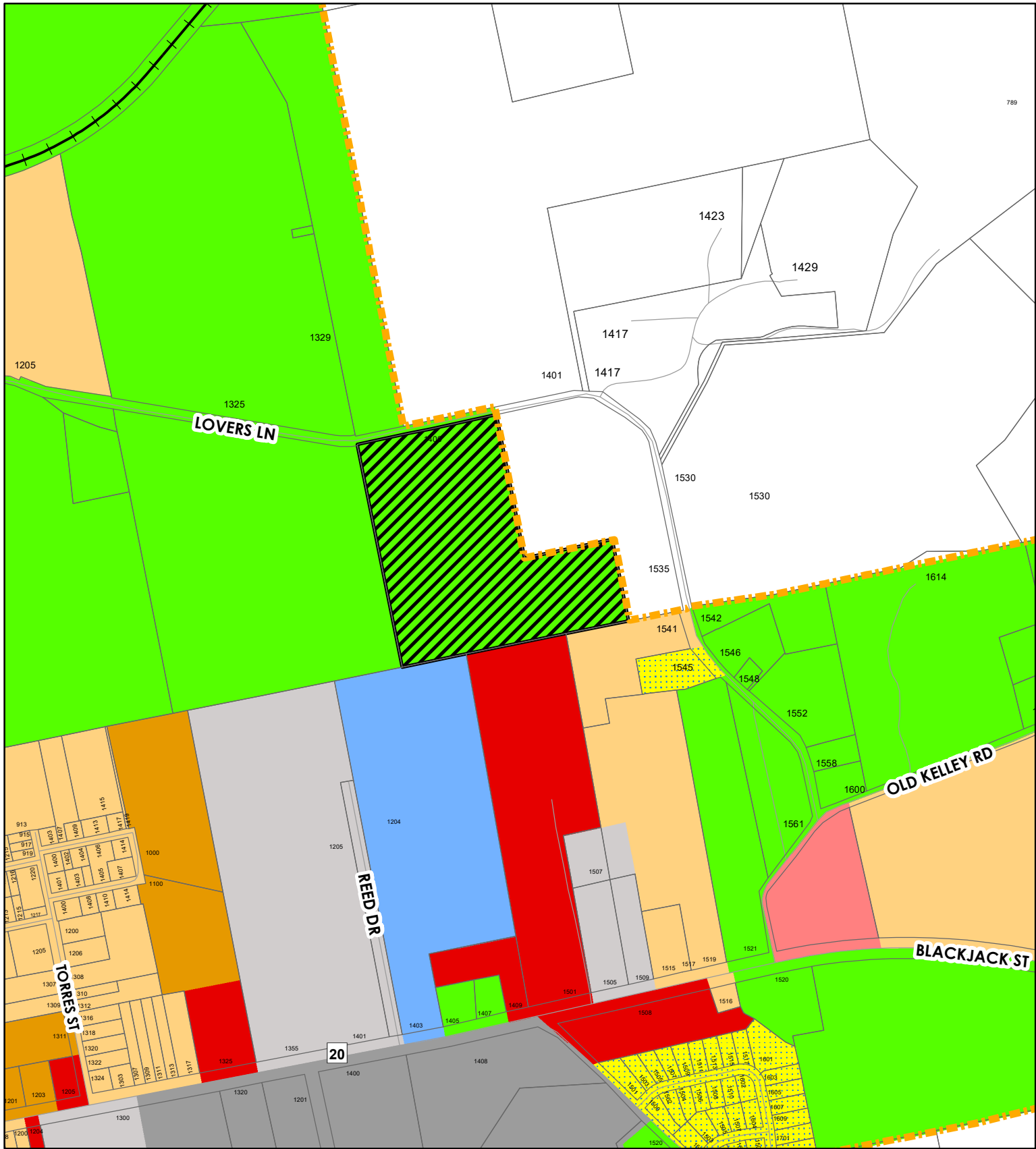
AO TO RMD

1400 LOVERS LANE



scale 1" = 600'

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



ZC-22-26

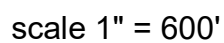
AO TO RMD

1400 LOVERS LANE

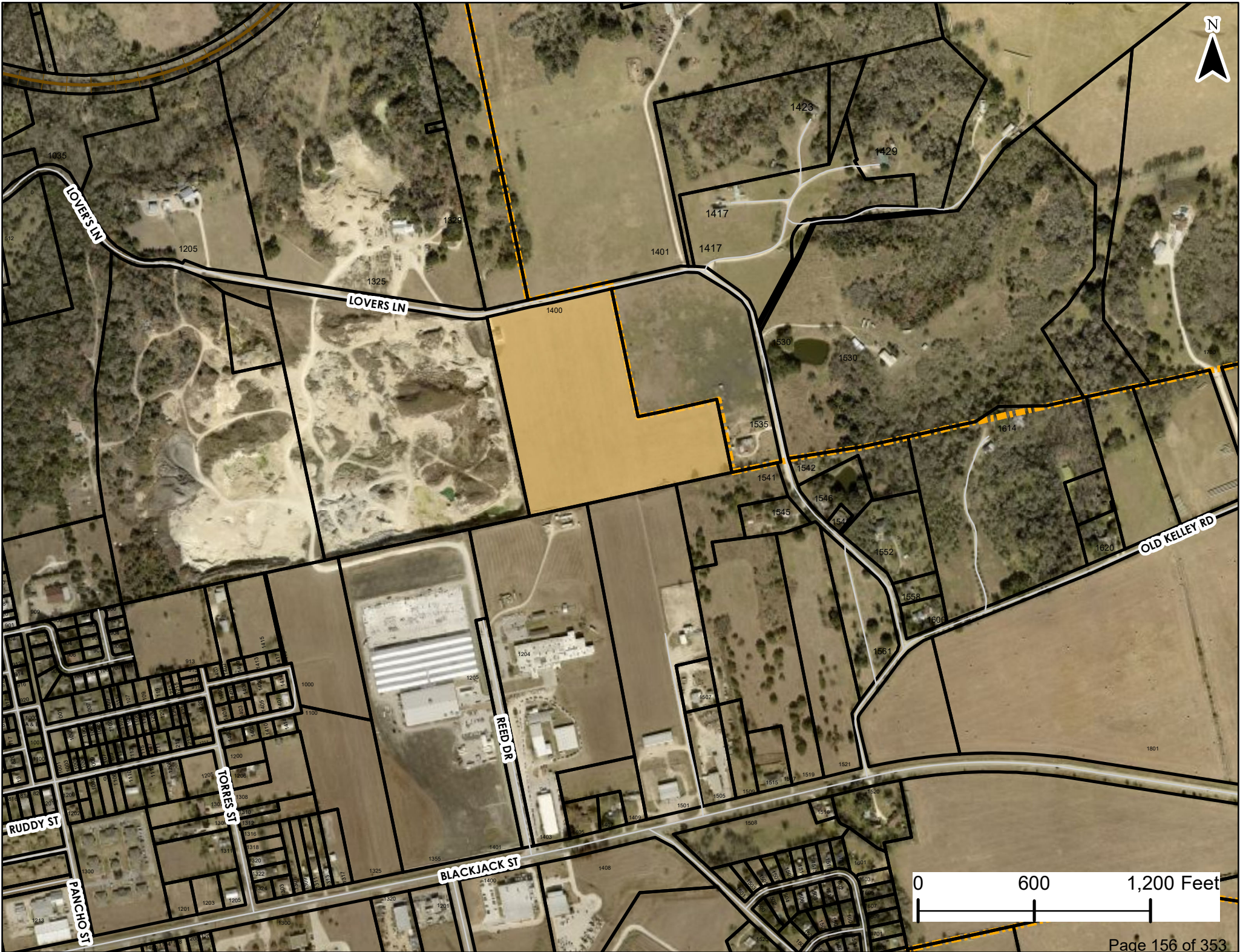


scale 1" = 600'

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



- Page 155 of 353



CASE SUMMARY

STAFF: David Fowler, Senior Planner

CASE NUMBER: ZC-22-26

REPORT DATE: October 6, 2022

PLANNING AND ZONING COMMISSION HEARING DATE: October 12, 2022

CITY COUNCIL HEARING DATE: October 18, 2022

REQUESTED CHANGE: AO to RMD

STAFF RECOMMENDATION: **Approval**

PLANNING AND ZONING COMMISSION RECOMMENDATION: **Pending**

BACKGROUND DATA

APPLICANT: Chris Elizondo

OWNER: Jimbo Cotton, 2402 CR 119, LLC

SITE LOCATION: 1400 Lovers Lane

LEGAL DESCRIPTION: Metes and bounds

SIZE OF PROPERTY: 19.36 acres

EXISTING USE OF PROPERTY: Vacant land

LAND USE PLAN DESIGNATION: *Low Density Residential*

ANALYSIS OF ISSUES

REASON FOR REQUESTED ZONING CHANGE: The property was annexed on September 15, 2009. Upon annexation, the property was assigned AO Agricultural-Open Space zoning. The applicant proposes to rezone the subject property to develop a single-family residential subdivision. The current AO zoning allows single-family dwellings, but only on lots of one acre or larger. The Residential Medium Density (RMD) district has been selected, as the applicant intends to develop the subdivision consistent with the Single-Family 2 (SF-2) residential development type.

AREA CHARACTERISTICS:

	Existing Use	Zoning	Future Land Use Plan
North	Vacant Land	AO, ETJ	<i>Agricultural/Rural Development, Low Density Residential</i>
East	Vacant land, Single-family residential	ETJ	<i>Agricultural/Rural Development</i>
South	Vacant Land, Industrial, Institutional	PI, CHB, RMD	<i>Public and Institutional,</i>
West	Single-family residential, Vacant land	RMD, ETJ	<i>Medium Density Residential, Low Density Residential</i>

TRANSITION OF ZONING DISTRICTS: There currently are two large blocks of RMD zoning to the south and east of the subject parcel, including the area proposed to combine with the subject parcel to create a single subdivision. Other nearby areas are either in the ETJ or are zoned RMD, PI, or AO. While there is relatively little other residentially-zoned land in the general area currently, much of the area to the north, east and southeast is designated for residential development on the Future Land Use Map.

ADEQUACY OF INFRASTRUCTURE: Adequate City water service is currently available in the Lover's Lane right-of-way near the northwest corner of the site. As the proposed subdivision will also abut Blackjack Street (FM 20), the subdivision would provide an opportunity to loop the water system in the area. City wastewater service will require connection to an area southeast of the site along Lover's Lane or in the Blackjack Street right-of-way. Any subdivision of the property will require internal public streets, and stubs to neighboring properties for connection to future development. Improvement of Lovers Lane to City standards will be required as a condition of the subdivision plat.

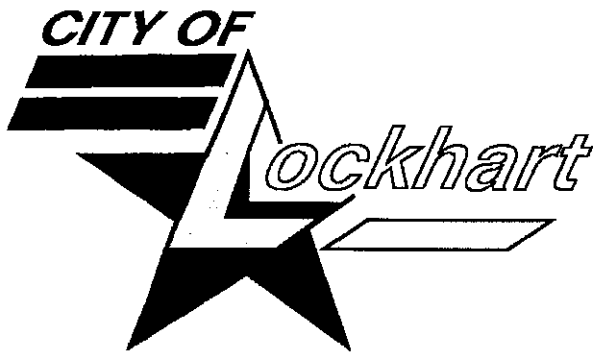
POTENTIAL NEIGHBORHOOD IMPACT: As the proposed subdivision would front on both Blackjack Street and Lovers Lane, those streets would be most heavily affected, with Blackjack Street getting most of the additional traffic as it offers the fastest connection to Colorado Street and points outside of Lockhart. As Blackjack Street/FM 20 is a TxDOT route, the agency will review proposed intersection locations and possibly require intersection improvements to mitigate traffic impacts.

CONSISTENCY WITH COMPREHENSIVE PLAN: The proposed RMD zoning is one step up in intensity from the site's *Low Density Residential* designation on the Land Use Plan map but is consistent with the single-family residential envisioned for the site in the Comprehensive plan.

ALTERNATIVE CLASSIFICATIONS: Residential Low Density.

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

STAFF RECOMMENDATION: Approval.



ZONING CHANGE APPLICATION

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

APPLICANT/OWNER

APPLICANT NAME CHRIS ELIZONDO
DAY-TIME TELEPHONE 512-810-8588
E-MAIL CHRIS@CUATROCONSULTANTS.COM

ADDRESS 3601 KYLE CROSSING
SUITE A, KYLE, TX
78640

OWNER NAME JIMBO COTTON
DAY-TIME TELEPHONE 512-784-3015
E-MAIL JIMBO@MATEXAS.COM

ADDRESS P.O. BOX 5708
AUSTIN, TX 78763

PROPERTY

ADDRESS OR GENERAL LOCATION 1400 LOVERS LANE, LOCKHART, TX 78644
LEGAL DESCRIPTION (IF PLATTED) A017 LOCKHART, BYRD, ACRES 19.367
SIZE 19.36 ACRE(S) LAND USE PLAN DESIGNATION SINGLE FAMILY SUBDIVISION
EXISTING USE OF LAND AND/OR BUILDING(S) AGRICULTURE
PROPOSED NEW USE, IF ANY SINGLE-FAMILY DEVELOPMENT

REQUESTED CHANGE

FROM CURRENT ZONING CLASSIFICATION AGRICULTURAL-OPEN SPACE
TO PROPOSED ZONING CLASSIFICATION RESIDENTIAL MEDIUM DENSITY
REASON FOR REQUEST PROPOSED SINGLE-FAMILY SUBDIVISION

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 \$ 537.20 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

James L. Hester

DATE

9-2-22

OFFICE USE ONLY

ACCEPTED BY

D. Fowler

RECEIPT NUMBER

201177561

DATE SUBMITTED

9/21/2022

CASE NUMBER ZC

-22 - 26

DATE NOTICES MAILED

9-26-2022

DATE NOTICE PUBLISHED

9-29-2022

PLANNING AND ZONING COMMISSION MEETING DATE

10-12-2022

PLANNING AND ZONING COMMISSION RECOMMENDATION

Approval

CITY COUNCIL MEETING DATE

10-18-2022

DECISION

Christine Banda

From: Jimbo Cotton <jimbo@matexas.com>
Sent: Friday, September 23, 2022 2:59 PM
To: Chris Elizondo
Subject: Blackjack Subdivision, Lockhart

Chris,

This email will serve as authorization for Cuatro Consultants, Ltd. to file a zoning application and related documents for the project known as Blackjack Subdivision in Lockhart, Texas.

I am the managing member of 2401 CR 219, LLC, a Texas limited liability company, acting on the behalf of the company.

thank you,
Jimbo Cotton

--

Jimbo Cotton
McALLISTER & ASSOCIATES

502 Baylor Street
Austin, Texas 78703
(O) 512.467.4056
(C) 512.784.3015
jimbo@matexas.com

About Broker Services

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To the city council concerning the proposed low density housing change for the property off Lovers Ln.

I own the property across the street from this property (1401 Lovers Ln.) I would assume this would be duplexes or some kind of multi housing project. My concern for this area is that Lovers Ln. is not equipped to handle the extra traffic that a project like this will generate. With the gravel trucks alone it is not a safe road as it is narrow and gravel. At times the road is not maintained as ½ is in the county and the other ½ is in the city. This area is not patrolled well even though it is directly behind the county jail and only a few miles from downtown. I do have other concerns as well such as will this be low income housing.

I cannot make it to the meeting tonight. I pray the council will voice these concerns of mine and take this into consideration when making this change.

Mark George (cell 210-865-1578)

1401 Lovers Ln.

Lockhart, Texas 78644

City of Lockhart, Texas

Council Agenda Item Cover Sheet

COUNCIL MEETING DATE: October 18, 2022

AGENDA ITEM CAPTION: Hold a PUBLIC HEARING on application ZC-22-27 by Dan Ross on behalf of Thomas Staub of Roed Prop Co, LLC, and discussion and/or action to consider Ordinance 2022-52 for a **Zoning Change** from *AO Agricultural-Open Space District* to *RMD Residential Medium Density District* on a total of 89.775 acres in the John A. Neill League, Abstract No. 20, located at 2400 FM 1322.

ORIGINATING DEPARTMENT AND CONTACT: Development Services - David Fowler

ACTION REQUESTED: Ordinance

BACKGROUND/SUMMARY/DISCUSSION: The applicant wishes to rezone the property in order to develop a single-family residential neighborhood. The property has been zoned AO Agricultural-Open Space since its annexation on September 6, 2022. The proposed rezoning would allow development of the Single Family 2 (SF-2) development type on the property, which is not permitted within the AO zoning district. The proposed zoning is not directly consistent with the Agriculture/Rural Development and General Heavy Commercial designations shown on the Future Land Use map. However, most areas outside the previous city limits were shown as agriculture rather than being assigned a specific future use. The property is adequately served by city water, but wastewater service would require connection to the city main line near Blackjack Street, including the construction of a force main and installation of a lift station. The property has road access to FM 1322. No correspondence has been received in response to notification of the proposed zoning change.

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: The property was annexed and assigned to the AO Agricultural-Open Space zoning district on September 6, 2022.

City of Lockhart, Texas

Council Agenda Item Cover Sheet

COMMITTEE/BOARD/COMMISSION ACTION: The Planning and Zoning Commission voted unanimously to recommend approval of the proposed zoning change at its October 12, 2022 meeting.

STAFF RECOMMENDATION/REQUESTED MOTION: Approval of application ZC-22-27 changing the zoning from AO Agricultural-Open Space District to RMD Residential Medium Density District for 89.775 acres located at 2400 FM 1322.

LIST OF SUPPORTING DOCUMENTS: zc2227 ordinance, ZC2227 exhibit a, ZC2227 case map, ZC2227 zoning, ZC2227 future landuse, ZC2227 aerial, zc-22-27 staff report--council, ZC2227 application and letter

ORDINANCE 2022-52

AN ORDINANCE OF THE CITY OF LOCKHART, TEXAS, AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF LOCKHART, TEXAS, TO RECLASSIFY 89.775 ACRES IN THE JOHN A. NEILL LEAGUE, ABSTRACT NUMBER 20, LOCATED AT 2400 FM 1322, FROM AO AGRICULTURAL-OPEN SPACE DISTRICT TO RMD RESIDENTIAL MEDIUM DENSITY DISTRICT.

WHEREAS, on October 12, 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-22-27, known as 89.775 acres in the John A. Neill, Abstract Number 20, more particularly described in Exhibit A, located at 2400 FM 1322, will be reclassified from AO Agricultural-Open Space District to RMD Residential Medium 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 18th DAY OF OCTOBER, 2022

CITY OF LOCKHART

Lew White, Mayor

ATTEST:

APPROVED AS TO FORM:

Connie Constancio, TRMC, City Secretary

Monte Akers, City Attorney

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

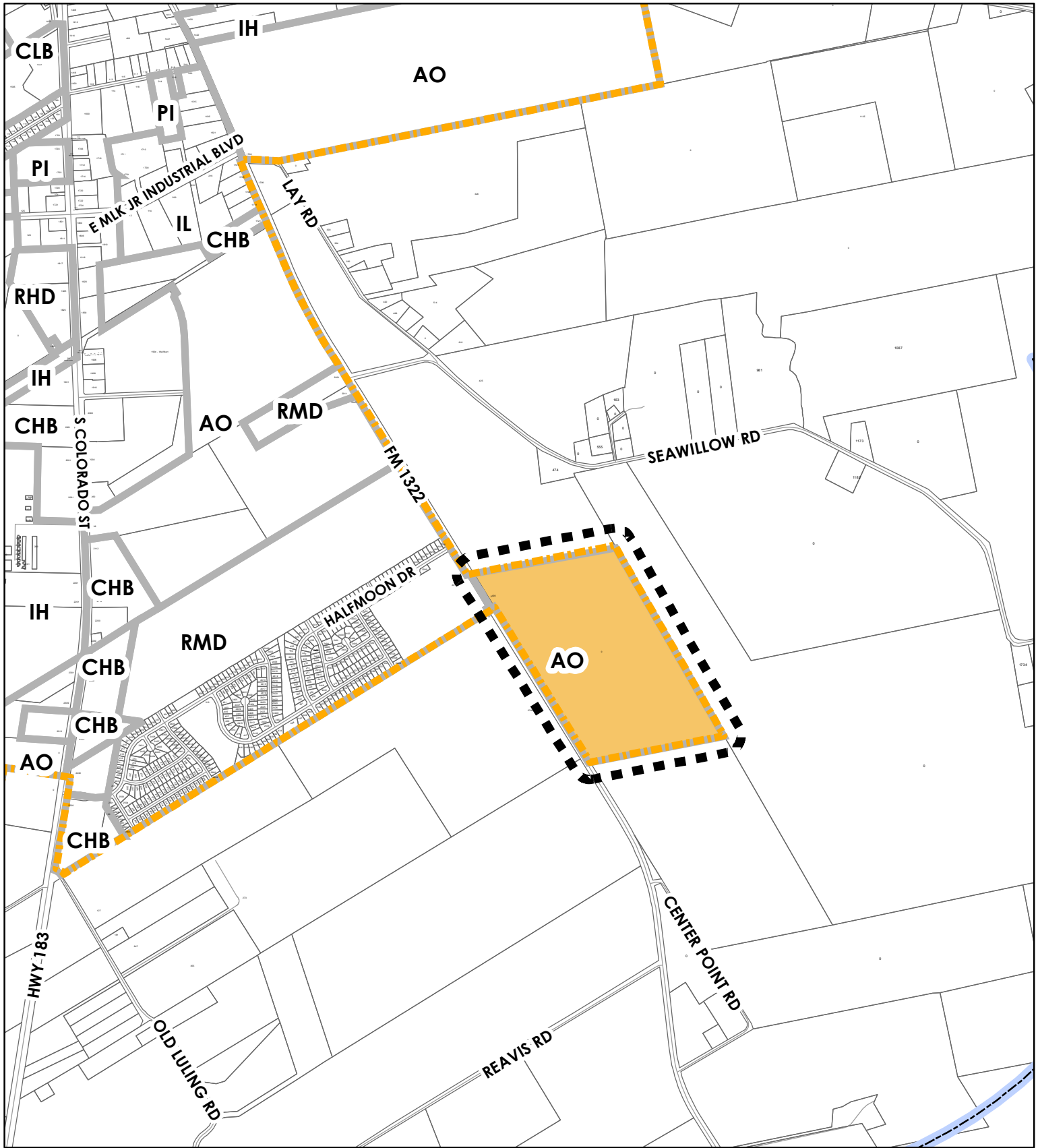
BEGINNING at a ½ inch capped iron rod found, marked Hinkle Surveying, on the Northeast Right-of-Way line of Farm to Market Road 1322, an 80 foot Right-of-Way, and for the Northwest corner of a called 85.00 acre tract of land as described in a deed to Charles D. Spillmann and Jane Spillmann as recorded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

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

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

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

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

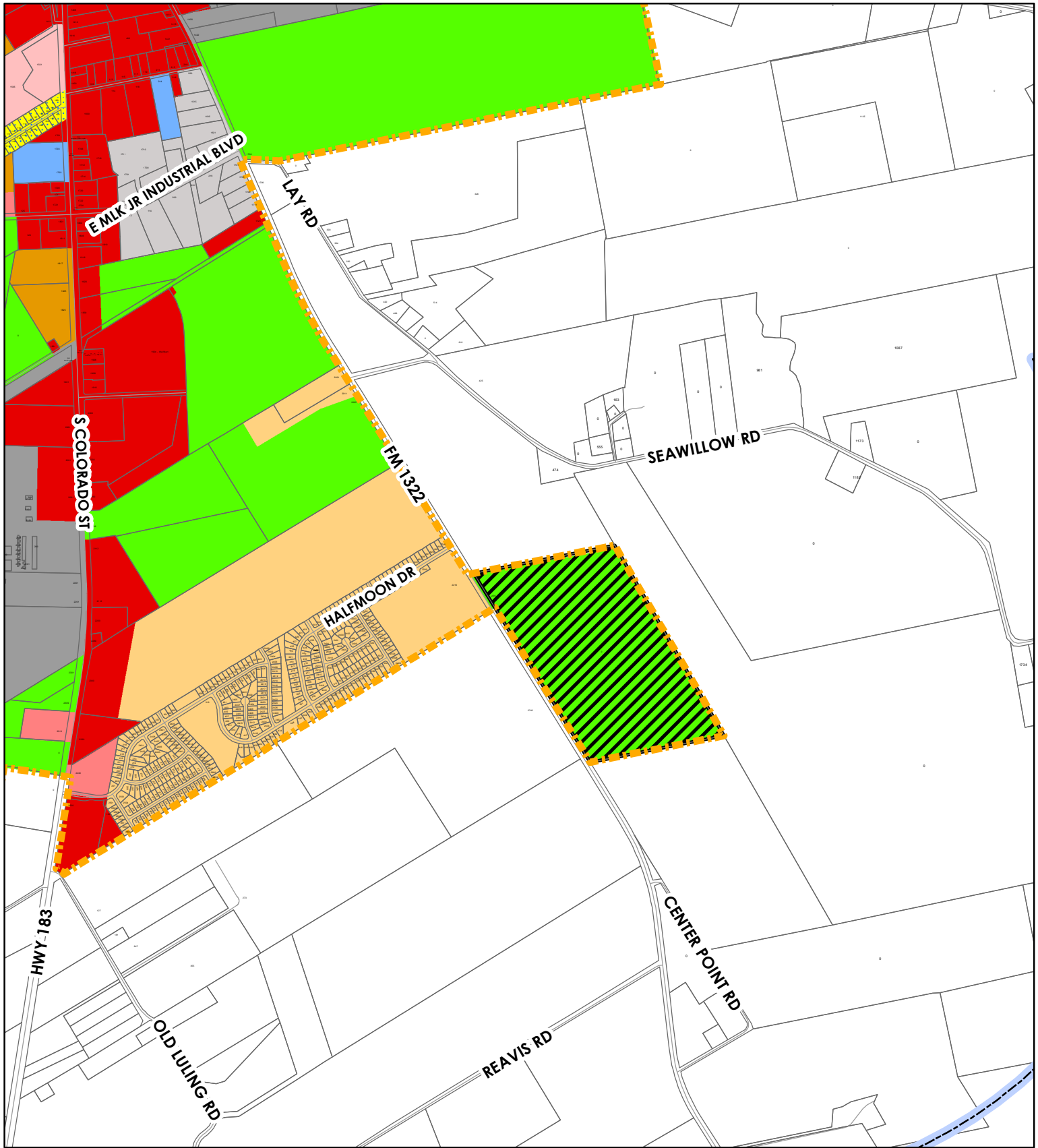


ZC-22-27
 AO TO RMD
 2400 FM 1322



scale 1" = 1500'

