

PUBLIC NOTICE
AGENDA
LOCKHART CITY COUNCIL
April 16, 2024
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 except to the extent specifically authorized under the Texas Open Meetings Act.

DISCUSSION ONLY

- A. Discuss City Council minutes of the June 6, 2023 and June 20, 2023 meetings. **4-18**
- B. Discuss railroad train horn sounding requirements and the process of establishing railroad Quiet Zones. **19-47**
- C. Discuss an update regarding a proposed interlocal agreement for ground leases for City of Lockhart EMS Stations Nos. 1 and 2 with ESD No. 5. **48-49**
- D. Discuss Ordinance 2024-10 adopting the City of Lockhart's Drought Contingency Plan and Utility Profile compliance with the Texas Commission on Environmental Quality (TCEQ) and the Texas Water Development Board (TWDB). **50-98**
- E. Discuss the reappointment of Hotel Occupancy Tax (HOT) Advisory Board Members for a two-year term beginning April 16, 2024 through April 15, 2026. **99-100**
- F. Discuss entering into an agreement with Brycer, LLC (The Compliance Engine) to provide an internet-based tool to assist Lockhart Fire Rescue with collecting, organizing, and tracking fire and life safety systems compliance. **101-110**
- G. Discuss the 2nd Quarter Fiscal Year 2024 Investment Report. **111-120**

7:30 P.M. REGULAR MEETING

- 1. **CALL TO ORDER**
Mayor Lew White
- 2. **INVOCATION, PLEDGE OF ALLEGIANCE**
Invocation. Pledge of Allegiance to the United States and Texas flags.

3. PUBLIC COMMENT

The purpose of this item is to allow the public an opportunity to address the City Council on issues that are or are not on the agenda. No discussion can be carried out on the citizen/visitor comment about items not on the agenda. Comments are limited to three minutes per speaker.

4. CONSENT AGENDA

- A. Approve City Council minutes of the June 6, 2023 and June 20, 2023 meetings. **121-135**
- B. Acceptance of the 2nd Quarter Fiscal Year 2024 Investment Report. **136-145**

5. DISCUSSION/ACTION ITEMS

- A. Discussion and/or action regarding Ordinance 2024-10 adopting the City of Lockhart's Drought Contingency Plan and Utility Profile compliance with the Texas Commission on Environmental Quality (TCEQ) and the Texas Water Development Board (TWDB). **146-194**
- B. Discussion and/or action to consider reappointment of Hotel Occupancy Tax (HOT) Advisory Board Members for a two-year term beginning April 16, 2024 through April 15, 2026. **195-196**
- C. Discussion and/or action to consider entering into an agreement with Brycer, LLC (The Compliance Engine) to provide an internet-based tool to assist Lockhart Fire Rescue with collecting, organizing, and tracking fire and life safety systems compliance. **197-206**

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

- Hotel Occupancy Tax (HOT) Funding Application Process.
- Update regarding Soccer Mini-Pitch at the LaFleur Soccer Complex.
- Report on LCRA Steps Forward volunteer program at Pecos Park.
- Update regarding Entrance Examinations for Public Safety positions: Police Officer exam April 19th; Fire Fighter exam May 4th.
- Utility extensions underway to the Real Cold storage facility site.
- Courthouse Nights music series begins April 19th.
- Kiwanis 5K Run - April 27th.
- Cinco de Mayo and 5K Run - May 3-4.

7. COUNCIL AND STAFF COMMENTS - ITEMS OF COMMUNITY INTEREST

8. 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 12th day of April, 2024 at 3:30 p.m.

**REGULAR MEETING
LOCKHART CITY COUNCIL**

JUNE 6, 2023

6:30 P.M.

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

Council present:

Councilmember John Castillo
Councilmember Juan Mendoza
Councilmember Jeffry Michelson

Mayor Lew White
Mayor Pro-Tem Angie Gonzales-Sanchez
Councilmember Kara McGregor

Council absent:

Councilmember Brad Westmoreland

Staff present:

Monte Akers, City Attorney
David Fowler, Planning Director
Julie Bowermon, Civil Service/HR Director
Bob Leos, Electric Superintendent

Sean Kelley, Public Works Director
Gary Williamson, Police Chief
Kelly Stilwell, Building Official

Citizens/Visitors Addressing the Council: Peter Newell of Guadalupe-Blanco River Authority; and, Jillian Robb, Citizen.

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. PRESENTATION AND UPDATE FROM GUADALUPE-BLANCO RIVER AUTHORITY (GBRA) REGARDING THE CARRIZO GROUNDWATER SUPPLY PROJECT (CGSP).

Mr. Kelley stated that a Representative from the Guadalupe-Blanco River Authority will give the update regarding the progress of the Carrizo Groundwater Supply Project.

Peter Newell of GBRA provided information and there was discussion regarding the following topics:

- Project overview
- Well field and transmission line update
- Water Treatment Plant
- Lockhart's delivery point update
- Booster station
- Construction scheduling

B. DISCUSS RENEWAL OF THE GROUND LEASE AGREEMENT WITH LIVENGOD FEEDS, INC. FOR LOT 2 OF THE ICE HOUSE ADDITION FOR A FIVE YEAR PERIOD AND DIRECTING THE MAYOR TO EXECUTE THE AGREEMENT IF APPROVED.

Mr. Kelley stated that Livengood Feeds, Inc. lease for Lot 2 of the Ice House Addition, located behind 110 North Brazos Street (City's Recycling Center) is expiring and Mr. Burt Livengood (tenant) has requested renewal of the ground lease agreement with the City. Livengood Feed uses the 2.228 acre site for overflow storage of trailers for his business located adjacent to the property. The renewal lease proposed is for five (5) years at \$2,315 per year, which included a 5.2% Customer Price Index increase

over the \$2,200 received annually in the previous lease agreement. The proposed renewal follows the terms of the previous lease and includes an additional five-year renewal option and a six-month early termination notice is included in the lease. Either party can, with or without cause, and with 6 months written notice, terminate the Agreement.

C. DISCUSS ORDINANCE 2023-10 OF THE CITY COUNCIL OF THE CITY OF LOCKHART, TEXAS ESTABLISHING A SPECIAL SENIORITY PAY FOR NEWLY HIRED POLICE OFFICERS WITH PRIOR FULL-TIME PAID LAW ENFORCEMENT EXPERIENCE AND SETTING FORTH CRITERIA FOR THE PAY; PROVIDING FOR SEVERABILITY; PROVIDING FOR PUBLICATION AND PROVIDING AN EFFECTIVE DATE.

Chief Williamson stated that the police department is seeking approval of an ordinance allowing special seniority pay, also known as lateral entry pay, when recruiting experienced police officers. Lateral entry pay would allow the police department to start an officer with previous law enforcement experience at a higher rate of pay than basic entry pay reserved for an officer with no previous experience. Lateral entry pay does not alter the rank an applicant would start at, for example, police officer, sergeant, lieutenant. Newly hired applicants start at the rank of police officer, regardless of prior law enforcement experience. However, the lateral entry pay would authorize paying the officer at a higher rate on the police officer step pay plan. Currently, law enforcement agencies around the country are experiencing unprecedented staffing vacancies. Lateral entry pay is a common recruitment tool used by cities across the state, including the cities of Kyle, San Marcos, New Braunfels, Seguin and Taylor as well as Hays County. Chief Williamson recommended approval. There was discussion.

D. DISCUSS RESOLUTION 2023-07 AMENDING CITY-OWNED HANGAR RENTAL RATES FOR SEVENTEEN (17) T-HANGARS AND SIX (6) CLEAR SPAN HANGARS.

Mr. Kelley stated that in 2000, the City constructed seventeen T-hangars and six clear span hangars at the Lockhart Municipal Airport. Rates for the City-owned hangars were adopted in the year 2000 and amended in 2001 and 2005. Since the construction of the hangars, the cost to build and maintain hangars has increased significantly. Currently all hangars are occupied and there are approximately 75 individuals on the waiting list. On May 23rd, the Lockhart Airport Advisory Board discussed the current rate structure for the hangars and compared the municipal airport's rates to several peer airports. During the board meeting, the Airport Advisory Board made a recommendation to raise the rates by \$100 per month in each category and simplify the rate structure by only having a month-to-month rate. This rate increase would increase revenues to \$102,900 annually, a \$27,600 increase. Revenues from the City-owned hangars are placed in the Airport Fund. This fund is used to fund the airport department, airport maintenance, capital projects, and can be used as local matches for grant projects. The new rates, if approved, would become effective immediately. Current T-hanger occupants will be notified by mail during June 2023 of the increase which would be reflected in the July 2023 rental fee. There was discussion.

E. DISCUSS A MASTER SERVICES AGREEMENT BETWEEN THE CITY OF LOCKHART AND M & S ENGINEERING, LLC FOR ELECTRIC SYSTEM CAPITAL PROJECTS.

Mr. Leos stated that the City's electric utility is a municipally owned and operated retail distribution system since 1928. The service area is approximately 8 square miles with approximately 79 miles of overhead and underground distribution lines. Historically, the Lower Colorado River Authority (LCRA) is engaged every 5 years to prepare a system analysis to guide the development of the distribution system and prepare a 5-year schedule to correct anticipated problems. Twelve (12) projects are identified in Fiscal Year 23-27 with an estimated cost of approximately \$2 million. The actual projected costs are determined after project design. Additionally, LCRA no longer makes available to the customer cities project design services. Consequently, it benefits Lockhart to add another power utility engineering firm to assist us in planning for growth and meeting the anticipated design schedules for capital improvements. M & S

Engineering is a multi-service utility engineering firm headquartered in Spring Branch, Texas with 7 offices in Texas. M & S has a solid reputation for serving municipal owned utilities (MOU's) and electric cooperatives in Texas.

F. DISCUSS A POLICY FOR PUBLIC IMPROVEMENT DISTRICTS.

Mr. Akers stated that creation of a Public Improvement District (“PID”) is a method by which funding of improvements for the development of a defined area may be accomplished which ensures that the owners benefitted by the improvements bear the cost through “assessments.” Caldwell County adopted a PID Policy in 2021, and the City is currently working with a developer who desires that the City create a PID for a large mixed use development. Note that what is presented to the Council is a “policy” rather than an ordinance or resolution. It is meant to provide guidance to developers or others considering or proposing a PID, as well as City staff, to ensure that the procedures for creating a PID are consistent, but which can be modified or adjusted by the City, if appropriate for a particular project, without amending the policy. There was discussion.

G. DISCUSS RESOLUTION 2023-08 TO UPDATE THE COMPREHENSIVE SCHEDULE OF FEES FOR DEVELOPMENT-RELATED APPLICATIONS AND PERMITS, INCLUDING REVISED FEES FOR EXISTING APPLICATIONS, ESTABLISHMENT OF FEE LEVELS FOR NEW APPLICATIONS, PROVIDING A SAVINGS CLAUSE, TO REPEAL CONFLICTING ORDINANCES OR RESOLUTIONS, AND TO PROVIDE FOR AN EFFECTIVE DATE.

Mr. Fowler stated that the purpose of the proposed resolution is to revise the fees for development applications, including planning-related fees such as the many types of annexation, zoning and subdivision applications, as well as building-related fees such as building permits, trade permits, commercial and residential inspections. Also included in the fee schedule are updated fees for sign permits, fence permits, tree removal permits and Certificates for Alteration in the Courthouse Square Historical District. New fees are proposed for several processes which did not previously have a fee designated. Such new fee categories include annexation petitions, subdivision variances, right-of-way vacations, tree removal permits, inspections of public improvements constructed for subdivisions, and zoning verification letters. The motivation for the revision in fee amounts is prompted by the recent surge in development activity. Despite the large number of applications the City has received, comparatively little revenue has resulted from the increase in permit activity. As such, an overwhelming percentage of staff, equipment, furniture, and other related costs related to this development surge are covered by the City's general fund. Updating the fee levels will help ensure that development activity is paying for the use of city resources it generates to the extent possible while freeing up more of the city's general fund for other priorities. To arrive at the proposed fee schedule revisions, City staff researched the fees which other similar-situated cities charge. Like the recent impact fee update, the fees are intended to place Lockhart within the mainstream of fees charged in the Austin-San Antonio corridor, with an emphasis on maintaining relative affordability while capturing more of the city's costs created by various application types. The fees have also been designed to be less onerous for smaller landowners, with larger, more complex properties carrying a greater burden as the project size grows. This is because larger projects typically generate more staff time, in terms of multiple rounds of applications, more notification letters being required and more public inquiries being received regarding the proposed project. The draft fee amounts for the planning-related fees have been reviewed by the Housing and Development Committee, which recommended forwarding the fees to City Council for review.

Kelly Stilwell, Building Official recommended that the building permit fees be increased.

There was discussion.

H. DISCUSS RESOLUTION 2023-09 CREATING A COMPREHENSIVE PLAN STEERING COMMITTEE, INCLUDING THE POSSIBLE APPOINTMENT OF COMMITTEE MEMBERS.

Mr. Fowler stated that the proposed resolution has been written to create a Comprehensive Plan Steering Committee. The provisions of the resolution reflect discussions at recent Council meetings regarding the composition of the Steering Committee, the duties of the Committee and expectations of the Committee members. The Committee is defined as existing until the adoption of the Comprehensive Plan, at which point it would be dissolved. The Committee would be appointed by City Council, which would have the power to remove members for poor attendance or failing to perform their assigned duties. Along with the adoption of the resolution, Council may also move to appoint a slate of members to the Committee. There was discussion.

After discussion, the following individuals would be considered to be appointed to the Comprehensive Plan Steering Committee:

Angie Gonzales-Sanchez, Mayor Pro-Tem
Jeffrey Michelson, Councilmember
Ric Arnic and Brad Lingvai, Planning & Zoning Commission
Winn Smith, Lockhart Chamber of Commerce
John Gonzales, Caldwell County Hispanic Chamber
Mike Kamerlander, Lockhart Economic Development Corporation
Sally Daniel, Downtown Business Association
Russell Wheeler, Parks Board
Ron Faulstich, Lockhart Historical Preservation Commission
Mark Estrada, Lockhart Independent School District
Frank Gomillion, Citizen
Kim Coleman, Citizen
Donna Blair, Citizen
Andy St. Leger, Citizen
Sara Partridge (alternate), Citizen
Timothy Juarez (alternate), Jr., Citizen

RECESS: Mayor White announced that the Council would recess for a break at 7:40 p.m.

REGULAR MEETING

ITEM 1. CALL TO ORDER

Mayor Lew White called the meeting to order at 7:55 p.m.

ITEM 2. INVOCATION, PLEDGE OF ALLEGIANCE

Mayor White gave the Invocation and led the Pledge of Allegiance to the United States and Texas flags.

ITEM 3. PUBLIC COMMENT

Mayor White requested citizens to address the Council.

Gillian Robb, 417 S. Guadalupe, expressed concern about speeding on their street and in the neighborhood.

ITEM 4-A. DISCUSSION AND/OR ACTION RENEWAL OF THE GROUND LEASE AGREEMENT WITH LIVENGOOD FEEDS, INC. FOR LOT 2 OF THE ICE HOUSE ADDITION FOR A FIVE YEAR PERIOD AND DIRECTING THE MAYOR TO EXECUTE THE AGREEMENT IF APPROVED.

Mayor Pro-Tem Sanchez made a motion to approve the renewal of the ground lease agreement with Livengood Feeds, Inc for an additional five year period as presented. Councilmember Michelson seconded. The motion passed by a vote of 6-0.

ITEM 4-B. DISCUSSION AND/OR ACTION REGARDING ORDINANCE 2023-10 OF THE CITY COUNCIL OF THE CITY OF LOCKHART, TEXAS ESTABLISHING A SPECIAL SENIORITY PAY FOR NEWLY HIRED POLICE OFFICERS WITH PRIOR FULL-TIME PAID LAW ENFORCEMENT EXPERIENCE AND SETTING FORTH CRITERIA FOR THE PAY; PROVIDING FOR SEVERABILITY; PROVIDING FOR PUBLICATION AND PROVIDING AN EFFECTIVE DATE

Councilmember McGregor made a motion to approve Ordinance 2023-10, as presented. Councilmember Mendoza seconded. The motion passed by a vote of 6-0.

ITEM 4-C. DISCUSSION AND/OR ACTION TO CONSIDER RESOLUTION 2023-07 AMENDING CITY-OWNED HANGAR RENTAL RATES FOR SEVENTEEN (17) T-HANGARS AND SIX (6) CLEAR SPAN HANGARS

Councilmember Michelson made a motion to approve Resolution 2023-07, as presented. Mayor Pro-Tem Sanchez seconded. The motion passed by a vote of 6-0.

ITEM 4-D. DISCUSSION AND/OR ACTION TO CONSIDER APPROVAL OF A MASTER SERVICES AGREEMENT BETWEEN THE CITY OF LOCKHART AND M & S ENGINEERING, LLC FOR ELECTRIC SYSTEM CAPITAL PROJECTS

Mayor Pro-Tem Sanchez made a motion to approve the Master Services Agreement with M&S Engineering, LLC, as presented. Councilmember McGregor seconded. The motion passed by a vote of 6-0.

ITEM 4-E. DISCUSSION AND/OR ACTION TO ADOPT A POLICY FOR PUBLIC IMPROVEMENT DISTRICTS

There was no action.

ITEM 4-F. DISCUSSION AND/OR ACTION REGARDING RESOLUTION 2023-08 TO UPDATE THE COMPREHENSIVE SCHEDULE OF FEES FOR DEVELOPMENT-RELATED APPLICATIONS AND PERMITS, INCLUDING REVISED FEES FOR EXISTING APPLICATIONS, ESTABLISHMENT OF FEE LEVELS FOR NEW APPLICATIONS, PROVIDING A SAVINGS CLAUSE, TO REPEAL CONFLICTING ORDINANCES OR RESOLUTIONS, AND TO PROVIDE FOR AN EFFECTIVE DATE

Mr. Fowler stated that the staff's recommendation is to adopt the Resolution with the exception of not including the updated commercial fees.

There was discussion regarding the new fee of \$250 for a permit for renovations in the historic district.

Councilmember Michelson made a motion to approve Resolution 2023-08, with the exception of not including updated commercial fees. Councilmember Castillo seconded. The motion passed by a vote of 6-0.

ITEM 4-G. CONSIDERATION AND/OR ACTION REGARDING RESOLUTION 2023-09 CREATING A COMPREHENSIVE PLAN STEERING COMMITTEE, INCLUDING THE POSSIBLE APPOINTMENT OF COMMITTEE MEMBERS

Mayor Pro-Tem Sanchez made a motion to approve Resolution 2023-09, as presented and to appoint members to the committee as listed below. Councilmember McGregor seconded. The motion passed by a vote of 5-1, with Councilmember Castillo opposing.

Angie Gonzales-Sanchez, Mayor Pro-Tem
Jeffry Michelson, Councilmember
Ric Arnice and Brad Lingvai, Planning & Zoning Commission
Winn Smith, Lockhart Chamber of Commerce
John Gonzales, Caldwell County Hispanic Chamber
Mike Kamerlander, Lockhart Economic Development Corporation
Sally Daniel, Downtown Business Association
Russell Wheeler, Parks Board
Ron Faulstich, Lockhart Historical Preservation Commission
Mark Estrada, Lockhart Independent School District
Frank Gomillion, Citizen
Kim Coleman, Citizen
Donna Blair, Citizen
Andy St. Leger, Citizen
Sara Partridge, Citizen as an Alternate
Timothy Juarez, Jr., Citizen as an Alternate

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

Mr. Kelley provided information regarding the following:

- TxDOT public meeting concerning F.M. 2720 improvements.
- Annual Chisholm Trail Round Up will be held June 8 - 10.
- June 17th - Movie in the Park, The Super Mario Bros. Movie.
- Splash pad will be closed June 5-12 during Chisholm Trail Roundup events.
- Summer Teen Recreation Program and Skyhawks Summer Camp start June 5.
- City pool scheduled to open June 14.
- Free swim day on June 17 in observance of the Juneteenth weekend.

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

Councilmember Mendoza expressed condolences to families that have lost a loved one. He invited all to attend the Chisholm Trail Roundup this weekend.

Mayor Pro-Tem Sanchez wished the Lockhart Chamber of Commerce the best for a successful Chisholm Trail Roundup event. She expressed condolences to families that have lost a loved one.

Councilmember McGregor congratulated Barbs Barbecue for their grand opening and for a great 1st Friday event.

Councilmember Castillo expressed condolences to families that have lost a loved one and to those that are ill. He invited everyone to enjoy the Chisholm Trail Roundup this weekend. He thanked the staff for their work.

Councilmember Michelson wished the Lockhart Chamber good luck for a successful Chisholm Trail Roundup. He thanked the volunteers and staff for helping make the event a success.

Mayor White also thanked all involved in helping make the Chisholm Trail Roundup event successful.

ITEM 8. ADJOURNMENT

Mayor Pro-Tem Sanchez made a motion to adjourn the meeting. Councilmember Mendoza seconded. The motion passed by a vote of 6-0. The meeting was adjourned at 8:16 p.m.

PASSED and APPROVED this the 16th day of April, 2024.

CITY OF LOCKHART

Lew White, Mayor

ATTEST:

Julie Bowermon
City Secretary

**REGULAR MEETING
LOCKHART CITY COUNCIL**

JUNE 20, 2023

6:30 P.M.

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

Council present:

Councilmember John Castillo
Councilmember Juan Mendoza

Mayor Lew White
Councilmember Brad Westmoreland
Councilmember Jeffry Michelson

Council absent:

Mayor Pro-Tem Angie Gonzales-Sanchez
Councilmember Kara McGregor

Staff present:

Steve Lewis, City Manager
David Fowler, Planning Director
Julie Bowermon, Civil Service/HR Director
Mike Kamerlander, Interim Economic Development Director
Gary Williamson, Police Chief

Monte Akers, City Attorney
Sean Kelley, Public Works Director
Keeli Michna, Staff Accountant

Citizens/Visitors Addressing the Council: Jay Garner of Garner Economics; Cari Borremans of the Hays-Caldwell Women's Center; Kelly Franke of Combined Community Action; Diane Coker of the Lockhart Area Senior Citizen's Center; Nicole Douglass of CASA of Central Texas; Meredith Jakovich of the Caldwell County Food Bank; Jason Eeds of GBRA; and, Len Gabbay, Citizen.

Work Session 6:30 p.m.

Mayor White announced that Mayor Pro-Tem Sanchez and Councilmember McGregor will not be attending the meeting. He opened the work session and advised the Council, staff and the audience that staff would provide information and explanations about the following items:

DISCUSSION ONLY

A. PRESENTATION BY GARNER ECONOMICS OF A REVISED TARGET INDUSTRY STRATEGY FOR THE LOCKHART ECONOMIC DEVELOPMENT CORPORATION.

Mr. Kamerlander stated that in 2020, the Lockhart Economic Development Corporation (LEDC) contracted with Garner Economics to develop a 5-year economic development strategy. Jay Garner and his team spent five months interviewing residents and collecting data to provide a Target Industry Strategy which was adopted by both the LEDC and City Council in 2020. LEDC has been operating from this plan for the last three years. Given the accelerated pace of development in Lockhart, staff recommended and the Board approved an expenditure in the Fiscal Year 2022-2023 LEDC budget to complete an update of the strategy. Garner Economics began its work on the revisions in February and Mr. Garner will present those changes this evening. Items in the original strategy such as an industrial park have been completed and the emergence of a viable megasite nearby have all occurred since 2020. Given those changes, two new targets are being recommended for implementation over the next three years.

Jay Garner of Garner Economics provided a revised Target Industry Strategy which included the following topics:

- Lockhart Progress Report Card
- Assets and Challenges Assessment
- Economic and Community Assessment
- Target Business Sectors
- Recommendations – Asset Development, Product Development
 - Continue the City’s efforts to grow its industrial land inventory to accommodate the needs of the targeted industry sectors.
 - Enhance Lockhart’s Quality of Place by developing assets needed to enhance the City’s quality of life (hotel recruitment).
- Recommendations – Execute Effectively, Organizational
 - Create a Convention and Visitor’s Bureau (CVB) in Lockhart focused on visitor recruitment and hospitality product
- Demographics and Community Trends

B. PRESENTATION BY NON-PROFIT ORGANIZATIONS REQUESTING FUNDING FOR AN ANNUAL CONTRIBUTION FROM THE CITY OF LOCKHART FOR FISCAL YEAR 2023-2024.

Ms. Michna stated that on April 17, 2023, non-profit organizations that offer services to the City of Lockhart residents were contacted about the upcoming Fiscal Year 2023-2024 request for funding.

Each organization was asked to provide the following information:

- Mission and benefit statement.
- Current financial statements.
- Uses of prior City contribution.
- FY 2023-24 request and how those funds are to be spent.

Cari Borremans of the Hays-Caldwell Women's Center (HCWC) provided information about how their organization provides services to the community. She stated that the HCWC was requesting a contribution in the amount of \$8,900.

Kelly Franke of Combined Community Action – Senior Nutrition (CCA) provided information about how their organization provides meals to elderly citizens in the community. She stated that the CCA was requesting a contribution in the amount of \$8,000.

Diane Coker of the Lockhart Area Senior Citizen’s Center (LASCC) provided information about how their organization provides services to the community. She stated that the LASCC was requesting a contribution in the amount of \$4,462.

Nicole Douglass of CASA of Central Texas provided information about how their organization assists children in the community. She stated that CASA was requesting a contribution in the amount of \$12,000.

Meredith Jakovich of the Caldwell County Christian Ministries (Caldwell County Food Bank - CCFB) stated that last year the organization completed a rebranding and was renamed as Caldwell County Food Bank. She provided information about how their organization provides food to citizens in the community. She stated that the CCFB was requesting a contribution in the amount of \$10,000.

There was discussion regarding contributions to CARTS. Mayor White stated that CARTS is no longer a non-profit 501C3 organization and that they will request funding assistance during another council meeting.

C. PRESENTATION REGARDING THE PROPOSED FISCAL YEAR 2023-2024 BUDGET FOR GUADALUPE-BLANCO RIVER AUTHORITY (GBRA) FOR THE LOCKHART WATER AND WASTEWATER TREATMENT PLANTS.

Mr. Kelley stated that annually, representatives from GBRA present their Proposed Water and Wastewater Budget for the upcoming fiscal year to City Council for the operations and maintenance of the Lockhart Water and Wastewater Treatment Plants.

Jason Eeds of GBRA provided details about the proposed Fiscal Year 2023-2024 GBRA water and wastewater budgets. There was discussion.

D. DISCUSS AN ENGINEERING SERVICE PROPOSAL FROM TRC ENGINEERING FOR LEAD AND COPPER RULE REVISION IMPLEMENTATION PLAN.

Mr. Kelley stated that the Lead and Copper Rule (LCR) was originally published by the Environmental Protection Agency (EPA) in 1991. Since its original adoption, there have been modifications over the years to the rule to strengthen it by increasing testing and reporting requirements. The latest revision called the Lead and Copper Rule Revision (LCRR) must be implemented on or before October 16, 2024. The newest revision strengthens the existing Lead and Copper Rule by:

- Requiring inventory of both public and private lead service lines;
- Requiring planning to replace lead service lines;
- Improving sampling and corrosion control protocols;
- Expanding public outreach and public education;
- Requires water systems to add schools and child care facilities as testing sites.

The City is in compliance with current LCR and lead level results have remained under action levels. Until the implementation of the new Lead and Copper Rule Revision, the City's water system will continue to meet the current requirements for lead and copper testing, which tests thirty sites across the system every three years.

E. DISCUSS ADOPTING A POLICY FOR PUBLIC IMPROVEMENT DISTRICTS.

Mr. Akers stated that creation of a Public Improvement District (“PID”) is a method by which funding of improvements for the development of a defined area may be accomplished which ensures that the owners benefiting by the improvements bear the cost through “assessments.” Caldwell County adopted a PID Policy in 2021, and the City is currently working with a developer who desires that the City create a PID for a large mixed use development. Note that what is presented to the Council is a “policy” rather than an ordinance or resolution. It is meant to provide guidance to developers or others considering or proposing a PID, as well as City staff, to ensure that the procedures for creating a PID are consistent, but which can be modified or adjusted by the City, if appropriate for a particular project, without amending the policy. This matter was considered at the Council meeting on June 6, 2023 and was postponed in order to ascertain whether language was needed regarding developer change of ownership. While such language is appropriate for development agreements related to property in a PID, it will not serve a purpose in the PID policy.

F. DISCUSS ADOPTING A PROFESSIONAL SERVICES AGREEMENT BETWEEN THE CITY AND THE RED OAK DEVELOPMENT GROUP TO REIMBURSE THE CITY FOR PROFESSIONAL FEES INCURRED RELATING TO THE CONSIDERATION OF THE PROJECT.

Mr. Akers stated that the City is working with Red Oak Development Group regarding the creation of a Public Improvement District which will be funded through assessments against the benefitted property in the PID, which may include issuance of PID bonds. This Professional Services Agreement (aka Escrow Agreement) provides that the City's costs for consultants (engineering, legal, bond counsel and PID administration) will be paid by the developer, commencing with a payment of \$50,000, which shall be retained in a segregated account, and against which the City shall draw as costs are incurred. When the balance in the account is reduced to less than \$10,000, the developer shall be required to make additional payments in \$5,000 increments. Funds in the account shall be used solely to pay for professional services. There was discussion.

G. DISCUSS RESOLUTION 2023-10 AUTHORIZING THE FILING OF A GRANT APPLICATION WITH CAPCOG FOR A REGIONAL SOLID WASTE GRANTS PROGRAM GRANT, AND AUTHORIZING THE MAYOR TO ACT ON BEHALF OF THE CITY OF LOCKHART IN ALL MATTERS RELATED TO THE APPLICATION; AND PLEDGING THAT IF A GRANT IS RECEIVED THE CITY OF LOCKHART WILL COMPLY WITH THE GRANT REQUIREMENTS OF THE CAPCOG, THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY AND THE STATE OF TEXAS.

Mr. Kelley stated that the Capital Area Council of Governments (CAPCOG) sent out a Call for Projects for FY 2023 for solid waste management equipment or community collection events. CAPCOG anticipates having a total of \$50,000 to \$60,000 available for funding, and each award will range from \$10,000 to \$25,000 per entity. CAPCOG is also prioritizing equipment purchases over collection events for this round of funding. There was a tight submission deadline of June 16th to be eligible for grant funds. Purchasing a new 20hp cardboard baler was selected for the grant submission. If awarded the maximum funding amount of \$25,000, the grant would cover most of the \$28,100 cost to purchase a new baler. This grant does not require a match. However, any remaining funds required for equipment purchase would need to be covered by the receiving entity. If the City is not awarded the solid waste grant, the City would still be eligible for funding in the next grant cycle that begins in September of 2023.

H. DISCUSS THE SEMI-ANNUAL REPORT FROM THE IMPACT FEE ADVISORY COMMITTEE CONCERNING THE STATUS OF IMPLEMENTATION OF CHAPTER 31 "IMPACT FEES" OF THE LOCKHART CODE OF ORDINANCES WITH REGARD TO WATER, WASTEWATER, AND ROAD IMPACT FEES.

Mr. Fowler stated that in accordance with State law, the Impact Fee Advisory Committee has an ongoing role in monitoring and evaluating implementation of the water, wastewater, and road impact capital improvement plans (CIP's), and submitting semi-annual reports to the City Council. The Committee met on June 14th to consider their 42nd semi-annual report since impact fees were originally adopted on January 15th, 2002. The total impact fee revenue during the period covered by this report was \$1,379,075, and the only expenditures from the impact fee accounts during that time were periodic payments of invoices to the impact fee consultants. Because the new impact fees were adopted May 2, 2023, there are no new recommendations from the Committee. More information is contained in the attached semi-annual report from the Impact Fee Advisory Committee, which is for the period from October 1, 2022 to April 1, 2023.

I. DISCUSS THE PROPOSED EMERGENCY SERVICES DISTRICT NO. 5 PETITION, PUBLIC HEARING, AND ELECTION.

Mr. Akers stated that on June 13, 2023 the Caldwell County Commissioners Court met and discussed/considered a petition that has been received by the County for Emergency Services District No. 5. The Commissioners Court unanimously passed Resolution 18-2023 setting a public hearing to receive comments regarding the petition to be held at 9:30 a.m. on June 26, 2023. Also, during the Commissioners Court meeting, the petition was certified by the County and Judge Haden spoke about the goal of having a county wide system for EMS explaining that while the County gives support to both the Lockhart and Luling EMS systems no ambulances are presently stationed in the County. Cean Charles, the director the City of Lockhart - Caldwell County EMS, also spoke during the meeting explaining that the Ascension contract for EMS services was ending. Director Charles further provided potential benefits of having a county wide system to provide a superior EMS service.

Mr. Akers requested a determination about whether a city representative should offer pertinent testimony at the public hearing scheduled for June 26, 2023. Mayor White stated that a Councilmember will attend the public hearing.

RECESS: Mayor White announced that the Council would recess for a break at 8:10 p.m.

REGULAR MEETING

ITEM 1. CALL TO ORDER,

Mayor Lew White called the meeting to order at 8:25 p.m.

ITEM 2. INVOCATION, PLEDGE OF ALLEGIANCE.

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

ITEM 3. PUBLIC COMMENT.

Mayor White requested citizens to address the Council.

Len Gabbay, 420 W. Prairie Lea Street, expressed sympathy to the families of two volunteer firefighters that were killed in a car accident in Lockhart on June 20, 2022.

ITEM 4-A. POSTPONE PUBLIC HEARING REGARDING APPLICATION ZC-23-03 BY MONTE J. GUIDRY REQUESTING A ZONING CHANGE FROM CHB COMMERCIAL HEAVY BUSINESS DISTRICT TO RMD RESIDENTIAL MEDIUM DENSITY DISTRICT ON A TOTAL OF 0.205 ACRES IN THE BYRD LOCKHART LEAGUE, ABSTRACT NO. 17, LOCATED AT 1013 NORTH COLORADO STREET (US 183) UNTIL JULY 18, 2023 AT 7:30 PM.

Mayor announced the public hearing will be postponed. There was no action.

ITEM 4-B. HOLD A PUBLIC HEARING, DISCUSSION AND/OR ACTION ON ORDINANCE 2023-11 AMENDING CHAPTER 64 "ZONING" OF THE LOCKHART CODE OF ORDINANCES, INCLUDING: 1) SECTION 64-2, "DEFINITIONS", BY ADDING NEW DEFINITIONS RELATED TO TREES, AND, 2) SECTION 64-197, "REGULATIONS COMMON TO ALL OR SEVERAL DISTRICTS", ADDING NEW SUBSECTION (H)

“RESIDENTIAL LANDSCAPING REQUIREMENTS,” TO SET MINIMUM LANDSCAPING STANDARDS FOR ALL RESIDENTIAL DEVELOPMENT TYPES, AND ADDING NEW SUBSECTION (I) “RESIDENTIAL DESIGN STANDARDS,” TO ESTABLISH MINIMUM RESIDENTIAL DESIGN REQUIREMENTS.

Mayor White opened the public hearing at 8:36 p.m. He requested the staff background report.

Mr. Fowler stated that this ordinance is a product of the discussions at the joint workshops of City Council and the Planning and Zoning Commission held in late 2022 and early 2023. City staff had noted that there were no residential landscaping or design requirements in Chapter 64, the zoning ordinance. Staff drafted landscaping standards based upon provisions found in other cities' ordinances. The main product of the landscaping provisions is the requirement for all residential development types to have a minimum number of shade trees planted on the various residential development types, and for those shade trees to be at least three inches in caliper. For single-family development types, the requirement ranges from 3 shade trees required for SF-1 lots to one tree per residential unit in townhouse developments. For multifamily developments, shade trees would be required along street frontages, near parking spaces and surrounding residential buildings. The landscaping language also requires shrub beds for all types of residential buildings. The ordinance language regarding residential design is intended as a first step towards more comprehensive design requirements. However, the restriction of repeating the same house exterior within six lots on the same side of a street or three lots on the opposite side of the street should be an important first step towards ensuring that residential neighborhoods have a variety of facades to avoid monotony in new developments. Future steps will include detailed design options for single and multi-family developments and covered parking requirements for multi-family developments.

Mayor White requested citizens to address the Council regarding the zoning text amendments. There were none. He closed the public hearing at 8:50 p.m.

Councilmember Castillo made a motion to approve Ordinance 2023-11, as presented. Councilmember Westmoreland seconded. The motion passed by a vote of 5-0.

ITEM 5. CONSENT AGENDA

Councilmember Michelson made a motion to approve consent agenda items 5A and 5B. Councilmember Mendoza seconded. The motion passed by a vote of 5-0.

The following are the consent agenda items that were approved:

- 5-A: Accept the semi-annual report from the Impact Fee Advisory Committee concerning the status of implementation of Chapter 31 “Impact Fees” of the Lockhart Code of Ordinances with regard to water, wastewater, and road impact fees.
- 5-B: Approve Resolution 2023-10 authorizing the filing of a grant application with CAPCOG for a regional solid waste grants program grant, and authorizing the Mayor to act on behalf of the City of Lockhart in all matters related to the application; and pledging that if a grant is received the City of Lockhart will comply with the grant requirements of the CAPCOG, the Texas Commission on Environmental Quality and the State of Texas.

ITEM 6-A. PRESENTATION AND CONSIDER NON-PROFIT ORGANIZATIONS REQUESTING FUNDING FOR AN ANNUAL CONTRIBUTION FROM THE CITY OF LOCKHART FOR FISCAL YEAR 2023-2024.

Mayor White announced that the allocation of funds would be considered during the second meeting in July.

ITEM 6-B. PRESENTATION AND CONSIDER THE PROPOSED FISCAL YEAR 2023-2024 BUDGET FOR GUADALUPE-BLANCO RIVER AUTHORITY (GBRA) FOR THE LOCKHART WATER AND WASTEWATER TREATMENT PLANTS.

Councilmember Westmoreland made a motion to approve GBRA's Fiscal Year 2023-2024 budgets, as presented. Councilmember Castillo seconded. The motion passed by a vote of 5-0.

ITEM 6-C. DISCUSSION AND/OR ACTION REGARDING AN ENGINEERING SERVICE PROPOSAL FROM TRC ENGINEERING FOR LEAD AND COPPER RULE REVISION IMPLEMENTATION PLAN.

Councilmember Michelson made a motion to approve the Engineering Service proposal, as presented. Councilmember Mendoza seconded. The motion passed by a vote of 5-0.

ITEM 6-D. DISCUSSION AND/OR ACTION TO ADOPT A POLICY FOR PUBLIC IMPROVEMENT DISTRICTS.

Councilmember Castillo made a motion to adopt a policy for public improvement districts, as presented. Councilmember Westmoreland seconded. The motion passed by a vote of 5-0.

ITEM 6-E. DISCUSSION AND/OR ACTION TO ADOPT A PROFESSIONAL SERVICES AGREEMENT BETWEEN THE CITY AND THE RED OAK DEVELOPMENT GROUP TO REIMBURSE THE CITY FOR PROFESSIONAL FEES INCURRED RELATING TO THE CONSIDERATION OF THE PROJECT.

Councilmember Westmoreland made a motion to approve a professional services agreement between the City of Lockhart and the Red Oak Development Group, as presented. Councilmember Mendoza seconded. The motion passed by a vote of 5-0.

ITEM 6-F. DISCUSSION AND/OR ACTION TO CONSIDER THE PROPOSED EMERGENCY SERVICES DISTRICT NO. 5 PETITION, PUBLIC HEARING, AND ELECTION.

Councilmember Michelson made a motion to attend the public hearing on June 26, 2023. Councilmember Mendoza seconded. The motion passed by a vote of 5-0.

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

- SH 142 Truck Route update.
- Lockhart Airport FBO update.
- \$100,000 donation by Ronald A. Seeliger to the Dr. Eugene Clark Library.
- Police Officer entrance exam scheduled for July 22.
- July 8th - Movie in the Park, The Super Mario Bros. Movie.
- Fireworks Extravaganza at City Park on July 3.
- Reminder: There will not be a City Council meeting on the first Tuesday of July due to the July 4th holiday. City offices will be closed Tuesday, July 4. The next City Council meeting is scheduled for July 18.

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

Councilmember Westmoreland congratulated the Lockhart Chamber for a successful 50th Chisholm Trail Roundup.

Councilmember Mendoza congratulated the Lockhart Chamber for a successful Chisholm Trail Roundup and all events in June. He encouraged Councilmembers to attend a workshop held by Denton and Navarro Law Firm on July 28th.

Councilmember Castillo congratulated the Lockhart Chamber for a successful Chisholm Trail Roundup and the class reunions that were held that weekend. He thanked all involved with the Juneteenth event. He encouraged everyone to stay hydrated during the hot weather. He congratulated the Little League for finishing their All-Star games.

