PUBLIC NOTICE

AGENDA

LOCKHART CITY COUNCIL

September 7, 2021

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. Discuss City Council minutes of the August 17, 2021 meeting.

B. Discuss completing electric distribution upgrade to LK30 and LK40 (Project #11) as part of the Lower Colorado River Authority (LCRA) five-year System Study.

C. Discuss utilization of tree trimming service through the Lower Colorado River Authority (LCRA) and McCoy Tree Surgery, Co. and authorizing the City Manager to execute the customer service contract.

D. Discuss Lockhart Little League (LLL) five (5) year contract renewal request for use of the City's Sports Complex and fields on Carver Street.

E. Discuss Easement Agreement for Public Utilities for the wastewater main extension for future Lincoln Lane right-of-way and to authorize the Mayor to sign the agreement.

F. Discuss Ordinance 2021-26 adopting the City Manager's Annual Operating Budget for Fiscal Year 2021-2022 and appropriating resources, beginning October 1, 2021 ending September 30, 2022 for the City of Lockhart, Caldwell County, Texas and the Lockhart Economic Development Corporation and readopting the City's Investment and Strategies Policy and Fund Balance - Stabilization and Excess of Reserves Policies.

G. Discuss Ordinance 2021-27 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 2021, beginning October 1, 2021 and ending September 30, 2022.

H. Discuss Ordinance 2021-29 repealing uncodified Ordinance 2020-22 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.

I. Discuss a one-time premium payment to City of Lockhart employees utilizing funds from American Rescue Plan Act (ARPA) and the City of Lockhart as presented.

J. Discussion regarding matters related to COVID-19 including, but not limited to, the use of City facilities for upcoming community events such as Evening with the Authors, National Night Out, Hill Country Barbecue Cookoff, Speaking of the Dead, Courthouse Nights, and Dickens.

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 HEARING/COUNCIL ACTION

A. Hold public hearing on the City of Lockhart and Lockhart Economic Development Corporation FY 2021-2022 Budgets.

B. Hold public hearing on Proposed Tax Rate for 2021.

C. Hold a PUBLIC HEARING on application ZC-21-11 by Berk RE, LLC, on behalf of Terry Black, and discussion and/or action to consider Ordinance 2021-28, for a **Zoning Change** from *RLD Residential Low Density District* to *CHB Commercial Heavy Business District* on 1.022 acres in the Byrd Lockhart Survey, Abstract 17, located at 900 North Colorado Street (US 183).

4. 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.

5. CONSENT AGENDA

A. Approve City Council minutes of the August 17, 2021 meeting.

B. Approve completing electric distribution upgrade to LK30 and LK40 (Project #11) as part of the Lower Colorado River Authority (LCRA) five-year System Study.

C. Approve utilization of tree trimming service through the Lower Colorado River Authority (LCRA) and McCoy Tree Surgery, Co. and authorizing the City Manager to execute the customer service contract.

D. Approve Lockhart Little League (LLL) five (5) year contract renewal request for use of the City's Sports Complex and fields on Carver Street.

E. Approve Easement Agreement for Public Utilities for the wastewater main extension for future Lincoln Lane right-of-way and to authorize the Mayor to sign the agreement.

6. DISCUSSION/ACTION ITEMS

A. Discussion and/or action for the Council to consider Ordinance 2021-26 adopting the City Manager's Annual Operating Budget for Fiscal Year 2021-2022 and appropriating resources, beginning October 1, 2021 ending September 30, 2022 for the City of Lockhart, Caldwell County, Texas and the Lockhart Economic Development Corporation and readopting the City's Investment and Strategies Policy and Fund Balance - Stabilization and Excess of Reserves Policies.

B. Discussion and/or action for City Council to consider Ordinance 2021-27 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 2021, beginning October 1, 2021 and ending September 30, 2022.

C. Discussion and/or action to consider Ordinance 2021-29 repealing uncodified Ordinance 2020-22 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.

D. Discussion and/or action to consider a one-time premium payment to City of Lockhart employees utilizing funds from American Rescue Plan Act (ARPA) and the City of Lockhart as presented.

E. Discussion regarding matters related to COVID-19 including, but not limited to, the use of City facilities for upcoming community events such as Evening with the Authors, National Night Out, Hill Country Barbecue Cookoff, Speaking of the Dead, Courthouse Nights, and Dickens.

F. Discussion and/or action regarding appointments to various boards, commissions or committees.

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

- Update regarding Fire Department.
- Caldwell County Appraisal District (CCAD) seeking nominations for Directors of the CCAD Board for the 2022-2023 term.
- City Cemetery cleanup begins October 4, 2021.

8. COUNCIL AND STAFF COMMENTS - ITEMS OF COMMUNITY INTEREST

9. EXECUTIVE SESSION IN ACCORDANCE WITH THE PROVISIONS OF THE GOVERNMENT CODE, TITLE 5, SUBCHAPTER D, SECTION 551.087 TO DELIBERATE OR FOR DISCUSSION REGARDING COMMERCIAL OR FINANCIAL INFORMATION THAT THE GOVERNMENTAL BODY HAS RECEIVED FROM A BUSINESS PROSPECT THAT THE GOVERNMENTAL BODY SEEKS TO HAVE LOCATE, STAY, OR EXPAND IN OR NEAR THE TERRITORY OF THE GOVERNMENTAL BODY AND WITH WHICH THE GOVERNMENTAL BODY IS CONDUCTING ECONOMIC DEVELOPMENT NEGOTIATIONS; OR TO DELIBERATE THE OFFER OF A FINANCIAL OR OTHER INCENTIVE TO A BUSINESS PROSPECT.

A. Discussion regarding Economic Development negotiations with Project Dynamo.

B. Discussion regarding Economic Development negotiations with Project Evergreen.

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

A. Discussion regarding possible land acquisition.

11. OPEN SESSION

A. Discussion and/or action regarding Economic Development negotiations with Project Dynamo.

B. Discussion and/or action regarding Economic Development negotiations with Project Evergreen.

C. Discussion and/or action regarding possible land acquisition.

12. 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 3rd day of September, 2021 at 3:50 p.m.

REGULAR MEETING
LOCKHART CITY COUNCIL AUGUST 17, 2021 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
Ernest Pedraza, Police Chief
Connie Constancio, City Secretary
Victoria Maranan, Public Information Officer
Sean Kelley, Public Works Director
Randy Jenkins, Fire Chief

Citizens/Visitors Addressing the Council: Sydney Falk with Bickerstaff, Heath, Delgado & Acosta; and BJ Westmoreland of the Lockhart Chamber of Commerce.

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. RECEIVE UPDATE AND DISCUSSION REGARDING THE REDISTRICTING PROCESS.
Ms. Constancio stated that on May 4, 2021, the City Council approved an Engagement Agreement with Bickerstaff, Heath, Delgado & Acotsa to provide legal services for all aspects associated with the redistricting process. She stated that Sydney Falk of the firm will give the update.

Sydney Falk of Bickerstaff, Heath, Delgado & Acosta provided information regrading the upcoming redistricting process.

B. DISCUSS UPDATE TO AN AUTOMATIC AID AGREEMENT FOR STRUCTURE FIRE RESPONSES BETWEEN LOCKHART FIRE RESCUE AND TRAVIS COUNTY FIRERESCUE ESD#11 ORIGINALLY DATED OCTOBER 3, 2007.
Chief Jenkins stated that the original automatic aid agreement between Lockhart Fire Rescue and Travis County Fire Rescue ESD #11 is being updated to include the following changes to the agreement:

- Travis County Fire Rescue ESD #11 updated their response to include a ladder truck and a squad or engine with a minimum of four personnel total.
- Definitions were updated to include Ladder Truck, Mini-Pumper, and Squad.
- Travis County Fire Rescue ESD #11 reduced the requested response area for Lockhart Fire Rescue significantly.

Travis County Fire Rescue ESD #11 contracts with Hays/Caldwell County ESD #1 for fire protection and has a staffed fire station (#1107) located at the intersection of FM 1854 and FM 1185. This location improves their ability to respond to the City of Lockhart in a timely manner. Firefighting is an inherently dangerous and labor-intensive occupation and having adequate manpower to respond to structure fires

increases safety to firefighters and the public. The National Fire Protection Association (NFPA) 1710, Standard for the Organization and Deployment of Fire Suppression Operations to the Public by Career Fire Departments, 2016 Edition recommends as an objective to respond to a single-family residence structure fire with a minimum of 12 personnel within a travel time of 8 minutes (Chapters 4.1.2.1, and 5.2.4.1.1). Lastly, the Insurance Services Office (ISO) uses the Fire Suppression Rating Schedule (FSRS) to evaluate communities on their fire suppression capabilities. A Public Protection Classification (PPC) is then assigned to the community. Our current PPC is 3/3X. Entering into Automatic Aid Agreements for structure fires can enhance our FSRS score in the areas of fire apparatus, equipment, and personnel. Chief Jenkins recommended approval.

C. DISCUSSION REGARDING SETTING THE 2021 COMBINED MAINTENANCE AND OPERATIONS AND INTEREST AND SINKING PROPOSED PROPERTY TAX RATE FOR THE CITY OF LOCKHART. IF THE PROPOSED TAX RATE EXCEEDS EITHER THE NO NEW REVENUE RATE OR VOTER APPROVAL RATE, A RECORD VOTE MUST BE TAKEN TO PLACE A PROPOSAL TO ADOPT THE RATE ON THE AGENDA FOR A FUTURE COUNCIL MEETING. IF THE MOTION PASSES, THE COUNCIL MUST SCHEDULE AND ANNOUNCE THE DATE, TIME, AND LOCATION OF ONE (1) PUBLIC HEARING REGARDING THE PROPOSED TAX RATE SET BY THE COUNCIL.

Ms. Larison stated that the action taken by the Council is required by the State of Texas in adherence with the Truth-In-Taxation laws. As directed by Council, a record vote will need to be taken and the date announced for the aforementioned public hearing scheduled on September 7, 2021, at 7:30 p.m. in the Council Chambers located at the Clark Library Annex - Council Chambers, 217 South Main Street, 3rd Floor, Lockhart, Texas. Senate Bill 2 has limited the percentage increase from No New Revenue to Voter Approval rate by 3.5% but has added a new unused incremental rate adjustment. Because of this, the City's adjusted Voter Approval rate has been increased by the unused incremental rate received from last year, which is 0.0123/$100, setting the new Voter Approval rate to 0.6459/$100.

D. DISCUSS AND REVIEW FISCAL YEAR 2021-2022 CITY MANAGER'S PROPOSED BUDGET.

Ms. Larison stated that a public hearing on the Fiscal Year 2021-2022 budget will be held during the regular meeting. The proposed budget is posted on the city website, and is available for the public to view in the office of the City Secretary, at the Clark Library and in the City Hall lobby. She introduced Jason Rasor of Raftelis to give information about proposed water and wastewater rate increases.

Jason Rasor of Raftelis provided information regarding the following:

- Commercial water meter counts and commercial water rate scenarios.
- Residential water meter counts and water rate scenarios.
- 3-year phase in fixed water meter charge.

Ms. Larison provided information and there was discussion regarding a proposed solid waste rate increase.

Mr. Kelley provided information and there was discussion regarding proposed increased cemetery rates.

Chief Pedraza requested one new full-time employee that would manage the property room of the Lockhart Police Department.

Ms. Bowermon provided information and there was discussion regarding a possible one-time incentive to employees for their dedication for working under extreme circumstances during the 2020 COVID-19 pandemic. The incentive is eligible to be paid through the American Rescue Plan Act (ARPA) funds.

RECESS: Mayor White announced that the Council would recess for a break at 7:41 p.m.

G. DISCUSS REQUEST BY LOCKHART CHAMBER OF COMMERCE REGARDING PARK IMPROVEMENTS.

Mayor White requested BJ Westmoreland to address the Council.

B.J. Westmoreland, Chair of the Lockhart Chamber of Commerce, stated that at the previous Council meeting, the Lockhart Chamber announced that they were returning funds in the amount of $26,500 to the City of Lockhart. He requested that the city proceed with discussions about upgrades in City Park such as ADA compliance issues, restrooms upgrades and upgrading the amphitheater.

There was discussion regarding establishing a City Park Improvement ad-hoc committee to make a recommendation to the Council about improvements at the City Park and associated costs.

After discussion, the consensus of the Council was that the ad-hoc committee consist of the following: two Councilmembers, a Representative of the Lockhart Chamber of Commerce, two members of the Parks Advisory Board, a Representative of the Hispanic Chamber of Commerce, Sean Kelley, Public Works Director and Steve Lewis, City Manager.

The appointments to be made during the regular meeting are Councilmember Jeffry Michelson, Councilmember David Bryant, BJ Westmoreland and Winn Smith representing the Lockhart Chamber of Commerce, Rob Ortiz or his designee representing the Hispanic Chamber of Commerce, Warren Burnett, Chair of the Parks Advisory Board, one additional Parks Advisory Board member, Sean Kelley, Public Works Director and Steve Lewis, City Manager.

D. DISCUSS AND REVIEW FISCAL YEAR 2021-2022 CITY MANAGER'S PROPOSED BUDGET.

Mayor White reconvened discussion regarding the budget.

Ms. Larison provided information regarding one-time capital expenditure items.

E. BUDGET AMENDMENT TO THE WATER AND WASTEWATER FUNDS FOR FISCAL YEAR 2020-2021; AND APPROVING BUDGET AMENDMENT #58, AS OUTLINED IN ORDINANCE 2021-25.

Ms. Larison stated that on February 2, 2021, the City Council approved the contract to Raftelis Financial Consultants, Inc. to perform a rate study that would determine the total cost of providing water and wastewater services, equitably distribute costs to customers, and design rates to safeguard the financial integrity of the City.

City Council acknowledged that a budget amendment would be necessary and approved the following:

- 520-5799-299 Contracts and Services to Water Fund $18,191.50
- 540-5799-299 Contracts and Services to Wastewater Fund $18,191.50

H. DISCUSSION REGARDING MATTERS RELATED TO COVID-19, IF NECESSARY.

Mayor White gave an update regarding the vaccine and testing opportunities in the community. He encouraged everyone to stay safe and to wear face coverings.

REGULAR MEETING

ITEM 1. CALL TO ORDER.
Mayor Lew White called the meeting to order at 7:52 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-A. HOLD A PUBLIC HEARING ON THE CITY OF LOCKHART AND LOCKHART ECONOMICDEVELOPMENT CORPORATION FISCAL YEAR 2021-2022 BUDGETS.
Mayor White opened the public hearing at 8:26 p.m.

Mayor White requested citizens in favor of or against the proposed budgets to address the Council. There were none. He closed the public hearing at 8:27 p.m.

ITEM 4. PUBLIC COMMENT.
Mayor White read a statement emailed to Council from Pat Stroka expressing disappointment about no longer accepting glass for recycling.

Mr. Lewis provided an explanation about why glass is no longer accepted for recycling.

ITEM 5-A. RECEIVE UPDATE AND DISCUSSION REGARDING THE REDISTRICTING PROCESS.
Mayor White announced that the update was received during the work session.

ITEM 5-B. DISCUSSION AND/OR ACTION TO CONSIDER AN UPDATE TO AN AUTOMATIC AID AGREEMENT FOR STRUCTURE FIRE RESPONSES BETWEEN LOCKHART FIRE RESCUE AND TRAVIS COUNTY FIRE RESCUE ESD#11 ORIGINALLY DATED OCTOBER 3, 2007.
Councilmember Michelson made a motion to approve the update to an Automatic Aid Agreement, as presented. Councilmember McGregor seconded. The motion passed by a vote of 7-0.

ITEM 5-C. DISCUSSION AND/OR ACTION REGARDING SETTING THE 2021 COMBINED MAINTENANCE AND OPERATIONS AND INTEREST AND SINKING PROPOSED PROPERTY TAX RATE FOR THE CITY OF LOCKHART. IF THE PROPOSED TAX RATE EXCEEDS EITHER THE NO NEW REVENUE RATE OR VOTER APPROVAL RATE, A RECORD VOTE MUST BE TAKEN TO PLACE A PROPOSAL TO ADOPT THE RATE ON THE AGENDA FOR A FUTURE COUNCIL MEETING. IF THE MOTION PASSES, THE COUNCIL MUST SCHEDULE AND ANNOUNCE THE DATE, TIME, AND LOCATION OF ONE (1) PUBLIC HEARING REGARDING THE PROPOSED TAX RATE SET BY THE COUNCIL.
Ms. Larison requested that the Council set a tax rate for Fiscal Year 2021-2022 and to schedule a public hearing on September 7, 2021.

Mayor White made a motion to set the City of Lockhart proposed tax rate of $0.6354 which is higher than the no new revenue rate of $0.5857 but lower than the voter approval rate of $0.6459 and to set the public hearing on the City of Lockhart proposed tax rate on September 7, 2021 at 7:30 p.m. at Clark Library Annex, 217 South Main Street, 3rd Floor, Lockhart, Texas and authorize city staff to publish all required public notices. Councilmember Michelson seconded.

The following is the record vote of the motion:

Councilmember Brad Westmoreland – in favor
Councilmember Juan Mendoza - in favor
Mayor Pro-Tem Angie Gonzales-Sanchez – in favor
Councilmember Kara McGregor – in favor
Councilmember David Bryant – in favor
Councilmember Jeffry Michelson – in favor
Mayor Lew White – in favor

The motion passed by a vote of 7-0.

ITEM 5-D. DISCUSS AND REVIEW FISCAL YEAR 2021-2022 CITY MANAGER'S PROPOSED BUDGET.

After discussion, the consensus of the Council was to include the following in the Fiscal Year 2021-2022 proposed budget:

- Full-time position in the Lockhart Police Department - evidence room employee.
- One-time American Rescue Plan Act Premium pay to city employees. ($1,000 to full-time employees and $500 to part-time employees)
- One-time capital expenditures:
  - City Hall – remaining bond funds; short-term tax note; or fund balance
  - Space study - $50,000 – or remaining bond funds
  - Clark Library building renovations - $59,000 – or remaining bond funds
  - Sidewalks - $52,500 – sidewalk restricted use funds
  - Street improvements – additional $100,000 – moved to 2015 Certificates of Obligation funding
  - Fire Station 1 renovations - $455,252 – moved to 2015 Certificates of Obligation funding
  - Parks & Recreation improvements - $455,252
  - AWIA Risk & Resilience Assessment – fencing- American Rescue Plan funds
- Utility rates:
  - Wastewater-Scenario 2 for commercial and residential rates
  - Water-3 year phase-in
  - Solid Waste-option 4
  - Increase Cemetery rates - $800 for City resident; Caldwell County resident - $900; Non-resident (outside Caldwell County) - $1,500

ITEM 5-E. DISCUSSION AND/OR ACTION TO CONSIDER A BUDGET AMENDMENT TO THE WATER AND WASTEWATER FUNDS FOR FISCAL YEAR 2020-2021; AND APPROVING BUDGET AMENDMENT #58, AS OUTLINED IN ORDINANCE 2021-25.

Mayor Pro-Tem Sanchez made a motion to approve Ordinance 2021-25/Budget amendment #58, as presented. Councilmember Bryant seconded. The motion passed by a vote of 7-0.

ITEM 5-F. DISCUSSION AND/OR ACTION TO CONSIDER APPROVAL OF CITY COUNCIL MINUTESOF THE JULY 20, 2021, AUGUST 3, 2021 AND AUGUST 5, 2021 MEETINGS.

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

Councilmember Mendoza stated that he will abstain from voting on July 20 and August 5 minutes because he was not present at the meetings.

Councilmember McGregor made a motion to approve the minutes. Mayor Pro-Tem Sanchez seconded. The motion passed by a vote of 6-0-1, with Councilmember Mendoza abstaining.

ITEM 5-G. DISCUSS REQUEST BY LOCKHART CHAMBER OF COMMERCE REGARDING PARK IMPROVEMENTS.

Mayor Pro-Tem Sanchez made a motion to establish a City Park Improvement ad-hoc Committee and to appoint committee members as listed below. Councilmember Westmoreland seconded. The motion passed by a vote of 7-0.

Ad-hoc committee appointments:
Councilmember Jeffry Michelson
Councilmember David Bryant
Warren Burnett, Chair of the Parks Advisory Board
2nd member of the Parks Advisory Board
BJ Westmoreland – Lockhart Chamber of Commerce
Winn Smith – Lockhart Chamber of Commerce
Rob Ortiz or designee – Hispanic Chamber of Commerce
Sean Kelley, Public Works Director
Steve Lewis, City Manager

ITEM 5-H. DISCUSSION REGARDING MATTERS RELATED TO COVID-19, IF NECESSARY.

There was no action.

ITEM 5-I. DISCUSSION AND/OR ACTION REGARDING APPOINTMENTS TO VARIOUS BOARDS,COMMISSIONS OR COMMITTEES.

Mayor White requested appointments to boards or committees.

Mayor Pro-Tem Sanchez made a motion to appoint Lee Parra to the Parks Advisory Board, replacing Chris Schexnayder. She thanked Mr. Schexnyder for his service to the board. Councilmember Mendoza seconded. The motion passed by a vote of 7-0.

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

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

- Update regarding Vintage Springs Subdivision.
- Library Updates.

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

Councilmember Mendoza invited everyone to partake in the Community meal tomorrow.

Mayor Pro-Tem Sanchez expressed condolences to the families of Amanda Brown, Carline Hoyle, James Henderson, Allen Green, Pedro Davila, and Jesus Johnny Barron for their loss. She wished the students and staff a safe and successful school year.

Councilmember McGregor wished children the best for the new school year. She encouraged everyone to wear face coverings.

Councilmember Bryant encouraged everyone to stay safe. He wished all students and teachers the best during the new school year. He thanked citizens for responding when he was searching for boardmembers.

Councilmember Michelson requested an update about Maple Street. He encouraged everyone to stay safe and to be careful.

Mayor White thanked staff for their hard work on the upcoming budget. He expressed condolences to the families that have lost a loved one. He wished teachers and students the best during the new school year and he encouraged everyone to stay safe.

ITEM 8. EXECUTIVE SESSION IN ACCORDANCE WITH THE PROVISIONS OF THE GOVERNMENT CODE, TITLE 5, SUBCHAPTER D, SECTION 551.087 TO DELIBERATE OR FOR DISCUSSION REGARDING COMMERCIAL OR FINANCIAL INFORMATION THAT THE GOVERNMENTAL BODY HAS RECEIVED FROM A BUSINESS PROSPECT THAT THE GOVERNMENTAL BODY SEEKS TO HAVE LOCATE, STAY, OR EXPAND IN OR NEAR THE TERRITORY OF THE GOVERNMENTAL BODY AND WITH WHICH THE GOVERNMENTAL BODY IS CONDUCTING ECONOMIC DEVELOPMENT NEGOTIATIONS; OR TO DELIBERATE THE OFFER OF A FINANCIAL OR OTHER INCENTIVE TO A BUSINESS PROSPECT. Discussion regarding Economic Development negotiations withProject Summertime.
Mayor White announced that the Council would enter Executive Session at 9:10 p.m.

ITEM 9. OPEN SESSION. Discussion and/or action regarding Economic Developmentnegotiations with Project Summertime.
Mayor White announced that the Council would enter Open Session at 9:30 p.m.

Mayor Pro-Tem Sanchez made a motion to authorize the City Manager to make an offer to project Summertime in accordance with the discussion in Executive Session. Councilmember Bryant seconded. The motion passed by a vote of 7-0.

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 9:30 p.m.

PASSED and APPROVED this the 7th day of September 2021.

CITY OF LOCKHART

_____
Lew White, Mayor

ATTEST:

_____
Connie Constancio, TRMC
City Secretary

City of Lockhart, Texas

Council Agenda Item
Cover Sheet

COUNCIL MEETING DATE: September 7, 2021

AGENDA ITEM CAPTION: Discuss completing electric distribution upgrade to LK30 and LK40 (Project #11) as part of the Lower Colorado River Authority (LCRA) five-year System Study.

ORIGINATING DEPARTMENT AND CONTACT: Electric - Bobby Leos

ACTION REQUESTED: Other

BACKGROUND/SUMMARY/DISCUSSION: Techline Construction is LCRA's preferred contractor for projects because they are experienced with high voltage line repairs. Techline has conducted the majority of LCRA projects for the City of Lockhart since 1995.

Project #11 is part of the LCRA's five-year System Study that includes electric construction which will upgrade the double circuit, LK30 and LK40 to 795 MCM ACSR.This project includes taller poles with pole framing to increase separation and install separate neutrals on each circuit.This project will reduce simultaneous feeder faults.

Starting from the substation (LK30) to the intersection of Blackjack and Commerce and from the substation (LK40) to the intersection of S Main and Blackjack to upgrade the section of overhead conductor (1350 ft) from 336 MCM ACSR to 795 MCM ACSR.

PROJECT SCHEDULE (if applicable): N/A

AMOUNT & SOURCE OF FUNDING:
Funds Required: $230,000
Account Number: 500-5745-911
Funds Available: $230,000
Account Name: Construction/Project Improvement

FISCAL NOTE (if applicable): This expense will be paid from the Electric Fund and funds will be transferred to Electric Fund revenues to offset the expense from the Electric Utility Upgrade Fund.

PREVIOUS COUNCIL ACTION: N/A

COMMITTEE/BOARD/COMMISSION ACTION: N/A

STAFF RECOMMENDATION/REQUESTED MOTION: Electric Superintendent recommends approval.

LIST OF SUPPORTING DOCUMENTS: Contract.

ELECTRICAL DISTRIBUTION CONSTRUCTION AGREEMENT

This **ELECTRICAL DISTRIBUTION CONSTRUCTION AGREEMENT** ("**Agreement**") is entered into by and between the City of Lockhart, Texas ("**Owner**") and Techline Construction, LLC ("**Contractor**") and is effective as of the date of the signature of the last party to sign below (the "**Effective Date**").

1. Contract Documents. This Agreement includes the following Contract Documents which shall be construed in the order of precedence in which they are listed:

1. This Agreement;
2. Exhibit A – LCRA Construction Drawings (complete title), LK30/LK40 Feeder Exit improvement;
3. Exhibit B – Contract No. 5045 Distribution Construction Services between the Lower Colorado River Authority and Techline Construction, LLC, dated October 1, 2018; and
4. Exhibit C – Proposal by Techline Construction, LLC to the City of Lockhart dated October 6, 2020, containing the estimate for the total cost of labor and equipment to complete the LK30/LK40 Feeder exit improvement;

Exhibits A, B, and C which are attached hereto and incorporated herein, are made a part of this Agreement for all purposes. Contractor agrees to provide Owner with the services included in Exhibits pursuant to the terms and conditions of this Agreement, including all exhibits thereto.

2. Scope. Contractor shall furnish all labor, construction equipment, transportation, subcontracting, and other required services, other than engineering services, to complete the work described in the Contract Documents, specifications, and Construction Drawings (the "Work"). Contractor agrees to perform the Work under the same terms and conditions and pricing contained in the Contract Documents. All orders and payments for the Work will be issued directly from Owner to Contractor, and Contractor will provide the services and associated invoices directly to Owner. Contractor shall not provide any additional items or services or bill for expenses incurred for Owner not specified by this Agreement unless Owner requests and approves in writing the additional costs for such services. Owner shall not be liable for any additional expenses of Contractor not specified by this Agreement unless Owner first approves such expenses in writing.

3. Compensation. Owner agrees to pay the Contractor in accordance with the prices listed in the proposal attached to the Contract Documents, estimated to be $188,706.03 and not to exceed $197,880.70, and in any change orders executed by the parties.

4. Term. The term of this Agreement shall be for one year beginning on the Effective Date and ending one calendar year thereafter. Owner shall be able to renew this agreement for two one-year renewal options by written agreement of the parties.

5. Independent Contractor. This Agreement shall not be construed to create a partnership, joint venture, nor other agency relationship between the parties, who are independent of one

another. The relationship of the Contractor to Owner is and shall continue to be that of an independent contractor, and no liability or benefits such as workers' compensation, pension rights or liabilities, insurance rights or liabilities, arising out of or related to an employer/employee relationship, shall arise, or accrue to either party or either party's agent, subcontractor or employee, as a result of this Agreement or its performance. No relationship, other than that of independent contractor, shall be implied between the parties or between either party and the other party's agent, employee, or subcontractor, and the Contractor hereby agrees to hold Owner harmless from any such claims by it or its associates, and any cost or expense related thereto.

6. LCRA. LCRA is not a party to, and will in no way be responsible to either Owner or Contractor for, such orders, including without limitation any payments, performance, costs, expenses, losses or damages arising from such transactions between Contractor and Owner. Owner and Contractor releases LCRA from any liability associated with Owner's transactions under the Agreement.

7. Notices. Notices required pursuant to the provisions of this Agreement shall be conclusively determined to have been delivered when (1) hand-delivered to the other party, its agents, employees, servants or representatives, (2) delivered by facsimile with electronic confirmation of the transmission, or (3) received by the other party by United States Mail, registered, return receipt requested, addressed as follows:

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

Techline
Attn: President
9609 Beck Circle
Austin, TX 78758

8. Default. In the event of a failure by Contractor to satisfactorily perform the services specified herein and/or a default by Contractor in abiding by the other terms and conditions of this Agreement, Owner may terminate the Agreement on written notice to Contractor and Contractor shall be liable for all damages, costs, and expenses (including attorney fees) incurred by Owner related to this default.

9. Alternative Dispute Resolution. The dispute resolution process provided for in Chapter 154 of the Texas Civil Practice and Remedies Code may be used, by Owner and Contractor to attempt to resolve any claim for breach of contract made by Contractor, to the extent it is applicable to the Agreement and not preempted by other law. Except as otherwise provided by law, nothing herein is a waiver by Owner of the right to seek redress in a court of law.

10. Assignment. The parties recognize that this contract is based upon the skill and expertise of the parties and therefore agree that the contract and the obligations thereunder may not be assigned

or delegated without the written consent of the other party, except as expressly allowed by this contract.

11. Compliance with Law. Contractor shall certify that he/she or it is in compliance with all applicable state and federal laws, including non-discrimination laws as it relates to the terms and conditions of the agreement.

12. Non-Appropriations. To the extent this contract constitutes public debt in connection with Article 11, Sec. 5 of the Texas Constitution, Contractor understands that Owner is a governmental entity, and should the Owner fail to provide funding for any period during the term of this contract, Owner shall be excused for all liability for payment. Owner is required to give Contractor written notice within thirty (30) days after learning that the funds will not be available. Upon receiving written notice from Owner, this contract will automatically terminate.

13. Governing Law/Venue/Statute of Limitations. The validity of this Agreement and the interpretation of its terms and the applicable statute of limitations for any cause of action brought by or against Owner pursuant to the Agreement shall be governed by the laws of the State of Texas. Jurisdiction for any legal proceedings incident to this agreement shall lie in Caldwell County, Texas or a United States District Court within the county.

14. Force Majeure. In the event of Force Majeure, Owner may terminate this agreement by written notice following such casualty and Owner shall not be responsible for any damages sustained by Contractor. Force Majeure shall mean fire, earthquake, flood, tornado, act of God, strikes or other labor disturbances, riots or civil commotion, litigation, terrorism, war or other acts of any foreign nation, power of government or government agency or authority, or any other cause like or unlike any cause above-mentioned which is beyond the control or authority of Owner.

15. Confidentiality. Subject to the Texas Public Information Act and any similar legal requirements, neither Party shall disclose any confidential information obtained from the other Party without such Party's prior written approval.

16. INDEMNIFICATION. CONTRACTOR SHALL INDEMNIFY, HOLD HARMLESS, AND DEFEND THE OWNER, ITS OFFICERS, AGENTS AND EMPLOYEES FROM AND AGAINST ANY AND ALL CLAIMS, LOSSES, DAMAGES, CAUSES OF ACTION, SUITS, DEMANDS, PROCEEDINGS, COSTS, AND LIABILITIES OF EVERY KIND, INCLUDING WITHOUT LIMITATION ALL EXPENSES OF LITIGATION, COURT COSTS, AND ATTORNEYS' FEES, FOR INJURY TO OR DEATH OF ANY PERSON OR FOR DAMAGE TO ANY PROPERTY ARISING OUT OF, CONNECTED WITH, OR RESULTING FROM ANY ACTS OR OMISSIONS OF CONTRACTOR OR ANY AGENT, EMPLOYEE, SUBCONTRACTOR, OR SUPPLIER OF CONTRACTOR IN THE EXECUTION OR PERFORMANCE OF THIS CONTRACT. SUCH INDEMNITY SHALL APPLY REGARDLESS OF WHETHER THE CLAIMS, LOSSES, DAMAGES, CAUSES OF ACTION, SUITS OR LIABILITY ARISE IN WHOLE OR IN PART FROM THE NEGLIGENCE OF THE OWNER, ANY OTHER PARTY INDEMNIFIED HEREUNDER, THE CONTRACTOR, OR ANY THIRD PARTY.

17. Insurance. For the entire term of the Agreement ("Term"), Contractor shall maintain at his/her sole cost, at all times while performing work hereunder, the insurance and bond coverage set forth below with companies satisfactory to the Owner with full policy limits applying, but not less than stated. A certificate of insurance evidencing the required insurance and specifically citing the indemnification provision set forth in the Agreement shall be delivered to the Owner prior to the start of work.

(1) Worker's Compensation Insurance as required by laws and regulations applicable to and covering employees of Contract engaged in the performance of the work under this agreement with a limit of not less than $1,000,000.00;

(2) Employers Liability Insurance protecting contractor against common law liability, in the absence of statutory liability, for employee bodily injury arising out of the master-servant relationship with a limit of not less than $1,000,000.00.

(3) Comprehensive General Liability Insurance including products/completed operation with limits of liability of not less than: Bodily Injury $1,000,000.00 per each person, $1,000,000.00 per each occurrence/$2,000,000.00 aggregate; Property Damage $1,000,000.00 per each occurrence;

(4) Excess Liability Insurance Comprehensive General Liability, Comprehensive Automobile Liability and coverages afforded by the policies above, with the minimum limits of $2,000,000.00 excess of specified limits;

All policies must contain a waiver of subrogation against Owner. Comprehensive General Liability and Commercial Automobile Liability policies must name Owner as Additional Insured. Contractor shall pay all insurance deductibles and deductibles must not exceed $10,000 unless approved in advance by Owner. Contractor shall provide Owner Certificates of Insurance evidencing these insurance requirements prior to the start of work.

18. Audit; Independent Audits; Right to Audit; Retention; Supporting Documents. The Contractor agrees and authorizes Owner and/or the Owner's Auditor (collectively, "Auditor") to conduct audits or investigations in connection with this Agreement. Contractor agrees to cooperate with Auditors conducting such audits or Investigations and to provide all information and documents reasonably requested.

19. Limitations. The Parties are aware that there are constitutional and statutory limitations on the authority of Owner to enter into certain terms and conditions of the Agreement, including, but not limited to, those terms and conditions relating to liens on Owner's property; disclaimers and limitations of warranties; disclaimers and limitations of liability for damages; waivers, disclaimers and limitations of legal rights, remedies, requirements and processes; limitations of periods to bring legal action; granting control of litigation or settlement to another party; liability for acts or omissions of third parties; payment of attorneys' fees; dispute resolution; indemnities; and confidentiality (collectively, the "Limitations"), and terms and conditions related to the Limitations will not be binding on Owner except to the extent authorized by the laws and Constitution of the State of Texas.

20. Sovereign Immunity. Except as otherwise provided by Texas law, neither the execution of the Agreement by Owner nor any other conduct, action or inaction of any Owner representative relating to the Agreement is a waiver of sovereign immunity by Owner.

21. Representations by Contractor. Contractor represents and warrants that it will obtain and maintain in effect, and pay the cost of all licenses, permits or certifications that may be necessary for Contractor's performance of this Agreement other than approval to cross state or interstate highways and railroads, which shall be the responsibility of Owner. If Contractor is a business entity, Contractor warrants, represents, covenants, and agrees that it is duly organized, validly existing and in good standing under the laws of the state of its incorporation; and is duly authorized and in good standing to conduct business in the State of Texas, that it has all necessary power and has received all necessary approvals to execute and deliver the Agreement and is authorized to execute this Agreement according to its terms on behalf of Contractor.

22. Eligibility to Receive Payment. Contractor certifies that, as a matter of State law, it is not ineligible to receive the Agreement and payments pursuant to the Agreement and acknowledges that the Agreement may be terminated, and payment withheld if this representation is inaccurate.

23. Risk of Loss. All work performed by Contractor pursuant to the Agreement will be at Contractor's exclusive risk until final and complete acceptance of the work by Owner. In the case of any loss or damage to the work prior to Owner's acceptance, such loss or damage will be Contractor's responsibility.

24. Legal Construction/Severability. In the event that any one or more of the provisions contained in this contract shall for any reason be held to be invalid, illegal or unenforceable in any respect, such invalidity, illegality or unenforceability shall not affect any other provision, and this contract shall be construed as if such invalid, illegal or unenforceable provisions had never been contained in it. To this end, the provisions of this contract are declared to be severable. The Parties may mutually agree to renegotiate the contract to cure such illegality/invalidity or unconstitutionality if such may be reasonably accomplished.

25. Non-Waiver. No covenant or condition of this Agreement may be waived except by written consent of the waiving party. Forbearance or indulgence by one party in any regard whatsoever shall not constitute a waiver of the covenant or condition to be performed by the other party.

26. Entire Agreement. The Contract Documents constitutes the entire agreement and supersedes all prior or contemporaneous agreements, whether written or oral, between the parties. Verbal representations not contained herein shall not be binding on the parties unless acknowledged by them in writing.

27. Authority. The person signing below on behalf of Owner and Contractor warrants that he/she has the authority to execute this contract according to its terms.

28. Amendment. This Agreement may be changed, amended, modified, extended or assigned only by mutual consent of the parties provided that consent shall be in writing and executed by the parties hereto prior to the time such change shall take effect.

29. Binding Agreement. This Agreement shall be binding upon and inure to the benefit of the parties hereto and their respective successors and assigns.

IN WITNESS WHEREOF, City and Contractor, by and through their duly authorized officers and Representatives, have executed this Agreement as of the date first above written.

CITY OF LOCKHART

By: _____
Lew White, Mayor
Date: _____

Attest:

By: _____
Connie Constancio, TRMC, City Secretary

Date: _____

TECHLINE CONSTRUCTION, LLC

By: _____
Don Lawyer, President
Date: _____

EXHIBIT A

Construction Drawings {complete title}

LCRA Drawing Lk 30 Lk 40 Feeder exit improvement

EXHIBIT B

Contract No. 5045 Distribution Construction Services between Lower Colorado River Authority and Techline Construction, LLC dated October 1, 2018.

City has Copy of Contract

EXHIBIT C

Proposal by Techline Construction, LLC to the City of

Lockhart Texas **Dated** 10-06-2020.

Techline Construction estimates the total cost of labor and equipment to complete the project or projects to be known as LK30 LK40 Feeder Exit Improvement.

for the City of Lockhart Texas. **will be $** 188,706.03 NTE. **Any added or unusual work will be done by Techline Construction for extra compensation.**

NOT To Exceed 197,880.20

This project will require weekend work for crossing highway on Numerous Sundays

This quote includes All LABOR, equipment, travel And weekend hourly work to complete this project.