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



ZC-22-27

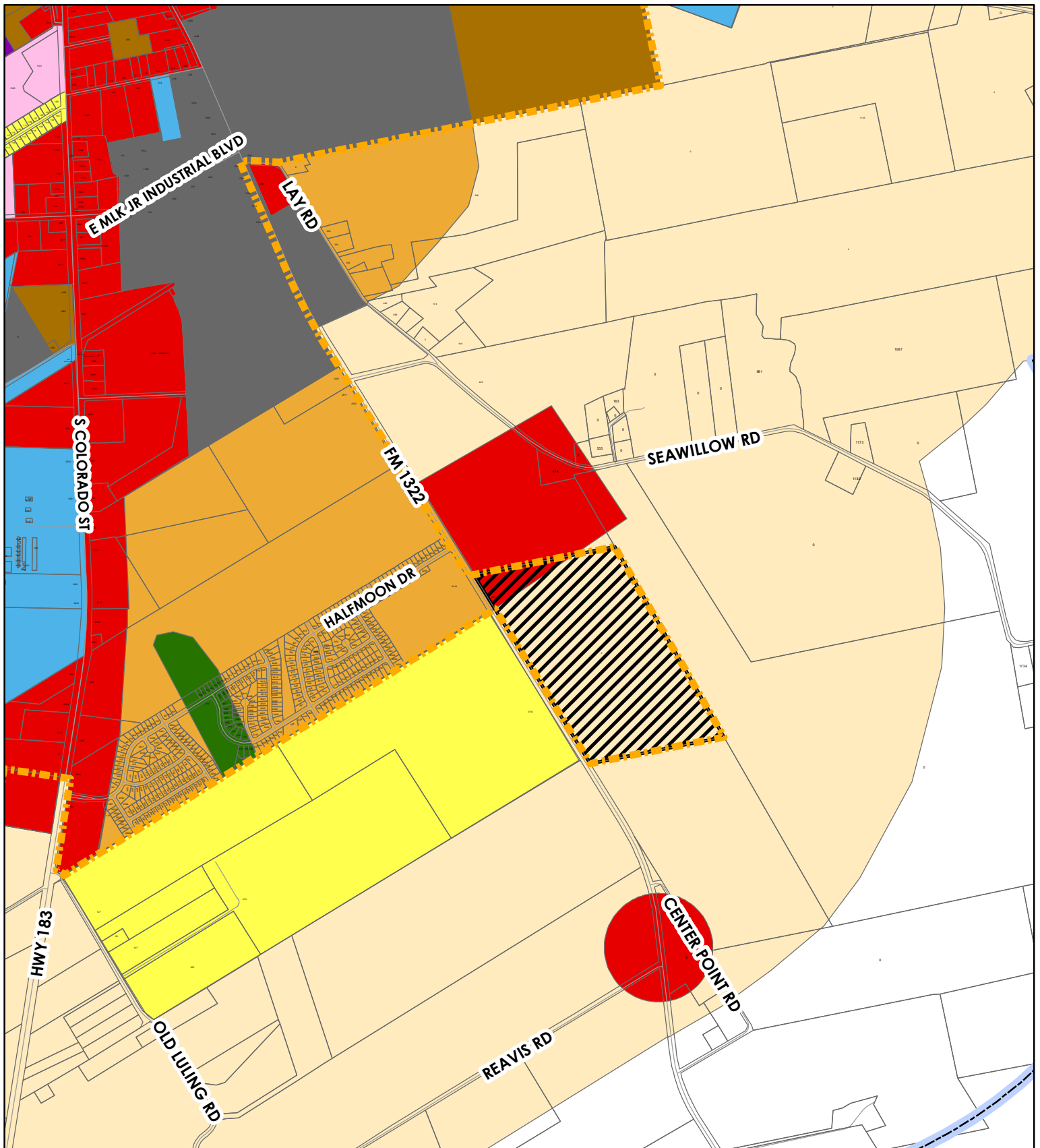
AO TO RMD

2400 FM 1322



scale 1" = 1500'

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



FUTURE LANDUSE

AO TO RMD
2400 FM 1322



scale 1" = 1500'

- zc2227
- AGRICULTURE/RURAL DEVELOPMENT
- GENERAL-HEAVY COMMERCIAL
- INDUSTRY
- LIGHT-MEDIUM COMMERCIAL
- MIXED RETAIL, OFFICE, RESIDENTIAL
- PARKS AND OPEN SPACE
- PUBLIC AND INSTITUTIONAL
- RESIDENTIAL, HIGH DENSITY
- RESIDENTIAL, LOW DENSITY
- RESIDENTIAL, MEDIUM DENSITY



CASE SUMMARY

STAFF: David Fowler, Senior Planner

CASE NUMBER: ZC-22-27

REPORT DATE: October 6, 2022

PLANNING AND ZONING COMMISSION HEARING DATE: October 12, 2022

CITY COUNCIL HEARING DATE: October 18, 2022

REQUESTED CHANGE: AO to RMD

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

APPLICANT: Dan Ross

OWNER: Thomas Staub, Red Oak Development Group

SITE LOCATION: 2400 FM 1322

LEGAL DESCRIPTION: Metes and bounds

SIZE OF PROPERTY: 89.775 acres

EXISTING USE OF PROPERTY: Vacant land

LAND USE PLAN DESIGNATION: *Agriculture/Rural Development and General-Heavy Commercial***ANALYSIS OF ISSUES**

REASON FOR REQUESTED ZONING CHANGE: The property was annexed on September 6, 2022. Upon annexations, the property was assigned AO Agricultural-Open Space zoning. The applicant proposes to rezone the subject property to develop a single-family residential subdivision. The current AO zoning allows single-family dwellings, but only on lots of one acre or larger. The RMD district has been selected, as the applicant intends to develop the subdivision consistent with the Single-Family 2 (SF-2) residential development type.

AREA CHARACTERISTICS:

	Existing Use	Zoning	Future Land Use Plan
North	Vacant Land	ETJ	<i>Agricultural/Rural Development, General-Heavy Commercial</i>
East	Vacant land	ETJ	<i>Agricultural/Rural Development</i>
South	Vacant Land	ETJ	<i>Agricultural/Rural Development</i>
West	Single-family residential, Vacant land	RMD, ETJ	<i>Medium Density Residential, Low-Density Residential</i>

TRANSITION OF ZONING DISTRICTS: There currently is a large block of RMD zoning to the west of the subject parcel in the form of existing and future sections of the Summerside subdivision. Other nearby areas are either in the ETJ or are zoned AO. Given that there is identical zoning nearby and other nearby areas are zoned AO but are likely to be the sites of residential or commercial development in the future, the transition of zoning districts reflected in the zoning pattern after the proposed zoning changes will be appropriate.

ADEQUACY OF INFRASTRUCTURE: Adequate City water service is currently available in the FM 1322 right-of-way near the northwest corner of the site. City wastewater service will require a lengthy off-site extension along FM 1322 towards Blackjack Street (FM 20), which also will require the installation of a force main and lift station. Any subdivision of the property will require internal public streets, and stubs to neighboring properties for connection to future development.

POTENTIAL NEIGHBORHOOD IMPACT: Because this is still a sparsely populated area, any adverse impact will likely be limited to increased traffic on FM 1322, and possibly streets within the Summerside Subdivision. TxDOT will require a traffic impact analysis for all new street intersections along FM 1322 and could require safety improvements (center left-turn lane, right-turn transition lanes, traffic signals, etc.) that would be the responsibility of the developer to provide.

CONSISTENCY WITH COMPREHENSIVE PLAN: The proposed RMD zoning is not consistent with the *Agriculture/Rural Development and General Heavy Commercial* designations for the property on the Land Use Plan map. However, much of the ETJ was assigned Agriculture/Rural Development, rather than assigning a wider range of future land uses to areas outside the city.

ALTERNATIVE CLASSIFICATIONS: None more appropriate.

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

STAFF RECOMMENDATION: Approval.

CITY OF

Lockhart

TEXAS

ZONING CHANGE APPLICATION

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

APPLICANT/OWNER

APPLICANT NAME Dan Ross
DAY-TIME TELEPHONE 717-609-7365
E-MAIL dan@redoakvc.com

ADDRESS 863 Northview Dr
New Braunfelds/TX/78130

OWNER NAME Thomas Staub
DAY-TIME TELEPHONE 717-609-7365
E-MAIL tom@redoakvc.com

ADDRESS 8512 Bestride Bend
Austin/TX/78744

PROPERTY

2400 Fm 1322

ADDRESS OR GENERAL LOCATION See attached legal description

LEGAL DESCRIPTION (IF PLATTED) _____

SIZE 89.775 ACRE(S) LAND USE PLAN DESIGNATION _____

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

PROPOSED NEW USE, IF ANY Residential Medium Density - SF Homes

REQUESTED CHANGE

FROM CURRENT ZONING CLASSIFICATION AG

TO PROPOSED ZONING CLASSIFICATION RMD- Residential Medium Density

REASON FOR REQUEST _____

Red Oak Development intends on developing single family homes.

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 \$ ~~1,965.50~~ 1945.50 OF 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 Dan Ross

Digitally signed by Dan Ross
DN: cn=Dan Ross, o=City of Lockhart, ou=City of Lockhart, email=Dan.Ross@cityoflockhart.com
Reason: I am the author of this document
Location:
Date: 2022.09.15 07:29:05-05

DATE 9/15/2022

OFFICE USE ONLY

ACCEPTED BY D. Taylor

RECEIPT NUMBER Roll 79835

DATE SUBMITTED 9-21-2022

CASE NUMBER ZC - 22 - 28

DATE NOTICES MAILED 9-24-2022

DATE NOTICE PUBLISHED 9-29-2022

PLANNING AND ZONING COMMISSION MEETING DATE 10-12-2022

PLANNING AND ZONING COMMISSION RECOMMENDATION Approval

CITY COUNCIL MEETING DATE 10-18-2022

DECISION _____

To Whom It May Concern:

I, Thomas Staub, am the owner of the property located on FM 1322, Lockhart, TX (SEE Legal description attached) consisting of 89.775 acres. I authorize Dan Ross to apply for a change in the zoning classification of my property from AG Agricultural to RMD Residential Medium Density and RHD Residential High Density.

Thomas Staub
Thomas Staub

7/1/2022
Date

City of Lockhart, Texas

Council Agenda Item Cover Sheet

COUNCIL MEETING DATE: October 18, 2022

AGENDA ITEM CAPTION: Hold a PUBLIC HEARING and discussion/action to consider Ordinance 2022-53 for a **Zoning Text Amendment** revising *Chapter 64 "Zoning" of the Code of Ordinances, Article VII "Zoning Districts and Standards", Section 64-197 "Regulations Common To All Or Several Districts", Subsection (g)(2) "Additional Parking Requirements Within Residential Districts", Paragraph (a)*, to allow front-facing garage doors for any size garage to occupy up to 50 percent of the width of detached single-family dwellings.

ORIGINATING DEPARTMENT AND CONTACT: Development Services - Dan Gibson

ACTION REQUESTED: Ordinance

BACKGROUND/SUMMARY/DISCUSSION: It has been determined that the current limitation on the width of garage doors of 40 percent of the width of detached single-family dwellings will prevent a home with one-foot roof overhangs on the sides from having a two-car garage when constructed on a lot having the minimum 50-foot width allowed for the SF-2 residential development type. Five-foot side setbacks are required for the SF-2 development type, and since that distance is based on the fire code, roof overhangs, which are generally constructed of combustible materials, cannot encroach into the minimum side setback. Therefore, with the addition of one-foot roof overhangs it leaves only 38 feet of lot width available for the foundation of the dwelling. A typical garage door for a two-car garage is 16 feet wide, which exceeds 40 percent of the possible 38-foot width of the dwelling, thereby limiting homes on minimum width lots to a single-car garage. That was an oversight, as it was not the intent of the original ordinance to discourage two-car garages. This amendment changes the 40 percent limit to 50 percent, which is already the limit for garage doors serving three-car garages. Additional explanation is contained in the attached memorandum dated October 13, 2022.

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: Adoption of covered parking provision in February 2022, and adoption of amendments to covered parking in July 2022.

City of Lockhart, Texas

Council Agenda Item Cover Sheet

COMMITTEE/BOARD/COMMISSION ACTION: At their October 12th meeting, the Planning and Zoning Commission voted unanimously to recommend approval of the proposed amendment to Section 64-197(g)(2)(a) of the Zoning Ordinance.

STAFF RECOMMENDATION/REQUESTED MOTION: Approval of Ordinance 2022-53 amending Section 64-197(g)(2)(a) of the Zoning Ordinance to allow front-facing garage doors for any size garage to occupy up to 50 percent of the width of detached single-family dwellings.

LIST OF SUPPORTING DOCUMENTS: Covered parking amendment Ordinance 2022-53, 10-13-22 covered parking memo to cc, 10-04-22 annotated text changes

ORDINANCE 2022-53

AN ORDINANCE OF THE CITY OF LOCKHART, TEXAS, AMENDING CHAPTER 64 “ZONING”, OF THE CODE OF ORDINANCES, ARTICLE VII “ZONING DISTRICTS AND STANDARDS”, SECTION 64-197 “REGULATIONS COMMON TO ALL OR SEVERAL DISTRICTS”, SUBSECTION (g)(2) “ADDITIONAL PARKING REQUIREMENTS WITHIN RESIDENTIAL DISTRICTS”, PARAGRAPH (a), TO ALLOW FRONT-FACING GARAGE DOORS FOR ANY SIZE GARAGE TO OCCUPY UP TO 50 PERCENT OF THE WIDTH OF DETACHED SINGLE-FAMILY DWELLINGS; PROVIDING FOR SEVERABILITY; PROVIDING A REPEALER; PROVIDING FOR PENALTY; PROVIDING FOR PUBLICATION; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, on February 1, 2022, the City Council adopted Ordinance 2022-07 amending Section 64-197(g)(2)(a) to require garages or carports for certain types of dwellings, along with reasonable standards to promote the attractive appearance and functionality of new homes; and,

WHEREAS, on July 19, 2022 the City Council adopted Ordinance 2022-29 amending Section 64-197(g)(2)(a) to modify certain standards and to add an exemption for new homes on existing nonconforming lots less than 50 feet wide; and,

WHEREAS, all versions of Section 64-197(g)(2)(a) have limited the width of front-facing garage doors for single-car and two-car garages to no more than 40 percent of the width of detached single-family dwellings, and limited the width of front-facing garage doors for three-car garages to no more than 50 percent of the width of detached single-family dwellings; and,

WHEREAS, a dwelling located on a lot having a minimum width of 50 feet must be set back from the side lot lines a minimum of five feet to the closest combustible construction, which is typically a roof eave; and,

WHEREAS, if the dwelling has a one-foot roof overhang on the sides, the exterior walls must be at least six feet from each side property line, totaling 12 feet for both sides and resulting in the lot width remaining for the dwelling being 38 feet; and,

WHEARAS, a standard garage door for a two-car garage is 16 feet wide; and,

WHEREAS, 16 feet is more than 40 percent of 38 feet, thereby limiting dwellings on 50-foot wide lots to a single-car garage so that the garage door does not exceed 40 percent of the width of the dwelling; and,

WHEREAS, it was not the intent of Section 64-197(g)(2)9a) requiring covered parking for detached single-family dwellings to discourage the use of two-car garages; and,

WHEREAS, increasing the allowable width of garage doors for detached single-family dwellings to 50 percent of the width of the dwelling would provide for double-car garages in all cases, and would establish a consistent maximum standard of 50 percent for all garage doors, regardless of how many vehicles the garage is designed to hold; and,

WHEREAS, such change can be accomplished by eliminating the existing reference to 40 percent for single-car and two-car garages, and by eliminating the existing reference to three-car garages while keeping the existing 50 percent limit; and,

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

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

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

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

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

(g) Minimum parking and loading requirements.

(2) Additional parking requirements in residential districts.

- a. Each detached single-family dwelling, duplex, two-unit condominium, or two-unit townhouse, shall provide covered parking for at least one vehicle in the form of a carport or garage having a usable parking area, exclusive of storage or other functions, of at least 220 square feet per vehicle for each dwelling unit. Carports shall be provided with an integral enclosed storage room of at least 40 square feet. Garages and carports shall not extend closer to the front property line than the wall or covered porch of the dwelling that is closest to the front property line. Front-facing garage doors shall not occupy more than 50 percent of the width of detached single-family dwellings. A dwelling constructed on a nonconforming lot less than 50 feet wide that was platted prior to April 15, 1990, is not required to provide covered parking.

III. 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.

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. 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.

VI. 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.

VII. 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 18th DAY OF OCTOBER, 2022.**

CITY OF LOCKHART

Lew White
Mayor

ATTEST:

APPROVED AS TO FORM:

Connie A. Constancio, TRMC
City Secretary

Monte Akers
City Attorney

MEMORANDUM

TO: Mayor and City Council
FROM: Dan Gibson, City Planner
DATE: October 13, 2022
SUBJECT: Zoning text amendment

BACKGROUND

In February this year the City Council adopted an amendment to Section 64-197(g)(2)(a) of the Zoning Ordinance that the Planning and Zoning Commission recommended to require covered-parking for detached single-family dwellings (SF-1 and SF-2 development types). At the May 3rd City Council meeting, at the request of Council-member Kara McGregor, the City Council discussed exempting homes on nonconforming (grandfathered) platted lots from the covered parking requirement because there are old subdivisions, primarily on the east side of the city, where the lots are less than the current minimum width of 50 feet. The result was that the Council passed a motion to direct staff to prepare an amendment to make the covered parking standards more reasonable for houses constructed on such lots. On June 22nd, the Planning and Zoning Commission recommended such an amendment, as well as other changes recommended by staff, and on July 19th the City Council adopted the amendments as recommended by the Commission.

PROBLEM

A potential problem was recently been brought to our attention by a homebuilder regarding the limit on the width of a front-facing garage doors, whereby they cannot exceed 40 percent of the width of a detached single-family dwelling, which has been in all versions of the covered parking standards. With a minimum 50-foot wide lot for the SF-2 (detached single-family dwelling) development type, which is allowed in the RMD and RHD districts, plus the five-foot minimum side building setback and a one-foot roof eave on the sides, the resulting lot width available for the foundation would be 38 feet. The standard garage door for a two-car garage is 16 feet wide, which is roughly 42 percent of the width of a 38-foot wide house and, therefore, exceeds the 40 percent limit. The 40 percent limit works only if the house has no roof overhangs which, in accordance with the fire code, must not extend any closer than five feet to the property line. Therefore, under the current standard, a maximum width home with overhanging roof eaves on a 50-foot wide lot would be limited to only a single-car garage.

SOLUTION

Because we want to encourage two-car garages, increasing the maximum garage width to 50 feet would solve the problem. Fifty feet is the standard used by the City of Buda. If the current 40 percent limit is increased to 50 percent, it would also eliminate the need for the separate 50-foot limit for three-car garages and, therefore, would simplify the ordinance by applying the 50-foot limit to all sizes of garages for detached single-family dwellings. Covered parking for at least one vehicle per unit is also required for duplexes, two-unit condominiums, or two-unit townhouses, but the limit on the width of garage doors currently does not apply to them, and is not proposed to be changed. The attached page shows the current wording of Section 64-197(g)(2)(a), a version showing the proposed changes with deleted text crossed-out, and a clean version of the section after the changes take effect.

Chapter 64 Zoning

ARTICLE VII. ZONING DISTRICTS AND STANDARDS

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

(g) *Minimum parking and loading requirements.*

(2) Additional parking requirements in residential districts. [**Current text**]

- a. Each detached single-family dwelling, duplex, two-unit condominium, or two-unit townhouse, shall provide covered parking for at least one vehicle in the form of a carport or garage having a usable parking area, exclusive of storage or other functions, of at least 220 square feet per vehicle for each dwelling unit. Carports shall be provided with an integral enclosed storage room of at least 40 square feet. Garages and carports shall not extend closer to the front property line than the wall or covered porch of the dwelling that is closest to the front property line. Front-facing garage doors for single-car and two-car garages shall not occupy more than 40 percent, and front-facing garage doors for three-car garages shall not occupy more than 50 percent, of the width of detached single-family dwellings. A dwelling constructed on a nonconforming lot less than 50 feet wide that was platted prior to April 15, 1990, is not required to provide covered parking.

(2) Additional parking requirements in residential districts. [**Recommended changes**]

- a. Each detached single-family dwelling, duplex, two-unit condominium, or two-unit townhouse, shall provide covered parking for at least one vehicle in the form of a carport or garage having a usable parking area, exclusive of storage or other functions, of at least 220 square feet per vehicle for each dwelling unit. Carports shall be provided with an integral enclosed storage room of at least 40 square feet. Garages and carports shall not extend closer to the front property line than the wall or covered porch of the dwelling that is closest to the front property line. ~~Front-facing garage doors for single-car and two-car garages shall not occupy more than 40 percent, and front-facing garage doors for three-car garages shall not occupy more than 50 percent,~~ of the width of detached single-family dwellings. A dwelling constructed on a nonconforming lot less than 50 feet wide that was platted prior to April 15, 1990, is not required to provide covered parking.

(2) Additional parking requirements in residential districts. [**Proposed text**]

- a. Each detached single-family dwelling, duplex, two-unit condominium, or two-unit townhouse, shall provide covered parking for at least one vehicle in the form of a carport or garage having a usable parking area, exclusive of storage or other functions, of at least 220 square feet per vehicle for each dwelling unit. Carports shall be provided with an integral enclosed storage room of at least 40 square feet. Garages and carports shall not extend closer to the front property line than the wall or covered porch of the dwelling that is closest to the front property line. Front-facing garage doors shall not occupy more than 50 percent of the width of detached single-family dwellings. A dwelling constructed on a nonconforming lot less than 50 feet wide that was platted prior to April 15, 1990, is not required to provide covered parking.

**REGULAR MEETING
LOCKHART CITY COUNCIL**

SEPTEMBER 6, 2022

6:30 P.M.

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

Council present:

Mayor Pro-Tem Angie Gonzales-Sanchez
Councilmember Juan Mendoza
Councilmember Jeffry Michelson

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

Staff present:

Steven Lewis, City Manager
Monte Akers, City Attorney
Pam Larison, Finance Director
Julie Bowermon, Civil Service/HR Director
Dan Gibson, City Planner
Cean Charles, EMS Director

Connie Constancio, City Secretary
Victoria Maranan, Public Information Officer
Sean Kelley, Public Works Director
Mike Kamerlander, Economic Dev. Director
David Fowler, Senior Planner

Citizens/Visitors Addressing the Council: Kevin Heller, CEO of Ziegenfelder, LLC; Dan Ross of Red Oak Development Group; Brad Laughlin of Garden Gate Holdings

Work Session 6:30 p.m.

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

DISCUSSION ONLY

A. EXECUTIVE SESSION IN ACCORDANCE WITH THE PROVISIONS OF THE GOVERNMENT CODE, TITLE 5, SUBCHAPTER D, SECTION 551.074, TO DELIBERATE THE APPOINTMENT, EMPLOYMENT, EVALUATION, REASSIGNMENT, DUTIES, DISCIPLINE, OR DISMISSAL OF A PUBLIC OFFICER OR EMPLOYEE. Conduct interview of Municipal Court Presiding Judge candidate.

Mayor White announced that the Council would enter Executive Session at 6:32 p.m.

Mayor White announced that the Council would enter Open Session at 7:40 p.m.

B. DISCUSS THE MINUTES OF THE CITY COUNCIL MEETINGS OF AUGUST 2, 2022, AUGUST 16, 2022 AND AUGUST 25, 2022.

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

C. DISCUSS REVISED JOINT ELECTION AGREEMENT FOR ELECTION SERVICES WITH CALDWELL COUNTY ELECTIONS ADMINISTRATOR TO CONDUCT THE CITY OF LOCKHART'S NOVEMBER 8, 2022 GENERAL ELECTION.

Ms. Constancio stated that on March 1, 2022, the City Council approved a contract for joint election services with the Caldwell County Elections Administrator to conduct the City of Lockhart's General Election on November 8, 2022. Since that date, Kimber Daniels, Caldwell County Elections Administrator, informed staff that the County's Attorney has revised the Joint Election Agreement. After comparing and reviewing the agreements, the revised agreement adds details about the election, such as

early voting dates and times, and requires each participating entity to sign the document. Details about the costs of services remain the same. The City of Lockhart will pay a 10% Administrative Fee of the total cost of the election plus a ratio formula shared between participating entities. There was discussion.