Councilmember Michelson congratulated the Lockhart Chamber for a successful 50th Chisholm Trail Roundup and to all involved with the successful Juneteenth event. He expressed condolences to the family of Bill Schroeder for their loss.

Mayor White congratulated the Lockhart Chamber for a successful Chisholm Trail Roundup and all involved with the successful Juneteenth event. He expressed condolences to the family of Bill Schroeder for their loss. He encouraged individuals that qualified for a free fan to go to City Hall.

ITEM 9. ADJOURNMENT

Councilmember Mendoza made a motion to adjourn the meeting. Councilmember Westmoreland seconded. The motion passed by a vote of 5-0. The meeting was adjourned at 9:07 p.m.

PASSED and APPROVED this the 16th day of April, 2024.

CITY OF LOCKHART

Lew White, Mayor

ATTEST:

Julie Bowermon
City Secretary

City of Lockhart, Texas

Council Agenda Item Cover Sheet

COUNCIL MEETING DATE: April 16, 2024

AGENDA ITEM CAPTION: Discuss railroad train horn sounding requirements and the process of establishing railroad Quiet Zones.

ORIGINATING DEPARTMENT AND CONTACT: Public Works - Sean Kelley

ACTION REQUESTED: Direction

BACKGROUND/SUMMARY/DISCUSSION: Presentation regarding the process of establishing railroad quiet zones, which locomotive horns are not required to routinely sound through at-grade crossings, and the considerations needed to establish those zones.

PROJECT SCHEDULE (if applicable):

AMOUNT & SOURCE OF FUNDING:

Funds Required:

Account Number:

Funds Available:

Account Name:

FISCAL NOTE (if applicable):

PREVIOUS COUNCIL ACTION:

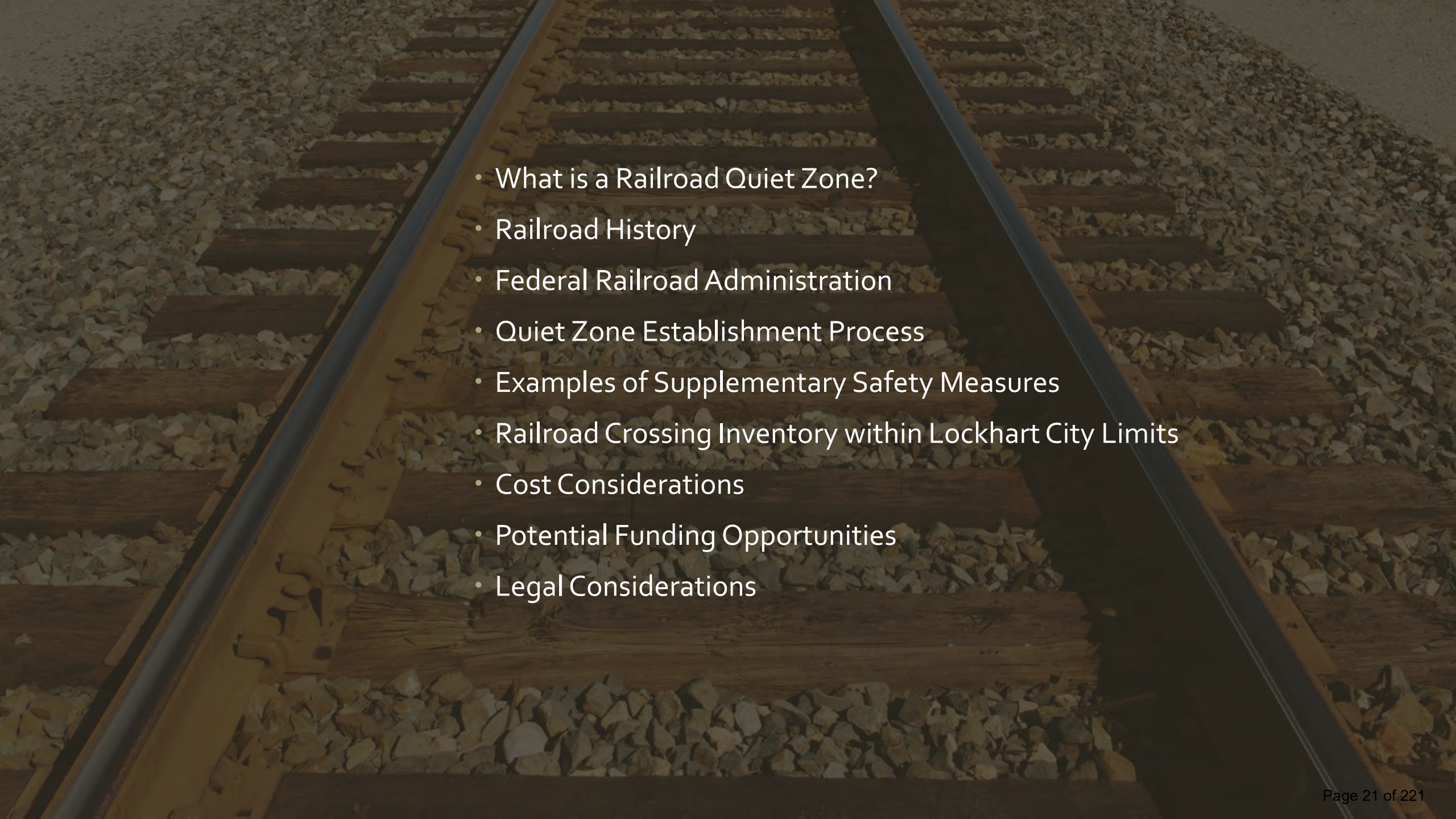
COMMITTEE/BOARD/COMMISSION ACTION:

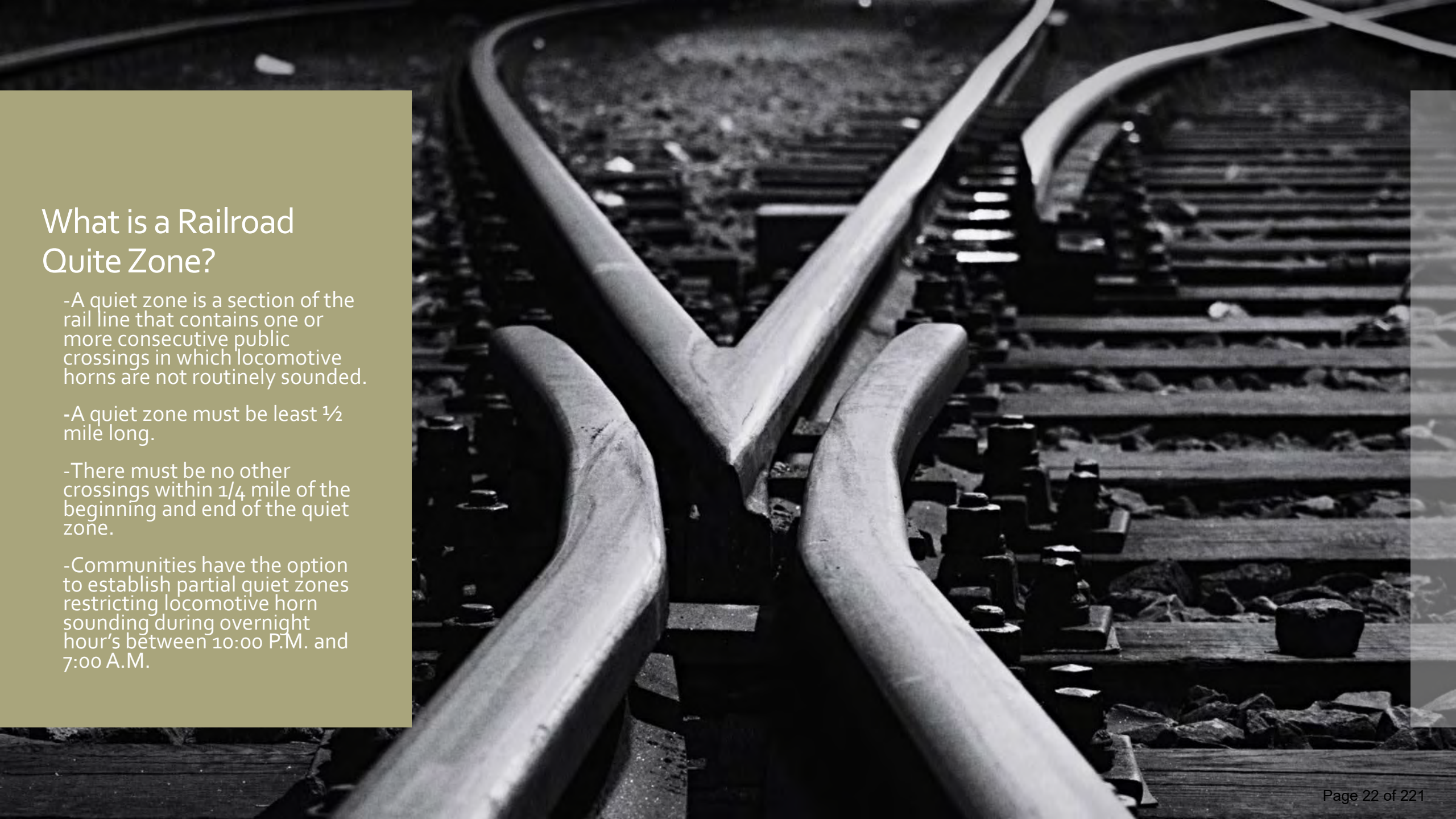
STAFF RECOMMENDATION/REQUESTED MOTION: Direction needed.

LIST OF SUPPORTING DOCUMENTS: Quiet Zone, QuietZoneBrochure

Railroad Quiet Zone (RRQZ)



- 
- What is a Railroad Quiet Zone?
 - Railroad History
 - Federal Railroad Administration
 - Quiet Zone Establishment Process
 - Examples of Supplementary Safety Measures
 - Railroad Crossing Inventory within Lockhart City Limits
 - Cost Considerations
 - Potential Funding Opportunities
 - Legal Considerations



What is a Railroad Quiet Zone?

- A quiet zone is a section of the rail line that contains one or more consecutive public crossings in which locomotive horns are not routinely sounded.

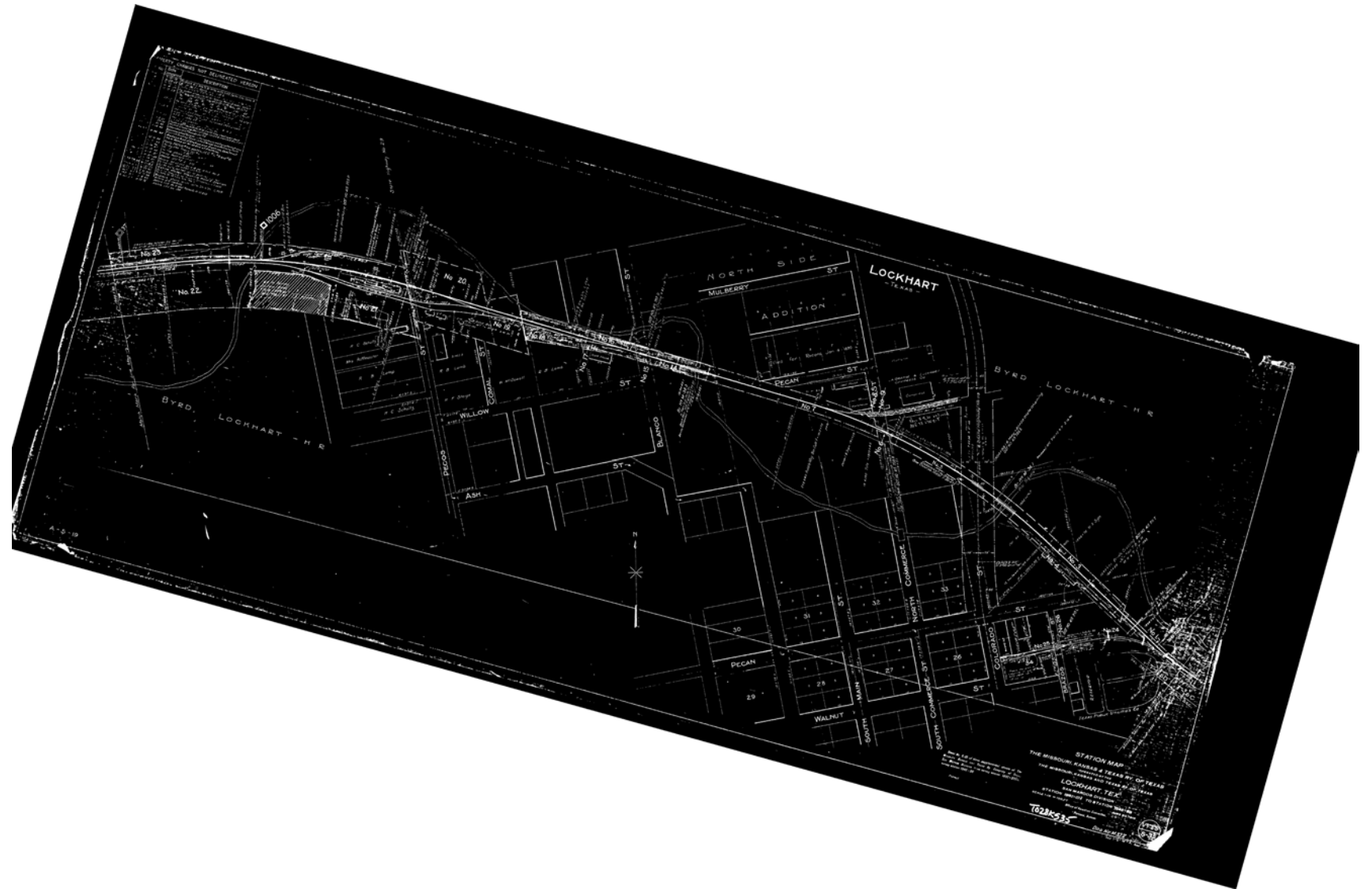
- A quiet zone must be at least $\frac{1}{2}$ mile long.

- There must be no other crossings within $\frac{1}{4}$ mile of the beginning and end of the quiet zone.

- Communities have the option to establish partial quiet zones restricting locomotive horn sounding during overnight hours between 10:00 P.M. and 7:00 A.M.

History

- The railroad has a long-standing history in the City of Lockhart. Some deeds dating back to 1887 or earlier.
- Union Pacific Railroad has ownership rights to the railroad in the City of Lockhart.
- Union Pacific has transportation routes spanning 31,900 miles.
- The railroad in Lockhart stretches from Katy to San Marcos down to San Antonio.



History (Cont.)

- Texas has 181 registered quiet zones across various railroads.
- The railroad in Lockhart traffic movements is an east-to-west direction only.
- The railroad through Lockhart see on average 5-10 trains in a 24-hour period and varies throughout the year (Luling averages 30+ trains/day).
- Top speed for locomotives in Lockhart is 40 mph .



Federal Railroad Administration



The Federal Railroad Administration (FRA) is committed to reducing the number of collisions at rail grade crossings.



The Train Horn Rule became effective on June 24, 2005, setting a national standard for sounding train horns at public highway-grade crossings to time based. The rule also established the criteria for establishing quiet zones.



Federal regulations require that locomotive horns begin sounding 15-20 seconds before entering public highway-rail grade crossings, no more than $\frac{1}{4}$ mile in advance.



Only public authorities, the governmental entity are responsible for traffic control or law-enforcement at the crossings, is permitted to create quite zones.

Quiet Zone Establishment Process

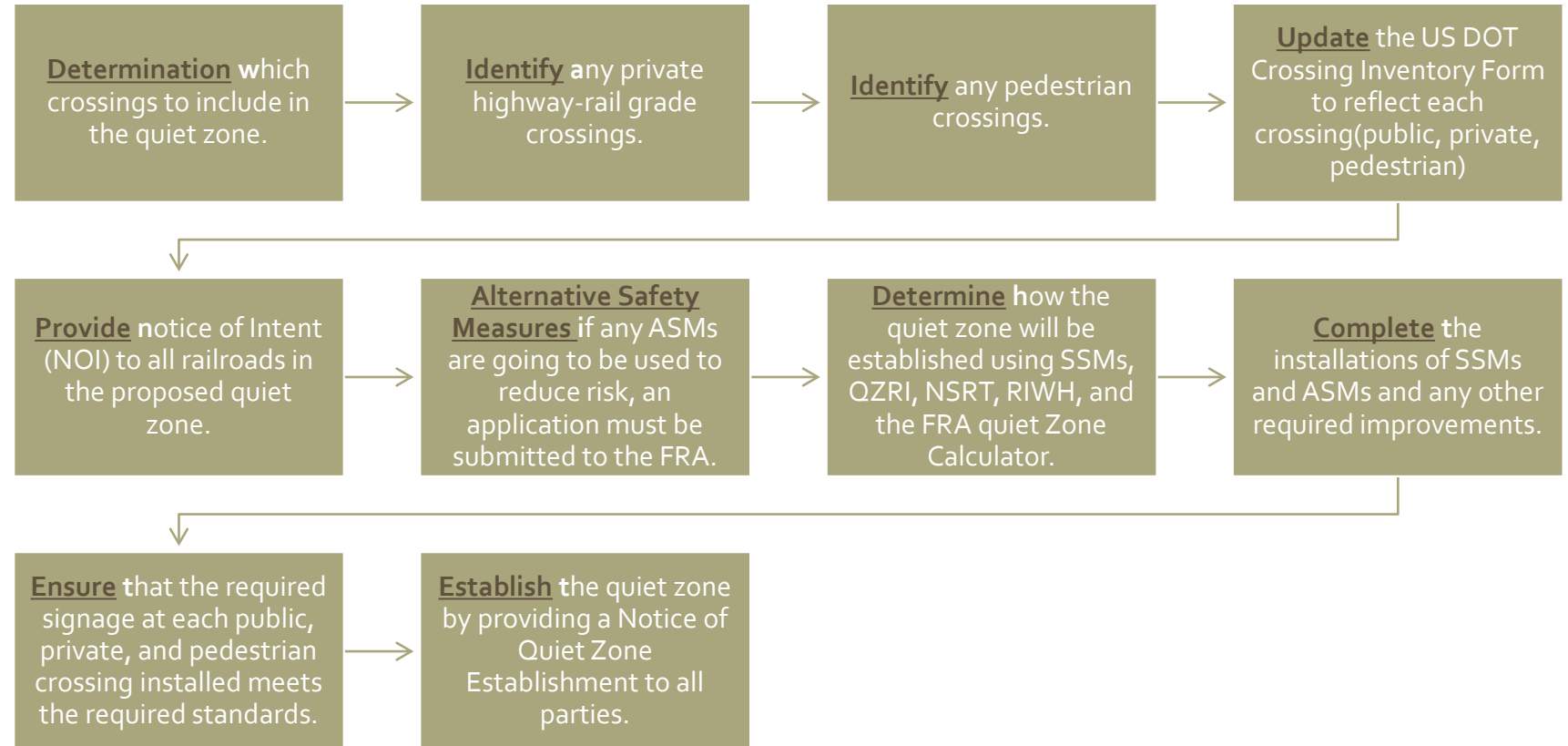
- Because the absence of routine horn sounding increases the risk of a collision, a public authority that desires to establish a quiet zone will be required to mitigate this additional risk.
- At a minimum, each public highway-crossing within a quiet zones must be equipped with active warning devices: flashing lights, gates, constant warning time devices and power out indicators.
- In a quiet zone engineers have no legal duty to sound the horn, but may exercise discretion during emergency situations (i.e. the presence of a vehicle or a person on the track).
- Under federal regulations, engineers must sound the horn to warn railroad maintenance employees or contractors working on the tracks.
- Horns are also blown at any upstream or downstream crossing that are not within the quiet zone.

Quiet Zone Establishment Process (Cont.)

- In order to create quiet zones, one of the following conditions must be met:
 - ❑ The Quiet Zones Risk Index (QZRI) is less than or equal to the National Significant Risk Threshold (NSRT) with or without additional safety measures such as Supplementary Safety Measures (SSMs) or Alternative Safety Measures (ASMs).
 - ❑ The QZRI is less than or equal to the Risk index with Horns (RIWH) with additional safety measures.
 - ❑ Install SSMs at every public-highway crossing. This is the best method to reduce risk in a proposed quiet zone and enhance safety.

Quiet Zone Establishment Process (Cont.)

Example of Steps taken to establish Quiet Zones



Examples of Supplementary Safety Measures (SSMs)



Crossing Closures



Gates with Channelization Devices

Four Quadrants Gate System



Gates with Medians

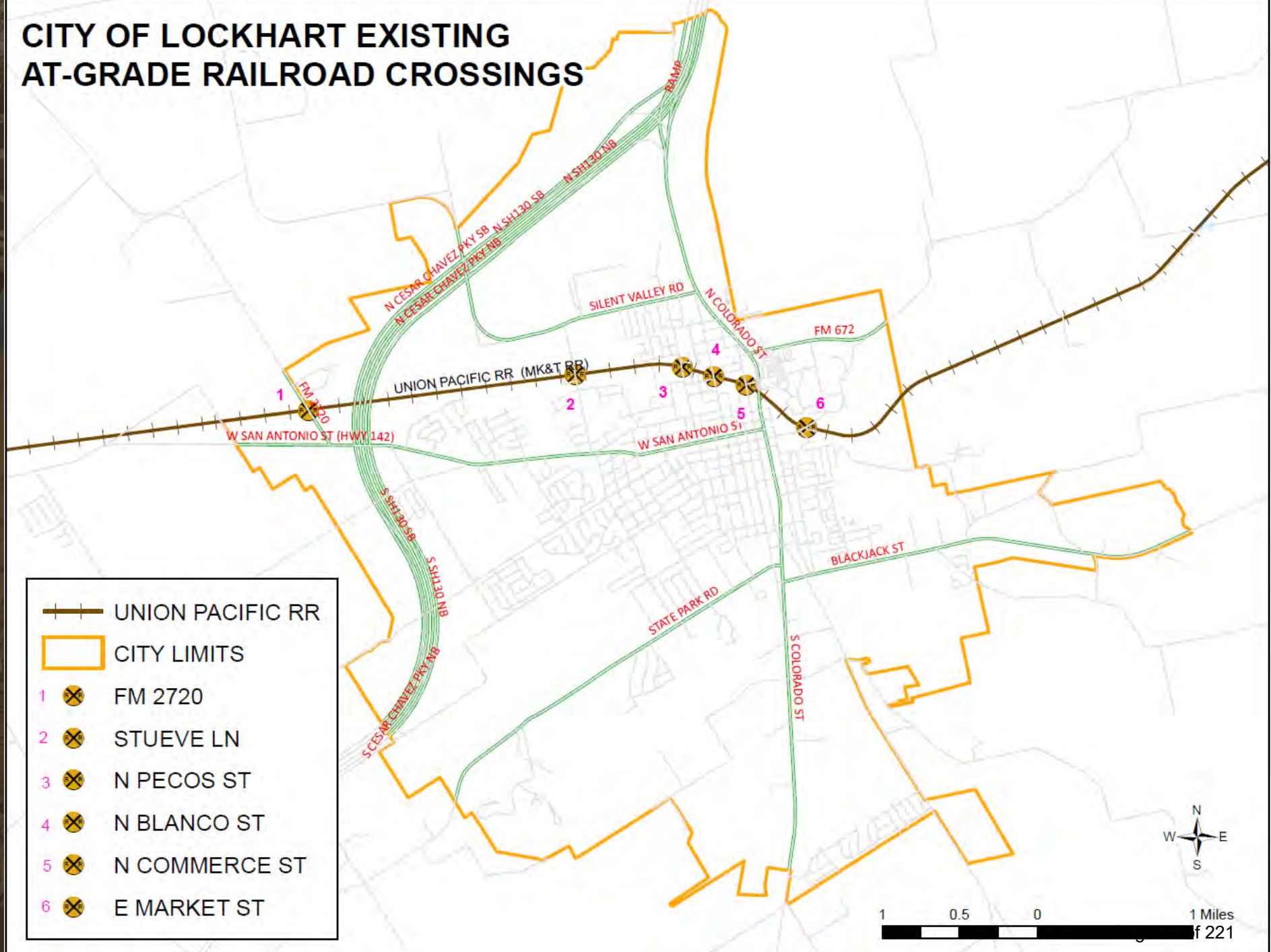


Alternative to Quiet Zones “Wayside Horns”

- Communities may choose to silence locomotive horns through the installation of wayside horns at each crossing as one substitute for train horns.
- Wayside horns are train-activated stationary acoustical devices directed at highway traffic.
- The wayside horn is positioned at the crossing and will sound when the warning devices are activated.
- The sound is directed down the roadway, which greatly reduces the noise footprint of the audible warning.
- A wayside horn may be installed at highway-rail grade crossings that have flashing lights, gates, constant warning time devices (except in rare circumstances), and power out indicators.
- Use of wayside horns is not the same as establishing a quiet zone although they may be used within quiet zones.



CITY OF LOCKHART EXISTING AT-GRADE RAILROAD CROSSINGS



Union Pacific
Railroad
within the City
of Lockhart
and Crossing
Locations

Public Railroad Crossings

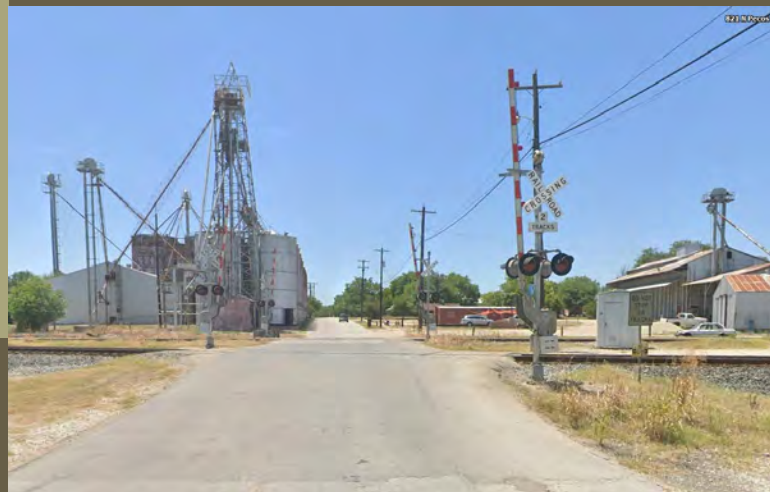


-FM 2027- Two Gate System



-Stueve Lane- Two Gate System

-N. Pecos- Four Gate System with additional Railroad Spur



-N. Blanco- Two Gate System



Public Railroad Crossings (Cont.)



-N. Commerce- Two Gate System and Pedestrian Crossing



-E. Market- Three Gate System with Larrimore

-US183 – Overpass over the Railroad



Cost Considerations

- The enabling Federal statute did not provide funding for the establishment of quiet zones.
- Public authorities seeking to establish quiet zones should be prepared to finance the installation of SSMs and ASMs used. Costs can vary from \$30,000 per crossing to more than \$1 million depending on the number of crossings and the types of safety improvements required.

Potential Funding Opportunities

- Staff reviewed potential funding opportunities for Quiet Zones with a grant administrator.
- The **Consolidated Rail Infrastructure and Safety Improvements (CRISI) Program** appears to be the most viable option for future grant funding.
- The purpose of the program is to fund projects that improve the safety, efficiency, and/or reliability of intercity passenger and freight rail systems.
- Staff will continue to review the potential scope of a Quiet Zone project in consideration of the requirements for this grant funding opportunity.

Legal Considerations

- The courts will ultimately determine who will be held liable if a collision occurs at a grade crossing located within a quiet zone, based upon the facts of each case, as a collision may have been caused by factors other than the absence of an audible warning.
- FRA's rule is intended to remove failure to sound the horn as a cause of action in lawsuits involving collisions that have occurred at grade crossings within duly established quiet zones.

Comments



GUIDE TO THE QUIET ZONE ESTABLISHMENT PROCESS

AN INFORMATION GUIDE

Federal Railroad Administration

1200 New Jersey Avenue S.E.
Washington, DC 20590
Telephone: 202-493-6299

www.fra.dot.gov

Federal Railroad Administra. on
Highway-Rail Crossing and Trespasser Programs Division

Follow FRA on [Facebook](#) and [Twitter](#)

Purpose of the Guide

This brochure was developed to serve as a guide for local decision makers seeking a greater understanding of train horn sounding requirements and how to establish quiet zones. Its purpose is to provide a general overview and thus does not contain every detail about the quiet zone establishment process. For more detailed and authoritative information, the reader is encouraged to review the official regulations governing the use of locomotive horns at public highway-rail grade crossings and the establishment of quiet zones that are contained in 49 CFR Part 222. A copy of the rule can be downloaded or printed at <http://www.fra.dot.gov/eLib/Details/L02809>.

About Quiet Zones



FRA is committed to reducing the number of collisions at highway-rail grade crossings, while establishing a consistent standard for communities who opt to preserve or enhance quality of life for their residents by establishing quiet zones within which routine use of train horns at crossings is prohibited.

Federal regulation requires that locomotive horns begin sounding 15–20 seconds before entering public highway-rail grade crossings, no more than one-quarter mile in advance. Only a public authority, the governmental entity responsible for traffic control or law enforcement at the crossings, is permitted to create quiet zones.

A quiet zone is a section of a rail line at least one-half mile in length that contains one or more consecutive public highway-rail grade crossings at which locomotive horns are not routinely sounded when trains are approaching the crossings. The prohibited use of train horns at quiet zones only applies to trains when approaching and entering crossings and does not include train horn use within passenger stations or rail yards. Train horns may be sounded in emergency situations or to comply with other railroad or FRA rules even within a quiet zone. Quiet zone regulations also do not eliminate the use of locomotive bells at crossings. Therefore, a more appropriate description of a designated quiet zone would be a “reduced train horn area.”

Communities wishing to establish quiet zones must work through the appropriate public authority that is responsible for traffic control or law enforcement at the crossings.

Historical Context

Historically, railroads have sounded locomotive horns or whistles in advance of grade crossings and under other circumstances as a universal safety precaution. Some States allowed local communities to create whistle bans where the train horn was not routinely sounded. In other States, communities created whistle bans through informal agreements with railroads.

In the late 1980's, FRA observed a significant increase in nighttime train-vehicle collisions at certain gated highway-rail grade crossings on the Florida East Coast Railway (FEC) at which nighttime whistle bans had been established in accordance with State statute. In 1991, FRA issued Emergency Order #15 requiring trains on the FEC to sound their horns again. The number and rate of collisions at affected crossings returned to pre-whistle ban levels.



In 1994, Congress enacted a law that required FRA to issue a Federal regulation requiring the sounding of locomotive horns at public highway-rail grade crossings. It also gave FRA the ability to provide for exceptions to that requirement by allowing communities under some circumstances to establish "quiet zones."

The Train Horn Rule became effective on June 24, 2005. The rule set nationwide standards for the sounding of train horns at public highway-rail grade crossings. This rule changed the criteria for sounding the horn from distance-based to time-based. It also set limits on the volume of a train horn. The rule also established a process for communities to obtain relief from the routine sounding of train horns by providing criteria for the establishment of quiet zones. Locomotive horns may still be used in the case of an emergency and to comply with Federal regulations or certain railroad rules.

Because the absence of routine horn sounding increases the risk of a crossing collision, a public authority that desires to establish a quiet zone usually will be required to mitigate this additional risk. At a minimum, each public highway–rail crossing within a quiet zone must be equipped with active warning devices: flashing lights, gates, constant warning time devices (except in rare circumstances) and power out indicators.

In order to create a quiet zone, one of the following conditions must be met

1. ***The Quiet Zone Risk Index (QZRI) is less than or equal to the Nationwide Significant Risk Threshold (NSRT)*** with or without additional safety measures such as Supplementary Safety Measures (SSMs) or Alternative Safety Measures (ASMs) described below. The QZRI is the average risk for all public highway-rail crossings in the quiet zone, including the additional risk for absence of train horns and any reduction in risk due to the risk mitigation measures. The NSRT is the level of risk calculated annually by averaging the risk at all of the Nation's public highway-rail grade crossings equipped with flashing lights and gates where train horns are routinely sounded.
2. ***The Quiet Zone Risk Index (QZRI) is less than or equal to the Risk Index With Horns (RIWH)*** with additional safety measures such as SSMs or ASMs. The RIWH is the average risk for all public highway-rail crossings in the proposed quiet zone when locomotive horns are routinely sounded.
3. ***Install SSMs at every public highway-rail crossing.*** This is the best method to reduce to reduce risks in a proposed quiet zone and to enhance safety.

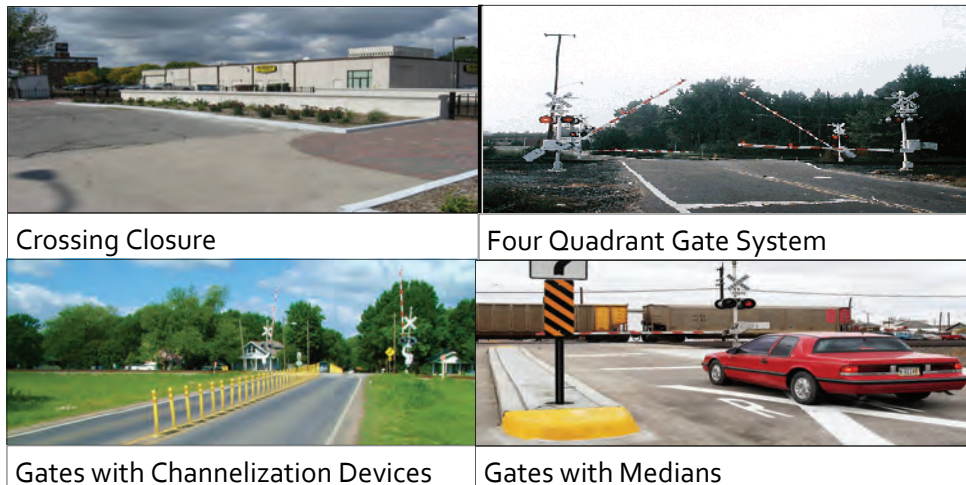
SSMs are pre-approved risk reduction engineering treatments installed at certain public highway-rail crossings within the quiet zone and can help maximize safety benefits and minimize risk. SSMs include: medians or channelization devices, one-way streets with gates, four quadrant gate systems, and temporary or permanent crossing closures. Examples of SSMs are shown on the next page.

ASMs are safety systems, other than SSMs, that are used to reduce risk in a quiet zone. ASMs typically are improvements that do not fully meet the requirements to be SSMs and their risk reduction effectiveness must be submitted in writing and approved by FRA.

FRA strongly recommends that all crossings in the quiet zone be reviewed by a diagnostic team. A diagnostic team typically consists of representatives from the public authority, railroad, and State agency responsible for crossing safety and FRA grade crossing managers.

Public Safety Considerations continued

Examples of SSMs



Wayside Horns The train horn rule also provides another method for reducing the impact of routine locomotive horn sounding when trains approach public highway-rail grade crossings. A wayside horn may be installed at highway-rail grade crossings that have flashing lights, gates, constant warning time devices (except in rare circumstances), and power out indicators. The wayside horn is positioned at the crossing and will sound when the warning devices are activated. The sound is directed down the roadway, which greatly reduces the noise footprint of the audible warning. Use of wayside horns is not the same as establishing a quiet zone although they may be used within quiet zones.

Cost Considerations

The enabling Federal statute did not provide funding for the establishment of quiet zones. Public authorities seeking to establish quiet zones should be prepared to finance the installation of SSMs and ASMs used. Costs can vary from \$30,000 per crossing to more than \$1 million depending on the number of crossings and the types of safety improvements required.

Legal Considerations

The courts will ultimately determine who will be held liable if a collision occurs at a grade crossing located within a quiet zone, based upon the facts of each case, as a collision may have been caused by factors other than the absence of an audible warning. FRA's rule is intended to remove failure to sound the horn as a cause of action in lawsuits involving collisions that have occurred at grade crossings within duly established quiet zones.

The Quiet Zone Establishment Process

Under the Train Horn Rule, only public authorities are permitted to establish quiet zones. Citizens who wish to have a quiet zone in their neighborhood should contact their local government to pursue the establishment of a quiet zone. The following is a typical example of the steps taken to establish a quiet zone:

1. **Determine** which crossings will be included in the quiet zone. All public highway-rail crossings in the quiet zone must have, at a minimum, an automatic warning system consisting of flashing lights and gates. The warning systems must be equipped with constant warning time devices (except in rare circumstances) and power out indicators. The length of the quiet zone must be at least one-half mile in length.
2. **Identify** any private highway-rail grade crossings within the proposed quiet zone. If they allow access to the public or provide access to active industrial or commercial sites, a diagnostic review must be conducted and the crossing(s) treated in accordance with the recommendations of the diagnostic team.
3. **Identify** any pedestrian crossings within the proposed quiet zone and conduct a diagnostic review of those crossings too. They also must be treated in accordance with the diagnostic team's recommendations. *NOTE:* While it is not required by the regulations, FRA recommends that every crossing within a proposed quiet zone be reviewed for safety concerns.
4. **Update** the U.S. DOT Crossing Inventory Form to reflect current physical and operating conditions at each public, private, and pedestrian crossing located within a proposed quiet zone.
5. **Provide** a Notice of Intent (NOI) to all of the railroads that operate over crossings in the proposed quiet zone, the State agency responsible for highway safety and the State agency responsible for crossing safety. The NOI must list all of the crossings in the proposed quiet zone and give a brief explanation of the tentative plans for implementing improvements within the quiet zone. Additional required elements of the NOI can be found in 49 CFR 222.43(b). The railroads and State agencies have 60 days in which to provide comments to the public authority on the proposed plan.
6. **Alternative Safety Measures** – If ASMs are going to be used to reduce risk, an application to FRA must be made. The application must include all of the elements provided in 49 CFR 222.39(b)(1) and copies of the application must be sent to the entities listed in 49 CFR 222.39(b)(3). They will have 60 days to provide comments to FRA on the application. FRA will provide a written decision on the application typically within three to four months after it is received.

The Quiet Zone Establishment Process continued

7. **Determine** how the quiet zone will be established using one of the following criteria: (Note that Options 2 through 4 will require the use of the FRA Quiet Zone Calculator available at <http://safetydata.fra.dot.gov/quiet/>.)

1. Every public highway-rail crossing in the proposed quiet zone is equipped with one or more SSMs.
2. The Quiet Zone Risk Index (QZRI) of the proposed quiet zone is less than or equal to the Nationwide Significant Risk Threshold (NSRT) without installing SSMs or ASMs.
3. The QZRI of the proposed quiet zone is less than or equal to the Nationwide Significant Risk Threshold (NSRT) after the installation of SSMs or ASMs.
4. The QZRI of the proposed quiet zone is less than or equal to the Risk Index with Horns (RIWH) after the installation of SSMs or ASMs.



8. **Complete** the installation of SSMs and ASMs and any other required improvements determined by the diagnostic team at all public, private, and pedestrian crossings within the proposed quiet zone.
9. **Ensure** that the required signage at each public, private, and pedestrian crossing is installed in accordance with 49 CFR Sections 222.25, 222.27, and 222.35, and the standards outlined in the Manual on Uniform Traffic Control Devices. These signs may need to be covered until the quiet zone is in effect.
10. **Establish** the quiet zone by providing a Notice of Quiet Zone Establishment to all of the parties that are listed in 49 CFR Section 222.43(a)(3). Be sure to include all of the required contents in the notice as listed in 49 CFR Section 222.43(d). The quiet zone can take effect no earlier than 21 days after the date on which the Notice of Quiet Zone Establishment is mailed.

*****Appendix C to the Train Horn Rule provides detailed, step by step guidance on how to create a quiet zone.*****

Required Documentation

Public authorities interested in establishing a quiet zone are required to submit certain documentation during the establishment process. FRA has provided checklists for the various documents that can be found at <http://www.fra.dot.gov/Elib/Details/L03055>.

FRA's Regional Grade Crossing Managers are available to provide technical assistance. A State's department of transportation or rail regulatory agency also may be able to provide assistance to communities pursuing quiet zones.

Public authorities are encouraged to consult with the agencies in their State that have responsibility for crossing safety. Some States may have additional administrative or legal requirements that must be met in order to modify a public highway-rail grade crossing.

Role of Railroads

Communities seeking to establish a quiet zone are required to send a Notice of Intent and a Notice of Quiet Zone Establishment to railroads operating over the public highway-rail grade crossings within the proposed quiet zone. Railroad officials can provide valuable input during the quiet zone establishment process and should be included on all diagnostic teams. Listed below are links to the Class I Railroads and Amtrak.