Thank You

903 603 6260

SIGNATURE PAGE TO ELECTRICAL DISTRIBUTION CONSTRUCTION AGREEMENT BETWEEN CITY OF Lockhart Texas.

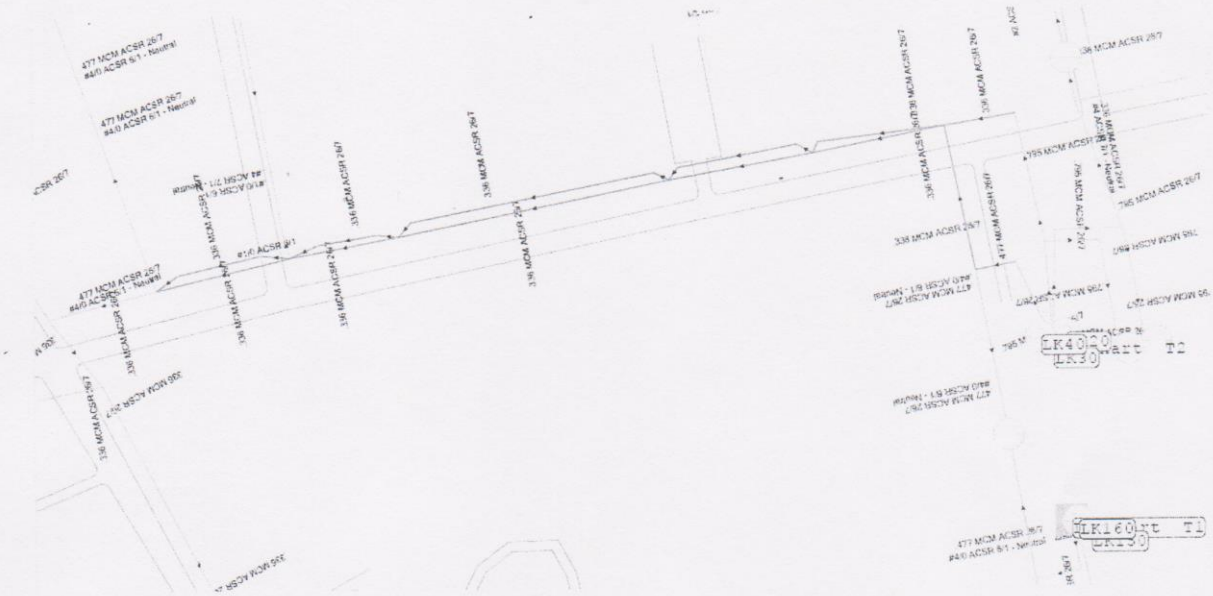
AS OWNER, AND TECHLINE CONSTRUCTION, LLC, AS CONTRACTOR

EXECUTED EFFECTIVE as of the date of the last to sign below.

CONTRACTOR	OWNER
Techline Construction, LLC	City of _____.
By: Don Lawyer	By: _____.
Name: [signature]	Name: _____.
Title: President	Title: _____.
Date: OCT 6 2020	Name: _____.

Project #11 **LK30/LK40 Double Circuit Upgrade**
Load Level: LL2
Recommended Completion Year: 2019
Estimated Cost: $276,600

Description: To resolve the criteria violation identified in section 2.5.3, Load Level 2 (2019), on page 2-22, upgrading the double circuit, LK30 and LK40, north of the Lockhart Substation to 795 MCM ACSR. This project includes the "Heavy Duty Version" to reduce simultaneous feeder faults. This includes taller poles with pole framing to increase separation and install a separate neutral on each circuit. Starting at the intersection of upgrade the section of overhead conductor (~1350-ft) as shown in "red" from 336 MCM ACSR to 795 MCM ACSR.



This project also includes upgrading a section of LK40 (~1350-ft) from 336MCM ACSR to 795MCM ACSR starting at the intersection of F.M. 20 and Commerce Street (see figure below).

City of Lockhart, Texas

Council Agenda Item
Cover Sheet

COUNCIL MEETING DATE: September 7, 2021

AGENDA ITEM CAPTION: Discuss utilization of tree trimming service through the Lower Colorado River Authority (LCRA) and McCoy Tree Surgery, Co. and authorizing the City Manager to execute the customer service contract.

ORIGINATING DEPARTMENT AND CONTACT: Electric - Bobby Leos

ACTION REQUESTED: Agreement

BACKGROUND/SUMMARY/DISCUSSION: Staff recommends that the City continue the tree trimming program with McCoy Tree Surgery in an effort to reduce voltage flicker, outages, losses, and improve public safety and satisfaction. Tree and tree limbs falling onto power lines is the most common cause of power outages. Downed power lines caused by falling trees are a public safety hazard. Utilities that fail to maintain a tree trimming program frequently experience higher than normal expenses during severe storm conditions, which include overtime, purchase of additional inventory to replace damaged poles, and wire and electric equipment.

McCoy was first awarded this project in FY 2019. There was no renewal clause in the contract, but staff was very satisfied with the tree trimming service. McCoy Tree Surgery 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 the customer for these services.

The City contracts with vegetation management companies to assist with the tree trimming program. Prior to trimming, door hangers (in English and Spanish) are left at the residences in the area and provide the name and phone number of the City's contractor.

PROJECT SCHEDULE (if applicable): Staff and McCoy Tree Surgery will determine a mutually acceptable time for the start of services.

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): N/A

PREVIOUS COUNCIL ACTION: N/A

City of Lockhart, Texas

Council Agenda Item
Cover Sheet

COMMITTEE/BOARD/COMMISSION ACTION: N/A

STAFF RECOMMENDATION/REQUESTED MOTION: Staff recommends approval.

LIST OF SUPPORTING DOCUMENTS: Contract.

CUSTOMER SERVICES CONTRACT

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

DATE SUBMITTED: August 30, 2021

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:	_____
			Sam Woolard
Title:	_____	Title:	VP, Trans Const & Maintenance
Date:	_____	Date:	_____

OFFICE USE ONLY

Accounting: 0

Approved By: _____
Completion Date: _____

McCoy Rate Schedule 3/1/2020
contract #5476

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.

LCRA LEGAL

City of Lockhart, Texas

Council Agenda Item
Cover Sheet

COUNCIL MEETING DATE: September 7, 2021

AGENDA ITEM CAPTION: Discuss Lockhart Little League (LLL) five (5) year contract renewal request for use of the City's Sports Complex and fields on Carver Street.

ORIGINATING DEPARTMENT AND CONTACT: Public Works - Sean Kelley

ACTION REQUESTED: Award of Contract

BACKGROUND/SUMMARY/DISCUSSION: The current agreement with Lockhart Little League (LLL) for use of the Sports Complex is set to expire on September 7, 2021 and does allow for a five -year extension. LLL met to discuss the five-year extension of the Sports Complex Agreement and has submitted for consideration renewal of the agreement with no requested changes. The Parks and Recreation Board has reviewed LLL's request and unanimously voted in favor to recommend approval to City Council for the renewal of the Sports Complex Agreement with LLL.

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: Parks and Recreation Boards unanimously voted to approve the 5-year contract renewal as presented.

STAFF RECOMMENDATION/REQUESTED MOTION: Parks and Recreation Board and staff recommend approval.

LIST OF SUPPORTING DOCUMENTS: LLL Renewal Agreement.

STATE OF TEXAS

COUNTY OF CALDWELL

SPORTS COMPLEX USE AGREEMENT RENEWAL

This Renewal Agreement is made between the City of Lockhart, Texas, a municipal corporation organized under the laws of the State of Texas, having its principal office at 308 W. San Antonio Street, Lockhart, Texas 78644, referred to as "the City," and the Lockhart Little League, a non-profit entity having its principal office at P.O. Box 511, Lockhart, Texas 78644, referred to as "LLL."

The City recognizes that the LLL youth sports programs serve a public purpose by providing for the recreational needs of youth in the City. The LLL and the City have worked together to provide these programs since 1989, and have helped more than 500 youths each year since that time. The LLL has made significant improvements to the Sports Complex, including painting, netting and newly purchased scoreboards, and the LLL continues to use its funds to improve the Sports Complex. Based on this relationship and the public purpose served thereby, the City and the LLL enter into this Use Agreement under the following conditions:

Recitals:

1. The City is the owner of the City of Lockhart Youth Sports Complex (the Sports Complex), located at 700 Carver Street, Lockhart, Texas and consisting of approximately 8.70 acres, which is used for the purpose of playing team baseball/softball games and tournaments. Alteration of the fields for softball cannot be done without permission of the City Parks Manager or designee and any such alterations must be corrected by LLL in a timely manner. Any reference to the Sports Complex in this agreement includes any one or all baseball fields thereon.

2. The LLL is experienced in the maintenance and repairs of the Sports Complex and has regular use of the Sports Complex. The primary service area of the LLL is the City of Lockhart, Texas.

3. The City has previously entered into an agreement with the LLL, effective September 8, 2016, for the exclusive operation and maintenance of the Sports Complex, and the City and LLL desire to renew such agreement to have such exclusive operation and maintenance on the terms and conditions set forth in this agreement.

4. The duration of this Renewal Agreement is five (5) years from September 8, 2021. This agreement may be extended for another five (5) years upon written request by the LLL on or before the termination of this Renewal Agreement with approval of the Lockhart City Council. The Sports Complex will be used for conducting youth sports programs by the Lockhart Little League and other organizations as described herein.

5. Youth sports programs (supervised, competitive athletic and recreational events for children, adolescents, and teenagers) conducted at the Sports Complex shall be sponsored by non-profit organizations only, and shall be open to all persons, regardless of race, color, religion, national origin, or ability.

Agreement: In consideration of the mutual covenants set out herein, the City and the LLL agree as follows:

Section I. Improvements and Alterations to the Sports Complex

On assuming the operation and maintenance of the Sports Complex, the LLL shall submit in writing to the City any recommended improvements and alterations to the Sports Complex, and any other matters that will enhance its efficient use or management. All plans and specifications for improvements and alterations must be approved in writing by the City. Improvements and alterations must conform to the current standards as specified by the Texas Parks and Wildlife Department and other state, local and federal law. After conferring with the City and obtaining approval to make improvements and alterations, the LLL will undertake completion of the improvements and alterations at the sole expense of the LLL, unless otherwise agreed upon by the City and the LLL. Utilities, including electrical wiring, must be placed underground as required by the Texas Parks and Wildlife Department. Advertising signs at the Sports Complex must be approved in writing by the LLL and the City, and are permitted only on fences, and only during the baseball season. Requests for naming or renaming the Sports Complex must be submitted to the City Parks and Recreation Advisory Board, and must receive final approval by the City Council.

Section II, Use of the Sports Complex by Other Organizations

Other organizations may request the use of the Sports Complex and will be given reasonable access to the fields where no conflicts exist with use of the Sports Complex by the LLL. Such requests are to be made in writing to the LLL Board for approval, and will be provided by the LLL to the City's Parks Director and/or Assistant Manager. The other organizations shall provide to the LLL adequate assurances of insurance coverage and safe use of the Sports Complex.

Other organizations shall agree to return the Sports Complex to the condition that it was in prior to the organization's use of it, and to repair any damage done to the Sports Complex before or immediately upon completion of the games/tournaments. Other organizations shall pay to the LLL the following for the use of the Sports Complex:

--$100.00 per month per baseball field, single team practice;

--$30.00 per team per baseball tournament;

--$50.00 per field for a cleaning and repair deposit, to be applied against any costs incurred by the LLL for cleaning and repairing the field after use by the other organization, including but not limited to replacing field markers, field paint and dirt. LLL may choose to refund the deposit if organization performs tasks to its satisfaction.

--$30.00 per team per baseball/softball tournament; and

--$100.00 per field for a cleaning and repair deposit to be applied against any costs incurred by the LLL for cleaning and repairing the field after use by the other organization, including but not limited to replacing field markers, field paint, and dirt.

Other organizations shall pay to the City a lighting fee of $60.00 per field per month for the use of the lights at the Sports Complex, where such use shall occur after sundown. Proof of payment must be provided to LLL.

The City's Parks and Recreation Department may use the Sports Complex at no charge when the Sports Complex is not scheduled for league play or maintenance, and after receiving clearance from the LLL. Use of the Sports Complex by a school district shall require an inter-local agreement between the City, the LLL, and the school district.

The Sports Complex baseball fields will not be used as practice fields during Little League season, except by the LLL or as approved by LLL in writing.

Section III. Maintenance and Repairs

1. The LLL will use its best efforts to ensure that the property is maintained in an attractive condition and in a good state of repair.

2. Requests for maintenance and repairs must be made in writing to the City's Parks and Recreation Department.

3. City Responsibilities at the Sports Complex shall be as follows, and The Sports Complex lighting will be maintained by the City, with assistance from the Lower Colorado River Authority. Requests for light bulb replacement or maintenance of lighting equipment must be made via email to the City Parks and Recreation Department. A total of two light bulbs must be burned out prior to any request. Please allow time for this process to take place. LLL acknowledges that the City does not have the equipment to change out these lights and must depend on other organizations to assist.

a. Mowing and weed-eating of common areas identified on Attachment A will be performed as needed by the City. The fields and common areas will be treated for fire ants, bees and other insects once at the beginning of each baseball season by the City, but subsequent treatments during the season shall be the responsibility of the LLL.

b. Water, electricity and wastewater utilities will be provided by the City, subject to reimbursement as provided in this agreement. Any excessive use will be addressed with LLL.

c. Where the City makes repairs for damages to the Sports Complex as a result of negligence or misuse by the LLL or other organizations, the LLL shall reimburse the City for the costs of such repairs within a reasonable period of time.

d. Repairs to the complex concession structure, bleachers, dugouts, posts, sidewalks, parking areas and scoreboards shall be performed by the City in a timely manner with notice to LLL via email.

e. If a safety issue arises or is discovered, LLL will protect the public from the hazard as best it can and report it immediately to the City, which will respond in some manner immediately. If not a hazard, City will respond within 14 days or less, and if the City cannot respond within the time frame, City will notify LLL so LLL can reach out to other resources to address the issue.

g. The City will reimburse LLL for purchases of special infield and pitcher mound dirt within a reasonable time when appropriate receipts are provided to the Parks Manager or designee. Should LLL want the City to provide common red dirt, the amount and date needed shall be provided to the City via email with a 10-day notice if at all possible.

4. LLL Responsibilities at the Sports Complex shall include all maintenance and repairs not provided by the City, including but not limited to:

a. Marking and lining the fields on Saturdays, Sundays and holidays during league.

b. Keeping the Sports Complex free of litter during use by the LLL or other organizations.

c. Cleaning the Sports Complex restrooms and other facilities during use by the LLL or other organizations.

d. Controlling light and other utility usage at the Sports Complex. Where the LLL or any other organization misuses such utilities, the City may immediately stop providing such utilities and/or require the misusing organization to pay for additional usage.

e. Abiding by the City's Parks and Recreation Department Water Conservation Plan.

Section IV. Assignability. This agreement is personal to the LLL and is not assignable. Any attempt to assign the Agreement by the LLL will terminate the Agreement.

Section V. Effect of Partial Invalidity. Should any section or any part of any section of this agreement be rendered void, invalid, or unenforceable by a court of law, for any reason, such determination will not render void, invalid, or unenforceable any other section or part of any section in this agreement.

Section VI. Choice of Law. This agreement has been made and entered into in the State of Texas. The laws of Texas will govern the validity and interpretation of this agreement and the performance due under it. Venue shall lie in Caldwell County.

Section VII. Integration. The drafting, execution, and delivery of this agreement by the parties have been induced by no representations, statements, warranties, or agreements, other than those expressed in this agreement. This agreement embodies the entire understanding of the parties, and there are no further or other agreements or understandings, written or oral, in effect between the parties relating to its subject matter, unless expressly referred to in this agreement.

Section VIII. Attorney Fees. Should either party bring suit to enforce any of the terms of this agreement, the prevailing party will be entitled to recover court costs and reasonable attorney fees.

Section IX. Modifications. This agreement may not be modified unless the modification is in writing and signed by both parties to this agreement.

Entered into and executed effective as of the 8th day of September, 2021.

City of Lockhart, Texas **Lockhart Little League**

_____ _____

Lew White, Mayor Josh Hazelett, President

State of Texas)(

County of Caldwell)(

This instrument was acknowledged before me on this the _____ day of September, 2021 by Lew White, Mayor of the City of Lockhart.

_____

Notary Public
My Commission expires:

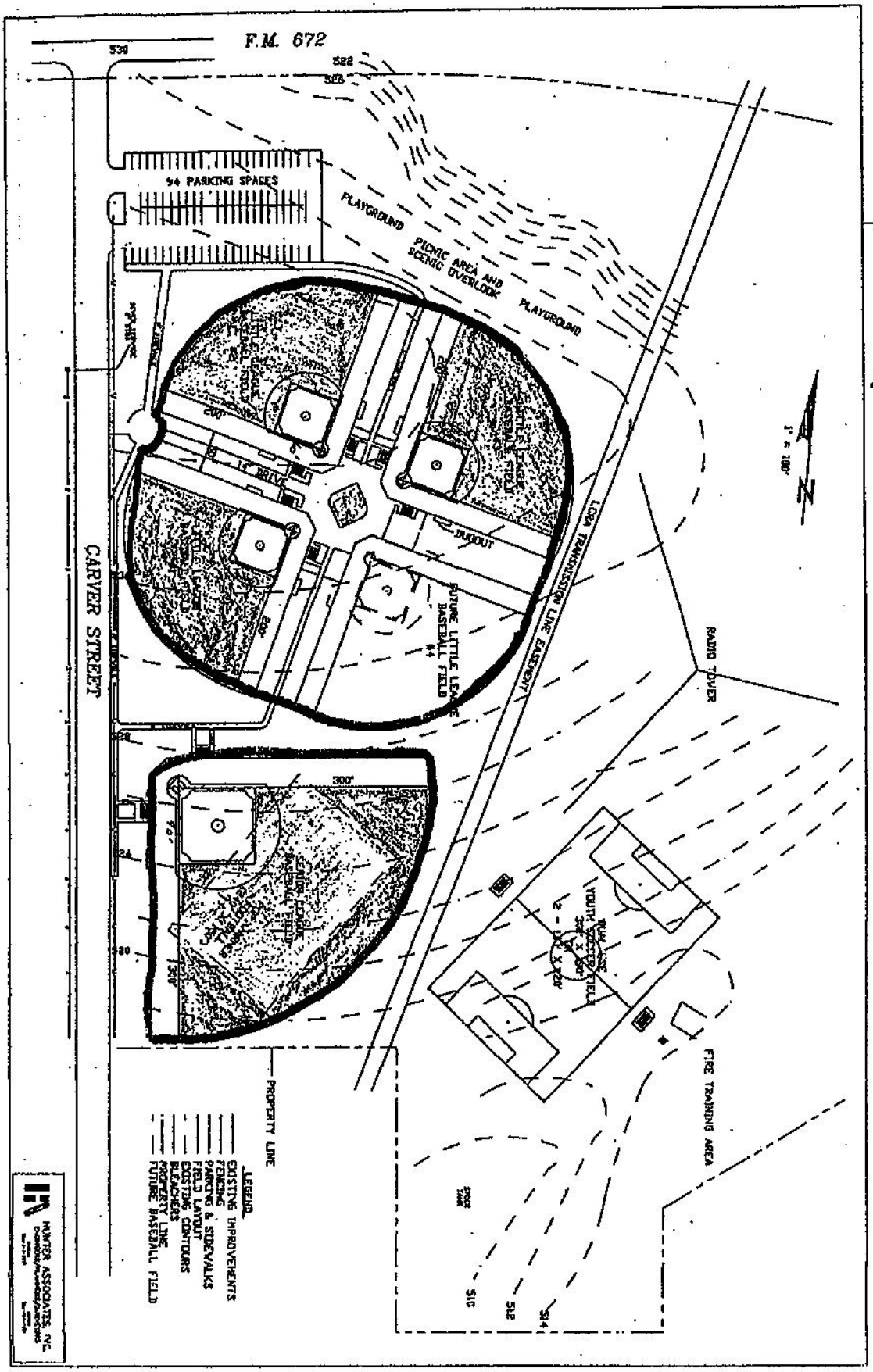
State of Texas)(

County of Caldwell)(

This instrument was acknowledged before me on this the _____ day of September, 2021 by Josh Hazelett, President of the Lockhart Little League.

_____

Notary Public
My Commission expires:



Attachment "A"

LLL Maintenance

Inside Area

Inside Area

City of Lockhart, Texas

Council Agenda Item
Cover Sheet

COUNCIL MEETING DATE: September 7, 2021

AGENDA ITEM CAPTION: Discuss Easement Agreement for Public Utilities for the wastewater main extension for future Lincoln Lane right-of-way and to authorize the Mayor to sign the agreement.

ORIGINATING DEPARTMENT AND CONTACT: Administration - Steven Lewis

ACTION REQUESTED: Other

BACKGROUND/SUMMARY/DISCUSSION: This is an easement from the Manumit Investment Group comprising 3.453 acres out of a tract of 56.691 acres in the Frances Berry Survey, Abstract A-2 in the City of Lockhart, for the installation and maintenance of water and wastewater lines for Lincoln Lane and the senior housing project. All of the utilities for Lincoln Lane have been installed but the road ROW has not been dedicated to the City yet because that public infrastructure improvement hasn't been constructed. This easement will take care of that issue.

PROJECT SCHEDULE (if applicable): The project superintendent has requested finals for next week in the hope of having COs for the senior housing project by Friday, September 10th.

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

FISCAL NOTE (if applicable): N/A

PREVIOUS COUNCIL ACTION: N/A

COMMITTEE/BOARD/COMMISSION ACTION: N/A

STAFF RECOMMENDATION/REQUESTED MOTION: Staff recommends approval.

LIST OF SUPPORTING DOCUMENTS: Easement Agreement for Public Utilities.

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.

Easement Agreement for Public Utilities

Date: _____, 2021

Grantor: MANUMIT INVESTMENT GROUP, LLC

Grantor's Mailing Address:

P.O. Box 746
Lockhart, Texas 78644

Grantee: CITY OF LOCKHART, TEXAS, a Texas Municipal Corporation

Grantee's Mailing Address:

P.O. Box 239
Lockhart, Texas 78644

Dominant Estate Property: Being a tract of land called 56.691 acres situated in the City of Lockhart, Caldwell County, Texas and being a part of the Frances Berry Survey A-2, said tract of land having been conveyed to Manumit Investment Group, LLC by deed recorded in Instrument No. 122816 of the Official Records of Caldwell County, Texas.

Easement Property: All of a certain tract or parcel of land being 3.453 acres, more or less, and being situated in the City of Lockhart, Caldwell County, Texas, and being a part of the Frances Berry Survey A-2 and also being a part of a tract of land called 6.691 acres conveyed to Manumit Investment Group, LLC by deed recorded in Instrument #122816 of the Official Records of Caldwell County, Texas and being more particularly described in Exhibit "A" attached hereto and made a part hereof for all purposes.

Easement Purpose: For the installation, construction, operation, maintenance, replacement, repair, upgrade, and removal of water and waste water lines and extensions.

Consideration: Good and valuable consideration, the receipt and sufficiency of which are acknowledged by Grantor.

Grant of Easement: Grantor, for the Consideration, grants, sells, and conveys to Grantee and Grantee's heirs, successors, and assigns an easement over, on, and across the Easement Property for the Easement Purpose, together with all and singular the rights and appurtenances thereto in any way belonging (collectively, the "Easement"), to have and to hold the Easement to Grantee and Grantee's heirs, successors, and assigns forever. Grantor binds Grantor and Grantor's heirs, successors, and assigns to warrant and forever defend the title to the Easement in Grantee and Grantee's heirs, successors, and assigns against every person whomsoever lawfully claiming or to claim the Easement or any part of the Easement, to the extent that such claim arises by, through, or under Grantor but not otherwise.

Terms and Conditions: The following terms and conditions apply to the Easement granted by this agreement:

1. *Character of Easement.* The Easement is appurtenant to, runs with, and inures to the benefit of all or any portion of the Dominant Estate Property, whether or not the Easement is referenced or described in any conveyance of all or such portion of the Dominant Estate Property. The Easement is nonexclusive and irrevocable. The Easement is for the benefit of Grantee and Grantee's heirs, successors, and assigns who at any time own any interest in the Dominant Estate Property (as applicable, the "Holder").

2. *Duration of Easement.* The duration of the Easement is perpetual.

3. *Reservation of Rights.* Holder's right to use the Easement Property is nonexclusive, and Grantor reserves for Grantor and Grantor's heirs, successors, and assigns the right to use all or part of the Easement Property in conjunction with Holder as long as such use by Grantor and Grantor's heirs, successors, and assigns does not interfere with the use of the Easement Property by Holder for the Easement Purpose, and the right to convey to others the right to use all or part of the Easement Property in conjunction with Holder, as long as such further conveyance is subject to the terms of this agreement.

4. *Secondary Easement* Holder has the right (the "Secondary Easement") to use as much of the surface of the property that is adjacent to the Easement Property ("Adjacent Property") as may be reasonably necessary to install and maintain the water and waste water lines and extensions within the Easement Property that are reasonably suited for the Easement Purpose However, Holder must promptly restore the Adjacent Property to its previous physical condition if changed by use of the rights granted by this Secondary Easement.

5. *Maintenance of Easement Property.* Maintenance of the water and waste water lines and extensions will be at the sole expense of Holder. Holder has the right to eliminate any encroachments into the Easement Property that interfere with its appropriate use. Holder has the right to construct, install, maintain, replace, and remove the Facilities under or across any portion of the Easement Property. All matters concerning the water and waste water lines and their

configuration, construction, installation, maintenance, replacement, and removal are at Holder's sole discretion, subject to performance of Holder's obligations under this agreement.

6. *Binding Effect.* This agreement binds and inures to the benefit of the parties and their respective heirs, successors, and permitted assigns.

7. *Entire Agreement.* This agreement and any exhibits constitute the entire agreement of the parties concerning the grant of the Easement by Grantor to Grantee. There are no representations, agreements, warranties, or promises that are not expressly set forth in this agreement and any exhibits.

Manumit Investment Group, LLC

_____

JEFFREY L. PENCE, Authorized Representative of Manumit Investment Group, LLC, Grantor

City of Lockhart, Texas a Texas Municipal Corporation

_____

LEW WHITE, Mayor of the City of Lockhart, Texas

STATE OF TEXAS)

COUNTY OF CALDWELL)

This instrument was acknowledged before me on _____, 2021, by JEFFREY L. PENCE, Authorized Representative of Manumit Investment Group, LLC, as Grantor.

_____

Notary Public, State of Texas
My commission expires: _____

STATE OF TEXAS)

COUNTY OF CALDWELL)

This instrument was acknowledged before me on _____, 2021, by LEW WHITE, Mayor of the City of Lockhart, acting on behalf of the City of Lockhart, Texas, a Texas Municipal Corporation.

_____
Notary Public, State of Texas
My commission expires: _____

AFTER RECORDING RETURN TO:

Law Office M. Elizabeth Raxter
P.O. Box 281
Lockhart, Texas 78644

HINKLE SURVEYORS

LEGAL DESCRIPTION FOR EASEMENT

All of a certain tract or parcel of land situated in the City of Lockhart, Caldwell County, Texas and being a part of the Frances Berry Survey A-2 and also being a part of a tract of land called 56.691 acres and conveyed to Manumit Investment Group LLC by deed recorded in Instrument #122816 of the Official Records of Caldwell County, Texas and being more particularly described as follows:

BEGINNING *at a 8" treated fence post found in an exterior corner of Clearfork Street and in an ell corner of the above mentioned 56.691 acre tract for an ell this easement.*

THENCE S 30°57'07" E *with a SW line of Clearfork Street and a NE line of the said 56.691 acre tract* **15.13 feet** *to 8" treated fence post found in an exterior corner of the said 56.691 acre tract for an exterior corner this easement.*

THENCE S 58°12'00" W *with a SE line of the said 56.691 acre tract* **19.89 feet** *to a point for the South corner this easement.*

THENCE *over and across the said 56.691 acre tract for the following five (5) courses:*
(1) N 31°21'29" W 268.57 feet *to a point in the PC of a curve.* **(2)** *With a curve turning to the right having a radius of* **790.00'** *and an arc length of* **497.81'** *and the chord of which bears* **N 13°32'22" W 489.61'** *to a point for the PT of the said curve.* **(3) N 04°16'46" E 81.28 feet** *to a point in the PC of a curve.* **(4)** *With a curve turning to the left having a radius of* **700.00'** *and an arc length of* **436.63'** *and the chord of which bears* **N 13°35'24" W 429.59'** *to a point for the PT of the said curve.* **(5) N 31°27'34" W 232.85 feet** *to a point in the NW line of the said 56.691 acre tract and the SE ROW line of Maple Street for the West corner this easement.*

THENCE *with the SE and NE ROW lines of Maple Street and the NW and SW lines of the said 56.691 acre tract for the following three (3) courses:*
(1) N 58°32'26" E 20.00 feet *to a concrete monument found in an exterior corner of Maple Street and an ell corner of the said 56.691 acre tract for an ell corner this easement.* **(2) N 31°27'34" W 50.07 feet** *to a capped ½" iron pin set stamped "HINKLE SURVEYORS" in an ell corner of Maple Street for the most Northerly West corner easement.* **(3) N 58°30'30" E** *with the SE ROW of Maple Street* **70.00 feet** *to a point for the North corner this easement.*

THENCE *over and across the said 56.691 acre tract for the following four (4) courses:*
(1) S 31°27'34" E 282.96 feet *to a point in the PC of a curve.* **(2)** *With a curve turning to the right having a radius of* **790.00'** *and an arc length of* **492.77'** *and the chord of which bears* **S 13°35'24" E 484.82'** *to a point for the PT of the said curve.* **(3) S 04°16'46" W 81.28 feet** *to a point for an ell corner this easement.* **(4) S 85°47'54" E 1138.39 feet** *to a point in the NW line of Clearfork Street and the SE line of the said 56.691 acre tract for the most Easterly corner this easement.*

THENCE S 58°23'29" W *with the SE line of the said 56.691 acre tract and the NW line of Clearfork Street* **17.09 feet** *to a point for a reentrant corner this easement.*

©Hinkle Survey 56-00

P.O. BOX 1027 LOCKHART, NE (512) 398-2000
FAX (512) 398-7683 EMA ESURVEYORS.COM

EXHIBIT

THENCE *over and across the said 56.691 acre tract for the following three (3) courses:* **(1) N 85°47'54" W 1124.53 feet** *to a point in the PC of a non-tangent curve.* **(2)** *With a curve turning to the left having a radius of* **710.06'** *and an arc length of* **425.91'** *and the chord of which bears* **S 13°42'40" E 419.55'** *to a point for the PT of the said curve.* **(3) S 31°21'56" E 258.72 feet** *to a point in the SE line of the said 56.691 acre tract and the NW line of Clearfork Street for the most Southerly East corner this easement.*

THENCE S 58°23'29" W *with the SE line of the said 56.691 acre tract and the NW line of Clearfork Street* **70.00 feet** *to the place of beginning containing* **3.453 acres (150408 sq ft)** *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 January 16, 2020. ***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.

STATE OF TEXAS
REGISTERED
JERRY L. HINKLE
5459
PROFESSIONAL
LAND SURVEYOR

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

S 59°22'29" W
17.09'
S 85°47'54" E 1138.39'
N 85°47'54" W 1124.53'
S 04°16'46" W
81.28'
R790.00'
A492.77'
D35°44' 20"
A425.91'
R710.06'
D34°22' 01"
258.72'
S 31°21'56" E
S 30°57'07" E
15.15'
S 59°22'29" W
10.00'
S 59°22'29" W
N 31°21'29" W
268.57'
A497.81'
R790.00'
D36°06' 14"
N 04°16'46" E
81.28'
R700.00'
D35°44' 20"
A438.63'
S 31°27'34" E
262.96'
N 31°27'34" W
232.65'
N 59°30'30" E
10.00'
N 31°27'34" W
50.07'
N 59°32'26" E
20.00'

City of Lockhart, Texas

Council Agenda Item
Cover Sheet

COUNCIL MEETING DATE: September 7, 2021

AGENDA ITEM CAPTION: Discuss Ordinance 2021-26 adopting the City Manager's Annual Operating Budget for Fiscal Year 2021-2022 and appropriating resources, beginning October 1, 2021 ending September 30, 2022 for the City of Lockhart, Caldwell County, Texas and the Lockhart Economic Development Corporation and readopting the City's Investment and Strategies Policy and Fund Balance - Stabilization and Excess of Reserves Policies.

ORIGINATING DEPARTMENT AND CONTACT: Finance - Pam Larison

ACTION REQUESTED: Ordinance

BACKGROUND/SUMMARY/DISCUSSION: 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 sets forth the fiduciary policies for the City of Lockhart and the Lockhart Economic Development Corporation for the fiscal year October 1, 2021 and ending September 30, 2022. This ordinance will readopt the City's Investment Policy and Fund Balance - Stabilization and Excess of Reserve Policy.

This agenda item allows for Council to suggest any budget allocations or deletions to the budget before a vote is taken. If no allocations or deletions are presented, action can be taken to adopt the Fiscal Year 2021-2022 Annual Operating Budget for the City of Lockhart, Caldwell County, Texas and the Lockhart Economic Development Corporation.

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:

City of Lockhart, Texas

Council Agenda Item
Cover Sheet

STAFF RECOMMENDATION/REQUESTED MOTION: Staff requested the adoption of the City Manager's Annual Operating Budget for Fiscal Year 2021-2022 and the Lockhart Economic Development Corporation Budget as presented. Staff also request the renewal of the City's Investment Policy and Fund Balance - Stabilization and Excess of Reserve Policy.

LIST OF SUPPORTING DOCUMENTS: Ordinance 2021-26 adopting FY 2021-22 Budget.

ORDINANCE 2021-26

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LOCKHART, TEXAS ADOPTING THE BUDGET AND APPROPRIATING RESOURCES FOR THE FISCAL YEAR 2021-2022, BEGINNING OCTOBER 1, 2021, FOR THE CITY OF LOCKHART, CALDWELL COUNTY, TEXAS; ADOPTING THE FUND BALANCE-STABILIZATION OF EXCESS OF RESERVE POLICY AND CITY OF LOCKHART INVESTMENT POLICY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, pursuant to the laws of the State of Texas for Home Rule cities and the City Charter for the City of Lockhart, Texas, the budget covering proposed estimated revenues and expenditures for Fiscal Year 2022, beginning October 1, 2021 and ending September 30, 2022, was filed with the City Secretary and notice of public hearing was provided as required, and,

WHEREAS, a public hearing was held by the City Council of the City of Lockhart, Texas, on said budget on August 17, 2021 and September 7, 2021 at which time said budget was presented and considered, and interested citizens were provided an opportunity to be heard by the City Council of the City of Lockhart, and,

WHEREAS, the City Council has reviewed and adopted a fiscal policy titled "Fund Balance-Stabilization of Excess of Reserve Policy" and has conducted an annual review of the City's Investment Policy, as required by Chapter 2256, Texas Government Code; and

WHEREAS, the City Council, City Manager and staff, after careful deliberate study and considerable debate, have determined the appropriate revenues and expenditures necessary for the maintenance and operations of the City of Lockhart for Fiscal Year 2022.

THEREFORE, BE IT RESOLVED, that the City Council of the CITY OF LOCKHART hereby adopts the Fund Balance-Stabilization of Excess of Reserve Policy; City of Lockhart Investment Policy; and the Fiscal Year 2022 annual budget providing for revenues and expenditures as follows:

Name	Revenues	Expenditures	Difference
General Fund	12,550,366	12,542,528	7,838
Debt Service Fund	1,186,422	1,186,422	0
Electric Fund	12,069,155	12,063,397	5,758
Water Fund	5,744,622	5,582,950	161,672
Wastewater Fund	3,034,591	2,985,120	49,471
Solid Waste Fund	2,063,450	1,827,138	236,312
Emergency Medical Service	1,338,482	1,283,279	55,203
Airport Fund	122,039	67,839	54,200
LEDC	1,093,140	1,092,933	207
Hotel Occupancy Tax Fund	126,420	77,450	48,970

PASSED, APPROVED, ADOPTED and EFFECTIVE this the 7th day of September 2021.

CITY OF LOCKHART

_____
Lew White, Mayor

ATTEST:

_____
Connie Constancio, TRMC
City Secretary

APPROVED AS TO FORM:

_____
Monte Akers
City Attorney

City of Lockhart, Texas

Council Agenda Item
Cover Sheet

COUNCIL MEETING DATE: September 7, 2021

AGENDA ITEM CAPTION: Discuss Ordinance 2021-27 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 2021, beginning October 1, 2021 and ending September 30, 2022.

ORIGINATING DEPARTMENT AND CONTACT: Finance - Pam Larison

ACTION REQUESTED: Ordinance

BACKGROUND/SUMMARY/DISCUSSION: A proposed tax rate is $0.6354 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 $0.5297 per $100 assessed value compared to last year's maintenance and operation rate of $0.5521 per $100, resulting in a decrease of $0.0224 or 4.06%. The interest and sinking portion of the tax rate increased from $0.0833 to $0.1057 per $100 of assessed value, resulting in an increase of $0.0224 or 26.9%. 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 support for infrastructure that includes city streets and parks. And also allows the City to provide public safety for its citizens by way of fire and police protection.

The verbiage contained within the Ordinance is in strict compliance with requirements of Section 26.05(b)(1)(B) of the Texas Tax Code.

PROJECT SCHEDULE (if applicable):

AMOUNT & SOURCE OF FUNDING:

City of Lockhart, Texas

Council Agenda Item
Cover Sheet

Funds Required:
Account Number:
Funds Available:
Account Name:

FISCAL NOTE (if applicable):

PREVIOUS COUNCIL ACTION:

COMMITTEE/BOARD/COMMISSION ACTION:

STAFF RECOMMENDATION/REQUESTED MOTION: State law requires that two separate motions be made to adopt these tax rates and two separate votes:

"I MOVE THAT THE MAINTENANCE AND OPERATION RATE BE ADOPTED AT $0.5297 PER $100 OF ASSESSED VALUE AS INDICATED/LISTED IN ORDINANCE 2021-27, THEREBY ADOPTING SAID ORDINANCE."

"I MOVE THAT THE INTEREST AND SINKING RATE BE ADOPTED AT $0.1057 PER $100 OF ASSESSED VALUE AS INDICATED/LISTED IN ORDINANCE 2021-27, THEREBY ADOPTING SAID ORDINANCE."

LIST OF SUPPORTING DOCUMENTS: Ordinance 2021-27 - Tax Levy

ORDINANCE 2021-27

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LOCKHART, TEXAS 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 FOR FISCAL YEAR 2021-2022, BEGINNING OCTOBER 1, 2021 AND ENDING SEPTEMBER 30, 2022, AND APPROPRIATING EACH PART THEREOF FOR THE SPECIFIC PURPOSES, PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEALER; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the State Legislature enacted Senate Bill 18, which mandated that municipal ordinances establishing annual tax rates must describe an increase in total maintenance and operations taxes compared to the previous year, and the rise of such taxes on a $100,000 home compared to the previous year.