D. DISCUSS CHAPTER 380 AGREEMENT WITH THE ZIEGENFELDER CO. TO PROVIDE INCENTIVES FOR ECONOMIC DEVELOPMENT.

Mr. Kamerlander stated that 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.

Details are as follows:

Employment: 100

Investment: \$39 million

Facility Size: 96,000 square feet

Status: Company is under contract for land in Lockhart Industrial Park III. The company has indicated that it intends to close quickly.

The incentive before Council is for 5 years beginning in year 2 with the following schedule:

Year 2: 80% rebate of real and personal property taxes

Year 3: 75%

Year 4: 66%

Year 5: 66%

Year 6: 33%

The net benefit to the City of Lockhart over 10 years is estimated to be \$1.67 million. The County Commissioners Court will also be considering an incentive at its next Court meeting.

Kevin Heller, CEO of Ziegenfelder stated that his company looked at other cities while scouting a new location to expand the business, and decided to choose Lockhart because of the welcoming community and the ease of working with city staff.

E. DISCUSSION REGARDING RESOLUTION 2022-32 FOR AN ECONOMIC DEVELOPMENT PERFORMANCE AGREEMENT AND PROPERTY SALE AGREEMENT FOR 2.468 ACRES IN LOCKHART INDUSTRIAL PARK II WITH WARELOCK PARTNERS 2, LLC.

Mr. Kamerlander stated that the economic development performance agreement is for a possible speculative building collaboration project for the 2.468-acres of land owned by the Lockhart Economic Development Corporation (LEDC) in Industrial Park II. Since this is only for the construction of new spec buildings, it is hard to pinpoint the entire value of the project and the jobs that will be created as a result although staff would expect at least \$1.5 million estimate at full buildout. This performance agreement and contract match the terms from the first deal with this development group for the 5-acres previously owned by LEDC across from this land. The LEDC closed on that transaction on July 29th. The facility size: Up to 20,000 square feet. This performance agreement was discussed and unanimously passed by the LEDC Board at its August 8th board meeting. The property sale contract does not place a time constraint on the construction itself. This would be done with an economic development performance agreement which is needed to offer the price below. The developer says his intentions are to complete construction within a year of contract and to try to coordinate it with the project on the recently acquired

5-acres across the street. Incentives: The board approved the offer of \$1.50/square foot land cost for the 2.468 acres owned by LEDC in Industrial Park II. The total revenue generated by the sale of the land to LEDC would be \$161,259.12. Mr. Kamerlander recommended approval. There was discussion.

F. DISCUSSION REGARDING ORDINANCE 2022-40 ADOPTING THE CITY OF LOCKHART'S ANNUAL OPERATING BUDGET FOR FISCAL YEAR 2022-2023 AND APPROPRIATING RESOURCES, BEGINNING OCTOBER 1, 2022, ENDING SEPTEMBER 30, 2023, FOR THE CITY OF LOCKHART, CALDWELL COUNTY, TEXAS AND THE LOCKHART ECONOMIC DEVELOPMENT CORPORATION AND ADOPTING THE CITY'S INVESTMENT POLICY, FINANCIAL POLICY, AND FUND BALANCE - STABILIZATION AND EXCESS OF RESERVES POLICIES.

Ms. Larison stated that in accordance with the provisions of Article IX, Section 9.09 of the City of Lockhart Charter - a vote is required for adoption; the budget shall be adopted by the favorable vote of a majority of the members of the whole City Council. This budget also sets forth the fiduciary policies for the City of Lockhart and the Lockhart Economic Development Corporation for the fiscal year October 1, 2022 and ending September 30, 2023. This ordinance will adopt the City's Investment Policy, Financial Policy, and the Fund Balance - Stabilization and Excess of Reserve Policy. The City of Lockhart's Investment Policy must be adopted annually by ordinance according to the City's Charter, Chapter 2256, Section 2256.005. Two additions were added to the City of Lockhart's Financial Policy. Upon completion of the Fiscal Year 2020-2021 audit, the City's external auditor, BrooksWatson & Company, made two recommendations which involved additions to the City's Financial Policy. The first concerns uncollectible debt and the second is a GASB 87 statement dealing with capital leasing. The budget for Fiscal Year 2022-2023 includes the revised City of Lockhart Financial Policy with the recommended additions. This agenda item allows for the City Council to suggest any budget allocations or deletions to the budget before a vote is taken. If no additional allocations or deletions are presented, action can be taken to adopt the Fiscal Year 2022-2023 Annual Operating Budget for the City of Lockhart, Caldwell County, Texas and the Lockhart Economic Development Corporation. There was discussion.

G. DISCUSSION REGARDING ORDINANCE 2022-41 LEVYING MAINTENANCE AND OPERATIONS PROPERTY TAXES FOR THE USE AND SUPPORT OF THE CITY OF LOCKHART, TEXAS AND INTEREST AND SINKING PROPERTY TAXES FOR THE DEBT SERVICE OBLIGATIONS OF THE CITY OF LOCKHART, CALDWELL COUNTY, TEXAS FOR FISCAL YEAR 2023, BEGINNING OCTOBER 1, 2022 AND ENDING SEPTEMBER 30, 2023.

Ms. Larison stated that the proposed tax rate is \$0.6006 per \$100 of assessed value. The Ordinance describes the two required components of the tax rate: Maintenance and Operations (M&O) and Interest and Sinking (I&S). State law requires a statement regarding the amount by which taxes for maintenance and operations on a \$100,000 home will be raised. Based on the proposed tax rate, the maintenance and operations portion of the rate will be \$0.4504 per \$100 assessed value compared to last year's maintenance and operations rate of \$0.5254 per \$100 assessed value, resulting in a decrease of \$0.075 or 14.3%. The interest and sinking portion of the tax rate increased from \$0.1057 to \$0.1502 per \$100 assessed value, resulting in an increase of \$0.0445 or 42.3%. Therefore, there will be no increase in the maintenance and operations tax due on a \$100,000 home. The City of Lockhart's portion of a homeowner's property tax bill is only 27% of their total bill based on current tax rates. The remaining 73% of the tax bill is for property taxes charged by the other taxing jurisdictions, including the Lockhart Independent School District (42%), Caldwell County (29%), Farm-to-Market (0.004%), and Plum Creek Conservation District and Groundwater tax (2.0%). Property taxes paid to the City of Lockhart make up approximately 37% of the City's General Fund revenues. Sales tax revenue makes up another 15%, while other fees and services

cover the remaining 48%. The revenues from the General Fund provide maintenance and operational support for streets, parks, infrastructure, police and fire protection. The verbiage contained within this ordinance is in strict compliance with requirements of Section 26.05(b)(1)(B) of the Texas Tax Code. There was discussion.

H. DISCUSSION REGARDING ORDINANCE 2022-42 REPEALING UNCODIFIED ORDINANCE 2021-29 IN ITS ENTIRETY AND ADOPTING THIS ORDINANCE REGARDING THE CITY PERSONNEL POLICY MANUAL; REMOVING PERFORMANCE OR MERIT PAY FOR POLICE AND FIRE PERSONNEL AND ADOPTING A STEP PAY PLAN FOR POLICE AND FIRE DEPARTMENTS UNDER CIVIL SERVICE.

Ms. Bowermon stated that the Fiscal Year 2022-2023 Budget includes a 4% pay increase for all full-time and part-time regular City of Lockhart employees. In compliance with Civil Service, classified police and fire positions are paid per a step pay plan, which is set by ordinance. The proposed ordinance reflects increasing the step plans as included in the budget. There was discussion.

I. DISCUSSION REGARDING RESOLUTIONS TO CONSENT TO THE INCLUSION OF CITY ETJ LAND IN THE CALDWELL CO. MUD NO. 2. (RESOLUTION NO. 2022-30 FOR 32.486 ACRES REQUESTED BY JAKOVICH INTERESTS, LLC AND RESOLUTION NO. 2022-31 FOR 135.731 ACRES REQUESTED BY PH LAND HOLDINGS, LLC.)

Mr. Akers stated that State law requires that a city consent to the inclusion of land in its extraterritorial jurisdiction (ETJ) in a municipal utility district (“MUD”). On January 15, 2019, the City approved Resolution No. 2019-04 and a Consent Agreement for creation of “Clear Fork Ranch MUD,” a portion of which would be in the City’s ETJ. The Legislature subsequently changed the name of the MUD to the “Caldwell Co. MUD No. 2.” The Consent Agreement provided that additional land could be included in the MUD only with the City’s consent, and on August 12, 2022, the City received petitions for inclusion of two tracts in the ETJ, being 32.486 acres from Jakovich Interests, LLC, and 135.731 acres from PH Land Holdings, LLC, both of which tracts were addressed in the Consent Agreement, the latter being described therein as “Option Land”. There was discussion.

RECESS: Mayor White announced that the Council would recess for a break at 7:58 p.m.

REGULAR MEETING

ITEM 1. CALL TO ORDER.

Mayor Lew White called the meeting to order at 8:10 p.m.

ITEM 2. INVOCATION, PLEDGE OF ALLEGIANCE.

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

ITEM 3. PUBLIC COMMENT.

Mayor White requested citizens to address the Council.

ITEM 4. OPEN SESSION REGARDING ITEM DISCUSSED IN EXECUTIVE SESSION. Discussion and/or action to consider the appointment of Municipal Court Presiding Judge and authorize staff to execute Professional Services Agreement.

Mayor White announced that the Professional Services Agreement would be considered during the next Council meeting.

ITEM 5-A. HOLD A PUBLIC HEARING FOR THE CITY OF LOCKHART AND THE LOCKHART ECONOMIC DEVELOPMENT CORPORATION FISCAL YEAR 2022-2023 BUDGET.

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

Ms. Larison stated that the City Charter requires that the City Council hold one public hearing for the City of Lockhart Budget to allow for public comments. This is the final public hearing of the two recommended hearings to allow citizens an additional opportunity to comment on the proposed budget.

Mayor White requested citizens in favor of or against the proposed Fiscal Year 2022-2023 budget to address the Council. There were none. He closed the public hearing at 8:13 p.m.

ITEM 5-B. HOLD PUBLIC HEARING ON PROPOSED TAX RATE FOR 2022.

Mayor White opened the public hearing at 8:13 p.m.

Ms. Larison stated the City Council is required to hold a public hearing on the proposal to increase the tax revenues if the proposed tax rate exceeds the No New Revenue rate calculated by the Caldwell County Appraisal District. The public hearing is being held as a requirement by the Truth in Taxation laws of the State of Texas.

Mayor White requested citizens in favor of or against the proposed tax rate for 2022 to address the Council. There were none. He closed the public hearing at 8:15 p.m.

ITEM 5-C. HOLD A PUBLIC HEARING AND CONSIDER GRANTING A PETITION BY THOMAS STAUB ON BEHALF OF ROED PROP CO, LLC, AND DISCUSSION AND OR ACTION TO CONSIDER ORDINANCE 2022-36 ANNEXING 89.775 ACRES OUT OF THE J.A. NEILL SURVEY, ABSTRACT NUMBER 20, CALDWELL COUNTY, TEXAS LOCATED ON THE EAST SIDE OF FM 1322 APPROXIMATELY 2,600 FEET SOUTH OF SEAWILLOW ROAD, INCLUDING THE ADJACENT FM 1322 RIGHT-OF-WAY WHERE IT ABUTS THE CURRENT CITY LIMIT, APPROVING AN ANNEXATION SERVICE AGREEMENT FOR SAID PROPERTY, AND ASSIGNING THERETO A ZONING CLASSIFICATION OF AO AGRICULTURAL-OPEN SPACE DISTRICT AND AMENDING THE ZONING MAP ACCORDINGLY.

Mayor White opened the public hearing at 8:16 p.m.

Mr. Fowler stated that this item is to consider possible approval of an ordinance for the annexation of 89.775 acres located on the east side of FM 1322. The property is contiguous to the current city limits. The property is proposed to be developed as a residential subdivision. The property is uninhabited and is currently crop land. The property is not currently served by City of Lockhart water and wastewater utilities. As such, the extension of these services will be at the owner's expense, with a possible contribution by the city for a portion of the cost of the wastewater extension, including a force main and lift station, needed to support the proposed development type. In accordance with the sections of Chapter

43 of the Texas Local Government Code pertinent to annexations petitioned by the landowner, notice of the public hearing was advertised in the August 18, 2022, issue of the Lockhart Post Register and posted on the City website continuously since August 18, 2022. Additionally, notification letters have been sent to Lockhart ISD, Caldwell County, Caldwell County ESD 4, and other affected public entities. No comments have been received as a result of the notifications. An Annexation Service Agreement is included as an attachment to the ordinance. The service agreement details all city services that will be available to the developer at the time of annexation. Water and wastewater are listed as not currently serving the property in the Service Agreement. Staff has received a letter from Aqua Texas stating they would not object to the City serving the property and allowing the City to serve the site once waterlines have been extended. As the result of the annexation, the property will be zoned AO, Agricultural-Open Space District, effective upon annexation. The property owner plans to seek a zoning change to develop the site as a residential subdivision. The proposed annexation will also cause the Lockhart extraterritorial jurisdiction (ETJ) to extend further to the southeast as a result of the expanded city limit this annexation would create. There was discussion.

Mayor White requested citizens to address the Council regarding the annexation.

Dan Ross of Red Oak Development Group provided brief details about the proposed project. He requested approval.

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

Mayor Pro-Tem Sanchez made a motion to approve granting the petition for annexation, and approving Ordinance 2022-36, as presented. Councilmember Westmoreland seconded. The motion passed by a vote of 7-0.

ITEM 5-D. HOLD A PUBLIC HEARING ON APPLICATION ZC-22-20 BY BRAD LAUGHLIN ON BEHALF OF GARDEN GATE HOLDINGS OF LOCKHART, LLC AND DISCUSSION AND/OR ACTION TO CONSIDER ORDINANCE 2022-43 REQUESTING A ZONING CHANGE FROM RMD RESIDENTIAL MEDIUM DENSITY DISTRICT TO RHD RESIDENTIAL HIGH DENSITY DISTRICT ON 0.679 ACRE CONSISTING OF ALL OF LOTS 5 AND 6 IN BLOCK 2, A PART OF BLOCK 3, AND A PART OF A 15' ALLEY SITUATED BETWEEN BLOCK 2 AND BLOCK 3 OF REED'S ADDITION, LOCATED AT 200 S. RIO GRANDE STREET AND 203 CONCHO STREET.

Mayor White opened the public hearing at 8:23 p.m.

Mr. Fowler stated that the applicant has stated an intent to build several single family dwellings on a single lot on the subject property. The site's current RMD zoning does not permit more than one principal structure on a single lot, so the RHD district is being sought to allow the proposed development. The proposed housing could be aimed either at Lockhart ISD faculty and staff or senior citizens. The proposed zoning is not consistent with the site's Future Land Use Plan map's Medium Density Residential designation, but the proposed housing would be similar to the Greens Apartments next door, which are under the same ownership as the subject parcel. There are additional multifamily developments in the vicinity, including the three-building Stone Ridge apartment complex across Concho Street to the east. Two nearby residents spoke expressing concerns regarding the proposed zoning change during the public hearing. Mr. Fowler stated that the Planning and Zoning Commission and staff recommend approval.

Mayor White requested the applicant to address the Council.

Brad Laughlin of Garden Gate Holdings provided information about the development project. The goal of the project is to assist in providing additional single story housing for senior citizens and school staff in Lockhart.

Mayor White requested citizens in favor of or against the zoning change to address the Council. There were none. He closed the public hearing at 8:30 p.m.

Councilmember McGregor made a motion to approve Ordinance 2022-43, as presented. Mayor Pro-Tem Sanchez seconded. The motion passed by a vote of 7-0,

ITEM 5-E. HOLD A PUBLIC HEARING AND DISCUSSION AND/OR ACTION TO CONSIDER A TEXT AMENDMENT IN CHAPTER 64 "ZONING", APPENDIX I "SPECIFIC REQUIREMENTS FOR RESIDENTIAL DEVELOPMENT TYPES", TO DELETE THE LAST SENTENCE IN THE REMARKS COLUMN FOR THE PH-1 AND PH-2 DEVELOPMENT TYPES SO THAT PATIO HOMES WILL BE ALLOWED ON LOTS CREATED AFTER THE DATE OF ADOPTION OF ORDINANCE NO. 90-30 AS WELL AS ON LOTS EXISTING PRIOR TO THAT DATE. WITHDRAWN

Mayor White announced that the public hearing about the zoning text amendment was withdrawn.

ITEM 7-F. DISCUSSION AND/OR ACTION TO CONSIDER THE SCOPE OF A NEW OR UPDATED COMPREHENSIVE PLAN.

Mr. Gibson stated that this item is the first step in the process to adopt a new or updated comprehensive plan for Lockhart. It consists primarily of a summary of the items to be addressed in the content of the plan. It begins with background information about our current plan and how it has been used in the 22 years since it was adopted. Then, there is an outline of the major topics from the ten chapters of the current plan, with examples of issues addressed within each topic. The orange boxes contain suggested issues that could be included in a new plan that aren't covered in the current plan. Following the major topics from the current plan, there are three entirely new major topics or chapters listed that could also be included in the new plan. Finally, there is a summary of the typical major steps in the comprehensive planning process from establishing the scope to final adoption of the new plan by the City Council. There was discussion.

Mayor Pro-Tem Sanchez made a motion to authorize staff to proceed with the scope of a new or updated Comprehensive Plan. Councilmember Mendoza seconded. The motion passed by a vote of 7-0.

ITEM 6. CONSENT AGENDA.

Mayor Pro-Tem Sanchez made a motion to approve consent agenda items 6A, 6B and 6C. Councilmember McGregor seconded. The motion passed by a vote of 7-0.

The following are the consent agenda items that were approved:

- 6A: Approve minutes of the City Council meetings of August 2, 2022, August 16, 2022 and August 25, 2022.
- 6B: Approve revised Joint Election Agreement for Election Services with Caldwell County Elections Administrator to conduct the City of Lockhart's November 8, 2022 General Election.

6C: Approve Chapter 380 agreement with The Ziegenfelder Co. to provide incentives for economic development.

ITEM 7-A. DISCUSSION AND/OR ACTION REGARDING RESOLUTION 2022-32 FOR AN ECONOMIC DEVELOPMENT PERFORMANCE AGREEMENT AND PROPERTY SALE AGREEMENT FOR 2.468 ACRES IN LOCKHART INDUSTRIAL PARK II WITH WARELOCK PARTNERS 2, LLC.

Councilmember Michelson made a motion to approve Resolution 2022-32, as presented. Councilmember Westmoreland seconded. The motion passed by a vote of 7-0.

ITEM 7-B. DISCUSSION AND/OR ACTION OF THE CITY COUNCIL TO CONSIDER ORDINANCE 2022-40 ADOPTING THE CITY OF LOCKHART'S ANNUAL OPERATING BUDGET FOR FISCAL YEAR 2022-2023 AND APPROPRIATING RESOURCES, BEGINNING OCTOBER 1, 2022, ENDING SEPTEMBER 30, 2023, FOR THE CITY OF LOCKHART, CALDWELL COUNTY, TEXAS AND THE LOCKHART ECONOMIC DEVELOPMENT CORPORATION AND ADOPTING THE CITY'S INVESTMENT POLICY, FINANCIAL POLICY, AND FUND BALANCE - STABILIZATION AND EXCESS OF RESERVES POLICIES.

Councilmember McGregor made a motion to approve Ordinance 2022-40, as presented. Councilmember Michelson seconded. The motion passed by a vote of 7-0.

ITEM 7-C. DISCUSSION AND/OR ACTION TO CONSIDER ORDINANCE 2022-41 LEVYING MAINTENANCE AND OPERATIONS PROPERTY TAXES FOR THE USE AND SUPPORT OF THE CITY OF LOCKHART, TEXAS AND INTEREST AND SINKING PROPERTY TAXES FOR THE DEBT SERVICE OBLIGATIONS OF THE CITY OF LOCKHART, CALDWELL COUNTY, TEXAS FOR FISCAL YEAR 2023, BEGINNING OCTOBER 1, 2022 AND ENDING SEPTEMBER 30, 2023.

Mayor White made a motion that the maintenance and operations rate be adopted at \$0.4504 per \$100 of assessed value as indicated/listed in Ordinance 2022-41, thereby adopting said ordinance. Mayor White also made a motion that the interest and sinking rate be adopted at \$0.1502 per \$100 of assessed value as indicated/listed in Ordinance 2022-41, thereby adopting said ordinance. Councilmember Bryant seconded both motions. The motion passed by a vote of 7-0.

ITEM 7-D. DISCUSSION AND/OR ACTION TO CONSIDER ORDINANCE 2022-42 REPEALING UNCODIFIED ORDINANCE 2021-29 IN ITS ENTIRETY AND ADOPTING THIS ORDINANCE REGARDING THE CITY PERSONNEL POLICY MANUAL; REMOVING PERFORMANCE OR MERIT PAY FOR POLICE AND FIRE PERSONNEL AND ADOPTING A STEP PAY PLAN FOR POLICE AND FIRE DEPARTMENTS UNDER CIVIL SERVICE.

Mayor Pro-Tem Sanchez made a motion to approve Ordinance 2022-42, as presented. Councilmember Mendoza seconded. The motion passed by a vote of 7-0.

ITEM 7-E. CONSIDERATION AND ACTION TO APPROVE RESOLUTIONS TO CONSENT TO THE INCLUSION OF CITY ETJ LAND IN THE CALDWELL CO. MUD NO. 2. (RESOLUTION NO. 2022-30 FOR 32.486 ACRES REQUESTED BY JAKOVICH INTERESTS, LLC AND RESOLUTION NO. 2022-31 FOR 135.731 ACRES REQUESTED BY PH LAND HOLDINGS, LLC.)

Councilmember McGregor made a motion to approve Resolutions 2022-30 and 2022-31 consenting to the inclusion of city extraterritorial jurisdiction land in the Caldwell County MUD No. 2, as presented. Councilmember Michelson seconded. The motion passed by a vote of 7-0.

ITEM 7-G. DISCUSSION AND/OR ACTION TO CONSIDER ADOPTING AERONAUTICAL MINIMUM STANDARDS FOR COMMERCIAL AND NON-COMMERCIAL OPERATORS AT THE LOCKHART MUNICIPAL AIRPORT.

Mr. Kelley stated that the Lockhart Municipal Airport currently does not have adopted comprehensive minimum standards for commercial and non-commercial operations. Airport standards set forth the minimum requirements for individuals or entities wishing to provide aeronautical services to the public on a publicly-used airport. They must meet the minimum standards to provide those services. The minimum standards would be used to regulate conduct at the airport and specify provisions that will be included in the airport leases, permits or concession agreements, and apply uniformly to all persons operating at the airport.

Established minimum standards provide a host of benefits to municipal airports, such as:

- Safe operating environments.
- Higher quality of services for the public.
- Airport sponsors can avoid conflicts and political entanglements.
- Orderly and efficient development of the airport and its services.
- Helps maintain compliance with Federal Grant Assurances.
- Protects the airport sponsor by ensuring services provided maintain a minimum level of insurance coverage.

The proposed minimum standards provide the following:

- Ensures compliance with all Federal, State, and local laws, including building and applicable zoning codes.
- Fixed-Based Operator (FBO) Building sizes (Minimum of 2,000 SF).
- Hours of operation requirements for fueling (7 days a week, 9/hour day minimum).
- Equipment required for operations (fueling, etc.).
- Insurance requirements that meet FAA standards.
- Establishes an Airport Business Permit Application process that includes qualifications, consistency with the Municipal Airport Layout Plan, submission of a business plan and inclusion of a financial package that demonstrates the capital necessary to provide desired operations.
- Establishes guidelines for operating specific businesses such as sales, mechanics, rental services, charter services, aerial applicators, and washing services.
- Maintenance duties of each lessee (mowing, debris removal and free of hazards).
- Creates uniform leasing practices.
- Requires the commencement of construction on land leases to begin within one year of lease and completion of the minimum improvements to be completed within one year after construction commences.
- Protects the airport sponsor by ensuring services provided maintain a minimum level of insurance coverage.

Mr. Kelley stated that all new contracts will be written to the standards applicable at the time. If a new contract gives an economic advantage to a new FBO, the City may renegotiate its contract with the disadvantaged FBO. Existing lease agreements will remain in place as described in their current lease agreement, no modification will be required on existing FBO's and land leases. There was discussion,

Mayor Pro-Tem Sanchez made a motion to approve adoption of Aeronautical Minimum Standards for Commercial and Non-Commercial operators at the Lockhart Municipal Airport. Councilmember McGregor seconded. The motion passed by a vote of 7-0.

ITEM 7-H. DISCUSSION AND/OR ACTION TO CONSIDER THE SELECTION OF FOUR CANDIDATES FOR PLACES 6-9 OF THE TML INTERGOVERNMENTAL RISK POOL BOARD OF TRUSTEES.

Mayor White recommended selecting the following:

Place 6 - Allison Hayward

Place 7 – Mary Dennis

Place 8 – Mike Land

Place 9 – Opeal Mauldin-Jones

Mayor White made a motion to mark the ballot as indicated above. Councilmember Michelson seconded. The motion passed by a vote of 7-0.

ITEM 7-I. DISCUSSION AND/OR ACTION TO CONSIDER THE NOMINATION OF YOLANDA STREY TO THE LOCKHART ECONOMIC DEVELOPMENT CORPORATION BY COUNCILMEMBER DAVID BRYANT WITH A TERM TO EXPIRE IN NOVEMBER 2022.