BNSF Railway (BNSF)	Canadian Pacific (CP)
CSX Transportation (CSX)	Norfolk Southern (NS)
Canadian National (CN)	Union Pacific (UP)
Kansas City Southern (KCS)	Amtrak (ATK)

FINAL NOTE

The information contained in this brochure is provided as general guidance related to the Quiet Zone Establishment Process and should not be considered as a definitive resource. FRA strongly recommends that any public authority desiring to establish quiet zones take the opportunity to review all aspects of safety along its rail corridor. Particular attention should be given to measures that prevent trespassing on railroad tracks since investments made to establish a quiet zone may be negated if the horn has to be routinely sounded to warn trespassers.

POINTS OF CONTACT

General Questions:

Inga Toye, 202-493-6305

Debra Chappell, 202-493-6018

Ron Ries, 202-493-6285

Regional Contacts

Region 1 Connecticut, Maine, Massachusetts, New Hampshire, New Jersey,
New York, Rhode Island, and Vermont
1-800-724-5991

Region 2 Delaware, Maryland, Ohio, Pennsylvania, Virginia, West Virginia ,
and Washington, D.C.
1-800-724-5992

Region 3 Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina,
South Carolina, and Tennessee
1-800-724-5993

Region 4 Illinois, Indiana, Michigan, Minnesota, and Wisconsin
1-800-724-5040

Region 5 Arkansas, Louisiana, New Mexico, Oklahoma, and Texas
1-800-724-5995

Region 6 Colorado, Iowa, Kansas, Missouri, and Nebraska
1-800-724-5996

Region 7 Arizona, California, Nevada, and Utah
1-800-724-5997

Region 8 Alaska, Idaho, Montana, North Dakota, South Dakota, Oregon,
Washington, and Wyoming
1-800-724-5998



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September 2013

City of Lockhart, Texas

Council Agenda Item Cover Sheet

COUNCIL MEETING DATE: April 16, 2024

AGENDA ITEM CAPTION: Discuss an update regarding a proposed interlocal agreement for ground leases for City of Lockhart EMS Stations Nos. 1 and 2 with ESD No. 5.

ORIGINATING DEPARTMENT AND CONTACT: Administration - Steven Lewis

ACTION REQUESTED: Other

BACKGROUND/SUMMARY/DISCUSSION: Mayor White and staff met with representatives from the ESD No. 5 Board regarding a short-term lease of the City's two EMS stations. **ESD No. 5 members indicated the Board's desire to assume operational management of the County EMS system on January 1, 2025.** Additional discussion centered on Lockhart's population forecasts, development pattern, and the City's existing rolling stock and equipment that could be acquired by the ESD.

In the near term, relative to the City's two EMS stations, it is envisioned that the existing stations could be made available to facilitate the transition. Key provisions of a potential lease include:

- 1. Term:** an initial term of one year and an option for an additional year.
- 2. Rent:** \$1.00 per month. ESD No. 5 responsible for a pro rata share of all utilities, internet, telephone, etc.
- 3. Use:** ESD No. 5 accepts the stations in their present condition and "as is" for their uses. Upgrades and the furnishing of any additional equipment as needed is at the ESD's sole expense.
- 4. Maintenance:** ESD No. 5 is responsible for routine maintenance.
- 5. Assignment:** ESD No. 5 cannot assign or sublet.
- 6. Insurance:** ESD No. 5 must continuously maintain customary property insurance coverages.
- 7. Indemnification:** ESD No. 5 will indemnify and hold the City harmless.

No Council action is required at this time.

PROJECT SCHEDULE (if applicable):

AMOUNT & SOURCE OF FUNDING:

Funds Required:

Account Number:

Funds Available:

Account Name:

City of Lockhart, Texas

Council Agenda Item Cover Sheet

FISCAL NOTE (if applicable):

PREVIOUS COUNCIL ACTION: None

COMMITTEE/BOARD/COMMISSION ACTION: None

STAFF RECOMMENDATION/REQUESTED MOTION: Information only.

LIST OF SUPPORTING DOCUMENTS:

City of Lockhart, Texas

Council Agenda Item Cover Sheet

COUNCIL MEETING DATE: April 16, 2024

AGENDA ITEM CAPTION: Discuss Ordinance 2024-10 adopting the City of Lockhart's Drought Contingency Plan and Utility Profile compliance with the Texas Commission on Environmental Quality (TCEQ) and the Texas Water Development Board (TWDB).

ORIGINATING DEPARTMENT AND CONTACT: Public Works - Sean Kelley

ACTION REQUESTED: Ordinance

BACKGROUND/SUMMARY/DISCUSSION: The Texas Commission on Environmental Quality (TCEQ) and the Texas Water Development Board (TWDB) require updates to the Drought Contingency Plan (DCP) and Water Conservation Plan (WCP) every five years. Deadline for adoptions and submissions is May 1, 2024. The purpose of the DCP is to identify water use criteria that would trigger different levels of mandatory water restrictions and enforcement measures for the City if those levels are not met. The most notable changes to the City's DCP are:

- Revised single day water use triggers to follow 75%, 80%, 85%, and 90% capacity capabilities.
- Revised all stages of 3 consecutive day maximum water use triggers to reflect 85% of single day maximum water use trigger
- Adding the City's Website to the notification section
- Added use of Best Management Practices for Downtown Irrigation for Supply Management
- Adding measurable rain event to Stages 2-6 as requirement for termination
- Adding restrictive hours to patio misters during Stage 2 restrictions
- Stage 2 single day use trigger was revised to 2.56 MG from 3.2 MG, which was also the same as the Stage 3 trigger
- Pass-through use splash pads (Maple Park Splash Pad) to reduce use to no more than 3-days/week during stage 3 conditions and prohibiting use during stage 4 conditions
- Stage 3 limits on landscaping irrigation to 1 day/week to follow GBRA's adopted DCP for Luling water rights
- Stage 4 restriction of commercial carwash operations between the hours of 6am to 10am and 6pm to 10 during Critical Water Shortage Conditions
- Section XII added pertaining to wholesale water contracts

Furthermore, the WCP is used to set water-saving goals for the City over the next ten years. The City of Lockhart has a long-standing history of water conservation practices. The City has been abiding by Stage 1 water restrictions since 2008. During that time, the City of Lockhart had not reached the conditions necessary to achieve Stage 2 Water Restrictions. The DCP and WCP are adopted under the Code of Ordinances Sections 58-7 and is the responsibility of

City of Lockhart, Texas

Council Agenda Item Cover Sheet

the city manager or designee to implement.

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: The City Engineer and staff respectfully recommend adopting the revised Drought Contingency Plan, Water Conservation Plan, and Utility Profile.

LIST OF SUPPORTING DOCUMENTS: Ord 2024-10 drought contingency water , Lockhart 2024 DCP-WCP-UTILITY PROFILE

ORDINANCE 2024-10

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LOCKHART, TEXAS, ADOPTING A DROUGHT CONTINGENCY PLAN, WATER CONSERVATION PLAN AND UTILITY PROFILE IN COMPLIANCE WITH REGULATIONS OF THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY (TCEQ) AND THE TEXAS WATER DEVELOPMENT BOARD (TWDB), THE TEXAS WATER CODE, THE TEXAS ADMINISTRATIVE CODE, AND AS PROVIDED IN CHAPTER 58, "UTILITIES", SECTION 58-7, "WATER DEMAND EMERGENCY MANAGEMENT PLAN AND DROUGHT CONTINGENCY PLAN" OF THE LOCKHART CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING A REPEALER; PROVIDING FOR PENALTY; PROVIDING FOR PUBLICATION; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the Texas Water Code and the regulations of the Texas Commission on Environmental Quality (TCEQ) and the Texas Water Development Board (TWDB) require that the City of Lockhart (the "City") adopt a Drought Contingency Plan, Water Conservation Plan and Utility Profile (the "plans") every five years; and

WHEREAS, the plans set forth goals and methods for reducing potable water usage in the City in compliance with the regulations of the Texas Water Development Board (TWDB); and

WHEREAS, the plans set forth guidelines for potable water usage to determine when to implement stages of water conservation through methods of mandatory water restrictions and enforcement in compliance with the regulations of the Texas Commission on Environmental Quality; and

WHEREAS, Section 58-7, "Water Demand Emergency Management Plan and Drought Contingency Plan" of the Lockhart Code of Ordinances provides provisions for implementing and amending Drought Contingency and the Water Conservation Plans for the City; and

WHEREAS, the City Council of the City of Lockhart ("City Council") recognizes the importance of water conservation and drought monitoring in the interest of public health and the welfare of this community, and has investigated and determined that it would be advantageous and beneficial to the City to adopt a Drought Contingency Plan, Water Conservation Plan and Utility Profile.

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

- I. **Findings Incorporated.** The findings set forth above are incorporated as if fully set forth herein.
- II. The City of Lockhart hereby adopts the updated Drought Contingency Plan, attached hereto as Exhibit A, and the Water Conservation Plan and Utility Profile, attached hereto as Exhibit B, for implementation and for submission to the Texas Commission on Environmental Quality and the Texas Water Development Board and as required in Chapter 58 "Utilities", Section 58-7. "Water Demand Emergency Management Plan and Drought Contingency Plan" of the Lockhart Code of Ordinances.
- III. **Severability:** If any provision, section, clause, sentence, or phrase of this ordinance is for any reason held to be unconstitutional, void, invalid, or un-enforced, the validity of the remainder of this

ordinance or its application shall not be affected, it being the intent of the City Council in adopting and of the Mayor in approving this ordinance that no portion, provision, or regulation contained herein shall become inoperative or fail by way of reasons of any unconstitutionality or invalidity of any other portion, provision, or regulation.

- IV. **Repealer**: That all other ordinances, sections, or parts of ordinances heretofore adopted by the City of Lockhart in conflict with the provisions set out above in this ordinance are hereby repealed or amended as indicated.
- V. **Open Meeting**: It is found and determined that the meeting at which this ordinance was passed was open to the public as required by law.
- VI. **Penalty**: Any person who violates any provision of this Ordinance shall be guilty of a misdemeanor, and upon conviction shall be fined as provided in Section 1-8 of the City Code.
- VII. **Publication**: The City Secretary is directed to cause the caption of this ordinance to be published in a newspaper of general circulation according to law.
- VIII. **Effective Date**: This ordinance shall become effective and be in full force ten days after passage.

PASSED, APPROVED, AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF LOCKHART, TEXAS, ON THIS THE 16th DAY OF APRIL, 2024

CITY OF LOCKHART

Lew White
Mayor

ATTEST:

APPROVED AS TO FORM:

Julie Bowermon
City Secretary

Brad Bullock
City Attorney

Texas Commission on Environmental Quality

Water Availability Division

MC-160, P.O. Box 13087 Austin, Texas 78711-3087

Telephone (512) 239-4600, FAX (512) 239-2214

Drought Contingency Plan for a Retail Public Water Supplier

This form is provided as a model of a drought contingency plan for a retail public water supplier. If you need assistance in completing this form or in developing your plan, please contact the Conservation Staff of the Resource Protection Team in the Water Availability Division at (512) 239-4600.

Drought Contingency Plans must be formally adopted by the governing body of the water provider and documentation of adoption must be submitted with the plan. For municipal water systems, adoption would be by the city council as an ordinance. For other types of publicly-owned water systems (example: utility districts), plan adoption would be by resolution of the entity's board of directors adopting the plan as administrative rules. For private investor-owned utilities, the drought contingency plan is to be incorporated into the utility's rate tariff. Each water supplier shall provide documentation of the formal adoption of their drought contingency plan.

Name:	<u>City of Lockhart</u>	
Address:	<u>P.O. Box 239, Lockhart, TX 78644</u>	
Telephone Number:	<u>(512) 398-6452</u>	Fax: <u>(512) 398-9134</u>
Water Right No.(s):	<u>N/A</u>	
Regional Water Planning Group:	<u>South Central Texas Water Planning Group</u>	
Form Completed by:	<u>Sean Kelley</u>	
Title:	<u>Public Works Director</u>	
Person responsible for implementation:	<u>Steven Lewis, City Manager</u>	Phone: <u>(512) 398-3461</u>
Signature:	Date: / /	

Section I: Declaration of Policy, Purpose, and Intent

In order to conserve the available water supply and protect the integrity of water supply facilities, with particular regard for domestic water use, sanitation, and fire protection, and to protect and preserve public health, welfare, and safety and minimize the adverse impacts of water supply shortage or other water supply emergency conditions, the City of Lockhart hereby adopts the following regulations and restrictions on the delivery and consumption of water.

Water uses regulated or prohibited under this Drought Contingency Plan (the Plan) are considered to be non-essential and continuation of such uses during times of water shortage or other

emergency water supply condition are deemed to constitute a waste of water which subjects the offender(s) to penalties as defined in Section X of this Plan.

Section II: Public Involvement

Opportunity for the public to provide input into the preparation of the Plan was provided by the City of Lockhart by means of public notices at Council meetings, public television, and local newspaper.

Section III: Public Education

The City of Lockhart will periodically provide the public with information about the Plan, including information about the conditions under which each stage of the Plan is to be initiated or terminated and the drought response measures to be implemented in each stage. This information will be provided by means of notification in utility bills, posted in public places, and placed on the City of Lockhart's website.

Section IV: Coordination with Regional Water Planning Groups

The service area of the City of Lockhart is located within the South Central Texas Water Planning Group and the City of Lockhart has provided a copy of this Plan to the South Central Texas Water Planning Group

Section V: Authorization

The City Manager or his designee is hereby authorized and directed to implement the applicable provisions of this Plan upon determination that such implementation is necessary to protect public health, safety, and welfare. The City Manager or his/her designee shall have the authority to initiate or terminate drought or other water supply emergency response measures as described in this Plan.

Section VI: Application

The provisions of this Plan shall apply to all persons, customers, and property utilizing water provided by the City of Lockhart. The terms "person" and "customer" as used in the Plan include individuals, corporations, partnerships, associations, and all other legal entities.

Section VII: Definitions

For the purposes of this Plan, the following definitions shall apply:

Aesthetic water use: water use for ornamental or decorative purposes such as fountains, reflecting pools, and water gardens.

Commercial and institutional water use: water use which is integral to the operations of commercial and non-profit establishments and governmental entities such as retail establishments, hotels and motels, restaurants, and office buildings.

Conservation: those practices, techniques, and technologies that reduce the consumption of water, reduce the loss or waste of water, improve the efficiency in the use of water or increase the recycling and reuse of water so that a supply is conserved and made available for future or alternative uses.

Customer: any person, company, or organization using water supplied by the City of Lockhart.

Domestic water use: water use for personal needs or for household or sanitary purposes such as drinking, bathing, heating, cooking, sanitation, or for cleaning a residence, business, industry, or institution.

Even number address: street addresses, box numbers, or rural postal route numbers ending in 0, 2, 4, 6, or 8 and locations without addresses.

Foundation watering: an application of water to the soils directly abutting (within 2 feet) the foundation of a building, structure.

Industrial water use: the use of water in processes designed to convert materials of lower value into forms having greater usability and value.

Landscape irrigation use: water used for the irrigation and maintenance of landscaped areas, whether publicly or privately owned, including residential and commercial lawns, gardens, golf courses, parks, and rights-of-way and medians.

Non-essential water use: water uses that are not essential nor required for the protection of public, health, safety, and welfare, including:

- (a) irrigation of landscape areas, including parks, athletic fields, and golf courses, except otherwise provided under this Plan;
- (b) use of water to wash any motor vehicle, motorbike, boat, trailer, airplane or other vehicle;
- (c) use of water to wash down any sidewalks, walkways, driveways, parking lots, tennis courts, or other hard-surfaced areas;
- (d) use of water to wash down buildings or structures for purposes other than immediate fire protection;
- (e) flushing gutters or permitting water to run or accumulate in any gutter or street;
- (f) use of water to fill, refill, or add to any indoor or outdoor swimming pools, pass-through splash pad(s), or Jacuzzi-type pools;
- (g) use of water in a fountain or pond for aesthetic or scenic purposes except where necessary to support aquatic life;
- (h) failure to repair a controllable leak(s) within a reasonable period after having been given notice directing the repair of such leak(s); and
- (i) use of water from hydrants for construction purposes or any other purposes other than fire fighting.

Odd numbered address: street addresses, box numbers, or rural postal route numbers ending in 1, 3, 5, 7, or 9.

Section VIII: Criteria for Initiation and Termination of Drought Response Stages

The City Manager or his designee shall monitor water supply and/or demand conditions on a daily basis and shall determine when conditions warrant initiation or termination of each stage of the Plan, that is, when the specified “triggers” are reached.

The triggering criteria described below are based on:
rainfall, equipment failure, water well levels, system capacity and failures..

Utilization of alternative water sources and/or alternative delivery mechanisms:

Alternative water source(s) for water service is/are: Luling Surface Water Treatment Plant and Carrizo Groundwater Supply project (expected to be completed in the second quarter of 2024).

Stage 1 Triggers -- MILD Water Shortage Conditions

Requirements for initiation

Customers shall be requested to voluntarily conserve water and adhere to the prescribed restrictions on certain water uses, defined in Section VII Definitions, when total daily water demand equals or exceeds 3.6 million gallons for 3 consecutive days or 4.3 million gallons on a single day.

Requirements for termination

Stage 1 of the Plan may be rescinded when all of the conditions listed as triggering events have ceased to exist for a period of 3 consecutive days.

Stage 2 Triggers – MODERATE Water Shortage Conditions

Requirements for initiation

Customers shall be required to comply with the requirements and restrictions on certain non-essential water uses provided in Section IX of this Plan when total daily water demand equals or exceeds 3.9 million gallons for 3 consecutive days or 4.6 million gallons on a single day

Requirements for termination

Stage 2 of the Plan may be rescinded when all of the conditions listed as triggering events have ceased to exist for a period of 3 consecutive days and measurable rain event has occurred. Upon termination of Stage 2, Stage 1, or the applicable drought response stage based on the triggering criteria, becomes operative.

Stage 3 Triggers – SEVERE Water Shortage Conditions

Requirements for initiation

Customers shall be required to comply with the requirements and restrictions on certain non-essential water uses for Stage 3 of this Plan when total daily water demand equals or exceeds 4.1 million gallons for 3 consecutive days or 4.8 million gallons on a single day

Requirements for termination

Stage 3 of the Plan may be rescinded when all of the conditions listed as triggering events have ceased to exist for a period of 3 consecutive days and measurable rain event has occurred. Upon termination of Stage 3, Stage 2, or the applicable drought response stage based on the triggering criteria, becomes operative.

Stage 4 Triggers – CRITICAL Water Shortage Conditions

Requirements for initiation

Customers shall be required to comply with the requirements and restrictions on certain non-essential water uses for Stage 4 of this Plan when total daily water demand equals or exceeds 4.4 million gallons for 3 consecutive days or 5.1 million gallons on a single day and/or when major water main breaks occur, major pump or system failures occur which cause unprecedented loss of capability to provide water service to customers.

Requirements for termination

Stage 4 of the Plan may be rescinded when all of the conditions listed as triggering events have ceased to exist for a period of 3 consecutive days and measurable rain event has occurred. Upon termination of Stage 4, Stage 3, or the applicable drought response stage based on the triggering criteria, becomes operative.

Stage 5 Triggers – EMERGENCY Water Shortage Conditions

Requirements for initiation

Customers shall be required to comply with the requirements and restrictions for Stage 5 of this Plan when City Manager, or his designee, determines that a water supply emergency exists based on:

1. Major water line breaks, or pump or system failures occur, which cause unprecedented loss of capability to provide water service; **or**
2. Natural or man-made contamination of the water supply source(s).

Requirements for termination

Stage 5 of the Plan may be rescinded when all of the conditions listed as triggering events have ceased to exist for a period of 3 consecutive days and measurable rain event has occurred.

Stage 6 Triggers – WATER ALLOCATION

Requirements for initiation

Customers shall be required to comply with the water allocation plan prescribed in Section IX of this Plan and comply with the requirements and restrictions for Stage 5 of this Plan when total daily water demand equals or exceeds 5.1 million gallons for 3 consecutive days

Requirements for termination - Water allocation may be rescinded when all of the conditions listed as triggering events have ceased to exist for a period of 3 consecutive days and measurable rain event has occurred.

Section IX: Drought Response Stages

The City Manager, or his designee, shall monitor water supply and/or demand conditions on a daily basis and, in accordance with the triggering criteria set forth in Section VIII of this Plan, shall determine that a mild, moderate, severe, critical, emergency or water shortage condition exists and shall implement the following notification procedures. The City's information relating to its Drought and Emergency Response Stages are also listed in Table 1.

Notification

Notification of the Public:

The City Manager or his/ her designee shall notify the public by means of:

- *Publication in a newspaper of general circulation,*
- *Public service announcements,*
- *Signs posted in public places*
- *City website*

Additional Notification:

The City Manager or his designee shall notify directly, or cause to be notified directly, the following individuals and entities:

- *Mayor and members of the City Council*
- *Fire Chief*

- *City and/or County Emergency Management Coordinator(s)*
- *County Judge & Commissioner(s)*
- *TCEQ (required when mandatory restrictions are imposed)*
- *Critical water users, i.e. hospitals*

Stage 1 Response – MILD Water Shortage Conditions

Target: Achieve a voluntary 5 percent reduction in daily water demand

Best Management Practices for Supply Management:

Reduce use of water in City cemetery, parks, public areas, and downtown irrigation

Voluntary Water Use Restrictions for Reducing Demand:

- Water customers are requested to voluntarily limit the irrigation of landscaped areas to Sundays and Thursdays for customers with a street address ending in an even number (0, 2, 4, 6 or 8), and Saturdays and Wednesdays for water customers with a street address ending in an odd number (1, 3, 5, 7 or 9), and to irrigate landscapes only between the hours of 12:00 midnight and 10:00 a.m. and 7:00 p.m. to midnight on designated watering days.
- All operations of the City of Lockhart shall adhere to water use restrictions prescribed for Stage 1 of the Plan.
- Water customers are requested to practice water conservation and to minimize or discontinue water use for non-essential purposes.

Stage 2 Response – MODERATE Water Shortage Conditions

Target: Achieve a 10 percent reduction in daily water demand

Best Management Practices for Supply Management:

Reduce use of water in City cemetery, parks, public areas, and downtown irrigation

Water Use Restrictions for Demand Reduction:

Under threat of penalty for violation, the following water use restrictions shall apply to all persons:

- Irrigation of landscaped areas with hose-end sprinklers or automatic irrigation systems shall be limited to Sundays and Thursdays for customers with a street address ending in an even number (0, 2, 4, 6 or 8), and Saturdays and Wednesdays for water customers with a street address ending in an odd number (1, 3, 5, 7 or 9), and irrigation of landscaped areas is further limited to the hours of 12:00 midnight until 10:00 a.m. and between 7:00 p.m. and 12:00 midnight on designated watering days. However, irrigation of landscaped areas is permitted at anytime if it is by means of a hand-held hose, a faucet filled bucket or watering can of five (5) gallons or less, or drip irrigation system.

- (b) Use of water to wash any motor vehicle, motorbike, boat, trailer, airplane or other vehicle is prohibited except on designated watering days between the hours of 12:00 midnight and 10:00 a.m. and between 8:00 p.m. and 12:00 midnight. Such washing, when allowed, shall be done with a hand-held bucket or a hand-held hose equipped with a positive shutoff nozzle for quick rises. Vehicle washing may be done at any time on the immediate premises of a commercial car wash or commercial service station. Further, such washing may be exempted from these regulations if the health, safety, and welfare of the public is contingent upon frequent vehicle cleansing, such as garbage trucks and vehicles used to transport food and perishables.
- (c) Use of water to fill, refill, or add to any indoor or outdoor swimming pools, wading pools, or Jacuzzi-type pools is prohibited except on designated watering days between the hours of 12:00 midnight and 10:00 a.m. and between 8 p.m. and 12:00 midnight.
- (d) Operation of any ornamental fountain or pond for aesthetic or scenic purposes is prohibited except where necessary to support aquatic life or where such fountains or ponds are equipped with a recirculation system.
- (e) Use of water from hydrants shall be limited to fire fighting, related activities, or other activities necessary to maintain public health, safety, and welfare, except that use of water from designated fire hydrants for construction purposes may be allowed under special permit from the City of Lockhart.
- (f) Use of water for the irrigation of golf course greens, tees, and fairways is prohibited except on designated watering days between the hours 12:00 midnight and 10:00 a.m. and between 8 p.m. and 12:00 midnight. However, if the golf course utilizes a water source other than that provided by the City of Lockhart, the facility shall not be subject to these regulations.
- (g) All restaurants are prohibited from serving water to patrons except upon request of the patron.
- (h) Use of a patio mister at a commercial facility is prohibited except between the hours of 4:00 p.m. and midnight.
- (i) The following uses of water are defined as non-essential and are prohibited:
 - 1. wash down of any sidewalks, walkways, driveways, parking lots, tennis courts, or other hard-surfaced areas;
 - 2. use of water to wash down buildings or structures for purposes other than immediate fire protection;
 - 3. use of water for dust control;
 - 4. flushing gutters or permitting water to run or accumulate in any gutter or street; and
 - 5. failure to repair a controllable leak(s) within a reasonable period after having been given notice directing the repair of such leak(s).

Stage 3 Response – SEVERE Water Shortage Conditions

Target: Achieve a 30 percent reduction in daily water demand

Best Management Practices for Supply Management:

Stop use of outside watering in cemetery, parks, public areas, and downtown irrigation.

Water Use Restrictions for Demand Reduction:

All requirements of Stage 2 shall remain in effect during Stage 3 except:

- (a) Irrigation of landscaped areas by permanently installed automatic sprinkler system shall be limited to Tuesdays for customers with a street address ending number one (1), Wednesdays for customers with a street address ending number two (2) or six (6), Thursdays for customers with a street address ending number zero (0), Fridays for customers with a street address ending number five (5) or nine (9), Saturdays for customers with a street address ending number four (4) or eight (8), and Sundays for water customers with a street address ending in number three (3) or seven (7), and irrigation of landscaped areas is further limited to the hours of 12:00 midnight until 10:00 a.m. and between 7:00 p.m. and 12:00 midnight on designated watering day. However, irrigation of landscaped areas is permitted at on designated watering days if it is by means of a hand-held hose, hand-held buckets, or drip irrigation system. The use of hose-end sprinklers is prohibited at all times.
- (b) The watering of golf course tees is prohibited unless the golf course utilizes a water source other than that provided by the City of Lockhart
- (c) The use of water for construction purposes from designated fire hydrants under special permit is to be discontinued.
- (d) Foundation Watering (within 2 feet) and watering of trees may occur for two hours one day per week with a hand-held hose or with a dedicated zone using a Drip Irrigation system and/or Soaker Hose, provided no runoff occurs.
- (e) Pass-through splash pad(s) may operate no more than three days per week.

Stage 4 Response – CRITICAL Water Shortage Conditions

Target: Achieve a 40 percent reduction in daily water demand

Best Management Practices for Supply Management:

Stop use of outside watering in cemetery, parks, public areas, and downtown irrigation.

Water Use Restrictions for Reducing Demand:

All requirements of Stage 2 and 3 shall remain in effect during Stage 4 except:

- (a) Irrigation of landscaped areas shall be limited to designated watering days between the hours of 6:00 a.m. and 10:00 a.m. and between 8:00 p.m. and 12:00 midnight and shall be by means of hand-held hoses, hand-held buckets, or drip

irrigation only. The use of hose-end sprinklers or permanently installed automatic sprinkler systems are prohibited at all times.

- (b) Use of water to wash any motor vehicle, motorbike, boat, trailer, airplane or other vehicle not occurring on the premises of a commercial car wash and commercial service stations and not in the immediate interest of public health, safety, and welfare is prohibited. Further, such vehicle washing at commercial car washes and commercial service stations shall occur only between the hours of 6:00 a.m. and 10:00 a.m. and between 6:00 p.m. and 10 p.m.
- (c) The filling, refilling, or adding of water to swimming pools, wading pools, and Jacuzzi-type pools is prohibited.
- (d) Operation of any ornamental fountain or pond for aesthetic or scenic purposes is prohibited except where necessary to support aquatic life or where such fountains or ponds are equipped with a recirculation system.
- (e) No application for new, additional, expanded, or increased-in-size water service connections, meters, service lines, pipeline extensions, mains, or water service facilities of any kind shall be approved, and time limits for approval of such applications are hereby suspended for such time as this drought response stage or a higher-numbered stage shall be in effect.
- (f) The use of water for pass-through splash pad(s) is prohibited.

Stage 5 Response – EMERGENCY Water Shortage Conditions

Target: Achieve a 50 percent reduction in daily water demand

Best Management Practices for Supply Management:

Stop use of outside watering in cemetery, parks, public areas, and downtown irrigation.

Water Use Restrictions for Reducing Demand:

All requirements of Stage 2, 3, and 4 shall remain in effect during Stage 5 except:

- (a) Irrigation of landscaped areas is absolutely prohibited, except soaker hoses, hand-held hoses or a dedicated zone using a drip irrigation system may be used to water trees up to two hours per week or foundations as necessary, provided no runoff occurs.
- (b) Use of water to wash any motor vehicle, motorbike, boat, trailer, airplane or other vehicle is absolutely prohibited.

Stage 6 Response – WATER ALLOCATION

In the event that water shortage conditions threaten public health, safety, and welfare, the City Manager is hereby authorized to allocate water according to the following water allocation plan:

Residential Customers

The allocation to residential water customers residing in a single-family dwelling shall be as follows:

“Household” means the residential premises served by the customer’s meter. A household’s monthly allocation shall be 75% of the household’s water usage baseline. A household’s water usage baseline shall be considered the average monthly usage of that household calculated using the most recent 12 months in that household’s billing history. If the customer’s billing history is shorter than 12 months, then the customer’s water usage baseline shall be considered the average monthly usage for the customer’s existing billing history.

Residential water customers shall pay the following surcharges:

- 1.5 times the block rate for each 1,000 gallons in excess of the allocation up through 5 percent above allocation.
- 2 times the block rate for each 1,000 gallons from 5 percent through 10 percent above allocation.
- 3 times the block rate for each 1,000 gallons from 10 percent through 15 percent above allocation.
- 4 times the block rate for each 1,000 gallons more than 15 percent above allocation.

Surcharges shall be cumulative.

Commercial Customers

A monthly water allocation shall be established by the City Manager, or his designee, for each nonresidential commercial customer other than an industrial customer who uses water for processing purposes. The non-residential customer’s allocation shall be approximately 75% percent of the customer’s usage for corresponding month’s billing period for the previous 12 months. If the customer’s billing history is shorter than 12 months, the monthly average for the period for which there is a record shall be used for any monthly period for which no history exists. The City Manager may make an effort to see that notice of each non-residential customer’s allocation is mailed to such customer. If, however, a customer does not receive such notice, it shall be the customer’s responsibility to contact the City of Lockhart to determine the allocation. Upon request of the customer or at the initiative of the City Manager, the allocation may be reduced or increased if, (1) the designated period does not accurately reflect the customer’s normal water usage, (2) one nonresidential customer agrees to transfer part of its allocation to another nonresidential customer, or (3) other objective evidence demonstrates that the designated allocation is inaccurate under present conditions. A customer may appeal an allocation established hereunder to the City Manager. Nonresidential commercial customers shall pay the following surcharges:

- 1.5 times the block rate for each 1,000 gallons in excess of the allocation up through 5 percent above allocation.

- 2 times the block rate for each 1,000 gallons from 5 percent through 10 percent above allocation.
- 3 times the block rate for each 1,000 gallons from 10 percent through 15 percent above allocation.
- 4 times the block rate for each 1,000 gallons more than 15 percent above allocation.

The surcharges shall be cumulative. As used herein, “block rate” means the charge to the customer per 1,000 gallons at the regular water rate schedule at the level of the customer’s allocation.

Industrial Customers

A monthly water allocation shall be established by the City Manager, or his designee, for each industrial customer, which uses water for processing purposes. The industrial customer’s allocation shall be approximately 80% percent of the customer’s water usage baseline. Ninety (90) days after the initial imposition of the allocation for industrial customers, the industrial customer’s allocation shall be further reduced to 75% percent of the customer’s water usage baseline. The industrial customer’s water use baseline will be computed on the average water use for the 12-month period ending prior to the date of implementation of Stage 2 of the Plan. If the industrial water customer’s billing history is shorter than 12 months, the monthly average for the period for which there is a record shall be used for any monthly period for which no billing history exists. The City Manager shall give his best effort to see that notice of each industrial customer’s allocation is mailed to such customer. If, however, a customer does not receive such notice, it shall be the customer’s responsibility to contact the City of Lockhart to determine the allocation, and the allocation shall be fully effective notwithstanding the lack of receipt of written notice. Upon request of the customer or at the initiative of the City Manager, the allocation may be reduced or increased, (1) if the designated period does not accurately reflect the customer’s normal water use because the customer had shutdown a major processing unit for repair or overhaul during the period, (2) the customer has added or is in the process of adding significant additional processing capacity, (3) the customer has shutdown or significantly reduced the production of a major processing unit, (4) the customer has previously implemented significant permanent water conservation measures such that the ability to further reduce water use is limited, (5) the customer agrees to transfer part of its allocation to another industrial customer, or (6) if other objective evidence demonstrates that the designated allocation is inaccurate under present conditions. A customer may appeal an allocation established hereunder to the City Manager. Industrial customers shall pay the following surcharges:

- 1.5 times the block rate for each 1,000 gallons in excess of the allocation up through 5 percent above allocation.
- 2 times the block rate for each 1,000 gallons from 5 percent through 10 percent above allocation.
- 3 times the block rate for each 1,000 gallons from 10 percent through 15 percent above allocation.
- 4 times the block rate for each 1,000 gallons more than 15 percent above allocation.

The surcharges shall be cumulative. As used herein, "block rate" means the charge to the customer per 1,000 gallons at the regular water rate schedule at the level of the customer's allocation.

Section X: Enforcement

- (a) No person shall knowingly or intentionally allow the use of water from the City of Lockhart for residential, commercial, industrial, agricultural, governmental, or any other purpose in a manner contrary to any provision of this Plan, or in an amount in excess of that permitted by the drought response stage in effect at the time pursuant to action taken by City Manager (*designated official*), or his designee, in accordance with provisions of this Plan.
- (b) Any person who violates this Plan is guilty of a misdemeanor and, upon conviction shall be punished by a fine of not less than one dollars (\$1.00) and not more than two thousand dollars (\$2,000.00). Each day that one or more of the provisions in this Plan is violated shall constitute a separate offense. If a person is convicted of three or more distinct violations of this Plan, the City Manager shall, upon due notice to the customer, be authorized to discontinue water service to the premises where such violations occur. Services discontinued under such circumstances shall be restored only upon payment of a re-connection charge, hereby established at \$ 25.00, and any other costs incurred by the City of Lockhart in discontinuing service. In addition, suitable assurance must be given to the City Manager that the same action shall not be repeated while the Plan is in effect. Compliance with this plan may also be sought through injunctive relief in the district court.
- (c) Any person, including a person classified as a water customer of the City of Lockhart, in apparent control of the property where a violation occurs or originates shall be presumed to be the violator, and proof that the violation occurred on the person's property shall constitute a rebuttable presumption that the person in apparent control of the property committed the violation, but any such person shall have the right to show that he/she did not commit the violation. Parents shall be presumed to be responsible for violations of their minor children and proof that a violation, committed by a child, occurred on property within the parents' control shall constitute a rebuttable presumption that the parent committed the violation, but any such parent may be excused if he/she proves that he/she had previously directed the child not to use the water as it was used in violation of this Plan and that the parent could not have reasonably known of the violation.
- (d) Any employee of the City of Lockhart, police officer, or other employee designated by the City Manager, may issue a citation to a person he/she reasonably believes to be in violation of this Ordinance. The citation shall be prepared in duplicate and shall contain the name and address of the alleged violator, if known, the offense charged, and shall direct him/her to appear in the municipal court on the date shown on the citation for which the date shall not be less than 3 days nor more than 5 days from the date the citation was issued. The alleged violator shall be served a copy of the citation. Service of the citation shall be complete upon delivery of the citation to the alleged violator, to an agent or employee of a violator, or to a person over 14 years of age who is a member of the violator's immediate family or is a resident of the violator's residence. The alleged violator shall appear in municipal court to enter a plea of guilty or not guilty for the violation of this Plan. If the alleged violator fails to appear in municipal court, a warrant for his arrest may be issued. A summons to appear may be issued in lieu of an arrest warrant. These cases shall be expedited and given preferential setting in municipal court before all other cases.

Section XI: Variances

The City Manager, or his designee, may, in writing, grant temporary variance for existing water uses otherwise prohibited under this Plan if it is determined that failure to grant such variance would cause an emergency condition adversely affecting the health, sanitation, or fire protection for the public or the person requesting such variance and if one or more of the following conditions are met:

- (a) Compliance with this Plan cannot be technically accomplished during the duration of the water supply shortage or other condition for which the Plan is in effect.
- (b) Alternative methods can be implemented which will achieve the same level of reduction in water use.

Persons requesting an exemption from the provisions of this Ordinance shall file a petition for variance with the City of Lockhart within 5 days after the Plan or a particular drought response stage has been invoked. All petitions for variances shall be reviewed by the City Manager, or his designee, and shall include the following:

- (a) Name and address of the petitioner(s).
- (b) Purpose of water use.
- (c) Specific provision(s) of the Plan from which the petitioner is requesting relief.
- (d) Detailed statement as to how the specific provision of the Plan adversely affects the petitioner or what damage or harm will occur to the petitioner or others if petitioner complies with this Ordinance.
- (e) Description of the relief requested.
- (f) Period of time for which the variance is sought.
- (g) Alternative water use restrictions or other measures the petitioner is taking or proposes to take to meet the intent of this Plan and the compliance date.
- (h) Other pertinent information.

Section XII: Wholesale Contract Provisions

New wholesale contracts shall include standard language requiring that the customer adhere to the City's Code of Ordinances, including Chapter 58-7. Generally, wholesale customers in a new contract are also required to establish a water conservation program similar to one administered by City of Lockhart.

Pro rata curtailment shall be done in accordance with Texas Water Code 11.039. All new, renewed, or extended wholesale supply contracts will also include a provision that water shall be distributed on the pro rata basis in the event of a water shortage resulting from drought. Enforcement actions for non-compliance with either the Water Conservation Code or pro rata water reductions by wholesale customers will vary according to the specifics of each wholesale customer's contract.