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

1. There is hereby levied and shall be collected a maintenance and operations (M&O) property tax for the use and support of the municipal government of the City of Lockhart, Texas and there is hereby levied and shall be collected an interest and sinking (I&S) property tax to provide for the debt service obligations of the City of Lockhart for Fiscal Year 2022, beginning October 1, 2021, upon all taxable property, within the corporate limits of the City of Lockhart, Texas, as follows:

    a. For the maintenance and operations needs of the City of Lockhart the maintenance and operations (M&O) property tax is hereby adopted as 52.97 cents per each 100 dollars of property valuation. The tax rate will raise the more taxes for maintenance and operations than last year's tax rate. The tax rate will effectively be decreased by 4.06 percent and will decrease taxes for maintenance and operations on a $100,000 home; and,

    b. For the debt service obligations of the City of Lockhart interest and sinking (I&S) property tax is hereby adopted as 10.57 cents per each 100 dollars of property valuation. The tax rate will raise more taxes for interest and sinking than last year's tax rate. The tax rate will effectively be increased by 26.9 percent and will increase taxes to meet debt obligations for Fiscal Year 2021-22.

2. All taxes levied under the Ordinance for the specific purposes named herein shall be and is hereby approved to be collected and appropriated to the account(s) of the City of Lockhart for the specific purpose indicated in each items a and b above, by the Property Tax Assessor/Collector of the City of Lockhart.
3. Severability: if any provision, section, clause, sentence or phrase of this Ordinance is for any reason held to be unconstitutional, void, invalid, or unenforceable, 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 approving this ordinance that no portion, provision, or regulation contained herein shall be inoperative or fail by any reasons of any unconstitutionality or invalidity of any other portion, provision or regulation.
4. Repeal: That all other ordinances, sections, or parts of ordinances heretofore adopted by the City of Lockhart in conflict with provisions set out above in this ordinance are hereby repealed or amended as indicated.
5. Effective date: This ordinance shall become effective and be in full force immediately upon its passage.

PASSED, APPROVED and ADOPTED this the 7th day of September 2021.

CITY OF LOCKHART

_____
Lew White, Mayor

ATTEST:

_____
Connie Constancio, TRMC
City Secretary

APPROVED AS TO FORM:

_____
Monte Akers
City Attorney

City of Lockhart, Texas

Council Agenda Item
Cover Sheet

COUNCIL MEETING DATE: September 7, 2021

AGENDA ITEM CAPTION: Discuss Ordinance 2021-29 repealing uncodified Ordinance 2020-22 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.

ORIGINATING DEPARTMENT AND CONTACT: Administration - Julie Bowermon

ACTION REQUESTED: Ordinance

BACKGROUND/SUMMARY/DISCUSSION: The FY 21-22 Budget includes a 3% 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.

In addition to the 3% increase, it is also proposed to adjust the tenure progression for the rank of Fire Fighter. Currently, newly hired fire fighters must complete 2 years of service before moving up on the step plan. The proposed change would allow for a newly hired fire fighter to receive a step increase after the completion their first year of service. The intent of this adjustment is to enhance not only recruitment, but also retention of fire fighters and it only applies to the rank of Fire Fighter. This "step-at-one-year" design mirrors the practice in the Police Department.

Lastly, the proposed ordinance includes a salary adjustment for the rank of Assistant Fire Chief. The Fire Chief has recommended an adjustment that will help relieve compression between other Fire ranks and address internal equity. The 2020 Evergreen Solutions compensation study did identify this salary as being below market average.

The proposed adjustments to the fire step pay plan, as well as the 3% pay increase, are included in the proposed FY 21-22 budget.

PROJECT SCHEDULE (if applicable):

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

City of Lockhart, Texas

Council Agenda Item
Cover Sheet

FISCAL NOTE (if applicable): The proposed adjustments to the fire step pay plan, as well as the 3% pay increase, are included in the proposed FY 21-22 budget.

PREVIOUS COUNCIL ACTION: N/A

COMMITTEE/BOARD/COMMISSION ACTION:

STAFF RECOMMENDATION/REQUESTED MOTION:

LIST OF SUPPORTING DOCUMENTS: Proposed Ordinance 2021-29, Current Ordinance 2020-22

PROPOSED

ORDINANCE NO. 2021-29

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LOCKHART, TEXAS; REPEALING UN-CODIFIED ORDINANCE 2020-22 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; PROVIDING FOR SEVERABILITY; PROVIDING A REPEALER; PROVIDING FOR PUBLICATION; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City of Lockhart adopted a personnel policy manual on April 8, 1986; and

WHEREAS, certain sections address pay issues; and

WHEREAS, due to the implementation of Chapter 143 of the Texas Local Government Code for the Police Officers and Fire Fighters, "merit" pay for classified police officers and fire fighters was abolished; and

WHEREAS, due to a three (3) percent pay increase for all full-time and part-time regular City of Lockhart employees approved by City Council effective October 2, 2021, the City believes that public safety will best be served by adjusting step pay plans for police and fire classified personnel; and

WHEREAS, due to challenges in hiring and retaining qualified fire fighters, the tenure progression on the step pay plan for the rank of fire fighter should be adjusted; and

WHEREAS, the City Council accepted the "2020 Classification and Compensation Study for the City of Lockhart, Texas Final Report" conducted by Evergreen Solutions, LLC by Resolution 2020-22. This study identified salary for the rank of Assistant Fire Chief as being below the market survey average; and

WHEREAS, due to challenges of salary compression, internal equity, and the market survey findings of Evergreen Solutions, LLC, the step pay plan for Assistant Fire Chief should be adjusted.

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

I. The matters and facts set forth in the preamble are hereby found to be true.

II. The following Step Pay Plans for the Fire Department (Exhibit "A") and Police Department (Exhibit "B") are expressly incorporated by reference and adopted for classified members of the Lockhart Fire Department and Lockhart Police Department.

PROPOSED

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, 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.

V. 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.

VI. 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.

VII. Effective Date: That this ordinance shall become effective on October 2, 2021 beginning with work shifts starting after 12:00 A.M. on October 2, 2021.

PASSED, APPROVED, AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF LOCKHART, TEXAS, ON THIS THE 7th DAY OF SEPTEMBER, 2021.

CITY OF LOCKHART

_____
Lew White, Mayor

ATTEST:

APPROVED AS TO FORM:

_____
Connie Constancio, TRMC, City Secretary

_____
Monte Akers, City Attorney

PROPOSED

Fire Department Step Pay Plan Civil Service Personnel Rate Per Hour **Effective October 2, 2021*						
Tenure[1]						
Firefighter/EMT[2]	**0**	**1**	**3**	**5**	**7+**	
Per Hour	$16.36	$16.96	$17.77	$18.57	$18.99	
Tenure						
Fire Engineer	**0**	**3**	**6**	**9**	**12+**	
Per Hour	$18.17	$18.57	$19.38	$19.79	$20.19	
Tenure						
Captain	**0**	**3**	**6**	**9**	**12+**	
Per Hour	$20.19	$21.00	$21.40	$21.79	$22.22	
Tenure[3]						
Assistant Chief	**0**	**3**	**6**	**9**	**12+**	
Per Hour	$32.27	$32.82	$33.37	$33.92	$36.03	

EXHIBIT "A"

[1] "Tenure" is tenure from the hire date. Therefore, step progression is based on years with the Department, not time in rank.
[2] On October 2, 2021, the date of implementation, all firefighters will be moved to the step reflecting their tenure according to this step pay schedule.
[3] The Assistant Fire Chief will be exempt from overtime and will be paid on a salary basis.

PROPOSED

Police Department Civil Service Personnel Rate Per Hour *Effective October 2, 2021*								
Tenure[1]								
Police Cadet	**0**							
Per Hour	$19.98							
Tenure								
Police Officer	**0**	**1**	**2**	**4**	**6**	**8**	10	12+
Per Hour	$26.18	$26.87	$27.56	$28.25	$29.11	$29.97	$30.88	$31.81
Tenure								
Sergeant	**2**	**4**	**6**	**8**	**10+**			
Per Hour	$32.42	$33.09	$34.18	$35.29	$36.43			
Tenure								
Lieutenant	**4**	**6**	**8+**					
Per Hour	$36.93	$38.20	$39.55					
Tenure								
Captain	**4**	**6+**						
Per Hour	$39.68	$42.05						

EXHIBIT "B"

[1] "Tenure" is tenure from the hire date. Therefore, step progression is based on years with the Department, not time in rank.

CURRENT

ORDINANCE NO. 2020-22

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LOCKHART, TEXAS; REPEALING UN-CODIFIED ORDINANCE 2019-22 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; PROVIDING FOR SEVERABILITY; PROVIDING A REPEALER; PROVIDING FOR PUBLICATION; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City of Lockhart adopted a personnel policy manual on April 8, 1986; and

WHEREAS, certain sections address pay issues; and

WHEREAS, due to the implementation of Chapter 143 of the Texas Local Government Code for the Police Officers and Fire Fighters, "merit" pay for classified police officers and fire fighters was abolished; and

WHEREAS, the City Council the adopted a 2019-2020 Strategic Priorities Plan for the City that identified a need for an employee classification and compensation study to determine competitive pay and benefits for its employees. The City retained Evergreen Solutions, LLC to conduct that study. As a result of the study, Evergreen Solutions, LLC recommended a seven (7) percent increase to step plans for police and fire classified personnel.

WHEREAS, due to challenges in hiring and retaining qualified fire fighters and police officers and based on the recommendation of Evergreen Solutions, LLC, the step pay plans for fire and police classified personnel should be increased by seven (7) percent to attract and retain qualified fire fighters and police officers, as set forth in Exhibit A and Exhibit B; and

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

I. The matters and facts set forth in the preamble are hereby found to be true.

II. The following Step Pay Plans for the Fire Department (Exhibit "A") and Police Department (Exhibit "B") are expressly incorporated by reference and adopted for classified members of the Lockhart Fire Department and Lockhart Police Department.

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, 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.

V. 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.

VI. 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.

VII. Effective Date: That this ordinance shall become effective on October 3, 2020 beginning with work shifts starting after 12:00 A.M. on October 3, 2020.

PASSED, APPROVED, AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF LOCKHART, TEXAS, ON THIS THE 15th DAY OF SEPTEMBER, 2020.

CITY OF LOCKHART

_____
Lew White, Mayor

ATTEST:

APPROVED AS TO FORM:

_____
Connie Constancio, TRMC, City Secretary

_____
Monte Akers, City Attorney

CURRENT

Fire Department Step Pay Plan Civil Service Personnel Rate Per Hour *Effective October 3, 2020*						
Tenure[1]						
Firefighter/EMT	**0**	**2**	**4**	**6**	**8+**	
Per Hour	$15.88	$16.47	$17.25	$18.03	$18.44	
Tenure						
Fire Engineer	**0**	**3**	**6**	**9**	**12+**	
Per Hour	$17.64	$18.03	$18.82	$19.21	$19.60	
Tenure						
Captain	**0**	**3**	**6**	**9**	**12+**	
Per Hour	$19.60	$20.39	$20.78	$21.16	$21.57	
Tenure[2]						
Assistant Chief	**0**	**3**	**6**	**9**	**12+**	
Per Hour	$30.27	$30.82	$31.37	$31.92	$33.03	

EXHIBIT "A"

[1] "Tenure" is tenure from the hire date. Therefore, step progression is based on years with the Department, not time in rank.
[2] The Assistant Fire Chief will be exempt from overtime and will be paid on a salary basis.

CURRENT

Police Department Civil Service Personnel Rate Per Hour *Effective October 3, 2020*								
Tenure								
Police Cadet	**0**							
Per Hour	$19.40							
Tenure								
Police Officer	**0**	**1**	**2**	**4**	**6**	**8**	10	12+
Per Hour	$25.42	$26.09	$26.76	$27.43	$28.26	$29.10	$29.98	$30.88
Tenure								
Sergeant	**2**	**4**	**6**	**8**	**10+**			
Per Hour	$31.48	$32.13	$33.18	$34.26	$35.37			
Tenure								
Lieutenant	**4**	**6**	**8+**					
Per Hour	$35.85	$37.09	$38.40					
Tenure								
Captain	**4**	**6+**						
Per Hour	$38.52	$40.83						

EXHIBIT "B"

[1] "Tenure" is tenure from the hire date. Therefore, step progression is based on years with the Department, not time in rank.

City of Lockhart, Texas

Council Agenda Item
Cover Sheet

COUNCIL MEETING DATE: September 7, 2021

AGENDA ITEM CAPTION: Discuss a one-time premium payment to City of Lockhart employees utilizing funds from American Rescue Plan Act (ARPA) and the City of Lockhart as presented.

ORIGINATING DEPARTMENT AND CONTACT: Administration - Julie Bowermon

ACTION REQUESTED: Other

BACKGROUND/SUMMARY/DISCUSSION: ARPA funds are federal dollars being distributed to cities in response to the COVID-19 pandemic. The funding is not from locally collected tax dollars. There are certain options that the federal funds can be used for, premium pay for essential workers is one. Premium pay is a direct payment to an essential worker that was involved in regular in-person interactions or regular physical handling of items that were also handled by others. Premium pay can be retroactive. The United States Treasury encourages cities to prioritize retrospective premium pay when possible, recognizing that many essential workers have not yet received additional pay for work that they conducted throughout the pandemic. Premium pay cannot be paid to teleworkers. Premium pay is limited to only employees that are below 150% percent of the state average income.

The City of Lockhart has approximately 13 employees that may fall above the 150% state average income and cannot be paid with ARPA funding. These employees are essential workers and could still receive premium pay, funded by the City instead of ARPA. These employees worked well beyond their normal work schedule and duties, frequently meeting in-person with residents, staff, and business owners to ensure the continuation of essential City operations during the pandemic.

The proposed one-time premium payment to City of Lockhart employees would be administered based on the eligibility criteria presented in the agenda packet attachment for employees that worked during March 1, 2020 - February 28, 2021.

PROJECT SCHEDULE (if applicable):

AMOUNT & SOURCE OF FUNDING:
Funds Required: $147,225.00
Account Number: Multiple Funds
Funds Available: $147,225.00
Account Name: ARP Funds - $109,500; General Fund - $20,635; Utility Funds - $15,880; LEDC Fund - $1,210

FISCAL NOTE (if applicable): Until further confirmation of eligible uses of ARPA funds, the City will absorb expenses attained with unqualified personnel costs.

PREVIOUS COUNCIL ACTION: August 17, 2021, consensus of authorizing a one-time premium payment to City employees of $1,000 to each active full-time employee and $500 to each active part-time employee that worked during March 1, 2020 - February 28, 2021 with eligibility criteria as presented.

COMMITTEE/BOARD/COMMISSION ACTION: N/A

STAFF RECOMMENDATION/REQUESTED MOTION:

LIST OF SUPPORTING DOCUMENTS: Premium Pay POLICY COUNCIL PACKET 9.7.2021

American Rescue Plan - Premium Pay Option
Authorized by City Council on September 7, 2021

PURPOSE: One-time premium pay payment to City of Lockhart employees.

Funding Source: American Rescue Plan Act-Coronavirus State and Local Fiscal Recovery Funds.

Premium Pay for Essential Workers: Essential workers are workers who have been and continue to be relied on to maintain continuity of operations of essential critical infrastructure sectors, including those who are critical to protecting the health and wellbeing of their communities.[1]

The Interim Final Rule defines essential work as work involving regular in-person interactions or regular physical handling of items that were also handled by others. A worker would not be engaged in essential work and, according may not receive premium pay, for telework performed from a residence.[1]

City of Lockhart Premium Pay Criteria:

- Must be an active employee on the day checks are cut, active includes any employee currently working or on a leave status such as vacation, sick leave, FMLA, workers' comp, civil service work injury recovery leave, etc.

- Must have worked during pandemic period of March 1, 2020 – February 28, 2021.
  - March 13, 2020 President Trump issued Proclamation 9994 proclaiming that COVID-19 constitutes a national emergency beginning March 1, 2020.

- 6-12 months = 100% of lump payment.
- 1-5 months = 50% of lump payment.

- Part-time employees receive half of what full-time employees granted.

- Although CDC recommendations encouraged having workforce telework, City of Lockhart employees were not able to solely telework during the pandemic. No employee is excluded from the premium pay due to a teleworking status.

- Although 13 employees may fall above the 150% state average income, these employees were essential workers and are not excluded from the premium pay. These employees worked well beyond their normal work schedule and duties, frequently meeting in-person with residents, staff, and business owners to ensure the continuation of essential City operations during the pandemic. As supervisors, often these employees covered shifts to offset staffing shortages due to quarantines and isolations. This portion of the premium pay would be funded by City funding.

Premium Pay and Funding

Class	Amount
Full-Time	$1,000
Part-Time	$500
Estimated ARPA	$109,500
City Cost	$37,725

ESTIMATED	*General Fund*	*$20,635*
CITY COST	*Utilities Funds*	*$15,880*
PER FUND	*LEDC*	*$1,210*

[1] Interim Final Rule: Coronavirus State and Local Fiscal Recovery Funds, U.S. Department of Treasury

City of Lockhart, Texas

Council Agenda Item
Cover Sheet

COUNCIL MEETING DATE: September 7, 2021

AGENDA ITEM CAPTION: Discussion regarding matters related to COVID-19 including, but not limited to, the use of City facilities for upcoming community events such as Evening with the Authors, National Night Out, Hill Country Barbecue Cookoff, Speaking of the Dead, Courthouse Nights, and Dickens.

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

ACTION REQUESTED: Other

BACKGROUND/SUMMARY/DISCUSSION: On May 18, 2021, Governor Abbot issued GA-36 that prohibited governmental entities from mandating face coverings or restricting activities in response to the COVID-19 disaster. As a result, the Lockhart City Council rescinded the Mayor's Declaration to require face coverings and encouraged citizens to continue to follow the CDC guidelines in regard to COVID-19.

Also, as a result of the Governor opening Texas on March 2, 2021 (GA-34), community events are back on schedule such as the Chisholm Trail Roundup, Fireworks show, and City venues such as the city splash pad are open to the public. Face coverings are not required during the events or at city facilities.

An update of COVID-19 orders and Council actions is attached.

Open Meetings Act Suspensions Terminate effective September 1, 2021
In March 2020, Governor Abbott's office granted the Attorney General's request to suspend certain open meetings statutes. The temporary suspension allows for telephonic or videoconference meetings of governmental bodies that are accessible to the public in an effort to reduce in-person meetings, thereby allowing governmental bodies and/or board commissions to hold a meeting virtually without a quorum being present at the meeting location.

On June 30, 2021, the Governor's office approved a request by the Attorney General to lift the open meetings suspensions effective at 12:01 a.m. on September 1, 2021. All Texas governmental bodies subject to the OMA must thereafter conduct their meetings in full compliance with the OMA as written in state law.

The following are provisions in the OMA suspension that will no longer be allowed effective September 1, 2021:
1) Video conferencing capability will change in that a member of the governing body or board can meet virtually but there must be a quorum physically present at the meeting location.
2) Telephone conference meetings will not be allowed to continue and are only allowed in an emergency.

City of Lockhart, Texas

Council Agenda Item
Cover Sheet

On **August 29, 2021**, Governor Abbott issued a Declaration renewing the declaration of disaster stating that COVID-19 poses an imminent threat of disaster for all counties in Texas.

This item is returned to Council for consideration, if necessary.

PROJECT SCHEDULE (if applicable): N/A

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

FISCAL NOTE (if applicable): None.

PREVIOUS COUNCIL ACTION: N/A

COMMITTEE/BOARD/COMMISSION ACTION: N/A

STAFF RECOMMENDATION/REQUESTED MOTION: None.

LIST OF SUPPORTING DOCUMENTS: Update of COVID-19 orders and Council actions, GA-39, GA-38, Governor Abbott proclamation renewing the Declaration of Disaster.

HISTORY OF COVID-19 ORDERS/COUNCIL ACTIONS

On **September 1, 2020**, the City Council adopted Resolution 2020-20 renewing and adopting a requirement that commercial establishments in the City post a notice that facial coverings are a requirement of employees and persons entering such establishments. The requirement that such notice be posted shall remain in effect until terminated or amended by the City Council.

On **October 7, 2020**, Governor Greg Abbott issued Executive Order GA-32 to allow certain bars and similar establishments to operate at 50% capacity with permission from the County Judge. GA-32 increased the occupancy levels for all business establishments other than bars to 75%. GA-32 also provides that outdoor gatherings in excess of 10 people is prohibited unless the Mayor of the City in which the gathering is held, approves of the gathering, and such approval can be made subject to certain conditions or restrictions not inconsistent with GA-32.

Mayor's statement on reduced business capacity in Caldwell County**.** At 12:01 a.m. on Wednesday, January 13, 2021 the provisions of Governor Greg Abbott's Executive Order GA-32 that suspend elective surgeries, close bars and reduce business capacity to 50 percent went into effect in Lockhart and Caldwell County. This was occurring because under GA-32, these specific provisions took effect when a Trauma Service Area had seven consecutive days in which the number of COVID-19 hospitalized patients as a percentage of total capacity exceeded 15 percent. This was the case in Trauma Service Area O, which included Caldwell County.

COVID Relief Fund update**.** On January 19, 2021, the Council voted to offer a six-month forbearance to businesses that received a COVID-19 Recovery Loan in 2020. Council re-opened the COVID Relief Grants to small businesses for $5,000 per business that qualifies. Restaurants and bars that were affected by the Governor's order earned higher points on the application process.

During the February 23, 2021 meeting, Chief Jenkins provided an update of COVID compliance for local businesses.

On **March 2, 2021**, Governor Abbot issued GA-34 that was effective March 10, 2021. It provides that the State no longer requires face covering and it does not allow local jurisdictions to require face coverings. GA-34 supercedes all orders issued by local officials that conflict with regard to services or local orders and provides that businesses and other establishments may require customers and employees to wear face coverings. The consensus of the Council was to leave the Mayor's Declaration in effect and to encourage citizens to continue to wear face coverings and to maintain a six foot distance.

On **May 13, 2021**, the CDC announced that fully vaccinated individuals no longer need to mask up or social distance indoors and outdoors, including crowds. Attached is information from the CDC about how to stay safe around individuals that are or are not fully vaccinated.

On **June 15, 2021**, the consensus of the Council was to continue virtual attendance at meetings.

On **June 30, 2021**, the Governor's office approved a request by the Attorney General to lift the temporary Open Meetings Act suspensions, effective at 12:01 a.m. on September 1, 2021. The change in virtual meetings is that a member of the governing body or board member may attend a meeting virtually but there must be a quorum physically present at the meeting location.

On **July 29, 2021**, Governor Abbott issued Executive Order 38, that combined several existing COVID-19 executive orders to promote statewide uniformity and certainty in the state's COVID-19 response. Governor Abbott stated that "The new Executive Order emphasizes that the path forward relies on personal responsibility rather than government mandates".

On **August 13, 2021**, TML provided the following information regarding actions taken by governmental entities and the Attorney General in regards to face coverings:

- **Mask Mandate Update:** Tuesday afternoon, two state district court judges in Dallas and Bexar counties granted local authorities in those jurisdictions temporary restraining orders blocking Governor Abbott's ban on mask mandates. In response to the rulings, the City of San Antonio issued a requirement for face coverings inside city facilities, and the Dallas County Judge issued an emergency order on Wednesday related to face coverings. Temporary restraining orders are by definition temporary and require further court proceedings to become permanent. TML will continue to monitor these developments. In related news, Houston's Mayor Sylvester Turner is requiring masks in city facilities when physical distancing is not doable.

Additionally, a number of large school districts ("ISDs") across the state, including Dallas ISD, Houston ISD, Austin ISD, Fort Worth ISD, and San Antonio ISD, are requiring masks on school property.

- **Attorney General Issues Two COVID-related opinions:** On August 11, the Attorney General released two opinions related to mask mandates and vaccines.
    1. In Opinion KP-0379, the Attorney General was asked whether COVID-19 vaccines could be required as a condition to enter a government building. Citing the Governor's Executive Order No. 38 as well as the recently passed S.B. 968, the Attorney General opined that government entities may not require COVID-19 vaccines as a condition to enter a government facility.
    2. In Opinion No. KP-0380, the Attorney General was asked to opine on the effect of the Governor's executive orders on federal requirements related to face coverings on public transit. The AG ultimately opined that he is unconvinced that CDC and TSA rules as well as federal law preempt the Governor's orders prohibiting mask mandates.

Please remember that Attorney General opinion are just that: opinions. They are legal guidance but do not carry the force of law or court order.

- **Counties Across Texas Seeing Rise in COVID-19 Threat Levels:** Over the last few weeks, we have reported on the rise in COVID-19 threat levels in counties and cities across the state. That rise continues, with Travis, Harris, Dallas, and Williamson counties, among others, back at the highest threat levels as the Delta variant spreads across the state and ICU bed availability drops.

On **August 29, 2021**, Governor Abbott issued a proclamation renewing the declaration stating that COVID-19 poses an imminent threat of disease for all counties in Texas.

On **August 25, 2021,** Governor Abbot issued GA-39 (attached), prohibiting governmental entities from compelling an individual to receive a COVID-19 vaccine regardless of full FDA approval, among other things.

The Governor also issued the following call to the Special Session of the Legislature:

> *Legislation regarding whether any State or Local Governmental entities in Texas can mandate that an individual receive a COVID-19 vaccine and, if so, what exemption should apply to such mandate.*

GOVERNOR GREG ABBOTT

August 25, 2021

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
2 PM O'CLOCK
AUG 25 2021
Secretary of State

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

Dear Deputy Secretary Esparza:

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

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

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

Respectfully submitted,

Gregory S. Davidson
Executive Clerk to the Governor

GSD/gsd

Attachment

Executive Order

BY THE
GOVERNOR OF THE STATE OF TEXAS

Executive Department
Austin, Texas
August 25, 2021

EXECUTIVE ORDER
GA 39

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

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

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

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

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

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

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

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

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

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

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

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

AUG 25 2021

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

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

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

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

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

1. No governmental entity can compel any individual to receive a COVID-19 vaccine. I hereby suspend Section 81.082(f)(1) of the Texas Health and Safety Code, and any other relevant statutes, to the extent necessary to ensure that no governmental entity can compel any individual to receive a COVID-19 vaccine.

2. State agencies and political subdivisions shall not adopt or enforce any order, ordinance, policy, regulation, rule, or similar measure that requires an individual to provide, as a condition of receiving any service or entering any place, documentation regarding the individual's vaccination status for any COVID-19 vaccine. I hereby suspend Section 81.085(i) of the Texas Health and Safety Code, and any other relevant statutes, to the extent necessary to enforce this prohibition. This paragraph does not apply to any documentation requirements necessary for the administration of a COVID-19 vaccine.

3. Any public or private entity that is receiving or will receive public funds through any means, including grants, contracts, loans, or other disbursements of taxpayer money, shall not require a consumer to provide, as a condition of receiving any service or entering any place, documentation regarding the consumer's vaccination status for any COVID-19 vaccine. No consumer may be denied entry to a facility financed in whole or in part by public funds for failure to provide documentation regarding the consumer's vaccination status for any COVID-19 vaccine.

4. Nothing in this executive order shall be construed to limit the ability of a nursing home, state supported living center, assisted living facility, or long-term care facility to require documentation of a resident's vaccination status for any COVID-19 vaccine.

5. This executive order shall supersede any conflicting order issued by local officials in response to the COVID-19 disaster. Pursuant to Section 418.016(a) of the Texas Government Code, I hereby suspend Sections 418.1015(b) and 418.108 of the Texas Government Code, Chapter 81, Subchapter E of the Texas Health and Safety Code, and any

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

AUG 25 2021

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

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

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

GREG ABBOTT
Governor

ATTESTED BY:

JOE A. ESPARZA
Deputy Secretary of State

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

AUG 25 2021

GOVERNOR GREG ABBOTT

July 29, 2021

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

JUL 29 2021

Secretary of State

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

Dear Deputy Secretary Esparza:

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

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

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

Respectfully submitted,

Gregory S. Davidson
Executive Clerk to the Governor

GSD/gsd

Attachment

Executive Order

BY THE
GOVERNOR OF THE STATE OF TEXAS

Executive Department
Austin, Texas
July 29, 2021

EXECUTIVE ORDER
GA 38

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

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

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

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

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

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

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

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

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

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

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

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

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SECRETARY OF STATE
3:15pm O'CLOCK

JUL 29 2021

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

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

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

1. To ensure the continued availability of timely information about COVID-19 testing and hospital bed capacity that is crucial to efforts to cope with the COVID-19 disaster, the following requirements apply:

    a. All hospitals licensed under Chapter 241 of the Texas Health and Safety Code, and all Texas state-run hospitals, except for psychiatric hospitals, shall submit to the Texas Department of State Health Services (DSHS) daily reports of hospital bed capacity, in the manner prescribed by DSHS. DSHS shall promptly share this information with the Centers for Disease Control and Prevention (CDC).
    b. Every public or private entity that is utilizing an FDA-approved test, including an emergency use authorization test, for human diagnostic purposes of COVID-19, shall submit to DSHS, as well as to the local health department, daily reports of all test results, both positive and negative. DSHS shall promptly share this information with the CDC.

2. To ensure that vaccines continue to be voluntary for all Texans and that Texans' private COVID-19-related health information continues to enjoy protection against compelled disclosure, in addition to new laws enacted by the legislature against so-called "vaccine passports," the following requirements apply:

    a. No governmental entity can compel any individual to receive a COVID-19 vaccine administered under an emergency use authorization. I hereby suspend Section 81.082(f)(1) of the Texas Health and Safety Code to the extent necessary to ensure that no governmental entity can compel any individual to receive a COVID-19 vaccine administered under an emergency use authorization.
    b. State agencies and political subdivisions shall not adopt or enforce any order, ordinance, policy, regulation, rule, or similar measure that requires an individual to provide, as a condition of receiving any service or entering any place, documentation regarding the individual's vaccination status for any COVID-19 vaccine administered under an emergency use authorization. I hereby suspend Section 81.085(i) of the Texas Health and Safety Code to the extent necessary to enforce this prohibition. This paragraph does not apply to any documentation requirements necessary for the administration of a COVID-19 vaccine.
    c. Any public or private entity that is receiving or will receive public funds through any means, including grants, contracts, loans, or other disbursements of taxpayer money, shall not require a consumer to provide, as a condition of receiving any service or entering any place, documentation regarding the consumer's vaccination status for any COVID-19 vaccine administered under an emergency use authorization. No consumer may be denied entry to a facility financed

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JUL 29 2021

in whole or in part by public funds for failure to provide documentation regarding the consumer's vaccination status for any COVID-19 vaccine administered under an emergency use authorization.

d. Nothing in this executive order shall be construed to limit the ability of a nursing home, state supported living center, assisted living facility, or long-term care facility to require documentation of a resident's vaccination status for any COVID-19 vaccine.

e. This paragraph number 2 shall supersede any conflicting order issued by local officials in response to the COVID-19 disaster. I hereby suspend Sections 418.1015(b) and 418.108 of the Texas Government Code, Chapter 81, Subchapter E of the Texas Health and Safety Code, and any other relevant statutes, to the extent necessary to ensure that local officials do not impose restrictions in response to the COVID-19 disaster that are inconsistent with this executive order.

3. To ensure the ability of Texans to preserve livelihoods while protecting lives, the following requirements apply:

   a. There are no COVID-19-related operating limits for any business or other establishment.

   b. In areas where the COVID-19 transmission rate is high, individuals are encouraged to follow the safe practices they have already mastered, such as wearing face coverings over the nose and mouth wherever it is not feasible to maintain six feet of social distancing from another person not in the same household, but no person may be required by any jurisdiction to wear or to mandate the wearing of a face covering.

   c. In providing or obtaining services, every person (including individuals, businesses, and other legal entities) is strongly encouraged to use good-faith efforts and available resources to follow the Texas Department of State Health Services (DSHS) health recommendations, found at www.dshs.texas.gov/coronavirus.

   d. Nursing homes, state supported living centers, assisted living facilities, and long-term care facilities should follow guidance from the Texas Health and Human Services Commission (HHSC) regarding visitations, and should follow infection control policies and practices set forth by HHSC, including minimizing the movement of staff between facilities whenever possible.

   e. Public schools may operate as provided by, and under the minimum standard health protocols found in, guidance issued by the Texas Education Agency. Private schools and institutions of higher education are encouraged to establish similar standards.

   f. County and municipal jails should follow guidance from the Texas Commission on Jail Standards regarding visitations.

   g. As stated above, business activities and legal proceedings are free to proceed without COVID-19-related limitations imposed by local governmental entities or officials. This paragraph number 3 supersedes any conflicting local order in response to the COVID-19 disaster, and all relevant laws are suspended to the extent necessary to preclude any such inconsistent local orders. Pursuant to the legislature's command in Section 418.173 of the Texas Government Code and the State's emergency management plan, the imposition of any conflicting or inconsistent limitation by a local governmental entity or official constitutes a "failure to comply with" this executive order that is subject to a fine up to $1,000.

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SECRETARY OF STATE
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JUL 29 2021

4. To further ensure that no governmental entity can mandate masks, the following requirements shall continue to apply:

   a. No governmental entity, including a county, city, school district, and public health authority, and no governmental official may require any person to wear a face covering or to mandate that another person wear a face covering; *provided, however, that*:
      i. state supported living centers, government-owned hospitals, and government-operated hospitals may continue to use appropriate policies regarding the wearing of face coverings; and
      ii. the Texas Department of Criminal Justice, the Texas Juvenile Justice Department, and any county and municipal jails acting consistent with guidance by the Texas Commission on Jail Standards may continue to use appropriate policies regarding the wearing of face coverings.

   b. This paragraph number 4 shall supersede any face-covering requirement imposed by any local governmental entity or official, except as explicitly provided in subparagraph number 4.a. To the extent necessary to ensure that local governmental entities or officials do not impose any such face-covering requirements, I hereby suspend the following:

      i. Sections 418.1015(b) and 418.108 of the Texas Government Code;

      ii. Chapter 81, Subchapter E of the Texas Health and Safety Code;

      iii. Chapters 121, 122, and 341 of the Texas Health and Safety Code;

      iv. Chapter 54 of the Texas Local Government Code; and

      v. Any other statute invoked by any local governmental entity or official in support of a face-covering requirement.

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

   c. Even though face coverings cannot be mandated by any governmental entity, that does not prevent individuals from wearing one if they choose.

5. To further ensure uniformity statewide:

   a. This executive order shall supersede any conflicting order issued by local officials in response to the COVID-19 disaster, but only to the extent that such a local order restricts services allowed by this executive order or allows gatherings restricted by this executive order. Pursuant to Section 418.016(a) of the Texas Government Code, I hereby suspend Sections 418.1015(b) and 418.108 of the Texas Government Code, Chapter 81, Subchapter E of the Texas Health and Safety Code, and any other relevant statutes, to the extent necessary to ensure that local officials do not impose restrictions in response to the

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3:15pm O'CLOCK

JUL 29 2021

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

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

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

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

GREG ABBOTT
Governor

ATTESTED BY:

JOE A. ESPARZA
Deputy Secretary of State

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

JUL 29 2021

GOVERNOR GREG ABBOTT

August 29, 2021

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

AUG 29 2021

Secretary of State

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

Dear Mr. Deputy Secretary:

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

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

The original proclamation is attached to this letter of transmittal.

Respectfully submitted,

Gregory S. Davidson
Executive Clerk to the Governor

GSD/gsd

Attachment

PROCLAMATION

BY THE

Governor of the State of Texas

TO ALL TO WHOM THESE PRESENTS SHALL COME:

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

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

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

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

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

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

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

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

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

Greg Abbott

GREG ABBOTT
Governor

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

AUG 29 2021

ATTESTED BY:

JOE ESPARZA
Deputy Secretary of State

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

AUG 29 2021

City of Lockhart, Texas

Council Agenda Item
Cover Sheet

COUNCIL MEETING DATE: September 7, 2021

AGENDA ITEM CAPTION: Hold public hearing on the City of Lockhart and Lockhart Economic Development Corporation FY 2021-2022 Budgets.

ORIGINATING DEPARTMENT AND CONTACT: Finance - Pam Larison

ACTION REQUESTED: Other

BACKGROUND/SUMMARY/DISCUSSION: The City Charter requires that the City Council hold a public hearing for the Fiscal year 2021-2022 City of Lockhart Budget. On August 3, 2021, the City Council approved two public hearings on the budget for the Fiscal Year October 1, 2021 to September 30, 2022. Notice of Public hearings for the City of Lockhart and the Lockhart Economic Development Corporation Fiscal year 2021-2022 was published in the Lockhart Post Register on August 12, 2021 and September 2, 2021.

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

PROJECT SCHEDULE (if applicable): N/A

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

FISCAL NOTE (if applicable): N/A

PREVIOUS COUNCIL ACTION: N/A

COMMITTEE/BOARD/COMMISSION ACTION: N/A

STAFF RECOMMENDATION/REQUESTED MOTION: N/A

LIST OF SUPPORTING DOCUMENTS:

City of Lockhart, Texas

Council Agenda Item
Cover Sheet

COUNCIL MEETING DATE: September 7, 2021

AGENDA ITEM CAPTION: Hold public hearing on Proposed Tax Rate for 2021.

ORIGINATING DEPARTMENT AND CONTACT: Finance - Pam Larison

ACTION REQUESTED: Other

BACKGROUND/SUMMARY/DISCUSSION: 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 proposed by the Caldwell County Appraisal District. This public hearing is required by the Truth In Taxation laws of the State of Texas.

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:

LIST OF SUPPORTING DOCUMENTS: Notice of Public Hearing on Tax Rate Increase

TNT-876 04-20

Statements required in notice if the proposed tax rate exceeds the no-new-revenue tax rate but does not exceed the voter-approval tax rate, as prescribed by Tax Code §26.06(b-2).

NOTICE OF PUBLIC HEARING ON TAX INCREASE

A tax rate of $0.6354 per $100 valuation has been proposed by the governing body of City of Lockhart.

PROPOSED TAX RATE	$0.6354 per $100
NO-NEW-REVENUE TAX RATE	$0.5857 per $100
VOTER-APPROVAL TAX RATE	$0.6459 per $100

The no-new-revenue tax rate is the tax rate for the 2021 tax year that will raise the same amount of property tax revenue for City of Lockhart from the same properties in both the 2020 tax year and the 2021 tax year.

The voter-approval rate is the highest tax rate that City of Lockhart may adopt without holding an election to seek voter approval of the rate.

The proposed tax rate is greater than the no-new-revenue tax rate. This means that City of Lockhart is proposing to increase property taxes for the 2021 tax year.

A PUBLIC HEARING ON THE PROPOSED TAX RATE WILL BE HELD ON September 7, 2021 at 7:30 PM at Clark Library Annex-Council Chambers, 217 South Main St., 3rd. Floor, Lockhart, TX.