Mayor Pro-Tem Sanchez made a motion to appoint Yolanda Strey to the Lockhart Economic Development Corporation. Councilmember Bryant seconded. The motion passed by a vote of 7-0.

ITEM 7-J. DISCUSSION AND/OR ACTION TO CONSIDER THE NOMINATION OF THOMAS HUGHES TO THE AIRPORT ADVISORY BOARD BY COUNCILMEMBER KARA MCGREGOR WITH A TERM TO EXPIRE IN NOVEMBER 2023.

Councilmember McGregor made a motion to appoint Thomas Hughes to the Airport Advisory Board. Mayor Pro-Tem Sanchez seconded. The motion passed by a vote of 7-0.

ITEM 7-K. DISCUSSION REGARDING MATTERS RELATED TO COVID-19.

There was no discussion.

ITEM 8. CITY MANAGER'S REPORT, PRESENTATION AND POSSIBLE ACTION.

- Cemetery Cleanup - October 3-7.
- Citywide Bulk Cleanup - Saturday, October 15.
- Splash Pad closes September 30th.

ITEM 9. COUNCIL AND STAFF COMMENTS - ITEMS OF COMMUNITY INTEREST.

Councilmember Mendoza congratulated Lisa Contreras for accomplishments in boxing. He invited citizens to contact him with concerns.

Mayor Pro-Tem Sanchez expressed condolences to the families of Barbara Kay Smith Stroud, Raul Caudillo, Abraham Serrato, Jr., Hippolito “Polo” Ruiz, and Jimmy Rector for their loss. She wished the Lions Varsity football team best of luck and she invited all to the Diez y Seis event next weekend.

Councilmember Bryant wished the Hispanic Chamber good luck for a successful Diez y Seis event next weekend.

Mayor White requested that an item be placed on the next agenda recognizing the Lockhart ISD Board of Trustees for being awarded the Region 13 Board of the Year by the Texas Association of School Administrators. He also invited all to attend presentation of a proclamation during the Diez y Seis event. He wished the Lockhart Lions football team luck.

ITEM 10. ADJOURNMENT.

Mayor Pro-Tem Sanchez made a motion to adjourn the meeting. Councilmember Mendoza seconded. The motion passed by a vote of 7-0. The meeting was adjourned at 9:22 p.m.

PASSED and APPROVED this the 18th day of October 2022.

CITY OF LOCKHART

Lew White, Mayor

ATTEST:

Connie Constancio, TRMC
City Secretary

**REGULAR MEETING
LOCKHART CITY COUNCIL**

SEPTEMBER 20, 2022

6:30 P.M.

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

Council present:

Mayor Pro-Tem Angie Gonzales-Sanchez
Councilmember Juan Mendoza
Councilmember Jeffry Michelson

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

Staff present:

Steven Lewis, City Manager
Monte Akers, City Attorney
Pam Larison, Finance Director
Julie Bowermon, Civil Service/HR Director
David Fowler, Senior Planner
Randy Jenkins, Fire Chief

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

Citizens/Visitors Addressing the Council: Lockhart Independent School District Board of Trustees: Michael Wright, Barbara Sanchez, Rene Rayos, Warren Burnett, and Sam Lockhart; Mark Estrada, Lockhart ISD Superintendent; Samuel Marquez of the LISD GEAR UP Program; Paige Johnson of Seton Children's Care-a-Van; Robert Haedge; Chris Van Heerde of HMT Engineering; Joseph Theriot of Republic Engineering; and Citizens: Lois Jones and Sharon Truitt.

Work Session 6:30 p.m.

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

DISCUSSION ONLY

Mayor White acknowledged and congratulated the Lockhart Independent School (LISD) Board of Trustees for being awarded the Region 13 Board of the year by the Texas Association of School Administrators.

A. PRESENTATION OF A PROCLAMATION PROCLAIMING SEPTEMBER 26-30, 2022 AS NATIONAL GEAR UP WEEK IN LOCKHART.

Mayor White presented a proclamation to the Lockhart ISD School Board of Trustees and LISD teachers.

B. PRESENTATION BY MARK ESTRADA, LOCKHART INDEPENDENT SCHOOL DISTRICT (LISD) SUPERINTENDENT, ABOUT THE LISD BOND/VATRE ELECTION.

Mark Estrada, Lockhart ISD Superintendent, provided information regarding the LISD Bond/VATRE Election. There was discussion.

C. RECEIVE UPDATE AND DISCUSS SUPPORT OF THE CHILDREN'S CARE-A-VAN PROGRAM.

Paige Johnson of the Seton Children's Care-a-Van provided an update about the medical services that the van provides to children in the community. She requested a contribution in the amount of \$2,500 towards the endowment. There was discussion.

H. DISCUSS PROFESSIONAL SERVICES AGREEMENT AND APPOINTMENT OF ROBERT A. HAEDGE AS MUNICIPAL COURT PRESIDING JUDGE.

Ms. Bowermon stated that the Council interviewed Mr. Haedge during the previous Council meeting and elected to pursue with a Professional Services Agreement. 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. Mr. Haedge's background check is very favorable.

Mr. Haedge thanked the Council for their consideration and stated that he looked forward to working with the community to provide fair justice proceedings.

RECESS: Mayor White announced that the Council would recess for a break at 7:35 p.m.

REGULAR MEETING

ITEM 1. CALL TO ORDER.

Mayor Lew White called the meeting to order at 7:48 p.m.

ITEM 2. INVOCATION, PLEDGE OF ALLEGIANCE.

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

ITEM 3. PUBLIC COMMENT.

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

ITEM 4-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).

Mayor White opened the public hearing at 7:48 p.m.

Mr. Fowler stated that 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. 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. Mr. Fowler stated that the Planning and Zoning Commission and staff recommend approval. There was discussion.

Mayor White requested the applicant to address the Council.

Chris Van Heerde of HMT Engineering provided details and there was discussion regarding the proposed development. He requested approval.

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

Mayor White requested citizens against the zoning change to address the Council.

Lois Jones, 200 State Park Road, spoke against the zoning change because of increased traffic.

Mayor White requested additional citizens to address the Council. There were none. He closed the public hearing at 8:08 p.m.

There was discussion.

Councilmember McGregor made a motion to approve Ordinance 2022-44, as presented. Councilmember Bryant seconded. The motion passed by a vote of 7-0.

ITEM 4-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).

Mayor White opened the public hearing at 8:10 p.m.

Mr. Fowler stated that 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. Mr. Fowler stated that the Planning and Zoning Commission and staff recommend approval.

Mayor White requested the applicant to address the Council.

Joseph Theriot of Republic Engineering provided information and there was discussion about the proposed development and the access points in and out onto SH 142.

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

Sharon Truitt, owner, spoke in favor of the zoning change. She stated that she decided to sell the property because it is surrounded by apartment complexes and new developments.

Mayor White requested citizens against the zoning change to address the Council. There were none. He closed the public hearing at 8:25 p.m.

Councilmember Westmoreland made a motion to approve Ordinance 2022-45, as presented. Councilmember McGregor seconded. The motion passed by a vote of 7-0.

ITEM 4-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”.

Mayor White opened the public hearing at 8:25 p.m.

Mr. Gibson stated that 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-i 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. Mr. Gibson stated that the Planning and Zoning Commission and staff recommend approval.

Mayor White requested citizens in favor of or against the zoning text amendments to address the Council. There were none. He closed the public hearing at 8:43 p.m.

Councilmember Michelson made a motion to approve Ordinance 2022-46, as presented. Councilmember Mendoza seconded. The motion passed by a vote of 7-0

ITEM 5. CONSENT AGENDA.

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

ITEM 5-A. APPROVE RESOLUTION 2022-33 EXTENDING THE DEPOSITORY AGREEMENT WITH FIRST LOCKHART NATIONAL BANK FOR THE PERIOD OCTOBER 15, 2022 THROUGH OCTOBER 14, 2024.

Ms. Larison stated that 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.

Councilmember Westmoreland made a motion to approve Resolution, 2022-23, as presented. Councilmember Mendoza seconded. The motion passed by a vote of 6-0-1, with Councilmember Michelson abstaining.

ITEM 5-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.

Chief Jenkins stated that 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. There was discussion.

Councilmember Michelson made a motion to approve the purchase of a 2024 Spartan Fire, LLC, as presented. Councilmember Mendoza seconded. The motion passed by a vote of 7-0.

ITEM 5-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.

Mr. Kelley stated that 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 identified for the improvement project 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
- Persimmon Street from Neches Street to Sabine Street

Mr. Kelley stated that 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.

Mayor Pro-Tem Sanchez made a motion to approve awarding the bid to Fuquay, Inc. of New Braunfels, as presented. Councilmember Mendoza seconded. The motion passed by a vote of 7-0.

ITEM 6-A. RECEIVE UPDATE AND CONSIDER SUPPORT OF THE CHILDREN'S CARE-A-VAN PROGRAM.

Councilmember Westmoreland made a motion to table consideration of support to the Children's Care-A-Van program until the October 18, 2022 Council meeting. Councilmember McGregor seconded. The motion passed by a vote of 7-0.

ITEM 6-B. DISCUSSION AND/OR ACTION REGARDING RESOLUTION 2022-34 FOR AN ECONOMIC DEVELOPMENT PERFORMANCE AGREEMENT WITH THE ZIEGENFELDER COMPANY.

Ms. Larison stated that the item is brought to the Council to consider the Performance Agreement that will reimburse the company up to \$50,000 towards an electric transformer. The company is 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.

Councilmember Michelson made a motion to approve Resolution 2022-34, as presented. Councilmember Westmoreland seconded. The motion passed by a vote of 7-0.

ITEM 6-C. DISCUSSION AND/OR ACTION TO CONSIDER PROFESSIONAL SERVICES AGREEMENT AND APPOINTMENT OF ROBERT A. HAEDGE AS MUNICIPAL COURT PRESIDING JUDGE.

Mr. Lewis stated that if approved, Mr. Haedge will begin on October 1, 2022. Judge Sojak will train Mr. Haedge of the Municipal Court Presiding Judge duties.

Mayor Pro-Tem Sanchez made a motion to approve the Professional Services Agreement with Robert A. Haedge as Municipal Court Presiding Judge. Councilmember McGregor seconded. The motion passed by a vote of 7-0.

ITEM 6-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).

Mayor White stated that he and Councilmember Michelson have served and recommended that they continue.

Councilmember Westmoreland made a motion to appoint Mayor Lew White and Councilmember Jeffry Michelson to the CAPCOG General Assembly. Councilmember Mendoza seconded. The motion passed by a vote of 7-0.

ITEM 6-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.

Mr. Akers stated that 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. There was discussion and revisions to the ordinance.

CONSENSUS: After discussion, the consensus of the Council was to direct the City Attorney to return with a revised ordinance during the next Council meeting.

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

Mayor White encouraged everyone to stay safe.

ITEM 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.

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

Councilmember Westmoreland expressed condolences to the family of Jim Sells for their loss.

Councilmember Mendoza expressed condolences to the family of Jim Sells for their loss. He thanked the group that cleaned and painted over the graffiti at Old Carver school.

Mayor Pro-Tem Sanchez expressed condolences to the families of Domingo Fernandez, Jr., Loretha Renee Taylor, Jim Sells, and Myrtle Moore for their loss. She congratulated the Hispanic Chamber for a successful Diez y Seis event. She wished the Lockhart Lion football team good luck during the homecoming game. She expressed Happy Birthday wishes to Councilmember Juan Mendoza.

Councilmember McGregor expressed Happy Birthday wishes to Councilmember Mendoza. She thanked the Hispanic Chamber and Courthouse Nights for a successful Diez y Seis event.

Councilmember Michelson expressed condolences to the family of Jim Sells for their loss. He congratulated the Hispanic Chamber for a successful Diez y Seis event. He wished the Lockhart Lion football team good luck during the homecoming game.

Mayor White expressed condolences to the family of Jim Sells for their loss. He also congratulated the Hispanic Chamber for a successful Diez y Seis event. He wished the Lockhart Lion football team good luck during the homecoming game.

ITEM 9. ADJOURNMENT.

Mayor Pro-Tem Sanchez made a motion to adjourn the meeting. Councilmember Mendoza seconded. The motion passed by a vote of 7-0. The meeting was adjourned at 9:35 p.m.

PASSED and APPROVED this the 18th day of October 2022.

CITY OF LOCKHART

Lew White, Mayor

ATTEST:

Connie Constancio, TRMC, City Secretary

City of Lockhart, Texas

Council Agenda Item Cover Sheet

COUNCIL MEETING DATE: October 18, 2022

AGENDA ITEM CAPTION: Approve an agreement with Lower Colorado River Authority (LCRA) and McCoy Tree Service for tree trimming in the right-of-way and utility easements.

ORIGINATING DEPARTMENT AND CONTACT: Electric - Bobby Leos

ACTION REQUESTED: Agreement

BACKGROUND/SUMMARY/DISCUSSION: It is recommended that the City continue the tree trimming program with McCoy Tree Service in an effort to reduce voltage flickers, outages, losses, and to improve public safety and satisfaction. Trees and tree limbs falling onto power lines is the most common cause of outages. Downed power lines caused by falling trees are a public safety hazard.

McCoy Tree Service specializes in vegetation management for the electric utility industry. Their pruning methods comply with industry standards for safety and tree care, and are endorsed by the International Society of Arboriculture and Tree Care Industry. There is no charge to customers for the service.

PROJECT SCHEDULE (if applicable): Approximately 9 weeks with a 7 person crew

AMOUNT & SOURCE OF FUNDING:

Funds Required: \$130,257.54

Account Number: 500-5745-299

Funds Available: 130,257.54

Account Name: Other Contracts & Services

FISCAL NOTE (if applicable):

PREVIOUS COUNCIL ACTION:

COMMITTEE/BOARD/COMMISSION ACTION:

STAFF RECOMMENDATION/REQUESTED MOTION: Electric Superintendent recommends continued service with McCoy Tree Service.

LIST OF SUPPORTING DOCUMENTS: Lockhart-Tree-contract-9.2.2022

**CUSTOMER
SERVICES CONTRACT**

CUSTOMER:
City of Lockhart
P.O. Box 239
Lockhart, Texas 78644
Attn: Bobby Leos

DATE SUBMITTED: September 2, 2022

SCOPE OF SERVICES:

JOB NUMBER:

The Lower Colorado River Authority ("LCRA") will provide the Customer access to LCRA's tree trimming services contract (the "Agreement") with McCoy Tree Surgery ("McCoy"). The City will specify which lines McCoy is to clear prior to the start of work.

Per hour rates will depend on individual classification of each employee. (See attached rate schedule). McCoy will bill Customer directly, on a weekly basis, and Customer will pay invoices directly to McCoy in accordance with the terms and conditions of the Agreement.

Scope of Tree Trimming: Estimated at about 10 crew-weeks of trimming
Estimated Services Value: \$ 124,054.80 per year (direct charge from McCoy) **Total Amount of Services**
(includes LCRA Fee): \$ 130,257.54 **Estimate**

See Attached Terms and Conditions.

SCHEDULE:

Customer and McCoy will determine a mutually acceptable time for the start of services. Services will be scheduled to be agreeable to the city and contractor, TBD.

CONTRACT PRICE:

LCRA Administration Fee: \$ 6,202.74
The Administration Fee will be added to the Customer's monthly power bill upon execution of contract.
(or invoiced direct as applicable).

Customer and the Lower Colorado River Authority agree that the work described above shall be performed in accordance with the terms and conditions on the front and reverse (or attached) sides of this form.

City of Lockhart

Lower Colorado River Authority

By: By: _____

Title: _____

Sam Wooldard

Title: _____
VP, Trans Const & Maintenance

Date: _____

Date: _____

OFFICE USE ONLY

Approved By: Accounting: _____

0

Completion Date: _____

Personnel Level	Rates	1	2021 Rate
Supervisor/General Foreperson	\$ 50.53	1	\$ 50.53
Foreperson	\$ 40.00	1	\$ 40.00
Trimmer	\$ 34.30	1	\$ 34.30

Equipment

Chain Saws (each)	0.92	1	\$ 0.92
Bucket Truck with Chip bed	15.3	1	\$ 15.30
Chipper	5.82	1	\$ 5.82
GF PickUp	10.97	1	\$ 10.97

Crew Rate (using Max Rates)

Supervisor/General Foreperson	\$ 50.53	1	\$ 50.53
GF PickUp	\$ 10.97	1	\$ 10.97
Foreperson	\$ 40.00	2	\$ 80.00
Trimmer	\$ 34.30	4	\$ 137.20
Chain Saws (each)	\$ 0.92	6	\$ 5.52
Bucket Truck with Chip bed	\$ 15.30	2	\$ 30.60
Chipper	\$ 5.82	2	\$ 11.64

Total Hourly Crew Rate		\$ 326.46
Total Weekly Crew Rate		\$ 13,058.40

Total weeks (estimated)	9.5	\$ 124,054.80
-------------------------	-----	---------------

Total Trimmers	7
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Includes per diem costs for Lodging and meals

Total (using max rates)	\$ 124,054.80	Note: This is the estimated direct
Average/week	\$ 13,058.40	charge from McCoy

Actual Charges according to the rate schedule will be billed.

LCRA will bill a fee to cover the cost of scheduling and administering the program

The Administration fee is: \$ 6,202.74

FOR BUDGETING PURPOSES ONLY

Total (LCRA and McCoy)	\$ 130,257.54	7 PERSON CREW
Total (LCRA and McCoy) weekly avg.	\$ 13,711.32	

TERMS AND CONDITIONS

The Lower Colorado River Authority ("LCRA") will provide the Customer access to LCRA's tree trimming services contract (the "Agreement") with McCoy Tree Surgery ("McCoy").

LCRA will add a fee to Customer's wholesale power bill to cover administration of this program. The fee is noted on the front of the contract.

The services under this Customer Services Contract are provided pursuant to the Technical Services Agreement between LCRA and the City, dated December 11, 1979 and under the authority of Chapter 791 of the Texas Government Code, Chapter 271, Subchapter F of the Texas Local Government Code, and in furtherance of LCRA's statutory and constitutional authority to provide electric utility services. The purpose of this Customer Services Contract is to increase the reliability of electric service within Customer's service territory, and to realize savings and efficiencies by cooperatively procuring services.

Customer will purchase services from McCoy under the same terms and conditions and pricing contained in the Agreement. All orders and payments for such purchases will be issued directly from Customer to McCoy, and McCoy will provide the services and associated invoices directly to Customer. LCRA is not a party to, and will in no way be responsible to either Customer or McCoy for, such orders, including without limitation any payments, performance, costs, expenses, losses or damages arising from such transactions between McCoy and Customer. Customer releases LCRA from any liability associated with Customer's transactions under the Agreement.

Customer represents that (i) all payments made pursuant to this Customer Services Contract will be paid from current revenues and (ii) it has the authority to enter into this Customer Services Contract.



City of Lockhart, Texas

Council Agenda Item Cover Sheet

COUNCIL MEETING DATE: October 18, 2022

AGENDA ITEM CAPTION: Approve Hotel Occupancy Tax (HOT) application from Hill Country Cook-off Association.

ORIGINATING DEPARTMENT AND CONTACT: Finance - Pam Larison

ACTION REQUESTED: Other

BACKGROUND/SUMMARY/DISCUSSION: On September 14, 2022, a special meeting of the HOT Advisory Board was called to consider the request for funding from Hill Country Cook-off Association. The request was for \$2,000 to be used for advertising, solicitations, promotional programs to attract tourists and convention delegates or registrants to Lockhart. The Board voted 5-0 to recommend the approval for funding and a new one-year contract with Hill Country Cook-off Association and the City of Lockhart.

The contract requires Hill Country Cook-off Association to use the City of Lockhart's logo in all print and media advertising.

PROJECT SCHEDULE (if applicable):

AMOUNT & SOURCE OF FUNDING:

Funds Required: \$2,000

Account Number: 220-5199-299-00

Funds Available: \$75,000

Account Name: Hotel/Motel Fund Balance

FISCAL NOTE (if applicable):

PREVIOUS COUNCIL ACTION:

COMMITTEE/BOARD/COMMISSION ACTION:

STAFF RECOMMENDATION/REQUESTED MOTION: The HOT Advisory Board recommended funding of \$2,000 to Hill Country Cook-off Association for the year of 2022.

LIST OF SUPPORTING DOCUMENTS: Hill Country Cook-off Association Application for Funding

FUNDING APPLICATION FORM

HOTEL OCCUPANCY TAX USE GUIDELINES UNDER TEXAS STATE LAW



State Law: By law of the State of Texas, the City of Lockhart collects a Hotel Occupancy Tax (HOT) from hotels, bed & breakfasts, and other lodging facilities. Under state law, the revenue from the HOT may be used only to directly promote tourism and the hotel and convention industry. **Chapter 351 of the Tax Code states that the use of HOT funds is limited to:**

- a) **Convention Centers and Visitor Information Centers:** the acquisition of sites for and the construction, improvement, enlarging, equipping, repairing operation and maintenance of convention center facilities or visitor information centers, or both;
- b) **Registration of Convention Delegates:** the furnishing of facilities, personnel, and materials for the registration of convention delegates or registrants;
- c) **Advertising, Solicitations and Promotions that Directly Promote Tourism and the Hotel and Convention Industry:** advertising and conducting solicitations and promotional programs to attract tourists and convention delegates or registrants to the municipality or its vicinity;
- d) **Promotions of the Arts that Directly Promote Tourism and the Hotel and Convention Industry:** the encouragement, promotion, improvement, and application of the arts that can be shown to have some direct impact on tourism and the hotel/convention industry. The impact may be that the art facility or event can show hotel nights that are booked due to their events or that guests at hotels attend the arts event. Eligible forms of art include instrumental and vocal music, dance, drama, folk art, creative writing, architecture, design and allied fields, painting, sculpture photography, graphic and craft arts, motion picture, radio, television, tape and sound recording, and other arts related to the presentation, performance, execution, and exhibition of these major art forms.
- e) **Historical Restoration and Preservation Activities that Directly Promote Tourism and the Hotel and Convention Industry:** historical restoration and preservation projects or activities or advertising and conducting solicitation and promotional programs to encourage tourists and convention delegates to visit preserved historic sites or museums.
- f) **Sporting Event Expenses that Substantially Increase Economic Activity at Hotels:** Expenses including promotional expenses, directly related to a sporting event in which the majority of participants are tourists. The event must substantially increase economic activity at hotels within the city or its vicinity.
- g) **Funding transportation systems for transporting tourists from hotels to and near the city to any of the following destinations:**
 - 1. the commercial center of the city;
 - 2. a convention center in the city;

*Received
8/19/22*

- 3. other hotels in or near the city; or
- 4. tourist attractions in or near the city.

The law specifically prohibits the use of the local hotel tax to cover the costs for general city transit costs to transport the general public.

- h) Signage directing tourists to sights and attractions that are visited frequently by hotel guests in the municipality.**

City Policy: The City of Lockhart accepts applications from groups and businesses whose program fits into one or more of the above categories. All requests for funds should be submitted by the official application. The application will be reviewed by the City of Lockhart's HOT Advisory Board at a regularly scheduled meeting. The applicant may choose to be present at the meeting to answer any questions regarding the application.

Based on the application, the City of Lockhart's HOT Advisory Board will make a recommendation to the City Council. The City Council will make the final decision on your request.

Eligibility and Priority for Hotel Tax Funds: Priority will be given to those events and entities based on their ability to generate overnight visitors to the City of Lockhart. Events can prove this potential to generate overnight visitors by:

- a) **historic information on the number of room nights used during previous years of the same events;**
- b) **current information on the size of a room block that has been reserved at area hotels to accommodate anticipated overnight guests attending the funded event;**
- c) **historical information on the number of guests at hotel or other lodging facilities that attended the funded event (through surveys, guest directories, or other sources; and/or**
- d) **examples of the planned marketing of the programs and activities that will likely generate overnight visitors to local lodging properties from this event.**

Use of Revenues from Event: A portion of the revenues from any event and/or project receiving any type of funding assistance from the HOT funds should be channeled back into the future costs of operating that same event or the continued operation of the project.