Table 1 - Drought and Emergency Response Stages

Triggering Condition	Stage 1 -MILD Water Shortage	Stage 2 - MODERATE Water Shortage	Stage 3 - SEVERE Water Shortage	Stage 4 - CRITICAL Water Shortage	Stage 5 - EMERGENCY Water Shortage	Stage 6 - Water Allocation
Requirements for Initiation	Daily total water demand => 3.6 MG for 3 consecutive days or 4.3 MG on a single day	Daily total water demand => 3.9 MG for 3 consecutive days or 4.6 MG on a single day	Daily total water demand => 4.1 MG for 3 consecutive days or 4.8 MG on a single day	Daily total water demand => 4.4 MG for 3 consecutive days 5.1 MG on a single day and/or when major water mains, pumps, or system failures break or fail which cause unprecedented loss	Major water main, pumps, or system breaks or failures that cause unprecedented loss or natural or man-made contamination of the water supply sources	Daily total water demand => 5.1 MG for 3 consecutive days
Requirements for termination	Initiating Requirements cease to exist for a period of 3 consecutive days	Initiating Requirements cease to exist for a period of 3 consecutive days and measurable rain event has occurred	Initiating Requirements cease to exist for a period of 3 consecutive days and measurable rain event has occurred. Preceding drought response stage becomes operative	Initiating Requirements cease to exist for a period of 3 consecutive days and measurable rain event has occurred. Preceding drought response stage becomes operative	Initiating Requirements cease to exist for a period of 3 consecutive days and measurable rain event has occurred	Initiating Requirements cease to exist for a period of 3 consecutive days and measurable rain event has occurred
Response (Supply Management)	Reduce water use in city cemetery, parks, and public areas	Reduce water use in city cemetery, parks, and public areas	Stop use of outside watering in cemetery, parks, and public areas	Stop use of outside watering in cemetery, parks, and public areas	Stop use of outside watering in cemetery, parks, and public areas	Refer to DCP
Response (Demand Reduction)	•Customers with even numbered address to limit irrigation use to Sundays and Thursdays on designated times •Customers with odd numbered address to limit irrigation use to Saturdays and Wednesdays on designated times	•Customers with even numbered address to limit irrigation use to Sundays and Thursdays on designated times •Customers with odd numbered address to limit irrigation use to Saturdays and Wednesdays on designated times •Vehicle washing will be limited to 7 PM - 12AM and 12 AM - 10 AM •Use of water to refill swimming pools of any type to be limited to 7 PM - 12 AM and 12 AM - 10 AM •Operations of fountains or ponds to be prohibited except if necessary to sustain aquatic life •Fire Hydrants will be limited to fire fighting or others related activated to maintain public health •Irrigation of golf courses, tees, and fairways to be limited to 7 PM - 12 AM and 12 AM - 10 AM •Use of water for the following uses will be prohibited: -Washing down hard surfaced areas -Washing down buildings or structures -Dust control -Flushing gutters -Failure to repair a leak within a reasonable period after being given notice to repair such leak	•Landscape irrigation will be limited to designated watering days between 7 PM - 12 AM and 12 AM to 10 AM by means of hand-held hoses, hand-held buckets, drip irrigation, or repentantly installed automatic sprinkler system only •Watering of golf courses will be prohibited unless it utilizes a source other than the City of Lockhart •Use of water for construction purposes from designated fire hydrants under special permit is to be discontinued •Pass-through splash pad(s) may operate no more than three days per week.	•Landscape irrigation will be limited to designated watering days between 7 PM - 12 AM and 6 AM to 10 AM by means of hand-held hoses, hand-held buckets, or drip irrigation only. Permanently installed automatic sprinkler systems will be prohibited •Vehicle washing that is not occurring on the premises of a commercial car wash or service station and is also not for the purpose of immediate interest of public health, safety, and welfare as well will be prohibited. Vehicle washing at car washes and service stations will be limited between 6 PM - 10 PM and 6 AM - 10 AM •Use of water for refilling swimming pools of any kind or pass-through splash pad(s) will be prohibited •Operations of fountains or ponds to be prohibited except if necessary to sustain aquatic life •No application of any water service connections of any type shall be approved and time limits for approval of such applications will be suspended	•Landscape irrigation will be prohibited •Vehicle washing of any kind will be prohibited	Refer to DCP
Target	Achieve a voluntary 5 percent reduction in daily water demand	Achieve a 10 percent reduction in daily water demand	Achieve a 30 percent reduction in daily water demand	Achieve a 40 percent reduction in daily water demand	Achieve a 50 percent reduction in daily water demand	Refer to DCP

The City of Lockhart, Texas Caldwell County



Water Conservation Plan & Utility Profile

The City of Lockhart, Texas

P.O. Box 239

Lockhart, TX 78644

April 2024

Prepared by:



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ATTACHMENTS

ATTACHMENT A: (Lockhart CCN Map)

ATTACHEMNT B: (Water Conservation Literature)

ATTACHMENT C: (Water Service Rates)

ATTACHMENT D: (Water Conservation Plan)

UTILITY PROFILE

ATTACHMENT A: (Projected Water Demands)

ATTACHEMNT B: (Description of Water System)

ATTACHMENT C: (Description of Sewer System)

1.0 INTRODUCTION

The Public Works Department of the City of Lockhart, Texas (City) has developed a Water Conservation Plan fulfilling the requirements of Section 13.146 of the Texas Water Code. The objective of the water conservation plan is to reduce the quantity of water required for day-to-day living and business activities used in the City. This will be accomplished through the implementation of efficient water use practices. This report outlines the City's water conservation program.

The City currently has strategies for reducing water consumption. These strategies include, but are not limited to, a rate structure discouraging the excess use of water, metering devices with an accuracy of plus or minus 5%, suitable media sources such as mail outs, newspaper advertisements, and radio advertisements highlighting water conservation tips, regular inspections of water lines, and a program for replacing meters. The benefits of conserving water are protecting the most valuable resource (water), reducing the amount of water treated by water and wastewater plants therefore reducing operating expenses, and reducing consumer water bills.

2.0 DESCRIPTION OF SERVICE AREA

The City of Lockhart is located in south central Texas just south of the City of Austin. The city service area (see map in Attachment A) is approximately 26 square miles with a population of 16,530 (according to the U.S. Census Bureau and the City).

3.0 GOALS

The City has and will continue to conserve water via programs discussed later in this report. Over the past five years the city has averaged 12 Gallons per Capita per Day (GPCD) per year water loss. The City's goal is to reduce water loss in the service area by 1 GPCD over the next five years to achieve 11 GPCD water loss by the year 2029 and by an additional 1 GPCD by the year 2034 to achieve 10 GPCD water loss. The City intends to reduce the water consumption in the service area by 1% from 94 GPCD in 2024 to 93 GPCD by the year 2029 and by 1% to 92 GPCD by 2034. This will be accomplished by realizing the following water conservation goals described in the Schedule of Implementation.

	Historic 5-Year Average	Baseline	5-Year Goal for Year 2029	10-Year Goal for Year 2034
Total GPCD	94	94	93	92
Residential (GPCD)	55	55	54	53
Water Loss (GPCD)	12	12	11	10
Water Loss Percentage (%)	13	13	12	11

4.0 SCHEDULE OF IMPLEMENTATION

The following measures will be taken to ensure the water conservation goals are achieved:

- ◆ Distribution of water conservation literature to the citizens of Lockhart as described in section 8.0 below, Continuing Public Education and Information (See Attachment B).
- ◆ Continue to replace old meters with the new meters compatible with the SCADA system.
- ◆ Test all meters periodically as described in section 6.0 below, Universal Metering, to ensure meter accuracy and functionality have been maintained.
- ◆ Continue regular inspection of water lines for damage and/or leaks to prevent water loss.
- ◆ Maintain the current leak detection and water audit program and ensure that any leaks found are fixed as quickly as is practical.
- ◆ Replacement of water lines that are leaking or in an unsatisfactory condition to reduce water loss and maintain water quality.
- ◆ Continue a water rate structure discouraging excess water consumption as shown in Attachment C.
- ◆ Using a Water Recycling and Reuse Program.
- ◆ The Plumbing Codes require use of water saving fixtures for all new construction and for replacement of plumbing in existing structures.

5.0 METERING DEVICES

The City currently acquires its water supply from groundwater treated at the water treatment plant owned by the City. The City has wells in the Wilcox Aquifer for the withdrawal of 5,600 acre-feet per year and in the Luling Surface Water Treatment Plant for the withdrawal of 1,120 acre-feet per year. The City also has a third source of water from the Carrizo groundwater supply project, which yields 3,000 acre-feet per year. The existing water treatment plant has a rated treatment capacity of 5.7 MGD and its high service pump station has a total capacity of 6.92 MGD with a firm capacity of 5.19 MGD. An upgrade in 2000 included the addition of a water system Supervisory Control and Data Acquisition (SCADA) system to provide complete automated monitoring and control of the entire water system including the plant, wells, and distribution operations. The water use data for the service area is determined from a master meter at the water plant where treated water enters the distribution system. This meter has an accuracy of plus or minus 5.0% and is tested regularly.

6.0 UNIVERSAL METERING

The City currently meters 100% of the water used, both residential and commercial and they only use meters with +/- 5% accuracy. The City currently has a meter replacement and meter repair program and has established a regular schedule for testing meters. The schedule is as follows:

1. Production, master meters or meters greater than 1.5" – test annually
2. Meters larger than 1" up to 1.5" – test once every three years
3. Meters 1" or less – test once every ten years

7.0 UNACCOUNTED-FOR WATER USE

The City currently has a program to minimize unaccounted for water use that includes the following:

1. Visual inspection by meter readers and system employees who keep a constant watch for abnormal conditions indicating leaks.
2. An adequate maintenance staff, which is available to repair any leaks.

8.0 CONTINUING PUBLIC EDUCATION AND INFORMATION

The City promotes water conservation by informing the public of methods to conserve water. The City has already implemented an information and education program which incorporates:

1. Distribution of educational packages developed by the State and GBRA to the schools.
2. An annual open house to allow customers to visit the water and wastewater plant and pick up water conservation literature which is obtained as listed in Attachment B.
3. Water conservation techniques made available to customers every month when they pay their bills as well as to new customers who are tying into the system.
4. An annual water conservation educational effort targeted to the individual user in the form of mail outs, newspaper advertisements, radio advertisements, and other suitable media sources.
5. All new customers are informed of the water conservation program by a special information packet.

9.0 NON-PROMOTIONAL WATER RATE STRUCTURE

The City uses a non-promotional water rate structure to discourage the use of large quantities of water (see Attachment C). The City will explain the water rate structure to new accounts (customers).

10.0 ENFORCEMENT PROCEDURE AND PLAN ADOPTION

The Director of Utilities of the City is responsible for the implementation and enforcement of this plan. This plan will be enforced voluntarily (though compliance is encouraged) by the following methods:

1. Service tap applicants will be encouraged to utilize water conservation plumbing fixtures. Existing water system staff will be used to encourage that water saving plumbing devices are being installed in new buildings.
2. The water rate structure will encourage retrofitting of old plumbing fixtures which are using large amounts of water.
3. Adoption of new plumbing regulations regarding water conserving plumbing fixtures.

11.0 COORDINATION WITH REGIONAL WATER PLANNING GROUP

The water service area of the City is located within the South Central Texas Water Planning Group, and the City has provided a copy of this water conservation plan to the South Central Water Planning Group.

12.0 LEAK DETECTION, REPAIR, AND WATER LOSS ACCOUNTING

The City currently has a leak detection and repair program to minimize unaccounted for water use that includes the following:

1. Monthly water use accounting by the billing computer and master meters identifies high water use and identifies areas with leaks.
2. Constant monitoring of meters and storage tanks which identifies major watermain breaks.

13.0 RECORD MANAGEMENT SYSTEM

The City computer system records the amount of water pumped and delivered and the amount of sales. The amount of water losses is found by subtracting the amount of water pumped from the amount of water sold. This system records the water sales according to the account: residential, commercial, or other.

14.0 PLUMBING CODES

The City adopted an amendment to its plumbing code that requires the use of water saving fixtures for all new construction and for replacement of plumbing in existing structures (remodeling). The standards for residential and commercial fixtures are given in the following table.

Fixture	Maximum Usage
Wall mounted toilets	2.0 gallons of water per flush
All other toilets	2.0 gallons of water per flush
Tank-type urinal	2.0 gallons of water per flush
Flush valve urinal	2.0 gallons of water per flush
Shower head	2.75 gallons of water per minute
Faucets	2.2 gallons of water per minute
Hot water piping	all lines will be insulated
Swimming pools	new pools must have recirculation filtration equip.
Drinking water fountains	must be self-closing

15.0 WATER CONSERVATION RETROFIT PROGRAM

The plumbing code provides a gradual up-grading of plumbing fixtures in existing structures by retrofitting the old fixtures through voluntary efforts of individual consumers for their homes and businesses.

16.0 WATER CONSERVATION LANDSCAPING

Water conservation landscaping is initiated through public information and education. These practices are implemented as much as possible on public grounds in order to set an example for the general public. Builders, developers, nurseries, and other businesses involved in outdoor landscaping are encouraged to provide products that conserve water.

17.0 RECYCLING AND REUSE

The City encourages reuse by all available means whenever it is found to be fiscally, environmentally, and institutionally practical and prudent. Effluent from wastewater plants is used for wash-down whenever possible.

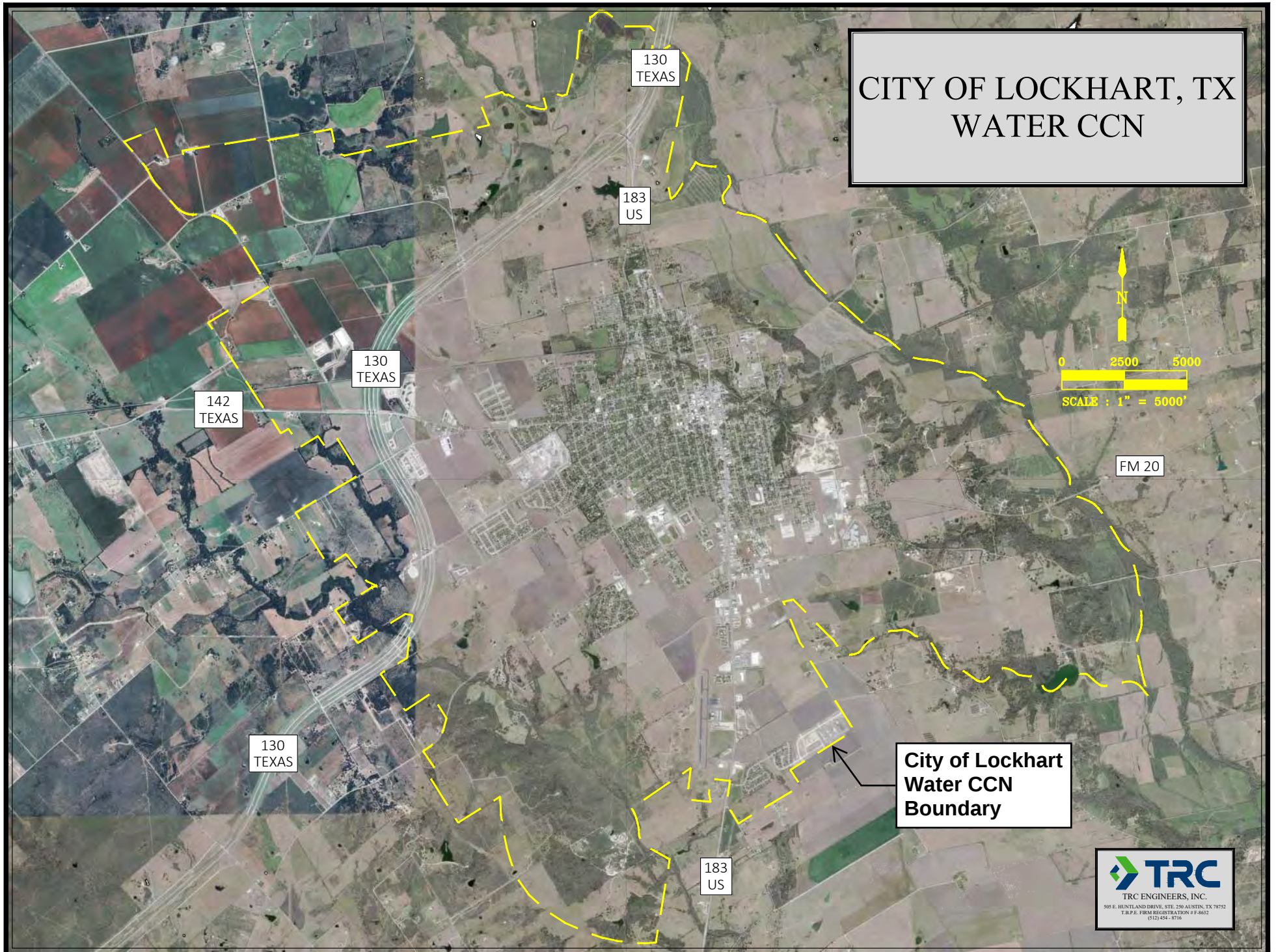
18.0 ANNUAL REPORTING

The City will report annually to the Texas Water Development Board within 60 days of the anniversary date of the loan closing throughout the life of the loan. The brief annual report will include the water conservation activities taken by the City during the previous year relative to this plan and will include progress made in the implementation of the program and the public response effectiveness of the plan in reducing water.

19.0 CONTRACTS

The City will require any political subdivision or utility contracting with the City in the future for treated water from the water treatment plant to adopt a water conservation plan acceptable to the Texas Water Development Board.

ATTACHMENT A: Service Area Map for the City of Lockhart



Attachment B: Water Conservation Literature

Single copies of all of Water Conservation publications and materials can be obtained at no charge. Larger quantities can be obtained through special arrangement or at the cost of printing. To make a request, write: CONSERVATION, Texas Water Development Board, Capitol Station, P.O. Box 13231, Austin, Texas 78711-3231. Examples of available literature include: agricultural conservation, municipal conservation, water resource planning, and audio visuals.

Attachment C: Water Service Rates

Residents will be charged fixed monthly charges per meter size as seen below:

Meter Size	Monthly Rate
5/8"	\$27.45
1"	\$68.61
1-1/2"	\$137.23
2"	\$219.56
3"	\$411.68
4"	\$686.13

Residents will be charged the monthly fixed rate according to meter size in addition to gallon usage as seen below:

Per Thousand Gallons	Monthly Rate
Tier 0 (0-1,999)	\$-
Tier 1 (2-5,999)	\$4.86
Tier 2 (6-9,999)	\$6.07
Tier 3 (10-19,999)	\$7.04
Tier 4 (20+)	\$7.77

Customers outside the city limits will be charged the monthly rate according to meter size in addition to the monthly rate below:

Per Thousand Gallons	Monthly Rate
All Usage	\$5.02

Title 31 TAC Chapter 363, Rule §363.15 (B)

ATTACHMENT D

WATER CONSERVATION PLAN

5- AND 10-YR GOALS FOR WATER SAVINGS

Name: _____

Water Conservation Plan Year: _____

	Historic 5-yr Average	Baseline*	5-yr Goal for year _____	10-yr Goal for year _____
Total (GPCD) ¹				
Residential (GPCD) ²				
Water Loss (GPCD) ³				
Water Loss (Percentage) ⁴	%	%	%	%

1. Total GPCD = (Total Gallons in System ÷ Permanent Population) ÷ 365

2. Residential GPCD = (Gallons Used for Residential Use ÷ Residential Population) ÷ 365

3. Water Loss GPCD = (Total Water Loss ÷ Permanent Population) ÷ 365

4. Water Loss Percentage = (Total Water Loss ÷ Total Gallons in System) x 100; or (Water Loss GPCD ÷ Total GPCD) x 100

GPCD - Gallons Per Capita Per Day

**A base use figure, or baseline, should be included to calculate your estimated savings. Consider state and regional targets and goals, local climate, and demographics (i.e. wet year versus dry year, high usage versus low usage)*



Texas Commission on Environmental Quality

Water Availability Division

MC-160, P.O. Box 13087 Austin, Texas 78711-3087

Telephone (512) 239-4600, FAX (512) 239-2214

Utility Profile and Water Conservation Plan Requirements for Municipal Water Use by Retail Public Water Suppliers

This form is provided to assist retail public water suppliers in water conservation plan assistance in completing this form or in developing your plan, please contact the Conservation staff of the Resource Protection Team in the Water Availability Division at (512) 239-4600.

Water users can find best management practices (BMPs) at the Texas Water Development Board's website <http://www.twdb.texas.gov/conservation/BMPs/index.asp>. The practices are broken out into sectors such as Agriculture, Commercial and Institutional, Industrial, Municipal and Wholesale. BMPs are voluntary measures that water users use to develop the required components of Title 30, Texas Administrative Code, Chapter 288. BMPs can also be implemented in addition to the rule requirements to achieve water conservation goals.

Contact Information

Name of Water Supplier:	<u>City of Lockhart</u>	
Address:	<u>P.O. Box 239, Lockhart, TX 78644</u>	
Telephone Number:	<u>(512) 398-6452</u>	<u>Fax: (512) 398-9134</u>
Water Right No.(s):	<u>N/A</u>	
Regional Water Planning Group:	<u>South Central Texas Water Planning Group</u>	
Water Conservation Coordinator (or person responsible for implementing conservation program):	<u>Steve Lewis, City Manager</u>	<u>Phone: (512) 398-3461</u>
Form Completed by:	<u></u>	
Title:	<u></u>	
Signature:	<u></u>	<u>Date: / /</u>

A water conservation plan for municipal use by retail public water suppliers must include the following requirements (as detailed in 30 TAC Section 288.2). If the plan does not provide information for each requirement, you must include in the plan an explanation of why the requirement is not applicable.

Utility Profile

I. POPULATION AND CUSTOMER DATA

A. *Population and Service Area Data*

1. Attach a copy of your service-area map and, if applicable, a copy of your Certificate of Convenience and Necessity (CCN).
2. Service area size (in square miles): 26
(Please attach a copy of service-area map)
3. Current population of service area: 16,530
4. Current population served for:
 - a. Water 99%
 - b. Wastewater 99%

5. Population served for previous five years:

<i>Year</i>	<i>Population</i>
2019	13,788
2020	14,623
2021	14,844
2022	15,210
2023	16,266

6. Projected population for service area in the following decades:

<i>Year</i>	<i>Population</i>
2025	17,684
2035	26,861
2045	39,617
2055	60,067
2065	91,075

7. List source or method for the calculation of current and projected population size.

Census Bureau population estimates and historical growth factor.

B. Customer Data

Senate Bill 181 requires that uniform consistent methodologies for calculating water use and conservation be developed and available to retail water providers and certain other water use sectors as a guide for preparation of water use reports, water conservation plans, and reports on water conservation efforts. A water system must provide the most detailed level of customer and water use data available to it, however, any new billing system purchased must be capable of reporting data for each of the sectors listed below. More guidance can be found at: <http://www.twdb.texas.gov/conservation/doc/SB181Guidance.pdf>

1. Quantified 5-year and 10-year goals for water savings:

	<i>Historic 5-year Average</i>	<i>Baseline</i>	<i>5-year goal for year 2029</i>	<i>10-year goal for year 2034</i>
Total GPCD	94	94	93	92
Residential GPCD	55	55	54	53
Water Loss GPCD	12	12	11	10
Water Loss Percentage	13	13	12	11

Notes:

Total GPCD = (Total Gallons in System ÷ Permanent Population) ÷ 365

Residential GPCD = (Gallons Used for Residential Use ÷ Residential Population) ÷ 365

Water Loss GPCD = (Total Water Loss ÷ Permanent Population) ÷ 365

Water Loss Percentage = (Total Water Loss ÷ Total Gallons in System) x 100; or (Water Loss GPCD ÷ Total GPCD) x 100

2. Current number of active connections. Check whether multi-family service is counted as
☐ Residential or ☒ Commercial?

<i>Treated Water Users</i>	<i>Metered</i>	<i>Non-Metered</i>	<i>Totals</i>
Residential	4,619	0	4,619
Single-Family	4,619	0	4,619
Multi-Family	0	0	0
Commercial	849	0	849
Industrial/Mining	7	0	7
Institutional	20	0	20
Agriculture	0	0	0
Other/Wholesale	0	101	101

3. List the number of new connections per year for most recent three years.

<i>Year</i>	<i>2023</i>	<i>2022</i>	<i>2021</i>
<i>Treated Water Users</i>			
Residential	1,023	637	567
Single-Family	1,023	637	567
Multi-Family	0	0	0
Commercial	269	97	73
Industrial/Mining	0	0	0
Institutional	0	0	0
Agriculture	3	7	6
Other/Wholesale	0	0	0

4. List of annual water use for the five highest volume customers.

<i>Customer</i>	<i>Use (1,000 gal/year)</i>	<i>Treated or Raw Water</i>
MTC Correctional Facility-N. Meter	38,857	Treated
City of Lockhart Aiport	7,194	Treated
Lockhart Nursing and Rehab.	6,822	Treated
Vintage Springs Residential Community	5,080	Treated
Brite & Shiny Carwash	4,805	Treated

II. WATER USE DATA FOR SERVICE AREA

A. Water Accounting Data

1. List the amount of water use for the previous five years (in 1,000 gallons).

Indicate whether this is ☐ diverted or ☒ treated water.

<i>Year</i>	2023	2022	2021	2020	2019
<i>Month</i>					
January	41,845	38,020	41,410	41,945	42,268
February	39,976	38,154	47,480	39,186	37,564
March	44,210	42,442	39,950	43,326	43,455
April	39,854	43,251	43,936	43,116	41,802
May	39,869	43,096	35,334	46,826	43,363
June	47,798	47,775	38,574	46,641	41,757
July	59,720	57,415	36,626	57,825	51,359
August	68,175	53,515	38,934	59,750	57,711
September	63,565	47,215	42,656	42,350	51,249
October	51,012	47,028	36,570	47,449	48,140
November	44,433	41,321	35,596	45,199	42,163
December	46,218	44,344	36,201	42,770	43,121
Totals	583,675	543,576	473,267	556,383	543,952

- Describe how the above figures were determined (e.g, from a master meter located at the point of a diversion from the source or located at a point where raw water enters the treatment plant, or from water sales).

Above figures were determined with data obtained from master meter water plant where treated water enters the distribution system.

- Amount of water (in 1,000 gallons) delivered/sold as recorded by the following account types for the past five years.

<i>Year</i>	2023	2022	2021	2020	2019
<i>Account Types</i>					
Residential	319,591	298,745	292,239	299,459	263,964
Single-Family	319,591	298,745	292,239	299,459	263,964
Multi-Family	0	0	0	0	0
Commercial	162,015	140,442	95,609	111,525	105,267
Industrial/Mining	44,957	52,226	53,216	58,590	61,645
Institutional	18,164	10,777	4,668	6,093	6,072
Agriculture	0	308	540	388	489
Other/Wholesale	869	1,040	1,249	1,730	1,523

- List the previous records for water loss for the past five years (the difference between water diverted or treated and water delivered or sold).

<i>Year</i>	<i>Amount (gallons)</i>	<i>Percent %</i>
2023	43,481,889	7.45
2022	45,064,804	8.29
2021	26,404,454	5.58
2020	73,923,191	13.29
2019	84,070,379	15.45

B. Projected Water Demands

- If applicable, attach or cite projected water supply demands from the applicable Regional Water Planning Group for the next ten years using information such as population trends, historical water use, and economic growth in the service area over the next ten years and any additional water supply requirements from such growth.

III. WATER SUPPLY SYSTEM DATA

A. Water Supply Sources

1. List all current water supply sources and the amounts authorized (in acre feet) with each.

<i>Water Type</i>	<i>Source</i>	<i>Amount Authorized</i>
Surface Water		
Groundwater	Wilcox Aquifer	5,600
Contracts	Carrizo Groundwater Supply Project	3,000
Contracts	Luling Surface WTP	1,120

B. Treatment and Distribution System (if providing treated water)

1. Design daily capacity of system (MGD): 5.7
2. Storage capacity (MGD):
 - a. Elevated 1.55
 - b. Ground 2.30
3. If surface water, do you recycle filter backwash to the head of the plant?

☒ Yes ☐ No If yes, approximate amount (MGD): 0.08

IV. WASTEWATER SYSTEM DATA

A. Wastewater System Data (if applicable)

1. Design capacity of wastewater treatment plant(s) (MGD): 2.6
2. Treated effluent is used for ☐ on-site irrigation, ☐ off-site irrigation, for ☒ plant wash-down, and/or for ☒ chlorination/dechlorination.

If yes, approximate amount (in gallons per month): 17.5 Million
3. Briefly describe the wastewater system(s) of the area serviced by the water utility. Describe how treated wastewater is disposed. Where applicable, identify treatment plant(s) with the TCEQ name and number, the operator, owner, and the receiving stream if wastewater is discharged.

See attachment C.

B. Wastewater Data for Service Area (if applicable)

1. Percent of water service area served by wastewater system: 100%
2. Monthly volume treated for previous five years (in 1,000 gallons):

<i>Year</i>	2023	2022	2021	2020	2019
<i>Month</i>					
January	31,190	31,010	30,080	29,260	29,030
February	29,950	31,130	30,730	26,580	23,730
March	32,330	34,860	28,810	32,340	27,890
April	33,210	30,240	32,320	32,600	31,670
May	36,170	30,620	45,080	37,490	34,870
June	32,740	30,970	35,180	30,960	36,410
July		30,460	42,860	32,390	32,060
August		32,630	32,240	30,530	33,160
September		30,640	31,370	33,030	31,080
October		30,400	37,520	29,980	31,220
November		30,540	30,570	29,050	27,970
December		30,540	30,270	30,440	28,290
Totals		378,990	407,030	374,650	367,380

Water Conservation Plan

In addition to the utility profile, please attach the following as required by Title 30, Texas Administrative Code, §288.2. Note: If the water conservation plan does not provide information for each requirement, an explanation must be included as to why the requirement is not applicable.

A. Record Management System

The water conservation plan must include a record management system which allows for the classification of water sales and uses in to the most detailed level of water use data currently available to it, including if possible, the following sectors: residential (single and multi-family), commercial.

B. Specific, Quantified 5 & 10-Year Targets

The water conservation plan must include specific, quantified five-year and ten-year targets for water savings to include goals for water loss programs and goals for municipal use in gallons per capita per day. Note that the goals established by a public water supplier under this subparagraph are not enforceable. These goals must be updated during the five-year review and submittal.

C. Measuring and Accounting for Diversions

The water conservation plan must include a statement about the water suppliers metering device(s), within an accuracy of plus or minus 5.0% in order to measure and account for the amount of water diverted from the source of supply.

D. Universal Metering

The water conservation plan must include and a program for universal metering of both customer and public uses of water, for meter testing and repair, and for periodic meter replacement.

E. Measures to Determine and Control Water Loss

The water conservation plan must include measures to determine and control water loss (for example, periodic visual inspections along distribution lines; annual or monthly audit of the water system to determine illegal connections; abandoned services; etc.).

F. Continuing Public Education & Information

The water conservation plan must include a description of the program of continuing public education and information regarding water conservation by the water supplier.

G. Non-Promotional Water Rate Structure

The water supplier must have a water rate structure which is not “promotional,” i.e., a rate structure which is cost-based and which does not encourage the excessive use of water. This rate structure must be listed in the water conservation plan.

H. Reservoir Systems Operations Plan

The water conservation plan must include a reservoir systems operations plan, if applicable, providing for the coordinated operation of reservoirs owned by the applicant within a common watershed or river basin in order to optimize available water supplies.

I. Enforcement Procedure and Plan Adoption

The water conservation plan must include a means for implementation and enforcement, which shall be evidenced by a copy of the ordinance, rule, resolution, or tariff, indicating official adoption of the water conservation plan by the water supplier; and a description of the authority by which the water supplier will implement and enforce the conservation plan.

J. Coordination with the Regional Water Planning Group(s)

The water conservation plan must include documentation of coordination with the regional water planning groups for the service area of the public water supplier in order to ensure consistency with the appropriate approved regional water plans.

K. Plan Review and Update

A public water supplier for municipal use shall review and update its water conservation plan, as appropriate, based on an assessment of previous five-year and ten-year targets and any other new or updated information. The public water supplier for municipal use shall review and update the next revision of its water conservation plan not later than May 1, 2009, and every five years after that date to coincide with the regional water planning group. The revised plan must also include an implementation report.

VI. ADDITIONAL REQUIREMENTS FOR LARGE SUPPLIERS

Required of suppliers serving population of 5,000 or more or a projected population of 5,000 or more within the next ten years:

A. Leak Detection and Repair

The plan must include a description of the program of leak detection, repair, and water loss accounting for the water transmission, delivery, and distribution system in order to control unaccounted for uses of water.

B. Contract Requirements

A requirement in every wholesale water supply contract entered into or renewed after official adoption of the plan (by either ordinance, resolution, or tariff), and including any contract extension, that each successive wholesale customer develop and implement a water conservation plan or water conservation measures using the applicable elements in this chapter. If the customer intends to resell the water, the contract between the initial supplier and customer must provide that the contract for the resale of the water must have water conservation requirements so that each successive customer in the resale of the water will be required to implement water conservation measures in accordance with the provisions of this chapter.

VII. ADDITIONAL CONSERVATION STRATEGIES

Any combination of the following strategies shall be selected by the water supplier, in addition to the minimum requirements of 30 TAC §288.2(1), if they are necessary in order to achieve the stated water conservation goals of the plan. The commission may require by commission order that any of the following strategies be implemented by the water supplier if the commission determines that the strategies are necessary in order for the conservation plan to be achieved:

1. Conservation-oriented water rates and water rate structures such as uniform or increasing block rate schedules, and/or seasonal rates, but not flat rate or decreasing block rates;
2. Adoption of ordinances, plumbing codes, and/or rules requiring water conserving plumbing fixtures to be installed in new structures and existing structures undergoing substantial modification or addition;
3. A program for the replacement or retrofit of water-conserving plumbing fixtures in existing structures;
4. A program for reuse and/or recycling of wastewater and/or graywater;
5. A program for pressure control and/or reduction in the distribution system and/or for customer connections;
6. A program and/or ordinance(s) for landscape water management;
7. A method for monitoring the effectiveness and efficiency of the water conservation plan; and
8. Any other water conservation practice, method, or technique which the water supplier shows to be appropriate for achieving the stated goal or goals of the water conservation plan.

VIII. WATER CONSERVATION PLANS SUBMITTED WITH A WATER RIGHT APPLICATION FOR NEW OR ADDITIONAL STATE WATER

Water Conservation Plans submitted with a water right application for New or Additional State Water must include data and information which:

1. support the applicant's proposed use of water with consideration of the water conservation goals of the water conservation plan;
2. evaluates conservation as an alternative to the proposed appropriation; and
3. evaluates any other feasible alternative to new water development including, but not limited to, waste prevention, recycling and reuse, water transfer and marketing, regionalization, and optimum water management practices and procedures.

Additionally, it shall be the burden of proof of the applicant to demonstrate that no feasible alternative to the proposed appropriation exists and that the requested amount of appropriation is necessary and reasonable for the proposed use.

ATTACHMENT A: Projected Water Demands

Future Water Use

The future water use projections shown in **Table 1- Projected Water Usage** were derived from the future populations projections and the per capita water demands historical water usage data. These projections are used for making recommendations for future improvements to the water system.

Table 1- Projected Water Usage

Year	Projected Population	Projected Water Demand (MGD)
2025	17,684	1.80
2030	21,220	2.30

Water Supply Improvements

The reliable capacity of the well field is 5.0 MGD and the surface water contract with Luling is for 1.0 MGD. Lockhart also has the Carrizo Groundwater Supply Project slated to be operational in second quarter of 2024 with a capacity of 2.67 MGD. Lockhart's water supply is adequate through 2030.

ATTACHMENT B: Description of Water System

Water Supply

The City of Lockhart currently has seven producing wells in the southeast well field. These wells pump water from the Wilcox Aquifer through 7.5-mile-long parallel 12-inch, 14-inch and 18-inch transmission mains to the raw water pump station. The raw water pump station collects the water from the wells and pumps it to the water plant on the southeast side of the City. The raw water pump station consists of a 300,000 gal. storage reservoir and three pumps rated at 1800 GPM each. The raw water pipelines are capable of transporting 5 MGD.

The Guadalupe Blanco River Authority, City of Lockhart and the City of Luling in 2005 put into service the Luling/Lockhart Water transmission Main. This facility consists of a pump station at the Luling surface water treatment plant and a 16 mile 14-inch transmission main to the City of Lockhart water treatment plant. The contract between the three entities allows for the delivery of one million gallons of treated surface water per day to the Lockhart WTP.

The City of Lockhart's historical annual water use is shown on Table 1 below:

Table 1

Year	Wilcox Aquifer (in thousand gallons)	Luling Surface Water Treatment Plant (in thousand gallons)
2023	161,274	422,401
2022	202,344	341,232
2021	69,065	404,658
2020	120,133	436,250
2019	173,799	370,153

Water Treatment Plant

The Lockhart Water Treatment Plant (WTP) receives and treats the well water from the well field, located southeast of the City. Each of the wells pump into the 300,000-gallon raw water storage tank, which has booster pumps to pump the water to the WTP. The WTP was upgraded in 2000 to provide a capacity of 5.7 MGD, increased from the previous 2.9 MGD.

In 2022, construction began on the Carrizo Groundwater Supply Project which provide the City of Lockhart with an additional capacity 2.67 MGD. This project is expected to be completed in second quarter of 2024.

The WTP consists of raw water metering, forced draft aeration, clarification, filtration, chemical feed, clearwell, ground storage reservoir, high service pumps, treated water metering and backwash/sludge reclamation basin. The 2000 upgrade included the addition of a second forced draft aerator; two new filter units; rehabilitation of two existing filters; new chemical feed equipment; the backwash/sludge reclamation basin; flow meters; water system Supervisory Control and Data Acquisition (SCADA) system to provide complete automated monitoring and control of the entire water system including the plant, wells, distribution operations, and miscellaneous plant improvements.

Although the facility has always treated ground water exclusively, it provides treatment well above ground water requirements by the TCEQ. This is primarily due to the high content of iron found in the raw water.

Capacity of the Water Treatment Plant is simplified in the table below:

Table 2

Plant Name	Current Water Treatment Plant Capacity (MGD)
Lockhart Water Treatment Plant	5.7

Storage, High-Service Pumps, and Distribution Mains

A 300,000 gallon and 2,000,000-gallon ground storage reservoir are located at the Water Treatment Plant. Three high service pumps with a capacity of 3.0 MGD pump water out of the 2,000,000 MG reservoir through two 12-inch mains into the City distribution system. The high service pumps at the WTP are under construction and will add a fourth pump and will increase water distribution into the system with a total capacity of 6.92 MGD with a firm capacity of 5.19 MGD. The distribution system consists of approximately 92 miles of 2-inch, 4-inch, 6-inch, 8-inch, 10-inch, 12-inch and 18-inch mains.

ATTACHMENT C: Description of Sewer System

Collection System

The existing sewage collection system that serves the City of Lockhart was initiated in early 1900 and has been extended as necessary through the years to keep pace with the City's growth. The majority of the older system is constructed of vitrified clay tile sewer pipe. The recently installed collector mains (mains installed in the past 30 years) are constructed of heavy weight PVC pipe. Collector line sizes are generally 6-inch and 8-inch and interceptor lines range from 10-inch to 24-inch in diameter. The depth of the collection system ranges from 3 feet to 18 feet below the ground surface, with a median depth of 6-7 feet for the majority of the lines. Most of the lines in the collection system have sufficient grades to maintain self-cleaning velocities. The majority of the collection system is in good condition.

The existing collection system is divided into two major drainage areas. Treatment Plant No.1 located on Larrimore Street serves the northern drainage area and Treatment Plant No.2 on FM 20 West serves the southern drainage area

Wastewater Treatment Plants

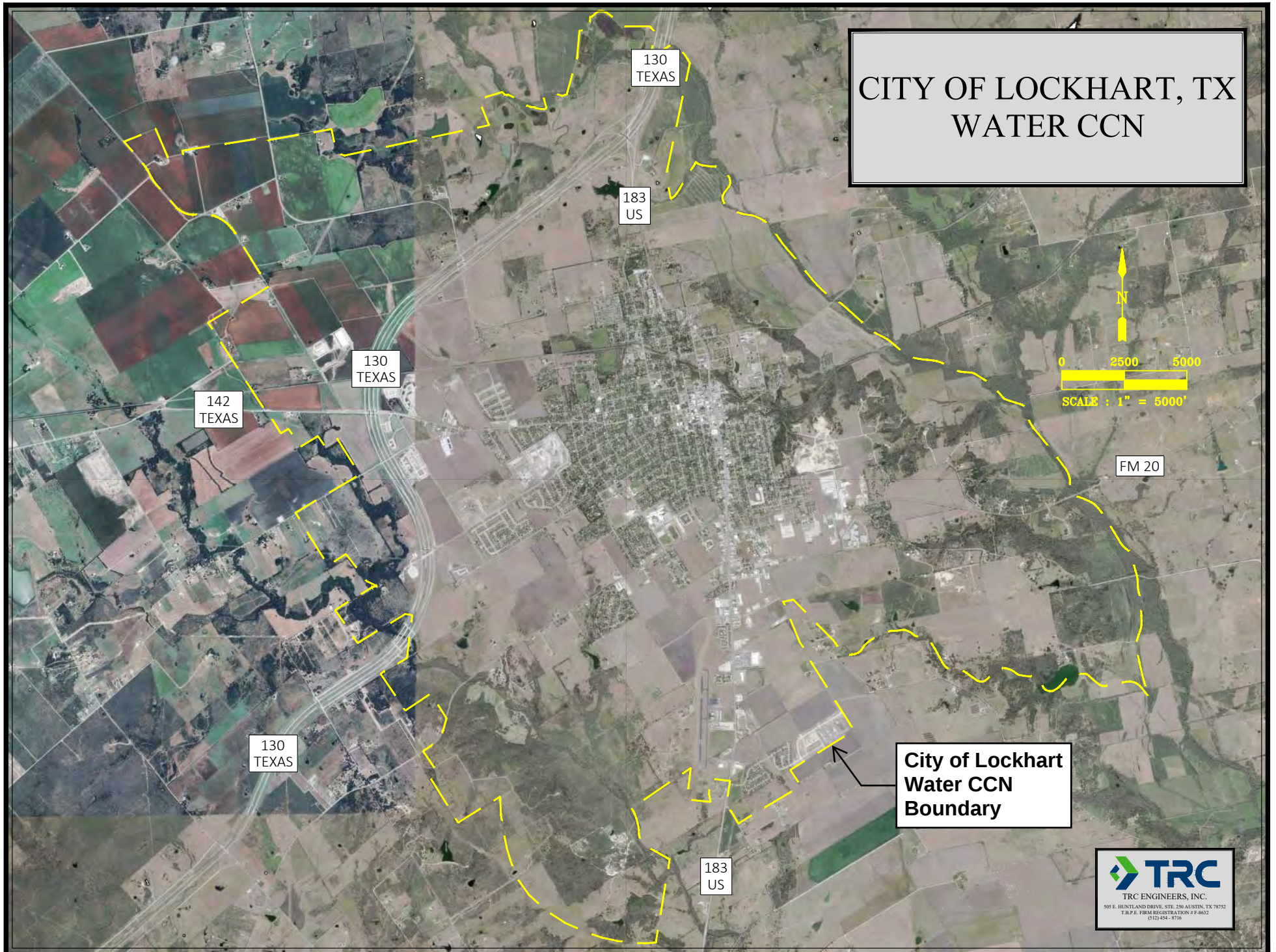
WWTP No. 1

WWTP No. 1 was the only treatment facility to serve the City until WWTP No. 2 was constructed and placed into service in the spring of 1999. WWTP No. 1 received major upgrades in 1950 and 1986. The 1986 upgrade included construction of a number of process basins and replacement of the majority of process equipment within the existing concrete structures. The plant has a design capacity of 1.1 MGD and chlorination, sludge handling, and dewatering with drying beds. The aeration process is operated in the contact stabilization mode of the activated sludge process. WWTP No. 1 has TCEQ number: WQ0010210001, the operator is GBRA, the owner is the City of Lockhart, and the receiving stream that the treated water is discharged into is Town Branch Creek.