The proposed tax rate is not greater than the voter-approval tax rate. As a result, City of Lockhart is not required to hold an election at which voters may accept or reject the proposed tax rate. However, you may express your support for or opposition to the proposed tax rate by contacting the members of the Elections Administrator in the Elections Department of City of Lockhart at their offices or by attending the public hearing mentioned above.

YOUR TAXES OWED UNDER ANY OF THE TAX RATES MENTIONED ABOVE CAN BE CALCULATED AS FOLLOWS:

Property tax amount = (tax rate) x (taxable value of your property) / 100

(List names of all members of the governing body below, showing how each voted on the proposal to consider the tax increase or, if one or more were absent, indicating absences.)

FOR the proposal:	Mayor-Lew White, Mayor Pro-Tem-Angie Gonzales-Sanchez, District 1-Juan Mendoza, District 2-David Bryant, District 3-Kara McGregor, District 4-Jeffry Michelson, At-Large-Brad Westmoreland
AGAINST the proposal:	
PRESENT and not voting:	
ABSENT:	

The 86th Legislature modified the manner in which the voter-approval tax rate is calculated to limit the rate of growth of property taxes in the state.

The following table compares the taxes imposed on the average residence homestead by City of Lockhart last year to the taxes proposed to the be imposed on the average residence homestead by City of Lockhart this year.

	2020	2021	Change
Total tax rate (per $100 of value)	$0.6354	$0.6354	0.00% increase
Average homestead taxable value	$167,138	$184,198	10.20% increase
Tax on average homestead	$1,062	$1,170	10.16% increase
Total tax levy on all properties	$4,474,349	$4,982,801	11.36% increase

For assistance with tax calculations, please contact the tax assessor for City of Lockhart at 512-398-5550 or shannar@caldwellcad.org, or visit caldwell.truthintaxation.com.

City of Lockhart, Texas

Council Agenda Item
Cover Sheet

COUNCIL MEETING DATE: September 7, 2021

AGENDA ITEM CAPTION: Hold a PUBLIC HEARING on application ZC-21-11 by Berk RE, LLC, on behalf of Terry Black, and discussion and/or action to consider Ordinance 2021-28, for a **Zoning Change** from *RLD Residential Low Density District* to *CHB Commercial Heavy Business District* on 1.022 acres in the Byrd Lockhart Survey, Abstract 17, located at 900 North Colorado Street (US 183).

ORIGINATING DEPARTMENT AND CONTACT: Development Services - Dan Gibson

ACTION REQUESTED: Ordinance

BACKGROUND/SUMMARY/DISCUSSION: The subject property was recently purchased by the owner. It's a land-locked parcel that abuts a tract at 900 North Colorado Street that already belongs to the owner. That tract currently contains a small warehouse building that will be modified to be part of a new restaurant planned for the property. Ultimately, both tracts will be platted to become one large lot. Because the original parcel is already zoned CHB, the applicant is proposing the same classification for the subject property so that it will be available for development of a food processing and preparation facility for off-site sales of products associated with the restaurant. One person inquired by phone about the proposed zoning and use of the property, but no opposition has been expressed either in writing or in person at the Planning and Zoning Commission hearing. The proposed CHB zoning classification is not consistent with the Land Use Plan map, which designates the subject property as Low Density Residential. ***Additional information is contained in the attached staff report.***

PROJECT SCHEDULE (if applicable): Not applicable.

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

FISCAL NOTE (if applicable): Not applicable.

PREVIOUS COUNCIL ACTION: None.

COMMITTEE/BOARD/COMMISSION ACTION: At their August 25th meeting, the Planning and Zoning Commission voted 7-0 to recommend APPROVAL.

STAFF RECOMMENDATION/REQUESTED MOTION: Staff's greatest concern is compatibility between the proposed heavy commercial zoning and the adjacent low and medium density residential zoning classifications. However, it does make sense to extend the CHB zoning to include all of the applicant's property, and the proposed use would likely not have external impacts that would negatively affect abutting properties. Since there is no opposition on record either in writing or in person at the Commission meeting, staff recommends APPROVAL.

LIST OF SUPPORTING DOCUMENTS: Ordinance 2021-28, Exhibit A, Map 1, 2, 3, 4, Staff report, Application.

ORDINANCE 2021-28

AN ORDINANCE OF THE CITY OF LOCKHART, TEXAS, AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF LOCKHART, TEXAS, TO RECLASSIFY THE PROPERTY KNOWN AS 1.022 ACRES IN THE BYRD LOCKHART SURVEY, ABSTRACT NO. 17, LOCATED AT 900 NORTH COLORADO STREET (US 183), FROM RLD RESIDENTIAL LOW DENSITY DISTRICT TO CHB COMMERCIAL HEAVY BUSINESS DISTRICT.

WHEREAS, on August 25, 2021, 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-21-11 as 1.002 acres in the Byrd Lockhart Survey, Abstract No. 17, more particularly described in Exhibit "A" and located at 900 North Colorado Street (US 183), will be reclassified from RLD Residential Low Density District to CHB Commercial Heavy Business District.

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

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

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

VI. Effective Date: That this ordinance shall become effective and be in full force immediately upon and from the date of its passage.

PASSED, APPROVED, AND ADOPTED AT A REGULAR MEETING OF THE LOCKHART CITY COUNCIL ON THIS THE 7th DAY OF SEPTEMBER, 2021.

CITY OF LOCKHART

_____

Lew White, Mayor

ATTEST:

_____

Connie Constancio, TRMC, City Secretary

APPROVED AS TO FORM:

_____

Monte Akers, City Attorney

EXHIBIT "A"

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 the Byrd Lockhart Survey A-17 and being also a part of a tract of land called 3.42 acres and conveyed to Gregorio Briceno by deed recorded in Volume 440 Page 715 of the Deed Records of Caldwell County, Texas and being more particularly described as follows:

BEGINNING *at a 1" iron pipe found used for basis of bearing in an exterior corner of the above mentioned 3.42 acre tract and the NE corner of a tract of land called 1.019 acres and conveyed to Berk RE, LLC by deed recorded in Instrument #2019-006561 of the Official Public Records of Caldwell County, Texas and the apparent SE corner of a tract of land called 0.356 acres and conveyed to David K. Mills et ux by deed recorded in Volume 597 Page 723 of the said Official Public Records and further described in Volume 368 Page 613 of the said Official Public Records for the NW corner this tract.*

THENCE N 77°51'42" E *over and across the said 3.42 acre tract* **277.47 feet** *to a capped ½" iron pin set in the East line of the said 3.42 acre tract and the apparent West line of a tract of land called 23.613 acre tract and conveyed to Lockhart Ridge Land LP by deed recorded in Instrument #2019-006490 and further described in Instrument #2017-004366 of the said Official Public Records for the NE corner this tract.*

THENCE S 22°15'58" E *with the East line of the said 3.42 acre tract and the apparent West line of the above mentioned 23.613 acre tract* **185.23 feet** *to a ½" iron pin found in the SE corner of the said 3.42 acre tract and the as found used and monumented North line of the Compress Hill Addition as recorded in Volume 206 Page 536 of the said Deed Records for the SE corner this tract.*

THENCE S 77°20'46" W *with the South line of the said 3.42 acre tract and the North line of the said Compress Hill Addition as found monumented and the North line of Navarro Addition as recorded in Volume 206 Page 601 of the said Deed Records as found monumented and occupied* **207.57 feet** *to a capped ½" iron pin set stamped "HINKLE SURVEYORS" in the NE line of the above mentioned 1.019 acre tract and the SW corner of the said 3.42 acre tract for the SW corner this tract.*

THENCE N 41°13'37" W *with the SW line of the said 3.42 acre tract and the NE line of the said 1.019 acre tract* **210.80 feet** *to the place of beginning containing* **1.022 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 May 4, 2021. ***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.

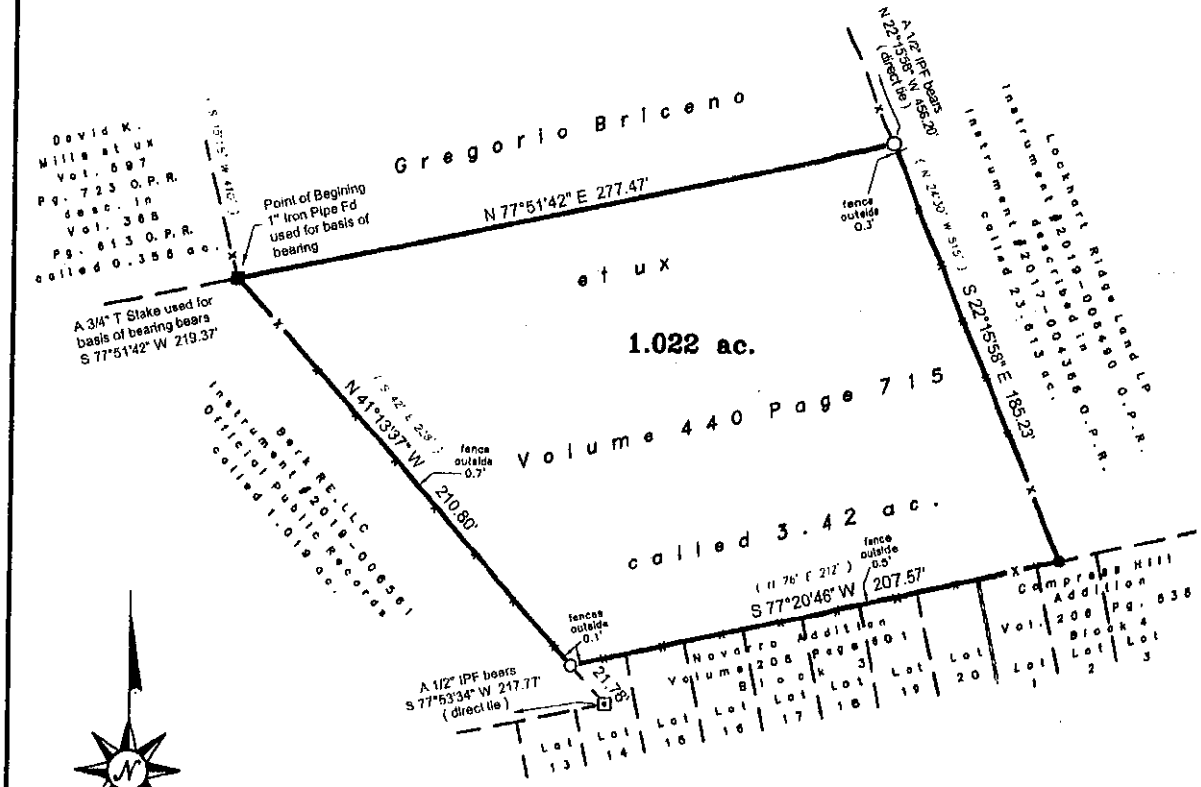
Jerry L. Hinkle, R.P.L.S. #5459

©Hinkle Surveyors 2021 Firm Registration No. 100866-00

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

EXHIBIT "A"

City of Lockhart Caldwell County, Texas
Byrd Lockhart Survey A-17



Scale 1"=50'

G.F. #2122021-LKH
PROPOSED INSURED: Berk RE, LLC

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 WARNING. This flood Statement, as Determined by a HUD - F.I.A. 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

LEGEND

- ○ CAPPED 1/2" IRON PIN SET STAMPED "HINKLE SURVEYORS"
- ● 1/2" IRON PIN FOUND
- ■ 1" IRON PIPE FENCE POST
- ⊡ CAPPED IRON PIN FOUND STAMPED "HINKLE SURVEYORS"
- (.....) ORIGINAL DEEDED CALLS
- —x— FENCES MEANDER
- UNLESS OTHERWISE NOTED

SURVEY DRAWING

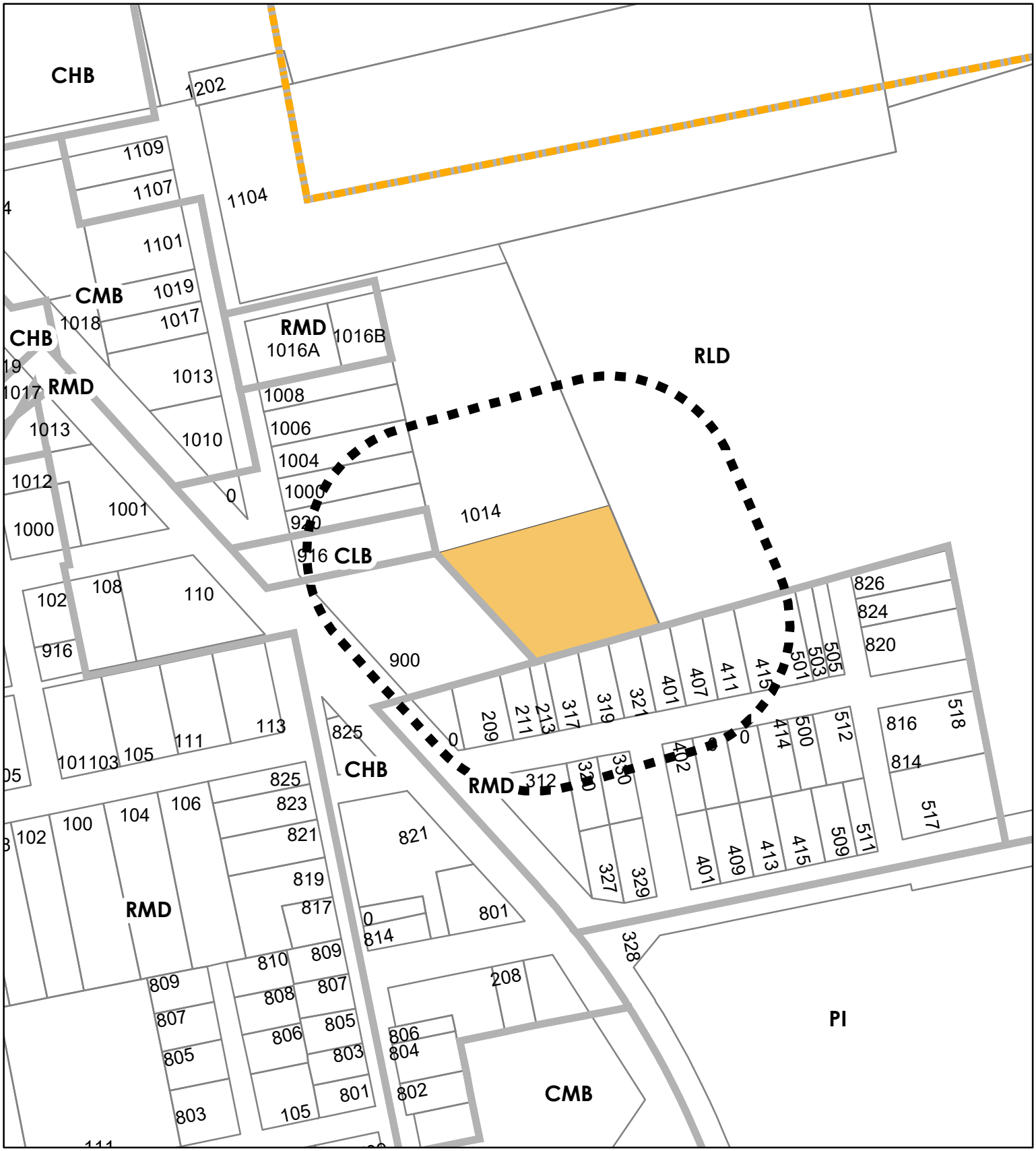
Showing a 1.022 acre tract of land out of the Byrd Lockhart Survey A-17 in the City of Lockhart, Caldwell County, Texas and the improvements as found situated thereon. I do hereby certify to *BERK RE, LLC*, that (1) the foregoing plat is a true and correct representation of a survey made on the ground under my direct supervision on May 4, 2021, (2) I have shown or noted all recorded easements or right of ways listed in the title report provided by Independence Title, Lockhart, Texas, G.F. #2122021-LKH effective date April 8, 2021, and shown all observable evidence of easements on the ground. There are no encroachments, protrusions, conflicts nor any shortages in area nor boundary other than shown hereon. *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

Jerry L. Hinkle, R.P.L.S. #5450

Field Book: d.c.	Drawn By: JLH LH
Job No. 20182333-additional	Drawing: 20182333-additional.dwg
Date: May 2021	Word Disk: Begin 05012021
Surveyed By: JLH JOB	Autocad Disk: Begin 05012021

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*

Hinkle Surveyors, 2021



ZC-21-11

RLD TO CHB

900 N COLORADO ST (US 183)

N

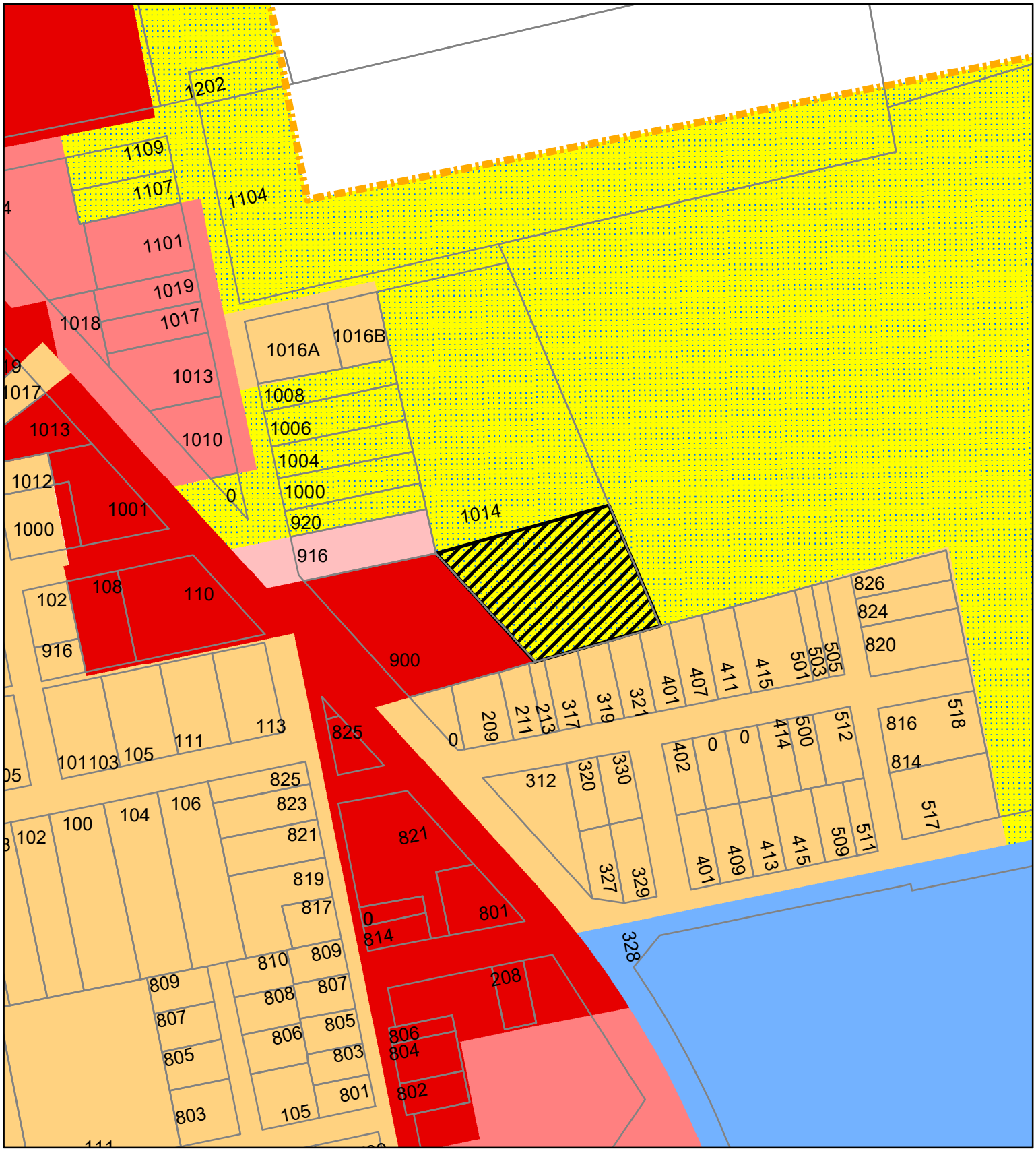
scale 1" = 200'

SUBJECT PROPERTY

ZONING BOUNDARY

CITY LIMITS

200 FT BUFFER



ZC-21-11

RLD TO CHB

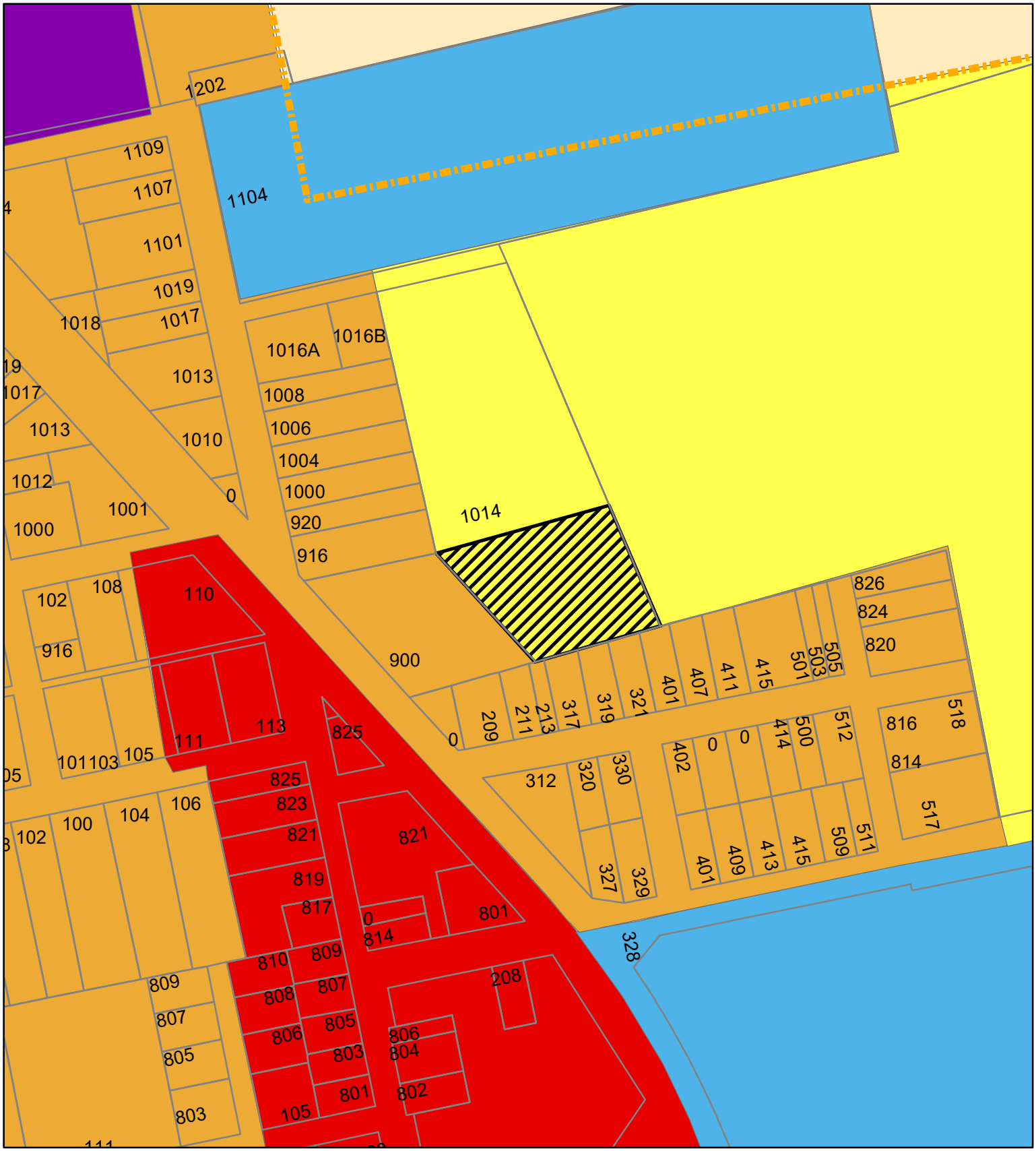
900 N COLORADO ST (US 183)

N

scale 1" = 200'

ZONING DISTRICTS

- COMMERCIAL HEAVY BUSINESS
- COMMERCIAL LIGHT BUSINESS
- COMMERCIAL MEDIUM BUSINESS
- PUBLIC AND INSTITUTIONAL
- RESIDENTIAL LOW DENSITY
- RESIDENTIAL MEDIUM DENSITY



FUTURE LANDUSE

RLD TO CHB

900 N COLORADO ST (US 183)

N

scale 1" = 200'

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

N
CHINA ST
APPLE ST
N COMMERCE ST
N COLORADO ST
CEDAR ST
KATE ST
E OLIVE ST
W OLIVE ST
LAREDO ST
JUAN ST
E NAVARRO ST
W NAVARRO ST
FLORES ST
NORTH DR
EAST DR
WEST DR
MAGNOLIA DR
CIRCLE DR
OAK DR
CENTRAL DR
0
200
400 Feet

CASE SUMMARY

STAFF: Dan Gibson, City Planner CASE NUMBER: ZC-21-11
REPORT DATE: August 18, 2021 [Updated 8-26-21]
PLANNING AND ZONING COMMISSION HEARING DATE: August 25, 2021
CITY COUNCIL HEARING DATE: September 7, 2021
REQUESTED CHANGE: RLD to CHB
STAFF RECOMMENDATION: ***Approval***
PLANNING AND ZONING COMMISSION RECOMMENDATION: ***Approval***

BACKGROUND DATA

APPLICANT: Berk RE, LLC
OWNER: Terry Black
SITE LOCATION: 900 North Colorado Street (US 183)
LEGAL DESCRIPTION: Metes and bounds
SIZE OF PROPERTY: 1.022 acres
EXISTING USE OF PROPERTY: Vacant
LAND USE PLAN DESIGNATION: Low Density Residential

ANALYSIS OF ISSUES

REASON FOR REQUESTED ZONING CHANGE: The subject property was recently purchased by the owner. It's a land-locked parcel that abuts a tract at 900 North Colorado Street that already belongs to the owner. That tract currently contains a small warehouse building that will be modified to be part of a new restaurant planned for the property. Ultimately, both tracts will be platted to become one large lot. Because the original parcel is already zoned CHB, the applicant is proposing the same classification for the subject property so that it will be available for development of a food processing and preparation facility for off-site sales of products associated with the restaurant. Even with the rezoning, the proposed food facility will require approval of a specific use permit by the Planning and Zoning Commission.

AREA CHARACTERISTICS:

	Existing Use	Zoning	Future Land Use Plan
North	Vacant land	RLD	Low Density Residential
East	Vacant land	RLD	Low Density Residential
South	Single-family dwellings	CHB, RMD	Medium Density Residential
West	Commercial, Single-family dwellings	CHB, PI	General—Heavy Commercial

TRANSITION OF ZONING DISTRICTS: Residential zoning abuts the subject property on three sides, with two of the sides being vacant but zoned RLD, and the third side being a single-family neighborhood zoned RMD. CHB, the most intensive commercial zoning classification, would generally not be considered a desirable transition immediately adjacent to low or medium density single-family housing.

ADEQUACY OF INFRASTRUCTURE: All utilities are available and adequate. Vehicular access is available only from North Colorado Street (US 183).

POTENTIAL NEIGHBORHOOD IMPACT: The proposed rezoning extends the potential for incompatible commercial uses further eastward along the common property boundary with the existing residential neighborhood. Commercial uses can have adverse impacts such as noise and night-lighting.

CONSISTENCY WITH COMPREHENSIVE PLAN: The proposed CHB zoning classification is not consistent with the Land Use Plan map, which designates the subject property as Low Density Residential.

ALTERNATIVE CLASSIFICATIONS: CMB would be a slightly less intense zoning classification because the list of uses is a little more restrictive, but it would still allow office, retail, and restaurant uses, along with commercial parking lots, package sales of alcoholic beverages, veterinary clinics, vehicle sales and repair, and indoor recreation/ entertainment/amusement facilities. However, the CMB district would not allow the intended use of the property for a food processing and preparation facility, either by-right or as a specific use.

RESPONSE TO NOTIFICATION: A person who owns one of the abutting residential lots along Laredo Street called and said she had heard that a barbeque restaurant was to be constructed in this area. She was concerned that she would be breathing smoke, or at least smelling it, all the time. She says there are times when she can smell the barbeque smoke from Kreuz Market, and it bothers her. I explained that the planned restaurant was going to be constructed on the portion of the applicant's property that is already zoned CHB, so it is not subject to approval of this zoning change. She attended the Planning and Zoning Commission hearing but did not speak. No one else spoke either in favor or in opposition to the proposed zoning change.

STAFF RECOMMENDATION: Staff's greatest concern is compatibility between the proposed heavy commercial zoning and the adjacent low and medium density residential zoning classifications. However, it does make sense to extend the CHB zoning to include all of the applicant's property, and the proposed use would likely not have external impacts that would negatively affect abutting properties. Since there is no opposition on record either in writing or in person at the Commission meeting, staff recommends 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 BERK RE, LLC ADDRESS 208 N. Main ST.
DAY-TIME TELEPHONE 512 376-8840 LOCKHART, TX 78644
E-MAIL black525@SBCGLOBAL.NET

OWNER NAME Terry Black ADDRESS same
DAY-TIME TELEPHONE same
E-MAIL same

PROPERTY

ADDRESS OR GENERAL LOCATION 900 N. Colorado - Rear/East acre
LEGAL DESCRIPTION (IF PLATTED) see attached
SIZE 1.022 ACRE(S) LAND USE PLAN DESIGNATION Low Density Residential
EXISTING USE OF LAND AND/OR BUILDING(S) Residential / VACANT
PROPOSED NEW USE, IF ANY UNKNOWN

REQUESTED CHANGE

FROM CURRENT ZONING CLASSIFICATION Residential - RLD
TO PROPOSED ZONING CLASSIFICATION CHB
REASON FOR REQUEST I recently purchased the rear/east acre. The front/west/Hwy 183 frontage acre is zone CHB. I am requesting the rear acre be zone the same as the front acre. Both acres will be re-platted as one piece of about 2 acres.

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. NONE

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

APPLICATION FEE OF $ 170.44 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 Terry Black DATE 7/28/2021

OFFICE USE ONLY

ACCEPTED BY Dan Gibson RECEIPT NUMBER 01020255

DATE SUBMITTED 7-28-21 CASE NUMBER ZC - 21 - 11

DATE NOTICES MAILED 8-10-2021 DATE NOTICE PUBLISHED 8-12-2021

PLANNING AND ZONING COMMISSION MEETING DATE 8-25-21

PLANNING AND ZONING COMMISSION RECOMMENDATION Approval

CITY COUNCIL MEETING DATE 9-7-21

DECISION _____

REGULAR MEETING
LOCKHART CITY COUNCIL AUGUST 17, 2021 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
Ernest Pedraza, Police Chief
Connie Constancio, City Secretary
Victoria Maranan, Public Information Officer
Sean Kelley, Public Works Director
Randy Jenkins, Fire Chief

Citizens/Visitors Addressing the Council: Sydney Falk with Bickerstaff, Heath, Delgado & Acosta; and BJ Westmoreland of the Lockhart Chamber of Commerce.

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. RECEIVE UPDATE AND DISCUSSION REGARDING THE REDISTRICTING PROCESS.
Ms. Constancio stated that on May 4, 2021, the City Council approved an Engagement Agreement with Bickerstaff, Heath, Delgado & Acotsa to provide legal services for all aspects associated with the redistricting process. She stated that Sydney Falk of the firm will give the update.

Sydney Falk of Bickerstaff, Heath, Delgado & Acosta provided information regrading the upcoming redistricting process.

B. DISCUSS UPDATE TO AN AUTOMATIC AID AGREEMENT FOR STRUCTURE FIRE RESPONSES BETWEEN LOCKHART FIRE RESCUE AND TRAVIS COUNTY FIRERESCUE ESD#11 ORIGINALLY DATED OCTOBER 3, 2007.
Chief Jenkins stated that the original automatic aid agreement between Lockhart Fire Rescue and Travis County Fire Rescue ESD #11 is being updated to include the following changes to the agreement:

- Travis County Fire Rescue ESD #11 updated their response to include a ladder truck and a squad or engine with a minimum of four personnel total.
- Definitions were updated to include Ladder Truck, Mini-Pumper, and Squad.
- Travis County Fire Rescue ESD #11 reduced the requested response area for Lockhart Fire Rescue significantly.

Travis County Fire Rescue ESD #11 contracts with Hays/Caldwell County ESD #1 for fire protection and has a staffed fire station (#1107) located at the intersection of FM 1854 and FM 1185. This location improves their ability to respond to the City of Lockhart in a timely manner. Firefighting is an inherently dangerous and labor-intensive occupation and having adequate manpower to respond to structure fires

increases safety to firefighters and the public. The National Fire Protection Association (NFPA) 1710, Standard for the Organization and Deployment of Fire Suppression Operations to the Public by Career Fire Departments, 2016 Edition recommends as an objective to respond to a single-family residence structure fire with a minimum of 12 personnel within a travel time of 8 minutes (Chapters 4.1.2.1, and 5.2.4.1.1). Lastly, the Insurance Services Office (ISO) uses the Fire Suppression Rating Schedule (FSRS) to evaluate communities on their fire suppression capabilities. A Public Protection Classification (PPC) is then assigned to the community. Our current PPC is 3/3X. Entering into Automatic Aid Agreements for structure fires can enhance our FSRS score in the areas of fire apparatus, equipment, and personnel. Chief Jenkins recommended approval.

C. DISCUSSION REGARDING SETTING THE 2021 COMBINED MAINTENANCE AND OPERATIONS AND INTEREST AND SINKING PROPOSED PROPERTY TAX RATE FOR THE CITY OF LOCKHART. IF THE PROPOSED TAX RATE EXCEEDS EITHER THE NO NEW REVENUE RATE OR VOTER APPROVAL RATE, A RECORD VOTE MUST BE TAKEN TO PLACE A PROPOSAL TO ADOPT THE RATE ON THE AGENDA FOR A FUTURE COUNCIL MEETING. IF THE MOTION PASSES, THE COUNCIL MUST SCHEDULE AND ANNOUNCE THE DATE, TIME, AND LOCATION OF ONE (1) PUBLIC HEARING REGARDING THE PROPOSED TAX RATE SET BY THE COUNCIL.

Ms. Larison stated that the action taken by the Council is required by the State of Texas in adherence with the Truth-In-Taxation laws. As directed by Council, a record vote will need to be taken and the date announced for the aforementioned public hearing scheduled on September 7, 2021, at 7:30 p.m. in the Council Chambers located at the Clark Library Annex - Council Chambers, 217 South Main Street, 3rd Floor, Lockhart, Texas. Senate Bill 2 has limited the percentage increase from No New Revenue to Voter Approval rate by 3.5% but has added a new unused incremental rate adjustment. Because of this, the City's adjusted Voter Approval rate has been increased by the unused incremental rate received from last year, which is 0.0123/$100, setting the new Voter Approval rate to 0.6459/$100.

D. DISCUSS AND REVIEW FISCAL YEAR 2021-2022 CITY MANAGER'S PROPOSED BUDGET.

Ms. Larison stated that a public hearing on the Fiscal Year 2021-2022 budget will be held during the regular meeting. The proposed budget is posted on the city website, and is available for the public to view in the office of the City Secretary, at the Clark Library and in the City Hall lobby. She introduced Jason Rasor of Raftelis to give information about proposed water and wastewater rate increases.

Jason Rasor of Raftelis provided information regarding the following:

- Commercial water meter counts and commercial water rate scenarios.
- Residential water meter counts and water rate scenarios.
- 3-year phase in fixed water meter charge.

Ms. Larison provided information and there was discussion regarding a proposed solid waste rate increase.

Mr. Kelley provided information and there was discussion regarding proposed increased cemetery rates.

Chief Pedraza requested one new full-time employee that would manage the property room of the Lockhart Police Department.

Ms. Bowermon provided information and there was discussion regarding a possible one-time incentive to employees for their dedication for working under extreme circumstances during the 2020 COVID-19 pandemic. The incentive is eligible to be paid through the American Rescue Plan Act (ARPA) funds.

RECESS: Mayor White announced that the Council would recess for a break at 7:41 p.m.

G. DISCUSS REQUEST BY LOCKHART CHAMBER OF COMMERCE REGARDING PARK IMPROVEMENTS.

Mayor White requested BJ Westmoreland to address the Council.

B.J. Westmoreland, Chair of the Lockhart Chamber of Commerce, stated that at the previous Council meeting, the Lockhart Chamber announced that they were returning funds in the amount of $26,500 to the City of Lockhart. He requested that the city proceed with discussions about upgrades in City Park such as ADA compliance issues, restrooms upgrades and upgrading the amphitheater.

There was discussion regarding establishing a City Park Improvement ad-hoc committee to make a recommendation to the Council about improvements at the City Park and associated costs.

After discussion, the consensus of the Council was that the ad-hoc committee consist of the following: two Councilmembers, a Representative of the Lockhart Chamber of Commerce, two members of the Parks Advisory Board, a Representative of the Hispanic Chamber of Commerce, Sean Kelley, Public Works Director and Steve Lewis, City Manager.

The appointments to be made during the regular meeting are Councilmember Jeffry Michelson, Councilmember David Bryant, BJ Westmoreland and Winn Smith representing the Lockhart Chamber of Commerce, Rob Ortiz or his designee representing the Hispanic Chamber of Commerce, Warren Burnett, Chair of the Parks Advisory Board, one additional Parks Advisory Board member, Sean Kelley, Public Works Director and Steve Lewis, City Manager.

D. DISCUSS AND REVIEW FISCAL YEAR 2021-2022 CITY MANAGER'S PROPOSED BUDGET.

Mayor White reconvened discussion regarding the budget.

Ms. Larison provided information regarding one-time capital expenditure items.

E. BUDGET AMENDMENT TO THE WATER AND WASTEWATER FUNDS FOR FISCAL YEAR 2020-2021; AND APPROVING BUDGET AMENDMENT #58, AS OUTLINED IN ORDINANCE 2021-25.

Ms. Larison stated that on February 2, 2021, the City Council approved the contract to Raftelis Financial Consultants, Inc. to perform a rate study that would determine the total cost of providing water and wastewater services, equitably distribute costs to customers, and design rates to safeguard the financial integrity of the City.

City Council acknowledged that a budget amendment would be necessary and approved the following:

- 520-5799-299 Contracts and Services to Water Fund $18,191.50
- 540-5799-299 Contracts and Services to Wastewater Fund $18,191.50

H. DISCUSSION REGARDING MATTERS RELATED TO COVID-19, IF NECESSARY.

Mayor White gave an update regarding the vaccine and testing opportunities in the community. He encouraged everyone to stay safe and to wear face coverings.

REGULAR MEETING

ITEM 1. CALL TO ORDER.
Mayor Lew White called the meeting to order at 7:52 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-A. HOLD A PUBLIC HEARING ON THE CITY OF LOCKHART AND LOCKHART ECONOMICDEVELOPMENT CORPORATION FISCAL YEAR 2021-2022 BUDGETS.
Mayor White opened the public hearing at 8:26 p.m.