Supplemental Information Required With Application: Along with the application, please submit the following:

- ☒ Proposed Marketing Plan for Funded Event
- ☒ Schedule of Activities or Events Relating to the Funded Project

Submit to: City of Lockhart HOT Advisory Board
c/o Finance Department
P.O. Box 239
Lockhart, TX 78644



ApplicationDate: 8-16-2022**Organization Information**Name of Organization: Hill Country Cook-off AssociationAddress: 102 CAPISTRANO DRCity, State, Zip: SAN MARCOS TX 78666Contact Name: RICHARD ANZALDUA Contact Phone Number: 512-644-0881Web Site Address for Event or Sponsoring Entity N/ANon-Profit or For-Profit status: 501 c 3 Tax ID #: 46-1967558Entity's Creation Date: 2-6-2013Purpose of your organization: HELPING families IN CENTRAL TEXAS DEALING
WITH KIDSWITH CANCER, HECO KIDS WITH CANCER PROJECTS**Event Information**Name of Event or Project: Hill Country State Championship BBQ CookoffDate of Event or Project: NOV 18-19Primary Location of Event or Project: LOCKHART CITY PARKAmount Requested: \$ 2,000How will the funds be used: To Pay for Newspaper Ads, flyer
And Posters to Promote Event,
RADIO Advertisement, custom Banners Promoting
Event,
DIRECT mailing cost to out of town Recipients

Primary Purpose of Funded Activity/Facility:

Percentage of Hotel Tax Support of Related Costs

100 Percentage of Total Event Costs Covered by Hotel Occupancy Tax

0 Percentage of Total Facility Costs Covered by Hotel Occupancy Tax for the Funded Event

0 Percentage of Staff Costs Covered by Hotel Occupancy Tax for the Funded Event

If staff costs are covered, estimate percentage of time staff spends annually on the funded event(s) compared to other activities _____%

Which Category or Categories Apply to Funding Request, and Amount Requested Under Each Category:

- ☐ **a) Convention Center or Visitor Information Center:** construction, improvement, equipping, repairing, operation, and maintenance of convention center facilities or visitor information centers, or both. Amount requested under this category: \$ _____
- ☐ **b) Registration of Convention Delegates:** furnishing of facilities, personnel, and materials for the registration of convention delegates or registrants. Amount requested under this category: \$ _____
- ☒ **c) Advertising, Solicitations, Promotional programs to attract tourists and convention delegates or registrants** to the municipality or its vicinity. Amount requested under this category: \$ 2,000
- ☐ **d) Promotion of the Arts that Directly Enhance Tourism and the Hotel & Convention Industry:** the encouragement, promotion, improvement, and application of the arts that can be shown to have some direct impact on tourism and the hotel/convention industry. The impact may be that the art facility or event can show hotel nights that are booked due to their events or that guests at hotels attend the arts event. Eligible forms of art include instrumental and vocal music, dance, drama, folk art, creative writing, architecture, design and allied fields, painting, sculpture photography, graphic and craft arts, motion picture, radio, television, tape and soundrecording,



and other arts related to the presentation, performance, execution, and exhibition of these major art forms : \$ _____

- ☐ e) Historical restoration and preservation projects or activities or advertising and conducting solicitation and promotional programs to encourage tourists and convention delegates to visit preserved historic sites or museums. Amount requested under this category: \$ _____



- ☒ f) Expenses including promotional expenses, directly related to a sporting event in which the majority of participants are tourists. The event must substantially increase economic activity at hotels within the city or its vicinity. Amount requested under this category:

\$ 2,000

How many individuals are expected to participate in the sporting related event? 1500

How many of the participants at the sporting related event are expected to be from another city or county? 900

Quantify how the sporting related event will substantially increase economic activity at hotels within the city or its vicinity?

Families come INTO LOCKHART for the event, ITS
A 2 DAY EVENT, They Rent Hotels and EAT AT LOCAL
RESTAURANTS and VISIT THE DOWNTOWN SHOPS, buy GAS and GROCERIES

- ☐ g) Funding transportation systems for transporting tourists from hotels to and near the city to any of the following destinations: 1) the commercial center of the city; 2) a convention center in the city; 3) other hotels in or near the city; and 4) tourist attractions in or near the city. Amount requested under this category: \$ _____

What sites or attractions will tourists be taken to by this transportation? _____

Will members of the general public (non-tourists) be riding on this transportation? _____

What percentage of the ridership will be local citizens? _____

- ☐ h) Signage directing tourists to sights and attractions that are visited frequently by hotel guests in the municipality. Amount requested under this category: \$ _____

What tourist attractions will be the subject of the signs?



Questions for All Funding Request Categories:

1. How many years have you held this Event or Project: 16 years
2. Expected Attendance: 1500
3. How many people attending the Event or Project will use City of Lockhart hotels? 300
Number of the people many nights will they stay: 2
4. Do you reserve a room block for this event at an area hotel and if so, for how many rooms and at which hotels: we block off 10 Rooms of each Hotel, Lockhart Inn, OYO, Best Western

5. List other years (over the last three years) that you have hosted your Event or Project with amount of assistance given from HOT and the number of hotel rooms used:

Month/Year Held	Assistance Amount	Number of Hotel Rooms Used
<u>Oct 22</u>	<u>2,000</u>	<u>60 (Estimated)</u>
<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>

6. How will you measure the impact of your event on area hotel activity (e.g.; room block usage Information, survey of hoteliers, etc.)? USE A PASS CODE WHEN THEY REGISTER, GET COUNT AFTER EVENT.
7. Please list other organization, government entities, and grants that have offered financial support to your project: NONE



8. Will the event charge admission? Do you anticipate a net profit from the event? If there is a net profit, what is the anticipated amount and how will it be used?

NO ADMISSION ONTO GROUNDS -

COOK TEAMS PAY A ENTRY FEE

NET PROFIT, HOPEFULLY 10,000 - BENEFITTING

COMMUNITY ACTION BREAST CANCER AWARENESS PROGRAM.

9. Please list all promotion efforts your organization is coordinating and the amount financially committed to each media outlet:

Newspaper: \$ ~~500~~ 200

Radio: \$ 1000

TV: \$ 5

Other Paid Advertising: \$ 500

Number of Press Releases to Media _____

Number Direct Mailings to out-of-town recipients 200 Poster Design

Other Promotions Flyers, Posters, over the street Banners

10. Will you include a link to local hotels on your website for booking during this event?

YES

11. Will you negotiate a special rate or hotel/event package to attract overnight stays?

YES

12. What new marketing initiatives will you utilize to promote hotel and convention activity for this event?

Social meding,

13. What geographic areas does your advertising and promotion reach: _____

LOCAL - STATE, NATIONAL LEVELS



14. How many individuals will your proposed marketing reach who are located in another city or county? 4,000

15. If the funding requested is related to a permanent facility (e.g. museum, visitor center):

Expected Attendance Monthly/Annually: _____

Percentage of those in attendance that are staying at area hotels/lodging facilities: _____%

Please Submit to:

City of Lockhart HOT Advisory Board
c/o Finance Department
P.O. Box 239
Lockhart, TX 78644





Proposed Marketing plan for funded event

Design posters and flyers to promote event and advertise event.

Flyers and posters will include hotel accommodations.

Schedule of activities or events relating to the funded project

Hcco will promote event on social media (Facebook, Instagram, tweeter)

Hcco will buy newspaper add's relating to event.

Hcco will be passing out flyers of event at other cook-off's.



Hello fellow BBQ Family:

The Hill Country Cook-Off Association would like to announce

The Hill Country State Championship BBQ Cook-Off.

November 18th and 19th 2022

The location for the cook-off will be in the Lockhart Texas.
"Capitol City of Texas BBQ"

The beautiful city of Lockhart has opened their doors for us to let us host the cook-off at the Lockhart City Park, They also extend their welcome to all the cooks and families to visit their downtown shops and eat at the many famous Bbq joints in town. Hotels are available on the City of Lockhart website under " Lodging" .

HCCO continues to support our community, through funds from this fundraiser by supporting other non-profit organizations, such as the Make A Wish Foundation of Central Texas, The Ronald McDonald House, and families dealing with cancer.

This year Hcco will be donating to the Community Action Breast Cancer Awareness Program that extends to Hays, Caldwell and Guadalupe counties.

We will continue to serve and respect the needs of you the cooks whom participate in the cook-off. Our mission and our goal is to host one of the best cookoff's in Texas. With you as cooks, we will achieve this goal. We ask you to join us in Lockhart ,Texas in November for the "Hill Country State Championship BBQ Cook-Off.
Till Then Keep Em Smoking!

For any questions please contact me at 512-644-0881 or email me richanza@yahoo.com.

Thank You,
Hill Country Cook-Off Association Crew.

NOV
18TH & 19TH

BBO CAPITAL OF TEXAS

LOCKHART CITY PARK - 504 E PARK RD



BW Best Western
Hotels & Resorts

Lockhart Inn



EARLY BIRD - \$175
DEADLINE OCT 31ST
AFTER DEADLINE - \$200

golf carts, rv, buses, campers,
goats & horses...ALL WELCOME!
NO POWER, NO WATER AVAILABLE

JACK POT - \$25 ea
PAYING 1ST-5TH 80/20

FRIDAY



**BONELESS
RIB EYE
STEAK**

**MIX COCKTAIL
CHALLENGE**

SATURDAY



**BREAKFAST
CHALLENGE**
INCLUDES 1 POUND OF
PAN SAUSAGE PER ENTRY

**OPEN PINTO
BEANS**



1st Place
Ribs



1st Place
Brisket



1st Place
Chicken



RIBS | BRISKET | CHICKEN

1st \$1,000	6th \$350	11th \$205
2nd \$635	7th \$300	12th \$175
3rd \$435	8th \$275	13th \$150
4th \$400	9th \$250	14th \$125
5th \$375	10th \$225	15th \$100

***+\$100 for EACH place**
in Ribs, Brisket & Chicken

Friends of IBCA \$1,000 added money
HCCO added money

Must be a registered IBCA member to receive added money



BENEFITING



SPECIAL GUEST
ARTURO RAMÓN



LIVE FIRE SHOW
4:00pm - 8:00pm

**COOK-OFF
REGISTRATION**



2022 HEAD JUDGE
Melissa Briggs



FOR COOK-OFF INFO CONTACT RICHARD ANZALDUA • 512-644-0881 • RICHANZA@YAHOO.COM

**Put Your
Logo Here**



City of Lockhart, Texas

Council Agenda Item Cover Sheet

COUNCIL MEETING DATE: October 18, 2022

AGENDA ITEM CAPTION: Approve non-profit allocation to Ascension Children's Care-A-Van and approve Budget Amendment #71 by Ordinance 2022-57 to the Fiscal Year 2022-2023 Annual Operating Budget.

ORIGINATING DEPARTMENT AND CONTACT: Finance - Pam Larison

ACTION REQUESTED: Ordinance

BACKGROUND/SUMMARY/DISCUSSION: On September 20, 2022, Ms. Paige Johnson from the Seton Foundation presented an update and there was discussion regarding support for the Children's Care-A-Van. Ms. Johnson provided a detailed presentation of the current activities provided by Ascension Seton Edgar B. Davis Children's Care-A-Van. In conclusion, Ms. Johnson requested that the City Council consider a one-time financial contribution of \$2,500 to allow the Children's Care-A-Van to continue their operations in and around the Caldwell County area. The City of Lockhart's contribution would also ensure the longevity of the program.

The Mayor asked Ms. Johnson to return with a formal request on the October 18, 2022 agenda.

PROJECT SCHEDULE (if applicable):

AMOUNT & SOURCE OF FUNDING:

Funds Required: \$2,500

Account Number: 100-5101-729-00

Funds Available: \$30,568

Account Name: Mayor/Council Contra-Contingency (Non-profit)

FISCAL NOTE (if applicable): This request will require a budget amendment (#71) to the Fiscal Year 2022-2023 Annual Operating Budget by way of Ordinance 2022-54. The Fiscal Year 2022-2023 General Fund Budget is \$30,568 revenues over expenditures.

PREVIOUS COUNCIL ACTION:

COMMITTEE/BOARD/COMMISSION ACTION:

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

City of Lockhart, Texas

Council Agenda Item Cover Sheet

LIST OF SUPPORTING DOCUMENTS: Ascension Children's Care-a-Van Endowment
Proposal request, ORDINANCE 2022-57 City Council budget amendment, BUDGET
AMENDMENT #71

October 11, 2022

The Honorable Lew White
Mayor, City of Lockhart
City of Lockhart
308 W. San Antonio St.
Lockhart, Texas 78644

Dear Mayor and Council Members,

On behalf of the thousands who have received outstanding care on the Ascension Seton Edgar B. Davis Children's Care-a-Van, we would like to thank the City of Lockhart for your continued support of our mission. Your support has allowed Ascension Seton to be the first to provide the local community with a mobile healthcare unit providing world-class pediatric medical care. This was not only the first mobile care unit in Caldwell County, but one of the first in the country. We are honored you chose to be a part of our mission. Your gifts have changed the lives of those patients and will continue to impact the hundreds moving here each day.

We are grateful for the opportunity to present the City of Lockhart the attached consolidated partnership proposal totaling \$2,500 to benefit the Children's Healthcare Endowment at Ascension Seton Edgar B. Davis. We have included a snapshot of your past giving history for reference as well.

Your support will allow us to create a sustainable program, while also providing us the means to expand and enhance the services on the Ascension Seton Edgar B. Davis Children's Care-a-Van.

Please let me know if you have any questions regarding this proposal. We look forward to our continued partnership.

Best Regards,

Paige Johnson
Associate Director of Development, Seton Hays Foundation

2022 Care-a-Van Support



Through thoughtful planning and collaboration with our hospital system leadership, we identified the Ascension Seton Edgar B. Davis Care-a-Van as a high priority for the network. Needing long-term sustainability solutions an endowment was deemed the most efficient use of resources to ensure the longevity of the program. Below please find history and general information about the Care-a-Van as well as a description of the endowment. Our proposal requests a total of \$2,500 in fundraising initiative support. This support can be pledged out for three to five years and include naming opportunities, where available.

One goal—Your healthcare needs here, in Central Texas, at Ascension Seton.

As our community continues to grow and evolve, we must offer the healthcare needed by our community within our community keeping our patients and families here, in Caldwell County, at Ascension Seton.

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2022 Care-a-Van Support



Seton Hays Foundation Overview

Supporting care in Hays, Caldwell, and Bastrop Counties.

Established in 2008, the Seton Hays Foundation is a 501c3 nonprofit organization based in Kyle, Texas. We partner with Ascension Seton Texas' South Market, which is south of Austin, Texas, to provide high quality, affordable, and local healthcare. We serve as fundraising arm for the Ascension Texas' South Market of hospitals, which includes Ascension Seton Hays (Kyle), Ascension Seton Southwest (Austin), Ascension Seton Bastrop & Smithville, and Ascension Seton Edgar B. Davis (Luling).

Our mission is rooted in the loving ministry of Jesus as healer, we commit ourselves to serving all persons with special attention to those who are poor and vulnerable. Our Catholic health ministry is dedicated to spiritually centered holistic

care which sustains and improves the health of individuals and communities.

Our philosophy is to serve each person as a Christian would serve Christ Himself. As a caring community, we respect the dignity and needs of one another.

Ascension Seton is a faith-based nonprofit healthcare system founded in 1902 by the Daughters of Charity. Called to be a sign of God's unconditional love for all, Ascension Seton strives to expand access to high-quality, low-cost, person-centered care and services. All services are provided without regard to ability to pay, religious beliefs or other discrimination.



2022 Care-a-Van Support

Ascension Seton Edgar B. Davis Care-a-Van Overview

The Seton Hays Foundation will focus on funding the Ascension Seton Edgar B. Davis Care-a-Van by establishing an endowment to support operations and capital in perpetuity.

The Ascension Seton Edgar B. Davis Care-a-Van began in 2003 with initial support from the Michael and Susan Dell Foundation and has continued to serve the Caldwell County community with the support of local businesses, community members and grants. In the past 19 years, this rural outreach has directly aided and improved the health of approximately 25,100 medically underserved children.

This program was initially designed to be the bridge to help children with immediate medical needs and then link them to a medical home. Due to a continuing lack of resources, including available primary care physicians, the Care-a-Van quickly became the medical home for thousands of families across Caldwell County. The Care-a-Van is critical to the families in need of accessible, affordable, quality care when otherwise facing many barriers to access (transportation, funding, issues related to being undocumented, etc.) Through partnerships with schools and other organizations, the consistency and availability of this mobile clinic ensures a medical home.

Impact during Fiscal Year 2021

- 970 clinic visits; 611 immunizations
- 80 patients new to mobile clinic

Patient Demographics:

- 74% self-identifying as Hispanic; and adding to 100%
 - Anglo (74%), Mixed-Race/other (9%), African American (8%), or Unspecified (9%)
- Adolescents, ages 11-18 (36%)
- Elementary ages 6-10 (25%)
- Pre-K/Kindergarten ages 4-5 (13%)
- Infants/Toddlers ages 0-3 (26%)

Insurance Coverage:

- None (25%)
- Medicaid (57%)
- Private Insurance (16%)
- CHIP (2%)



2022 Care-a-Van Support



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

The Children's Healthcare Endowment at Ascension Seton Edgar B. Davis will be established to ensure children in the Caldwell County area will continue to receive the highest level of medical care now, and for generations to come.

Your gift will be invested into a pooled fund, and the original gift amount is protected while distributions support the endowment's purpose. Investment earnings above distribution help the endowment value grow over time, to keep pace with inflation and maintain your endowments spending power. Seton Foundations grant 4% of each endowment annually to support the purpose of the endowment while reinvesting the remaining earnings to grow the endowment.

The Children's Healthcare Endowment at Ascension Seton Edgar B. Davis will support:

- Primary support will go to operational and capital expenses for the Ascension Seton Edgar B. Davis Children's Care-a-Van
- Additionally, the endowment will allow the use of corpus (principal funds) to purchase or replace a mobile unit (capital)

Texas has 4.7 million uninsured, the most people of any other U.S. State without medical coverage under age 65, for the first time in years uninsured rates in Texas are starting to climb again. Ascension Seton is the only healthcare provider in Caldwell County that accepts Medicaid and CHIP and serves those with no insurance coverage. The need every year will continue to increase as the Care-a-Van is the safety net and primary medical home for uninsured or underinsured children throughout rural central Texas.

This endowment is the primary source of long-term funding for programs including the Ascension Seton Edgar B. Davis Care-a-Van.

If this program no longer needs financial support these funds will be used for pediatric healthcare for patients in Caldwell County and the surrounding rural communities.

2022 Care-a-Van Support



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

There are several ways to make a contribution to the Children's Healthcare Endowment at Ascension Seton Edgar B. Davis.

The Seton Hays Foundation is committed to helping you find the best avenue to support the endowment. A few options include:

- A one-time gift in cash or marketable assets such as securities or real estate.
- A gift with installment payments paid within a five-year period.
- Other funding methods, such as a deferred gift activated by your will, a trust or other planned gifts to provide future support.

Your gift to the Children's Healthcare Endowment at Ascension Seton Edgar B. Davis will be recognized.

Your generosity will be recognized on the Children's Care-a-Van and on our Children's Healthcare Endowment wall at Ascension Seton Edgar B. Davis Hospital.

The City of Lockhart has been a valued partner of the Seton Foundations since 2003. We are grateful for your support and changing healthcare for Caldwell County.

- **\$14,450** Overall Giving
- First Gift in **2003**
- **\$2,000** Largest Gift
- **\$14,400** Special Event Giving, which benefited the Children's Care-a-Van and contributed to the annual operational expenses



ORDINANCE 2022-57

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LOCKHART, TEXAS, AMENDING THE BUDGET FOR THE FISCAL YEAR 2023 IN ACCORDANCE WITH EXISTING STATUTORY REQUIREMENTS; RE-APPROPRIATING THE VARIOUS AMOUNTS HEREIN, AS ATTACHED IN BUDGET AMENDMENT NO. 71; REPEALING ALL PRIOR ORDINANCES AND ACTIONS IN CONFLICT HERewith; AND ESTABLISHING FOR AN EFFECTIVE DATE.

WHEREAS, the Finance Director of the City of Lockhart, Texas has submitted to the Mayor and City Council proposed amendment to the City of Lockhart, Texas budget of expenditures/expenses of conducting affairs of said city and providing a complete financial plan for Fiscal Year 2023; and

WHEREAS, the Finance Director has requested a budget amendment to the City Council Departmental Budget; and

WHEREAS, the Mayor and Council concur with the recommendation of the Finance Director and staff that the budget amendment is to be processed to reflect the proper expense account within the City Council budget; and

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

That Ordinance 2022-57 is hereby adopted amending the City Council Department Budget for Fiscal Year 2022-2023 as the same are contained in Budget Amendments 71, which are attached hereto and incorporated herein for all purposes.

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

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

CITY OF LOCKHART

Lew White, Mayor

Attest:

APPROVED AS TO FORM:

Connie Constancio, TRMC, City Secretary

Monte Akers, City Attorney

CITY OF LOCKHART
BUDGET AMENDMENT FORM
Amendment No. 71

EXPENSES	ACCOUNT NO.	Adopted Budget	Current Amendment	Total Budget after Current Amendment
Mayor/Council - Contra Contingency (Non-Profit)	100-5101-729-00	\$0.00	\$2,500.00	\$2,500.00
				0.00
			\$2,500.00	\$2,500.00

REVENUES	ACCOUNT NO.	AMOUNT
		\$0.00
		\$0.00
		-
		\$0.00

REASON FOR AMENDMENT

To provide financial support to the Ascension Children's Care-A-Van Program

REQUESTED BY: Seton Foundation/Paige Johnson _____
DATE _____

APPROVED BY: _____
DATE _____

POSTED _____
FINANCE _____
DATE _____

City of Lockhart, Texas

Council Agenda Item Cover Sheet

COUNCIL MEETING DATE: October 18, 2022

AGENDA ITEM CAPTION: Approve the submission of a Texas Department of Emergency Management Grant Program Application; and authorizing the City Manager to sign a match certification/commitment letter.

ORIGINATING DEPARTMENT AND CONTACT: Public Works - Pam Larison, Sean Kelley

ACTION REQUESTED: Other

BACKGROUND/SUMMARY/DISCUSSION: Staff has identified a grant opportunity offered by the Texas Department of Emergency Management (TDEM) that will cover costs associated with the purchase and installation of generators for the Water Plant.

Governor Abbott and TDEM announced the open application period for the FEMA Hazard Mitigation Program related to FEMA-FM-5420 (Post-Fire Fiscal 2022). Entities seeking funding for this opportunity must have a FEMA approved Hazard Mitigation Plan for consideration. Eligible expenses include the strengthening of water systems and purchasing of high service pumps and generators. The application process requires a grant match commitment letter to be provided in the amount of 25% or more.

The costs of the high service pumps and generators that were placed in the Fiscal Year 2021-2022 Annual Operating Budget to be financed from ARPA Funds were \$750,000. The purchase of the two generators can now be made through this FEMA Hazard Mitigation Grant Program and ARPA funds may be used for the 25% grant match. TRC has completed the design, TCEQ approval is secured, and bids are to be received in mid-November.

PROJECT SCHEDULE (if applicable):

AMOUNT & SOURCE OF FUNDING:

Funds Required: \$87,500

Account Number: 202-5750-911-00

Funds Available: \$350,000

Account Name: ARPA Project and Improvements

FISCAL NOTE (if applicable): This agenda item only requires a commitment letter from the City of Lockhart for a 25% or more grant match, which may be covered using ARPA Funds.

PREVIOUS COUNCIL ACTION:

COMMITTEE/BOARD/COMMISSION ACTION:

City of Lockhart, Texas

Council Agenda Item Cover Sheet

STAFF RECOMMENDATION/REQUESTED MOTION: Staff respectfully request authorization to submit this grant application and authorize the City Manager to sign the match certification/commitment letter.

LIST OF SUPPORTING DOCUMENTS: TDEM Match Certification Commitment Letter



(512) 398-3461 • FAX (512) 398-5103
P. O. BOX 239 • Lockhart, Texas 78644
308 West San Antonio Street

October 18, 2022

Texas Department of Emergency Management

RE: 5420 FY2022 Post Fire – Hazard Mitigation Grant Program

Match Certification/Commitment Statement

I certify that the City of Lockhart can meet the 25% or more cost share needed for our Hazard Mitigation Grant Program Projects – 5420 FY2022 Post Fire

Thank you,

Steve Lewis
City Manager
City of Lockhart, Texas



City of Lockhart, Texas

Council Agenda Item Cover Sheet

COUNCIL MEETING DATE: October 18, 2022

AGENDA ITEM CAPTION: Discussion and/or action to consider Ordinance 2022-56 of the City Council of the City of Lockhart, Texas repealing uncodified Ordinance 2020-16 in its entirety and adopting this ordinance establishing the payment of a monetary recruitment incentive for new police officer hires and establishing a recruiting and retention incentive for current certified police officers, setting forth criteria for the incentives.

ORIGINATING DEPARTMENT AND CONTACT: Administration - Julie Bowermon

ACTION REQUESTED: Ordinance

BACKGROUND/SUMMARY/DISCUSSION: There is a shortage across the nation of police officers. Lockhart is no different. In surveying surrounding law enforcement agencies, it is apparent that their compensation packages have been adjusted upward to address the shortage. A neighboring city and county law enforcement agency are reporting approximately 20 vacancies **each**. The intent of proposed Ordinance 2022-56 is to improve the City's ability to compete with surrounding agencies' competitive packages.

It has been a challenge to recruit certified, qualified police officer applicants. The most recent police officer entrance exam was held July 23, 2022. 2 certified police officers applied for the exam. The Police Department successfully hired 1 from that applicant pool. The Police Department currently has 4 officer vacancies and 1 lieutenant vacancy. The Department currently has 4 cadets attending police academies projected to graduate in early 2023. Starting December 1, 2022, the Police Department will also have 2 sergeant vacancies as a result of the newly created sergeant positions as a School Resource Officer and supervisory support for the Lockhart Animal Shelter.

To improve recruitment of qualified certified police officers, proposed Ordinance 2022-56 increases the current hiring incentive from \$5,000 to \$10,000 beginning November 1, 2022. Officers accepting the hiring incentive will be required to sign an agreement to repay the incentive if they leave before completing two years as a Lockhart Police Officer. The hiring incentive would be paid out in 2 payments: \$5,000 at the time of hire and \$5,000 after successful completion of the department field training program.

To improve retention of current Lockhart Police Officers, proposed Ordinance 2022-56 provides a one-time payment of \$5,000 to all Lockhart Police Department Officers who are actively at work, certified, and have completed the department's field training program as of April 1, 2023. This will include all officers (at any rank) that were hired prior to the hiring incentive being increased to \$10,000. This will not include the department's 4 cadets currently attending police academies. An entrance exam is scheduled for October 22, 2022 (at which time the City will still be operating under the \$5,000 hiring incentive rate). If any certified officers hired from the October 22, 2022 exam are not released from the field training program

City of Lockhart, Texas

Council Agenda Item Cover Sheet

by April 1, 2023, staff will ask Council to consider an exception at that time to extend the \$5,000 retention incentive to them.