WWTP No. 2

Construction was complete on WWTP No. 2 in 1998. The plant has a design capacity of 1.5 MGD and a peak capacity of 4.5 MGD, but the site layout was designed to allow expansion of the facilities to 4.5 MGD design and 13.5 MGD peak. The screenings and grit removal units will handle a capacity of 3.0 MGD design and 9.0 MGD peak. The facility is located on a 20.9-acre site on F.M. 20, southeast of town. The plant consists of raw sewage screening, grit removal, aeration basin, clarification, ultraviolet disinfection, sludge handling, and dewatering with a belt filter press. Thus, the two treatment facilities have a combined capacity of 2.6 MGD design and 8.5 MGD peak. WWTP No. 2 has TCEQ number: WQ0010210002, the operator and owner is GBRA, and the receiving stream that the treated water is discharged into is Plum Creek.

ATTACHMENT D: Service Area Map for the City of Lockhart



City of Lockhart, Texas

Council Agenda Item Cover Sheet

COUNCIL MEETING DATE: April 16, 2024

AGENDA ITEM CAPTION: Discuss the reappointment of Hotel Occupancy Tax (HOT) Advisory Board Members for a two-year term beginning April 16, 2024 through April 15, 2026.

ORIGINATING DEPARTMENT AND CONTACT: Administration - Joseph Resendez

ACTION REQUESTED: Other

BACKGROUND/SUMMARY/DISCUSSION: According to Ordinance 2019-29, the City of Lockhart's Hotel occupancy Tax (HOT) Advisory Board consists of a five-member board that shall serve two-year terms. The board shall be comprised of the following: a lodging facility representative, the City Manager or his designee, a former member of the City Council, and two citizens nominated by the Mayor. The board member appointments must be confirmed by City Council.

The terms for the current board members are from February 2022 through February 2024 and include Sally Daniel, Archana Gandhi, Steve Lewis, Alfredo Munoz, and Ray Sanders. Janet Grigar served as an alternate during this term. All board members, with the exception of Ms. Grigar, have indicated their interest in being reappointed for a new two-year term from April 16, 2024 through April 15, 2026. City Council may confirm reappointments of the same person to the same board for a new term in one meeting. New nominations will require the two-step appointment process.

The next meeting of the HOT Advisory Board is tentatively scheduled for Tuesday, April 30th to review 2024 funding applications. The first round of board funding recommendations will be presented to City Council at a future meeting shortly thereafter. Applicants have been encouraged to attend the City Council to make formal presentations.

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: Council action is necessary for the reappointment of HOT Advisory Board members.

LIST OF SUPPORTING DOCUMENTS:

City of Lockhart, Texas

Council Agenda Item Cover Sheet

COUNCIL MEETING DATE: April 16, 2024

AGENDA ITEM CAPTION: Discuss entering into an agreement with Brycer, LLC (The Compliance Engine) to provide an internet-based tool to assist Lockhart Fire Rescue with collecting, organizing, and tracking fire and life safety systems compliance.

ORIGINATING DEPARTMENT AND CONTACT: Fire - Randy Jenkins

ACTION REQUESTED: Agreement

BACKGROUND/SUMMARY/DISCUSSION: The City of Lockhart has approximately 500 commercial businesses with a small percentage equipped with a fire sprinkler, fire alarm, or kitchen hood system. The adopted fire code requires these life safety systems to be inspected at least annually by a licensed contractor.

The Compliance Engine provides a secure cloud environment in which third-party contractors who inspect, test, and maintain fire protection systems submit their reports via Brycer, LLC (The Compliance Engine) web portal directly to Lockhart Fire. The fire department will then be able to review, track, and follow-up with businesses to correct deficiencies and maintain systems. The Compliance Engine also sends out letters on the city letterhead and/or calls the business when an inspection or maintenance is due.

The goal is to obtain 100% compliance and create a comprehensive and accurate database of commercial businesses which have life safety systems, when they were last tested or inspected, and if any open deficiencies exist which may cause the system to not operate properly.

There is no cost to the City of Lockhart to enter into the agreement and use The Compliance Engine. Each third-party contractor will pay a \$20 fee to upload a life safety system inspection into The Compliance Engine. The fee may be passed down to business owners.

Section 108.3 (Recordkeeping) of the 2018 International Fire Code (IFC) as adopted by the City of Lockhart states "the fire code official is authorized to prescribe the form and format of such recordkeeping. The fire code official is authorized to require that certain required records be filed with the fire code official."

Central Texas cities using The Compliance Engine include San Marcos, New Braunfels, Austin, Kyle, Leander, Georgetown, Round Rock, Selma, Schertz, Sequin, and Universal City.

PROJECT SCHEDULE (if applicable): Implementation of "The Compliance Engine" database is estimated to take 60 to 90 days.

-

City of Lockhart, Texas

Council Agenda Item Cover Sheet

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: Staff recommends entering into an agreement with Brycer, LLC (The Compliance Engine) to review, track, and follow-up with businesses to correct deficiencies and maintain life safety systems.

LIST OF SUPPORTING DOCUMENTS: BRYCER_SLA_(2023) Lockhart TX Agreement, Executive Summary on The Compliance Engine (BRYCER)

BRYCER, LLC
4355 Weaver Parkway
Suite 230
Warrenville, IL 60555

January 3rd, 2024

Lockhart Fire Rescue
201 W Market St
Lockhart, TX 78644

Re: “The Compliance Engine”

Dear Lockhart Fire Department:

We look forward to providing you with “The Compliance Engine” (the “Solution”). This proposal letter provides the basic terms by which Brycer, LLC (“Brycer”) will provide you, Lockhart Fire Department (“Client”), with the Solution. The use of the Solution and all matters between Brycer and Client will be subject to the standard “Terms and Conditions” attached to this proposal as Exhibit A. The basic terms are as follows:

1. **Term:** Brycer will provide Client with the Solution for three years, commencing _____ (the “Initial Term”). Thereafter, the Term shall automatically renew for successive three-year periods unless terminated by Brycer or Client in writing at least 90 days prior to the expiration of the then current Term (each, a “Renewal Term” and together with the Initial Term, the “Term”). Following the expiration or termination of the Term (as provided in the Terms and Conditions), Client shall stop using the Solution; provided, however, Brycer shall make available, and Client shall have the right to download, Client’s data from the Solution for a period of 60 days after the expiration or termination of the Term. Client shall have the right to terminate this agreement upon giving 90 days written notice to Brycer.

2. **Fees:** Client shall not pay any fees for use of the Solution. Brycer will collect all fees due and payable by third party inspectors in connection with activities relating to the Solution.

3. **Brycer Responsibilities:** During the Term, Brycer shall be responsible for the following in connection with Client’s use of the Solution:

- **Availability.** Brycer shall make the Solution available to Client as set forth on Exhibit B. The maintenance schedule and minimum service levels for the Solution are set forth on Exhibit B.
- **Service Level.** Brycer shall provide commercially reasonable levels of customer service with respect to the Solution to all third parties who transact business with Client and access the Solution.
- **Backup.** Brycer shall backup the database used in connection with the Solution to a separate server located within the same web hosting firm which the Solution is being hosted on a real time basis. Upon request by Client (which can be no more than once a month) or made prior to or within 60 days after the effective date of termination of the Term, Brycer will make available to Client a complete and secure (i.e. encrypted and appropriately authenticated) download file of Client data in XML format including all schema and attachments in their native format. Brycer shall maintain appropriate administrative, physical and technical safeguards for protection of the security, confidentiality and

integrity of Client data. Brycer shall not (a) modify Client data or (b) disclose Client data except as required by law.

- **Retention of Information.** Brycer will maintain all information entered into the database by third party inspectors for at least five years from the time such information is entered into the database.
- **Notices.** Brycer will be responsible for generating and delivering the following notices to third parties in connection with the Solution: (a) reminders of upcoming inspections that are due; (b) notices that an inspection is past due; and (c) notices of completed inspection reports which contain one or more deficiencies.
- **Call Center** Phone calls by Brycer on behalf of the Client to the property for EACH life-safety system overdue for service based on dates automatically tracked within the TCE database. Brycer is not an agent of the Client and all scripts for the overdue calls will be approved by the Client.
- **Updates and Enhancements.** In the event Brycer releases any updates, corrections, or enhancements to the Solution during the Term, Brycer shall promptly provide such updates or corrections to Client free of any charge or fee.

4. **Client Responsibilities:** During the Term, Client shall be responsible for the following in connection with Client's use of the Solution:

- **Operating System.** Client shall be solely responsible for providing a proper operating environment, including computer hardware or other equipment and software, for any portion of the Solution installed on the Client's equipment (the "Client Access Software") and for the installation of network connections to the Internet. In addition to any other Client Access Software requirements, Client must use version Edge, Firefox version 76, Chrome 60 or Safari (or more recent versions), in addition to having a .pdf reader installed on machines to view attachments.
- **Training.** Client shall allow Brycer at Client's facilities to train all applicable personnel of Client on the use of the Solution.
- **Information.** Client shall promptly provide Brycer with all appropriate information necessary for Brycer to create the database for the Solution, including without limitation: (a) all commercial building addresses within **[Lockhart Fire Department]** for Brycer's initial upload; and (b) quarterly updates to in a format acceptable to Brycer in its discretion.
- **Enforcement.** Client shall take all actions necessary to require (e.g. resolution, ordinance, fire policy, code amendment) the use of the Solution by third party inspection companies.
- **Reports.** Client will require all compliant and deficient test results to be submitted.

5. **Ownership of Data.** Client owns all the data provided by Client and received from third party contractors for Client. Brycer shall maintain appropriate administrative, physical and technical safeguards for protection of the security, confidentiality and integrity of Client's data.

Please acknowledge your acceptance of this proposal and our standard Terms and Conditions by counter-signing this proposal below. We look forward to a long-term and mutually beneficial relationship with you.

Brycer, LLC

By: _____
Its: _____

Acknowledged and Agreed to this
____ day of _____, 20____:

[Lockhart Fire Department]

By: _____
Its: _____

Exhibit A

Terms and Conditions

Any capitalized terms not defined in these Terms and Conditions shall have the meaning assigned to it in that certain Letter Agreement attached hereto by and between Brycer, LLC and Client (the "Agreement").

1. **Restrictions on Use.** Client shall not copy, distribute, create derivative works of or modify the Solution in any way. Client agrees that: (a) it shall only permit its officers and employees (collectively, the "Authorized Users") to use the Solution for the benefit of Client; (b) it shall use commercially reasonable efforts to prevent the unauthorized use or disclosure of the Solution; (c) it shall not sell, resell, rent or lease the Solution; (d) it shall not use the Solution to store or transmit infringing or otherwise unlawful or tortious material, or to store or transmit material in violation of third party rights; (e) it shall not interfere with or disrupt the integrity or performance of the Solution or third-party data contained therein; (f) it shall not reverse engineer, translate, disassemble, decompile or otherwise attempt to create any source code which is derived from the Solution (g) it shall not permit anyone other than the Authorized Users to view or use the Solution and any screen shots of the Solution and (h) it shall not disclose the features of the Solution to anyone other than the Authorized Users. Client is responsible for all actions taken by the Authorized Users in connection with the Solution.
2. **Proprietary Rights.** All right, title and interest in and to the Solution, the features of the Solution and images of the Solution as well any and all derivative works or modifications thereof (the "Derivative Works"), and any accompanying documentation, manuals or other materials used or supplied under this Agreement or with respect to the Solution or Derivative Works (the "Documentation"), and any reproductions works made thereof, remain with Brycer. Client shall not remove any product identification or notices of such proprietary rights from the Solution. Client acknowledges and agrees that, except for the limited use rights established hereunder, Client has no right, title or interest in the Solution, the Derivative Works or the Documentation.
3. **Independent Contractor.** Nothing in the Agreement may be construed or interpreted as constituting either party hereto as the agent, principal, employee or joint venturer of the other. Each of Client and Brycer is an independent contractor. Neither may assume, either directly or indirectly, any liability of or for the other party. Neither party has the authority to bind or obligate the other party and neither party may represent that it has such authority.
4. **Reservation of Rights.** Brycer reserves the right, in its sole discretion and with prior notice to Client, to discontinue, add, adapt, or otherwise modify any design or specification of the Solution and/or Brycer's policies, procedures, and requirements specified or related hereto. All rights not expressly granted to Client are reserved to Brycer, including the right to provide all or any part of the Solution to other parties.
5. **Use of Logos.** During the term of this Agreement, Brycer shall have the right to use Client's logos for the purpose of providing the Solution to Client.
6. **Confidential Information.** Brycer and Client acknowledge and agree that in providing the Solution, Brycer and Client, as the case may be, may disclose to the other party certain confidential, proprietary trade secret information ("Confidential Information"). Confidential Information may include, but is not limited to, the Solution, computer programs, flowcharts, diagrams, manuals, schematics, development tools, specifications, design documents, marketing information, financial information or business plans. Each party agrees that it will not, without the express prior written consent of the other party, disclose any Confidential Information or any part thereof to any third party. Notwithstanding the foregoing, the parties acknowledge that Client and Brycer shall be permitted to comply with any all federal and state laws concerning disclosure provided that any such required disclosure will not include any of Brycer's screen shots. The disclosing party shall provide prior written notice of any required disclosure of the nondisclosing party's Confidential Information to the nondisclosing party and shall disclose only the information that is required to be disclosed by law. In the event that Client requests from Brycer any reports or other information for purposes of complying with federal and state disclosure laws, Brycer shall provide such information within five business day following such request. Confidential Information excludes information: (a) that is or becomes generally available to the public through no fault of the receiving party; (b) that is rightfully received by the receiving party from a third party without limitation as to its use; or (c) that is independently developed by receiving party without use of any Confidential Information. At the termination of this Agreement, each party will return the other party all Confidential Information of the other party. Each party also agrees that it shall not duplicate, translate, modify, copy, printout, disassemble, decompile or otherwise tamper with any Confidential Information of the other party or any firmware, circuit board or software provided therewith.
7. **Brycer Warranty.** Brycer represents and warrants to Client that Brycer has all rights necessary in and to any patent, copyright, trademark, service mark or other intellectual property right used in, or associated with, the Solution, and that Brycer is duly authorized to enter into this Agreement and provide the Solution to Client pursuant to this Agreement.
8. **Disclaimer.** All information entered into Brycer's database is produced by third party inspectors and their agents. **THEREFORE, BRYCER SPECIFICALLY DISCLAIMS ANY REPRESENTATION OR WARRANTY AS TO THE ACCURACY OR COMPLETENESS OF ANY INFORMATION ENTERED INTO BRYCER'S DATABASE BY EITHER CLIENT OR THIRD PARTY INSPECTORS. EXCEPT AS SET FORTH IN SECTION 7, BRYCER MAKES NO OTHER WARRANTY, EXPRESS OR IMPLIED, WITH RESPECT TO THE SOLUTION OR ANY OTHER INFORMATION AND ALL OTHER WARRANTIES, WHETHER EXPRESS OR IMPLIED, ARE HEREBY DISCLAIMED, INCLUDING, WITHOUT LIMITATION, THE IMPLIED WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE. BRYCER'S SOLE LIABILITY FOR BREACH OF THE REPRESENTATION AND WARRANTY SET FORTH IN SECTION 7, AND CLIENT'S SOLE REMEDY, SHALL BE THAT BRYCER SHALL INDEMNIFY AND HOLD RECIPIENT HARMLESS FROM AND AGAINST ANY LOSS, SUIT, DAMAGE, CLAIM OR DEFENSE ARISING OUT OF BREACH OF THE REPRESENTATION AND WARRANTY.**
9. **LIMITATION ON DAMAGES.** BRYCER SHALL ONLY BE LIABLE TO CLIENT FOR DIRECT DAMAGES PURSUANT TO THE AGREEMENT. EXCEPT AS OTHERWISE PROVIDED IN SECTION 7, IN NO EVENT SHALL BRYCER BE LIABLE FOR OR OBLIGATED IN ANY MANNER FOR SPECIAL, CONSEQUENTIAL, OR INDIRECT DAMAGES, INCLUDING, BUT NOT LIMITED TO, LOSS OF USE, LOSS OF PROFITS OR SYSTEM DOWNTIME. CLIENT ACKNOWLEDGES AND AGREES THAT IN NO CASE SHALL BRYCER'S LIABILITY FOR ANY LOSS OF DATA OR DATA INTEGRITY EXCEED THE REPLACEMENT COST OF THE MEDIA ON WHICH THE DATA WAS STORED.
10. **Risks Inherent to Internet.** Client acknowledges that: (a) the Internet is a worldwide network of computers, (b) communication on the Internet may not be secure, (c) the Internet is beyond the control of Brycer, and (d) Brycer does not own, operate or manage the Internet. Client also acknowledges that there are inherent risks associated with using the Solution, including but not limited to the risk of breach of security, the risk of exposure to computer viruses and the risk of interception, distortion, or loss of communications. Client assumes these risks knowingly and voluntarily releases Brycer from all liability from all

such risks. Not in limitation of the foregoing, Client hereby assumes the risk, and Brycer shall have no responsibility or liability of any kind hereunder, for: (1) errors in the Solution resulting from misuse, negligence, revision, modification, or improper use of all or any part of the Solution by any entity other than Brycer or its authorized representatives; (2) any version of the Solution other than the then-current unmodified version provided to Client; (3) Client's failure to timely or correctly install any updates to the Client Access Software; (4) problems caused by connecting or failure to connect to the Internet; (5) failure to provide and maintain the technical and connectivity configurations for the use and operation of the Solution that meet Brycer's recommended requirements; (6) nonconformities resulting from or problems to or caused by non-Brycer products or services; or (7) data or data input, output, accuracy, and suitability, which shall be deemed under Client's exclusive control.

11. **Indemnity.** Brycer (the "Indemnifying Party") will defend and indemnify Client against any damages, losses, liabilities, causes of action, costs or expenses arising from Brycer's breach of this Agreement, gross negligence or intentional misconduct. Client will defend and indemnify Brycer against any damages, losses, liabilities, costs or expenses (including reasonable attorneys' fees) arising from Client's breach of this Agreement, gross negligence or intentional misconduct. Client acknowledges that Brycer does not create any of the data and information included in the Solution and is not responsible for and does not assess or make any suggestions or recommendations with respect to any such data or information. Client will defend and indemnify Brycer against any damages, losses, liabilities, costs or expenses (including reasonable attorneys' fees), claims, demands, suits or proceedings made or brought against Brycer by a third party in connection with Client's or an Authorized User's use of the Solution, or any action or inaction taken by a third party, including, but not limited to, third party inspectors, in connection with such third party providing services for Client or otherwise at Client's or an Authorized User's request or direction.
12. **Breach.** Brycer shall have the right to terminate or suspend this Agreement, and all of Client's rights hereunder, immediately upon delivering written notice to Client detailing Client's breach of any provision of this Agreement. If Client cures such breach within 5 days of receiving written notice thereof, Brycer shall restore the Solution and Client shall pay any fees or costs incurred by Brycer in connection with the restoration of the Solution.
13. **Illegal Payments.** Client acknowledges and agrees that it has not received or been offered any illegal or improper bribe, kickback, payment, gift or anything of value from any employee or agent of Brycer in connection with the Agreement.
14. **Beneficiaries.** There are no third party beneficiaries to the Agreement.
15. **Force Majeure.** Neither party shall be responsible for any failure to perform due to unforeseen, non-commercial circumstances beyond its reasonable control, including but not limited to acts of God, war, riot, embargoes, acts of civil or military authorities, fire, floods, earthquakes, blackouts, accidents, or strikes. In the event of any such delay, any applicable period of time for action by said party may be deferred for a period of time equal to the time of such delay, except that a party's failure to make any payment when due hereunder shall not be so excused.
16. **Notices.** All notices required in the Agreement shall be effective: (a) if given personally, upon receipt; (b) if given by facsimile or electronic mail, when such notice is transmitted and confirmation of receipt obtained; (c) if mailed by certified mail, postage prepaid, to the last known address of each party, three business days after mailing; or (d) if delivered to a nationally recognized overnight courier service, one business day after delivery.
17. **JURISDICTION AND VENUE.** THE AGREEMENT SHALL BE GOVERNED BY, CONSTRUED AND INTERPRETED IN ACCORDANCE WITH, AND ENFORCEABLE UNDER, THE LAWS OF THE STATE IN WHICH CLIENT EXISTS APPLICABLE TO CONTRACTS MADE IN SUCH STATE AND THAT ARE TO BE WHOLLY PERFORMED IN SUCH STATE WITHOUT REFERENCE TO THE CHOICE-OF-LAW PRINCIPLES OF SUCH STATE. THE PARTIES IRREVOCABLY AGREE THAT ALL ACTIONS OR PROCEEDINGS IN ANY WAY, MANNER OR RESPECT ARISING OUT OF OR FROM OR RELATED TO THE AGREEMENT SHALL BE LITIGATED ONLY IN COURTS LOCATED WITHIN THE STATE IN WHICH CLIENT EXISTS. THE PARTIES HEREBY CONSENT AND SUBMIT TO THE EXCLUSIVE JURISDICTION OF ANY LOCAL, STATE OR FEDERAL COURT LOCATED WITHIN SAID STATE. THE PARTIES HEREBY WAIVE ANY RIGHTS THEY MAY HAVE TO TRANSFER OR CHANGE VENUE OF ANY SUCH ACTION OR PROCEEDING ARISING OUT OF OR RELATING TO THIS AGREEMENT. THE PARTIES WAIVE ANY RIGHT TO TRIAL BY JURY ON ANY ACTION OR PROCEEDING TO ENFORCE OR DEFEND ANY RIGHTS UNDER THE AGREEMENT, AND AGREE THAT ANY SUCH ACTION OR PROCEEDING SHALL BE TRIED BEFORE A COURT AND NOT BEFORE A JURY.
18. **Attorneys' Fees.** The prevailing party in any proceeding in connection with the Agreement shall be entitled to recover from the non-prevailing party all costs and expenses, including without limitation, reasonable attorneys' and paralegals' fees and costs incurred by such party in connection with any such proceeding.
19. **Entire Agreement.** The Agreement sets out the entire agreement between the parties relative to the subject matter hereof and supersedes all prior or contemporaneous agreements or representations, oral or written.
20. **Amendment.** The Agreement may not be altered or modified, except by written amendment which expressly refers to the Agreement and which is duly executed by authorized representatives of both parties. The waiver or failure by either party to exercise or enforce any right provided for in the Agreement shall not be deemed a waiver of any further right under the Agreement. Any provision of the Agreement held to be invalid under applicable law shall not render the Agreement invalid as a whole, and in such an event, such provision shall be interpreted so as to best accomplish the intent of the parties within the limits of applicable law. The Agreement may be executed by facsimile and in counterparts, each of which shall be deemed an original, and all of which together shall constitute one and the same instrument.
21. **Expiration.** The rights and obligations contained in these Terms and Conditions shall survive any expiration or termination of the Agreement.

Exhibit B

Maintenance Schedule and Minimum Service Levels

1. **Uptime and Maintenance.**

The Solution shall be available 24 hours per day during the term of this Agreement. The Solution shall be fully functional, timely and accessible by Client at least 99.5% of the time or better and Brycer shall use reasonable efforts to provide Client with advance notice of any unscheduled downtime.

2. **Response Time.**

Brycer shall respond to telephone calls from Client within two hours of the call and/or message and all emails from Client within two hours of the receipt of the email.

3. **Customer Support**

Customer support hours are 24/7/365. The number is 630-413-9511

Brycer will assign client a dedicated customer representative with direct access to their email and work number.

The Compliance Engine is a simple, internet-based tool for code officials to track and drive code compliance, reduce false alarm activity and provide a safer community. It provides a secure cloud environment in which third party contractors who inspect, test and maintain fire protections systems, submit their reports via Brycer's (The Compliance Engine) web portal directly to the AHJ. This facilitates a more efficient review, tracking and follow-up process with occupants to correct deficiencies and maintain systems. In addition to the web-based technology, our services include a team to administer hard and soft copy notifications, build your database and perform follow up calls to help increase testing and maintenance activity in each jurisdiction. The end result is a comprehensive and accurate aggregation of data around which buildings have what types of systems, when they were last tested, and if there are any open deficiencies that could jeopardize their successful deployment in the event of an incident. With The Compliance Engine, AHJs are better equipped to do more with less in their mission to drive 100% code compliance with fire and life safety laws.

Current Landscape

- 40% of life safety systems go uninspected or maintained every year
- 32.5% of false alarms are due to lack of maintenance and testing
- 29% of fire code officials time is spent administering 3rd Party ITM reports
- 95% of AHJs do not have the resources to enforce their adopted fire code
- Current process is manual, paper based, reactionary, inefficient and expensive

The Compliance Engine Benefits

- Drives 100% compliance with fire & life safety code
- Electronically collects, organizes and tracks fire and life safety test results
- Offers API Services with RMS and software inspection companies
- Maximizes limited resources, saves time and streamlines communication
- Built to ensure a safer environment for firefighters, citizens and guests
- Saves AHJs money while strengthening life safety and offers cost recovery

Revenue Model

- Free for AHJs
- No charge to the building owners
- Fee paid by 3rd party contractors on per system, per premises basis (ITM's).
- Delivers compliance resulting in new business and maintenance revenue for 3rd party contractors
- Endorsed by IKECA and the Western Fire Chiefs Association

NOTABLE NATIONAL PARTNERS



Los Angeles, CA
Chicago, IL
Phoenix, AZ
San Diego, CA
San Jose, CA
Austin, TX
Seattle, WA
Albuquerque, NM
Kansas City, MO
Colorado Springs, CO
Raleigh, NC
Long Beach, CA
Wichita, KS
Corpus Christi, TX
Greensboro, NC
Laredo, TX
Boise, ID
Tacoma, WA
State of Mississippi
State of Maryland
State of Nevada
Springfield, MO
Naperville, IL
Syracuse, NY
Scottsdale, AZ
Fort Lauderdale, FL
Oklahoma City, OK
Harris County, TX
Boulder, CO

City of Lockhart, Texas

Council Agenda Item Cover Sheet

COUNCIL MEETING DATE: April 16, 2024

AGENDA ITEM CAPTION: Discuss the 2nd Quarter Fiscal Year 2024 Investment Report.

ORIGINATING DEPARTMENT AND CONTACT: Administration - Joseph Resendez

ACTION REQUESTED: Other

BACKGROUND/SUMMARY/DISCUSSION: The Texas Public Funds Investment Act requires local governments to review and accept the quarterly investment reports for each quarterly reporting period of the fiscal year. The 2nd Quarter Investment Report of Fiscal Year End (FYE) 2024, ending March 31, 2024 is presented for your review and acceptance.

PROJECT SCHEDULE (if applicable):

AMOUNT & SOURCE OF FUNDING:

Funds Required:

Account Number:

Funds Available:

Account Name:

FISCAL NOTE (if applicable):

PREVIOUS COUNCIL ACTION:

COMMITTEE/BOARD/COMMISSION ACTION:

STAFF RECOMMENDATION/REQUESTED MOTION: Staff recommends a motion to accept the 2nd Quarter Investment Report for FYE 2024.

LIST OF SUPPORTING DOCUMENTS: FYE 2024 2nd Quarter Report

CITY OF LOCKHART

Quarterly Investment Report
For the Quarter Ended March 31, 2024

April 16, 2024

CITY of LOCKHART
Quarterly Investment Report
For the Quarter Ended March 31, 2024

This report is presented in accordance with the Texas Government Code, Title 10, Chapter 2256, Public Funds Investment; Section 2256.023 known as the "Public Funds Investment Act". Attached is a detailed City of Lockhart investment report for the period January 1, 2024 through March 31, 2024. The Investment Portfolio Summary reports the beginning and ending book values and market values for the quarterly reporting period as follows:

January 1, 2024

Cash
Marketable Securities
Investment Pools
Certificates of Deposits
Total:

Investment Portfolio	
Book Value	Market Value
736,236	736,236
0	0
39,591,333	39,591,082
0	0
40,327,570	40,327,318

March 31, 2024

Cash
Marketable Securities
Investment Pools
Certificates of Deposits
Total:

Fund Availability	
12,197,400	12,197,400
28,130,169	28,129,918
40,327,570	40,327,318

January 1, 2024

Unrestricted Funds
Restricted Funds
Total Funds

March 31, 2024

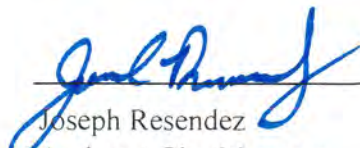
Unrestricted Funds
Restricted Funds
Total Funds

33,472,228	33,472,228
10,828,177	10,827,921
44,300,405	44,300,150

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



Steve Lewis
City Manager



Joseph Resendez
Assistant City Manager

CITY of LOCKHART
Investment Portfolio Summary
For the Quarter Ended March 31, 2024

	Investment Portfolio			
	Book Value	% of Total	Market Value	% of Total
<u>January 1, 2024</u>				
Cash	736,236	1.8%	736,236	1.8%
Marketable Securities	0	0.0%	0	0.0%
Investment Pools	39,591,333	98.2%	39,591,082	98.2%
Certificates of Deposits	0	0.0%	0	0.0%
Portfolio Total	40,327,570	100.0%	40,327,318	100.0%
<u>March 31, 2024</u>				
Cash	799,764	1.8%	799,764	1.8%
Marketable Securities	0	0.0%	0	0.0%
Investment Pools	43,500,641	98.2%	43,500,386	98.2%
Certificates of Deposits	0	0.0%	0	0.0%
Portfolio Total	44,300,405	100.0%	44,300,150	100.0%
<u>Change in Value</u>				
Cash	63,528		63,528	
Marketable Securities	0		0	
Investment Pools	3,909,308		3,909,304	
Certificates of Deposits	0		0	
Portfolio Total	3,972,835		3,972,832	
<u>Maturity Data</u>				
	0			
	Book Value @ 3/31/2024	Weighted Average Maturity	Yield to Maturity	
Cash	799,764	0 Days	1.00%	
Marketable Securities	0	0 Days	0.00%	
Investment Pools - Texas CLASS	19,974,463	34 Days *	5.57%	
Investment Pools - TexPool	14,400,400	38 Days *	5.37%	
Investment Pools - TexSTAR	9,125,778	35 Days *	5.62%	
Certificates of Deposits	0	0 Days	0.00%	
	44,300,405	35 Days	5.43%	

Benchmark - 4 Week Treasury Bills - Secondary Market @ March 31, 2024

5.39%

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

<u>Total Return On Investment</u>	<u>Interest Earned</u>
Cash	1.803
Marketable Securities	0
Investment Pools - Texas CLASS	271.090
Investment Pools - TexPool	172.816
Investment Pools - TexSTAR	119.691
Certificates of Deposits	0
Total Return on Investment	565.401

CITY OF LOCKHART
Cash Accounts (as reconciled to FLNB)
For the Quarter Ended March 31, 2024

General Operating Account - FLNB		
		<u>Value</u>
January 1, 2024	\$	736,236
Deposits		15,659,352
Withdrawals		(15,597,627)
Interest Earned		1,803
March 31, 2024	\$	799,764

Total Cash Accounts		
		<u>Value</u>
January 1, 2024	\$	736,236
Deposits		15,659,352
Withdrawals		(15,597,627)
Interest Earned		1,803
March 31, 2024	\$	799,764

CITY of LOCKHART
Marketable Securities Transaction Summary
For the Quarter Ended March 31, 2024

<u>Holdings During the Quarter</u>		Purchase	Par	Coupon	Date of	Yield to	Purchase	Quarterly	Beginning	Beginning	Beginning	Ending	Ending	Ending
Type of Security	CUSIP	Date	Value	Rate	Maturity	Maturity	Price	Interest	Value	Book	Market	Value	Book	Market
								Earned	@ Par	Value	Value	@ Par	Value	Value
				0.34%						January 1, 2024			March 31, 2024	
								-						0
								-						0
Totals			\$ -				\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -

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

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

CITY OF LOCKHART
Investment Pool Transactions Summary
For the Quarter Ended March 31, 2024

TexPool - City of Lockhart					
	Book	Market	Net Asset	Weighted Aver.	Average
	<u>Value</u>	<u>Value</u>	<u>Value</u>	<u>Maturity</u>	<u>Monthly Yield</u>
January 1, 2024	10,881,874	10,881,329	0.999950	38 Days	5.3200%
Deposits	8,786,000				
Withdrawals	(5,440,290)				
Interest Earned	172,816				
March 31, 2024	14,400,400	14,400,400	1.00000	38 Days	5.3700%

Texas CLASS					
	Book	Market	Net Asset	Weighted Aver.	Average
	<u>Value</u>	<u>Value</u>	<u>Value</u>	<u>Maturity</u>	<u>Monthly Yield</u>
January 1, 2024	19,703,373	19,703,373	1.00000	34 Days	5.4652%
Deposits	0				
Withdrawals	0				
Interest Earned	271,090				
March 31, 2024	19,974,463	19,974,463	1.00000	50 days	5.5744%

TexSTAR					
	Book	Market	Net Asset	Weighted Aver.	Average
	<u>Value</u>	<u>Value</u>	<u>Value</u>	<u>Maturity</u>	<u>Monthly Yield</u>
January 1, 2024	9,006,087	9,005,510	0.99994	35 Days	5.3205%
Deposits	0				
Withdrawals	0				
Interest Earned	119,691				
March 31, 2024	9,125,778	9,125,523	0.999972	45 Days	5.6200%

Total of All Pools		
	Book	Market
	<u>Value</u>	<u>Value</u>
January 1, 2024	39,591,333	39,590,212
Deposits	8,786,000	
Withdrawals	(5,440,290)	
Interest Earned	563,598	
March 31, 2024	43,500,641	43,500,386

CITY of LOCKHART
Certificates of Deposit Transaction Summary
For the Quarter Ended March 31, 2024

Holdings During the Quarter

<u>CD Number</u>	<u>Holder</u>	<u>Purchase Date</u>	<u>Face Value</u>	<u>Interest Rate</u>	<u>Date of Maturity</u>	<u>Yield to Maturity</u>	<u>Purchase Price</u>	<u>Quarterly Interest Earned</u>	Beginning Face Value	Beginning Market Value	Ending Face Value	Ending Market Value
									January 1, 2024	March 31, 2024		
			<u>\$ -</u>						<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>

Purchases

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

Maturities

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

<i>City of Lockhart</i>			
<i>Investment Pools</i>			
<u>Standard and Poor's Ratings</u>			
<u>Month</u>	<u>TexPool</u>	<u>TexSTAR</u>	<u>Texas CLASS</u>
April-23	AAAm	AAAm	AAAm
May-23	AAAm	AAAm	AAAm
June-23	AAAm	AAAm	AAAm
July-23	AAAm	AAAm	AAAm
August-23	AAAm	AAAm	AAAm
September-23	AAAm	AAAm	AAAm
October-23	AAAm	AAAm	AAAm
November-23	AAAm	AAAm	AAAm
December-23	AAAm	AAAm	AAAm
January-24	AAAm	AAAm	AAAm
February-24	AAAm	AAAm	AAAm
March-24	AAAm	AAAm	AAAm

<i>City of Lockhart</i>			
<i>Bank Collateralization</i>			
<u><i>Standard and Poor's Ratings</i></u>			
			FLNB
Month			<u>Collateralization *</u>
April-23			AAA
May-23			AAA
June-23			AAA
July-23			AAA
August-23			AAA
September-23			AAA
October-23			AAA
November-23			AAA
December-23			AAA
January-24			AAA
February-24			AAA
March-24			AAA
*		Guaranteed by US government (AAA)	

**REGULAR MEETING
LOCKHART CITY COUNCIL**

JUNE 6, 2023

6:30 P.M.

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

Council present:

Councilmember John Castillo
Councilmember Juan Mendoza
Councilmember Jeffry Michelson

Mayor Lew White
Mayor Pro-Tem Angie Gonzales-Sanchez
Councilmember Kara McGregor

Council absent:

Councilmember Brad Westmoreland

Staff present:

Monte Akers, City Attorney
David Fowler, Planning Director
Julie Bowermon, Civil Service/HR Director
Bob Leos, Electric Superintendent

Sean Kelley, Public Works Director
Gary Williamson, Police Chief
Kelly Stilwell, Building Official

Citizens/Visitors Addressing the Council: Peter Newell of Guadalupe-Blanco River Authority; and, Jillian Robb, Citizen.

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. PRESENTATION AND UPDATE FROM GUADALUPE-BLANCO RIVER AUTHORITY (GBRA) REGARDING THE CARRIZO GROUNDWATER SUPPLY PROJECT (CGSP).

Mr. Kelley stated that a Representative from the Guadalupe-Blanco River Authority will give the update regarding the progress of the Carrizo Groundwater Supply Project.

Peter Newell of GBRA provided information and there was discussion regarding the following topics:

- Project overview
- Well field and transmission line update
- Water Treatment Plant
- Lockhart's delivery point update
- Booster station
- Construction scheduling

B. DISCUSS RENEWAL OF THE GROUND LEASE AGREEMENT WITH LIVENGOD FEEDS, INC. FOR LOT 2 OF THE ICE HOUSE ADDITION FOR A FIVE YEAR PERIOD AND DIRECTING THE MAYOR TO EXECUTE THE AGREEMENT IF APPROVED.

Mr. Kelley stated that Livengood Feeds, Inc. lease for Lot 2 of the Ice House Addition, located behind 110 North Brazos Street (City's Recycling Center) is expiring and Mr. Burt Livengood (tenant) has requested renewal of the ground lease agreement with the City. Livengood Feed uses the 2.228 acre site for overflow storage of trailers for his business located adjacent to the property. The renewal lease proposed is for five (5) years at \$2,315 per year, which included a 5.2% Customer Price Index increase

over the \$2,200 received annually in the previous lease agreement. The proposed renewal follows the terms of the previous lease and includes an additional five-year renewal option and a six-month early termination notice is included in the lease. Either party can, with or without cause, and with 6 months written notice, terminate the Agreement.

C. DISCUSS ORDINANCE 2023-10 OF THE CITY COUNCIL OF THE CITY OF LOCKHART, TEXAS ESTABLISHING A SPECIAL SENIORITY PAY FOR NEWLY HIRED POLICE OFFICERS WITH PRIOR FULL-TIME PAID LAW ENFORCEMENT EXPERIENCE AND SETTING FORTH CRITERIA FOR THE PAY; PROVIDING FOR SEVERABILITY; PROVIDING FOR PUBLICATION AND PROVIDING AN EFFECTIVE DATE.

Chief Williamson stated that the police department is seeking approval of an ordinance allowing special seniority pay, also known as lateral entry pay, when recruiting experienced police officers. Lateral entry pay would allow the police department to start an officer with previous law enforcement experience at a higher rate of pay than basic entry pay reserved for an officer with no previous experience. Lateral entry pay does not alter the rank an applicant would start at, for example, police officer, sergeant, lieutenant. Newly hired applicants start at the rank of police officer, regardless of prior law enforcement experience. However, the lateral entry pay would authorize paying the officer at a higher rate on the police officer step pay plan. Currently, law enforcement agencies around the country are experiencing unprecedented staffing vacancies. Lateral entry pay is a common recruitment tool used by cities across the state, including the cities of Kyle, San Marcos, New Braunfels, Seguin and Taylor as well as Hays County. Chief Williamson recommended approval. There was discussion.

D. DISCUSS RESOLUTION 2023-07 AMENDING CITY-OWNED HANGAR RENTAL RATES FOR SEVENTEEN (17) T-HANGARS AND SIX (6) CLEAR SPAN HANGARS.