Mayor White requested citizens in favor of or against the proposed budgets to address the Council. There were none. He closed the public hearing at 8:27 p.m.

ITEM 4. PUBLIC COMMENT.
Mayor White read a statement emailed to Council from Pat Stroka expressing disappointment about no longer accepting glass for recycling.

Mr. Lewis provided an explanation about why glass is no longer accepted for recycling.

ITEM 5-A. RECEIVE UPDATE AND DISCUSSION REGARDING THE REDISTRICTING PROCESS.
Mayor White announced that the update was received during the work session.

ITEM 5-B. DISCUSSION AND/OR ACTION TO CONSIDER AN UPDATE TO AN AUTOMATIC AID AGREEMENT FOR STRUCTURE FIRE RESPONSES BETWEEN LOCKHART FIRE RESCUE AND TRAVIS COUNTY FIRE RESCUE ESD#11 ORIGINALLY DATED OCTOBER 3, 2007.
Councilmember Michelson made a motion to approve the update to an Automatic Aid Agreement, as presented. Councilmember McGregor seconded. The motion passed by a vote of 7-0.

ITEM 5-C. DISCUSSION AND/OR ACTION REGARDING SETTING THE 2021 COMBINED MAINTENANCE AND OPERATIONS AND INTEREST AND SINKING PROPOSED PROPERTY TAX RATE FOR THE CITY OF LOCKHART. IF THE PROPOSED TAX RATE EXCEEDS EITHER THE NO NEW REVENUE RATE OR VOTER APPROVAL RATE, A RECORD VOTE MUST BE TAKEN TO PLACE A PROPOSAL TO ADOPT THE RATE ON THE AGENDA FOR A FUTURE COUNCIL MEETING. IF THE MOTION PASSES, THE COUNCIL MUST SCHEDULE AND ANNOUNCE THE DATE, TIME, AND LOCATION OF ONE (1) PUBLIC HEARING REGARDING THE PROPOSED TAX RATE SET BY THE COUNCIL.
Ms. Larison requested that the Council set a tax rate for Fiscal Year 2021-2022 and to schedule a public hearing on September 7, 2021.

Mayor White made a motion to set the City of Lockhart proposed tax rate of $0.6354 which is higher than the no new revenue rate of $0.5857 but lower than the voter approval rate of $0.6459 and to set the public hearing on the City of Lockhart proposed tax rate on September 7, 2021 at 7:30 p.m. at Clark Library Annex, 217 South Main Street, 3rd Floor, Lockhart, Texas and authorize city staff to publish all required public notices. Councilmember Michelson seconded.

The following is the record vote of the motion:

Councilmember Brad Westmoreland – in favor
Councilmember Juan Mendoza - in favor
Mayor Pro-Tem Angie Gonzales-Sanchez – in favor
Councilmember Kara McGregor – in favor
Councilmember David Bryant – in favor
Councilmember Jeffry Michelson – in favor
Mayor Lew White – in favor

The motion passed by a vote of 7-0.

ITEM 5-D. DISCUSS AND REVIEW FISCAL YEAR 2021-2022 CITY MANAGER'S PROPOSED BUDGET.

After discussion, the consensus of the Council was to include the following in the Fiscal Year 2021-2022 proposed budget:

- Full-time position in the Lockhart Police Department - evidence room employee.
- One-time American Rescue Plan Act Premium pay to city employees. ($1,000 to full-time employees and $500 to part-time employees)
- One-time capital expenditures:
  - City Hall – remaining bond funds; short-term tax note; or fund balance
  - Space study - $50,000 – or remaining bond funds
  - Clark Library building renovations - $59,000 – or remaining bond funds
  - Sidewalks - $52,500 – sidewalk restricted use funds
  - Street improvements – additional $100,000 – moved to 2015 Certificates of Obligation funding
  - Fire Station 1 renovations - $455,252 – moved to 2015 Certificates of Obligation funding
  - Parks & Recreation improvements - $455,252
  - AWIA Risk & Resilience Assessment – fencing- American Rescue Plan funds
- Utility rates:
  - Wastewater-Scenario 2 for commercial and residential rates
  - Water-3 year phase-in
  - Solid Waste-option 4
  - Increase Cemetery rates - $800 for City resident; Caldwell County resident - $900; Non-resident (outside Caldwell County) - $1,500

ITEM 5-E. DISCUSSION AND/OR ACTION TO CONSIDER A BUDGET AMENDMENT TO THE WATER AND WASTEWATER FUNDS FOR FISCAL YEAR 2020-2021; AND APPROVING BUDGET AMENDMENT #58, AS OUTLINED IN ORDINANCE 2021-25.

Mayor Pro-Tem Sanchez made a motion to approve Ordinance 2021-25/Budget amendment #58, as presented. Councilmember Bryant seconded. The motion passed by a vote of 7-0.

ITEM 5-F. DISCUSSION AND/OR ACTION TO CONSIDER APPROVAL OF CITY COUNCIL MINUTESOF THE JULY 20, 2021, AUGUST 3, 2021 AND AUGUST 5, 2021 MEETINGS.

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

Councilmember Mendoza stated that he will abstain from voting on July 20 and August 5 minutes because he was not present at the meetings.

Councilmember McGregor made a motion to approve the minutes. Mayor Pro-Tem Sanchez seconded. The motion passed by a vote of 6-0-1, with Councilmember Mendoza abstaining.

ITEM 5-G. DISCUSS REQUEST BY LOCKHART CHAMBER OF COMMERCE REGARDING PARK IMPROVEMENTS.

Mayor Pro-Tem Sanchez made a motion to establish a City Park Improvement ad-hoc Committee and to appoint committee members as listed below. Councilmember Westmoreland seconded. The motion passed by a vote of 7-0.

Ad-hoc committee appointments:
Councilmember Jeffry Michelson
Councilmember David Bryant
Warren Burnett, Chair of the Parks Advisory Board
2nd member of the Parks Advisory Board
BJ Westmoreland – Lockhart Chamber of Commerce
Winn Smith – Lockhart Chamber of Commerce
Rob Ortiz or designee – Hispanic Chamber of Commerce
Sean Kelley, Public Works Director
Steve Lewis, City Manager

ITEM 5-H. DISCUSSION REGARDING MATTERS RELATED TO COVID-19, IF NECESSARY.

There was no action.

ITEM 5-I. DISCUSSION AND/OR ACTION REGARDING APPOINTMENTS TO VARIOUS BOARDS,COMMISSIONS OR COMMITTEES.

Mayor White requested appointments to boards or committees.

Mayor Pro-Tem Sanchez made a motion to appoint Lee Parra to the Parks Advisory Board, replacing Chris Schexnayder. She thanked Mr. Schexnyder for his service to the board. Councilmember Mendoza seconded. The motion passed by a vote of 7-0.

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

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

- Update regarding Vintage Springs Subdivision.
- Library Updates.

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

Councilmember Mendoza invited everyone to partake in the Community meal tomorrow.

Mayor Pro-Tem Sanchez expressed condolences to the families of Amanda Brown, Carline Hoyle, James Henderson, Allen Green, Pedro Davila, and Jesus Johnny Barron for their loss. She wished the students and staff a safe and successful school year.

Councilmember McGregor wished children the best for the new school year. She encouraged everyone to wear face coverings.

Councilmember Bryant encouraged everyone to stay safe. He wished all students and teachers the best during the new school year. He thanked citizens for responding when he was searching for boardmembers.

Councilmember Michelson requested an update about Maple Street. He encouraged everyone to stay safe and to be careful.

Mayor White thanked staff for their hard work on the upcoming budget. He expressed condolences to the families that have lost a loved one. He wished teachers and students the best during the new school year and he encouraged everyone to stay safe.

ITEM 8. EXECUTIVE SESSION IN ACCORDANCE WITH THE PROVISIONS OF THE GOVERNMENT CODE, TITLE 5, SUBCHAPTER D, SECTION 551.087 TO DELIBERATE OR FOR DISCUSSION REGARDING COMMERCIAL OR FINANCIAL INFORMATION THAT THE GOVERNMENTAL BODY HAS RECEIVED FROM A BUSINESS PROSPECT THAT THE GOVERNMENTAL BODY SEEKS TO HAVE LOCATE, STAY, OR EXPAND IN OR NEAR THE TERRITORY OF THE GOVERNMENTAL BODY AND WITH WHICH THE GOVERNMENTAL BODY IS CONDUCTING ECONOMIC DEVELOPMENT NEGOTIATIONS; OR TO DELIBERATE THE OFFER OF A FINANCIAL OR OTHER INCENTIVE TO A BUSINESS PROSPECT. Discussion regarding Economic Development negotiations withProject Summertime.
Mayor White announced that the Council would enter Executive Session at 9:10 p.m.

ITEM 9. OPEN SESSION. Discussion and/or action regarding Economic Developmentnegotiations with Project Summertime.
Mayor White announced that the Council would enter Open Session at 9:30 p.m.

Mayor Pro-Tem Sanchez made a motion to authorize the City Manager to make an offer to project Summertime in accordance with the discussion in Executive Session. Councilmember Bryant seconded. The motion passed by a vote of 7-0.

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 9:30 p.m.

PASSED and APPROVED this the 7th day of September 2021.

CITY OF LOCKHART

_____
Lew White, Mayor

ATTEST:

_____
Connie Constancio, TRMC
City Secretary

City of Lockhart, Texas

Council Agenda Item
Cover Sheet

COUNCIL MEETING DATE: September 7, 2021

AGENDA ITEM CAPTION: Approve completing electric distribution upgrade to LK30 and LK40 (Project #11) as part of the Lower Colorado River Authority (LCRA) five-year System Study.

ORIGINATING DEPARTMENT AND CONTACT: Electric - Bobby Leos

ACTION REQUESTED: Other

BACKGROUND/SUMMARY/DISCUSSION: Techline Construction is LCRA's preferred contractor for projects because they are experienced with high voltage line repairs. Techline has conducted the majority of LCRA projects for the City of Lockhart since 1995.

Project #11 is part of the LCRA's five-year System Study that includes electric construction which will upgrade the double circuit, LK30 and LK40 to 795 MCM ACSR.This project includes taller poles with pole framing to increase separation and install separate neutrals on each circuit.This project will reduce simultaneous feeder faults.

Starting from the substation (LK30) to the intersection of Blackjack and Commerce and from the substation (LK40) to the intersection of S Main and Blackjack to upgrade the section of overhead conductor (1350 ft) from 336 MCM ACSR to 795 MCM ACSR.

PROJECT SCHEDULE (if applicable): N/A

AMOUNT & SOURCE OF FUNDING:
Funds Required: $230,000
Account Number: 500-5745-911
Funds Available: $230,000
Account Name: Construction/Project Improvement

FISCAL NOTE (if applicable): This expense will be paid from the Electric Fund and funds will be transferred to Electric Fund revenues to offset the expense from the Electric Utility Upgrade Fund.

PREVIOUS COUNCIL ACTION: N/A

COMMITTEE/BOARD/COMMISSION ACTION: N/A

STAFF RECOMMENDATION/REQUESTED MOTION: Electric Superintendent recommends approval.

LIST OF SUPPORTING DOCUMENTS: Contract.

ELECTRICAL DISTRIBUTION CONSTRUCTION AGREEMENT

This **ELECTRICAL DISTRIBUTION CONSTRUCTION AGREEMENT** ("**Agreement**") is entered into by and between the City of Lockhart, Texas ("**Owner**") and Techline Construction, LLC ("**Contractor**") and is effective as of the date of the signature of the last party to sign below (the "**Effective Date**").

1. Contract Documents. This Agreement includes the following Contract Documents which shall be construed in the order of precedence in which they are listed:

1. This Agreement;
2. Exhibit A – LCRA Construction Drawings (complete title), LK30/LK40 Feeder Exit improvement;
3. Exhibit B – Contract No. 5045 Distribution Construction Services between the Lower Colorado River Authority and Techline Construction, LLC, dated October 1, 2018; and
4. Exhibit C – Proposal by Techline Construction, LLC to the City of Lockhart dated October 6, 2020, containing the estimate for the total cost of labor and equipment to complete the LK30/LK40 Feeder exit improvement;

Exhibits A, B, and C which are attached hereto and incorporated herein, are made a part of this Agreement for all purposes. Contractor agrees to provide Owner with the services included in Exhibits pursuant to the terms and conditions of this Agreement, including all exhibits thereto.

2. Scope. Contractor shall furnish all labor, construction equipment, transportation, subcontracting, and other required services, other than engineering services, to complete the work described in the Contract Documents, specifications, and Construction Drawings (the "Work"). Contractor agrees to perform the Work under the same terms and conditions and pricing contained in the Contract Documents. All orders and payments for the Work will be issued directly from Owner to Contractor, and Contractor will provide the services and associated invoices directly to Owner. Contractor shall not provide any additional items or services or bill for expenses incurred for Owner not specified by this Agreement unless Owner requests and approves in writing the additional costs for such services. Owner shall not be liable for any additional expenses of Contractor not specified by this Agreement unless Owner first approves such expenses in writing.

3. Compensation. Owner agrees to pay the Contractor in accordance with the prices listed in the proposal attached to the Contract Documents, estimated to be $188,706.03 and not to exceed $197,880.70, and in any change orders executed by the parties.

4. Term. The term of this Agreement shall be for one year beginning on the Effective Date and ending one calendar year thereafter. Owner shall be able to renew this agreement for two one-year renewal options by written agreement of the parties.

5. Independent Contractor. This Agreement shall not be construed to create a partnership, joint venture, nor other agency relationship between the parties, who are independent of one

another. The relationship of the Contractor to Owner is and shall continue to be that of an independent contractor, and no liability or benefits such as workers' compensation, pension rights or liabilities, insurance rights or liabilities, arising out of or related to an employer/employee relationship, shall arise, or accrue to either party or either party's agent, subcontractor or employee, as a result of this Agreement or its performance. No relationship, other than that of independent contractor, shall be implied between the parties or between either party and the other party's agent, employee, or subcontractor, and the Contractor hereby agrees to hold Owner harmless from any such claims by it or its associates, and any cost or expense related thereto.

6. LCRA. LCRA is not a party to, and will in no way be responsible to either Owner or Contractor for, such orders, including without limitation any payments, performance, costs, expenses, losses or damages arising from such transactions between Contractor and Owner. Owner and Contractor releases LCRA from any liability associated with Owner's transactions under the Agreement.

7. Notices. Notices required pursuant to the provisions of this Agreement shall be conclusively determined to have been delivered when (1) hand-delivered to the other party, its agents, employees, servants or representatives, (2) delivered by facsimile with electronic confirmation of the transmission, or (3) received by the other party by United States Mail, registered, return receipt requested, addressed as follows:

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

Techline
Attn: President
9609 Beck Circle
Austin, TX 78758

8. Default. In the event of a failure by Contractor to satisfactorily perform the services specified herein and/or a default by Contractor in abiding by the other terms and conditions of this Agreement, Owner may terminate the Agreement on written notice to Contractor and Contractor shall be liable for all damages, costs, and expenses (including attorney fees) incurred by Owner related to this default.

9. Alternative Dispute Resolution. The dispute resolution process provided for in Chapter 154 of the Texas Civil Practice and Remedies Code may be used, by Owner and Contractor to attempt to resolve any claim for breach of contract made by Contractor, to the extent it is applicable to the Agreement and not preempted by other law. Except as otherwise provided by law, nothing herein is a waiver by Owner of the right to seek redress in a court of law.

10. Assignment. The parties recognize that this contract is based upon the skill and expertise of the parties and therefore agree that the contract and the obligations thereunder may not be assigned

or delegated without the written consent of the other party, except as expressly allowed by this contract.

11. Compliance with Law. Contractor shall certify that he/she or it is in compliance with all applicable state and federal laws, including non-discrimination laws as it relates to the terms and conditions of the agreement.

12. Non-Appropriations. To the extent this contract constitutes public debt in connection with Article 11, Sec. 5 of the Texas Constitution, Contractor understands that Owner is a governmental entity, and should the Owner fail to provide funding for any period during the term of this contract, Owner shall be excused for all liability for payment. Owner is required to give Contractor written notice within thirty (30) days after learning that the funds will not be available. Upon receiving written notice from Owner, this contract will automatically terminate.

13. Governing Law/Venue/Statute of Limitations. The validity of this Agreement and the interpretation of its terms and the applicable statute of limitations for any cause of action brought by or against Owner pursuant to the Agreement shall be governed by the laws of the State of Texas. Jurisdiction for any legal proceedings incident to this agreement shall lie in Caldwell County, Texas or a United States District Court within the county.

14. Force Majeure. In the event of Force Majeure, Owner may terminate this agreement by written notice following such casualty and Owner shall not be responsible for any damages sustained by Contractor. Force Majeure shall mean fire, earthquake, flood, tornado, act of God, strikes or other labor disturbances, riots or civil commotion, litigation, terrorism, war or other acts of any foreign nation, power of government or government agency or authority, or any other cause like or unlike any cause above-mentioned which is beyond the control or authority of Owner.

15. Confidentiality. Subject to the Texas Public Information Act and any similar legal requirements, neither Party shall disclose any confidential information obtained from the other Party without such Party's prior written approval.

16. INDEMNIFICATION. CONTRACTOR SHALL INDEMNIFY, HOLD HARMLESS, AND DEFEND THE OWNER, ITS OFFICERS, AGENTS AND EMPLOYEES FROM AND AGAINST ANY AND ALL CLAIMS, LOSSES, DAMAGES, CAUSES OF ACTION, SUITS, DEMANDS, PROCEEDINGS, COSTS, AND LIABILITIES OF EVERY KIND, INCLUDING WITHOUT LIMITATION ALL EXPENSES OF LITIGATION, COURT COSTS, AND ATTORNEYS' FEES, FOR INJURY TO OR DEATH OF ANY PERSON OR FOR DAMAGE TO ANY PROPERTY ARISING OUT OF, CONNECTED WITH, OR RESULTING FROM ANY ACTS OR OMISSIONS OF CONTRACTOR OR ANY AGENT, EMPLOYEE, SUBCONTRACTOR, OR SUPPLIER OF CONTRACTOR IN THE EXECUTION OR PERFORMANCE OF THIS CONTRACT. SUCH INDEMNITY SHALL APPLY REGARDLESS OF WHETHER THE CLAIMS, LOSSES, DAMAGES, CAUSES OF ACTION, SUITS OR LIABILITY ARISE IN WHOLE OR IN PART FROM THE NEGLIGENCE OF THE OWNER, ANY OTHER PARTY INDEMNIFIED HEREUNDER, THE CONTRACTOR, OR ANY THIRD PARTY.

17. Insurance. For the entire term of the Agreement ("Term"), Contractor shall maintain at his/her sole cost, at all times while performing work hereunder, the insurance and bond coverage set forth below with companies satisfactory to the Owner with full policy limits applying, but not less than stated. A certificate of insurance evidencing the required insurance and specifically citing the indemnification provision set forth in the Agreement shall be delivered to the Owner prior to the start of work.

(1) Worker's Compensation Insurance as required by laws and regulations applicable to and covering employees of Contract engaged in the performance of the work under this agreement with a limit of not less than $1,000,000.00;

(2) Employers Liability Insurance protecting contractor against common law liability, in the absence of statutory liability, for employee bodily injury arising out of the master-servant relationship with a limit of not less than $1,000,000.00.

(3) Comprehensive General Liability Insurance including products/completed operation with limits of liability of not less than: Bodily Injury $1,000,000.00 per each person, $1,000,000.00 per each occurrence/$2,000,000.00 aggregate; Property Damage $1,000,000.00 per each occurrence;

(4) Excess Liability Insurance Comprehensive General Liability, Comprehensive Automobile Liability and coverages afforded by the policies above, with the minimum limits of $2,000,000.00 excess of specified limits;

All policies must contain a waiver of subrogation against Owner. Comprehensive General Liability and Commercial Automobile Liability policies must name Owner as Additional Insured. Contractor shall pay all insurance deductibles and deductibles must not exceed $10,000 unless approved in advance by Owner. Contractor shall provide Owner Certificates of Insurance evidencing these insurance requirements prior to the start of work.

18. Audit; Independent Audits; Right to Audit; Retention; Supporting Documents. The Contractor agrees and authorizes Owner and/or the Owner's Auditor (collectively, "Auditor") to conduct audits or investigations in connection with this Agreement. Contractor agrees to cooperate with Auditors conducting such audits or Investigations and to provide all information and documents reasonably requested.

19. Limitations. The Parties are aware that there are constitutional and statutory limitations on the authority of Owner to enter into certain terms and conditions of the Agreement, including, but not limited to, those terms and conditions relating to liens on Owner's property; disclaimers and limitations of warranties; disclaimers and limitations of liability for damages; waivers, disclaimers and limitations of legal rights, remedies, requirements and processes; limitations of periods to bring legal action; granting control of litigation or settlement to another party; liability for acts or omissions of third parties; payment of attorneys' fees; dispute resolution; indemnities; and confidentiality (collectively, the "Limitations"), and terms and conditions related to the Limitations will not be binding on Owner except to the extent authorized by the laws and Constitution of the State of Texas.

20. Sovereign Immunity. Except as otherwise provided by Texas law, neither the execution of the Agreement by Owner nor any other conduct, action or inaction of any Owner representative relating to the Agreement is a waiver of sovereign immunity by Owner.

21. Representations by Contractor. Contractor represents and warrants that it will obtain and maintain in effect, and pay the cost of all licenses, permits or certifications that may be necessary for Contractor's performance of this Agreement other than approval to cross state or interstate highways and railroads, which shall be the responsibility of Owner. If Contractor is a business entity, Contractor warrants, represents, covenants, and agrees that it is duly organized, validly existing and in good standing under the laws of the state of its incorporation; and is duly authorized and in good standing to conduct business in the State of Texas, that it has all necessary power and has received all necessary approvals to execute and deliver the Agreement and is authorized to execute this Agreement according to its terms on behalf of Contractor.

22. Eligibility to Receive Payment. Contractor certifies that, as a matter of State law, it is not ineligible to receive the Agreement and payments pursuant to the Agreement and acknowledges that the Agreement may be terminated, and payment withheld if this representation is inaccurate.

23. Risk of Loss. All work performed by Contractor pursuant to the Agreement will be at Contractor's exclusive risk until final and complete acceptance of the work by Owner. In the case of any loss or damage to the work prior to Owner's acceptance, such loss or damage will be Contractor's responsibility.

24. Legal Construction/Severability. In the event that any one or more of the provisions contained in this contract shall for any reason be held to be invalid, illegal or unenforceable in any respect, such invalidity, illegality or unenforceability shall not affect any other provision, and this contract shall be construed as if such invalid, illegal or unenforceable provisions had never been contained in it. To this end, the provisions of this contract are declared to be severable. The Parties may mutually agree to renegotiate the contract to cure such illegality/invalidity or unconstitutionality if such may be reasonably accomplished.

25. Non-Waiver. No covenant or condition of this Agreement may be waived except by written consent of the waiving party. Forbearance or indulgence by one party in any regard whatsoever shall not constitute a waiver of the covenant or condition to be performed by the other party.

26. Entire Agreement. The Contract Documents constitutes the entire agreement and supersedes all prior or contemporaneous agreements, whether written or oral, between the parties. Verbal representations not contained herein shall not be binding on the parties unless acknowledged by them in writing.

27. Authority. The person signing below on behalf of Owner and Contractor warrants that he/she has the authority to execute this contract according to its terms.

28. Amendment. This Agreement may be changed, amended, modified, extended or assigned only by mutual consent of the parties provided that consent shall be in writing and executed by the parties hereto prior to the time such change shall take effect.

29. Binding Agreement. This Agreement shall be binding upon and inure to the benefit of the parties hereto and their respective successors and assigns.

IN WITNESS WHEREOF, City and Contractor, by and through their duly authorized officers and Representatives, have executed this Agreement as of the date first above written.

CITY OF LOCKHART

By: _____
Lew White, Mayor
Date: _____

Attest:

By: _____
Connie Constancio, TRMC, City Secretary

Date: _____

TECHLINE CONSTRUCTION, LLC

By: _____
Don Lawyer, President
Date: _____

EXHIBIT A

Construction Drawings {complete title}

LCRA Drawing Lk 30 Lk 40 Feeder exit improvement

EXHIBIT B

Contract No. 5045 Distribution Construction Services between Lower Colorado River Authority and Techline Construction, LLC dated October 1, 2018.

City has Copy of Contract

EXHIBIT C

Proposal by Techline Construction, LLC to the City of

Lockhart Texas **Dated** 10-06-2020.

Techline Construction estimates the total cost of labor and equipment to complete the project or projects to be known as LK30 LK40 Feeder Exit Improvement.

for the City of Lockhart Texas. **will be $** 188,706.03 NTE. **Any added or unusual work will be done by Techline Construction for extra compensation.**

NOT To Exceed 197,880.20

This project will require weekend work for crossing highway on Numerous Sundays

This quote includes All LABOR, equipment, travel And weekend hourly work to complete this project.

Thank You

903 603 6260

SIGNATURE PAGE TO ELECTRICAL DISTRIBUTION CONSTRUCTION AGREEMENT BETWEEN CITY OF Lockhart Texas.

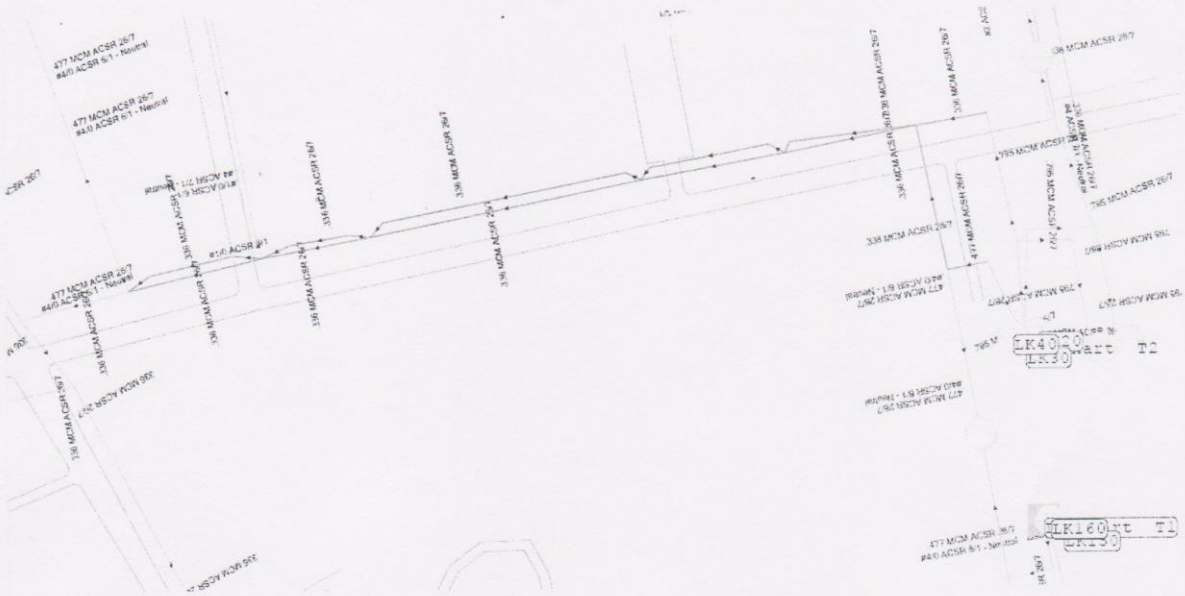
AS OWNER, AND TECHLINE CONSTRUCTION, LLC, AS CONTRACTOR

EXECUTED EFFECTIVE as of the date of the last to sign below.

CONTRACTOR	OWNER
Techline Construction, LLC	City of _____.
By: Don Lawyer	By: _____.
Name: [signature]	Name: _____.
Title: President	Title: _____.
Date: OCT 6 2020	Name: _____.

Project #11 **LK30/LK40 Double Circuit Upgrade**
Load Level: LL2
Recommended Completion Year: 2019
Estimated Cost: $276,600

Description: To resolve the criteria violation identified in section 2.5.3, Load Level 2 (2019), on page 2-22, upgrading the double circuit, LK30 and LK40, north of the Lockhart Substation to 795 MCM ACSR. This project includes the "Heavy Duty Version" to reduce simultaneous feeder faults. This includes taller poles with pole framing to increase separation and install a separate neutral on each circuit. Starting at the intersection of upgrade the section of overhead conductor (~1350-ft) as shown in "red" from 336 MCM ACSR to 795 MCM ACSR.



This project also includes upgrading a section of LK40 (~1350-ft) from 336MCM ACSR to 795MCM ACSR starting at the intersection of F.M. 20 and Commerce Street (see figure below).

City of Lockhart, Texas

Council Agenda Item
Cover Sheet

COUNCIL MEETING DATE: September 7, 2021

AGENDA ITEM CAPTION: Approve utilization of tree trimming service through the Lower Colorado River Authority (LCRA) and McCoy Tree Surgery, Co. and authorizing the City Manager to execute the customer service contract.

ORIGINATING DEPARTMENT AND CONTACT: Electric - Bobby Leos

ACTION REQUESTED: Agreement

BACKGROUND/SUMMARY/DISCUSSION: Staff recommends that the City continue the tree trimming program with McCoy Tree Surgery in an effort to reduce voltage flicker, outages, losses, and improve public safety and satisfaction. Tree and tree limbs falling onto power lines is the most common cause of power outages. Downed power lines caused by falling trees are a public safety hazard. Utilities that fail to maintain a tree trimming program frequently experience higher than normal expenses during severe storm conditions, which include overtime, purchase of additional inventory to replace damaged poles, and wire and electric equipment.

McCoy was first awarded this project in FY 2019. There was no renewal clause in the contract, but staff was very satisfied with the tree trimming service. McCoy Tree Surgery 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 the customer for these services.

The City contracts with vegetation management companies to assist with the tree trimming program. Prior to trimming, door hangers (in English and Spanish) are left at the residences in the area and provide the name and phone number of the City's contractor.

PROJECT SCHEDULE (if applicable): Staff and McCoy Tree Surgery will determine a mutually acceptable time for the start of services.

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): N/A

PREVIOUS COUNCIL ACTION: N/A

City of Lockhart, Texas

Council Agenda Item
Cover Sheet

COMMITTEE/BOARD/COMMISSION ACTION: N/A

STAFF RECOMMENDATION/REQUESTED MOTION: Staff recommends approval.

LIST OF SUPPORTING DOCUMENTS: Contract.

CUSTOMER SERVICES CONTRACT

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

DATE SUBMITTED: August 30, 2021

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:	Sam Woolard
Title:		Title:	VP, Trans Const & Maintenance
Date:		Date:	

OFFICE USE ONLY

Accounting: 0

Approved By:
Completion Date:

McCoy Rate Schedule 3/1/2020
contract #5476

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.

LCRA LEGAL

City of Lockhart, Texas

Council Agenda Item
Cover Sheet

COUNCIL MEETING DATE: September 7, 2021

AGENDA ITEM CAPTION: Approve Lockhart Little League (LLL) five (5) year contract renewal request for use of the City's Sports Complex and fields on Carver Street.

ORIGINATING DEPARTMENT AND CONTACT: Public Works - Sean Kelley

ACTION REQUESTED: Award of Contract

BACKGROUND/SUMMARY/DISCUSSION: The current agreement with Lockhart Little League (LLL) for use of the Sports Complex is set to expire on September 7, 2021 and does allow for a five -year extension. LLL met to discuss the five-year extension of the Sports Complex Agreement and has submitted for consideration renewal of the agreement with no requested changes. The Parks and Recreation Board has reviewed LLL's request and unanimously voted in favor to recommend approval to City Council for the renewal of the Sports Complex Agreement with LLL.

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: Parks and Recreation Boards unanimously voted to approve the 5-year contract renewal as presented.

STAFF RECOMMENDATION/REQUESTED MOTION: Parks and Recreation Board and staff recommend approval.

LIST OF SUPPORTING DOCUMENTS: LLL Renewal Agreement.

STATE OF TEXAS

COUNTY OF CALDWELL

SPORTS COMPLEX USE AGREEMENT RENEWAL

This Renewal Agreement is made between the City of Lockhart, Texas, a municipal corporation organized under the laws of the State of Texas, having its principal office at 308 W. San Antonio Street, Lockhart, Texas 78644, referred to as "the City," and the Lockhart Little League, a non-profit entity having its principal office at P.O. Box 511, Lockhart, Texas 78644, referred to as "LLL."

The City recognizes that the LLL youth sports programs serve a public purpose by providing for the recreational needs of youth in the City. The LLL and the City have worked together to provide these programs since 1989, and have helped more than 500 youths each year since that time. The LLL has made significant improvements to the Sports Complex, including painting, netting and newly purchased scoreboards, and the LLL continues to use its funds to improve the Sports Complex. Based on this relationship and the public purpose served thereby, the City and the LLL enter into this Use Agreement under the following conditions:

Recitals:

1. The City is the owner of the City of Lockhart Youth Sports Complex (the Sports Complex), located at 700 Carver Street, Lockhart, Texas and consisting of approximately 8.70 acres, which is used for the purpose of playing team baseball/softball games and tournaments. Alteration of the fields for softball cannot be done without permission of the City Parks Manager or designee and any such alterations must be corrected by LLL in a timely manner. Any reference to the Sports Complex in this agreement includes any one or all baseball fields thereon.

2. The LLL is experienced in the maintenance and repairs of the Sports Complex and has regular use of the Sports Complex. The primary service area of the LLL is the City of Lockhart, Texas.

3. The City has previously entered into an agreement with the LLL, effective September 8, 2016, for the exclusive operation and maintenance of the Sports Complex, and the City and LLL desire to renew such agreement to have such exclusive operation and maintenance on the terms and conditions set forth in this agreement.

4. The duration of this Renewal Agreement is five (5) years from September 8, 2021. This agreement may be extended for another five (5) years upon written request by the LLL on or before the termination of this Renewal Agreement with approval of the Lockhart City Council. The Sports Complex will be used for conducting youth sports programs by the Lockhart Little League and other organizations as described herein.

5. Youth sports programs (supervised, competitive athletic and recreational events for children, adolescents, and teenagers) conducted at the Sports Complex shall be sponsored by non-profit organizations only, and shall be open to all persons, regardless of race, color, religion, national origin, or ability.

Agreement: In consideration of the mutual covenants set out herein, the City and the LLL agree as follows:

Section I. Improvements and Alterations to the Sports Complex

On assuming the operation and maintenance of the Sports Complex, the LLL shall submit in writing to the City any recommended improvements and alterations to the Sports Complex, and any other matters that will enhance its efficient use or management. All plans and specifications for improvements and alterations must be approved in writing by the City. Improvements and alterations must conform to the current standards as specified by the Texas Parks and Wildlife Department and other state, local and federal law. After conferring with the City and obtaining approval to make improvements and alterations, the LLL will undertake completion of the improvements and alterations at the sole expense of the LLL, unless otherwise agreed upon by the City and the LLL. Utilities, including electrical wiring, must be placed underground as required by the Texas Parks and Wildlife Department. Advertising signs at the Sports Complex must be approved in writing by the LLL and the City, and are permitted only on fences, and only during the baseball season. Requests for naming or renaming the Sports Complex must be submitted to the City Parks and Recreation Advisory Board, and must receive final approval by the City Council.

Section II, Use of the Sports Complex by Other Organizations

Other organizations may request the use of the Sports Complex and will be given reasonable access to the fields where no conflicts exist with use of the Sports Complex by the LLL. Such requests are to be made in writing to the LLL Board for approval, and will be provided by the LLL to the City's Parks Director and/or Assistant Manager. The other organizations shall provide to the LLL adequate assurances of insurance coverage and safe use of the Sports Complex.

Other organizations shall agree to return the Sports Complex to the condition that it was in prior to the organization's use of it, and to repair any damage done to the Sports Complex before or immediately upon completion of the games/tournaments. Other organizations shall pay to the LLL the following for the use of the Sports Complex:

--$100.00 per month per baseball field, single team practice;

--$30.00 per team per baseball tournament;

--$50.00 per field for a cleaning and repair deposit, to be applied against any costs incurred by the LLL for cleaning and repairing the field after use by the other organization, including but not limited to replacing field markers, field paint and dirt. LLL may choose to refund the deposit if organization performs tasks to its satisfaction.

--$30.00 per team per baseball/softball tournament; and

--$100.00 per field for a cleaning and repair deposit to be applied against any costs incurred by the LLL for cleaning and repairing the field after use by the other organization, including but not limited to replacing field markers, field paint, and dirt.

Other organizations shall pay to the City a lighting fee of $60.00 per field per month for the use of the lights at the Sports Complex, where such use shall occur after sundown. Proof of payment must be provided to LLL.

The City's Parks and Recreation Department may use the Sports Complex at no charge when the Sports Complex is not scheduled for league play or maintenance, and after receiving clearance from the LLL. Use of the Sports Complex by a school district shall require an inter-local agreement between the City, the LLL, and the school district.

The Sports Complex baseball fields will not be used as practice fields during Little League season, except by the LLL or as approved by LLL in writing.

Section III. Maintenance and Repairs

1. The LLL will use its best efforts to ensure that the property is maintained in an attractive condition and in a good state of repair.

2. Requests for maintenance and repairs must be made in writing to the City's Parks and Recreation Department.

3. City Responsibilities at the Sports Complex shall be as follows, and The Sports Complex lighting will be maintained by the City, with assistance from the Lower Colorado River Authority. Requests for light bulb replacement or maintenance of lighting equipment must be made via email to the City Parks and Recreation Department. A total of two light bulbs must be burned out prior to any request. Please allow time for this process to take place. LLL acknowledges that the City does not have the equipment to change out these lights and must depend on other organizations to assist.

a. Mowing and weed-eating of common areas identified on Attachment A will be performed as needed by the City. The fields and common areas will be treated for fire ants, bees and other insects once at the beginning of each baseball season by the City, but subsequent treatments during the season shall be the responsibility of the LLL.

b. Water, electricity and wastewater utilities will be provided by the City, subject to reimbursement as provided in this agreement. Any excessive use will be addressed with LLL.

c. Where the City makes repairs for damages to the Sports Complex as a result of negligence or misuse by the LLL or other organizations, the LLL shall reimburse the City for the costs of such repairs within a reasonable period of time.

d. Repairs to the complex concession structure, bleachers, dugouts, posts, sidewalks, parking areas and scoreboards shall be performed by the City in a timely manner with notice to LLL via email.

e. If a safety issue arises or is discovered, LLL will protect the public from the hazard as best it can and report it immediately to the City, which will respond in some manner immediately. If not a hazard, City will respond within 14 days or less, and if the City cannot respond within the time frame, City will notify LLL so LLL can reach out to other resources to address the issue.

g. The City will reimburse LLL for purchases of special infield and pitcher mound dirt within a reasonable time when appropriate receipts are provided to the Parks Manager or designee. Should LLL want the City to provide common red dirt, the amount and date needed shall be provided to the City via email with a 10-day notice if at all possible.