PROJECT SCHEDULE (if applicable):

AMOUNT & SOURCE OF FUNDING:

Funds Required:

Account Number:

Funds Available:

Account Name:

FISCAL NOTE (if applicable):

PREVIOUS COUNCIL ACTION:

COMMITTEE/BOARD/COMMISSION ACTION:

STAFF RECOMMENDATION/REQUESTED MOTION: Staff respectfully requests approval of proposed Ordinance 2022-56.

LIST OF SUPPORTING DOCUMENTS: Ordinance 2022 - 56

ORDINANCE NO. 2022-56

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LOCKHART, TEXAS REPEALING UNCODIFIED ORDINANCE 2020-16 IN ITS ENTIRETY AND ADOPTING THIS ORDINANCE ESTABLISHING THE PAYMENT OF A MONETARY RECRUITMENT INCENTIVE FOR NEW POLICE OFFICER HIRES AND ESTABLISHING A RECRUITING AND RETENTION INCENTIVE FOR CURRENT CERTIFIED POLICE OFFICERS, SETTING FORTH CRITERIA FOR THE INCENTIVES; PROVIDING FOR SEVERABILITY; PROVIDING FOR PUBLICATION AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Lockhart is facing a shortage of qualified police applicants, because, in part, of the availability of other types of employment and other employers' willingness to provide signing bonuses or other hiring incentives;

WHEREAS, the City Council believes that by offering a financial recruitment incentive to qualified newly hired Police Officer candidates, the City will benefit by recruiting and retaining police officers;

WHEREAS, the City has increased recruiting qualified Police Officer candidates, it is believed that increasing the financial recruitment incentive will improve recruiting and retention efforts;

WHEREAS, the City Council, in order to protect the public's funds, authorizes the establishment of a mechanism for a return of the monetary recruitment incentive if the Police Officer's employment is ended within two (2) years of the hire date;

WHEREAS, the City Council believes that by offering a financial retention incentive to current certified City of Lockhart Police Officers, the City will benefit by retaining certified police officers currently employed by the City of Lockhart;

WHEREAS, the City Council believes that increasing recruitment and retention of certified Police Officers serves an important public purpose; and

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

I. That the City Council hereby finds the statements made in the preamble are true and correct.

II. Effective October 18, 2022, the City Council authorizes the payment of a monetary recruitment incentive in the amount of \$10,000 to each Probationary Police Officer who takes an entrance examination after November 1, 2022, who possesses a Texas Commission on Law Enforcement peace officer certification by their hire date, based on the following conditions:

- 1) At the time of hire, the Police Officer candidate must execute an Acknowledgment Form (attached and incorporated by reference into this Ordinance) subject to the terms set out in the Acknowledgement Form, prior to receiving the monetary recruitment incentive. An explicit requirement contained in the Form is that the financial incentive must be repaid to the City if employment is ended within two (2) years of the Probationary Police Officer's hire date.

III. The City Council authorizes the one-time payment of \$5,000 Monetary Retention Incentive to all Lockhart Police Department Officers (regardless of rank) who are actively at work, certified, and who have completed the LPD's Field Training Officer Program as of April 1, 2023. The one-time Monetary Retention Incentive will be paid on the next paycheck after April 1, 2023. The Department Head is not eligible for the Monetary Retention Incentive.

IV. The monetary recruitment incentive will cease to be offered when the City reaches desired staffing at the Police Department and may be reinstated with the approval of the City Manager when one (1) or more entry level patrol officer positions are open.

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, section, 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. It is hereby officially found and determined that the meeting at which this ordinance was passed was open to the public as required by law.

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 on October 18, 2022.

**PASSED, APPROVED, AND ADOPTED BY THE CITY COUNCIL OF THE
CITY OF LOCKHART, TEXAS, ON THIS THE 18th DAY OF OCTOBER, 2022 .**

CITY OF LOCKHART

Lew White, Mayor

ATTEST:

APPROVED AS TO FORM:

Connie Constancio, TRMC, City Secretary

Monte Akers, City Attorney

**CITY OF LOCKHART
POLICE OFFICER HIRING INCENTIVE
EMPLOYEE ACKNOWLEDGMENT**

I, _____, (“Employee”) acknowledge and agree to the following terms of payment of the Police Officer Hiring Incentive:

1. The City will pay me \$5,000 at the end of the first pay period of the hire date.
2. The City will pay me \$5,000 after the successful completion of the Lockhart Police Department Field Training Program.
3. If I resign within two years of my hire date or my employment is terminated by the City of Lockhart, I acknowledge that I must re-pay this financial incentive to the City. I acknowledge that the City may deduct this incentive from my final paycheck, to include any sick leave, vacation or holiday leave accruals.
4. I understand that nothing herein is intended to alter the at-will employment status of my employment during my probationary period. I understand that failure to work the required time as specified in this agreement will constitute breach of this agreement. I understand the City will take whatever action that may be necessary to collect the amount I may owe.

EMPLOYEE

Employee

Date

WITNESS:

Printed Name

Signature

Date

RECEIVED BY:

Human Resources

Date

City of Lockhart, Texas

Council Agenda Item Cover Sheet

COUNCIL MEETING DATE: October 18, 2022

AGENDA ITEM CAPTION: Discussion and/or action to consider adoption of Ordinance 2022-54 amending Chapter 28, "Historical Districts and Landmarks," Section 28-10, "Ordinary Maintenance," subsection (e)(3) to expand the requirements for Certificates for Alteration for changing the color of painted surfaces; amending Chapter 46, "Signs," Section 46-2 "Definitions," to add a definition of Mural, and adding Section 46-10 (j), "Murals," to establish standards regulating murals within the City of Lockhart.

ORIGINATING DEPARTMENT AND CONTACT: Development Services - David Fowler

ACTION REQUESTED: Ordinance

BACKGROUND/SUMMARY/DISCUSSION: At the Historical Preservation Commission (HPC) meeting held July 6, 2022, an application for a Certificate of Alteration for a mural at 115 North Commerce Street was tabled due to a perceived need for guidelines for murals in the Historical District. In response to the issues raised by the HPC's action, City Attorney Monte Akers gave a presentation regarding the legal environment facing the regulation of murals at the City Council meeting held July 19. At this meeting, City Council directed city staff and HPC to develop mural guidelines.

In response to the above two events, City staff presented overviews of several notable efforts by other cities to regulate murals at the HPC's August 17th meeting. The HPC discussed what they would like to see in terms of future regulation of murals. Three of the attending members stated they would prefer to see no further murals in the downtown area. After discussion, the commissioners agreed to provide written feedback to staff as they draft proposed ordinance language to provide suitable regulation of murals within the Historical District.

In response to feedback received at the meeting and from individual Commissioners, staff drafted mural ordinance provisions for possible referral to City Council. This draft was designed to minimize the impact of murals on the Historical District, especially the areas adjacent to the Courthouse Square. After discussion of this draft at the September 7th meeting, the Commission concluded that, as a group, they were opposed to the possibility of additional murals being located in the Historical District and directed staff to write an ordinance reflecting that sentiment.

As City Council had assigned staff to write citywide mural guidelines, the majority of language related to the regulation of murals would be created through a new section in Chapter 46, Signs. This section includes language that prohibits murals within the Courthouse Square Historical District. The major change to Chapter 28, Historic Districts and Landmarks, is that all proposed changes in paint color of a previously painted brick or stone surface, as well as building trim surfaces, will require approval of a Certificate for Alteration (CFA), in addition to the already existing prohibition on painting previously-unpainted masonry or stone surfaces.

City of Lockhart, Texas

Council Agenda Item Cover Sheet

While staff had intended to explicitly prohibit murals within Chapter 28, no part of Chapter 28 contains any prohibitions of specific designs or finishes within the historical District. As such, the sign ordinance, which does contain language prohibiting several types or locations of signs, was seen as the most appropriate place to prohibit murals within the Historical District. The proposed location-based restriction of murals in the sign ordinance, combined with the requirement of a CFA for changing paint colors on previously painted surfaces, and the existing restriction on painting previously unpainted surfaces, will both prohibit murals within the Historical District and ensure review of future painting of surfaces for historical appropriateness.

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: Directed staff to research ordinance regulations on July 19, 2022.

COMMITTEE/BOARD/COMMISSION ACTION: The Historical Preservation Commission reviewed the draft ordinances revisions and recommended approval of the proposed revisions to Chapter 28 and Chapter 46 by a vote of 5-1.

STAFF RECOMMENDATION/REQUESTED MOTION: Staff recommends approval of the Ordinance 2022-54, making revisions to Chapter 28, Historic Districts and Landmarks, and Chapter 46, Signs.

LIST OF SUPPORTING DOCUMENTS: Ordinance 2022-54 Mural ordinance, Citywide Mural Ordinance in sign code, Paint revisions for historic districts

ORDINANCE 2022-54

AN ORDINANCE OF THE CITY OF LOCKHART, TEXAS, AMENDING CHAPTER 28 "HISTORIC DISTRICTS AND LANDMARKS", OF THE CODE OF ORDINANCES, DIVISION 1 "HISTORIC DISTRICTS AND LANDMARKS REGULATIONS AND PROCEDURES", SECTION 28-10 "ORDINARY MAINTENANCE", SUBSECTION (e)(3); AND AMENDING CHAPTER 46 "SIGNS", SECTION 46-2 "DEFINITIONS" TO PROVIDE A DEFINITION OF MURAL; AND TO ADD SECTION 46-10 (j) "MURALS"; PROVIDING FOR SEVERABILITY, PROVIDING FOR PUBLICATION, AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, The Lockhart Historical Preservation Commission reviews all proposed development, redevelopment and alteration within the Courthouse Square Historical District,

WHEREAS, The Lockhart Historical Commission has recommended that new murals not be permitted in the Courthouse Square Historical District; and,

WHEREAS, Murals are not defined in Chapter 46, "Signs" and,

WHEREAS, There are currently no current standards to regulate murals in Chapter 46, signs and,

WHEREAS, Murals could serve as an adequate means of providing a means for expression for local artists where permitted, and,

WHEREAS, The City Council has determined that the current lack of standards regarding murals has resulted in unclear expectations regarding the size, location, and content of murals; and,

WHEREAS, Sign types are classified in Chapter 46 "Signs", Section 46-10 "Sign-type Standards",

WHEREAS, An amendment to Chapter 28 "Historic Districts and Standards", Section 28-10 "Ordinary Maintenance" is proposed to add a provision requiring a Certificate for Alteration for painting previously-unpainted brick and stone surfaces or changing paint colors of previously-painted surfaces within the Courthouse Square Historical District;

WHEREAS, An Amendment to Chapter 46 "Signs," Section 46-10 is proposed to be amended to add standards for location, size, messages, and maintenance; 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 28 “Historical Districts and Landmarks”, Section 28-10 “Ordinary Maintenance” is hereby amended as follows, with all existing provisions not shown remaining unchanged:

Sec. 28-10. Ordinary Maintenance.

(e) Ordinary maintenance does not include the following and will require a certificate for alteration and a city building permit prior to beginning work, except as exempted in subsection 28-11 (b):

(3) Painting a previously unpainted brick, stone or other masonry surface or changing the color of any previously painted surface, including trim.

III. Chapter 46 “Signs”, Section 46-2 “Definitions” is hereby amended to define the following term:

Mural. An original work of graphic, painting, or painted wall surface art that is visible from public rights-of-way or neighboring properties and projects a graphic display or image that does not direct attention to an organization, a business operated for profit, a product, a commodity, service, or any other similar image or message.

IV. Chapter 46, “Signs,” Section 46-10 “Sign Type Standards”, is hereby amended to add the following:

(j) Murals.

(1) Murals are not permitted within the Courthouse Square Historical District or on properties designated as historical landmarks.

(2) Murals are allowed on nonresidential or mixed-use buildings or structures.

(3) Murals on front walls of buildings are limited to 20 percent of that wall’s area.

(4) Murals are not permitted on walls adjacent to or across a right-of-way from a residential lot.

(5) Only one mural is allowed per building.

(6) A mural shall not extend higher than the second story of any building.

(7) Murals may not cover any architectural features including, but not limited to arches, cornices, window and door trim, feature bands, and any other recessed or projecting features.

(8) Murals shall be designed to meet the following guidelines

- a. Murals are expected to be an original expression of the artist. No copyrighted material, brand names, logos, or prior works by other artists may be incorporated into murals submitted for approval.
- b. Text or messages of any kind as part of a mural design should not be the primary focus of the mural design
- c. Art or murals may not be designed to represent the products offered or sold in the building on which the mural is located.
- d. Murals shall not promote any off-premises product or event, or depict nudity, violence, or obscene images.
- e. Nothing that could be considered a potential distraction or potential source of disruption of safe traffic flow will be allowed as part of a mural design.

(9) All proposed mural designs within must be submitted as part of a sign permit application. The following materials must be provided with each application for a Mural:

- a. Signed approval of the building owner.
- b. Legal Description of property
- c. Color photograph of existing building façade
- d. Artist biography, reproductions of past works and professional qualifications to undertake art in a public context.
- e. Map showing locations of existing or proposed murals on nearby buildings, if any.
- f. Building elevation drawn to scale that identifies the following:
 - i. Façade on which the mural is proposed.
 - ii. Location of proposed mural on the façade.
 - iii. Mural dimensions.
 - iv. Detailed color rendering of the proposed mural.
 - v. Height of top and bottom of the mural above grade.
 - vi. Technical details of media used, including paint and color types, non-paint materials used, if any, and materials used to affix the mural to the building, if any.
- g. Any approved mural for which installation has not commenced within 60 days of approval will be found to have its permit expired and a new application will be required.

(10) When painting on brick, silicate dye paints are recommended. The use of latex, acrylic and oil-based paints are discouraged. For non-brick surfaces, paints intended for exterior use shall be used

(11) Removal

- a. Any mural that deviates from the approved design shall be removed at the building owner's expense.
- b. The building owner shall file a permit for removal of the mural 14 days in advance of any proposed removal of an existing mural.

- c. As part of a proposed mural removal, the mural must be removed in its entirely, including any and all materials used to secure the material to the building.
- d. The method of removal must not damage the original exterior material of the underlying wall. Any holes remaining in the wall after removal of a mural must filled and finished the same as the remainder of the wall.

(12) If an approved or existing mural is found to have become worn or been damaged, the Code Enforcement Officer may take action, including requiring repair or removal. Fines may be imposed for noncompliance.

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

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

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

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

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

PASSED, APPROVED, AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF LOCKHART, TEXAS, ON THIS THE EIGHTEENTH DAY OF OCTOBER, 2022.

CITY OF LOCKHART

Lew White
Mayor

ATTEST:

APPROVED AS TO FORM:

Connie A. Constancio, TRMC
City Secretary

Monte Akers
City Attorney

Chapter 46

SIGNS

Sec. 46-2. Definitions

Mural. An original work of graphic, painting, or painted wall surface art that is visible from public rights-of-way or neighboring properties and projects a graphic display or image that does not direct attention to an organization, a business operated for profit, a product, a commodity, service, or any other similar image or message.

Sec. 46-10 Sign-type standards

(j) Murals.

- (1) Murals are not permitted within the Courthouse Square Historical District or on properties designated as historical landmarks.
- (2) Murals are allowed on nonresidential or mixed-use buildings or structures.
- (3) Murals on front walls of buildings are limited to 20 percent of that wall's area.
- (4) Murals are not permitted on walls adjacent to or across a right-of-way from a residential lot.
- (5) Only one mural is allowed per building.
- (6) A mural shall not extend higher than the second story of any building.
- (7) Murals may not cover any architectural features including, but not limited to arches, cornices, window and door trim, feature bands, and any other recessed or projecting features.
- (8) Murals shall be designed to meet the following guidelines
 - a. Murals are expected to be an original expression of the artist. No copyrighted material, brand names, logos, or prior works by other artists may be incorporated into murals submitted for approval.
 - b. Text or messages of any kind as part of a mural design should not be the primary focus of the mural design
 - c. Art or murals may not be designed to represent the products offered or sold in the building on which the mural is located.
 - d. Murals shall not promote any off-premises product or event, or depict nudity, violence, or obscene images.
 - e. Nothing that could be considered a potential distraction or potential source of disruption of safe traffic flow will be allowed as part of a mural design.
- (9) All proposed mural designs within must be submitted as part of a sign permit application. The following materials must be provided with each application for a Mural:
 - a. Signed approval of the building owner.
 - b. Legal Description of property
 - c. Color photograph of existing building façade

- d. Artist biography, reproductions of past works and professional qualifications to undertake art in a public context.
- e. Map showing locations of existing or proposed murals on nearby buildings, if any.
- f. Building elevation drawn to scale that identifies the following:
 - i. Façade on which the mural is proposed.
 - ii. Location of proposed mural on the façade.
 - iii. Mural dimensions.
 - iv. Detailed color rendering of the proposed mural.
 - v. Height of top and bottom of the mural above grade.
 - vi. Technical details of media used, including paint and color types, non-paint materials used, if any, and materials used to affix the mural to the building, if any.
- g. Any approved mural for which installation has not commenced within 60 days of approval will be found to have its permit expired and a new application will be required.

(10) When painting on brick, silicate dye paints are recommended. The use of latex, acrylic and oil-based paints are discouraged. For non-brick surfaces, paints intended for exterior use shall be used

(11) Removal

- a. Any mural that deviates from the approved design shall be removed at the building owner's expense.
- b. The building owner shall file a permit for removal of the mural 14 days in advance of any proposed removal of an existing mural.
- c. As part of a proposed mural removal, the mural must be removed in its entirety, including any and all materials used to secure the material to the building.
- d. The method of removal must not damage the original exterior material of the underlying wall. Any holes remaining in the wall after removal of a mural must be filled and finished the same as the remainder of the wall.

(12) If an approved or existing mural is found to have become worn or been damaged, the Code Enforcement Officer may take action, including requiring repair or removal. Fines may be imposed for noncompliance.

Chapter 28

HISTORIC DISTRICTS AND LANDMARKS

Sec. 28-10. Ordinary Maintenance

(e) Ordinary maintenance does not include the following and will require a certificate for alteration and a city building permit prior to beginning work, except as exempted in subsection 28-11 (b):

- (1) A physical change in exterior elements, design and finishes visible from grade level which affect the appearance and cohesiveness of a building, structure, site, or area (e.g., a physical change in the design, finishes, size, shape, etc., of facades, windows, doors, light fixtures, awnings, signs, sidewalks, fences, steps, paving, etc.).
- (2) Repainting or otherwise covering or altering a faded historic painted sign (ghost sign), even if the sign does not pertain to the current use of the building or is on a previously painted surface.
- (3) Painting a previously unpainted brick, stone, or other masonry surface ~~(e.g., masonry wall, etc.)~~ or changing the color of any previously painted surface, including trim.

City of Lockhart, Texas

Council Agenda Item Cover Sheet

COUNCIL MEETING DATE: October 18, 2022

AGENDA ITEM CAPTION: Discussion and/or action to consider adoption of Ordinance 2022-55 vacating and abandoning a 1,243 square-foot segment of alley right-of-way situated in the Reed's Addition between Block 2 in the 200 block of South Rio Grande Street and Block 3 in the 200 Block of Concho Street; and authorizing the City Manager to execute a deed conveying said right-of-way to the owner of the adjacent properties.

ORIGINATING DEPARTMENT AND CONTACT: Development Services - Dan Gibson

ACTION REQUESTED: Ordinance

BACKGROUND/SUMMARY/DISCUSSION: There are several segments of unused alley right-of-way in the area of Block 2 and Block 3 of Reed's Addition, which are located between South Rio Grande Street and Concho Street, north of West Prairie Lea Street. This segment is in the northern part of the area. It is connected at the north end to another alley right-of-way crossing east-west between South Rio Grande Street and Concho Street that is to remain. In addition, there are other remaining alley segments in the southern part of the area that are disconnected from the subject segment, and which will be vacated separately at a later date. The same entity owns the land on both sides of this segment, so when it is abandoned the entire right-of-way will become part of their property. On September 6th, the owner's property, along with the subject alley segment, was rezoned to RHD Residential High Density District for the future development of rental housing in the form of multiple detached single-family dwellings on the same lot.

PROJECT SCHEDULE (if applicable): Not applicable.

AMOUNT & SOURCE OF FUNDING:

Funds Required:

Account Number:

Funds Available:

Account Name:

FISCAL NOTE (if applicable): Not applicable.

PREVIOUS COUNCIL ACTION: None.

COMMITTEE/BOARD/COMMISSION ACTION: None.

STAFF RECOMMENDATION/REQUESTED MOTION: Approve Ordinance 2022-55 abandoning alley right-of-way in the Reed's Addition.

City of Lockhart, Texas

Council Agenda Item Cover Sheet

LIST OF SUPPORTING DOCUMENTS: Ordinance 2022-55, Exhibit A - case map, Exhibit B-1, metes and bounds description, Exhibit B-2, Survey drawing (portrait)

ORDINANCE 2022-55

AN ORDINANCE OF THE CITY OF LOCKHART, TEXAS, VACATING AND ABANDONING A 1,243 SQUARE-FOOT SEGMENT OF ALLEY RIGHT-OF-WAY SITUATED IN THE REED'S ADDITION BETWEEN BLOCK 2 IN THE 200 BLOCK OF SOUTH RIO GRANDE STREET AND BLOCK 3 IN THE 200 BLOCK OF CONCHO STREET; AND AUTHORIZING THE CITY MANAGER TO EXECUTE A DEED CONVEYING SAID RIGHT-OF-WAY TO THE OWNER OF THE ADJACENT PROPERTIES.

WHEREAS, the City of Lockhart is a home rule municipality; and,

WHEREAS, Section 3.07(o) of "Powers of the City Council" in the City's Charter provides that the City may exercise exclusive dominion, control, and jurisdiction, including the right to close and abandon streets and alleys; and,

WHEREAS, Texas Transportation Code, Section 311.007 provides that a home rule municipality may vacate, abandon, or close a street or alley; and,

WHEREAS, the burden of continued maintenance of streets and alleys that are not being used exceeds the benefit that would be incurred if the City continued ownership; and,

WHEREAS, the City of Lockhart has never had any use for the subject alley right-of-way segment; and,

WHEREAS, an abutting segment of the same alley right-of-way was previously abandoned and conveyed to the owners of property adjacent to the alley; and,

WHEREAS, Garden Gate Holdings of Lockhart, LLC, is the owner of adjacent property on both sides of the subject alley, and has requested that the City vacate and abandon the subject segment of alley right-of-way; and,

WHEREAS, the City Council has determined that it is in the public interest that the property depicted in Exhibit "A", and more particularly described in Exhibits "B-1" and "B-2", should be vacated and abandoned as a public alley right-of-way.

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 1,243 square-foot segment of alley right-of-way depicted in Exhibit "A" and more particularly described in Exhibit "B" attached hereto and incorporated herein for all purposes, is hereby vacated and abandoned.
- III. The City Manager is hereby authorized to convey by Deed Without Warranty all interest the City has in the subject alley right-of-way to the owner of the adjacent properties.

IV. 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.

V. All other ordinances, sections, or parts of ordinances heretofore adopted by the City of Lockhart in conflict herewith are hereby repealed or amended to the extent of the conflict only.

VI. The City Secretary is directed to cause this ordinance caption to be published in a newspaper of general circulation according to law.

V. 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 18th DAY OF OCTOBER, 2022.

CITY OF LOCKHART

Lew White
Mayor

ATTEST:

APPROVED AS TO FORM:

Connie Constancio, TRMC
City Secretary

Monte Akers
City Attorney

REED'S ADDITION ALLEY ABANDONMENT - EXHIBIT A



CITY OF
Lockhart
TEXAS

0 50 100 Feet

Legend

-  200 S RIO GRANDE ST ALLEY ABANDONMENT
-  PARCEL BOUNDARY

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



All of a certain tract or parcel of land situated in the City of Lockhart, Caldwell County, Texas and being a part of a 15' Alley situated between Block 2 and Block 3 of Reed's Addition to the City of Lockhart as recorded in Volume 50 Page 285 of the Deed Records of Caldwell County, Texas and being more particularly described as follows:

BEGINNING at a 5/8" iron pin found used for basis of bearing in the SW line of the above mentioned Block 3 and the South corner of a tract of land conveyed to Dorothy F. Anderson by deed recorded in Volume 463 Page 567 of the Official Public Records of Caldwell County, Texas and the NE line of the said 15' Alley for the East corner this tract.

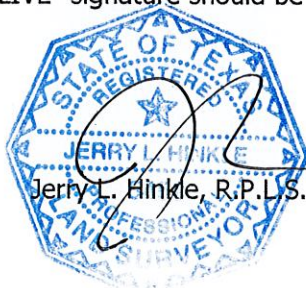
THENCE S 60°00'00" W over and across the said 15' Alley **15.00 feet** to a 5/8" iron pin found in the East corner of Lot 5 in Block 2 of the said Reed's Addition and the SW line of the said 15' Alley for the South corner this tract.

THENCE N 30°00'00" W with the SW line of the said 15' Alley and the NE line of the said Block 2 **83.45 feet** to a capped 1/2" iron pin set stamped HINKLE SURVEYORS in the intersection of the SW line of the said 15' Alley and the SE line of a 12' Alley shown of the said Reed's Addition plat and the North corner of Lot 6 in the said Block 2 for the West corner this tract.