Mr. Kelley stated that in 2000, the City constructed seventeen T-hangars and six clear span hangars at the Lockhart Municipal Airport. Rates for the City-owned hangars were adopted in the year 2000 and amended in 2001 and 2005. Since the construction of the hangars, the cost to build and maintain hangars has increased significantly. Currently all hangars are occupied and there are approximately 75 individuals on the waiting list. On May 23rd, the Lockhart Airport Advisory Board discussed the current rate structure for the hangars and compared the municipal airport's rates to several peer airports. During the board meeting, the Airport Advisory Board made a recommendation to raise the rates by \$100 per month in each category and simplify the rate structure by only having a month-to-month rate. This rate increase would increase revenues to \$102,900 annually, a \$27,600 increase. Revenues from the City-owned hangars are placed in the Airport Fund. This fund is used to fund the airport department, airport maintenance, capital projects, and can be used as local matches for grant projects. The new rates, if approved, would become effective immediately. Current T-hanger occupants will be notified by mail during June 2023 of the increase which would be reflected in the July 2023 rental fee. There was discussion.

E. DISCUSS A MASTER SERVICES AGREEMENT BETWEEN THE CITY OF LOCKHART AND M & S ENGINEERING, LLC FOR ELECTRIC SYSTEM CAPITAL PROJECTS.

Mr. Leos stated that the City's electric utility is a municipally owned and operated retail distribution system since 1928. The service area is approximately 8 square miles with approximately 79 miles of overhead and underground distribution lines. Historically, the Lower Colorado River Authority (LCRA) is engaged every 5 years to prepare a system analysis to guide the development of the distribution system and prepare a 5-year schedule to correct anticipated problems. Twelve (12) projects are identified in Fiscal Year 23-27 with an estimated cost of approximately \$2 million. The actual projected costs are determined after project design. Additionally, LCRA no longer makes available to the customer cities project design services. Consequently, it benefits Lockhart to add another power utility engineering firm to assist us in planning for growth and meeting the anticipated design schedules for capital improvements. M & S

Engineering is a multi-service utility engineering firm headquartered in Spring Branch, Texas with 7 offices in Texas. M & S has a solid reputation for serving municipal owned utilities (MOU's) and electric cooperatives in Texas.

F. DISCUSS A POLICY FOR PUBLIC IMPROVEMENT DISTRICTS.

Mr. Akers stated that creation of a Public Improvement District (“PID”) is a method by which funding of improvements for the development of a defined area may be accomplished which ensures that the owners benefitted by the improvements bear the cost through “assessments.” Caldwell County adopted a PID Policy in 2021, and the City is currently working with a developer who desires that the City create a PID for a large mixed use development. Note that what is presented to the Council is a “policy” rather than an ordinance or resolution. It is meant to provide guidance to developers or others considering or proposing a PID, as well as City staff, to ensure that the procedures for creating a PID are consistent, but which can be modified or adjusted by the City, if appropriate for a particular project, without amending the policy. There was discussion.

G. DISCUSS RESOLUTION 2023-08 TO UPDATE THE COMPREHENSIVE SCHEDULE OF FEES FOR DEVELOPMENT-RELATED APPLICATIONS AND PERMITS, INCLUDING REVISED FEES FOR EXISTING APPLICATIONS, ESTABLISHMENT OF FEE LEVELS FOR NEW APPLICATIONS, PROVIDING A SAVINGS CLAUSE, TO REPEAL CONFLICTING ORDINANCES OR RESOLUTIONS, AND TO PROVIDE FOR AN EFFECTIVE DATE.

Mr. Fowler stated that the purpose of the proposed resolution is to revise the fees for development applications, including planning-related fees such as the many types of annexation, zoning and subdivision applications, as well as building-related fees such as building permits, trade permits, commercial and residential inspections. Also included in the fee schedule are updated fees for sign permits, fence permits, tree removal permits and Certificates for Alteration in the Courthouse Square Historical District. New fees are proposed for several processes which did not previously have a fee designated. Such new fee categories include annexation petitions, subdivision variances, right-of-way vacations, tree removal permits, inspections of public improvements constructed for subdivisions, and zoning verification letters. The motivation for the revision in fee amounts is prompted by the recent surge in development activity. Despite the large number of applications the City has received, comparatively little revenue has resulted from the increase in permit activity. As such, an overwhelming percentage of staff, equipment, furniture, and other related costs related to this development surge are covered by the City's general fund. Updating the fee levels will help ensure that development activity is paying for the use of city resources it generates to the extent possible while freeing up more of the city's general fund for other priorities. To arrive at the proposed fee schedule revisions, City staff researched the fees which other similar-situated cities charge. Like the recent impact fee update, the fees are intended to place Lockhart within the mainstream of fees charged in the Austin-San Antonio corridor, with an emphasis on maintaining relative affordability while capturing more of the city's costs created by various application types. The fees have also been designed to be less onerous for smaller landowners, with larger, more complex properties carrying a greater burden as the project size grows. This is because larger projects typically generate more staff time, in terms of multiple rounds of applications, more notification letters being required and more public inquiries being received regarding the proposed project. The draft fee amounts for the planning-related fees have been reviewed by the Housing and Development Committee, which recommended forwarding the fees to City Council for review.

Kelly Stilwell, Building Official recommended that the building permit fees be increased.

There was discussion.

H. DISCUSS RESOLUTION 2023-09 CREATING A COMPREHENSIVE PLAN STEERING COMMITTEE, INCLUDING THE POSSIBLE APPOINTMENT OF COMMITTEE MEMBERS.

Mr. Fowler stated that the proposed resolution has been written to create a Comprehensive Plan Steering Committee. The provisions of the resolution reflect discussions at recent Council meetings regarding the composition of the Steering Committee, the duties of the Committee and expectations of the Committee members. The Committee is defined as existing until the adoption of the Comprehensive Plan, at which point it would be dissolved. The Committee would be appointed by City Council, which would have the power to remove members for poor attendance or failing to perform their assigned duties. Along with the adoption of the resolution, Council may also move to appoint a slate of members to the Committee. There was discussion.

After discussion, the following individuals would be considered to be appointed to the Comprehensive Plan Steering Committee:

Angie Gonzales-Sanchez, Mayor Pro-Tem
Jeffrey Michelson, Councilmember
Ric Arnic and Brad Lingvai, Planning & Zoning Commission
Winn Smith, Lockhart Chamber of Commerce
John Gonzales, Caldwell County Hispanic Chamber
Mike Kamerlander, Lockhart Economic Development Corporation
Sally Daniel, Downtown Business Association
Russell Wheeler, Parks Board
Ron Faulstich, Lockhart Historical Preservation Commission
Mark Estrada, Lockhart Independent School District
Frank Gomillion, Citizen
Kim Coleman, Citizen
Donna Blair, Citizen
Andy St. Leger, Citizen
Sara Partridge (alternate), Citizen
Timothy Juarez (alternate), Jr., Citizen

RECESS: Mayor White announced that the Council would recess for a break at 7:40 p.m.

REGULAR MEETING

ITEM 1. CALL TO ORDER

Mayor Lew White called the meeting to order at 7:55 p.m.

ITEM 2. INVOCATION, PLEDGE OF ALLEGIANCE

Mayor White gave the Invocation and led the Pledge of Allegiance to the United States and Texas flags.

ITEM 3. PUBLIC COMMENT

Mayor White requested citizens to address the Council.

Gillian Robb, 417 S. Guadalupe, expressed concern about speeding on their street and in the neighborhood.

ITEM 4-A. DISCUSSION AND/OR ACTION RENEWAL OF THE GROUND LEASE AGREEMENT WITH LIVENGOOD FEEDS, INC. FOR LOT 2 OF THE ICE HOUSE ADDITION FOR A FIVE YEAR PERIOD AND DIRECTING THE MAYOR TO EXECUTE THE AGREEMENT IF APPROVED.

Mayor Pro-Tem Sanchez made a motion to approve the renewal of the ground lease agreement with Livengood Feeds, Inc for an additional five year period as presented. Councilmember Michelson seconded. The motion passed by a vote of 6-0.

ITEM 4-B. DISCUSSION AND/OR ACTION REGARDING ORDINANCE 2023-10 OF THE CITY COUNCIL OF THE CITY OF LOCKHART, TEXAS ESTABLISHING A SPECIAL SENIORITY PAY FOR NEWLY HIRED POLICE OFFICERS WITH PRIOR FULL-TIME PAID LAW ENFORCEMENT EXPERIENCE AND SETTING FORTH CRITERIA FOR THE PAY; PROVIDING FOR SEVERABILITY; PROVIDING FOR PUBLICATION AND PROVIDING AN EFFECTIVE DATE

Councilmember McGregor made a motion to approve Ordinance 2023-10, as presented. Councilmember Mendoza seconded. The motion passed by a vote of 6-0.

ITEM 4-C. DISCUSSION AND/OR ACTION TO CONSIDER RESOLUTION 2023-07 AMENDING CITY-OWNED HANGAR RENTAL RATES FOR SEVENTEEN (17) T-HANGARS AND SIX (6) CLEAR SPAN HANGARS

Councilmember Michelson made a motion to approve Resolution 2023-07, as presented. Mayor Pro-Tem Sanchez seconded. The motion passed by a vote of 6-0.

ITEM 4-D. DISCUSSION AND/OR ACTION TO CONSIDER APPROVAL OF A MASTER SERVICES AGREEMENT BETWEEN THE CITY OF LOCKHART AND M & S ENGINEERING, LLC FOR ELECTRIC SYSTEM CAPITAL PROJECTS

Mayor Pro-Tem Sanchez made a motion to approve the Master Services Agreement with M&S Engineering, LLC, as presented. Councilmember McGregor seconded. The motion passed by a vote of 6-0.

ITEM 4-E. DISCUSSION AND/OR ACTION TO ADOPT A POLICY FOR PUBLIC IMPROVEMENT DISTRICTS

There was no action.

ITEM 4-F. DISCUSSION AND/OR ACTION REGARDING RESOLUTION 2023-08 TO UPDATE THE COMPREHENSIVE SCHEDULE OF FEES FOR DEVELOPMENT-RELATED APPLICATIONS AND PERMITS, INCLUDING REVISED FEES FOR EXISTING APPLICATIONS, ESTABLISHMENT OF FEE LEVELS FOR NEW APPLICATIONS, PROVIDING A SAVINGS CLAUSE, TO REPEAL CONFLICTING ORDINANCES OR RESOLUTIONS, AND TO PROVIDE FOR AN EFFECTIVE DATE

Mr. Fowler stated that the staff's recommendation is to adopt the Resolution with the exception of not including the updated commercial fees.

There was discussion regarding the new fee of \$250 for a permit for renovations in the historic district.

Councilmember Michelson made a motion to approve Resolution 2023-08, with the exception of not including updated commercial fees. Councilmember Castillo seconded. The motion passed by a vote of 6-0.

ITEM 4-G. CONSIDERATION AND/OR ACTION REGARDING RESOLUTION 2023-09 CREATING A COMPREHENSIVE PLAN STEERING COMMITTEE, INCLUDING THE POSSIBLE APPOINTMENT OF COMMITTEE MEMBERS

Mayor Pro-Tem Sanchez made a motion to approve Resolution 2023-09, as presented and to appoint members to the committee as listed below. Councilmember McGregor seconded. The motion passed by a vote of 5-1, with Councilmember Castillo opposing.

Angie Gonzales-Sanchez, Mayor Pro-Tem
Jeffrey Michelson, Councilmember
Ric Arnice and Brad Lingvai, Planning & Zoning Commission
Winn Smith, Lockhart Chamber of Commerce
John Gonzales, Caldwell County Hispanic Chamber
Mike Kamerlander, Lockhart Economic Development Corporation
Sally Daniel, Downtown Business Association
Russell Wheeler, Parks Board
Ron Faulstich, Lockhart Historical Preservation Commission
Mark Estrada, Lockhart Independent School District
Frank Gomillion, Citizen
Kim Coleman, Citizen
Donna Blair, Citizen
Andy St. Leger, Citizen
Sara Partridge, Citizen as an Alternate
Timothy Juarez, Jr., Citizen as an Alternate

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

Mr. Kelley provided information regarding the following:

- TxDOT public meeting concerning F.M. 2720 improvements.
- Annual Chisholm Trail Round Up will be held June 8 - 10.
- June 17th - Movie in the Park, The Super Mario Bros. Movie.
- Splash pad will be closed June 5-12 during Chisholm Trail Roundup events.
- Summer Teen Recreation Program and Skyhawks Summer Camp start June 5.
- City pool scheduled to open June 14.
- Free swim day on June 17 in observance of the Juneteenth weekend.

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

Councilmember Mendoza expressed condolences to families that have lost a loved one. He invited all to attend the Chisholm Trail Roundup this weekend.

Mayor Pro-Tem Sanchez wished the Lockhart Chamber of Commerce the best for a successful Chisholm Trail Roundup event. She expressed condolences to families that have lost a loved one.

Councilmember McGregor congratulated Barbs Barbecue for their grand opening and for a great 1st Friday event.

Councilmember Castillo expressed condolences to families that have lost a loved one and to those that are ill. He invited everyone to enjoy the Chisholm Trail Roundup this weekend. He thanked the staff for their work.

Councilmember Michelson wished the Lockhart Chamber good luck for a successful Chisholm Trail Roundup. He thanked the volunteers and staff for helping make the event a success.

Mayor White also thanked all involved in helping make the Chisholm Trail Roundup event successful.

ITEM 8. ADJOURNMENT

Mayor Pro-Tem Sanchez made a motion to adjourn the meeting. Councilmember Mendoza seconded. The motion passed by a vote of 6-0. The meeting was adjourned at 8:16 p.m.

PASSED and APPROVED this the 16th day of April, 2024.

CITY OF LOCKHART

Lew White, Mayor

ATTEST:

Julie Bowermon
City Secretary

**REGULAR MEETING
LOCKHART CITY COUNCIL**

JUNE 20, 2023

6:30 P.M.

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

Council present:

Councilmember John Castillo
Councilmember Juan Mendoza

Mayor Lew White
Councilmember Brad Westmoreland
Councilmember Jeffry Michelson

Council absent:

Mayor Pro-Tem Angie Gonzales-Sanchez
Councilmember Kara McGregor

Staff present:

Steve Lewis, City Manager
David Fowler, Planning Director
Julie Bowermon, Civil Service/HR Director
Mike Kamerlander, Interim Economic Development Director
Gary Williamson, Police Chief

Monte Akers, City Attorney
Sean Kelley, Public Works Director
Keeli Michna, Staff Accountant

Citizens/Visitors Addressing the Council: Jay Garner of Garner Economics; Cari Borremans of the Hays-Caldwell Women's Center; Kelly Franke of Combined Community Action; Diane Coker of the Lockhart Area Senior Citizen's Center; Nicole Douglass of CASA of Central Texas; Meredith Jakovich of the Caldwell County Food Bank; Jason Eeds of GBRA; and, Len Gabbay, Citizen.

Work Session 6:30 p.m.

Mayor White announced that Mayor Pro-Tem Sanchez and Councilmember McGregor will not be attending the meeting. He opened the work session and advised the Council, staff and the audience that staff would provide information and explanations about the following items:

DISCUSSION ONLY

A. PRESENTATION BY GARNER ECONOMICS OF A REVISED TARGET INDUSTRY STRATEGY FOR THE LOCKHART ECONOMIC DEVELOPMENT CORPORATION.

Mr. Kamerlander stated that in 2020, the Lockhart Economic Development Corporation (LEDC) contracted with Garner Economics to develop a 5-year economic development strategy. Jay Garner and his team spent five months interviewing residents and collecting data to provide a Target Industry Strategy which was adopted by both the LEDC and City Council in 2020. LEDC has been operating from this plan for the last three years. Given the accelerated pace of development in Lockhart, staff recommended and the Board approved an expenditure in the Fiscal Year 2022-2023 LEDC budget to complete an update of the strategy. Garner Economics began its work on the revisions in February and Mr. Garner will present those changes this evening. Items in the original strategy such as an industrial park have been completed and the emergence of a viable megasite nearby have all occurred since 2020. Given those changes, two new targets are being recommended for implementation over the next three years.

Jay Garner of Garner Economics provided a revised Target Industry Strategy which included the following topics:

- Lockhart Progress Report Card
- Assets and Challenges Assessment
- Economic and Community Assessment
- Target Business Sectors
- Recommendations – Asset Development, Product Development
 - Continue the City’s efforts to grow its industrial land inventory to accommodate the needs of the targeted industry sectors.
 - Enhance Lockhart’s Quality of Place by developing assets needed to enhance the City’s quality of life (hotel recruitment).
- Recommendations – Execute Effectively, Organizational
 - Create a Convention and Visitor’s Bureau (CVB) in Lockhart focused on visitor recruitment and hospitality product
- Demographics and Community Trends

B. PRESENTATION BY NON-PROFIT ORGANIZATIONS REQUESTING FUNDING FOR AN ANNUAL CONTRIBUTION FROM THE CITY OF LOCKHART FOR FISCAL YEAR 2023-2024.

Ms. Michna stated that on April 17, 2023, non-profit organizations that offer services to the City of Lockhart residents were contacted about the upcoming Fiscal Year 2023-2024 request for funding.

Each organization was asked to provide the following information:

- Mission and benefit statement.
- Current financial statements.
- Uses of prior City contribution.
- FY 2023-24 request and how those funds are to be spent.

Cari Borremans of the Hays-Caldwell Women's Center (HCWC) provided information about how their organization provides services to the community. She stated that the HCWC was requesting a contribution in the amount of \$8,900.

Kelly Franke of Combined Community Action – Senior Nutrition (CCA) provided information about how their organization provides meals to elderly citizens in the community. She stated that the CCA was requesting a contribution in the amount of \$8,000.

Diane Coker of the Lockhart Area Senior Citizen’s Center (LASCC) provided information about how their organization provides services to the community. She stated that the LASCC was requesting a contribution in the amount of \$4,462.

Nicole Douglass of CASA of Central Texas provided information about how their organization assists children in the community. She stated that CASA was requesting a contribution in the amount of \$12,000.

Meredith Jakovich of the Caldwell County Christian Ministries (Caldwell County Food Bank - CCFB) stated that last year the organization completed a rebranding and was renamed as Caldwell County Food Bank. She provided information about how their organization provides food to citizens in the community. She stated that the CCFB was requesting a contribution in the amount of \$10,000.

There was discussion regarding contributions to CARTS. Mayor White stated that CARTS is no longer a non-profit 501C3 organization and that they will request funding assistance during another council meeting.

C. PRESENTATION REGARDING THE PROPOSED FISCAL YEAR 2023-2024 BUDGET FOR GUADALUPE-BLANCO RIVER AUTHORITY (GBRA) FOR THE LOCKHART WATER AND WASTEWATER TREATMENT PLANTS.

Mr. Kelley stated that annually, representatives from GBRA present their Proposed Water and Wastewater Budget for the upcoming fiscal year to City Council for the operations and maintenance of the Lockhart Water and Wastewater Treatment Plants.

Jason Eeds of GBRA provided details about the proposed Fiscal Year 2023-2024 GBRA water and wastewater budgets. There was discussion.

D. DISCUSS AN ENGINEERING SERVICE PROPOSAL FROM TRC ENGINEERING FOR LEAD AND COPPER RULE REVISION IMPLEMENTATION PLAN.

Mr. Kelley stated that the Lead and Copper Rule (LCR) was originally published by the Environmental Protection Agency (EPA) in 1991. Since its original adoption, there have been modifications over the years to the rule to strengthen it by increasing testing and reporting requirements. The latest revision called the Lead and Copper Rule Revision (LCRR) must be implemented on or before October 16, 2024. The newest revision strengthens the existing Lead and Copper Rule by:

- Requiring inventory of both public and private lead service lines;
- Requiring planning to replace lead service lines;
- Improving sampling and corrosion control protocols;
- Expanding public outreach and public education;
- Requires water systems to add schools and child care facilities as testing sites.

The City is in compliance with current LCR and lead level results have remained under action levels. Until the implementation of the new Lead and Copper Rule Revision, the City's water system will continue to meet the current requirements for lead and copper testing, which tests thirty sites across the system every three years.

E. DISCUSS ADOPTING A POLICY FOR PUBLIC IMPROVEMENT DISTRICTS.

Mr. Akers stated that creation of a Public Improvement District (“PID”) is a method by which funding of improvements for the development of a defined area may be accomplished which ensures that the owners benefiting by the improvements bear the cost through “assessments.” Caldwell County adopted a PID Policy in 2021, and the City is currently working with a developer who desires that the City create a PID for a large mixed use development. Note that what is presented to the Council is a “policy” rather than an ordinance or resolution. It is meant to provide guidance to developers or others considering or proposing a PID, as well as City staff, to ensure that the procedures for creating a PID are consistent, but which can be modified or adjusted by the City, if appropriate for a particular project, without amending the policy. This matter was considered at the Council meeting on June 6, 2023 and was postponed in order to ascertain whether language was needed regarding developer change of ownership. While such language is appropriate for development agreements related to property in a PID, it will not serve a purpose in the PID policy.

F. DISCUSS ADOPTING A PROFESSIONAL SERVICES AGREEMENT BETWEEN THE CITY AND THE RED OAK DEVELOPMENT GROUP TO REIMBURSE THE CITY FOR PROFESSIONAL FEES INCURRED RELATING TO THE CONSIDERATION OF THE PROJECT.

Mr. Akers stated that the City is working with Red Oak Development Group regarding the creation of a Public Improvement District which will be funded through assessments against the benefitted property in the PID, which may include issuance of PID bonds. This Professional Services Agreement (aka Escrow Agreement) provides that the City's costs for consultants (engineering, legal, bond counsel and PID administration) will be paid by the developer, commencing with a payment of \$50,000, which shall be retained in a segregated account, and against which the City shall draw as costs are incurred. When the balance in the account is reduced to less than \$10,000, the developer shall be required to make additional payments in \$5,000 increments. Funds in the account shall be used solely to pay for professional services. There was discussion.

G. DISCUSS RESOLUTION 2023-10 AUTHORIZING THE FILING OF A GRANT APPLICATION WITH CAPCOG FOR A REGIONAL SOLID WASTE GRANTS PROGRAM GRANT, AND AUTHORIZING THE MAYOR TO ACT ON BEHALF OF THE CITY OF LOCKHART IN ALL MATTERS RELATED TO THE APPLICATION; AND PLEDGING THAT IF A GRANT IS RECEIVED THE CITY OF LOCKHART WILL COMPLY WITH THE GRANT REQUIREMENTS OF THE CAPCOG, THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY AND THE STATE OF TEXAS.

Mr. Kelley stated that the Capital Area Council of Governments (CAPCOG) sent out a Call for Projects for FY 2023 for solid waste management equipment or community collection events. CAPCOG anticipates having a total of \$50,000 to \$60,000 available for funding, and each award will range from \$10,000 to \$25,000 per entity. CAPCOG is also prioritizing equipment purchases over collection events for this round of funding. There was a tight submission deadline of June 16th to be eligible for grant funds. Purchasing a new 20hp cardboard baler was selected for the grant submission. If awarded the maximum funding amount of \$25,000, the grant would cover most of the \$28,100 cost to purchase a new baler. This grant does not require a match. However, any remaining funds required for equipment purchase would need to be covered by the receiving entity. If the City is not awarded the solid waste grant, the City would still be eligible for funding in the next grant cycle that begins in September of 2023.

H. DISCUSS THE SEMI-ANNUAL REPORT FROM THE IMPACT FEE ADVISORY COMMITTEE CONCERNING THE STATUS OF IMPLEMENTATION OF CHAPTER 31 "IMPACT FEES" OF THE LOCKHART CODE OF ORDINANCES WITH REGARD TO WATER, WASTEWATER, AND ROAD IMPACT FEES.

Mr. Fowler stated that in accordance with State law, the Impact Fee Advisory Committee has an ongoing role in monitoring and evaluating implementation of the water, wastewater, and road impact capital improvement plans (CIP's), and submitting semi-annual reports to the City Council. The Committee met on June 14th to consider their 42nd semi-annual report since impact fees were originally adopted on January 15th, 2002. The total impact fee revenue during the period covered by this report was \$1,379,075, and the only expenditures from the impact fee accounts during that time were periodic payments of invoices to the impact fee consultants. Because the new impact fees were adopted May 2, 2023, there are no new recommendations from the Committee. More information is contained in the attached semi-annual report from the Impact Fee Advisory Committee, which is for the period from October 1, 2022 to April 1, 2023.

I. DISCUSS THE PROPOSED EMERGENCY SERVICES DISTRICT NO. 5 PETITION, PUBLIC HEARING, AND ELECTION.

Mr. Akers stated that on June 13, 2023 the Caldwell County Commissioners Court met and discussed/considered a petition that has been received by the County for Emergency Services District No. 5. The Commissioners Court unanimously passed Resolution 18-2023 setting a public hearing to receive comments regarding the petition to be held at 9:30 a.m. on June 26, 2023. Also, during the Commissioners Court meeting, the petition was certified by the County and Judge Haden spoke about the goal of having a county wide system for EMS explaining that while the County gives support to both the Lockhart and Luling EMS systems no ambulances are presently stationed in the County. Cean Charles, the director the City of Lockhart - Caldwell County EMS, also spoke during the meeting explaining that the Ascension contract for EMS services was ending. Director Charles further provided potential benefits of having a county wide system to provide a superior EMS service.

Mr. Akers requested a determination about whether a city representative should offer pertinent testimony at the public hearing scheduled for June 26, 2023. Mayor White stated that a Councilmember will attend the public hearing.

RECESS: Mayor White announced that the Council would recess for a break at 8:10 p.m.

REGULAR MEETING

ITEM 1. CALL TO ORDER,

Mayor Lew White called the meeting to order at 8:25 p.m.

ITEM 2. INVOCATION, PLEDGE OF ALLEGIANCE.

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

ITEM 3. PUBLIC COMMENT.

Mayor White requested citizens to address the Council.

Len Gabbay, 420 W. Prairie Lea Street, expressed sympathy to the families of two volunteer firefighters that were killed in a car accident in Lockhart on June 20, 2022.

ITEM 4-A. POSTPONE PUBLIC HEARING REGARDING APPLICATION ZC-23-03 BY MONTE J. GUIDRY REQUESTING A ZONING CHANGE FROM CHB COMMERCIAL HEAVY BUSINESS DISTRICT TO RMD RESIDENTIAL MEDIUM DENSITY DISTRICT ON A TOTAL OF 0.205 ACRES IN THE BYRD LOCKHART LEAGUE, ABSTRACT NO. 17, LOCATED AT 1013 NORTH COLORADO STREET (US 183) UNTIL JULY 18, 2023 AT 7:30 PM.

Mayor announced the public hearing will be postponed. There was no action.

ITEM 4-B. HOLD A PUBLIC HEARING, DISCUSSION AND/OR ACTION ON ORDINANCE 2023-11 AMENDING CHAPTER 64 "ZONING" OF THE LOCKHART CODE OF ORDINANCES, INCLUDING: 1) SECTION 64-2, "DEFINITIONS", BY ADDING NEW DEFINITIONS RELATED TO TREES, AND, 2) SECTION 64-197, "REGULATIONS COMMON TO ALL OR SEVERAL DISTRICTS", ADDING NEW SUBSECTION (H)

“RESIDENTIAL LANDSCAPING REQUIREMENTS,” TO SET MINIMUM LANDSCAPING STANDARDS FOR ALL RESIDENTIAL DEVELOPMENT TYPES, AND ADDING NEW SUBSECTION (I) “RESIDENTIAL DESIGN STANDARDS,” TO ESTABLISH MINIMUM RESIDENTIAL DESIGN REQUIREMENTS.

Mayor White opened the public hearing at 8:36 p.m. He requested the staff background report.

Mr. Fowler stated that this ordinance is a product of the discussions at the joint workshops of City Council and the Planning and Zoning Commission held in late 2022 and early 2023. City staff had noted that there were no residential landscaping or design requirements in Chapter 64, the zoning ordinance. Staff drafted landscaping standards based upon provisions found in other cities' ordinances. The main product of the landscaping provisions is the requirement for all residential development types to have a minimum number of shade trees planted on the various residential development types, and for those shade trees to be at least three inches in caliper. For single-family development types, the requirement ranges from 3 shade trees required for SF-1 lots to one tree per residential unit in townhouse developments. For multifamily developments, shade trees would be required along street frontages, near parking spaces and surrounding residential buildings. The landscaping language also requires shrub beds for all types of residential buildings. The ordinance language regarding residential design is intended as a first step towards more comprehensive design requirements. However, the restriction of repeating the same house exterior within six lots on the same side of a street or three lots on the opposite side of the street should be an important first step towards ensuring that residential neighborhoods have a variety of facades to avoid monotony in new developments. Future steps will include detailed design options for single and multi-family developments and covered parking requirements for multi-family developments.

Mayor White requested citizens to address the Council regarding the zoning text amendments. There were none. He closed the public hearing at 8:50 p.m.

Councilmember Castillo made a motion to approve Ordinance 2023-11, as presented. Councilmember Westmoreland seconded. The motion passed by a vote of 5-0.

ITEM 5. CONSENT AGENDA

Councilmember Michelson made a motion to approve consent agenda items 5A and 5B. Councilmember Mendoza seconded. The motion passed by a vote of 5-0.

The following are the consent agenda items that were approved:

- 5-A: Accept the semi-annual report from the Impact Fee Advisory Committee concerning the status of implementation of Chapter 31 “Impact Fees” of the Lockhart Code of Ordinances with regard to water, wastewater, and road impact fees.
- 5-B: Approve Resolution 2023-10 authorizing the filing of a grant application with CAPCOG for a regional solid waste grants program grant, and authorizing the Mayor to act on behalf of the City of Lockhart in all matters related to the application; and pledging that if a grant is received the City of Lockhart will comply with the grant requirements of the CAPCOG, the Texas Commission on Environmental Quality and the State of Texas.

ITEM 6-A. PRESENTATION AND CONSIDER NON-PROFIT ORGANIZATIONS REQUESTING FUNDING FOR AN ANNUAL CONTRIBUTION FROM THE CITY OF LOCKHART FOR FISCAL YEAR 2023-2024.

Mayor White announced that the allocation of funds would be considered during the second meeting in July.

ITEM 6-B. PRESENTATION AND CONSIDER THE PROPOSED FISCAL YEAR 2023-2024 BUDGET FOR GUADALUPE-BLANCO RIVER AUTHORITY (GBRA) FOR THE LOCKHART WATER AND WASTEWATER TREATMENT PLANTS.

Councilmember Westmoreland made a motion to approve GBRA's Fiscal Year 2023-2024 budgets, as presented. Councilmember Castillo seconded. The motion passed by a vote of 5-0.

ITEM 6-C. DISCUSSION AND/OR ACTION REGARDING AN ENGINEERING SERVICE PROPOSAL FROM TRC ENGINEERING FOR LEAD AND COPPER RULE REVISION IMPLEMENTATION PLAN.

Councilmember Michelson made a motion to approve the Engineering Service proposal, as presented. Councilmember Mendoza seconded. The motion passed by a vote of 5-0.

ITEM 6-D. DISCUSSION AND/OR ACTION TO ADOPT A POLICY FOR PUBLIC IMPROVEMENT DISTRICTS.

Councilmember Castillo made a motion to adopt a policy for public improvement districts, as presented. Councilmember Westmoreland seconded. The motion passed by a vote of 5-0.

ITEM 6-E. DISCUSSION AND/OR ACTION TO ADOPT A PROFESSIONAL SERVICES AGREEMENT BETWEEN THE CITY AND THE RED OAK DEVELOPMENT GROUP TO REIMBURSE THE CITY FOR PROFESSIONAL FEES INCURRED RELATING TO THE CONSIDERATION OF THE PROJECT.

Councilmember Westmoreland made a motion to approve a professional services agreement between the City of Lockhart and the Red Oak Development Group, as presented. Councilmember Mendoza seconded. The motion passed by a vote of 5-0.

ITEM 6-F. DISCUSSION AND/OR ACTION TO CONSIDER THE PROPOSED EMERGENCY SERVICES DISTRICT NO. 5 PETITION, PUBLIC HEARING, AND ELECTION.

Councilmember Michelson made a motion to attend the public hearing on June 26, 2023. Councilmember Mendoza seconded. The motion passed by a vote of 5-0.

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

- SH 142 Truck Route update.
- Lockhart Airport FBO update.
- \$100,000 donation by Ronald A. Seeliger to the Dr. Eugene Clark Library.
- Police Officer entrance exam scheduled for July 22.
- July 8th - Movie in the Park, The Super Mario Bros. Movie.
- Fireworks Extravaganza at City Park on July 3.
- Reminder: There will not be a City Council meeting on the first Tuesday of July due to the July 4th holiday. City offices will be closed Tuesday, July 4. The next City Council meeting is scheduled for July 18.

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

Councilmember Westmoreland congratulated the Lockhart Chamber for a successful 50th Chisholm Trail Roundup.

Councilmember Mendoza congratulated the Lockhart Chamber for a successful Chisholm Trail Roundup and all events in June. He encouraged Councilmembers to attend a workshop held by Denton and Navarro Law Firm on July 28th.

Councilmember Castillo congratulated the Lockhart Chamber for a successful Chisholm Trail Roundup and the class reunions that were held that weekend. He thanked all involved with the Juneteenth event. He encouraged everyone to stay hydrated during the hot weather. He congratulated the Little League for finishing their All-Star games.

Councilmember Michelson congratulated the Lockhart Chamber for a successful 50th Chisholm Trail Roundup and to all involved with the successful Juneteenth event. He expressed condolences to the family of Bill Schroeder for their loss.

Mayor White congratulated the Lockhart Chamber for a successful Chisholm Trail Roundup and all involved with the successful Juneteenth event. He expressed condolences to the family of Bill Schroeder for their loss. He encouraged individuals that qualified for a free fan to go to City Hall.

ITEM 9. ADJOURNMENT

Councilmember Mendoza made a motion to adjourn the meeting. Councilmember Westmoreland seconded. The motion passed by a vote of 5-0. The meeting was adjourned at 9:07 p.m.

PASSED and APPROVED this the 16th day of April, 2024.

CITY OF LOCKHART

Lew White, Mayor

ATTEST:

Julie Bowermon
City Secretary

City of Lockhart, Texas

Council Agenda Item Cover Sheet

COUNCIL MEETING DATE: April 16, 2024

AGENDA ITEM CAPTION: Acceptance of the 2nd Quarter Fiscal Year 2024 Investment Report.

ORIGINATING DEPARTMENT AND CONTACT: Administration - Joseph Resendez

ACTION REQUESTED: Other

BACKGROUND/SUMMARY/DISCUSSION: The Texas Public Funds Investment Act requires local governments to review and accept the quarterly investment reports for each quarterly reporting period of the fiscal year. The 2nd Quarter Investment Report of Fiscal Year End (FYE) 2024, ending March 31, 2024 is presented for your review and acceptance.

PROJECT SCHEDULE (if applicable):

AMOUNT & SOURCE OF FUNDING:

Funds Required:

Account Number:

Funds Available:

Account Name:

FISCAL NOTE (if applicable):

PREVIOUS COUNCIL ACTION:

COMMITTEE/BOARD/COMMISSION ACTION:

STAFF RECOMMENDATION/REQUESTED MOTION: Staff recommends a motion to accept the 2nd Quarter Investment Report for FYE 2024.

LIST OF SUPPORTING DOCUMENTS: FYE 2024 2nd Quarter Report

CITY OF LOCKHART

Quarterly Investment Report
For the Quarter Ended March 31, 2024

April 16, 2024

CITY of LOCKHART
Quarterly Investment Report
For the Quarter Ended March 31, 2024

This report is presented in accordance with the Texas Government Code, Title 10, Chapter 2256, Public Funds Investment; Section 2256.023 known as the "Public Funds Investment Act". Attached is a detailed City of Lockhart investment report for the period January 1, 2024 through March 31, 2024. The Investment Portfolio Summary reports the beginning and ending book values and market values for the quarterly reporting period as follows:

January 1, 2024

Cash
Marketable Securities
Investment Pools
Certificates of Deposits
Total:

Investment Portfolio	
Book Value	Market Value
736,236	736,236
0	0
39,591,333	39,591,082
0	0
40,327,570	40,327,318

March 31, 2024

Cash
Marketable Securities
Investment Pools
Certificates of Deposits
Total:

Fund Availability	
12,197,400	12,197,400
28,130,169	28,129,918
40,327,570	40,327,318

January 1, 2024

Unrestricted Funds
Restricted Funds
Total Funds

March 31, 2024

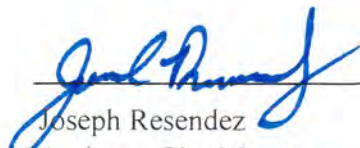
Unrestricted Funds
Restricted Funds
Total Funds

33,472,228	33,472,228
10,828,177	10,827,921
44,300,405	44,300,150

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



Steve Lewis
City Manager



Joseph Resendez
Assistant City Manager

CITY of LOCKHART
Investment Portfolio Summary
For the Quarter Ended March 31, 2024

	Investment Portfolio			
	Book Value	% of Total	Market Value	% of Total
<u>January 1, 2024</u>				
Cash	736,236	1.8%	736,236	1.8%
Marketable Securities	0	0.0%	0	0.0%
Investment Pools	39,591,333	98.2%	39,591,082	98.2%
Certificates of Deposits	0	0.0%	0	0.0%
Portfolio Total	40,327,570	100.0%	40,327,318	100.0%
<u>March 31, 2024</u>				
Cash	799,764	1.8%	799,764	1.8%
Marketable Securities	0	0.0%	0	0.0%
Investment Pools	43,500,641	98.2%	43,500,386	98.2%
Certificates of Deposits	0	0.0%	0	0.0%
Portfolio Total	44,300,405	100.0%	44,300,150	100.0%
<u>Change in Value</u>				
Cash	63,528		63,528	
Marketable Securities	0		0	
Investment Pools	3,909,308		3,909,304	
Certificates of Deposits	0		0	
Portfolio Total	3,972,835		3,972,832	
<u>Maturity Data</u>				
	0			
	Book Value @ 3/31/2024	Weighted Average Maturity	Yield to Maturity	
Cash	799,764	0 Days	1.00%	
Marketable Securities	0	0 Days	0.00%	
Investment Pools - Texas CLASS	19,974,463	34 Days *	5.57%	
Investment Pools - TexPool	14,400,400	38 Days *	5.37%	
Investment Pools - TexSTAR	9,125,778	35 Days *	5.62%	
Certificates of Deposits	0	0 Days	0.00%	
	44,300,405	35 Days	5.43%	

Benchmark - 4 Week Treasury Bills - Secondary Market @ March 31, 2024

5.39%

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

<u>Total Return On Investment</u>	<u>Interest Earned</u>
Cash	1.803
Marketable Securities	0
Investment Pools - Texas CLASS	271.090
Investment Pools - TexPool	172.816
Investment Pools - TexSTAR	119.691
Certificates of Deposits	0
Total Return on Investment	565.401

CITY OF LOCKHART
Cash Accounts (as reconciled to FLNB)
For the Quarter Ended March 31, 2024

General Operating Account - FLNB		
		<u>Value</u>
January 1, 2024	\$	736,236
Deposits		15,659,352
Withdrawals		(15,597,627)
Interest Earned		1,803
March 31, 2024	\$	799,764

Total Cash Accounts		
		<u>Value</u>
January 1, 2024	\$	736,236
Deposits		15,659,352
Withdrawals		(15,597,627)
Interest Earned		1,803
March 31, 2024	\$	799,764

CITY of LOCKHART
Marketable Securities Transaction Summary
For the Quarter Ended March 31, 2024

<u>Holdings During the Quarter</u>									Beginning Value	Beginning Book	Beginning Market	Ending Value	Ending Book	Ending
<u>Type of Security</u>	<u>CUSIP</u>	<u>Purchase Date</u>	<u>Par Value</u>	<u>Coupon Rate</u>	<u>Date of Maturity</u>	<u>Yield to Maturity</u>	<u>Purchase Price</u>	<u>Quarterly Interest Earned</u>	<u>@ Par</u>	<u>Value</u>	<u>Value</u>	<u>@ Par</u>	<u>Value</u>	<u>Market Value</u>
				0.34%						January 1, 2024		March 31, 2024		
								-						0
								-						0
Totals			\$ -				\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -

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

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

CITY OF LOCKHART
Investment Pool Transactions Summary
For the Quarter Ended March 31, 2024

TexPool - City of Lockhart					
	Book Value	Market Value	Net Asset Value	Weighted Aver. Maturity	Average Monthly Yield
January 1, 2024	10,881,874	10,881,329	0.999950	38 Days	5.3200%
Deposits	8,786,000				
Withdrawals	(5,440,290)				
Interest Earned	172,816				
March 31, 2024	14,400,400	14,400,400	1.00000	38 Days	5.3700%

Texas CLASS					
	Book Value	Market Value	Net Asset Value	Weighted Aver. Maturity	Average Monthly Yield
January 1, 2024	19,703,373	19,703,373	1.00000	34 Days	5.4652%
Deposits	0				
Withdrawals	0				
Interest Earned	271,090				
March 31, 2024	19,974,463	19,974,463	1.00000	50 days	5.5744%

TexSTAR					
	Book Value	Market Value	Net Asset Value	Weighted Aver. Maturity	Average Monthly Yield
January 1, 2024	9,006,087	9,005,510	0.99994	35 Days	5.3205%
Deposits	0				
Withdrawals	0				
Interest Earned	119,691				
March 31, 2024	9,125,778	9,125,523	0.999972	45 Days	5.6200%

Total of All Pools		
	Book Value	Market Value
January 1, 2024	39,591,333	39,590,212
Deposits	8,786,000	
Withdrawals	(5,440,290)	
Interest Earned	563,598	
March 31, 2024	43,500,641	43,500,386

CITY of LOCKHART
Certificates of Deposit Transaction Summary
For the Quarter Ended March 31, 2024

Holdings During the Quarter

<u>CD Number</u>	<u>Holder</u>	<u>Purchase Date</u>	<u>Face Value</u>	<u>Interest Rate</u>	<u>Date of Maturity</u>	<u>Yield to Maturity</u>	<u>Purchase Price</u>	<u>Quarterly Interest Earned</u>	Beginning Face Value	Beginning Market Value	Ending Face Value	Ending Market Value
									January 1, 2024	March 31, 2024		
			<u>\$ -</u>						<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>

Purchases

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

Maturities

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

<i>City of Lockhart</i>			
<i>Investment Pools</i>			
<i><u>Standard and Poor's Ratings</u></i>			
<u>Month</u>	<u>TexPool</u>	<u>TexSTAR</u>	<u>Texas CLASS</u>
April-23	AAAm	AAAm	AAAm
May-23	AAAm	AAAm	AAAm
June-23	AAAm	AAAm	AAAm
July-23	AAAm	AAAm	AAAm
August-23	AAAm	AAAm	AAAm
September-23	AAAm	AAAm	AAAm
October-23	AAAm	AAAm	AAAm
November-23	AAAm	AAAm	AAAm
December-23	AAAm	AAAm	AAAm
January-24	AAAm	AAAm	AAAm
February-24	AAAm	AAAm	AAAm
March-24	AAAm	AAAm	AAAm

<i>City of Lockhart</i>			
<i>Bank Collateralization</i>			
<u><i>Standard and Poor's Ratings</i></u>			
			FLNB
Month			<u>Collateralization *</u>
April-23			AAA
May-23			AAA
June-23			AAA
July-23			AAA
August-23			AAA
September-23			AAA
October-23			AAA
November-23			AAA
December-23			AAA
January-24			AAA
February-24			AAA
March-24			AAA
*		Guaranteed by US government (AAA)	

City of Lockhart, Texas

Council Agenda Item Cover Sheet

COUNCIL MEETING DATE: April 16, 2024

AGENDA ITEM CAPTION: Discussion and/or action regarding Ordinance 2024-10 adopting the City of Lockhart's Drought Contingency Plan and Utility Profile compliance with the Texas Commission on Environmental Quality (TCEQ) and the Texas Water Development Board (TWDB).