4. LLL Responsibilities at the Sports Complex shall include all maintenance and repairs not provided by the City, including but not limited to:

a. Marking and lining the fields on Saturdays, Sundays and holidays during league.

b. Keeping the Sports Complex free of litter during use by the LLL or other organizations.

c. Cleaning the Sports Complex restrooms and other facilities during use by the LLL or other organizations.

d. Controlling light and other utility usage at the Sports Complex. Where the LLL or any other organization misuses such utilities, the City may immediately stop providing such utilities and/or require the misusing organization to pay for additional usage.

e. Abiding by the City's Parks and Recreation Department Water Conservation Plan.

Section IV. Assignability. This agreement is personal to the LLL and is not assignable. Any attempt to assign the Agreement by the LLL will terminate the Agreement.

Section V. Effect of Partial Invalidity. Should any section or any part of any section of this agreement be rendered void, invalid, or unenforceable by a court of law, for any reason, such determination will not render void, invalid, or unenforceable any other section or part of any section in this agreement.

Section VI. Choice of Law. This agreement has been made and entered into in the State of Texas. The laws of Texas will govern the validity and interpretation of this agreement and the performance due under it. Venue shall lie in Caldwell County.

Section VII. Integration. The drafting, execution, and delivery of this agreement by the parties have been induced by no representations, statements, warranties, or agreements, other than those expressed in this agreement. This agreement embodies the entire understanding of the parties, and there are no further or other agreements or understandings, written or oral, in effect between the parties relating to its subject matter, unless expressly referred to in this agreement.

Section VIII. Attorney Fees. Should either party bring suit to enforce any of the terms of this agreement, the prevailing party will be entitled to recover court costs and reasonable attorney fees.

Section IX. Modifications. This agreement may not be modified unless the modification is in writing and signed by both parties to this agreement.

Entered into and executed effective as of the 8th day of September, 2021.

City of Lockhart, Texas **Lockhart Little League**

_____ _____

Lew White, Mayor Josh Hazelett, President

State of Texas)(

County of Caldwell)(

This instrument was acknowledged before me on this the _____ day of September, 2021 by Lew White, Mayor of the City of Lockhart.

_____

Notary Public
My Commission expires:

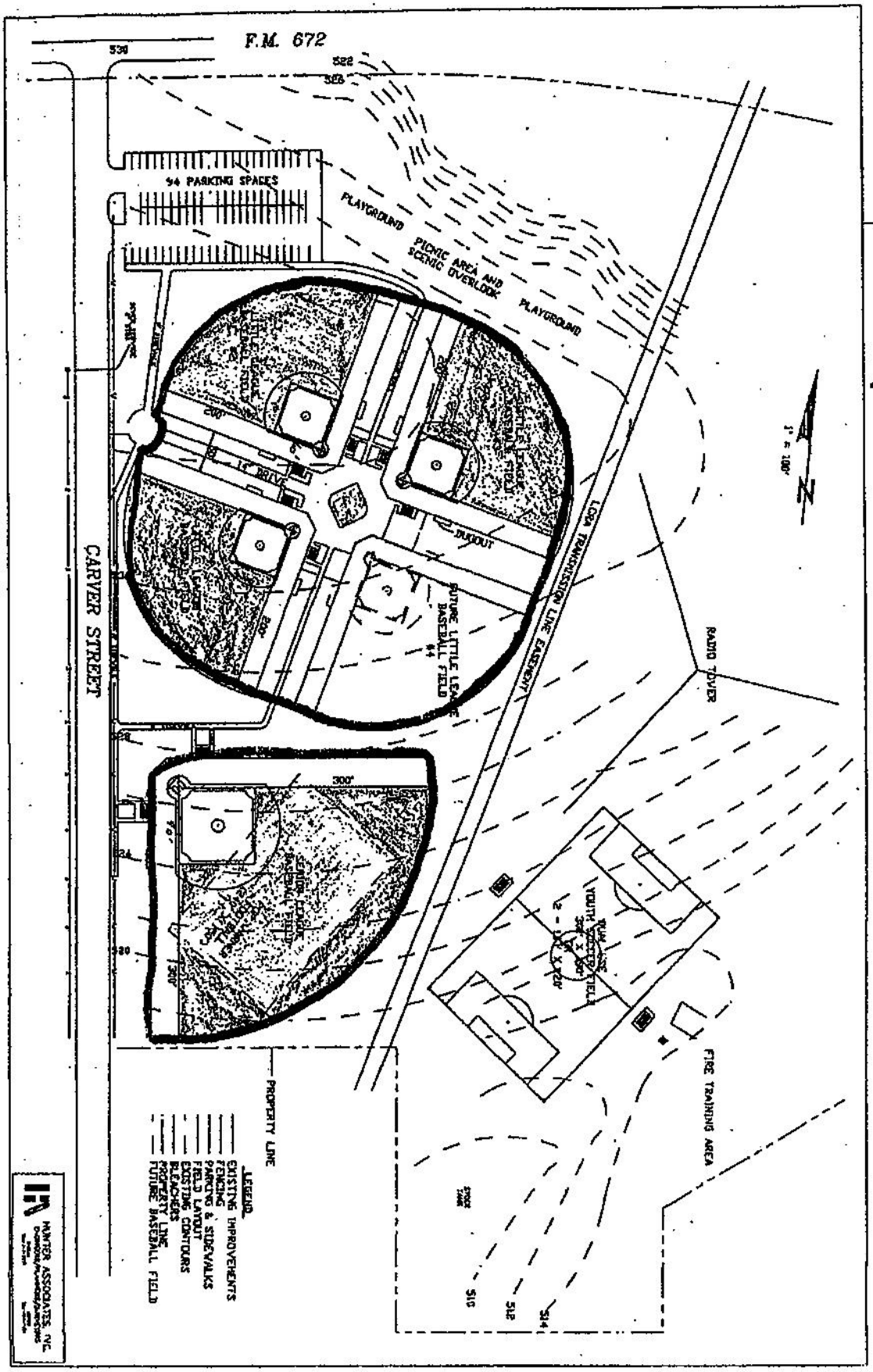
State of Texas)(

County of Caldwell)(

This instrument was acknowledged before me on this the _____ day of September, 2021 by Josh Hazelett, President of the Lockhart Little League.

_____

Notary Public
My Commission expires:



Attachment "A"

LLL Maintenance

Inside Area

Inside Area

City of Lockhart, Texas

Council Agenda Item
Cover Sheet

COUNCIL MEETING DATE: September 7, 2021

AGENDA ITEM CAPTION: Approve Easement Agreement for Public Utilities for the wastewater main extension for future Lincoln Lane right-of-way and to authorize the Mayor to sign the agreement.

ORIGINATING DEPARTMENT AND CONTACT: Administration - Steven Lewis

ACTION REQUESTED: Other

BACKGROUND/SUMMARY/DISCUSSION: This is an easement from the Manumit Investment Group comprising 3.453 acres out of a tract of 56.691 acres in the Frances Berry Survey, Abstract A-2 in the City of Lockhart, for the installation and maintenance of water and wastewater lines for Lincoln Lane and the senior housing project. All of the utilities for Lincoln Lane have been installed but the road ROW has not been dedicated to the City yet because that public infrastructure improvement hasn't been constructed. This easement will take care of that issue.

PROJECT SCHEDULE (if applicable): The project superintendent has requested finals for next week in the hope of having COs for the senior housing project by Friday, September 10th.

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

FISCAL NOTE (if applicable): N/A

PREVIOUS COUNCIL ACTION: N/A

COMMITTEE/BOARD/COMMISSION ACTION: N/A

STAFF RECOMMENDATION/REQUESTED MOTION: Staff recommends approval.

LIST OF SUPPORTING DOCUMENTS: Easement Agreement for Public Utilities.

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.

Easement Agreement for Public Utilities

Date: _____, 2021

Grantor: MANUMIT INVESTMENT GROUP, LLC

Grantor's Mailing Address:

P.O. Box 746
Lockhart, Texas 78644

Grantee: CITY OF LOCKHART, TEXAS, a Texas Municipal Corporation

Grantee's Mailing Address:

P.O. Box 239
Lockhart, Texas 78644

Dominant Estate Property: Being a tract of land called 56.691 acres situated in the City of Lockhart, Caldwell County, Texas and being a part of the Frances Berry Survey A-2, said tract of land having been conveyed to Manumit Investment Group, LLC by deed recorded in Instrument No. 122816 of the Official Records of Caldwell County, Texas.

Easement Property: All of a certain tract or parcel of land being 3.453 acres, more or less, and being situated in the City of Lockhart, Caldwell County, Texas, and being a part of the Frances Berry Survey A-2 and also being a part of a tract of land called 6.691 acres conveyed to Manumit Investment Group, LLC by deed recorded in Instrument #122816 of the Official Records of Caldwell County, Texas and being more particularly described in Exhibit "A" attached hereto and made a part hereof for all purposes.

Easement Purpose: For the installation, construction, operation, maintenance, replacement, repair, upgrade, and removal of water and waste water lines and extensions.

Consideration: Good and valuable consideration, the receipt and sufficiency of which are acknowledged by Grantor.

Grant of Easement: Grantor, for the Consideration, grants, sells, and conveys to Grantee and Grantee's heirs, successors, and assigns an easement over, on, and across the Easement Property for the Easement Purpose, together with all and singular the rights and appurtenances thereto in any way belonging (collectively, the "Easement"), to have and to hold the Easement to Grantee and Grantee's heirs, successors, and assigns forever. Grantor binds Grantor and Grantor's heirs, successors, and assigns to warrant and forever defend the title to the Easement in Grantee and Grantee's heirs, successors, and assigns against every person whomsoever lawfully claiming or to claim the Easement or any part of the Easement, to the extent that such claim arises by, through, or under Grantor but not otherwise.

Terms and Conditions: The following terms and conditions apply to the Easement granted by this agreement:

1. *Character of Easement.* The Easement is appurtenant to, runs with, and inures to the benefit of all or any portion of the Dominant Estate Property, whether or not the Easement is referenced or described in any conveyance of all or such portion of the Dominant Estate Property. The Easement is nonexclusive and irrevocable. The Easement is for the benefit of Grantee and Grantee's heirs, successors, and assigns who at any time own any interest in the Dominant Estate Property (as applicable, the "Holder").

2. *Duration of Easement.* The duration of the Easement is perpetual.

3. *Reservation of Rights.* Holder's right to use the Easement Property is nonexclusive, and Grantor reserves for Grantor and Grantor's heirs, successors, and assigns the right to use all or part of the Easement Property in conjunction with Holder as long as such use by Grantor and Grantor's heirs, successors, and assigns does not interfere with the use of the Easement Property by Holder for the Easement Purpose, and the right to convey to others the right to use all or part of the Easement Property in conjunction with Holder, as long as such further conveyance is subject to the terms of this agreement.

4. *Secondary Easement* Holder has the right (the "Secondary Easement") to use as much of the surface of the property that is adjacent to the Easement Property ("Adjacent Property") as may be reasonably necessary to install and maintain the water and waste water lines and extensions within the Easement Property that are reasonably suited for the Easement Purpose However, Holder must promptly restore the Adjacent Property to its previous physical condition if changed by use of the rights granted by this Secondary Easement.

5. *Maintenance of Easement Property.* Maintenance of the water and waste water lines and extensions will be at the sole expense of Holder. Holder has the right to eliminate any encroachments into the Easement Property that interfere with its appropriate use. Holder has the right to construct, install, maintain, replace, and remove the Facilities under or across any portion of the Easement Property. All matters concerning the water and waste water lines and their

configuration, construction, installation, maintenance, replacement, and removal are at Holder's sole discretion, subject to performance of Holder's obligations under this agreement.

6. *Binding Effect.* This agreement binds and inures to the benefit of the parties and their respective heirs, successors, and permitted assigns.

7. *Entire Agreement.* This agreement and any exhibits constitute the entire agreement of the parties concerning the grant of the Easement by Grantor to Grantee. There are no representations, agreements, warranties, or promises that are not expressly set forth in this agreement and any exhibits.

Manumit Investment Group, LLC

_____

JEFFREY L. PENCE, Authorized Representative of Manumit Investment Group, LLC, Grantor

City of Lockhart, Texas a Texas Municipal Corporation

_____

LEW WHITE, Mayor of the City of Lockhart, Texas

STATE OF TEXAS)

COUNTY OF CALDWELL)

This instrument was acknowledged before me on _____, 2021, by JEFFREY L. PENCE, Authorized Representative of Manumit Investment Group, LLC, as Grantor.

_____

Notary Public, State of Texas
My commission expires: _____

STATE OF TEXAS)

COUNTY OF CALDWELL)

This instrument was acknowledged before me on _____, 2021, by LEW WHITE, Mayor of the City of Lockhart, acting on behalf of the City of Lockhart, Texas, a Texas Municipal Corporation.

_____
Notary Public, State of Texas
My commission expires: _____

AFTER RECORDING RETURN TO:

Law Office M. Elizabeth Raxter
P.O. Box 281
Lockhart, Texas 78644

HINKLE SURVEYORS

LEGAL DESCRIPTION FOR EASEMENT

All of a certain tract or parcel of land situated in the City of Lockhart, Caldwell County, Texas and being a part of the Frances Berry Survey A-2 and also being a part of a tract of land called 56.691 acres and conveyed to Manumit Investment Group LLC by deed recorded in Instrument #122816 of the Official Records of Caldwell County, Texas and being more particularly described as follows:

BEGINNING *at a 8" treated fence post found in an exterior corner of Clearfork Street and in an ell corner of the above mentioned 56.691 acre tract for an ell this easement.*

THENCE S 30°57'07" E *with a SW line of Clearfork Street and a NE line of the said 56.691 acre tract* **15.13 feet** *to 8" treated fence post found in an exterior corner of the said 56.691 acre tract for an exterior corner this easement.*

THENCE S 58°12'00" W *with a SE line of the said 56.691 acre tract* **19.89 feet** *to a point for the South corner this easement.*

THENCE *over and across the said 56.691 acre tract for the following five (5) courses:*
(1) N 31°21'29" W 268.57 feet *to a point in the PC of a curve.* **(2)** *With a curve turning to the right having a radius of* **790.00'** *and an arc length of* **497.81'** *and the chord of which bears* **N 13°32'22" W 489.61'** *to a point for the PT of the said curve.* **(3) N 04°16'46" E 81.28 feet** *to a point in the PC of a curve.* **(4)** *With a curve turning to the left having a radius of* **700.00'** *and an arc length of* **436.63'** *and the chord of which bears* **N 13°35'24" W 429.59'** *to a point for the PT of the said curve.* **(5) N 31°27'34" W 232.85 feet** *to a point in the NW line of the said 56.691 acre tract and the SE ROW line of Maple Street for the West corner this easement.*

THENCE *with the SE and NE ROW lines of Maple Street and the NW and SW lines of the said 56.691 acre tract for the following three (3) courses:*
(1) N 58°32'26" E 20.00 feet *to a concrete monument found in an exterior corner of Maple Street and an ell corner of the said 56.691 acre tract for an ell corner this easement.* **(2) N 31°27'34" W 50.07 feet** *to a capped ½" iron pin set stamped "HINKLE SURVEYORS" in an ell corner of Maple Street for the most Northerly West corner easement.* **(3) N 58°30'30" E** *with the SE ROW of Maple Street* **70.00 feet** *to a point for the North corner this easement.*

THENCE *over and across the said 56.691 acre tract for the following four (4) courses:*
(1) S 31°27'34" E 282.96 feet *to a point in the PC of a curve.* **(2)** *With a curve turning to the right having a radius of* **790.00'** *and an arc length of* **492.77'** *and the chord of which bears* **S 13°35'24" E 484.82'** *to a point for the PT of the said curve.* **(3) S 04°16'46" W 81.28 feet** *to a point for an ell corner this easement.* **(4) S 85°47'54" E 1138.39 feet** *to a point in the NW line of Clearfork Street and the SE line of the said 56.691 acre tract for the most Easterly corner this easement.*

THENCE S 58°23'29" W *with the SE line of the said 56.691 acre tract and the NW line of Clearfork Street* **17.09 feet** *to a point for a reentrant corner this easement.*

©Hinkle Survey 56-00

P.O. BOX 1027 LOCKHART, NE (512) 398-2000
FAX (512) 398-7683 EMA ESURVEYORS.COM

EXHIBIT

THENCE *over and across the said 56.691 acre tract for the following three (3) courses:* **(1) N 85°47'54" W 1124.53 feet** *to a point in the PC of a non-tangent curve.* **(2)** *With a curve turning to the left having a radius of* **710.06'** *and an arc length of* **425.91'** *and the chord of which bears* **S 13°42'40" E 419.55'** *to a point for the PT of the said curve.* **(3) S 31°21'56" E 258.72 feet** *to a point in the SE line of the said 56.691 acre tract and the NW line of Clearfork Street for the most Southerly East corner this easement.*

THENCE S 58°23'29" W *with the SE line of the said 56.691 acre tract and the NW line of Clearfork Street* **70.00 feet** *to the place of beginning containing* **3.453 acres (150408 sq ft)** *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 January 16, 2020. ***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.

STATE OF TEXAS REGISTERED JERRY L. HINKLE 5459 PROFESSIONAL LAND SURVEYOR

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

S 59°22'29" W
17.09'
S 85°47'54" E 1138.39'
N 85°47'54" W 1124.53'
S 04°16'46" W
81.28'
R790.00'
A492.77'
D35°44' 20"
A425.91'
R710.06'
D34°22' 01"
258.72'
S 31°21'56" E
S 30°57'07" E
15.15'
S 59°22'29" W
10.00'
S 59°22'29" W
N 31°21'29" W
268.57'
A497.81'
R790.00'
D36°06' 14"
N 04°16'46" E
81.28'
R700.00'
D35°44' 20"
A438.63'
S 31°27'34" E
262.96'
N 31°27'34" W
232.65'
N 59°32'26" W
20.00'
N 31°27'34" W
50.07'
N 59°30'30" E
10.00'

City of Lockhart, Texas

Council Agenda Item
Cover Sheet

COUNCIL MEETING DATE: September 7, 2021

AGENDA ITEM CAPTION: Discussion and/or action for the Council to consider Ordinance 2021-26 adopting the City Manager's Annual Operating Budget for Fiscal Year 2021-2022 and appropriating resources, beginning October 1, 2021 ending September 30, 2022 for the City of Lockhart, Caldwell County, Texas and the Lockhart Economic Development Corporation and readopting the City's Investment and Strategies Policy and Fund Balance - Stabilization and Excess of Reserves Policies.

ORIGINATING DEPARTMENT AND CONTACT: Finance - Pam Larison

ACTION REQUESTED: Ordinance

BACKGROUND/SUMMARY/DISCUSSION: 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 sets forth the fiduciary policies for the City of Lockhart and the Lockhart Economic Development Corporation for the fiscal year October 1, 2021 and ending September 30, 2022. This ordinance will readopt the City's Investment Policy and Fund Balance - Stabilization and Excess of Reserve Policy.

This agenda item allows for Council to suggest any budget allocations or deletions to the budget before a vote is taken. If no allocations or deletions are presented, action can be taken to adopt the Fiscal Year 2021-2022 Annual Operating Budget for the City of Lockhart, Caldwell County, Texas and the Lockhart Economic Development Corporation.

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:

City of Lockhart, Texas

Council Agenda Item
Cover Sheet

STAFF RECOMMENDATION/REQUESTED MOTION: Staff requested the adoption of the City Manager's Annual Operating Budget for Fiscal Year 2021-2022 and the Lockhart Economic Development Corporation Budget as presented. Staff also request the renewal of the City's Investment Policy and Fund Balance - Stabilization and Excess of Reserve Policy.

LIST OF SUPPORTING DOCUMENTS: Ordinance 2021-26 adopting FY 2021-22 Budget.

ORDINANCE 2021-26

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LOCKHART, TEXAS ADOPTING THE BUDGET AND APPROPRIATING RESOURCES FOR THE FISCAL YEAR 2021-2022, BEGINNING OCTOBER 1, 2021, FOR THE CITY OF LOCKHART, CALDWELL COUNTY, TEXAS; ADOPTING THE FUND BALANCE-STABILIZATION OF EXCESS OF RESERVE POLICY AND CITY OF LOCKHART INVESTMENT POLICY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, pursuant to the laws of the State of Texas for Home Rule cities and the City Charter for the City of Lockhart, Texas, the budget covering proposed estimated revenues and expenditures for Fiscal Year 2022, beginning October 1, 2021 and ending September 30, 2022, was filed with the City Secretary and notice of public hearing was provided as required, and,

WHEREAS, a public hearing was held by the City Council of the City of Lockhart, Texas, on said budget on August 17, 2021 and September 7, 2021 at which time said budget was presented and considered, and interested citizens were provided an opportunity to be heard by the City Council of the City of Lockhart, and,

WHEREAS, the City Council has reviewed and adopted a fiscal policy titled "Fund Balance-Stabilization of Excess of Reserve Policy" and has conducted an annual review of the City's Investment Policy, as required by Chapter 2256, Texas Government Code; and

WHEREAS, the City Council, City Manager and staff, after careful deliberate study and considerable debate, have determined the appropriate revenues and expenditures necessary for the maintenance and operations of the City of Lockhart for Fiscal Year 2022.

THEREFORE, BE IT RESOLVED, that the City Council of the CITY OF LOCKHART hereby adopts the Fund Balance-Stabilization of Excess of Reserve Policy; City of Lockhart Investment Policy; and the Fiscal Year 2022 annual budget providing for revenues and expenditures as follows:

Name	Revenues	Expenditures	Difference
General Fund	12,550,366	12,542,528	7,838
Debt Service Fund	1,186,422	1,186,422	0
Electric Fund	12,069,155	12,063,397	5,758
Water Fund	5,744,622	5,582,950	161,672
Wastewater Fund	3,034,591	2,985,120	49,471
Solid Waste Fund	2,063,450	1,827,138	236,312
Emergency Medical Service	1,338,482	1,283,279	55,203
Airport Fund	122,039	67,839	54,200
LEDC	1,093,140	1,092,933	207
Hotel Occupancy Tax Fund	126,420	77,450	48,970

PASSED, APPROVED, ADOPTED and EFFECTIVE this the 7th day of September 2021.

CITY OF LOCKHART

_____
Lew White, Mayor

ATTEST:

_____
Connie Constancio, TRMC
City Secretary

APPROVED AS TO FORM:

_____
Monte Akers
City Attorney

City of Lockhart, Texas

Council Agenda Item
Cover Sheet

COUNCIL MEETING DATE: September 7, 2021

AGENDA ITEM CAPTION: Discussion and/or action for City Council to consider Ordinance 2021-27 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 2021, beginning October 1, 2021 and ending September 30, 2022.

ORIGINATING DEPARTMENT AND CONTACT: Finance - Pam Larison

ACTION REQUESTED: Ordinance

BACKGROUND/SUMMARY/DISCUSSION: A proposed tax rate is $0.6354 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 $0.5297 per $100 assessed value compared to last year's maintenance and operation rate of $0.5521 per $100, resulting in a decrease of $0.0224 or 4.06%. The interest and sinking portion of the tax rate increased from $0.0833 to $0.1057 per $100 of assessed value, resulting in an increase of $0.0224 or 26.9%. 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 support for infrastructure that includes city streets and parks. And also allows the City to provide public safety for its citizens by way of fire and police protection.

The verbiage contained within the Ordinance is in strict compliance with requirements of Section 26.05(b)(1)(B) of the Texas Tax Code.

PROJECT SCHEDULE (if applicable):

AMOUNT & SOURCE OF FUNDING:

City of Lockhart, Texas

Council Agenda Item
Cover Sheet

Funds Required:
Account Number:
Funds Available:
Account Name:

FISCAL NOTE (if applicable):

PREVIOUS COUNCIL ACTION:

COMMITTEE/BOARD/COMMISSION ACTION:

STAFF RECOMMENDATION/REQUESTED MOTION: State law requires that two separate motions be made to adopt these tax rates and two separate votes:

"I MOVE THAT THE MAINTENANCE AND OPERATION RATE BE ADOPTED AT $0.5297 PER $100 OF ASSESSED VALUE AS INDICATED/LISTED IN ORDINANCE 2021-27, THEREBY ADOPTING SAID ORDINANCE."

"I MOVE THAT THE INTEREST AND SINKING RATE BE ADOPTED AT $0.1057 PER $100 OF ASSESSED VALUE AS INDICATED/LISTED IN ORDINANCE 2021-27, THEREBY ADOPTING SAID ORDINANCE."

LIST OF SUPPORTING DOCUMENTS: Ordinance 2021-27 - Tax Levy

ORDINANCE 2021-27

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LOCKHART, TEXAS 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 FOR FISCAL YEAR 2021-2022, BEGINNING OCTOBER 1, 2021 AND ENDING SEPTEMBER 30, 2022, AND APPROPRIATING EACH PART THEREOF FOR THE SPECIFIC PURPOSES, PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEALER; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the State Legislature enacted Senate Bill 18, which mandated that municipal ordinances establishing annual tax rates must describe an increase in total maintenance and operations taxes compared to the previous year, and the rise of such taxes on a $100,000 home compared to the previous year.

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

1. There is hereby levied and shall be collected a maintenance and operations (M&O) property tax for the use and support of the municipal government of the City of Lockhart, Texas and there is hereby levied and shall be collected an interest and sinking (I&S) property tax to provide for the debt service obligations of the City of Lockhart for Fiscal Year 2022, beginning October 1, 2021, upon all taxable property, within the corporate limits of the City of Lockhart, Texas, as follows:

    a. For the maintenance and operations needs of the City of Lockhart the maintenance and operations (M&O) property tax is hereby adopted as 52.97 cents per each 100 dollars of property valuation. The tax rate will raise the more taxes for maintenance and operations than last year's tax rate. The tax rate will effectively be decreased by 4.06 percent and will decrease taxes for maintenance and operations on a $100,000 home; and,

    b. For the debt service obligations of the City of Lockhart interest and sinking (I&S) property tax is hereby adopted as 10.57 cents per each 100 dollars of property valuation. The tax rate will raise more taxes for interest and sinking than last year's tax rate. The tax rate will effectively be increased by 26.9 percent and will increase taxes to meet debt obligations for Fiscal Year 2021-22.

2. All taxes levied under the Ordinance for the specific purposes named herein shall be and is hereby approved to be collected and appropriated to the account(s) of the City of Lockhart for the specific purpose indicated in each items a and b above, by the Property Tax Assessor/Collector of the City of Lockhart.
3. Severability: if any provision, section, clause, sentence or phrase of this Ordinance is for any reason held to be unconstitutional, void, invalid, or unenforceable, 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 approving this ordinance that no portion, provision, or regulation contained herein shall be inoperative or fail by any reasons of any unconstitutionality or invalidity of any other portion, provision or regulation.
4. Repeal: That all other ordinances, sections, or parts of ordinances heretofore adopted by the City of Lockhart in conflict with provisions set out above in this ordinance are hereby repealed or amended as indicated.
5. Effective date: This ordinance shall become effective and be in full force immediately upon its passage.

PASSED, APPROVED and ADOPTED this the 7th day of September 2021.

CITY OF LOCKHART

_____
Lew White, Mayor

ATTEST:

_____
Connie Constancio, TRMC
City Secretary

APPROVED AS TO FORM:

_____
Monte Akers
City Attorney

City of Lockhart, Texas

Council Agenda Item
Cover Sheet

COUNCIL MEETING DATE: September 7, 2021

AGENDA ITEM CAPTION: Discussion and/or action to consider Ordinance 2021-29 repealing uncodified Ordinance 2020-22 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.

ORIGINATING DEPARTMENT AND CONTACT: Administration - Julie Bowermon

ACTION REQUESTED: Ordinance

BACKGROUND/SUMMARY/DISCUSSION: The FY 21-22 Budget includes a 3% 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.

In addition to the 3% increase, it is also proposed to adjust the tenure progression for the rank of Fire Fighter. Currently, newly hired fire fighters must complete 2 years of service before moving up on the step plan. The proposed change would allow for a newly hired fire fighter to receive a step increase after the completion their first year of service. The intent of this adjustment is to enhance not only recruitment, but also retention of fire fighters and it only applies to the rank of Fire Fighter. This "step-at-one-year" design mirrors the practice in the Police Department.

Lastly, the proposed ordinance includes a salary adjustment for the rank of Assistant Fire Chief. The Fire Chief has recommended an adjustment that will help relieve compression between other Fire ranks and address internal equity. The 2020 Evergreen Solutions compensation study did identify this salary as being below market average.

The proposed adjustments to the fire step pay plan, as well as the 3% pay increase, are included in the proposed FY 21-22 budget.

PROJECT SCHEDULE (if applicable):

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

City of Lockhart, Texas

Council Agenda Item
Cover Sheet

FISCAL NOTE (if applicable): The proposed adjustments to the fire step pay plan, as well as the 3% pay increase, are included in the proposed FY 21-22 budget.

PREVIOUS COUNCIL ACTION: N/A

COMMITTEE/BOARD/COMMISSION ACTION:

STAFF RECOMMENDATION/REQUESTED MOTION:

LIST OF SUPPORTING DOCUMENTS: Proposed Ordinance 2021-29, Current Ordinance 2020-22

PROPOSED

ORDINANCE NO. 2021-29

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LOCKHART, TEXAS; REPEALING UN-CODIFIED ORDINANCE 2020-22 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; PROVIDING FOR SEVERABILITY; PROVIDING A REPEALER; PROVIDING FOR PUBLICATION; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City of Lockhart adopted a personnel policy manual on April 8, 1986; and

WHEREAS, certain sections address pay issues; and

WHEREAS, due to the implementation of Chapter 143 of the Texas Local Government Code for the Police Officers and Fire Fighters, "merit" pay for classified police officers and fire fighters was abolished; and

WHEREAS, due to a three (3) percent pay increase for all full-time and part-time regular City of Lockhart employees approved by City Council effective October 2, 2021, the City believes that public safety will best be served by adjusting step pay plans for police and fire classified personnel; and

WHEREAS, due to challenges in hiring and retaining qualified fire fighters, the tenure progression on the step pay plan for the rank of fire fighter should be adjusted; and

WHEREAS, the City Council accepted the "2020 Classification and Compensation Study for the City of Lockhart, Texas Final Report" conducted by Evergreen Solutions, LLC by Resolution 2020-22. This study identified salary for the rank of Assistant Fire Chief as being below the market survey average; and

WHEREAS, due to challenges of salary compression, internal equity, and the market survey findings of Evergreen Solutions, LLC, the step pay plan for Assistant Fire Chief should be adjusted.

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

I. The matters and facts set forth in the preamble are hereby found to be true.

II. The following Step Pay Plans for the Fire Department (Exhibit "A") and Police Department (Exhibit "B") are expressly incorporated by reference and adopted for classified members of the Lockhart Fire Department and Lockhart Police Department.

PROPOSED

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, 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.

V. 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.

VI. 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.

VII. Effective Date: That this ordinance shall become effective on October 2, 2021 beginning with work shifts starting after 12:00 A.M. on October 2, 2021.

PASSED, APPROVED, AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF LOCKHART, TEXAS, ON THIS THE 7th DAY OF SEPTEMBER, 2021.

CITY OF LOCKHART

_____
Lew White, Mayor

ATTEST:

APPROVED AS TO FORM:

_____
Connie Constancio, TRMC, City Secretary

_____
Monte Akers, City Attorney

PROPOSED

Fire Department Step Pay Plan Civil Service Personnel Rate Per Hour **Effective October 2, 2021*						
Tenure[1]						
Firefighter/EMT[2]	**0**	**1**	**3**	**5**	**7+**	
Per Hour	$16.36	$16.96	$17.77	$18.57	$18.99	
Tenure						
Fire Engineer	**0**	**3**	**6**	**9**	**12+**	
Per Hour	$18.17	$18.57	$19.38	$19.79	$20.19	
Tenure						
Captain	**0**	**3**	**6**	**9**	**12+**	
Per Hour	$20.19	$21.00	$21.40	$21.79	$22.22	
Tenure[3]						
Assistant Chief	**0**	**3**	**6**	**9**	**12+**	
Per Hour	$32.27	$32.82	$33.37	$33.92	$36.03	

EXHIBIT "A"

[1] "Tenure" is tenure from the hire date. Therefore, step progression is based on years with the Department, not time in rank.
[2] On October 2, 2021, the date of implementation, all firefighters will be moved to the step reflecting their tenure according to this step pay schedule.
[3] The Assistant Fire Chief will be exempt from overtime and will be paid on a salary basis.

PROPOSED

Police Department Civil Service Personnel Rate Per Hour *Effective October 2, 2021*								
Tenure[1]								
Police Cadet	**0**							
Per Hour	$19.98							
Tenure								
Police Officer	**0**	**1**	**2**	**4**	**6**	**8**	10	12+
Per Hour	$26.18	$26.87	$27.56	$28.25	$29.11	$29.97	$30.88	$31.81
Tenure								
Sergeant	**2**	**4**	**6**	**8**	**10+**			
Per Hour	$32.42	$33.09	$34.18	$35.29	$36.43			
Tenure								
Lieutenant	**4**	**6**	**8+**					
Per Hour	$36.93	$38.20	$39.55					
Tenure								
Captain	**4**	**6+**						
Per Hour	$39.68	$42.05						

EXHIBIT "B"

[1] "Tenure" is tenure from the hire date. Therefore, step progression is based on years with the Department, not time in rank.

CURRENT

ORDINANCE NO. 2020-22

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LOCKHART, TEXAS; REPEALING UN-CODIFIED ORDINANCE 2019-22 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; PROVIDING FOR SEVERABILITY; PROVIDING A REPEALER; PROVIDING FOR PUBLICATION; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City of Lockhart adopted a personnel policy manual on April 8, 1986; and

WHEREAS, certain sections address pay issues; and

WHEREAS, due to the implementation of Chapter 143 of the Texas Local Government Code for the Police Officers and Fire Fighters, "merit" pay for classified police officers and fire fighters was abolished; and

WHEREAS, the City Council the adopted a 2019-2020 Strategic Priorities Plan for the City that identified a need for an employee classification and compensation study to determine competitive pay and benefits for its employees. The City retained Evergreen Solutions, LLC to conduct that study. As a result of the study, Evergreen Solutions, LLC recommended a seven (7) percent increase to step plans for police and fire classified personnel.

WHEREAS, due to challenges in hiring and retaining qualified fire fighters and police officers and based on the recommendation of Evergreen Solutions, LLC, the step pay plans for fire and police classified personnel should be increased by seven (7) percent to attract and retain qualified fire fighters and police officers, as set forth in Exhibit A and Exhibit B; and

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

I. The matters and facts set forth in the preamble are hereby found to be true.

II. The following Step Pay Plans for the Fire Department (Exhibit "A") and Police Department (Exhibit "B") are expressly incorporated by reference and adopted for classified members of the Lockhart Fire Department and Lockhart Police Department.

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, 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.

V. 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.

VI. 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.

VII. Effective Date: That this ordinance shall become effective on October 3, 2020 beginning with work shifts starting after 12:00 A.M. on October 3, 2020.

PASSED, APPROVED, AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF LOCKHART, TEXAS, ON THIS THE 15th DAY OF SEPTEMBER, 2020.

CITY OF LOCKHART

_____
Lew White, Mayor

ATTEST:

_____
Connie Constancio, TRMC, City Secretary

APPROVED AS TO FORM:

_____
Monte Akers, City Attorney

CURRENT

Fire Department Step Pay Plan Civil Service Personnel Rate Per Hour **Effective October 3, 2020*						
Tenure[1]						
Firefighter/EMT	**0**	**2**	**4**	**6**	**8+**	
Per Hour	$15.88	$16.47	$17.25	$18.03	$18.44	
Tenure						
Fire Engineer	**0**	**3**	**6**	**9**	**12+**	
Per Hour	$17.64	$18.03	$18.82	$19.21	$19.60	
Tenure						
Captain	**0**	**3**	**6**	**9**	**12+**	
Per Hour	$19.60	$20.39	$20.78	$21.16	$21.57	
Tenure[2]						
Assistant Chief	**0**	**3**	**6**	**9**	**12+**	
Per Hour	$30.27	$30.82	$31.37	$31.92	$33.03	

EXHIBIT "A"

[1] "Tenure" is tenure from the hire date. Therefore, step progression is based on years with the Department, not time in rank.
[2] The Assistant Fire Chief will be exempt from overtime and will be paid on a salary basis.

CURRENT

Police Department Civil Service Personnel Rate Per Hour *Effective October 3, 2020*								
Tenure								
Police Cadet	**0**							
Per Hour	$19.40							
Tenure								
Police Officer	**0**	**1**	**2**	**4**	**6**	**8**	10	12+
Per Hour	$25.42	$26.09	$26.76	$27.43	$28.26	$29.10	$29.98	$30.88
Tenure								
Sergeant	**2**	**4**	**6**	**8**	**10+**			
Per Hour	$31.48	$32.13	$33.18	$34.26	$35.37			
Tenure								
Lieutenant	**4**	**6**	**8+**					
Per Hour	$35.85	$37.09	$38.40					
Tenure								
Captain	**4**	**6+**						
Per Hour	$38.52	$40.83						

EXHIBIT "B"

[1] "Tenure" is tenure from the hire date. Therefore, step progression is based on years with the Department, not time in rank.

City of Lockhart, Texas

Council Agenda Item
Cover Sheet

COUNCIL MEETING DATE: September 7, 2021

AGENDA ITEM CAPTION: Discussion and/or action to consider a one-time premium payment to City of Lockhart employees utilizing funds from American Rescue Plan Act (ARPA) and the City of Lockhart as presented.

ORIGINATING DEPARTMENT AND CONTACT: Administration - Julie Bowermon

ACTION REQUESTED: Other

BACKGROUND/SUMMARY/DISCUSSION: ARPA funds are federal dollars being distributed to cities in response to the COVID-19 pandemic. The funding is not from locally collected tax dollars. There are certain options that the federal funds can be used for, premium pay for essential workers is one. Premium pay is a direct payment to an essential worker that was involved in regular in-person interactions or regular physical handling of items that were also handled by others. Premium pay can be retroactive. The United States Treasury encourages cities to prioritize retrospective premium pay when possible, recognizing that many essential workers have not yet received additional pay for work that they conducted throughout the pandemic. Premium pay cannot be paid to teleworkers. Premium pay is limited to only employees that are below 150% percent of the state average income.

The City of Lockhart has approximately 13 employees that may fall above the 150% state average income and cannot be paid with ARPA funding. These employees are essential workers and could still receive premium pay, funded by the City instead of ARPA. These employees worked well beyond their normal work schedule and duties, frequently meeting in-person with residents, staff, and business owners to ensure the continuation of essential City operations during the pandemic.

The proposed one-time premium payment to City of Lockhart employees would be administered based on the eligibility criteria presented in the agenda packet attachment for employees that worked during March 1, 2020 - February 28, 2021.

PROJECT SCHEDULE (if applicable):

AMOUNT & SOURCE OF FUNDING:
Funds Required: $147,225.00
Account Number: Multiple Funds
Funds Available: $147,225.00
Account Name: ARP Funds - $109,500; General Fund - $20,635; Utility Funds - $15,880; LEDC Fund - $1,210

City of Lockhart, Texas

Council Agenda Item
Cover Sheet

FISCAL NOTE (if applicable): Until further confirmation of eligible uses of ARPA funds, the City will absorb expenses attained with unqualified personnel costs.