THENCE N 64°31'47" E over and across the said 15' Alley **15.04 feet** to a capped 1/2" iron pin set stamped HINKLE SURVEYORS in the intersection of the NE line of the said 15' Alley and the SE line of the said 12' Alley and the West corner of the said Block 3 for the North corner this tract.

THENCE S 30°00'00" E with the NE line of the said 15' Alley and the SW line of the said Block 3 **82.26 feet** to the place of beginning containing **1243 sq ft** of land more or less.

I hereby certify that the foregoing field notes are a true and correct description of a survey made under my direct supervision on June 2, 2022. **THESE FIELD NOTES ARE CERTIFIED AND ITS CONTENTS GUARANTEED FOR USE WITH THIS ONE TRANSACTION ONLY DATED THIS DATE.** Only those prints containing the raised Surveyor's seal and an original "LIVE" signature should be considered official and relied upon by the user.



Jerry L. Hinkle, R.P.L.S. #5459

City of Lockhart Caldwell County, Texas Part of a 15' Alley between Blocks 2 and 3 of Reed's Addition

SURVEY PLAT

Showing 1243 sq. ft. of land being a part of a 15' Alley between Blocks 2 and 3 of REED'S ADDITION according to the map or plat thereof recorded in Volume 50 Page 285 of the Deed Records of Caldwell County, Texas and the improvements as found situated thereon. I do hereby certify, that (1) the foregoing plat is a true and correct representation of a survey made on the ground under my direct supervision on June 2, 2022, (2) No abstract of title, title commitment, nor research of record easements were supplied to the surveyor. There may exist easements of record that could affect this parcel. THIS SURVEY IS CERTIFIED TO THE PERSON(S) / COMPANY SHOWN HEREON AND ITS CONTENTS GUARANTEED FOR USE WITH THIS TRANSACTION ONLY DATED THIS DATE. THE SURVEYOR SHALL INCUR NO LIABILITY FOR ANY USE OF THIS SURVEY BEYOND THIS TRANSACTION OR FOR ANY PERSON(S) / COMPANY NOT LISTED HEREON. Only those prints containing the raised Surveyor's seal and an original "LIVE" signature should be considered official and relied upon by the user.



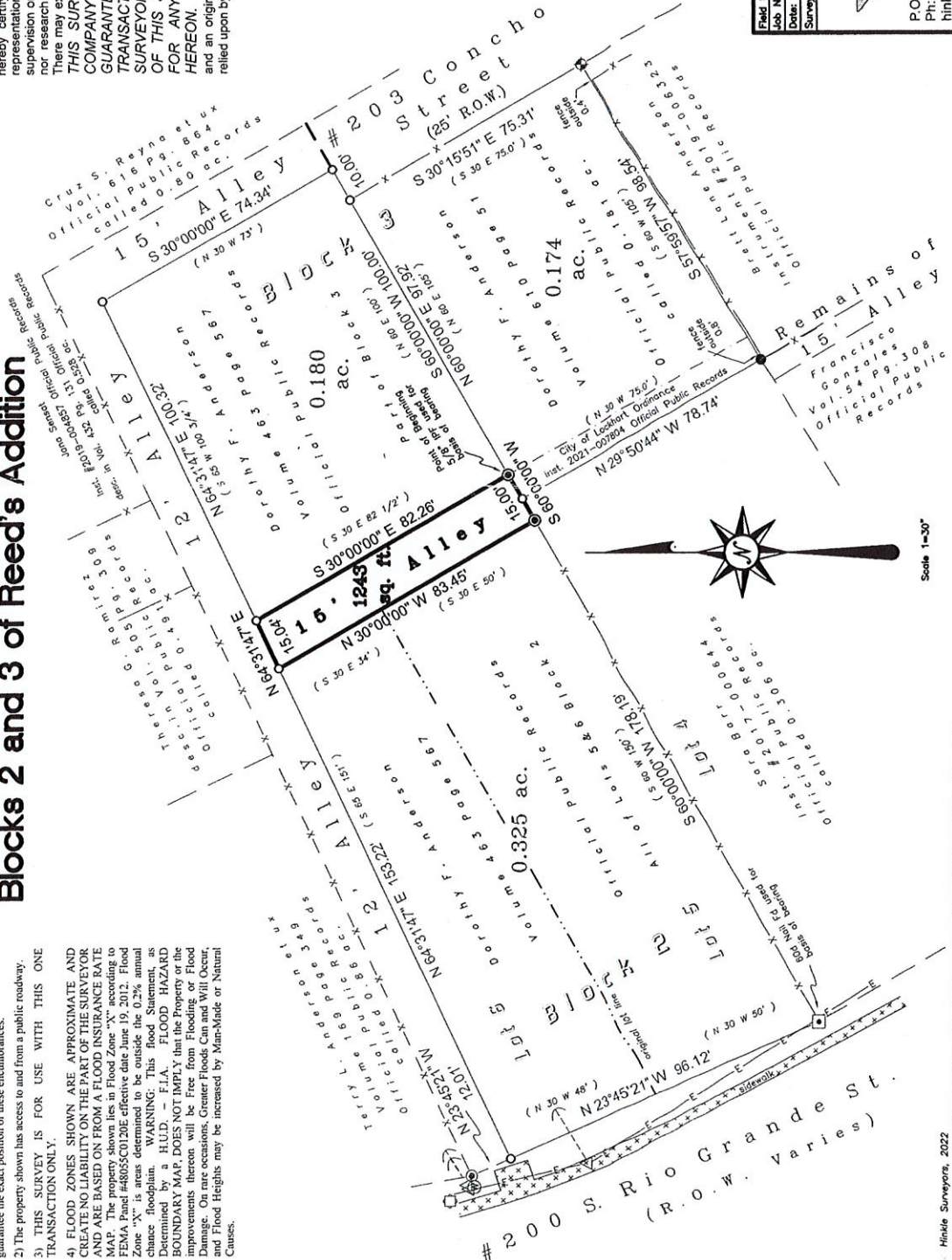
LEGEND

- CAPED 1/2" IRON PIN SET
- STAMPED "HINKLE SURVEYORS"
- 1/2" IRON PIN FOUND
- 3/8" IRON PIN FOUND
- 5/8" IRON PIN FOUND
- EL POLE
- WATER METER
- FIRE HYDRANT
- GUY WIRE
- 600 NAIL FOUND
- ORIGINAL DEEDED CALLS
- FENCES MENDER
- OVERHEAD ELECTRIC LINE
- CONCRETE
- UNLESS OTHERWISE NOTED

Field Book: d.s.	Drawn By: J.H. LH
Job No. 20221171-alley.dwg	Drawing: 20221171readd.dwg
Date: June 2022	Word Date: Begin 06012022
Surveyed By: J.H. JDB	Autocad Date: Begin 06012022

HINKLE
SURVEYORS

P.O. Box 1027 1109 S. Main Street Lockhart, TX 78644
Ph: (512) 398-2000 Fax: (512) 398-7683 Email: contact@hinklesurveyors.com Firm Registration No. 100886-00



General Notes

- 1) Before digging call 811 to verify locations of any utilities, pipelines, or other easements of record since the surveyor cannot guarantee the exact position of these encumbrances.
- 2) The property shown has access to and from a public roadway.
- 3) THIS SURVEY IS FOR USE WITH THIS ONE TRANSACTION ONLY.
- 4) FLOOD ZONES SHOWN ARE APPROXIMATE AND CREATE NO LIABILITY ON THE PART OF THE SURVEYOR AND ARE BASED ON FROM A FLOOD INSURANCE RATE MAP. The property shown lies in Flood Zone "X" according to FEMA Panel #48055C0120E effective date June 19, 2012. Flood Zone "X" is areas determined to be outside the 0.2% annual chance floodplain. FLOODING This Flood Hazard Boundary Map DOES NOT IMPLY that the Property or the improvements thereon will be Free from Flooding or Flood Damage. On rare occasions, Greater Floods Can and Will Occur, and Flood Heights may be increased by Man-Made or Natural Causes.

City of Lockhart, Texas

Council Agenda Item Cover Sheet

COUNCIL MEETING DATE: October 18, 2022

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

ORIGINATING DEPARTMENT AND CONTACT: City Attorney - Monte Akers

ACTION REQUESTED: Ordinance

BACKGROUND/SUMMARY/DISCUSSION:

The draft ordinance that was discussed at the City Council meeting on September 20, 2022, has been revised to reflect the Council's comments, and is attached. If adopted, the ordinance will allow open containers and consumption of alcohol on public sidewalks, streets, and other ways in the Commercial Central Business District ("CCBD") during eight listed, special events (note that the Dickens Festival has been deleted since 9/20) or at an event specifically approved by the Council. Rental by businesses of sidewalk or other public property for the purpose of selling alcohol in the district is not allowed, and compliance with TABC regulations is the responsibility of TABC licensees. Event sponsors are required to obtain a special activity permit from the Police Chief unless the event is sponsored by the City.

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: On September 20, 2022, the Council discussed Ordinance.

COMMITTEE/BOARD/COMMISSION ACTION: N/A

STAFF RECOMMENDATION/REQUESTED MOTION: Staff recommends approval.

LIST OF SUPPORTING DOCUMENTS: Draft Ordinance v3 redlined, Draft Ordinance v 3 Clean

ORDINANCE NO. _____

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.

~~(i)~~ — At a special event occurring in the City’s Commercial Central Business district (“CCBD”), as that district is described or depicted by City ordinance, which is either sponsored by the City or 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 events being as follows:- Such permit shall be issued only for special events that meet the following criteria:

~~(ii)~~(i) The event is one of the following:

- a. Cinco de Mayo;
- b. Chisholm Trail Roundup;
- c. Diez y Seis;
- ~~d. Dickens Festival;~~
- e.d. First Friday;
- f.e. Courthouse Nights;
- g.f. Sip-n-Stroll;
- h.g. Texas Monthly Barbecue Festival;
- i.h. CTR Running of the Bulls; or

(ii) The event is ~~not~~ listed above, but is one 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.

(d) The provisions of Sec. 50-141 of the City of Lockhart Code of Ordinances, authorizing the licensing of public property for private use, shall not be applicable for or available to any person or business desiring to sell alcoholic beverages in the CCBD.

SECTION 3. Any provision of the Code of Ordinances of the City of Lockhart in conflict with the provisions of this Ordinance is 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

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"), as that district is described or depicted by City ordinance, which is either sponsored by the City or 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 events being as follows:
 - (i) The event is one of the following:
 - a. Cinco de Mayo;
 - b. Chisholm Trail Roundup;
 - c. Diez y Seis;
 - d. First Friday;
 - e. Courthouse Nights;
 - f. Sip-n-Stroll;
 - g. Texas Monthly Barbecue Festival;
 - h. CTR Running of the Bulls; or
 - (ii) The event is not listed above, but is one 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.
- (d) The provisions of Sec. 50-141 of the City of Lockhart Code of Ordinances, authorizing the licensing of public property for private use, shall not be applicable for or available to any person or business desiring to sell alcoholic beverages in the CCBD.

SECTION 3. Any provision of the Code of Ordinances of the City of Lockhart in conflict with the provisions of this Ordinance is 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

City of Lockhart, Texas

Council Agenda Item Cover Sheet

COUNCIL MEETING DATE: October 18, 2022

AGENDA ITEM CAPTION: Discussion and/or action to consider Interlocal Agreement with Caldwell County regarding air ambulance and approving Budget Amendment #72 by Ordinance 2022-58.

ORIGINATING DEPARTMENT AND CONTACT: Administration - Steven Lewis

ACTION REQUESTED: Agreement

BACKGROUND/SUMMARY/DISCUSSION:

Caldwell County has entered into an agreement with PHI Health, LLC d/b/a PHI Air Medical, whereby residents of Caldwell County will become members of the PHI Cares Program and will be protected from out-of-pocket cost should a Caldwell County resident be transported by a PHI Air Medical aircraft within the defined PHI Cares service area (Caldwell, Gonzales, Guadalupe, Hays, Travis or Fayette Counties). The cities of Lockhart, Luling, and Martindale have been requested to enter into an interlocal agreement whereby city residents will become members of the program and the City will compensate the County for their respective portions of the County population. Under the agreement, Lockhart will receive 4,503 memberships, for which it will pay \$6.00 per membership, or \$27,018.00. More memberships may be purchased if needed. Additional information about the program is contained in the "Frequently Asked Questions" sheet that is attached. Luling has approved participation in the agreement.

PROJECT SCHEDULE (if applicable): The agreement has a term of one year, commencing November 1, 2022.

AMOUNT & SOURCE OF FUNDING:

Funds Required: \$13,755

Account Number: 100-5101-299-00

Funds Available:

Account Name: Contracts & Services

FISCAL NOTE (if applicable): Funds will be available upon approval of Budget Amendment #72.

PREVIOUS COUNCIL ACTION:

COMMITTEE/BOARD/COMMISSION ACTION:

STAFF RECOMMENDATION/REQUESTED MOTION: Staff recommends approval.

City of Lockhart, Texas

Council Agenda Item Cover Sheet

LIST OF SUPPORTING DOCUMENTS: Caldwell County-rate breakdown for interlocal agreement, Caldwell County and PHI Cares Agreement 2022, Interlocal Cooperation Agreement - Air Ambulance, 2022-PHI Insurance, ORDINANCE 2022-58 Mayor and Council Budget Amendment - PHI, BUDGET AMENDMENT #72, .

Caldwell County
\$6.00 per household
13, 744 Total Households
Total cost: \$82,464.00 per year

	Household Count (per census)	Cost/ year
Lockhart	4,503 Households	\$27,018.00
Luling	2,070 Households	\$12,420.00
Martindale	407 Households	\$2,442.00
Unincorporated Caldwell County	6,764 Households	\$40,584.00
Unincorporated Caldwell County/ Martindale	7,171 Households	\$43,026.00

**COUNTY AGREEMENT FOR PHI CARES MEMBERSHIPS
FOR
CALDWELL COUNTY, TEXAS**

This County Agreement for PHI Cares Memberships for Caldwell County, Texas (this “Agreement”) is made effective the **1st day of October, 2022 (the “Effective Date”)** between Caldwell County, Texas (“Caldwell County”) and PHI Health, LLC d/b/a PHI Air Medical, a Louisiana limited liability company (“PHI”). Caldwell County and PHI may hereinafter be referred to individually as a “Party” and collectively as the “Parties.”

Recitals

WHEREAS, Caldwell County has approximately **13,744 households** in the State of Texas, with approximately **35,734 residents** living in these households (each a “Resident” and collectively, the “Residents”);

WHEREAS, PHI is an air ambulance company that is licensed in the State of Texas and that provides a membership-based program (the “PHI Cares Program”) in compliance with all applicable laws and regulations to cover the uninsured or otherwise uncovered portion of the flight charges that may be incurred by members requiring emergency air medical transportation on a PHI aircraft; and

WHEREAS, Caldwell County desires to enter into this Agreement with PHI whereby the Residents within Caldwell County will be members of the PHI Cares Program and entitled to receive the privileges and benefits of the PHI Cares Program in accordance with the terms and limitations of this Agreement.

NOW, THEREFORE, in consideration of the mutual covenants contained herein and intending to be legally bound hereby, the Parties agree as follows:

**Article I.
Scope of Agreement and Term**

1.1 Contract for Ambulance Membership. This Agreement relates to the acquisition of PHI Cares memberships by Caldwell County for the benefit of Caldwell County Residents and covers the uninsured or otherwise uncovered portion of the flight charges that may be incurred by such Residents when requiring emergency air medical transportation on a PHI aircraft.

1.2 Term. The term of this Agreement commences as of the Effective Date set forth above and continues for a period of one (1) year, through **September 30, 2023** (the “Term”), unless otherwise terminated as provided for herein. At the end of the Term, the Parties may negotiate to extend this Agreement or enter into a new agreement.

**Article II.
PHI Memberships**

2.1 Annual Fee; Adjustment. Pursuant to this Agreement and effective during the Term of this Agreement, Caldwell County is purchasing PHI Cares memberships for the households and the Residents residing in these households of Caldwell County for a total annual amount equal to **\$82,464.00** (the “Annual Fee”). The Annual Fee is based on an expectation of **13,744 households** at a rate of **\$6.00 per household**, which shall cover the Residents residing in these households. The Annual Fee shall be paid in advance on or before the Effective Date.

2.2 Compliance. Caldwell County and PHI shall comply with all applicable federal and state laws and regulations governing membership programs.

2.3 Non-Exclusivity. It is understood and agreed by the Parties that PHI is not the exclusive carrier for air medical transports in Caldwell County. Any calls for air medical transports in Caldwell County shall be made in accordance with the protocols of the requesting EMS agency or referring hospital physician.

2.4 Terms and Conditions. The general terms and conditions of the PHI Cares Program are as described in the attached Exhibit “1,” which is made a part of this Agreement (the “PHI Cares General Terms and Conditions”). In addition, the following specific terms shall apply to this Agreement:

- (a) **Location.** Transport must be for a Caldwell County Resident requiring PHI to provide air medical transport from a pickup location within **Caldwell County**; or one of the following surrounding counties in Texas: **Bastrop, Gonzales, Guadalupe, Hays, Travis and Fayette (the “CALDWELL COUNTY Service Area”)**.
- (b) **Membership ID #.** PHI will provide Caldwell County with a supply of **15,000 membership cards** which Caldwell County will distribute and make available to the Residents of Caldwell County, Texas. This membership card will contain the Membership ID # for Caldwell County and the contract validity dates.
- (c) **Notifying PHI.** It is the responsibility of any transported Resident of Caldwell County to contact PHI and notify it that a Caldwell County Resident has been transported by PHI and to provide PHI with the name of such Resident. In addition, in order to avoid receiving a bill for their medical transport, Residents should inform the healthcare provider, dispatcher, or emergency personnel of their PHI Cares membership at the time an air transport is requested, as these personnel will not be aware of Residents’ PHI Cares membership.
- (d) **Not Insurance Product.** MEMBERSHIP ONLY APPLIES TO TRANSPORT ABOARD A PHI AIRCRAFT. MEMBERSHIP IS NOT AN INSURANCE PRODUCT AND DOES NOT PAY FOR SERVICES PROVIDED BY OTHER AIR OR GROUND AMBULANCE SERVICE PROVIDERS.
- (e) **Coverage.** Each membership covers the entire household (i.e., each individual member of the household that is a Resident of Caldwell County) except for any person in the household who is now or at the time of the transport request is a recipient of Medicaid benefits. Medicaid recipients are excluded from membership in accordance with applicable state law.
- (f) **Unavailability.** Caldwell County acknowledges that PHI may not always have an aircraft available to provide a transport due to prior use, weather, mechanical downtime, or other reasons, as set forth more fully in the PHI Cares Terms and Conditions. Further, medical or dispatch personnel may call another air ambulance provider in which event a PHI Cares membership will not cover the medical transport. Caldwell County and the Residents acknowledge and agree that PHI will have no liability to Caldwell County or any Resident as a result of PHI’s inability to respond to a transport request for any Caldwell County Resident.

2.5 Full National Household Membership Upgrade Option. Any individual who resides within the boundaries of Caldwell County may elect to upgrade his or her membership to a full national household membership (covering the entire household, as defined below), which shall include coverage

outside the Caldwell County Service Area, for an additional **\$45.00** per year; provided, however, that coverage would only extend to any current PHI Cares service areas and shall only apply to transport aboard a PHI aircraft. For a list of PHI Cares service areas, please see the PHI Cares website: www.phicare.com, or contact the membership office for a copy. To obtain this upgrade, Caldwell County Residents are required to call the PHI Cares Membership office directly or complete a Membership Upgrade Form for each Resident requesting this option.

2.6 Household. For purposes of this Agreement and PHI Cares membership, a household is considered to include all immediate family members and up to 3 non-family members who reside in the same household.

2.7 Refunds. No refunds will be extended to Caldwell County (or any individual) as a result of existing PHI Cares members, which are separate from this Agreement.

2.8 Conflicts. Should there be any conflict between the PHI Cares General Terms and Conditions and the terms set forth in this Agreement, the terms of this Agreement shall prevail.

Article III. Termination

3.1 Termination. Either Party may terminate this Agreement for any reason upon providing the other Party with at least thirty (30) days prior written notice. In the event that PHI terminates this Agreement for convenience pursuant to this Section 3.1, PHI shall refund Caldwell County the prorated amount of the Annual Fee for the remainder of the Term. In the event that Caldwell County terminates this Agreement for convenience pursuant to this Section 3.1, Caldwell County shall not be entitled to a refund of any portion of the Annual Fee.

3.2 Immediate Termination. Either Party may terminate this Agreement with ten (10) days' prior written notice (provided such notice period is legally permitted) if: (1) the Attorney General of Texas renders an official opinion that voids, modifies, or otherwise affects any provision in this Agreement; or (2) a court of competent jurisdiction issues a judgment or ruling that voids, modifies, or otherwise affects any provision of this Agreement; or (3) a duly authorized statute, law, rule, or regulation is enacted or modified by a competent legislative authority in such a manner that materially modifies, voids, or affects this Agreement (including having any material effect on PHI's cost, as determined in PHI's reasonable discretion). If any one of the above-described events occurs, the Parties will exert their best efforts to agree on an alternative agreement in conformance with any such opinion, judgment, or legislative enactment to the extent feasible.

3.3 Termination for Default.

(A) Caldwell County may terminate this Agreement for default if PHI breaches any material term of this Agreement or fails to perform as required under this Agreement and fails to cure or remedy such breach or failure of performance within fifteen (15) days of receiving written notice from Caldwell County.

(B) PHI may terminate this Agreement for default if Caldwell County breaches any term of this Agreement or fails to perform as required under this Agreement and fails to cure or remedy such breach or failure of performance within fifteen (15) days of receiving written notice from PHI.

(C) Remedies. In the event of a default by PHI and Caldwell County's termination pursuant to Section 3.3(A) above, Caldwell County's sole and exclusive remedy shall be the pro-rata refund of the Annual Fee for the remainder of the Term. In the event of a default by Caldwell County and PHI's termination pursuant to Section 3.3(B) above, PHI's sole and exclusive remedy shall be to retain the Annual Fee for the Term.

Article IV. Limitation of Liability

4.1 Limitation of Liability. Notwithstanding anything herein to the contrary, in no event, whether as a result of contract, tort, strict liability or otherwise, shall PHI be liable to Caldwell County or any Resident for any punitive, indirect, incidental or consequential damages, including, without limitation, loss of profits, loss of use or loss of contract.

4.2 Survival. The provisions of this Article IV will survive the expiration or early termination of this Agreement or any extensions hereof.

Article V. Miscellaneous

5.1 Entire Agreement. This Agreement (including any and all exhibits and attachments hereto) constitutes the entire agreement between the Parties with respect to the subject matter hereof and supersedes all previous communication, representations or agreements, either oral or written, with respect to the matters addressed herein. All modifications or amendments to this Agreement must be in expressed in a written instrument duly executed by both Parties mutually agreeing to such modification or amendment. No rights, duties, or obligations under this Agreement may be assigned nor may any interest or options contained herein be made available or otherwise assigned to any third party without the prior written consent of both of the Parties, which may be withheld in either Party's absolute and sole discretion. If any provision or application of this Agreement is held illegal, invalid, or unenforceable by any Court of competent jurisdiction, the invalidity of such provision will not affect or impair any of the remaining provisions of this Agreement, except as expressly set forth herein.

5.2 Applicable Law; Attorney's Fees. This Agreement is governed by and will be construed in accordance with the laws of the State of Texas, without giving regard to its conflicts of law rules or provisions. This Agreement will be interpreted and construed as broadly as possible consistent with the purposes stated herein. In the event of any litigation between the Parties arising out of or relating to this Agreement, the prevailing Party (as determined by the court) shall be entitled to recover its reasonable attorneys' fees, litigation expenses and court costs from the other Party.

5.3 Notice. Any notice required or permitted to be given pursuant to this Agreement shall be in writing and shall be personally delivered, sent via certified mail, postage prepaid, return receipt requested, or sent via facsimile to the following addresses:

If to Caldwell County:

Judge Hoppy Haden
Caldwell County, TX
110 S Main Street, Room 201
Lockhart, TX 78644

With a copy to:

If to PHI:

PHI Health, LLC
2800 N. 44th Street, Suite 800
Phoenix, Arizona 85008
Attn: David Motzkin, President
Email: dmotzkin@phiairmedical.com

With a copy to:

PHI Health, LLC
2800 N. 44th Street, Suite 800
Phoenix, Arizona 85008
Attn: Legal Department
legal@phiairmedical.com

Any Party may change their address for purposes of this Section by giving the other Party written notice of the new address in the manner set forth above.

5.4 Counterparts; Authority. This Agreement may be executed in counterparts, each of which shall be deemed an original, but all of which taken together shall constitute but one and the same instrument. Each individual executing this Agreement on behalf of a Party represents that he/she is authorized to enter into and deliver this Agreement and bind the Party hereto.

[Signature Page Follows]

IN WITNESS WHEREOF, the Parties hereto have entered into this Agreement as of the date and year written below, but which shall be effective for all purposes as of the Effective Date.

PHI HEALTH, LLC d/b/a PHI AIR MEDICAL CALDWELL COUNTY, TEXAS

By:_____

By:_____

Name: David Motzkin

Name: _____

Title: President

Title: _____

Date: _____

Date: _____

EXHIBIT 1

PHI Cares Membership Terms and Conditions

Membership

PHI Cares is a membership program operated by PHI Health, LLC, which covers the uninsured or otherwise uncovered portion of the flight charges that may be incurred by members who are transported on a PHI medically configured aircraft as set forth herein. Membership is valid for one (1) year beginning five (5) days after your completed application and nonrefundable payment have been received and processed by the PHI Cares membership office. These Terms and Conditions also apply to renewing memberships, provided that payment of the annual membership fee is received within thirty (30) days of the renewal date.