ORIGINATING DEPARTMENT AND CONTACT: Public Works - Sean Kelley

ACTION REQUESTED: Ordinance

BACKGROUND/SUMMARY/DISCUSSION: The Texas Commission on Environmental Quality (TCEQ) and the Texas Water Development Board (TWDB) require updates to the Drought Contingency Plan (DCP) and Water Conservation Plan (WCP) every five years. Deadline for adoptions and submissions is May 1, 2024. The purpose of the DCP is to identify water use criteria that would trigger different levels of mandatory water restrictions and enforcement measures for the City if those levels are not met. The most notable changes to the City's DCP are:

- Revised single day water use triggers to follow 75%, 80%, 85%, and 90% capacity capabilities.
- Revised all stages of 3 consecutive day maximum water use triggers to reflect 85% of single day maximum water use trigger
- Adding the City's Website to the notification section
- Added use of Best Management Practices for Downtown Irrigation for Supply Management
- Adding measurable rain event to Stages 2-6 as requirement for termination
- Adding restrictive hours to patio misters during Stage 2 restrictions
- Stage 2 single day use trigger was revised to 2.56 MG from 3.2 MG, which was also the same as the Stage 3 trigger
- Pass-through use splash pads (Maple Park Splash Pad) to reduce use to no more than 3-days/week during stage 3 conditions and prohibiting use during stage 4 conditions
- Stage 3 limits on landscaping irrigation to 1 day/week to follow GBRA's adopted DCP for Luling water rights
- Stage 4 restriction of commercial carwash operations between the hours of 6am to 10am and 6pm to 10 during Critical Water Shortage Conditions
- Section XII added pertaining to wholesale water contracts

Furthermore, the WCP is used to set water-saving goals for the City over the next ten years. The City of Lockhart has a long-standing history of water conservation practices. The City has been abiding by Stage 1 water restrictions since 2008. During that time, the City of Lockhart had not reached the conditions necessary to achieve Stage 2 Water Restrictions. The DCP

City of Lockhart, Texas

Council Agenda Item Cover Sheet

and WCP are adopted under the Code of Ordinances Sections 58-7 and is the responsibility of the city manager or designee to implement.

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: The City Engineer and staff respectfully recommend adopting the revised Drought Contingency Plan, Water Conservation Plan, and Utility Profile.

LIST OF SUPPORTING DOCUMENTS: Ord 2024-10 drought contingency water , Lockhart 2024 DCP-WCP-UTILITY PROFILE

ORDINANCE 2024-10

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LOCKHART, TEXAS, ADOPTING A DROUGHT CONTINGENCY PLAN, WATER CONSERVATION PLAN AND UTILITY PROFILE IN COMPLIANCE WITH REGULATIONS OF THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY (TCEQ) AND THE TEXAS WATER DEVELOPMENT BOARD (TWDB), THE TEXAS WATER CODE, THE TEXAS ADMINISTRATIVE CODE, AND AS PROVIDED IN CHAPTER 58, "UTILITIES", SECTION 58-7, "WATER DEMAND EMERGENCY MANAGEMENT PLAN AND DROUGHT CONTINGENCY PLAN" OF THE LOCKHART CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING A REPEALER; PROVIDING FOR PENALTY; PROVIDING FOR PUBLICATION; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the Texas Water Code and the regulations of the Texas Commission on Environmental Quality (TCEQ) and the Texas Water Development Board (TWDB) require that the City of Lockhart (the "City") adopt a Drought Contingency Plan, Water Conservation Plan and Utility Profile (the "plans") every five years; and

WHEREAS, the plans set forth goals and methods for reducing potable water usage in the City in compliance with the regulations of the Texas Water Development Board (TWDB); and

WHEREAS, the plans set forth guidelines for potable water usage to determine when to implement stages of water conservation through methods of mandatory water restrictions and enforcement in compliance with the regulations of the Texas Commission on Environmental Quality; and

WHEREAS, Section 58-7, "Water Demand Emergency Management Plan and Drought Contingency Plan" of the Lockhart Code of Ordinances provides provisions for implementing and amending Drought Contingency and the Water Conservation Plans for the City; and

WHEREAS, the City Council of the City of Lockhart ("City Council") recognizes the importance of water conservation and drought monitoring in the interest of public health and the welfare of this community, and has investigated and determined that it would be advantageous and beneficial to the City to adopt a Drought Contingency Plan, Water Conservation Plan and Utility Profile.

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

- I. **Findings Incorporated.** The findings set forth above are incorporated as if fully set forth herein.
- II. The City of Lockhart hereby adopts the updated Drought Contingency Plan, attached hereto as Exhibit A, and the Water Conservation Plan and Utility Profile, attached hereto as Exhibit B, for implementation and for submission to the Texas Commission on Environmental Quality and the Texas Water Development Board and as required in Chapter 58 "Utilities", Section 58-7. "Water Demand Emergency Management Plan and Drought Contingency Plan" of the Lockhart Code of Ordinances.
- III. **Severability:** If any provision, section, clause, sentence, or phrase of this ordinance is for any reason held to be unconstitutional, void, invalid, or un-enforced, the validity of the remainder of this

ordinance or its application shall not be affected, it being the intent of the City Council in adopting and of the Mayor in approving this ordinance that no portion, provision, or regulation contained herein shall become inoperative or fail by way of reasons of any unconstitutionality or invalidity of any other portion, provision, or regulation.

- IV. **Repealer**: That all other ordinances, sections, or parts of ordinances heretofore adopted by the City of Lockhart in conflict with the provisions set out above in this ordinance are hereby repealed or amended as indicated.
- V. **Open Meeting**: It is found and determined that the meeting at which this ordinance was passed was open to the public as required by law.
- VI. **Penalty**: Any person who violates any provision of this Ordinance shall be guilty of a misdemeanor, and upon conviction shall be fined as provided in Section 1-8 of the City Code.
- VII. **Publication**: The City Secretary is directed to cause the caption of this ordinance to be published in a newspaper of general circulation according to law.
- VIII. **Effective Date**: This ordinance shall become effective and be in full force ten days after passage.

PASSED, APPROVED, AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF LOCKHART, TEXAS, ON THIS THE 16th DAY OF APRIL, 2024

CITY OF LOCKHART

Lew White
Mayor

ATTEST:

APPROVED AS TO FORM:

Julie Bowermon
City Secretary

Brad Bullock
City Attorney

Texas Commission on Environmental Quality

Water Availability Division

MC-160, P.O. Box 13087 Austin, Texas 78711-3087

Telephone (512) 239-4600, FAX (512) 239-2214

Drought Contingency Plan for a Retail Public Water Supplier

This form is provided as a model of a drought contingency plan for a retail public water supplier. If you need assistance in completing this form or in developing your plan, please contact the Conservation Staff of the Resource Protection Team in the Water Availability Division at (512) 239-4600.

Drought Contingency Plans must be formally adopted by the governing body of the water provider and documentation of adoption must be submitted with the plan. For municipal water systems, adoption would be by the city council as an ordinance. For other types of publicly-owned water systems (example: utility districts), plan adoption would be by resolution of the entity's board of directors adopting the plan as administrative rules. For private investor-owned utilities, the drought contingency plan is to be incorporated into the utility's rate tariff. Each water supplier shall provide documentation of the formal adoption of their drought contingency plan.

Name:	<u>City of Lockhart</u>	
Address:	<u>P.O. Box 239, Lockhart, TX 78644</u>	
Telephone Number:	<u>(512) 398-6452</u>	<u>Fax: (512) 398-9134</u>
Water Right No.(s):	<u>N/A</u>	
Regional Water Planning Group:	<u>South Central Texas Water Planning Group</u>	
Form Completed by:	<u>Sean Kelley</u>	
Title:	<u>Public Works Director</u>	
Person responsible for implementation:	<u>Steven Lewis, City Manager</u>	<u>Phone: (512) 398-3461</u>
Signature:	<u>Date: / /</u>	

Section I: Declaration of Policy, Purpose, and Intent

In order to conserve the available water supply and protect the integrity of water supply facilities, with particular regard for domestic water use, sanitation, and fire protection, and to protect and preserve public health, welfare, and safety and minimize the adverse impacts of water supply shortage or other water supply emergency conditions, the City of Lockhart hereby adopts the following regulations and restrictions on the delivery and consumption of water.

Water uses regulated or prohibited under this Drought Contingency Plan (the Plan) are considered to be non-essential and continuation of such uses during times of water shortage or other

emergency water supply condition are deemed to constitute a waste of water which subjects the offender(s) to penalties as defined in Section X of this Plan.

Section II: Public Involvement

Opportunity for the public to provide input into the preparation of the Plan was provided by the City of Lockhart by means of public notices at Council meetings, public television, and local newspaper.

Section III: Public Education

The City of Lockhart will periodically provide the public with information about the Plan, including information about the conditions under which each stage of the Plan is to be initiated or terminated and the drought response measures to be implemented in each stage. This information will be provided by means of notification in utility bills, posted in public places, and placed on the City of Lockhart's website.

Section IV: Coordination with Regional Water Planning Groups

The service area of the City of Lockhart is located within the South Central Texas Water Planning Group and the City of Lockhart has provided a copy of this Plan to the South Central Texas Water Planning Group

Section V: Authorization

The City Manager or his designee is hereby authorized and directed to implement the applicable provisions of this Plan upon determination that such implementation is necessary to protect public health, safety, and welfare. The City Manager or his/her designee shall have the authority to initiate or terminate drought or other water supply emergency response measures as described in this Plan.

Section VI: Application

The provisions of this Plan shall apply to all persons, customers, and property utilizing water provided by the City of Lockhart. The terms "person" and "customer" as used in the Plan include individuals, corporations, partnerships, associations, and all other legal entities.

Section VII: Definitions

For the purposes of this Plan, the following definitions shall apply:

Aesthetic water use: water use for ornamental or decorative purposes such as fountains, reflecting pools, and water gardens.

Commercial and institutional water use: water use which is integral to the operations of commercial and non-profit establishments and governmental entities such as retail establishments, hotels and motels, restaurants, and office buildings.

Conservation: those practices, techniques, and technologies that reduce the consumption of water, reduce the loss or waste of water, improve the efficiency in the use of water or increase the recycling and reuse of water so that a supply is conserved and made available for future or alternative uses.

Customer: any person, company, or organization using water supplied by the City of Lockhart.

Domestic water use: water use for personal needs or for household or sanitary purposes such as drinking, bathing, heating, cooking, sanitation, or for cleaning a residence, business, industry, or institution.

Even number address: street addresses, box numbers, or rural postal route numbers ending in 0, 2, 4, 6, or 8 and locations without addresses.

Foundation watering: an application of water to the soils directly abutting (within 2 feet) the foundation of a building, structure.

Industrial water use: the use of water in processes designed to convert materials of lower value into forms having greater usability and value.

Landscape irrigation use: water used for the irrigation and maintenance of landscaped areas, whether publicly or privately owned, including residential and commercial lawns, gardens, golf courses, parks, and rights-of-way and medians.

Non-essential water use: water uses that are not essential nor required for the protection of public, health, safety, and welfare, including:

- (a) irrigation of landscape areas, including parks, athletic fields, and golf courses, except otherwise provided under this Plan;
- (b) use of water to wash any motor vehicle, motorbike, boat, trailer, airplane or other vehicle;
- (c) use of water to wash down any sidewalks, walkways, driveways, parking lots, tennis courts, or other hard-surfaced areas;
- (d) use of water to wash down buildings or structures for purposes other than immediate fire protection;
- (e) flushing gutters or permitting water to run or accumulate in any gutter or street;
- (f) use of water to fill, refill, or add to any indoor or outdoor swimming pools, pass-through splash pad(s), or Jacuzzi-type pools;
- (g) use of water in a fountain or pond for aesthetic or scenic purposes except where necessary to support aquatic life;
- (h) failure to repair a controllable leak(s) within a reasonable period after having been given notice directing the repair of such leak(s); and
- (i) use of water from hydrants for construction purposes or any other purposes other than fire fighting.

Odd numbered address: street addresses, box numbers, or rural postal route numbers ending in 1, 3, 5, 7, or 9.

Section VIII: Criteria for Initiation and Termination of Drought Response Stages

The City Manager or his designee shall monitor water supply and/or demand conditions on a daily basis and shall determine when conditions warrant initiation or termination of each stage of the Plan, that is, when the specified “triggers” are reached.

The triggering criteria described below are based on:
rainfall, equipment failure, water well levels, system capacity and failures..

Utilization of alternative water sources and/or alternative delivery mechanisms:

Alternative water source(s) for water service is/are: Luling Surface Water Treatment Plant and Carrizo Groundwater Supply project (expected to be completed in the second quarter of 2024).

Stage 1 Triggers -- MILD Water Shortage Conditions

Requirements for initiation

Customers shall be requested to voluntarily conserve water and adhere to the prescribed restrictions on certain water uses, defined in Section VII Definitions, when total daily water demand equals or exceeds 3.6 million gallons for 3 consecutive days or 4.3 million gallons on a single day.

Requirements for termination

Stage 1 of the Plan may be rescinded when all of the conditions listed as triggering events have ceased to exist for a period of 3 consecutive days.

Stage 2 Triggers – MODERATE Water Shortage Conditions

Requirements for initiation

Customers shall be required to comply with the requirements and restrictions on certain non-essential water uses provided in Section IX of this Plan when total daily water demand equals or exceeds 3.9 million gallons for 3 consecutive days or 4.6 million gallons on a single day

Requirements for termination

Stage 2 of the Plan may be rescinded when all of the conditions listed as triggering events have ceased to exist for a period of 3 consecutive days and measurable rain event has occurred. Upon termination of Stage 2, Stage 1, or the applicable drought response stage based on the triggering criteria, becomes operative.

Stage 3 Triggers – SEVERE Water Shortage Conditions

Requirements for initiation

Customers shall be required to comply with the requirements and restrictions on certain non-essential water uses for Stage 3 of this Plan when total daily water demand equals or exceeds 4.1 million gallons for 3 consecutive days or 4.8 million gallons on a single day

Requirements for termination

Stage 3 of the Plan may be rescinded when all of the conditions listed as triggering events have ceased to exist for a period of 3 consecutive days and measurable rain event has occurred. Upon termination of Stage 3, Stage 2, or the applicable drought response stage based on the triggering criteria, becomes operative.

Stage 4 Triggers – CRITICAL Water Shortage Conditions

Requirements for initiation

Customers shall be required to comply with the requirements and restrictions on certain non-essential water uses for Stage 4 of this Plan when total daily water demand equals or exceeds 4.4 million gallons for 3 consecutive days or 5.1 million gallons on a single day and/or when major water main breaks occur, major pump or system failures occur which cause unprecedented loss of capability to provide water service to customers.

Requirements for termination

Stage 4 of the Plan may be rescinded when all of the conditions listed as triggering events have ceased to exist for a period of 3 consecutive days and measurable rain event has occurred. Upon termination of Stage 4, Stage 3, or the applicable drought response stage based on the triggering criteria, becomes operative.

Stage 5 Triggers – EMERGENCY Water Shortage Conditions

Requirements for initiation

Customers shall be required to comply with the requirements and restrictions for Stage 5 of this Plan when City Manager, or his designee, determines that a water supply emergency exists based on:

1. Major water line breaks, or pump or system failures occur, which cause unprecedented loss of capability to provide water service; **or**
2. Natural or man-made contamination of the water supply source(s).

Requirements for termination

Stage 5 of the Plan may be rescinded when all of the conditions listed as triggering events have ceased to exist for a period of 3 consecutive days and measurable rain event has occurred.

Stage 6 Triggers – WATER ALLOCATION

Requirements for initiation

Customers shall be required to comply with the water allocation plan prescribed in Section IX of this Plan and comply with the requirements and restrictions for Stage 5 of this Plan when total daily water demand equals or exceeds 5.1 million gallons for 3 consecutive days

Requirements for termination - Water allocation may be rescinded when all of the conditions listed as triggering events have ceased to exist for a period of 3 consecutive days and measurable rain event has occurred.

Section IX: Drought Response Stages

The City Manager, or his designee, shall monitor water supply and/or demand conditions on a daily basis and, in accordance with the triggering criteria set forth in Section VIII of this Plan, shall determine that a mild, moderate, severe, critical, emergency or water shortage condition exists and shall implement the following notification procedures. The City's information relating to its Drought and Emergency Response Stages are also listed in Table 1.

Notification

Notification of the Public:

The City Manager or his/ her designee shall notify the public by means of:

- *Publication in a newspaper of general circulation,*
- *Public service announcements,*
- *Signs posted in public places*
- *City website*

Additional Notification:

The City Manager or his designee shall notify directly, or cause to be notified directly, the following individuals and entities:

- *Mayor and members of the City Council*
- *Fire Chief*

- *City and/or County Emergency Management Coordinator(s)*
- *County Judge & Commissioner(s)*
- *TCEQ (required when mandatory restrictions are imposed)*
- *Critical water users, i.e. hospitals*

Stage 1 Response – MILD Water Shortage Conditions

Target: Achieve a voluntary 5 percent reduction in daily water demand

Best Management Practices for Supply Management:

Reduce use of water in City cemetery, parks, public areas, and downtown irrigation

Voluntary Water Use Restrictions for Reducing Demand:

- Water customers are requested to voluntarily limit the irrigation of landscaped areas to Sundays and Thursdays for customers with a street address ending in an even number (0, 2, 4, 6 or 8), and Saturdays and Wednesdays for water customers with a street address ending in an odd number (1, 3, 5, 7 or 9), and to irrigate landscapes only between the hours of 12:00 midnight and 10:00 a.m. and 7:00 p.m. to midnight on designated watering days.
- All operations of the City of Lockhart shall adhere to water use restrictions prescribed for Stage 1 of the Plan.
- Water customers are requested to practice water conservation and to minimize or discontinue water use for non-essential purposes.

Stage 2 Response – MODERATE Water Shortage Conditions

Target: Achieve a 10 percent reduction in daily water demand

Best Management Practices for Supply Management:

Reduce use of water in City cemetery, parks, public areas, and downtown irrigation

Water Use Restrictions for Demand Reduction:

Under threat of penalty for violation, the following water use restrictions shall apply to all persons:

- Irrigation of landscaped areas with hose-end sprinklers or automatic irrigation systems shall be limited to Sundays and Thursdays for customers with a street address ending in an even number (0, 2, 4, 6 or 8), and Saturdays and Wednesdays for water customers with a street address ending in an odd number (1, 3, 5, 7 or 9), and irrigation of landscaped areas is further limited to the hours of 12:00 midnight until 10:00 a.m. and between 7:00 p.m. and 12:00 midnight on designated watering days. However, irrigation of landscaped areas is permitted at anytime if it is by means of a hand-held hose, a faucet filled bucket or watering can of five (5) gallons or less, or drip irrigation system.

- (b) Use of water to wash any motor vehicle, motorbike, boat, trailer, airplane or other vehicle is prohibited except on designated watering days between the hours of 12:00 midnight and 10:00 a.m. and between 8:00 p.m. and 12:00 midnight. Such washing, when allowed, shall be done with a hand-held bucket or a hand-held hose equipped with a positive shutoff nozzle for quick rises. Vehicle washing may be done at any time on the immediate premises of a commercial car wash or commercial service station. Further, such washing may be exempted from these regulations if the health, safety, and welfare of the public is contingent upon frequent vehicle cleansing, such as garbage trucks and vehicles used to transport food and perishables.
- (c) Use of water to fill, refill, or add to any indoor or outdoor swimming pools, wading pools, or Jacuzzi-type pools is prohibited except on designated watering days between the hours of 12:00 midnight and 10:00 a.m. and between 8 p.m. and 12:00 midnight.
- (d) Operation of any ornamental fountain or pond for aesthetic or scenic purposes is prohibited except where necessary to support aquatic life or where such fountains or ponds are equipped with a recirculation system.
- (e) Use of water from hydrants shall be limited to fire fighting, related activities, or other activities necessary to maintain public health, safety, and welfare, except that use of water from designated fire hydrants for construction purposes may be allowed under special permit from the City of Lockhart.
- (f) Use of water for the irrigation of golf course greens, tees, and fairways is prohibited except on designated watering days between the hours 12:00 midnight and 10:00 a.m. and between 8 p.m. and 12:00 midnight. However, if the golf course utilizes a water source other than that provided by the City of Lockhart, the facility shall not be subject to these regulations.
- (g) All restaurants are prohibited from serving water to patrons except upon request of the patron.
- (h) Use of a patio mister at a commercial facility is prohibited except between the hours of 4:00 p.m. and midnight.
- (i) The following uses of water are defined as non-essential and are prohibited:
 - 1. wash down of any sidewalks, walkways, driveways, parking lots, tennis courts, or other hard-surfaced areas;
 - 2. use of water to wash down buildings or structures for purposes other than immediate fire protection;
 - 3. use of water for dust control;
 - 4. flushing gutters or permitting water to run or accumulate in any gutter or street; and
 - 5. failure to repair a controllable leak(s) within a reasonable period after having been given notice directing the repair of such leak(s).

Stage 3 Response – SEVERE Water Shortage Conditions

Target: Achieve a 30 percent reduction in daily water demand

Best Management Practices for Supply Management:

Stop use of outside watering in cemetery, parks, public areas, and downtown irrigation.

Water Use Restrictions for Demand Reduction:

All requirements of Stage 2 shall remain in effect during Stage 3 except:

- (a) Irrigation of landscaped areas by permanently installed automatic sprinkler system shall be limited to Tuesdays for customers with a street address ending number one (1), Wednesdays for customers with a street address ending number two (2) or six (6), Thursdays for customers with a street address ending number zero (0), Fridays for customers with a street address ending number five (5) or nine (9), Saturdays for customers with a street address ending number four (4) or eight (8), and Sundays for water customers with a street address ending in number three (3) or seven (7), and irrigation of landscaped areas is further limited to the hours of 12:00 midnight until 10:00 a.m. and between 7:00 p.m. and 12:00 midnight on designated watering day. However, irrigation of landscaped areas is permitted at on designated watering days if it is by means of a hand-held hose, hand-held buckets, or drip irrigation system. The use of hose-end sprinklers is prohibited at all times.
- (b) The watering of golf course tees is prohibited unless the golf course utilizes a water source other than that provided by the City of Lockhart
- (c) The use of water for construction purposes from designated fire hydrants under special permit is to be discontinued.
- (d) Foundation Watering (within 2 feet) and watering of trees may occur for two hours one day per week with a hand-held hose or with a dedicated zone using a Drip Irrigation system and/or Soaker Hose, provided no runoff occurs.
- (e) Pass-through splash pad(s) may operate no more than three days per week.

Stage 4 Response – CRITICAL Water Shortage Conditions

Target: Achieve a 40 percent reduction in daily water demand

Best Management Practices for Supply Management:

Stop use of outside watering in cemetery, parks, public areas, and downtown irrigation.

Water Use Restrictions for Reducing Demand:

All requirements of Stage 2 and 3 shall remain in effect during Stage 4 except:

- (a) Irrigation of landscaped areas shall be limited to designated watering days between the hours of 6:00 a.m. and 10:00 a.m. and between 8:00 p.m. and 12:00 midnight and shall be by means of hand-held hoses, hand-held buckets, or drip

irrigation only. The use of hose-end sprinklers or permanently installed automatic sprinkler systems are prohibited at all times.

- (b) Use of water to wash any motor vehicle, motorbike, boat, trailer, airplane or other vehicle not occurring on the premises of a commercial car wash and commercial service stations and not in the immediate interest of public health, safety, and welfare is prohibited. Further, such vehicle washing at commercial car washes and commercial service stations shall occur only between the hours of 6:00 a.m. and 10:00 a.m. and between 6:00 p.m. and 10 p.m.
- (c) The filling, refilling, or adding of water to swimming pools, wading pools, and Jacuzzi-type pools is prohibited.
- (d) Operation of any ornamental fountain or pond for aesthetic or scenic purposes is prohibited except where necessary to support aquatic life or where such fountains or ponds are equipped with a recirculation system.
- (e) No application for new, additional, expanded, or increased-in-size water service connections, meters, service lines, pipeline extensions, mains, or water service facilities of any kind shall be approved, and time limits for approval of such applications are hereby suspended for such time as this drought response stage or a higher-numbered stage shall be in effect.
- (f) The use of water for pass-through splash pad(s) is prohibited.

Stage 5 Response – EMERGENCY Water Shortage Conditions

Target: Achieve a 50 percent reduction in daily water demand

Best Management Practices for Supply Management:

Stop use of outside watering in cemetery, parks, public areas, and downtown irrigation.

Water Use Restrictions for Reducing Demand:

All requirements of Stage 2, 3, and 4 shall remain in effect during Stage 5 except:

- (a) Irrigation of landscaped areas is absolutely prohibited, except soaker hoses, hand-held hoses or a dedicated zone using a drip irrigation system may be used to water trees up to two hours per week or foundations as necessary, provided no runoff occurs.
- (b) Use of water to wash any motor vehicle, motorbike, boat, trailer, airplane or other vehicle is absolutely prohibited.

Stage 6 Response – WATER ALLOCATION

In the event that water shortage conditions threaten public health, safety, and welfare, the City Manager is hereby authorized to allocate water according to the following water allocation plan:

Residential Customers

The allocation to residential water customers residing in a single-family dwelling shall be as follows:

“Household” means the residential premises served by the customer’s meter. A household’s monthly allocation shall be 75% of the household’s water usage baseline. A household’s water usage baseline shall be considered the average monthly usage of that household calculated using the most recent 12 months in that household’s billing history. If the customer’s billing history is shorter than 12 months, then the customer’s water usage baseline shall be considered the average monthly usage for the customer’s existing billing history.

Residential water customers shall pay the following surcharges:

- 1.5 times the block rate for each 1,000 gallons in excess of the allocation up through 5 percent above allocation.
- 2 times the block rate for each 1,000 gallons from 5 percent through 10 percent above allocation.
- 3 times the block rate for each 1,000 gallons from 10 percent through 15 percent above allocation.
- 4 times the block rate for each 1,000 gallons more than 15 percent above allocation.

Surcharges shall be cumulative.

Commercial Customers

A monthly water allocation shall be established by the City Manager, or his designee, for each nonresidential commercial customer other than an industrial customer who uses water for processing purposes. The non-residential customer’s allocation shall be approximately 75% percent of the customer’s usage for corresponding month’s billing period for the previous 12 months. If the customer’s billing history is shorter than 12 months, the monthly average for the period for which there is a record shall be used for any monthly period for which no history exists. The City Manager may make an effort to see that notice of each non-residential customer’s allocation is mailed to such customer. If, however, a customer does not receive such notice, it shall be the customer’s responsibility to contact the City of Lockhart to determine the allocation. Upon request of the customer or at the initiative of the City Manager, the allocation may be reduced or increased if, (1) the designated period does not accurately reflect the customer’s normal water usage, (2) one nonresidential customer agrees to transfer part of its allocation to another nonresidential customer, or (3) other objective evidence demonstrates that the designated allocation is inaccurate under present conditions. A customer may appeal an allocation established hereunder to the City Manager. Nonresidential commercial customers shall pay the following surcharges:

- 1.5 times the block rate for each 1,000 gallons in excess of the allocation up through 5 percent above allocation.

- 2 times the block rate for each 1,000 gallons from 5 percent through 10 percent above allocation.
- 3 times the block rate for each 1,000 gallons from 10 percent through 15 percent above allocation.
- 4 times the block rate for each 1,000 gallons more than 15 percent above allocation.

The surcharges shall be cumulative. As used herein, “block rate” means the charge to the customer per 1,000 gallons at the regular water rate schedule at the level of the customer’s allocation.

Industrial Customers

A monthly water allocation shall be established by the City Manager, or his designee, for each industrial customer, which uses water for processing purposes. The industrial customer’s allocation shall be approximately 80% percent of the customer’s water usage baseline. Ninety (90) days after the initial imposition of the allocation for industrial customers, the industrial customer’s allocation shall be further reduced to 75% percent of the customer’s water usage baseline. The industrial customer’s water use baseline will be computed on the average water use for the 12-month period ending prior to the date of implementation of Stage 2 of the Plan. If the industrial water customer’s billing history is shorter than 12 months, the monthly average for the period for which there is a record shall be used for any monthly period for which no billing history exists. The City Manager shall give his best effort to see that notice of each industrial customer’s allocation is mailed to such customer. If, however, a customer does not receive such notice, it shall be the customer’s responsibility to contact the City of Lockhart to determine the allocation, and the allocation shall be fully effective notwithstanding the lack of receipt of written notice. Upon request of the customer or at the initiative of the City Manager, the allocation may be reduced or increased, (1) if the designated period does not accurately reflect the customer’s normal water use because the customer had shutdown a major processing unit for repair or overhaul during the period, (2) the customer has added or is in the process of adding significant additional processing capacity, (3) the customer has shutdown or significantly reduced the production of a major processing unit, (4) the customer has previously implemented significant permanent water conservation measures such that the ability to further reduce water use is limited, (5) the customer agrees to transfer part of its allocation to another industrial customer, or (6) if other objective evidence demonstrates that the designated allocation is inaccurate under present conditions. A customer may appeal an allocation established hereunder to the City Manager. Industrial customers shall pay the following surcharges:

- 1.5 times the block rate for each 1,000 gallons in excess of the allocation up through 5 percent above allocation.
- 2 times the block rate for each 1,000 gallons from 5 percent through 10 percent above allocation.
- 3 times the block rate for each 1,000 gallons from 10 percent through 15 percent above allocation.
- 4 times the block rate for each 1,000 gallons more than 15 percent above allocation.

The surcharges shall be cumulative. As used herein, "block rate" means the charge to the customer per 1,000 gallons at the regular water rate schedule at the level of the customer's allocation.

Section X: Enforcement

- (a) No person shall knowingly or intentionally allow the use of water from the City of Lockhart for residential, commercial, industrial, agricultural, governmental, or any other purpose in a manner contrary to any provision of this Plan, or in an amount in excess of that permitted by the drought response stage in effect at the time pursuant to action taken by City Manager (*designated official*), or his designee, in accordance with provisions of this Plan.
- (b) Any person who violates this Plan is guilty of a misdemeanor and, upon conviction shall be punished by a fine of not less than one dollars (\$1.00) and not more than two thousand dollars (\$2,000.00). Each day that one or more of the provisions in this Plan is violated shall constitute a separate offense. If a person is convicted of three or more distinct violations of this Plan, the City Manager shall, upon due notice to the customer, be authorized to discontinue water service to the premises where such violations occur. Services discontinued under such circumstances shall be restored only upon payment of a re-connection charge, hereby established at \$ 25.00, and any other costs incurred by the City of Lockhart in discontinuing service. In addition, suitable assurance must be given to the City Manager that the same action shall not be repeated while the Plan is in effect. Compliance with this plan may also be sought through injunctive relief in the district court.
- (c) Any person, including a person classified as a water customer of the City of Lockhart, in apparent control of the property where a violation occurs or originates shall be presumed to be the violator, and proof that the violation occurred on the person's property shall constitute a rebuttable presumption that the person in apparent control of the property committed the violation, but any such person shall have the right to show that he/she did not commit the violation. Parents shall be presumed to be responsible for violations of their minor children and proof that a violation, committed by a child, occurred on property within the parents' control shall constitute a rebuttable presumption that the parent committed the violation, but any such parent may be excused if he/she proves that he/she had previously directed the child not to use the water as it was used in violation of this Plan and that the parent could not have reasonably known of the violation.
- (d) Any employee of the City of Lockhart, police officer, or other employee designated by the City Manager, may issue a citation to a person he/she reasonably believes to be in violation of this Ordinance. The citation shall be prepared in duplicate and shall contain the name and address of the alleged violator, if known, the offense charged, and shall direct him/her to appear in the municipal court on the date shown on the citation for which the date shall not be less than 3 days nor more than 5 days from the date the citation was issued. The alleged violator shall be served a copy of the citation. Service of the citation shall be complete upon delivery of the citation to the alleged violator, to an agent or employee of a violator, or to a person over 14 years of age who is a member of the violator's immediate family or is a resident of the violator's residence. The alleged violator shall appear in municipal court to enter a plea of guilty or not guilty for the violation of this Plan. If the alleged violator fails to appear in municipal court, a warrant for his arrest may be issued. A summons to appear may be issued in lieu of an arrest warrant. These cases shall be expedited and given preferential setting in municipal court before all other cases.

Section XI: Variances

The City Manager, or his designee, may, in writing, grant temporary variance for existing water uses otherwise prohibited under this Plan if it is determined that failure to grant such variance would cause an emergency condition adversely affecting the health, sanitation, or fire protection for the public or the person requesting such variance and if one or more of the following conditions are met:

- (a) Compliance with this Plan cannot be technically accomplished during the duration of the water supply shortage or other condition for which the Plan is in effect.
- (b) Alternative methods can be implemented which will achieve the same level of reduction in water use.

Persons requesting an exemption from the provisions of this Ordinance shall file a petition for variance with the City of Lockhart within 5 days after the Plan or a particular drought response stage has been invoked. All petitions for variances shall be reviewed by the City Manager, or his designee, and shall include the following:

- (a) Name and address of the petitioner(s).
- (b) Purpose of water use.
- (c) Specific provision(s) of the Plan from which the petitioner is requesting relief.
- (d) Detailed statement as to how the specific provision of the Plan adversely affects the petitioner or what damage or harm will occur to the petitioner or others if petitioner complies with this Ordinance.
- (e) Description of the relief requested.
- (f) Period of time for which the variance is sought.
- (g) Alternative water use restrictions or other measures the petitioner is taking or proposes to take to meet the intent of this Plan and the compliance date.
- (h) Other pertinent information.

Section XII: Wholesale Contract Provisions

New wholesale contracts shall include standard language requiring that the customer adhere to the City's Code of Ordinances, including Chapter 58-7. Generally, wholesale customers in a new contract are also required to establish a water conservation program similar to one administered by City of Lockhart.

Pro rata curtailment shall be done in accordance with Texas Water Code 11.039. All new, renewed, or extended wholesale supply contracts will also include a provision that water shall be distributed on the pro rata basis in the event of a water shortage resulting from drought. Enforcement actions for non-compliance with either the Water Conservation Code or pro rata water reductions by wholesale customers will vary according to the specifics of each wholesale customer's contract.

Table 1 - Drought and Emergency Response Stages

Triggering Condition	Stage 1 -MILD Water Shortage	Stage 2 - MODERATE Water Shortage	Stage 3 - SEVERE Water Shortage	Stage 4 - CRITICAL Water Shortage	Stage 5 - EMERGENCY Water Shortage	Stage 6 - Water Allocation
Requirements for Initiation	Daily total water demand => 3.6 MG for 3 consecutive days or 4.3 MG on a single day	Daily total water demand => 3.9 MG for 3 consecutive days or 4.6 MG on a single day	Daily total water demand => 4.1 MG for 3 consecutive days or 4.8 MG on a single day	Daily total water demand => 4.4 MG for 3 consecutive days 5.1 MG on a single day and/or when major water mains, pumps, or system failures break or fail which cause unprecedented loss	Major water main, pumps, or system breaks or failures that cause unprecedented loss or natural or man-made contamination of the water supply sources	Daily total water demand => 5.1 MG for 3 consecutive days
Requirements for termination	Initiating Requirements cease to exist for a period of 3 consecutive days	Initiating Requirements cease to exist for a period of 3 consecutive days and measurable rain event has occurred	Initiating Requirements cease to exist for a period of 3 consecutive days and measurable rain event has occurred. Preceding drought response stage becomes operative	Initiating Requirements cease to exist for a period of 3 consecutive days and measurable rain event has occurred. Preceding drought response stage becomes operative	Initiating Requirements cease to exist for a period of 3 consecutive days and measurable rain event has occurred	Initiating Requirements cease to exist for a period of 3 consecutive days and measurable rain event has occurred
Response (Supply Management)	Reduce water use in city cemetery, parks, and public areas	Reduce water use in city cemetery, parks, and public areas	Stop use of outside watering in cemetery, parks, and public areas	Stop use of outside watering in cemetery, parks, and public areas	Stop use of outside watering in cemetery, parks, and public areas	Refer to DCP
Response (Demand Reduction)	•Customers with even numbered address to limit irrigation use to Sundays and Thursdays on designated times •Customers with odd numbered address to limit irrigation use to Saturdays and Wednesdays on designated times	•Customers with even numbered address to limit irrigation use to Sundays and Thursdays on designated times •Customers with odd numbered address to limit irrigation use to Saturdays and Wednesdays on designated times •Vehicle washing will be limited to 7 PM - 12AM and 12 AM - 10 AM •Use of water to refill swimming pools of any type to be limited to 7 PM - 12 AM and 12 AM - 10 AM •Operations of fountains or ponds to be prohibited except if necessary to sustain aquatic life •Fire Hydrants will be limited to fire fighting or others related activated to maintain public health •Irrigation of golf courses, tees, and fairways to be limited to 7 PM - 12 AM and 12 AM - 10 AM •Use of water for the following uses will be prohibited: -Washing down hard surfaced areas -Washing down buildings or structures -Dust control -Flushing gutters -Failure to repair a leak within a reasonable period after being given notice to repair such leak	•Landscape irrigation will be limited to designated watering days between 7 PM - 12 AM and 12 AM to 10 AM by means of hand-held hoses, hand-held buckets, drip irrigation, or repentantly installed automatic sprinkler system only •Watering of golf courses will be prohibited unless it utilizes a source other than the City of Lockhart •Use of water for construction purposes from designated fire hydrants under special permit is to be discontinued •Pass-through splash pad(s) may operate no more than three days per week.	•Landscape irrigation will be limited to designated watering days between 7 PM - 12 AM and 6 AM to 10 AM by means of hand-held hoses, hand-held buckets, or drip irrigation only. Permanently installed automatic sprinkler systems will be prohibited •Vehicle washing that is not occurring on the premises of a commercial car wash or service station and is also not for the purpose of immediate interest of public health, safety, and welfare as well will be prohibited. Vehicle washing at car washes and service stations will be limited between 6 PM - 10 PM and 6 AM - 10 AM •Use of water for refilling swimming pools of any kind or pass-through splash pad(s) will be prohibited •Operations of fountains or ponds to be prohibited except if necessary to sustain aquatic life •No application of any water service connections of any type shall be approved and time limits for approval of such applications will be suspended	•Landscape irrigation will be prohibited •Vehicle washing of any kind will be prohibited	Refer to DCP
Target	Achieve a voluntary 5 percent reduction in daily water demand	Achieve a 10 percent reduction in daily water demand	Achieve a 30 percent reduction in daily water demand	Achieve a 40 percent reduction in daily water demand	Achieve a 50 percent reduction in daily water demand	Refer to DCP

The City of Lockhart, Texas Caldwell County



Water Conservation Plan & Utility Profile

The City of Lockhart, Texas

P.O. Box 239

Lockhart, TX 78644

April 2024

Prepared by:



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ATTACHMENTS

ATTACHMENT A: (Lockhart CCN Map)

ATTACHEMNT B: (Water Conservation Literature)

ATTACHMENT C: (Water Service Rates)

ATTACHMENT D: (Water Conservation Plan)

UTILITY PROFILE

ATTACHMENT A: (Projected Water Demands)

ATTACHEMNT B: (Description of Water System)

ATTACHMENT C: (Description of Sewer System)

1.0 INTRODUCTION

The Public Works Department of the City of Lockhart, Texas (City) has developed a Water Conservation Plan fulfilling the requirements of Section 13.146 of the Texas Water Code. The objective of the water conservation plan is to reduce the quantity of water required for day-to-day living and business activities used in the City. This will be accomplished through the implementation of efficient water use practices. This report outlines the City's water conservation program.