PREVIOUS COUNCIL ACTION: August 17, 2021, consensus of authorizing a one-time premium payment to City employees of $1,000 to each active full-time employee and $500 to each active part-time employee that worked during March 1, 2020 - February 28, 2021 with eligibility criteria as presented.

COMMITTEE/BOARD/COMMISSION ACTION: N/A

STAFF RECOMMENDATION/REQUESTED MOTION:

LIST OF SUPPORTING DOCUMENTS: Premium Pay POLICY COUNCIL PACKET 9.7.2021

American Rescue Plan - Premium Pay Option
Authorized by City Council on September 7, 2021

PURPOSE: One-time premium pay payment to City of Lockhart employees.

Funding Source: American Rescue Plan Act-Coronavirus State and Local Fiscal Recovery Funds.

Premium Pay for Essential Workers: Essential workers are workers who have been and continue to be relied on to maintain continuity of operations of essential critical infrastructure sectors, including those who are critical to protecting the health and wellbeing of their communities.[1]

The Interim Final Rule defines essential work as work involving regular in-person interactions or regular physical handling of items that were also handled by others. A worker would not be engaged in essential work and, according may not receive premium pay, for telework performed from a residence.[1]

City of Lockhart Premium Pay Criteria:

- Must be an active employee on the day checks are cut, active includes any employee currently working or on a leave status such as vacation, sick leave, FMLA, workers' comp, civil service work injury recovery leave, etc.

- Must have worked during pandemic period of March 1, 2020 – February 28, 2021.
  - March 13, 2020 President Trump issued Proclamation 9994 proclaiming that COVID-19 constitutes a national emergency beginning March 1, 2020.

- 6-12 months = 100% of lump payment.
- 1-5 months = 50% of lump payment.

- Part-time employees receive half of what full-time employees granted.

- Although CDC recommendations encouraged having workforce telework, City of Lockhart employees were not able to solely telework during the pandemic. No employee is excluded from the premium pay due to a teleworking status.

- Although 13 employees may fall above the 150% state average income, these employees were essential workers and are not excluded from the premium pay. These employees worked well beyond their normal work schedule and duties, frequently meeting in-person with residents, staff, and business owners to ensure the continuation of essential City operations during the pandemic. As supervisors, often these employees covered shifts to offset staffing shortages due to quarantines and isolations. This portion of the premium pay would be funded by City funding.

Premium Pay and Funding

Class	Amount
Full-Time	$1,000
Part-Time	$500
Estimated ARPA	$109,500
City Cost	$37,725

ESTIMATED CITY COST PER FUND	*General Fund*	*$20,635*
	Utilities Funds	*$15,880*
	LEDC	*$1,210*

[1] Interim Final Rule: Coronavirus State and Local Fiscal Recovery Funds, U.S. Department of Treasury

City of Lockhart, Texas

Council Agenda Item
Cover Sheet

COUNCIL MEETING DATE: September 7, 2021

AGENDA ITEM CAPTION: Discussion regarding matters related to COVID-19 including, but not limited to, the use of City facilities for upcoming community events such as Evening with the Authors, National Night Out, Hill Country Barbecue Cookoff, Speaking of the Dead, Courthouse Nights, and Dickens.

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

ACTION REQUESTED: Other

BACKGROUND/SUMMARY/DISCUSSION: On May 18, 2021, Governor Abbot issued GA-36 that prohibited governmental entities from mandating face coverings or restricting activities in response to the COVID-19 disaster. As a result, the Lockhart City Council rescinded the Mayor's Declaration to require face coverings and encouraged citizens to continue to follow the CDC guidelines in regard to COVID-19.

Also, as a result of the Governor opening Texas on March 2, 2021 (GA-34), community events are back on schedule such as the Chisholm Trail Roundup, Fireworks show, and City venues such as the city splash pad are open to the public. Face coverings are not required during the events or at city facilities.

An update of COVID-19 orders and Council actions is attached.

Open Meetings Act Suspensions Terminate effective September 1, 2021
In March 2020, Governor Abbott's office granted the Attorney General's request to suspend certain open meetings statutes. The temporary suspension allows for telephonic or videoconference meetings of governmental bodies that are accessible to the public in an effort to reduce in-person meetings, thereby allowing governmental bodies and/or board commissions to hold a meeting virtually without a quorum being present at the meeting location.

On June 30, 2021, the Governor's office approved a request by the Attorney General to lift the open meetings suspensions effective at 12:01 a.m. on September 1, 2021. All Texas governmental bodies subject to the OMA must thereafter conduct their meetings in full compliance with the OMA as written in state law.

The following are provisions in the OMA suspension that will no longer be allowed effective September 1, 2021:
1) Video conferencing capability will change in that a member of the governing body or board can meet virtually but there must be a quorum physically present at the meeting location.
2) Telephone conference meetings will not be allowed to continue and are only allowed in an emergency.

City of Lockhart, Texas

Council Agenda Item
Cover Sheet

On **August 29, 2021**, Governor Abbott issued a Declaration renewing the declaration of disaster stating that COVID-19 poses an imminent threat of disaster for all counties in Texas.

This item is returned to Council for consideration, if necessary.

PROJECT SCHEDULE (if applicable): N/A

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

FISCAL NOTE (if applicable): None.

PREVIOUS COUNCIL ACTION: N/A

COMMITTEE/BOARD/COMMISSION ACTION: N/A

STAFF RECOMMENDATION/REQUESTED MOTION: None.

LIST OF SUPPORTING DOCUMENTS: Update of COVID-19 orders and Council actions, GA-39, GA-38, Governor Abbott proclamation renewing the Declaration of Disaster.

HISTORY OF COVID-19 ORDERS/COUNCIL ACTIONS

On **September 1, 2020**, the City Council adopted Resolution 2020-20 renewing and adopting a requirement that commercial establishments in the City post a notice that facial coverings are a requirement of employees and persons entering such establishments. The requirement that such notice be posted shall remain in effect until terminated or amended by the City Council.

On **October 7, 2020**, Governor Greg Abbott issued Executive Order GA-32 to allow certain bars and similar establishments to operate at 50% capacity with permission from the County Judge. GA-32 increased the occupancy levels for all business establishments other than bars to 75%. GA-32 also provides that outdoor gatherings in excess of 10 people is prohibited unless the Mayor of the City in which the gathering is held, approves of the gathering, and such approval can be made subject to certain conditions or restrictions not inconsistent with GA-32.

Mayor's statement on reduced business capacity in Caldwell County**.** At 12:01 a.m. on Wednesday, January 13, 2021 the provisions of Governor Greg Abbott's Executive Order GA-32 that suspend elective surgeries, close bars and reduce business capacity to 50 percent went into effect in Lockhart and Caldwell County. This was occurring because under GA-32, these specific provisions took effect when a Trauma Service Area had seven consecutive days in which the number of COVID-19 hospitalized patients as a percentage of total capacity exceeded 15 percent. This was the case in Trauma Service Area O, which included Caldwell County.

COVID Relief Fund update**.** On January 19, 2021, the Council voted to offer a six-month forbearance to businesses that received a COVID-19 Recovery Loan in 2020. Council re-opened the COVID Relief Grants to small businesses for $5,000 per business that qualifies. Restaurants and bars that were affected by the Governor's order earned higher points on the application process.

During the February 23, 2021 meeting, Chief Jenkins provided an update of COVID compliance for local businesses.

On **March 2, 2021**, Governor Abbot issued GA-34 that was effective March 10, 2021. It provides that the State no longer requires face covering and it does not allow local jurisdictions to require face coverings. GA-34 supercedes all orders issued by local officials that conflict with regard to services or local orders and provides that businesses and other establishments may require customers and employees to wear face coverings. The consensus of the Council was to leave the Mayor's Declaration in effect and to encourage citizens to continue to wear face coverings and to maintain a six foot distance.

On **May 13, 2021**, the CDC announced that fully vaccinated individuals no longer need to mask up or social distance indoors and outdoors, including crowds. Attached is information from the CDC about how to stay safe around individuals that are or are not fully vaccinated.

On **June 15, 2021**, the consensus of the Council was to continue virtual attendance at meetings.

On **June 30, 2021**, the Governor's office approved a request by the Attorney General to lift the temporary Open Meetings Act suspensions, effective at 12:01 a.m. on September 1, 2021. The change in virtual meetings is that a member of the governing body or board member may attend a meeting virtually but there must be a quorum physically present at the meeting location.

On **July 29, 2021**, Governor Abbott issued Executive Order 38, that combined several existing COVID-19 executive orders to promote statewide uniformity and certainty in the state's COVID-19 response. Governor Abbott stated that "The new Executive Order emphasizes that the path forward relies on personal responsibility rather than government mandates".

On **August 13, 2021**, TML provided the following information regarding actions taken by governmental entities and the Attorney General in regards to face coverings:

- **Mask Mandate Update:** Tuesday afternoon, two state district court judges in Dallas and Bexar counties granted local authorities in those jurisdictions temporary restraining orders blocking Governor Abbott's ban on mask mandates. In response to the rulings, the City of San Antonio issued a requirement for face coverings inside city facilities, and the Dallas County Judge issued an emergency order on Wednesday related to face coverings. Temporary restraining orders are by definition temporary and require further court proceedings to become permanent. TML will continue to monitor these developments. In related news, Houston's Mayor Sylvester Turner is requiring masks in city facilities when physical distancing is not doable.

Additionally, a number of large school districts ("ISDs") across the state, including Dallas ISD, Houston ISD, Austin ISD, Fort Worth ISD, and San Antonio ISD, are requiring masks on school property.

- **Attorney General Issues Two COVID-related opinions:** On August 11, the Attorney General released two opinions related to mask mandates and vaccines.
    1. In Opinion KP-0379, the Attorney General was asked whether COVID-19 vaccines could be required as a condition to enter a government building. Citing the Governor's Executive Order No. 38 as well as the recently passed S.B. 968, the Attorney General opined that government entities may not require COVID-19 vaccines as a condition to enter a government facility.
    2. In Opinion No. KP-0380, the Attorney General was asked to opine on the effect of the Governor's executive orders on federal requirements related to face coverings on public transit. The AG ultimately opined that he is unconvinced that CDC and TSA rules as well as federal law preempt the Governor's orders prohibiting mask mandates.

Please remember that Attorney General opinion are just that: opinions. They are legal guidance but do not carry the force of law or court order.

- **Counties Across Texas Seeing Rise in COVID-19 Threat Levels:** Over the last few weeks, we have reported on the rise in COVID-19 threat levels in counties and cities across the state. That rise continues, with Travis, Harris, Dallas, and Williamson counties, among others, back at the highest threat levels as the Delta variant spreads across the state and ICU bed availability drops.

On **August 29, 2021**, Governor Abbott issued a proclamation renewing the declaration stating that COVID-19 poses an imminent threat of disease for all counties in Texas.

On **August 25, 2021,** Governor Abbot issued GA-39 (attached), prohibiting governmental entities from compelling an individual to receive a COVID-19 vaccine regardless of full FDA approval, among other things.

The Governor also issued the following call to the Special Session of the Legislature:

> *Legislation regarding whether any State or Local Governmental entities in Texas can mandate that an individual receive a COVID-19 vaccine and, if so, what exemption should apply to such mandate.*

GOVERNOR GREG ABBOTT

August 25, 2021

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
2 PM O'CLOCK
AUG 25 2021
Secretary of State

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

Dear Deputy Secretary Esparza:

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

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

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

Respectfully submitted,

Gregory S. Davidson
Executive Clerk to the Governor

GSD/gsd

Attachment

Executive Order

BY THE
GOVERNOR OF THE STATE OF TEXAS

Executive Department
Austin, Texas
August 25, 2021

EXECUTIVE ORDER
GA 39

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

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

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

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

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

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

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

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

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

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

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

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

AUG 25 2021

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

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

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

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

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

1. No governmental entity can compel any individual to receive a COVID-19 vaccine. I hereby suspend Section 81.082(f)(1) of the Texas Health and Safety Code, and any other relevant statutes, to the extent necessary to ensure that no governmental entity can compel any individual to receive a COVID-19 vaccine.

2. State agencies and political subdivisions shall not adopt or enforce any order, ordinance, policy, regulation, rule, or similar measure that requires an individual to provide, as a condition of receiving any service or entering any place, documentation regarding the individual's vaccination status for any COVID-19 vaccine. I hereby suspend Section 81.085(i) of the Texas Health and Safety Code, and any other relevant statutes, to the extent necessary to enforce this prohibition. This paragraph does not apply to any documentation requirements necessary for the administration of a COVID-19 vaccine.

3. Any public or private entity that is receiving or will receive public funds through any means, including grants, contracts, loans, or other disbursements of taxpayer money, shall not require a consumer to provide, as a condition of receiving any service or entering any place, documentation regarding the consumer's vaccination status for any COVID-19 vaccine. No consumer may be denied entry to a facility financed in whole or in part by public funds for failure to provide documentation regarding the consumer's vaccination status for any COVID-19 vaccine.

4. Nothing in this executive order shall be construed to limit the ability of a nursing home, state supported living center, assisted living facility, or long-term care facility to require documentation of a resident's vaccination status for any COVID-19 vaccine.

5. This executive order shall supersede any conflicting order issued by local officials in response to the COVID-19 disaster. Pursuant to Section 418.016(a) of the Texas Government Code, I hereby suspend Sections 418.1015(b) and 418.108 of the Texas Government Code, Chapter 81, Subchapter E of the Texas Health and Safety Code, and any

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

AUG 25 2021

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

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

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

GREG ABBOTT
Governor

ATTESTED BY:

JOE A. ESPARZA
Deputy Secretary of State

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

AUG 25 2021

GOVERNOR GREG ABBOTT

July 29, 2021

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

JUL 29 2021

Secretary of State

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

Dear Deputy Secretary Esparza:

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

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

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

Respectfully submitted,

Gregory S. Davidson
Executive Clerk to the Governor

GSD/gsd

Attachment

Executive Order

BY THE
GOVERNOR OF THE STATE OF TEXAS

Executive Department
Austin, Texas
July 29, 2021

EXECUTIVE ORDER
GA 38

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

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

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

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

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

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

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

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

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

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

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

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

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3:15pm O'CLOCK

JUL 29 2021

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

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

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

1. To ensure the continued availability of timely information about COVID-19 testing and hospital bed capacity that is crucial to efforts to cope with the COVID-19 disaster, the following requirements apply:

    a. All hospitals licensed under Chapter 241 of the Texas Health and Safety Code, and all Texas state-run hospitals, except for psychiatric hospitals, shall submit to the Texas Department of State Health Services (DSHS) daily reports of hospital bed capacity, in the manner prescribed by DSHS. DSHS shall promptly share this information with the Centers for Disease Control and Prevention (CDC).
    b. Every public or private entity that is utilizing an FDA-approved test, including an emergency use authorization test, for human diagnostic purposes of COVID-19, shall submit to DSHS, as well as to the local health department, daily reports of all test results, both positive and negative. DSHS shall promptly share this information with the CDC.

2. To ensure that vaccines continue to be voluntary for all Texans and that Texans' private COVID-19-related health information continues to enjoy protection against compelled disclosure, in addition to new laws enacted by the legislature against so-called "vaccine passports," the following requirements apply:

    a. No governmental entity can compel any individual to receive a COVID-19 vaccine administered under an emergency use authorization. I hereby suspend Section 81.082(f)(1) of the Texas Health and Safety Code to the extent necessary to ensure that no governmental entity can compel any individual to receive a COVID-19 vaccine administered under an emergency use authorization.
    b. State agencies and political subdivisions shall not adopt or enforce any order, ordinance, policy, regulation, rule, or similar measure that requires an individual to provide, as a condition of receiving any service or entering any place, documentation regarding the individual's vaccination status for any COVID-19 vaccine administered under an emergency use authorization. I hereby suspend Section 81.085(i) of the Texas Health and Safety Code to the extent necessary to enforce this prohibition. This paragraph does not apply to any documentation requirements necessary for the administration of a COVID-19 vaccine.
    c. Any public or private entity that is receiving or will receive public funds through any means, including grants, contracts, loans, or other disbursements of taxpayer money, shall not require a consumer to provide, as a condition of receiving any service or entering any place, documentation regarding the consumer's vaccination status for any COVID-19 vaccine administered under an emergency use authorization. No consumer may be denied entry to a facility financed

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SECRETARY OF STATE
3:15pm O'CLOCK

JUL 29 2021

in whole or in part by public funds for failure to provide documentation regarding the consumer's vaccination status for any COVID-19 vaccine administered under an emergency use authorization.

d. Nothing in this executive order shall be construed to limit the ability of a nursing home, state supported living center, assisted living facility, or long-term care facility to require documentation of a resident's vaccination status for any COVID-19 vaccine.

e. This paragraph number 2 shall supersede any conflicting order issued by local officials in response to the COVID-19 disaster. I hereby suspend Sections 418.1015(b) and 418.108 of the Texas Government Code, Chapter 81, Subchapter E of the Texas Health and Safety Code, and any other relevant statutes, to the extent necessary to ensure that local officials do not impose restrictions in response to the COVID-19 disaster that are inconsistent with this executive order.

3. To ensure the ability of Texans to preserve livelihoods while protecting lives, the following requirements apply:

   a. There are no COVID-19-related operating limits for any business or other establishment.

   b. In areas where the COVID-19 transmission rate is high, individuals are encouraged to follow the safe practices they have already mastered, such as wearing face coverings over the nose and mouth wherever it is not feasible to maintain six feet of social distancing from another person not in the same household, but no person may be required by any jurisdiction to wear or to mandate the wearing of a face covering.

   c. In providing or obtaining services, every person (including individuals, businesses, and other legal entities) is strongly encouraged to use good-faith efforts and available resources to follow the Texas Department of State Health Services (DSHS) health recommendations, found at www.dshs.texas.gov/coronavirus.

   d. Nursing homes, state supported living centers, assisted living facilities, and long-term care facilities should follow guidance from the Texas Health and Human Services Commission (HHSC) regarding visitations, and should follow infection control policies and practices set forth by HHSC, including minimizing the movement of staff between facilities whenever possible.

   e. Public schools may operate as provided by, and under the minimum standard health protocols found in, guidance issued by the Texas Education Agency. Private schools and institutions of higher education are encouraged to establish similar standards.

   f. County and municipal jails should follow guidance from the Texas Commission on Jail Standards regarding visitations.

   g. As stated above, business activities and legal proceedings are free to proceed without COVID-19-related limitations imposed by local governmental entities or officials. This paragraph number 3 supersedes any conflicting local order in response to the COVID-19 disaster, and all relevant laws are suspended to the extent necessary to preclude any such inconsistent local orders. Pursuant to the legislature's command in Section 418.173 of the Texas Government Code and the State's emergency management plan, the imposition of any conflicting or inconsistent limitation by a local governmental entity or official constitutes a "failure to comply with" this executive order that is subject to a fine up to $1,000.

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SECRETARY OF STATE
3:15pm O'CLOCK

JUL 29 2021

4. To further ensure that no governmental entity can mandate masks, the following requirements shall continue to apply:

   a. No governmental entity, including a county, city, school district, and public health authority, and no governmental official may require any person to wear a face covering or to mandate that another person wear a face covering; *provided, however, that*:
      i. state supported living centers, government-owned hospitals, and government-operated hospitals may continue to use appropriate policies regarding the wearing of face coverings; and
      ii. the Texas Department of Criminal Justice, the Texas Juvenile Justice Department, and any county and municipal jails acting consistent with guidance by the Texas Commission on Jail Standards may continue to use appropriate policies regarding the wearing of face coverings.

   b. This paragraph number 4 shall supersede any face-covering requirement imposed by any local governmental entity or official, except as explicitly provided in subparagraph number 4.a. To the extent necessary to ensure that local governmental entities or officials do not impose any such face-covering requirements, I hereby suspend the following:

      i. Sections 418.1015(b) and 418.108 of the Texas Government Code;

      ii. Chapter 81, Subchapter E of the Texas Health and Safety Code;

      iii. Chapters 121, 122, and 341 of the Texas Health and Safety Code;

      iv. Chapter 54 of the Texas Local Government Code; and

      v. Any other statute invoked by any local governmental entity or official in support of a face-covering requirement.

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

   c. Even though face coverings cannot be mandated by any governmental entity, that does not prevent individuals from wearing one if they choose.

5. To further ensure uniformity statewide:

   a. This executive order shall supersede any conflicting order issued by local officials in response to the COVID-19 disaster, but only to the extent that such a local order restricts services allowed by this executive order or allows gatherings restricted by this executive order. Pursuant to Section 418.016(a) of the Texas Government Code, I hereby suspend Sections 418.1015(b) and 418.108 of the Texas Government Code, Chapter 81, Subchapter E of the Texas Health and Safety Code, and any other relevant statutes, to the extent necessary to ensure that local officials do not impose restrictions in response to the

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SECRETARY OF STATE
3:15pm O'CLOCK

JUL 29 2021

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

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

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

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

GREG ABBOTT
Governor

ATTESTED BY:

JOE A. ESPARZA
Deputy Secretary of State

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

JUL 29 2021

GOVERNOR GREG ABBOTT

August 29, 2021

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

AUG 29 2021

Secretary of State

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

Dear Mr. Deputy Secretary:

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

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

The original proclamation is attached to this letter of transmittal.

Respectfully submitted,

Gregory S. Davidson
Executive Clerk to the Governor

GSD/gsd

Attachment

POST OFFICE BOX 12428 AUSTIN, TEXAS 78711 512-463-2000 (VOICE) DIAL 7-1-1 FOR RELAY SERVICES

PROCLAMATION

BY THE

Governor of the State of Texas

TO ALL TO WHOM THESE PRESENTS SHALL COME:

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

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

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

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

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

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

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

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

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

GREG ABBOTT
Governor

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

AUG 29 2021

ATTESTED BY:

JOE ESPARZA
Deputy Secretary of State

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

AUG 29 2021

LIST OF BOARD/COMMISSION VACANCIES

Updated: 08/17/2021

Board Name	Reappointments/Vacancies	Council member
Board of Adjustment	One Alternate position	Any Councilmember

APPLICATIONS RECEIVED TO BE ON A BOARD/COMMISSION

APPLICANT	BOARD REQUESTED	DATE RECEIVED	RESIDENCE DISTRICT
Dennis McCown	LHPC	August 10, 2020	District 2
Anna Lowe	1st - Planning & Zoning 2nd – LHPC	August 13, 2020	Caldwell County Resident
Kristopher Krueger	LHPC Library Parks	December 21, 2020	District 3
Elizabeth Pickett	To be determined	December 21, 2020	District 3
Adella Fernandez	1st - LEDC 2nd - Planning & Zoning 3rd – Parks & Recreation	July 21, 2021	District 3
Lue Edward D. Baker	1st – Historic Preservation Comm. 2nd – Parks & Recreation 3rd – Planning & Zoning	August 18, 2021	District 4

The following are NOTES regarding appointments to several boards that have certain criteria that should be met, such as qualifications or number to serve on the board. Boards that are not listed below have a seven member board and are open to any citizen without qualifications.

NOTES: AIRPORT ADVISORY BOARD	**Sec. 4-26. Membership; appointments.** The Lockhart Airport Advisory Board shall be composed of seven members to be appointed in accordance with section 2-210. At least five members must currently be or have been flight rated, and two members may be appointed as at-large members. Members shall serve three-year terms, such terms coinciding with the council position making the appointment. **Sec. 4-28. Eligibility for board membership.** No person having a financial interest in any commercial carrier by air, or in any concession, right or privilege to conduct any business or render any service for compensation upon the premises of the Lockhart Municipal Airport shall be eligible for membership on the Lockhart Airport Advisory Board. **Sec. 4-32. Limitations of authority.** The Lockhart Municipal Airport Advisory Board shall not have authority to incur or create any debt in connection with airport operations; nor shall the board be empowered to enter into any contract, leases, or other legal obligations binding upon the City of Lockhart; nor shall the board have authority to hire airport personnel or direct airport personnel in the execution of their duties.
NOTES: CONSTRUCTION BOARD APPOINTMENTS	*Section B101.4, Board Decision,* is amended to read as follows: The construction board of adjustments and appeals shall have the power, as further defined in Appendix B, to hear appeals of decisions and interpretations of the building official and consider variances of the technical codes; and to conduct hearings on determinations of the building official regarding unsafe or dangerous buildings, structures and/or service systems, and to issue orders in accordance with the procedures beginning with section 12-442 of this Code [of Ordinances]. *Section B101.2, Membership of Board,* is amended to read as follows: Each District Council member and the Mayor shall appoint one member to the Construction Board of Appeals making it a five (5) member board and each Councilmember at Large shall appoint an alternate. The term of office of the board members shall be three (3) years, such terms coinciding with the council position making the appointment. The two (2) alternates shall also serve the term coinciding with the council position making the appointments. Vacancies shall be filled for an unexpired term in the manner in which the original appointments are required to be made. Board members shall consist of members who are qualified by experience and/or training to pass on matters pertaining to building construction and are not employees of the City of Lockhart.
NOTES: ELECTRIC BOARD APPOINTMENTS	**Sec. 12-132. Members.** (a) Appointments to the examining and supervisory board of electricians and appeals shall conform to section 2-210 except that the board shall consist of five persons with one being appointed by each district council member and one by the mayor. Each member shall serve three-year terms with such terms to coincide with the council position making the appointment. (b) Each board member shall reside within the county and such board shall include one member who shall be a building contractor; one layman; two members shall be master electricians who are currently licensed by the city; and one member shall be either a building contractor or master electrician licensed by the city. There shall be two ex-officio members, one who shall be the city electrical inspector, and one shall be the fire marshal. **Sec. 12-133. Officers and quorum.** The members of the examining and supervising board of electricians and appeals shall select a chairman and secretary. A quorum shall consist of three members.
NOTES: HISTORIC PRESERVATION COMMISSION	**Sec. 28-3. Historical preservation commission**. (b) The commission shall consist of seven members, appointed by the city council in accordance with section 2-210, who shall whenever possible meet one or more of the following qualities: (1) A registered architect, planner or representative of a design profession, (2) A registered professional engineer in the State of Texas, (3) A member of a nonprofit historical organization of Caldwell County, (4) A local licensed real estate broker or member of the financial community, (5) An owner of an historic landmark residential building, (6) An owner or tenant of a business property that is an historic landmark or in an historic district, (7) A member of the Caldwell County Historical Commission.
NOTES: PARKS ADVISORY BOARD	**Sec. 40-133. Members.** (a) The board shall consist of seven members appointed in accordance with section 2-210 to serve three years terms, such terms to coincide with the council position making the appointment and two alternates shall also be appointed by the mayor and mayor pro-tem, one each. The two alternates shall also serve the term coinciding with the council position making the appointments. Vacancies shall be filed for an unexpired term in the manner in which the original appointments are required to be made. (Ordinance 06-08, adopted February 7, 2006)

NOTES: Lockhart Economic Dev Corp	**LEDC Bylaws – Article II. Board of Directors** **Section 1. Powers, Number and Term of Office** a. The property and affairs of the Corporation shall be managed and controlled by a Board of Directors (The "Board") under the guidance and direction of the Lockhart City Council and, subject to the restrictions imposed by law, by the Articles of Incorporation, and by these Bylaws the Board shall exercise all of the powers of the Corporation. b. The Board shall consist of seven directors, each of whom shall be appointed by the City Council of the City. Each director shall occupy a place (individually the "Place" and collectively, the "Places") as designated herein. Places 1-4 are designated for Councilmember Directors from Councilmember Districts 1 through 4 respectively. In the event that a particular Councilmember from said District is unable or unwilling to serve in the capacity as a Director, that Councilmember shall have the right to nominate a non-councilmember for approval and appointment. Places 5-7 are designated for Citizen Member Directors. c. The directors constituting the first Board shall be those directors named in the Articles of Incorporation. Successor directors shall have the qualifications, shall be of the classes of directors, and shall be appointed to the terms set forth in the Articles of Incorporation. d. Any director may be removed from office by the City Council at will.
NOTES: ORDINANCE RE: ALL BOARD, COMMISSION APPOINTMENTS	**Sec. 2-209. - Rules for appointment.** The city council hereby sets the following rules: (1) Except as may be established by existing city ordinances/resolutions the process for selecting members shall be open to all Lockhart citizens, who must apply for appointment, to include those applying for reappointment. Reappointment shall not be deemed automatic. (2) Council shall seek to appoint the most qualified or best persons available, while also respecting the need for diverse community opinions. (3) No member of any appointed body shall serve on more than one quasi-judicial or advisory board or commission. (4) No appointed body shall deviate from its charge, deliberate items not on its agendas, or speak for the council or City of Lockhart without council authorization. (5) Subject to other qualifications as specifically required for membership on the below boards and commissions, the city council shall have the right (but not the duty) to appoint up to two members who are not Lockhart citizens but who are residents of Caldwell County to the Lockhart Airport Advisory Board, the Eugene Clark Library Board, and the construction board of appeals. **Section 2-210. Method of selection; number of members; terms.** (a) The mayor and city councilmembers shall nominate individuals to serve on boards and commissions. Each nomination shall then be confirmed by a simple majority of the entire city council. (b) Except as provided herein, there shall be seven members appointed to each board or commission corresponding with the seven members or places of the city council. Each city councilmember, except at provided herein, shall nominate a qualified person to serve in a place on an appointed body corresponding to their place on the council. At-large councilmembers shall be designated as places 5 and 6, and the mayor's position as place 7, for the purpose of this section. Nominations shall be made to fill vacant positions and/or positions whose terms have expired within 90 days of the event, such as a resignation or an election. Should any city councilmember fail to name an appointee to one of his/her corresponding places on any body within the above described 90 days, another councilmember shall then have the privilege to nominate a person to fill that same position, as described in subsection (a). However, once that position becomes vacant again for any reason, the appointment shall revert to the place corresponding with the original city council seat/place number for nominations. (c) Beginning with the election in May, 1998, the council shall nominate and confirm four members to serve in places 1, 2, 5, 6 on each board and commission in accordance with subsections (a) and (b) above, and with the standards set in Ordinance Number 97-09, Governance Policies. With the election of May, 1999, the remaining three places shall be filled following the same procedure as above. (d)Terms of service on appointed bodies shall be the same three-year terms as the councilmember who nominates a person to serve. However, a person may be appointed to complete the unexpired term of a vacant position, due to a resignation, for example. (e) When a person has completed a term, or terms, of service and will be vacating a place, that person may continue to serve until a replacement is nominated and confirmed by the city council. (f) At the discretion of the majority of the city council, one Caldwell County resident who is also an owner of real property within any local historic district may be appointed as a full member to the historical preservation commission. (g) Exceptions to the above regulations shall be all volunteer/special purpose/ad hoc committees appointed from time to time by the city council and the zoning board of adjustments, whose members shall serve two-year terms in accordance with V.T.C.A., Local Government Code § 211.008. All other provisions of this section, and ordinance number 97-09 which do not conflict with the chapters establishing these bodies shall be applicable. **Sec. 2-212. Removal and resignation of members.** (a) All board, commission and committee members serve at the pleasure of the city council and may be removed from office with or without cause at the discretion of the city council. (b) Board, commission and committee members may resign from office at any time by filing a written resignation, dated and signed by the member, with the City Secretary. Such resignation shall take effect upon receipt by the City Secretary without further action by the city council. If the city council appoints a new member to replace the resigned member, the new member shall be appointed to serve out the remainder of the resigned member's term.

NOTES: PARKS MASTER PLAN STEERING COMMITTEE (Est. 09/05/2017)	Committee to have 8-10 members as follows: • Councilmembers • City staff • Two Parks Advisory Board members • Business owners • Civic Organization members Committee will assist Burditt Consultants to perform tasks outlined in the Parks Master Plan.
NOTES: AD-HOC COMMITTEE – ST. PAUL UNITED CHURCH OF CHRIST PROPERTY (Est. 09/05/2017)	Committee will consist of at least one appointment from Mayor and each Councilmember. The Committee will make recommendations to the Council about the use of the property at 728 S. Main.
NOTES: WAYFINDING SIGNAGE AND COMMUNITY BRANDING AD-HOC (Est. 01/02/2018)	Committee will assist City Planner/Development Services with wayfinding signage and community branding tasks. Committee will consist of up to five members appointed by the Council. NOTE: First Branding and Wayfinding Committee disbanded/dissolved on December 18, 2018. UPDATE: Second Branding and Wayfinding Committee appointed on March 5, 2019.

NOTES: HOTEL OCCUPANCY TAX ADVISORY BOARD (Est. 12-3-2019)	Sec. 54-127 MEMBERSHIP AND MEETING FREQUENCY a. The HOT Advisory Board should consist of five (5) members. b. Members shall consist of the following, the appointment of whom shall be confirmed by the City Council i. A lodging facility representative; ii. The City Manager or his/her designee; iii. A former member of the City Council; and iv. Two citizens nominated by Mayor. c. The HOT Advisory Board shall meet at least quarterly for allocation of funds and post-event reviews. d. Three Board members shall constitute a quorum. e. Each Board member shall serve a term of two years. f. Vacancies on the Board shall be filled by appointment by the City Council for the remainder of the existing term. Sec. 54-128 PURPOSE AND RESPONSIBILITY a. The legislative functions of the city council shall in no way be delegated to the HOT Advisory Board. The HOT Advisory Board shall be considered a special purpose advisory committee. b. The purposes and responsibility of the HOT Advisory Board shall be: i. To receive, review, and evaluate applications from organizations requesting HOT funds; ii. To recommend allocation of HOT funds (as authorized by the Texas Tax Code, Chapter 351) to the City Council; iii. To review the actual expenditures of HOT Funds; iv. To offer suggestions for improvements or changes to the use or administration of HOT funds; and v. To submit an annual report to the City Council that identifies approved expenditures by the City for the preceding year, reviews such approved expenditures in the context of compliance with state laws regarding the use of HOT funds, and evaluates the effectiveness of the approved HOT expenditures and the program. Sec. 54-129 HOT FUND GRANT PROCESS AND POST-EVENT REPORTING a. Applications for funding will be considered at each meeting. Completed applications must be received ten (10) days prior to a meeting of the Board at which it will be reviewed. b. Applicants will be notified of the award of funds following approval by the City Council of the award, at which time one-half of approved funding will be awarded. c. The Board shall produce guidelines for approved applicants regarding a post-event report from each such applicant that demonstrates qualified expenditures d. A post-event report from each approved applicant is required in order for the applicant to receive final payment. Sec. 54-130 HOT FUND GRANT PROCESS GUIDELINES. In considering the grant of HOT Funds, the Board and City Council shall: i. Ensure that each funding requests for HOT revenues is for one or more statutorily defined purpose; ii. Establish and implement a policy of properly utilizing 100% of available HOT funds each year; iii. Consider whether funding should be based on a formula for pre-determined activities consistent with authorized uses (e.g. advertising, arts, signage, historical restoration/preservation); iv. Consider funding approaches that will allow for equitable funding v. opportunities for new as well as established events and activities; and vi. Consider eligibility criteria beyond the Tax Code requirements (e.g. limiting grants to 25% of the total event budget or disallowing/limiting use of HOT funds for events' programs that occur on a regular (e.g. monthly) basis.