As used herein, the terms “you,” “your,” and “Member” shall mean any members enrolled in the PHI Cares Program; the terms “our,” “we,” “us,” and “PHI” shall mean PHI Health, LLC; the term “PHI Cares Program” shall mean the PHI Cares membership program operated by PHI; and the term “Terms and Conditions” shall mean the PHI Cares Program Terms and Conditions.

Billing

Members are charged an annual membership fee payable yearly in advance. The annual membership fee charged by PHI is based on certain factors, including whether or not you have healthcare insurance coverage.

A Member who receives a medically necessary transport through the PHI Cares Program is relieved from paying any charges related to the medical transport other than amounts paid or reimbursed to the Member by any available healthcare insurance, a third party payor, or a third party who may be legally responsible for the charges. In other words, PHI Cares accepts what your insurance or other third-party source of payment pays as “payment-in-full,” relieving you of any other charges for the air medical transport.

PHI will bill your healthcare insurer or other third-party payor (for example, Medicare), or seek recovery from any legally liable third party (for example, a car accident which causes you injury as a result of someone else’s fault or negligence) for the air medical transport. Should you receive payment directly from your healthcare insurer, other third-party payor, or from a legally liable third party for all or any portion of the charges for the air medical transport, you agree to promptly remit such payment to PHI. If any third party or his/her insurer who is legally liable pays for the air transport charges either through settlement of a claim or a judgment from a lawsuit, you agree to promptly remit the amount received by you for air transport charges included in such settlement or judgment.

Members who have no healthcare insurance coverage at the time of enrollment and no other third-party payor to cover air medical transport charges will be relieved by PHI from any patient transport charges for medically necessary air transport services on a PHI aircraft.

PHI Cares Members are responsible for and agree to pay for any charges that are not covered by the PHI Cares Program, including but not limited to air transport pick-ups outside of the PHI Cares service area or any ground ambulance transportation services that Members may incur in connection with any PHI air medical transport.

Eligibility & Availability

Medicaid participants are not eligible for membership in the PHI Cares Program.

Please note that a PHI aircraft may not be available at the time a flight request is made due to inclement weather, the PHI aircraft being in service at the time of the request, the PHI aircraft undergoing maintenance or repairs, weight limitations of the PHI aircraft, or other reasons that make the PHI aircraft unavailable to respond to a request.

Further, medical or dispatch personnel may call another air ambulance provider in which event your PHI Cares membership will not cover the medical transport.

Passenger weights and other operating restrictions may limit our ability to transport a Member. PHI, in consultation with other healthcare providers or dispatch agencies, reserves the right to determine whether air medical transport is medically necessary, safe, and appropriate under the circumstances.

Membership in the PHI Cares Program is not an insurance product. PHI Cares does not cover and will not pay or reimburse you for services performed by any other air medical transport services provider or any ground ambulance services provider. Notwithstanding the foregoing, in addition to covering medically necessary transports on PHI aircraft, your membership will also cover medically necessary transports on PHI's partners' aircraft if such transports occur within PHI's service areas. Please visit our website at www.PHICares.com or contact our Membership Department to obtain more information on our current air ambulance membership partners. Any medical transports on a PHI Cares partner aircraft shall be subject to the same Terms and Conditions stated herein.

Service Area

Membership provides household national coverage for medically necessary air transports on PHI medically configured aircraft to the closest appropriate facility within 200 miles for a rotor wing (helicopter) and 600 miles for a fixed wing (airplane). The point of pickup must be within the PHI Cares service area. For a list of service areas, please see the coverage map on the PHI Cares website: www.phicare.com/coverage.shtml or contact the membership office directly.

Notifying PHI Cares Membership Department of Transport

You should inform the healthcare provider, dispatcher, or emergency personnel of your PHI Cares membership at the time an air medical transport is requested, as these personnel will not be aware of your PHI Cares Membership. In addition, it is the responsibility of each Member to contact us if a registered and eligible household dependent has been flown by PHI. Please call our Membership Department at: **1.888.435.9744 (1.888. I Fly PHI), Monday-Friday, 0800 to 1600 Hours MST.**

Termination and Renewal of Coverage

PHI may terminate your membership for failure to comply with the Terms and Conditions of the PHI Cares membership program. PHI reserves the right to discontinue its PHI Cares Program at any time upon notice to Members. In such event, PHI shall return a pro rata portion of the membership fee. PHI also reserves the right to unilaterally modify the Terms and Conditions, including but not limited to the membership fee to be charged to Members who join or renew their membership after the effective date of such change. It is your responsibility to renew your membership prior to the expiration of the one-year term. A completed renewal application and nonrefundable payment must be received within thirty (30) days of the renewal date. If you do not renew your membership, your membership and coverage thereunder will automatically terminate at the end of the one-year term. Renewal contracts may include changes in coverage.

Acknowledgment

You acknowledge that all information included in the completed application is correct to the best of your knowledge, including all health insurance information. If your healthcare insurance is no longer in effect at the time air medical services are rendered, your PHI Cares membership will not cover your air medical transport charges, unless you have notified PHI Cares of such cancellation and have paid the supplemental membership fee charged to PHI Cares members who do not have healthcare insurance. Any changes in your healthcare insurance information, including the cancellation of healthcare insurance coverage, must be reported to the PHI Cares membership office within five (5) business days of such change or cancellation.

By approving and submitting your application for PHI Cares membership, you agree to all of the Terms and Conditions set forth herein.

**INTERLOCAL COOPERATION AGREEMENT
BETWEEN
CALDWELL COUNTY
AND
THE CITIES OF LOCKHART, LULING, AND MARTINDALE
FOR PHI AIR AMBULANCE SERVICES MEMBERSHIP**

This Interlocal Cooperation Agreement (the “Agreement”) is entered into by and among the undersigned participating municipalities of the State of Texas (the “Participating Municipalities”), acting by and through their respective governing bodies, and Caldwell County, Texas (the “County”), pursuant to and under authority of the Interlocal Cooperation Act, Chapter 791 of the Texas Government Code to share air ambulance services membership. The undersigned participating local governments adopting this Agreement upon a formal order of their respective governing bodies as provided for herein may be referred to individually as a “Party” or collectively as “Parties”.

WHEREAS, the Parties, as local governments of the State of Texas, are authorized to provide for government functions and services within Caldwell County, Texas, including the public health and welfare.

WHEREAS, the County desires to provide for the public health and welfare of the residents of Caldwell County by providing qualifying residents with an opportunity to cover the high cost of local air medical transportation by air ambulance services;

WHEREAS, the County intends to enter into an agreement with PHI Health, LLC d/b/a PHI Air Medical (PHI) for its residents’ inclusion in the PHI Cares Program, a membership-based program that covers the uninsured or otherwise uncovered portion of air ambulance flight charges by members requiring air medical transportation on a PHI aircraft;

WHEREAS, the Participating Municipalities desire to secure PHI Cares Program membership for the qualifying residents of their incorporated boundaries, and fairly compensate the County for their respective portions of the County population;

NOW, THEREFORE, in consideration of the promises, inducements, covenants, agreements, conditions, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the County and Participating Local Governments approving this Agreement agree as follows:

**Article I.
Term**

Section 1.01. **Term.** This Agreement shall have a term of one (1) year, to begin on October 1, 2022, and ending on September 30, 2023.

Section 1.02. **Contingent.** This Agreement is contingent upon the County entering into a one-year contract with PHI for PHI Cares Program memberships, to begin on October 1, 2022, and ending on September 30, 2023 (the “PHI Contract”). In the absence of the PHI Contract, this Agreement is null and void. If executed, the terms and conditions of the PHI Contract are incorporated by reference and made part of this Agreement. In the event of a conflict between the terms and conditions of this Agreement and the PHI Contract, the terms and conditions of the PHI Contract take precedence and control.

**Article II.
Party Obligations**

Section 2.01. **County to Provide Memberships.** The County will reserve and make available initial PHI Cares Program membership cards to residents within the Participating Municipalities, according to the following schedule:

<u>PARTICIPATING MUNICIPALITIES</u>	<u>INITIAL MEMBERSHIPS</u>	<u>COST PER MEMBERSHIP</u>	<u>INITIAL COST</u>
City of Lockhart	4,503	\$ 6.00	\$ 27,018.00
City of Luling	2,070	\$ 6.00	\$ 12,420.00
City of Martindale	407	\$ 6.00	\$ 2,442.00

Section 2.02. **Compensation.** The Participating Municipalities will pay to the County an initial cost, according to the schedule contained in Section 2.01.

Section 2.03. **Additional Memberships.** The Participating Municipalities may request additional membership cards, subject to approval by the County. A request for additional membership cards and subsequent County approval must be in writing. Approved additional memberships shall be invoiced according to the rate provided in the schedule contained in Section 2.01.

Section 2.04. **Time of Payment.** The Participating Municipalities will make any invoiced payments within thirty (30) days of receiving said invoice.

Section 2.05. **Payment from Current Revenues.** Payments made by each Participating Municipality must be made from current revenues available to the Participating Municipality.

Section 2.06. **Prorated Refund.** In the event the County receives a prorated refund from PHI, the County will, in turn, refund the Participating Municipalities a prorated amount of costs invoiced to the Participating Municipalities for the remainder of the Term.

**Section III.
Miscellaneous**

Section 3.01. **Entire Agreement.** This Agreement, including any exhibits hereto, contains the entire agreement between the Parties.

Section 3.02. **Amendments.** This Agreement may only be amended or altered by written instrument signed by all parties.

Section 3.03. **Legal Authority.** The Parties warrant that they possess adequate legal authority to enter into this Agreement. The Parties governing bodies have authorized the signatory officials to enter into this Agreement and bind the Parties to the terms of this Agreement and any subsequent amendments.

Section 3.04. **Assignment.** A Participating Municipality may not assign its rights and interests under this Agreement to any other party, unless approved in writing by the Parties. In the event of such assignment this Agreement shall be binding on and inure to the benefit of such assignee or successor.

Section 3.05. **Force majeure.** Any and all duties, obligations, and covenants of this Agreement will be suspended during time of natural disaster, war, acts of terrorism, or other "Acts of God" which prevent the Parties from fulfilling any and all duties, obligations, or

covenants of this Agreement. If a Party is prevented from fulfilling a duty, obligation, or covenant of this Agreement due to a force majeure event, the party prevented from fulfilling will notify the other party in writing, sent pursuant to Section 3.08, within fourteen (14) calendar days of the force majeure event.

Section 3.06. **Mutual Indemnification.** In no event shall the Parties to this Agreement be liable to the other party for any special, consequential, incidental, or punitive damages on any claim arising out of or concerning this Agreement. If a Participating Municipality is served with process in a suit or proceeding arising out of this Agreement, the Participating Municipality agrees to promptly furnish the County with a copy of the process. The Parties agree that these indemnification obligations apply to causes of action accruing during the term of this Agreement, and that for this purpose the obligations will survive the termination of this Agreement.

Section 3.07. **Waiver.** No term or condition of this Agreement shall be deemed to have been waived, nor shall there be any estoppel to enforce any provision of this Agreement, except by written instrument of the party charge with such waiver and estoppel.

Section 3.08. **Notices.** Any notice, statement, or communication required or permitted to be delivered hereunder shall be in writing and must be mailed by certified mail with return receipt requested, postage prepaid, or delivered by hand, and will be deemed delivered when received at the addresses of the parties set forth below, or at such other address furnished in writing to the other parties thereto:

Caldwell County: Caldwell County
Attn: County Judge
Caldwell County Courthouse
110 S. Main Street, Room 101
Lockhart, Texas 78644

City of Lockhart: The City of Lockhart
Attn: City Manager
PO Box 239
Lockhart, Texas 78644

City of Luling: The City of Luling
Attn:

Lockhart, Texas 78644

City of Martindale: The City of Martindale
Attn:

Lockhart, Texas 78644

Section 3.09. **Applicable Law and Venue.** This Agreement is made and will be construed and interpreted under the laws of the State of Texas. Venue for any legal proceedings shall lie in the district courts located in Caldwell County, Texas. Venue for any matters in federal court will be in the United States District Court for the Western District of Texas.

Section 3.10. **Severability.** In the event any provision of this Agreement is illegal, invalid, or unenforceable under the applicable present or future laws, then, in that event, it is the intention of the Board and Foundation 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 3.11. **No Joint Venture.** Nothing in this Agreement is intended by the parties to create a partnership or joint venture between the Board and Foundation, and any implication to the contrary is expressly disavowed. It is understood and agreed that this Agreement does not create a joint enterprise, nor does it appoint either party as an agent of the other for any purpose whatsoever. Except as otherwise specifically provided herein, neither party shall in any way assume any of the liability of the other for acts of the other or obligations of the other.

Section 3.12. **Counterparts.** This Agreement may be executed in multiple counterparts, each of which shall be considered an original, but all of which constitute one instrument.

This Agreement between the Participating Municipalities and Caldwell County is hereby executed in duplicate originals, to be effective as of the date of the latest signature below.

CALDWELL COUNTY:

By: _____ Date: _____
Hoppy Haden
County Judge

CITY OF LOCKHART:

By: _____ Date: _____
Lew White
Mayor

CITY OF LULING:

By: _____ Date: _____
Mayor

CITY OF MARTINDALE:

By: _____ Date: _____
Mayor

CERTIFICATE OF INSURANCE

Issued on behalf of Insurers by
Willis Towers Watson Northeast, Inc.
5 Concourse Pkwy, 18th Floor
Atlanta, GA 30328
Telephone (404) 224-5000, Fax (404) 224-5001

This is to certify to:

City of Lockhart
308 W. San Antonio St.
Lockhart, TX 78644

(Sometimes referred to herein as the Certificate Holder(s))

that the Insurers listed below, each for their own part and not one for the other, are providing the following insurance:

NAMED INSURED(s): PHI Group, Inc., PHI Aviation, LLC, PHI Health, LLC, and any subsidiary or affiliated company now in existence or hereinafter acquired or created and any other company under PHI GROUP, INC.'s control or in which it assumes active management and PHI GROUP, INC.'s interest in any joint ventures or partnerships.

ADDRESS: 2001 SE Evangeline Thruway, Lafayette, LA 70509

POLICY PERIOD: July 1, 2022 to July 1, 2023 both days at 00:01 Local Standard Time at the address of the Named Insured.

COVERAGES:

ALL RISKS (GROUND AND FLIGHT) AIRCRAFT HULL INSURANCE

HULL VALUE: As held on file

Coverage applies to the Aircraft including the propulsion system and equipment usually installed in or on the Aircraft (1) while installed in or on the Aircraft; (2) while temporarily removed from the Aircraft prior to being installed; and (3) while removed from the Aircraft for replacement until such time as replacement has commenced at which time the replacement part shall be considered a part of the Aircraft.

AVIATION HULL WAR AND ALLIED PERILS INSURANCE

HULL WAR VALUE: As held on file

Aviation Hull War and Allied Perils as per Form LSW555D, including, but not limited to, threats against the aircraft or its passengers or crew made during currency of the policy; or ransom following kidnap of passengers and crew, following hijacking only, Extra Expenses incurred following confiscation, or hijacking of the aircraft.

COMPREHENSIVE AVIATION LIABILITY INSURANCE

LIABILITY LIMIT: \$5,000,000.

Including, but not limited to: Comprehensive General Liability, Bodily Injury and Property Damage to Third Parties, Passenger Liability, Personal Injury Liability, Contractual Liability, Passengers' Checked and Unchecked Baggage, Premises, Products, Ground Hangarkeepers and Completed Operations Liabilities, Limited Sudden and Accidental Pollution (if caused by a crash, fire explosion, collision or a recorded in flight emergency causing abnormal aircraft operation), Excess Automobile, and Employers' and Cargo Legal Liabilities.

War Risk Liability AVN52E Extended Coverage Endorsement (Aviation Liabilities): \$5,000,000.

Auto Legal Liability: \$25,000,000 excess of \$1,000,000 (Primary)

Employers Liability Insurance: \$25,000,000 Excess of \$3,000,000 (Primary)

REFER TO THE POLICY. AN ANNUAL AGGREGATE LIMIT APPLIES TO SOME COVERAGES.

GEOGRAPHICAL LIMITS: Worldwide (including Gulf of Mexico)

AIRCRAFT INSURED: Any aircraft owned, used, maintained and/or operated by the Named Insured.

CONTRACTS: Agreement between the Named Insured(s) and the Certificate Holder(s) (hereinafter, the 'Contract(s)').

SPECIAL PROVISION(S)

Subject always to the scope of the policies noted above and all the policies' declarations, insuring agreements, definitions, terms, conditions, limitations, exclusions, deductibles, warranties and endorsements thereof remaining paramount: Solely as respects: (i) The Coverage(s) noted above; (ii) the Contract(s) (and then only to the extent of the Named Insured's obligation to provide insurance under the terms of the Contract(s)); and (iii) the operations of the Named Insured; the following provision(s) apply(ies):

The use of the terms "Additional Insured" / "Additional Insureds", when used in the context of coverages other than Liability Coverage(s), are solely for the purpose of identifying parties and does not, by virtue of the use of these terms, convey any benefits or rights not provided for under the policies.

Solely as respects Liability Coverage(s): The Certificate Holder(s) and their directors, officers, employees, agents and assigns are included as Additional Insureds (collectively, the Additional Insureds, individually, an Additional Insured) as their respective interests may appear, warranted no operational interest.

As respects all Coverage(s): If such insurance is canceled for any reason whatsoever, or if any change is made in the policy that reduces the amount of insurance or the coverage certified hereunder to the Certificate Holders or if such insurance is allowed to lapse for nonpayment of premium, Insurers agree that such cancellation, change or lapse shall not be effective as to any Additional Insured until thirty (30) days (seven (7) days or such shorter period as may be customary in the case of Aircraft Hull War Risks and Allied Perils Insurance and Extended Coverage Endorsement (Aviation Liabilities)) after receipt by the Certificate Holders of written notice from the Insurers of such cancellation, change or lapse.

This Certificate of Insurance is issued as summary of the insurances under the policies noted above and confers no rights upon the Certificate Holders as regards the insurances other than those provided by the policies. The undersigned has been authorized by the above insurers to issue this certificate on their behalf and is not an insurer and has no liability of any sort under the above policies as an insurer as a result of this certification.

This certificate or verification of insurance is not an insurance policy and does not amend, extend or alter the coverage afforded by the policies listed herein. Notwithstanding any requirement, term, or condition of any contract or other document with respect to which this certificate or verification of insurance may be issued or may pertain, the insurance afforded by the policies described herein is subject to all terms, exclusions, limitations and conditions of such policies (including, but not limited to an Electronic Date Recognition Exclusion Clause, and a related Electronic Date Recognition Exclusion Limited Coverage Endorsement; copies of which will be made available on request).

Jason Klevens

Jason Klevens, Authorized Representative

September 22, 2022

Issue Date

SECURITY SHEET

POLICY TERM: July 1, 2022 to July 1, 2023 on both dates at 12:01 A.M. Local Standard Time at the address of the Named Insured.

AVIATION HULL AND LIABILITY COVERAGE

Allianz Global Risks US Insurance Company Financial Rating: AM Best "A+":	A1GA000392022AM	25.0%
Starr Indemnity & Liability Company through Starr Aviation Financial Rating: AM Best "A"	SASICOM60016722-12	12.5%
National Union Fire Insurance Company of Pittsburgh Pa. Through AIG Aerospace Insurance Services, Inc. Financial Rating: AM Best "A"	FQ 013468409-06	12.0%
Old Republic Insurance Company through Old Republic Aerospace Financial Rating: AM Best "A+"	AVC 003084-11	12.5%
United States Insurance Group through one or more Member Companies of USAIG Columbia Insurance Company Rating: A++ Ace American Insurance Company Rating: A++	SIHL2-3081	4.5%
Underwriters at Lloyd's & certain Insurance Companies through Willis Limited, London	B080125366A22	33.5%
Total		100.0%

EXCESS LIABILITY COVERAGE

National Union Fire Insurance Company of Pittsburgh Pa. Through AIG Aerospace Insurance Services, Inc. Financial Rating: AM Best "A"	EX 013468507-03	100%
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*Excess Liability Policy applies to Contract Specific Aircraft Only

SEVERAL LIABILITY NOTICE

The subscribing insurers' obligations under contracts of insurance to which they subscribe are several and not joint and are limited solely to the extent of their individual subscriptions. The subscribing insurers are not responsible for the subscription of any co-subscribing insurer who for any reason does not satisfy all or part of its obligations.

ORDINANCE 2022-58

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LOCKHART, TEXAS, AMENDING THE BUDGET FOR THE FISCAL YEAR 2023 IN ACCORDANCE WITH EXISTING STATUTORY REQUIREMENTS; RE-APPROPRIATING THE VARIOUS AMOUNTS HEREIN, AS ATTACHED IN BUDGET AMENDMENT NO. 72; REPEALING ALL PRIOR ORDINANCES AND ACTIONS IN CONFLICT HERewith; AND ESTABLISHING FOR AN EFFECTIVE DATE.

WHEREAS, the Fire Chief of the City of Lockhart, Texas has submitted to the Mayor and City Council proposed amendment to the City of Lockhart, Texas budget of expenditures/expenses of conducting affairs of said city and providing a complete financial plan for Fiscal Year 2023; and

WHEREAS, the Fire Chief has requested a budget amendment to the Mayor and Council departmental budget; and

WHEREAS, the Mayor and Council concur with the recommendation of the Fire Chief and staff that the budget amendment is to be processed to reflect the proper expense account within the Mayor and Council departmental budget; and

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

That Ordinance 2022-58 is hereby adopted amending the Mayor and Council Departmental Budget for Fiscal Year 2022-2023 as the same are contained in Budget Amendments 72, which are attached hereto and incorporated herein for all purposes.

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

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

CITY OF LOCKHART

Lew White, Mayor

Attest:

APPROVED AS TO FORM:

Connie Constancio, TRMC, City Secretary

Monte Akers, City Attorney

CITY OF LOCKHART
BUDGET AMENDMENT FORM
Amendment No. 72

EXPENSES	ACCOUNT NO.	Adopted Budget	Current Amendment	Total Budget after Current Amendment
Mayor/Council - Contracts & Services	100-5101-299-00	\$13,755.00	\$27,018.00	\$40,773.00
				0.00

\$40,773.00

REVENUES	ACCOUNT NO.	AMOUNT
		\$0.00
		\$0.00
		\$0.00

REASON FOR AMENDMENT

Interlocal agreement with Caldwell County regarding air ambulance services for citizens of Lockhart, Texas

REQUESTED BY: Randy Jenkins, Fire Chief DATE _____

APPROVED BY: _____ DATE _____

POSTED FINANCE DATE _____



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

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CITY COUNCIL FY 18-19 GOALS (FINAL COMBINED)

PRIORITY ORDER

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

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CITY COUNCIL FY 18-19 GOALS

Category Order and Comments by City Manager

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

City of Lockhart
2015 BOND PROGRAM

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

City of Lockhart
2015 BOND PROGRAM

Cost	Notes	Task Name	Duration	Start	Finish	2015					2016					2017													
						Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan
		Construction	365 days	Thu 6/30/16	Thu 6/29/17																								
\$1,355,516.00	6	SH130 WATER MAIN PROJECT - City Line Rd. to Existing Tank, SH 130 @ Hwy. 142, Borchert/Mockingbird, Control Valves, FM 2001																											
		Surveying Proposal	15 days	Mon 1/18/16	Mon 2/1/16																								
		Survey	30 days	Tue 2/2/16	Wed 3/2/16																								
		Acquisition	150 days	Thu 3/3/16	Sat 7/30/16																								
		Engineering Design	120 days	Thu 3/3/16	Thu 6/30/16																								
		Bid Ad/NTP	60 days	Fri 7/1/16	Mon 8/29/16																								
		Construction	300 days	Fri 9/2/16	Wed 6/28/17																								
\$470,400.00	7	SH130 PUMP STATION PROJECT																											
		Survey	7 days	Mon 4/25/16	Sun 5/1/16																								
		Engineering Design	90 days	Mon 5/2/16	Sat 7/30/16																								
		Bid Ad/NTP	60 days	Sun 7/31/16	Wed 9/28/16																								
		Construction	270 days	Sun 10/2/16	Wed 6/28/17																								
\$859,186.00	8	SH130/TOWN BRANCH SEWER PROJECT																											
		Surveying Proposal	15 days	Fri 5/20/16	Fri 6/3/16																								
		Survey	30 days	Sat 6/4/16	Sun 7/3/16																								
		Acquisition	120 days	Mon 7/4/16	Mon 10/31/16																								
		Engineering Design	90 days	Mon 7/4/16	Sat 10/1/16																								
		Bid Ad/NTP	60 days	Sun 10/2/16	Wed 11/30/16																								
		Construction	240 days	Mon 12/5/16	Tue 8/1/17																								
\$1,891,126.00	9	WATER TRANSMISSION MAIN PROJECT - Water Plant Transmission Main, MLK to FM 20 West Transmission Main																											
		Surveying Proposal	17 days	Wed 11/16/16	Fri 12/2/16																								
		Survey	30 days	Sat 12/3/16	Sun 1/1/17																								
		Acquisition	120 days	Mon 1/2/17	Mon 5/1/17																								
		Engineering Design	90 days	Mon 1/2/17	Sat 4/1/17																								
		Bid Ad/NTP	60 days	Sun 4/2/17	Wed 5/31/17																								
		Construction	180 days	Mon 6/5/17	Fri 12/1/17																								