Councilmember	Board/Commission	Appointee	Date Appointed
Mayor – Lew White	Airport Board Board of Adjustment Construction Board Ec Dev. Corp. ½ Cent Sales Tax Electric Board Historical Preservation Library Board Parks and Recreation Planning & Zoning ETJ Rep-Impact Fee Adv Comm	John Hinnekamp Mike Annas Raymond DeLeon Alan Fielder, Vice-Chair Joe Colley, Chair John Lairsen Stephanie Riggins Karla Tate Ron Peterson Larry Metzler	01/19/21 01/19/21 01/19/21 01/19/21 01/19/21 01/19/21 01/19/21 02/02/21 01/19/21 01/19/21
District 1 – Juan Mendoza	Airport Board Board of Adjustment Construction Board Eco Dev. Corp, ½ Cent Sales Tax Electric Board Historical Preservation Library Board Parks and Recreation Planning & Zoning	Larry Burrier Lori Rangel Mike Votee Dyral Thomas Frank Gomillion Christine Ohlendorf Shirley Williams Linda Thompson-Bennett Chris St. Leger	03/07/17 03/07/17 12/17/19 12/17/19 12/17/19 06/02/20 12/17/19 03/07/17 12/17/19 CM McGregor on behalf of Councilman Mendoza
District 2– David Bryant	Airport Board Board of Adjustment Construction Board Eco Dev. Corp. ½ Cent Sales Tax Electric Board Historical Preservation Library Board Parks and Recreation Planning & Zoning	Todd Blomerth Shawn Martinez Oscar Torres Jesse Maciel, Jr. James Briceno Ron Faulstich Quartermetra Hughes Lonnie Jones Manuel Oliva	05/05/20 03/17/21 10/20/20 08/17/21 10/20/20 10/20/20 10/20/20 04/06/21 10/20/20

District 3 – Kara McGregor	Airport Board	Ray Chandler	02/06/18
	Board of Adjustment	Anne Clark, Vice-Chair	02/23/21
		Kirk Smith (Alternate)	12/05/17
	Construction Board	Jerry West, Vice-Chair	01/19/21
	Eco Dev. Corp. ½ Cent Sales Tax	Sally Daniel	01/05/21
	Electric Board	John Voigt	01/19/21
	Historical Preservation	Ronda Reagan	01/19/21
	Library Board	Jean Clark Fox, Chair	01/19/21
	Parks and Recreation	Warren Burnett	01/19/21
	Planning & Zoning	Philip McBride, Chair	01/19/21
District 4 - Jeffry Michelson	Airport Board	Mark Brown, Vice-Chair	03/07/17
	Board of Adjustment	Wayne Reeder	12/15/20
	Construction Board	Rick Winnett	12/05/17
	Eco Dev. Corp. ½ Cent Sales Tax	Doug Foster	11/17/20
	Electric Board	Ian Stowe	12/15/20
	Historical Preservation	Michel Royal	07/07/20
	Library Board	Donaly Brice	12/15/20
	Parks and Recreation	Russell Wheeler	12/15/20
	Planning & Zoning	Rick Arnic	12/15/20
Mayor Pro-Tem (At-Large) – Angie Gonzales-Sanchez	Airport Board	Andrew Reyes	01/07/20
	Board of Adjustment	Laura Cline, Chair	01/07/20
	Construction Board	Paul Martinez	01/07/20
	Eco Dev. Corp. ½ Cent Sales Tax	Alfredo Munoz	01/07/20
	Historical Preservation	Ray Ramsey	07/07/20
	Library Board	Jodi King	01/07/20
	Parks and Recreation	Lee Parra	08/17/21
	Planning & Zoning	Philip Ruiz, Vice-Chair	01/07/20

At-Large - Brad Westmoreland	Airport Board Board of Adjustment Construction Board (Alternate) Eco Dev. Corp. ½ Cent Sales Tax Historical Preservation Library Board Parks and Recreation Planning & Zoning	Jayson "Tex" Cordova Severo Castillo Gary Shafer Frank Estrada Richard Thomson Rebecca Lockhart Dennis Placke Brad Lingvai	02/04/20 02/04/20 02/04/20 02/04/20 02/04/20 02/04/20 02/04/20 02/04/20
	Charter Review Commission (Five member commission) Term – 24 months after appointment	Ray Sanders Bill Hernandez Roland Velvin Elizabeth Raxter Alan Fielder	03/01/16 – Michelson 03/01/16 – Michelson 03/01/16 – Michelson 03/01/16 – Hilburn 03/15/16 – Hilburn
	Sign Review Committee (no longer meeting)	Gabe Medina Neto Madrigal Terry Black Kenneth Sneed Johnny Barron, Jr. Tim Clark	03/17/15 - Mayor Pro-Tem Sanchez 04/21/15 – Councilmember Mendoza 12/19/17– Councilmember McGregor 03/17/15 – Mayor White 03/17/15 – Councilmember Castillo 03/17/15– Councilmember Michelson
	Parks Master Plan Steering Committee (8-10 members)	Albert Villalapando Dennis Placke Nita McBride Rebecca Pulliam Bernie Rangel Derrick David Bryant Beverly Anderson Carl Ohlendorf Beverly Hill	09/05/17 – Parks Bd appointee 09/05/17 – Parks Bd appointee 12/05/17– McGregor 09/19/17– Michelson 09/19/17 – Castillo 09/19/17 - Sanchez 09/19/17 - Mendoza 09/19/17 – Westmoreland 09/19/17 – Mayor White

	Church Property Ad-hoc Committee (7 members)	Amelia Smith Jackie Westmoreland Todd Blomerth Andy Govea Terry Black Jane Brown Raymond DeLeon Dyral Thomas	09/05/17 – Westmoreland 09/05/17 – Westmoreland 09/05/17 – Mayor White 09/1917 – Sanchez 12/19/17 – McGregor 09/19/17 – Michelson 09/20/17 – Castillo 09/22/17 – Mendoza
	Wayfinding Signage and Community Branding Ad-Hoc Committee (5 members) **THIS COMMITTEE WAS - RE-ESTABLISHED ON MARCH 5, 2019**	Roy Watson Ronda Reagan Sally Daniel Rob Ortiz Bobby Herzog	03/05/19 03/05/19 03/05/19 03/05/19 03/05/19 Appointed by Mayor with consensus of Council
	HOT Advisory Bd	Ray Sanders Alfredo Munoz Archana “Archie” Gandhi Roxanne Rix Steve Lewis and Pam Larison Sally Daniel (Alternate) Janet Grigar (Alternate)	All members appointed by consensus of the Council on 12/03/2019

CITY OF Lockhart TEXAS

City of Lockhart 2021 Board of Adjustment Attendance for a 12-Month Period

	Chair Cline	Vice-Chair Clark	Annas	Castillo	Reeder	Rangel	Martinez	Smith Alternate	Juarez
Meeting Date:									
January 4, 2021 - No Meeting									
2/1/2021 - No Meeting									
March 1, 2021	*Present*	*Present(By Phone)*	*Present*	*Present(By Phone)*	*Present*	*Absent*		*Present*	*Present*
April 5, 2021	*Present*	*Present(By Phone)*	*Present*	*Present(By Phone)*	*Present*	*Present(By Phone)*	*Present*	*Present*	*RESIGNED*
May 3, 2021	*Absent*	*Present*	*Present*	*Present(By Phone)*	*Present*	*Absent*	*Present(By Phone)*	*Present*	
June 7, 2021	*Absent*	*Present*	*Present*	*Present(By Phone)*	*Present*	*Present(By Phone)*	*Present(By Phone)*	*Present*	
July 12, 2021	*Present*	*Present*	*Present*	*Present(By Phone)*	*Present*	*Present(By Phone)*	*Absent*	*Present*	
August 2, 2021 - No Meeting									
August 30, 2021 - No Meeting									
October 4, 2021									

Number of meetings:	5	5	5	5	5	5	4	5	1
Present:	3	5	5	5	5	3	3	5	1
% Absent:	**60%**	**100%**	**100%**	**100%**	**100%**	**60%**	**75%**	**100%**	**100%**

CITY OF Lockhart TEXAS

CITY OF LOCKHART
CONSTRUCTION BOARD OF APPEALS
BOARD ATTENDANCE REPORT - 2021

	APPOINTING COUNCIL MEMBER						
	JERRY WEST (12/03/2013) CHAIR (01/05/2017)	RAYMOND DELEON (6/4/2019)	RICK WINNETT, JR. (04/19/2016) VICE CHAIR (01/05/2017)	GARY SHAFER (08/18/2015)	MICHAEL VOETEE (10/4/2016)	PAUL MARTINEZ (03/07/2017)	OSCAR TORRES (05/15/2017)
Member Title:	County Resident			Alternate			
Meeting Date:							
January 7, 2021	NO MTG	NO MTG	NO MTG	NO MTG	NO MTG	NO MTG	NO MTG
January 21, 2021 (No Quorum)	NO MTG	NO MTG	NO MTG	NO MTG	NO MTG	NO MTG	NO MTG
February 4, 2021	P	A	P	P	P	A	P
February 18, 2021	NO MTG	NO MTG	NO MTG	NO MTG	NO MTG	NO MTG	NO MTG
March 4, 2021	NO MTG	NO MTG	NO MTG	NO MTG	NO MTG	NO MTG	NO MTG
March 18, 2021	NO MTG	NO MTG	NO MTG	NO MTG	NO MTG	NO MTG	NO MTG
April 1, 2021	NO MTG	NO MTG	NO MTG	NO MTG	NO MTG	NO MTG	NO MTG
April 15, 2021	NO MTG	NO MTG	NO MTG	NO MTG	NO MTG	NO MTG	NO MTG
May 6, 2021	NO MTG	NO MTG	NO MTG	NO MTG	NO MTG	NO MTG	NO MTG
May 20, 2021	NO MTG	NO MTG	NO MTG	NO MTG	NO MTG	NO MTG	NO MTG
June 3, 2021	NO MTG	NO MTG	NO MTG	NO MTG	NO MTG	NO MTG	NO MTG
June 17, 2021	NO MTG	NO MTG	NO MTG	NO MTG	NO MTG	NO MTG	NO MTG
July 1, 2021	NO MTG	NO MTG	NO MTG	NO MTG	NO MTG	NO MTG	NO MTG
July 15, 2021	P	P	P	P	P	A	A
August 5, 2021	NO MTG	NO MTG	NO MTG	NO MTG	NO MTG	NO MTG	NO MTG
August 19, 2021	P	P	P	A	P	A	A
September 2, 2021							
September 16, 2021							
October 7, 2021							
October 21, 2021							
November 4, 2021							
November 18, 2021							
December 2, 2021							
December 16, 2021							
Total # Meetings:	3	3	3	3	3	3	3
Present:	3	2	3	2	3	0	1
Absent:	0	1	0	1	0	3	2
Absenteeism %:	0%	33%	0%	33%	0%	100%	67%

LEGEND: PRESENT: P UNEXCUSED ABSENCE:

CITY OF Lockhart TEXAS

CITY OF LOCKHART
ELECTRIC BOARD OF APPEALS
BOARD ATTENDANCE REPORT - 2021

	APPOINTING COUNCIL MEMBER				
	Joe Colley (06/17/2008)	Ian Stowe (03/06/2018)	Frank Gomillion (07/02/2019)	John Voigt (09/03/19)	James Briceno (05/03/2011)
	CHAIR				
Meeting Date:					
January 7, 2021	NO MTG	NO MTG	NO MTG	NO MTG	NO MTG
January 21, 2021	NO MTG	NO MTG	NO MTG	NO MTG	NO MTG
February 4, 2021	NO MTG	NO MTG	NO MTG	NO MTG	NO MTG
February 18, 2021	NO MTG	NO MTG	NO MTG	NO MTG	NO MTG
March 4, 2021	NO MTG	NO MTG	NO MTG	NO MTG	NO MTG
March 18, 2021	NO MTG	NO MTG	NO MTG	NO MTG	NO MTG
April 1, 2021	NO MTG	NO MTG	NO MTG	NO MTG	NO MTG
April 15, 2021	NO MTG	NO MTG	NO MTG	NO MTG	NO MTG
May 6, 2021	NO MTG	NO MTG	NO MTG	NO MTG	NO MTG
May 20, 2021	NO MTG	NO MTG	NO MTG	NO MTG	NO MTG
June 3, 2021	NO MTG	NO MTG	NO MTG	NO MTG	NO MTG
June 17, 2021	NO MTG	NO MTG	NO MTG	NO MTG	NO MTG
July 1, 2021	NO MTG	NO MTG	NO MTG	NO MTG	NO MTG
July 15, 2021	NO MTG	NO MTG	NO MTG	NO MTG	NO MTG
August 5, 2021	NO MTG	NO MTG	NO MTG	NO MTG	NO MTG
August 19, 2021	NO MTG	NO MTG	NO MTG	NO MTG	NO MTG
September 2, 2021					
September 16, 2021					
October 7, 2021					
October 21, 2021					
November 4, 2021					
November 18, 2021					
December 2, 2021					
December 16, 2021					

CITY OF Lockhart TEXAS

CITY OF LOCKHART
LOCKHART ECONOMIC DEVELOPMENT CORPORATION
ATTENDANCE REPORT - 2020
APPOINTING COUNCIL MEMBER

	ANGIE GONZALES-SANCHEZ	BRAD WESTMORELAND	KARA MCGREGOR	JUAN MENDOZA	DAVID BRYANT	MAYOR WHITE	JEFFRY MICHELSON
	Alfredo Munoz	Frank Estrada	Sally Daniel	Dyral Thomas	Umesh Patel	Alan Fielder	Doug Foster
Meeting Date:	Appt. - January 2020	Appt. - February 2020	Appt - January 2021	Appt. - December 2019	Appt. - October 2020	Appt. - January 2021	Appt. - November 2020
January 11, 2021	P	P	P	P	A	P	P
February 8, 2021	P	P	P	P	P	P	P
March 8, 2021	P	P	P	A	P	P	P
March 18, 2021	P	P	P	P	A	P	P
April 12, 2021	**P**	P	P	P	P	P	P
5/10/2021 - No Meeting							
June 14, 2021	P	P	P	P	A	P	A
July 12, 2021	P	A	P	P	A	P	P
August 9, 2021	P	P	P	A		P	A

LEGEND:	PRESENT:	**P**	UNEXCUSED ABSENCE:	**U**
	EXCUSED ABSENCE:	**A**	NO MEETING HELD:	No Meeting
			APPOINTMENT MODIFICATION:	

COMMENTS:

CITY OF Lockhart TEXAS

CITY OF LOCKHART
HISTORIC PRESERVATION COMMISSION
BOARD ATTENDANCE REPORT - 2021

	APPOINTING COUNCIL MEMBER						
	LAIRSEN	FAULSTICH	REAGAN	THOMSON	OHLENDORF	RAMSEY	ROYAL
Meeting Date:	APPOINTED 12/19/2017 **CHAIR**	APPOINTED 03/07/17	**VICE-CHAIR**		APPOINTED 06/02/2020	APPOINTED 07/07/2020	APPOINTED 07/07/2020
January 6, 2021	*NO MTG*	*NO MTG*	*NO MTG*	*NO MTG*	*NO MTG*	*NO MTG*	*NO MTG*
January 20, 2021	*NO MTG*	*NO MTG*	*NO MTG*	*NO MTG*	*NO MTG*	*NO MTG*	*NO MTG*
February 3, 2021	*NO MTG*	*NO MTG*	*NO MTG*	*NO MTG*	*NO MTG*	*NO MTG*	*NO MTG*
February 17, 2021	*NO MTG*	*NO MTG*	*NO MTG*	*NO MTG*	*NO MTG*	*NO MTG*	*NO MTG*
March 3, 2021	*P*	*P*	*P*	*P*	*P*	*P*	*P*
March 17, 2021	*P*	*P*	*P*	*P*	*P*	*P*	*P*
April 7, 2021	*P*	*A*	*P*	*A*	*P*	*P*	*A*
April 21, 2021	*P*	*A*	*P*	*A*	*P*	*P*	*P*
May 5, 2021	*NO MTG*	*NO MTG*	*NO MTG*	*NO MTG*	*NO MTG*	*NO MTG*	*NO MTG*
May 19, 2021	*P*	*A*	*P*	*P*	*P*	*P*	*A*
June 2, 2021	*P*	*P*	*A*	*A*	*P*	*P*	*P*
June 16, 2021	*P*	*P*	*P*	*A*	*P*	*P*	*A*
July 7, 2021	*NO MTG*	*NO MTG*	*NO MTG*	*NO MTG*	*NO MTG*	*NO MTG*	*NO MTG*
July 21, 2021	*A*	*P*	*P*	*A*	*P*	*P*	*P*
August 4, 2021	*P*	*A*	*P*	*P*	*P*	*P*	*A*
August 18, 2021	*NO MTG*	*NO MTG*	*NO MTG*	*NO MTG*	*NO MTG*	*NO MTG*	*NO MTG*
August 25, 2021	*P*	*P*	*P*	*A*	*P*	*P*	*A*
September 1, 2021							
September 15, 2021							
October 6, 2021							
October 20, 2021							
November 3, 2021							
November 17, 2021							
December 1, 2021							
December 15, 2021							
Number of meetings:	10	10	10	10	10	10	10
Present:	9	6	9	4	10	10	5
Absent:	1	4	1	6	0	0	5
% Absent:	**10%**	**40%**	**10%**	**60%**	**0%**	**0%**	**50%**

COMMENTS: **MEETINGS HELD THE 1ST & 3RD WEDNESDAY OF THE MONTH AT 5:30 PM**

CITY OF LOCKHART
Library Advisory Board
ATTENDANCE REPORT - 2021

CITY OF Lockhart TEXAS

APPOINTING COUNCIL MEMBER

	Angie Gonales Sanchez	Brad Westmoreland	Mayor White	Juan Mendoza	John Castillo	Kara McGregor	Jeffry Michelson
	Jody King (01/04/13)	Rebecca Lockhart (11/19/13)	Stephanie Wilson Riggin (06-17-2011)	Shirley Williams (06-15-2007)	Quartermetra Hughes (06/04/2019)	Jeannie Fox (12-03-2013)	Donaly Brice (7-05-2008)
January	NO MEETING						
February	NO MEETING						
March	NO MEETING						
April	NO MEETING						
May	NO MEETING						
June	NO MEETING						
July	NO MEETING						
August	NO MEETING						
September							
October							
November							
December							

LEGEND:

PRESENT:						

COMMENTS:

PRESENT:	P	UNEXCUSED ABSENCE:	U
EXCUSED ABSENCE:	E	NO MEETING HELD:	

CITY OF LOCKHART
PARKS & RECREATION ADVISORY BOARD

CITY OF Lockhart TEXAS

APPOINTING COUNCIL MEMBER

	ANGIE SANCHEZ	BRAD WESTMORELAND	KARA MCGREGOR	JUAN MENDOZA	David Bryant	LEW WHITE	JEFFRY MICHELSON	ALTERNATE (Mayor Pro-Tem)
	Chris Schexnayder (06/07/16)- Lee Parra (08/17/21)	Dennis Placke (11/03/15)	Warren Burnett (12/04/12)	Linda Thompson-Bennett (12/07/04)	James Torres (Until 04/05/21)Lonnie Jones (04/06/21)	Karla Tate (02/02/21)	Russell Wheeler (01/20/15)	Rob Ortiz (05/06/08)
Meeting Date:								
January 28, 2021								
February 25, 2021								
March 25, 2021	U	P	P	U	P	P	P	P
April 28, 2021	U	P	P	U	U	P	P	E
May 27, 2021	U	U	P	U	U	P	U	U
July 22, 2021	E	E	P	U	P	E	P	P
August 26, 2021	P	P	P	U	U	P	P	P
September 30, 2021								

LEGEND:	**PRESENT:**	P	**UNEXCUSED ABSENCE:**	U
	EXCUSED ABSENCE:	E	**NO MEETING HELD:**	

COMMENTS:

* Ordinance 06-08 adopted February 7, 2006 allow two alternate position to be appointed by Mayor and Mayor Pro-Tem
* Board meets on the 4th Thursday of each month

CITY OF Lockhart TEXAS

City of Lockhart 2021 Planning and Zoning Commission
Attendance for a 12-Month Period

	Ruiz	McBride	Oliva	Arnic	St. Leger	Lingvai	Peterson	Rodriguez
Meeting Date:								
January 13, 2021	*Present*	*Present*	*Present*	*Present*	*Present(by phone)*	*Present(by phone)*		*Absent*
Januray 27, 2021	*Present*	*Present*	*Present*	*Present*	*Absent*	*Present(by phone)*		*Resigned*
February 10, 2021	*Present*	*Present*	*Present*	*Present*	*Present*	*Present(by phone)*	*Absent*	
February 24, 2021 - No meeting								
March 10, 2021	*Absent*	*Present*	*Present*	*Present*	*Absent*	*Present(by phone)*	*Present*	
March 24, 2021	*Present*	*Present*	*Present*	*Present*	*Present*	*Present(by phone)*	*Present*	
April 14, 2021	*Absent*	*Present*	*Present*	*Present*	*Present*	*Present*	*Present*	
April 28, 2021	*Present*	*Present*	*Present*	*Present*	*Absent*	*Present*	*Absent*	
May 12, 2021	*Present*	*Present*	*Present*	*Absent*	*Absent*	*Present*	*Present*	
May 26, 2021	*Present*	*Present*	*Absent*	*Present*	*Present(by phone)*	*Present*	*Present(by phone)*	
June 9, 2021	*Present*	*Absent*	*Absent*	*Present*	*Present*	*Present*	*Present(by phone)*	
June 23,2021	*Present*	*Present*	*Present*	*Present*	*Present*	*Present*	*Present*	
7/14/2021 - No Meeting								
July 28, 2021	*Present*	*Present*	*Present*	*Present*	*Present*	*Absent*	*Absent*	
August 11, 2021	*Present*	*Present*	*Present*	*Absent*	*Present*	*Present*	*Present*	
August 25, 2021								

Number of meetings:	13	13	13	13	13	13	11	1
Present:	11	12	11	11	9	12	8	
% Absent:	**85%**	**92%**	**85%**	**85%**	**69%**	**92%**	**73%**	**0%**

Lockhart
TEXAS

City of Lockhart

2020-2021 Strategic Priorities

Prepared by:

Opportunity Strategies LLC

City of Lockhart

Summary

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

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

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

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

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

The following are the results.

Management Team Expectations for the Day's Discussion Topics

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

City Council Expectations for the Day's Discussion Topics

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

Start/Stop/Continue

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

Start

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

Stop

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

Continue

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

Recommendations from Staff:

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

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

Goal Development from City Council:

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

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

Progress Reporting

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

✓ = Completed

🎯 = On Target or In Progress

✕ = Not on Target

Goal 1: Economic Development / Planning

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

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

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

Goal #1 KPIs / Metrics:

- ☑ Did we partner with LISD & other youth organizations to encourage emergency services careers?
- ❑ Did we collaborate with downtown stakeholders and both Chambers of Commerce?
- ❑ Did we completely update our development ordinances?
- ❑ Did we brainstorm development tools for SH-130 development?
- ❑ Did we bring utilities and assemble parcels along SH-130?
- ❑ Did we develop shovel-ready development sites?
- ❑ Did we market those sites to prospective investors?
- ❑ Did we develop plans for our next industrial park?
- ❑ Did we revamp the way HOT funds are structured?
- ❑ Did we develop and implement an Economic Development Strategic Plan?
- ❑ Did the Lockhart EDC revamp their website to better attract investment?

# of quality home builders the Lockhart EDC proactively reached out to in 2020-2021? _____

- ❑ Did we adopt a new TIF policy?

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

Goal 2: Quality of Life / Quality of Facilities

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

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

Goal #2 KPIs / Metrics:

$ amount invested in streets in 2019? $_____
$ amount invested in parks in 2019? $_____
$ amount invested in gateway entry signs in 2019? $_____
$ amount invested in streets in 2020? $_____
$ amount invested in parks in 2020? $_____
$ amount invested in gateway entry signs in 2020? $_____
Which facilities did we improve the image of? _____

- ❑ Did we implement elements of the Parks Master Plan?
- ❑ Did we secure quotes on a Space Study of City buildings including City Hall?

# of City-owned buildings we renovated or retrofitted? _____

- ❑ Did we conduct a citywide quality of life citizen survey?
- ❑ Did we address levels of service based on the citizen responses we received?
- ❑ Did we address levels of satisfaction based on the citizen responses we received?
- ❑ Did we address areas for improvement based on the citizen responses we received?
- ❑ Did we court hospital providers?
- ❑ Did we sell the church property?
- ❑ Did we create a Youth Advisory Board?
- ❑ Did we implement downtown drainage improvements?
- ❑ Did we fully investigate issuing a street bond?
- ❑ Did we fully enforce trash clean up around town?
- ❑ Did we specifically target lower income neighborhoods for new beautification projects?

Goal 3: Staffing / Personnel

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

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

Goal #3 KPIs / Metrics:

# of new positions in 2019? _____

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

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

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

Goal 4: Procedures / IT Management and Services

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

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

Goal #4 KPIs / Metrics:

- ❑ Did we secure top quality technology support across all departments by the end of 2020?
- ❑ Did we upgrade our desktop computers?

% of employees who received upgraded computers by the end of 2020 (from 2018 numbers)? _____

- ❑ Did we upgrade our servers?
- ❑ Did we upgrade our computer software, subscriptions, and licenses?
- ❑ Did we upgrade our peripherals?
- ❑ Did we upgrade our other technology equipment?
- ❑ Did we establish an IT policy for updates and replacements that will keep us up-to-date from now through the future?
- ❑ Did we upgrade our City server system?
- ❑ Did we streamline our City technology processes?
- ❑ Did we secure training for staff to use all new equipment properly and efficiently?
- ❑ Did we investigate implementing WiFi throughout Downtown Lockhart?

Goal 5: Public Safety

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

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

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

Goal #5 KPIs / Metrics:

# of new law enforcement officers hired in 2019? _____
# of new law enforcement officers hired in 2020? _____
# of new law enforcement officers hired in 2021? _____
% law enforcement officers retained? _____%
# of new firefighters hired in 2019? _____
# of new firefighters hired in 2020? _____
# of new firefighters hired in 2021? _____
% firefighters retained? _____%

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

Conclusion

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

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

City of Lockhart

2019-2020 Strategic Priorities

Prepared by:

Opportunity Strategies LLC

City of Lockhart

Summary

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

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

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

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

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

The following are the results.

Management Team Expectations for the Day's Discussion Topics

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

City Council Expectations for the Day's Discussion Topics

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

SWOT Analysis

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

Strengths

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

Weaknesses / Challenges

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

Opportunities

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

Threats

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

Start/Stop/Continue

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

Start

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

Stop

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

Continue

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

Goal 1: Economic Development / Planning

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

Goal #1 KPIs / Metrics:

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

Goal 2: Quality of Life / Quality of Facilities

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

Goal #2 KPIs / Metrics:

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

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

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

# of City facilities we improved the appearance of? _____

- ❑ Which facilities did we improve the image of?
- ❑ Did we implement elements of the Parks Master Plan?
- ❑ Did we secure quotes on a Space Study of City buildings including City Hall?
- ❑ How many City-owned buildings did we renovate or retrofit?
- ❑ Did we conduct a citywide quality of life citizen survey?
- ❑ Did we address levels of service based on the citizen responses we received?
- ❑ Did we address levels of satisfaction based on the citizen responses we received?
- ❑ Did we address areas for improvement based on the citizen responses we received?

Goal 3: Staffing / Personnel

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

Goal #3 KPIs / Metrics:

of new positions in 2019 and 2020? _____

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

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

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

Goal 4: Procedures / IT / Software and Hardware

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

Goal #4 KPIs / Metrics:

- ❑ Did we conduct a Technology Assessment?
- ❑ Did we secure top quality technology support across all departments by the end of 2020?
- ❑ Did we upgrade our desktop computers?

% of employees who received upgraded computers by the end of 2020 (from 2018 numbers)? _____

- ❑ Did we upgrade our servers?
- ❑ Did we upgrade our computer software, subscriptions, and licenses?
- ❑ Did we upgrade our peripherals?
- ❑ Did we upgrade our other technology equipment?
- ❑ Did we establish an IT policy for updates and replacements that will keep us up-to-date from now through the future?
- ❑ Did we carefully weigh all the pros and cons of keeping IT outsourced vs. bringing it in-house?
- ❑ Did we upgrade our City operating system?
- ❑ Did we streamline our City technology processes?
- ❑ Did we secure training for staff to use all new equipment properly and efficiently?
- ❑ Did we investigate implementing WiFi throughout Downtown Lockhart?

Goal 5: Public Safety

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

Goal #5 KPIs / Metrics:

# of new law enforcement officers hired in 2019?

# of new law enforcement officers hired in 2020?

% law enforcement officers retained?

# of new firefighters hired in 2019?

# of new firefighters hired in 2020?

% firefighters retained?

- ❑ Did we develop a long-term public safety facilities plan?
- ❑ Did we develop a public safety equipment replacement schedule?
- ❑ Did we implement that new replacement schedule?
- ❑ Did we research and record best practices across the country regarding public safety policy?
- ❑ Did we make any modifications to our public safety policies based on that research?
- ❑ Did we explore and evaluate Accreditation opportunities?

Conclusion

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

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

CITY COUNCIL FY 18-19 GOALS (FINAL COMBINED)
PRIORITY ORDER

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

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CITY COUNCIL FY 18-19 GOALS (FINAL COMBINED)
PRIORITY ORDER

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

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CITY COUNCIL FY 18-19 GOALS

Category Order and Comments by City Manager

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

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

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

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

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

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

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

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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	Devlop an oral history project to support a future "Walking Tour" app for Lo	General Fund/Fundraising	Tourism	Could be part of the Wayfinding and Branding Committee tasks
AGS	7	More Events to Attract Tourism in Lockhart and Include Way Finding Signage (Hotels and Restaurants). Added events, especially the events that are free to the public do very well for the city as well as for the businesses and tourism. I welcome new events to the city but need to be selective in the events that we do host.	GF	Tourism	Chambers receive HOT funds for tourism and City co-sponsors events that contribute to tourism.
JUAN M	4	Create a Good Neighbor program (Lockhart Utility Customers can add an additional amount to utility bill to help others)	GF	Utility Customers	Have pursued this in the past. Requires a Board or Committee that is willing to take on the tasks of selecting who and how much help can be provided to customers. Some Cities allocate the funds to existing organization that is willing to take on the project.
BW	6	Access to Municipal Court for Utility Payments	In-House	Utility Customers	Working to this; advertisements and office training needed.
KM	1	Free public Wi-Fi on the square as part of the redevelopment on the North side (ECONOMIC DEV/DOWNTOWN)	CAPCOG Grant?	Wi-Fi	County Judge had indicated to Mayor that the County could do this.
JUAN M	2	Free public wifi on the square as part of the redevelopment on the North side	GF	Wifi	See Above

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

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

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

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

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

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

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

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

City of Lockhart

Future Debt Payments as of 9/30/18

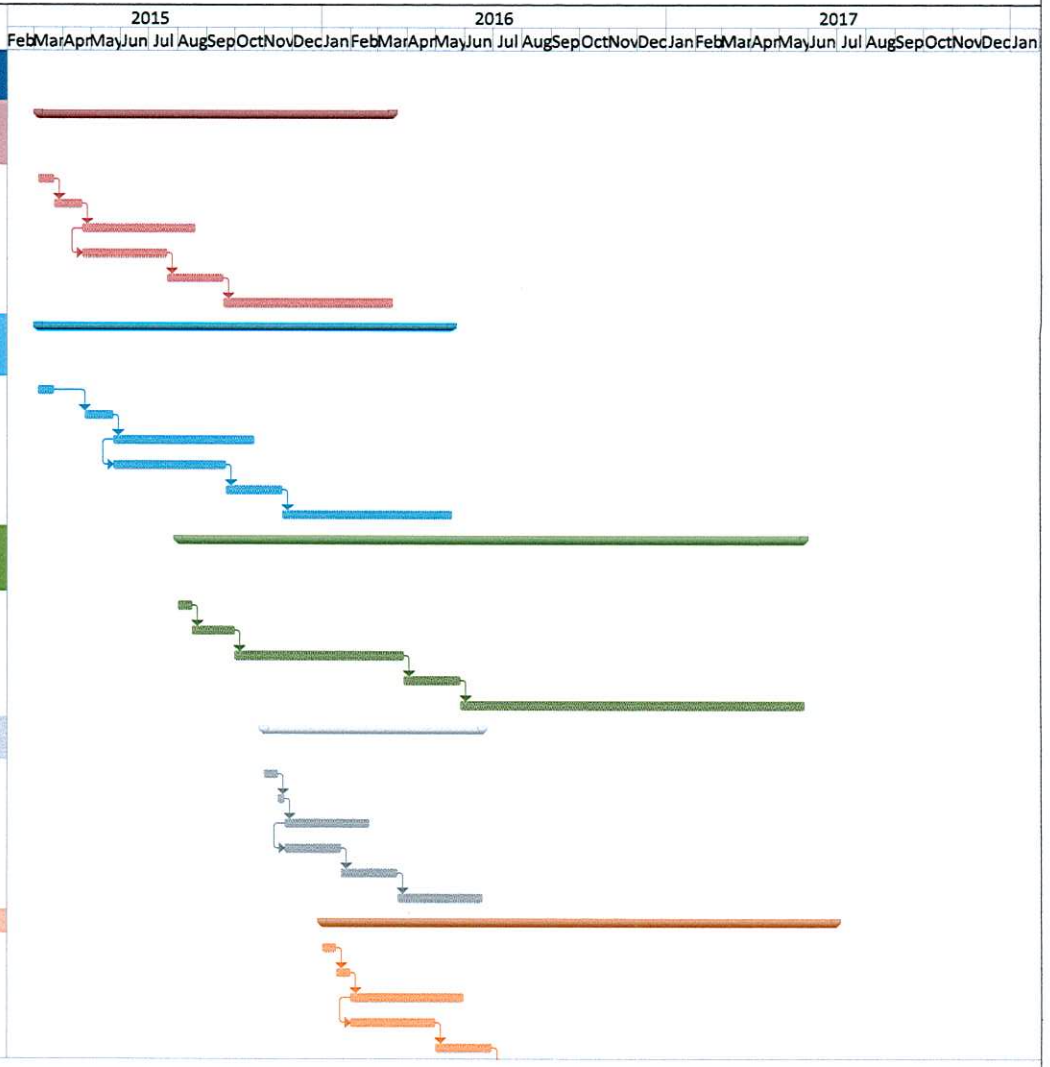
Description		Paid Debt	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	TOTAL DEBT
General Government																					
Hotel Tax Fund																					
2016 GO Refunding				40,000	40,000	40,000	40,000	40,000	40,000	40,000	40,000	40,000	40,000								400,000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

Future Debt Payments as of 9/30/18

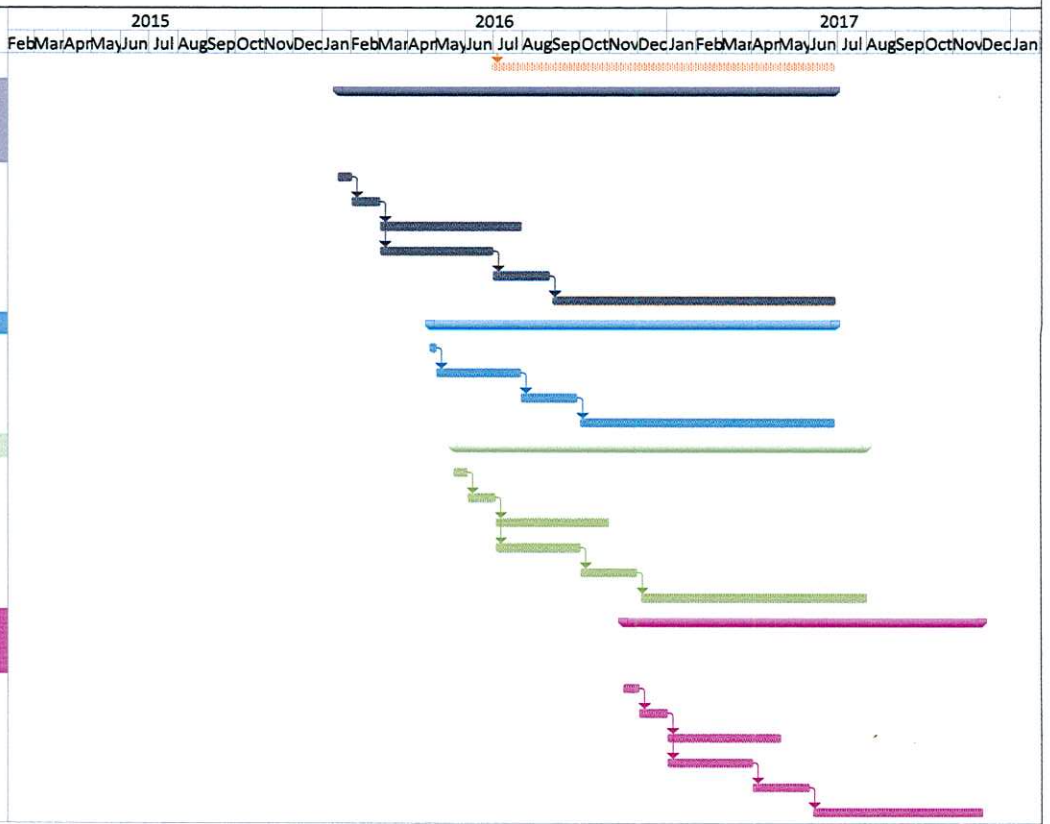
Description		Paid Debt	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	TOTAL DEBT
Proprietary																					
Electric Fund																					
2013 SIB Loan	30.81%		71,151	71,152	71,151	71,151	71,151	71,151	71,151	71,152	71,151	71,151	71,151	71,151	71,151	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
$14,124,890.00		TOTAL PROJECT COST			
$2,068,024.00	1	**DRANING IMPROVEMENTS CONTRACT 1 - Mesquite/Wichita Street & Richland Drive**			
		Surveying Proposal	17 days	Fri 3/6/15	Sun 3/22/15
		Survey	30 days	Mon 3/23/15	Tue 4/21/15
		Acquisition	120 days	Wed 4/22/15	Wed 8/19/15
		Engineering Design	90 days	Wed 4/22/15	Mon 7/20/15
		Bid Ad/NTP	60 days	Tue 7/21/15	Fri 9/18/15
		Construction	180 days	Sat 9/19/15	Wed 3/16/16
$1,999,200.00	2	**DRAINAGE IMPROVEMENTS CONTRACT 2 - Century Oaks/Market Street, & Ash/Comal Streets**			
		Surveying Proposal	17 days	Fri 3/6/15	Sun 3/22/15
		Survey	30 days	Sat 4/25/15	Sun 5/24/15
		Acquisition	150 days	Mon 5/25/15	Wed 10/21/15
		Engineering Design	120 days	Mon 5/25/15	Mon 9/21/15
		Bid Ad/NTP	60 days	Tue 9/22/15	Fri 11/20/15
		Construction	180 days	Sat 11/21/15	Wed 5/18/16
$3,394,038.00	3	**DRAINAGE IMPROVEMENTS CONTRACT 3 - Downtown Improvements Project**			
		Surveying Proposal	15 days	Sun 8/2/15	Sun 8/16/15
		Survey	45 days	Mon 8/17/15	Wed 9/30/15
		Engineering Design	180 days	Thu 10/1/15	Mon 3/28/16
		Bid Ad/NTP	60 days	Tue 3/29/16	Fri 5/27/16
		Construction	365 days	Sat 5/28/16	Sat 5/27/17
$323,400.00	4	**DRAINAGE IMPROVEMENTS CONTRACT 4 - Medina & US183 Project**			
		Surveying Proposal	15 days	Sun 11/1/15	Sun 11/15/15
		Survey	7 days	Mon 11/16/15	Sun 11/22/15
		Acquisition	90 days	Mon 11/23/15	Sat 2/20/16
		Engineering Design	60 days	Mon 11/23/15	Thu 1/21/16
		Bid Ad/NTP	60 days	Fri 1/22/16	Mon 3/21/16
		Construction	90 days	Tue 3/22/16	Sun 6/19/16
$1,764,000.00	5	**FM 2001 ELEVATED TANK PROJECT**			
		Surevying Proposal	15 days	Sat 1/2/16	Sat 1/16/16
		Survey	15 days	Sun 1/17/16	Sun 1/31/16
		Acquisition	120 days	Mon 2/1/16	Mon 5/30/16
		Engineering Design	90 days	Mon 2/1/16	Sat 4/30/16
		Bid Ad/NTP	60 days	Sun 5/1/16	Wed 6/29/16



Page 1

City of Lockhart
2015 BOND PROGRAM

Cost	Notes	Task Name	Duration	Start	Finish
		Construction	365 days	Thu 6/30/16	Thu 6/29/17
$1,355,516.00	6	**SH130 WATER MAN PROJECT - City Line Rd. to Existing Tank, SH 130 @ Hwy. 142, Borchert/Mockingbird, Control Valves, FM 2001**			
		Surevying Proposal	15 days	Mon 1/18/16	Mon 2/1/16
		Survey	30 days	Tue 2/2/16	Wed 3/2/16
		Acquisition	150 days	Thu 3/3/16	Sat 7/30/16
		Engineering Design	120 days	Thu 3/3/16	Thu 6/30/16
		Bid Ad/NTP	60 days	Fri 7/1/16	Mon 8/29/16
		Construction	300 days	Fri 9/2/16	Wed 6/28/17
$470,400.00	7	**SH130 PUMP STATION PROJECT**			
		Survey	7 days	Mon 4/25/16	Sun 5/1/16
		Engineering Design	90 days	Mon 5/2/16	Sat 7/30/16
		Bid Ad/NTP	60 days	Sun 7/31/16	Wed 9/28/16
		Construction	270 days	Sun 10/2/16	Wed 6/28/17
$859,186.00	8	**SH130/TOWN BRANCH SEWER PROJECT**			
		Surveying Proposal	15 days	Fri 5/20/16	Fri 6/3/16
		Survey	30 days	Sat 6/4/16	Sun 7/3/16
		Acquisition	120 days	Mon 7/4/16	Mon 10/31/16
		Engineering Design	90 days	Mon 7/4/16	Sat 10/1/16
		Bid Ad/NTP	60 days	Sun 10/2/16	Wed 11/30/16
		Construction	240 days	Mon 12/5/16	Tue 8/1/17
$1,891,126.00	9	**WATER TRANSMISSION MAIN PROJECT - Water Plant Transmission Main, MLK to FM 20 West Transmission Main**			
		Surveying Proposal	17 days	Wed 11/16/16	Fri 12/2/16
		Survey	30 days	Sat 12/3/16	Sun 1/1/17
		Acquisition	120 days	Mon 1/2/17	Mon 5/1/17
		Engineering Design	90 days	Mon 1/2/17	Sat 4/1/17
		Bid Ad/NTP	60 days	Sun 4/2/17	Wed 5/31/17
		Construction	180 days	Mon 6/5/17	Fri 12/1/17