The City currently has strategies for reducing water consumption. These strategies include, but are not limited to, a rate structure discouraging the excess use of water, metering devices with an accuracy of plus or minus 5%, suitable media sources such as mail outs, newspaper advertisements, and radio advertisements highlighting water conservation tips, regular inspections of water lines, and a program for replacing meters. The benefits of conserving water are protecting the most valuable resource (water), reducing the amount of water treated by water and wastewater plants therefore reducing operating expenses, and reducing consumer water bills.

2.0 DESCRIPTION OF SERVICE AREA

The City of Lockhart is located in south central Texas just south of the City of Austin. The city service area (see map in Attachment A) is approximately 26 square miles with a population of 16,530 (according to the U.S. Census Bureau and the City).

3.0 GOALS

The City has and will continue to conserve water via programs discussed later in this report. Over the past five years the city has averaged 12 Gallons per Capita per Day (GPCD) per year water loss. The City's goal is to reduce water loss in the service area by 1 GPCD over the next five years to achieve 11 GPCD water loss by the year 2029 and by an additional 1 GPCD by the year 2034 to achieve 10 GPCD water loss. The City intends to reduce the water consumption in the service area by 1% from 94 GPCD in 2024 to 93 GPCD by the year 2029 and by 1% to 92 GPCD by 2034. This will be accomplished by realizing the following water conservation goals described in the Schedule of Implementation.

	Historic 5-Year Average	Baseline	5-Year Goal for Year 2029	10-Year Goal for Year 2034
Total GPCD	94	94	93	92
Residential (GPCD)	55	55	54	53
Water Loss (GPCD)	12	12	11	10
Water Loss Percentage (%)	13	13	12	11

4.0 SCHEDULE OF IMPLEMENTATION

The following measures will be taken to ensure the water conservation goals are achieved:

- ◆ Distribution of water conservation literature to the citizens of Lockhart as described in section 8.0 below, Continuing Public Education and Information (See Attachment B).
- ◆ Continue to replace old meters with the new meters compatible with the SCADA system.
- ◆ Test all meters periodically as described in section 6.0 below, Universal Metering, to ensure meter accuracy and functionality have been maintained.
- ◆ Continue regular inspection of water lines for damage and/or leaks to prevent water loss.
- ◆ Maintain the current leak detection and water audit program and ensure that any leaks found are fixed as quickly as is practical.
- ◆ Replacement of water lines that are leaking or in an unsatisfactory condition to reduce water loss and maintain water quality.
- ◆ Continue a water rate structure discouraging excess water consumption as shown in Attachment C.
- ◆ Using a Water Recycling and Reuse Program.
- ◆ The Plumbing Codes require use of water saving fixtures for all new construction and for replacement of plumbing in existing structures.

5.0 METERING DEVICES

The City currently acquires its water supply from groundwater treated at the water treatment plant owned by the City. The City has wells in the Wilcox Aquifer for the withdrawal of 5,600 acre-feet per year and in the Luling Surface Water Treatment Plant for the withdrawal of 1,120 acre-feet per year. The City also has a third source of water from the Carrizo groundwater supply project, which yields 3,000 acre-feet per year. The existing water treatment plant has a rated treatment capacity of 5.7 MGD and its high service pump station has a total capacity of 6.92 MGD with a firm capacity of 5.19 MGD. An upgrade in 2000 included the addition of a water system Supervisory Control and Data Acquisition (SCADA) system to provide complete automated monitoring and control of the entire water system including the plant, wells, and distribution operations. The water use data for the service area is determined from a master meter at the water plant where treated water enters the distribution system. This meter has an accuracy of plus or minus 5.0% and is tested regularly.

6.0 UNIVERSAL METERING

The City currently meters 100% of the water used, both residential and commercial and they only use meters with +/- 5% accuracy. The City currently has a meter replacement and meter repair program and has established a regular schedule for testing meters. The schedule is as follows:

1. Production, master meters or meters greater than 1.5" – test annually
2. Meters larger than 1" up to 1.5" – test once every three years
3. Meters 1" or less – test once every ten years

7.0 UNACCOUNTED-FOR WATER USE

The City currently has a program to minimize unaccounted for water use that includes the following:

1. Visual inspection by meter readers and system employees who keep a constant watch for abnormal conditions indicating leaks.
2. An adequate maintenance staff, which is available to repair any leaks.

8.0 CONTINUING PUBLIC EDUCATION AND INFORMATION

The City promotes water conservation by informing the public of methods to conserve water. The City has already implemented an information and education program which incorporates:

1. Distribution of educational packages developed by the State and GBRA to the schools.
2. An annual open house to allow customers to visit the water and wastewater plant and pick up water conservation literature which is obtained as listed in Attachment B.
3. Water conservation techniques made available to customers every month when they pay their bills as well as to new customers who are tying into the system.
4. An annual water conservation educational effort targeted to the individual user in the form of mail outs, newspaper advertisements, radio advertisements, and other suitable media sources.
5. All new customers are informed of the water conservation program by a special information packet.

9.0 NON-PROMOTIONAL WATER RATE STRUCTURE

The City uses a non-promotional water rate structure to discourage the use of large quantities of water (see Attachment C). The City will explain the water rate structure to new accounts (customers).

10.0 ENFORCEMENT PROCEDURE AND PLAN ADOPTION

The Director of Utilities of the City is responsible for the implementation and enforcement of this plan. This plan will be enforced voluntarily (though compliance is encouraged) by the following methods:

1. Service tap applicants will be encouraged to utilize water conservation plumbing fixtures. Existing water system staff will be used to encourage that water saving plumbing devices are being installed in new buildings.
2. The water rate structure will encourage retrofitting of old plumbing fixtures which are using large amounts of water.
3. Adoption of new plumbing regulations regarding water conserving plumbing fixtures.

11.0 COORDINATION WITH REGIONAL WATER PLANNING GROUP

The water service area of the City is located within the South Central Texas Water Planning Group, and the City has provided a copy of this water conservation plan to the South Central Water Planning Group.

12.0 LEAK DETECTION, REPAIR, AND WATER LOSS ACCOUNTING

The City currently has a leak detection and repair program to minimize unaccounted for water use that includes the following:

1. Monthly water use accounting by the billing computer and master meters identifies high water use and identifies areas with leaks.
2. Constant monitoring of meters and storage tanks which identifies major watermain breaks.

13.0 RECORD MANAGEMENT SYSTEM

The City computer system records the amount of water pumped and delivered and the amount of sales. The amount of water losses is found by subtracting the amount of water pumped from the amount of water sold. This system records the water sales according to the account: residential, commercial, or other.

14.0 PLUMBING CODES

The City adopted an amendment to its plumbing code that requires the use of water saving fixtures for all new construction and for replacement of plumbing in existing structures (remodeling). The standards for residential and commercial fixtures are given in the following table.

Fixture	Maximum Usage
Wall mounted toilets	2.0 gallons of water per flush
All other toilets	2.0 gallons of water per flush
Tank-type urinal	2.0 gallons of water per flush
Flush valve urinal	2.0 gallons of water per flush
Shower head	2.75 gallons of water per minute
Faucets	2.2 gallons of water per minute
Hot water piping	all lines will be insulated
Swimming pools	new pools must have recirculation filtration equip.
Drinking water fountains	must be self-closing

15.0 WATER CONSERVATION RETROFIT PROGRAM

The plumbing code provides a gradual up-grading of plumbing fixtures in existing structures by retrofitting the old fixtures through voluntary efforts of individual consumers for their homes and businesses.

16.0 WATER CONSERVATION LANDSCAPING

Water conservation landscaping is initiated through public information and education. These practices are implemented as much as possible on public grounds in order to set an example for the general public. Builders, developers, nurseries, and other businesses involved in outdoor landscaping are encouraged to provide products that conserve water.

17.0 RECYCLING AND REUSE

The City encourages reuse by all available means whenever it is found to be fiscally, environmentally, and institutionally practical and prudent. Effluent from wastewater plants is used for wash-down whenever possible.

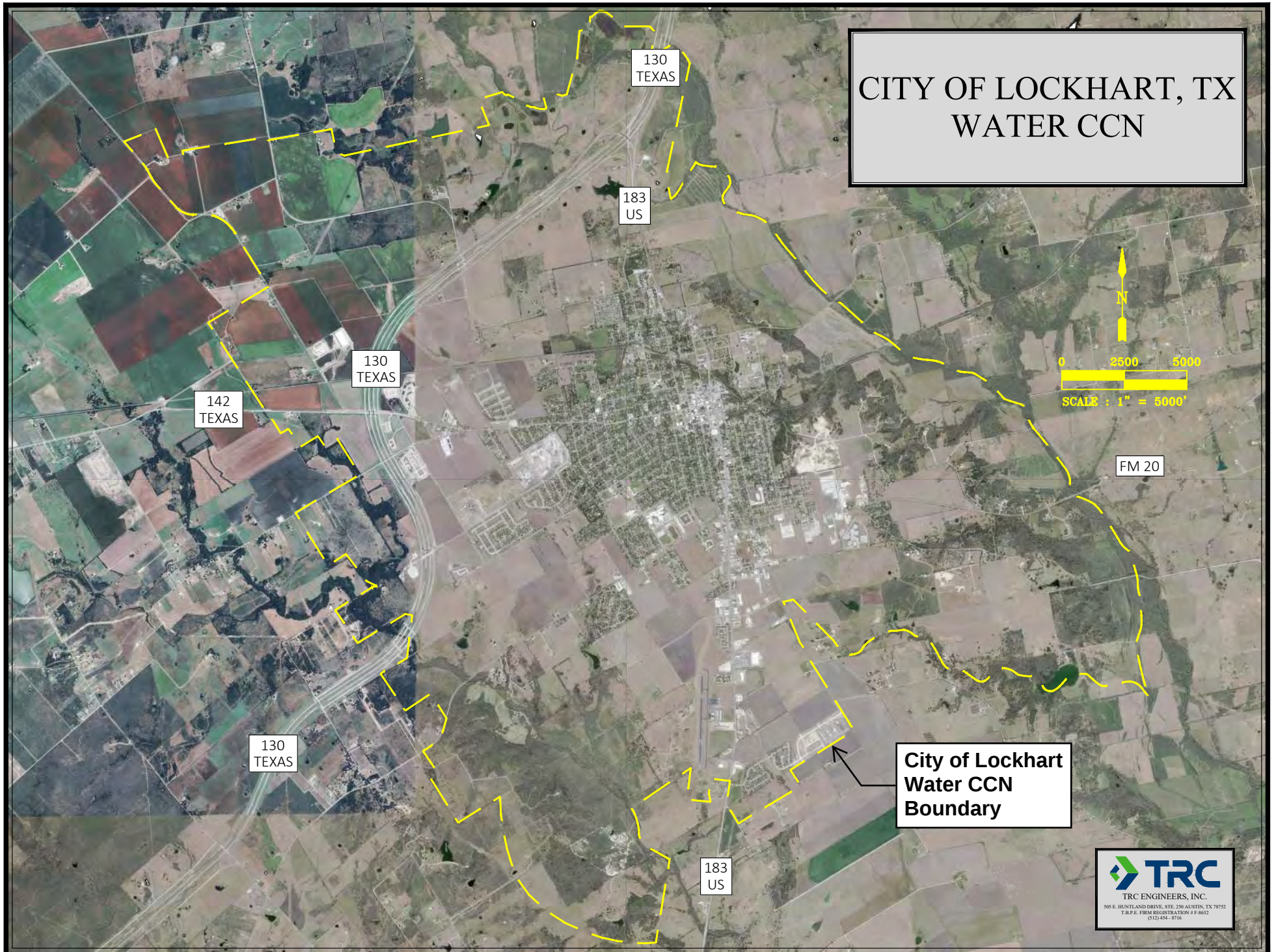
18.0 ANNUAL REPORTING

The City will report annually to the Texas Water Development Board within 60 days of the anniversary date of the loan closing throughout the life of the loan. The brief annual report will include the water conservation activities taken by the City during the previous year relative to this plan and will include progress made in the implementation of the program and the public response effectiveness of the plan in reducing water.

19.0 CONTRACTS

The City will require any political subdivision or utility contracting with the City in the future for treated water from the water treatment plant to adopt a water conservation plan acceptable to the Texas Water Development Board.

ATTACHMENT A: Service Area Map for the City of Lockhart



Attachment B: Water Conservation Literature

Single copies of all of Water Conservation publications and materials can be obtained at no charge. Larger quantities can be obtained through special arrangement or at the cost of printing. To make a request, write: CONSERVATION, Texas Water Development Board, Capitol Station, P.O. Box 13231, Austin, Texas 78711-3231. Examples of available literature include: agricultural conservation, municipal conservation, water resource planning, and audio visuals.

Attachment C: Water Service Rates

Residents will be charged fixed monthly charges per meter size as seen below:

Meter Size	Monthly Rate
5/8"	\$27.45
1"	\$68.61
1-1/2"	\$137.23
2"	\$219.56
3"	\$411.68
4"	\$686.13

Residents will be charged the monthly fixed rate according to meter size in addition to gallon usage as seen below:

Per Thousand Gallons	Monthly Rate
Tier 0 (0-1,999)	\$-
Tier 1 (2-5,999)	\$4.86
Tier 2 (6-9,999)	\$6.07
Tier 3 (10-19,999)	\$7.04
Tier 4 (20+)	\$7.77

Customers outside the city limits will be charged the monthly rate according to meter size in addition to the monthly rate below:

Per Thousand Gallons	Monthly Rate
All Usage	\$5.02

Title 31 TAC Chapter 363, Rule §363.15 (B)

ATTACHMENT D

WATER CONSERVATION PLAN

5- AND 10-YR GOALS FOR WATER SAVINGS

Name: _____

Water Conservation Plan Year: _____

	Historic 5-yr Average	Baseline*	5-yr Goal for year _____	10-yr Goal for year _____
Total (GPCD) ¹				
Residential (GPCD) ²				
Water Loss (GPCD) ³				
Water Loss (Percentage) ⁴	%	%	%	%

1. Total GPCD = (Total Gallons in System ÷ Permanent Population) ÷ 365

2. Residential GPCD = (Gallons Used for Residential Use ÷ Residential Population) ÷ 365

3. Water Loss GPCD = (Total Water Loss ÷ Permanent Population) ÷ 365

4. Water Loss Percentage = (Total Water Loss ÷ Total Gallons in System) x 100; or (Water Loss GPCD ÷ Total GPCD) x 100

GPCD - Gallons Per Capita Per Day

**A base use figure, or baseline, should be included to calculate your estimated savings. Consider state and regional targets and goals, local climate, and demographics (i.e. wet year versus dry year, high usage versus low usage)*



Texas Commission on Environmental Quality

Water Availability Division

MC-160, P.O. Box 13087 Austin, Texas 78711-3087

Telephone (512) 239-4600, FAX (512) 239-2214

Utility Profile and Water Conservation Plan Requirements for Municipal Water Use by Retail Public Water Suppliers

This form is provided to assist retail public water suppliers in water conservation plan assistance in completing this form or in developing your plan, please contact the Conservation staff of the Resource Protection Team in the Water Availability Division at (512) 239-4600.

Water users can find best management practices (BMPs) at the Texas Water Development Board's website <http://www.twdb.texas.gov/conservation/BMPs/index.asp>. The practices are broken out into sectors such as Agriculture, Commercial and Institutional, Industrial, Municipal and Wholesale. BMPs are voluntary measures that water users use to develop the required components of Title 30, Texas Administrative Code, Chapter 288. BMPs can also be implemented in addition to the rule requirements to achieve water conservation goals.

Contact Information

Name of Water Supplier:	<u>City of Lockhart</u>	
Address:	<u>P.O. Box 239, Lockhart, TX 78644</u>	
Telephone Number:	<u>(512) 398-6452</u>	<u>Fax: (512) 398-9134</u>
Water Right No.(s):	<u>N/A</u>	
Regional Water Planning Group:	<u>South Central Texas Water Planning Group</u>	
Water Conservation Coordinator (or person responsible for implementing conservation program):	<u>Steve Lewis, City Manager</u>	<u>Phone: (512) 398-3461</u>
Form Completed by:	<u></u>	
Title:	<u></u>	
Signature:	<u></u>	<u>Date: / /</u>

A water conservation plan for municipal use by retail public water suppliers must include the following requirements (as detailed in 30 TAC Section 288.2). If the plan does not provide information for each requirement, you must include in the plan an explanation of why the requirement is not applicable.

Utility Profile

I. POPULATION AND CUSTOMER DATA

A. *Population and Service Area Data*

1. Attach a copy of your service-area map and, if applicable, a copy of your Certificate of Convenience and Necessity (CCN).
2. Service area size (in square miles): 26
(Please attach a copy of service-area map)
3. Current population of service area: 16,530
4. Current population served for:
 - a. Water 99%
 - b. Wastewater 99%

5. Population served for previous five years:

<i>Year</i>	<i>Population</i>
2019	13,788
2020	14,623
2021	14,844
2022	15,210
2023	16,266

6. Projected population for service area in the following decades:

<i>Year</i>	<i>Population</i>
2025	17,684
2035	26,861
2045	39,617
2055	60,067
2065	91,075

7. List source or method for the calculation of current and projected population size.
Census Bureau population estimates and historical growth factor.

B. Customer Data

Senate Bill 181 requires that uniform consistent methodologies for calculating water use and conservation be developed and available to retail water providers and certain other water use sectors as a guide for preparation of water use reports, water conservation plans, and reports on water conservation efforts. A water system must provide the most detailed level of customer and water use data available to it, however, any new billing system purchased must be capable of reporting data for each of the sectors listed below. More guidance can be found at: <http://www.twdb.texas.gov/conservation/doc/SB181Guidance.pdf>

1. Quantified 5-year and 10-year goals for water savings:

	<i>Historic 5-year Average</i>	<i>Baseline</i>	<i>5-year goal for year 2029</i>	<i>10-year goal for year 2034</i>
Total GPCD	94	94	93	92
Residential GPCD	55	55	54	53
Water Loss GPCD	12	12	11	10
Water Loss Percentage	13	13	12	11

Notes:

Total GPCD = (Total Gallons in System ÷ Permanent Population) ÷ 365

Residential GPCD = (Gallons Used for Residential Use ÷ Residential Population) ÷ 365

Water Loss GPCD = (Total Water Loss ÷ Permanent Population) ÷ 365

Water Loss Percentage = (Total Water Loss ÷ Total Gallons in System) x 100; or (Water Loss GPCD ÷ Total GPCD) x 100

2. Current number of active connections. Check whether multi-family service is counted as
☐ Residential or ☒ Commercial?

<i>Treated Water Users</i>	<i>Metered</i>	<i>Non-Metered</i>	<i>Totals</i>
Residential	4,619	0	4,619
Single-Family	4,619	0	4,619
Multi-Family	0	0	0
Commercial	849	0	849
Industrial/Mining	7	0	7
Institutional	20	0	20
Agriculture	0	0	0
Other/Wholesale	0	101	101

3. List the number of new connections per year for most recent three years.

<i>Year</i>	<i>2023</i>	<i>2022</i>	<i>2021</i>
<i>Treated Water Users</i>			
Residential	1,023	637	567
Single-Family	1,023	637	567
Multi-Family	0	0	0
Commercial	269	97	73
Industrial/Mining	0	0	0
Institutional	0	0	0
Agriculture	3	7	6
Other/Wholesale	0	0	0

4. List of annual water use for the five highest volume customers.

<i>Customer</i>	<i>Use (1,000 gal/year)</i>	<i>Treated or Raw Water</i>
MTC Correctional Facility-N. Meter	38,857	Treated
City of Lockhart Aiport	7,194	Treated
Lockhart Nursing and Rehab.	6,822	Treated
Vintage Springs Residential Community	5,080	Treated
Brite & Shiny Carwash	4,805	Treated

II. WATER USE DATA FOR SERVICE AREA

A. Water Accounting Data

1. List the amount of water use for the previous five years (in 1,000 gallons).

Indicate whether this is ☐ diverted or ☒ treated water.

<i>Year</i>	2023	2022	2021	2020	2019
<i>Month</i>					
January	41,845	38,020	41,410	41,945	42,268
February	39,976	38,154	47,480	39,186	37,564
March	44,210	42,442	39,950	43,326	43,455
April	39,854	43,251	43,936	43,116	41,802
May	39,869	43,096	35,334	46,826	43,363
June	47,798	47,775	38,574	46,641	41,757
July	59,720	57,415	36,626	57,825	51,359
August	68,175	53,515	38,934	59,750	57,711
September	63,565	47,215	42,656	42,350	51,249
October	51,012	47,028	36,570	47,449	48,140
November	44,433	41,321	35,596	45,199	42,163
December	46,218	44,344	36,201	42,770	43,121
Totals	583,675	543,576	473,267	556,383	543,952

- Describe how the above figures were determined (e.g, from a master meter located at the point of a diversion from the source or located at a point where raw water enters the treatment plant, or from water sales).

Above figures were determined with data obtained from master meter water plant where treated water enters the distribution system.

- Amount of water (in 1,000 gallons) delivered/sold as recorded by the following account types for the past five years.

<i>Year</i>	2023	2022	2021	2020	2019
<i>Account Types</i>					
Residential	319,591	298,745	292,239	299,459	263,964
Single-Family	319,591	298,745	292,239	299,459	263,964
Multi-Family	0	0	0	0	0
Commercial	162,015	140,442	95,609	111,525	105,267
Industrial/Mining	44,957	52,226	53,216	58,590	61,645
Institutional	18,164	10,777	4,668	6,093	6,072
Agriculture	0	308	540	388	489
Other/Wholesale	869	1,040	1,249	1,730	1,523

- List the previous records for water loss for the past five years (the difference between water diverted or treated and water delivered or sold).

<i>Year</i>	<i>Amount (gallons)</i>	<i>Percent %</i>
2023	43,481,889	7.45
2022	45,064,804	8.29
2021	26,404,454	5.58
2020	73,923,191	13.29
2019	84,070,379	15.45

B. Projected Water Demands

- If applicable, attach or cite projected water supply demands from the applicable Regional Water Planning Group for the next ten years using information such as population trends, historical water use, and economic growth in the service area over the next ten years and any additional water supply requirements from such growth.

III. WATER SUPPLY SYSTEM DATA

A. Water Supply Sources

1. List all current water supply sources and the amounts authorized (in acre feet) with each.

<i>Water Type</i>	<i>Source</i>	<i>Amount Authorized</i>
Surface Water		
Groundwater	Wilcox Aquifer	5,600
Contracts	Carrizo Groundwater Supply Project	3,000
Contracts	Luling Surface WTP	1,120

B. Treatment and Distribution System (if providing treated water)

1. Design daily capacity of system (MGD): 5.7
2. Storage capacity (MGD):
 - a. Elevated 1.55
 - b. Ground 2.30
3. If surface water, do you recycle filter backwash to the head of the plant?

☒ Yes ☐ No If yes, approximate amount (MGD): 0.08

IV. WASTEWATER SYSTEM DATA

A. Wastewater System Data (if applicable)

1. Design capacity of wastewater treatment plant(s) (MGD): 2.6
2. Treated effluent is used for ☐ on-site irrigation, ☐ off-site irrigation, for ☒ plant wash-down, and/or for ☒ chlorination/dechlorination.

If yes, approximate amount (in gallons per month): 17.5 Million
3. Briefly describe the wastewater system(s) of the area serviced by the water utility. Describe how treated wastewater is disposed. Where applicable, identify treatment plant(s) with the TCEQ name and number, the operator, owner, and the receiving stream if wastewater is discharged.

See attachment C.

B. Wastewater Data for Service Area (if applicable)

1. Percent of water service area served by wastewater system: 100%
2. Monthly volume treated for previous five years (in 1,000 gallons):

<i>Year</i>	2023	2022	2021	2020	2019
<i>Month</i>					
January	31,190	31,010	30,080	29,260	29,030
February	29,950	31,130	30,730	26,580	23,730
March	32,330	34,860	28,810	32,340	27,890
April	33,210	30,240	32,320	32,600	31,670
May	36,170	30,620	45,080	37,490	34,870
June	32,740	30,970	35,180	30,960	36,410
July		30,460	42,860	32,390	32,060
August		32,630	32,240	30,530	33,160
September		30,640	31,370	33,030	31,080
October		30,400	37,520	29,980	31,220
November		30,540	30,570	29,050	27,970
December		30,540	30,270	30,440	28,290
Totals		378,990	407,030	374,650	367,380

Water Conservation Plan

In addition to the utility profile, please attach the following as required by Title 30, Texas Administrative Code, §288.2. Note: If the water conservation plan does not provide information for each requirement, an explanation must be included as to why the requirement is not applicable.

A. Record Management System

The water conservation plan must include a record management system which allows for the classification of water sales and uses in to the most detailed level of water use data currently available to it, including if possible, the following sectors: residential (single and multi-family), commercial.

B. Specific, Quantified 5 & 10-Year Targets

The water conservation plan must include specific, quantified five-year and ten-year targets for water savings to include goals for water loss programs and goals for municipal use in gallons per capita per day. Note that the goals established by a public water supplier under this subparagraph are not enforceable. These goals must be updated during the five-year review and submittal.

C. Measuring and Accounting for Diversions

The water conservation plan must include a statement about the water suppliers metering device(s), within an accuracy of plus or minus 5.0% in order to measure and account for the amount of water diverted from the source of supply.

D. Universal Metering

The water conservation plan must include and a program for universal metering of both customer and public uses of water, for meter testing and repair, and for periodic meter replacement.

E. Measures to Determine and Control Water Loss

The water conservation plan must include measures to determine and control water loss (for example, periodic visual inspections along distribution lines; annual or monthly audit of the water system to determine illegal connections; abandoned services; etc.).

F. Continuing Public Education & Information

The water conservation plan must include a description of the program of continuing public education and information regarding water conservation by the water supplier.

G. Non-Promotional Water Rate Structure

The water supplier must have a water rate structure which is not “promotional,” i.e., a rate structure which is cost-based and which does not encourage the excessive use of water. This rate structure must be listed in the water conservation plan.

H. Reservoir Systems Operations Plan

The water conservation plan must include a reservoir systems operations plan, if applicable, providing for the coordinated operation of reservoirs owned by the applicant within a common watershed or river basin in order to optimize available water supplies.

I. Enforcement Procedure and Plan Adoption

The water conservation plan must include a means for implementation and enforcement, which shall be evidenced by a copy of the ordinance, rule, resolution, or tariff, indicating official adoption of the water conservation plan by the water supplier; and a description of the authority by which the water supplier will implement and enforce the conservation plan.

J. Coordination with the Regional Water Planning Group(s)

The water conservation plan must include documentation of coordination with the regional water planning groups for the service area of the public water supplier in order to ensure consistency with the appropriate approved regional water plans.

K. Plan Review and Update

A public water supplier for municipal use shall review and update its water conservation plan, as appropriate, based on an assessment of previous five-year and ten-year targets and any other new or updated information. The public water supplier for municipal use shall review and update the next revision of its water conservation plan not later than May 1, 2009, and every five years after that date to coincide with the regional water planning group. The revised plan must also include an implementation report.

VI. ADDITIONAL REQUIREMENTS FOR LARGE SUPPLIERS

Required of suppliers serving population of 5,000 or more or a projected population of 5,000 or more within the next ten years:

A. Leak Detection and Repair

The plan must include a description of the program of leak detection, repair, and water loss accounting for the water transmission, delivery, and distribution system in order to control unaccounted for uses of water.

B. Contract Requirements

A requirement in every wholesale water supply contract entered into or renewed after official adoption of the plan (by either ordinance, resolution, or tariff), and including any contract extension, that each successive wholesale customer develop and implement a water conservation plan or water conservation measures using the applicable elements in this chapter. If the customer intends to resell the water, the contract between the initial supplier and customer must provide that the contract for the resale of the water must have water conservation requirements so that each successive customer in the resale of the water will be required to implement water conservation measures in accordance with the provisions of this chapter.

VII. ADDITIONAL CONSERVATION STRATEGIES

Any combination of the following strategies shall be selected by the water supplier, in addition to the minimum requirements of 30 TAC §288.2(1), if they are necessary in order to achieve the stated water conservation goals of the plan. The commission may require by commission order that any of the following strategies be implemented by the water supplier if the commission determines that the strategies are necessary in order for the conservation plan to be achieved:

1. Conservation-oriented water rates and water rate structures such as uniform or increasing block rate schedules, and/or seasonal rates, but not flat rate or decreasing block rates;
2. Adoption of ordinances, plumbing codes, and/or rules requiring water conserving plumbing fixtures to be installed in new structures and existing structures undergoing substantial modification or addition;
3. A program for the replacement or retrofit of water-conserving plumbing fixtures in existing structures;
4. A program for reuse and/or recycling of wastewater and/or graywater;
5. A program for pressure control and/or reduction in the distribution system and/or for customer connections;
6. A program and/or ordinance(s) for landscape water management;
7. A method for monitoring the effectiveness and efficiency of the water conservation plan; and
8. Any other water conservation practice, method, or technique which the water supplier shows to be appropriate for achieving the stated goal or goals of the water conservation plan.

VIII. WATER CONSERVATION PLANS SUBMITTED WITH A WATER RIGHT APPLICATION FOR NEW OR ADDITIONAL STATE WATER

Water Conservation Plans submitted with a water right application for New or Additional State Water must include data and information which:

1. support the applicant's proposed use of water with consideration of the water conservation goals of the water conservation plan;
2. evaluates conservation as an alternative to the proposed appropriation; and
3. evaluates any other feasible alternative to new water development including, but not limited to, waste prevention, recycling and reuse, water transfer and marketing, regionalization, and optimum water management practices and procedures.

Additionally, it shall be the burden of proof of the applicant to demonstrate that no feasible alternative to the proposed appropriation exists and that the requested amount of appropriation is necessary and reasonable for the proposed use.

ATTACHMENT A: Projected Water Demands

Future Water Use

The future water use projections shown in **Table 1- Projected Water Usage** were derived from the future populations projections and the per capita water demands historical water usage data. These projections are used for making recommendations for future improvements to the water system.

Table 1- Projected Water Usage

Year	Projected Population	Projected Water Demand (MGD)
2025	17,684	1.80
2030	21,220	2.30

Water Supply Improvements

The reliable capacity of the well field is 5.0 MGD and the surface water contract with Luling is for 1.0 MGD. Lockhart also has the Carrizo Groundwater Supply Project slated to be operational in second quarter of 2024 with a capacity of 2.67 MGD. Lockhart's water supply is adequate through 2030.

ATTACHMENT B: Description of Water System

Water Supply

The City of Lockhart currently has seven producing wells in the southeast well field. These wells pump water from the Wilcox Aquifer through 7.5-mile-long parallel 12-inch, 14-inch and 18-inch transmission mains to the raw water pump station. The raw water pump station collects the water from the wells and pumps it to the water plant on the southeast side of the City. The raw water pump station consists of a 300,000 gal. storage reservoir and three pumps rated at 1800 GPM each. The raw water pipelines are capable of transporting 5 MGD.

The Guadalupe Blanco River Authority, City of Lockhart and the City of Luling in 2005 put into service the Luling/Lockhart Water transmission Main. This facility consists of a pump station at the Luling surface water treatment plant and a 16 mile 14-inch transmission main to the City of Lockhart water treatment plant. The contract between the three entities allows for the delivery of one million gallons of treated surface water per day to the Lockhart WTP.

The City of Lockhart's historical annual water use is shown on Table 1 below:

Table 1

Year	Wilcox Aquifer (in thousand gallons)	Luling Surface Water Treatment Plant (in thousand gallons)
2023	161,274	422,401
2022	202,344	341,232
2021	69,065	404,658
2020	120,133	436,250
2019	173,799	370,153

Water Treatment Plant

The Lockhart Water Treatment Plant (WTP) receives and treats the well water from the well field, located southeast of the City. Each of the wells pump into the 300,000-gallon raw water storage tank, which has booster pumps to pump the water to the WTP. The WTP was upgraded in 2000 to provide a capacity of 5.7 MGD, increased from the previous 2.9 MGD.

In 2022, construction began on the Carrizo Groundwater Supply Project which provide the City of Lockhart with an additional capacity 2.67 MGD. This project is expected to be completed in second quarter of 2024.

The WTP consists of raw water metering, forced draft aeration, clarification, filtration, chemical feed, clearwell, ground storage reservoir, high service pumps, treated water metering and backwash/sludge reclamation basin. The 2000 upgrade included the addition of a second forced draft aerator; two new filter units; rehabilitation of two existing filters; new chemical feed equipment; the backwash/sludge reclamation basin; flow meters; water system Supervisory Control and Data Acquisition (SCADA) system to provide complete automated monitoring and control of the entire water system including the plant, wells, distribution operations, and miscellaneous plant improvements.

Although the facility has always treated ground water exclusively, it provides treatment well above ground water requirements by the TCEQ. This is primarily due to the high content of iron found in the raw water.

Capacity of the Water Treatment Plant is simplified in the table below:

Table 2

Plant Name	Current Water Treatment Plant Capacity (MGD)
Lockhart Water Treatment Plant	5.7

Storage, High-Service Pumps, and Distribution Mains

A 300,000 gallon and 2,000,000-gallon ground storage reservoir are located at the Water Treatment Plant. Three high service pumps with a capacity of 3.0 MGD pump water out of the 2,000,000 MG reservoir through two 12-inch mains into the City distribution system. The high service pumps at the WTP are under construction and will add a fourth pump and will increase water distribution into the system with a total capacity of 6.92 MGD with a firm capacity of 5.19 MGD. The distribution system consists of approximately 92 miles of 2-inch, 4-inch, 6-inch, 8-inch, 10-inch, 12-inch and 18-inch mains.

ATTACHMENT C: Description of Sewer System

Collection System

The existing sewage collection system that serves the City of Lockhart was initiated in early 1900 and has been extended as necessary through the years to keep pace with the City's growth. The majority of the older system is constructed of vitrified clay tile sewer pipe. The recently installed collector mains (mains installed in the past 30 years) are constructed of heavy weight PVC pipe. Collector line sizes are generally 6-inch and 8-inch and interceptor lines range from 10-inch to 24-inch in diameter. The depth of the collection system ranges from 3 feet to 18 feet below the ground surface, with a median depth of 6-7 feet for the majority of the lines. Most of the lines in the collection system have sufficient grades to maintain self-cleaning velocities. The majority of the collection system is in good condition.

The existing collection system is divided into two major drainage areas. Treatment Plant No.1 located on Larrimore Street serves the northern drainage area and Treatment Plant No.2 on FM 20 West serves the southern drainage area

Wastewater Treatment Plants

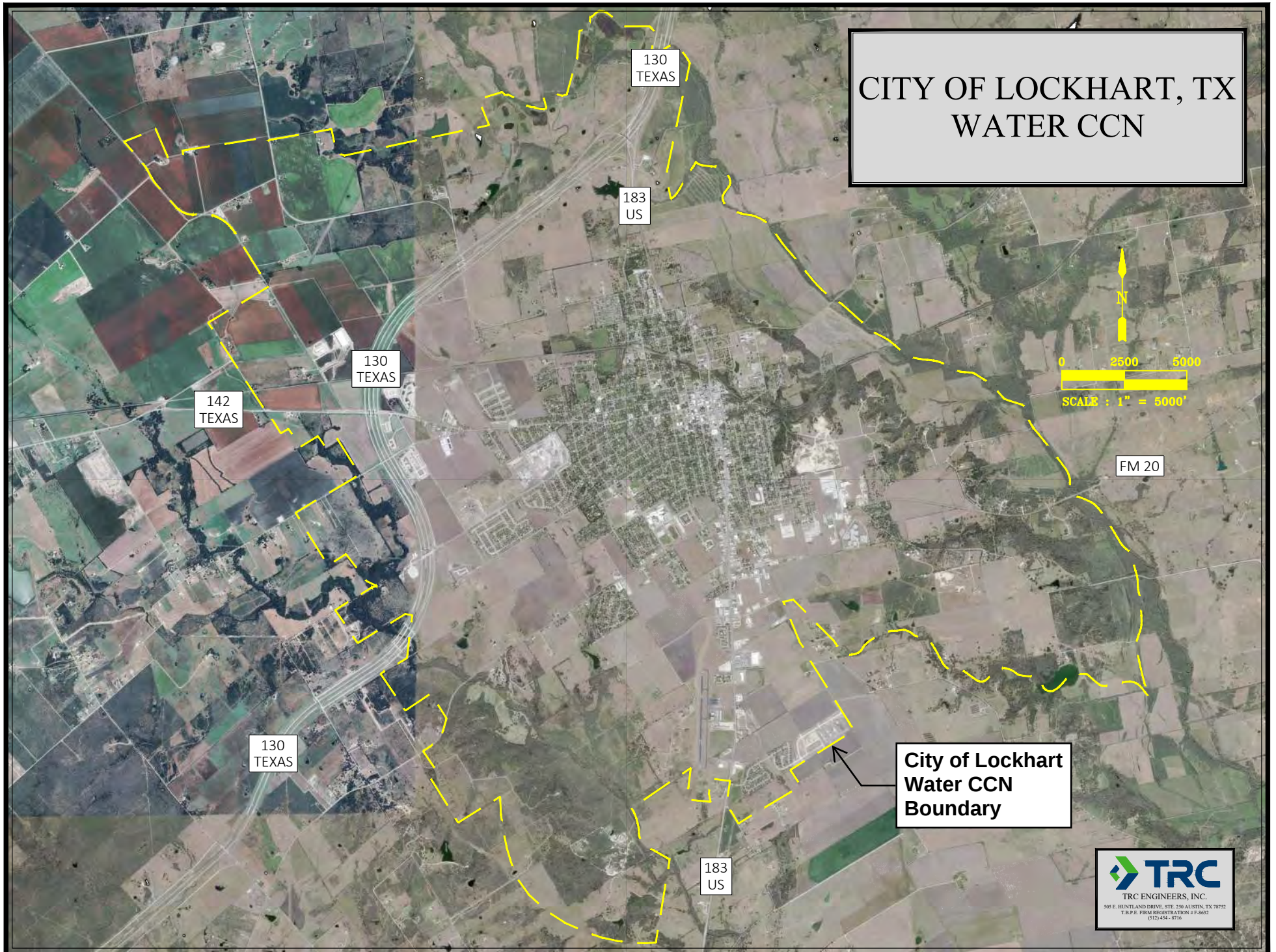
WWTP No. 1

WWTP No. 1 was the only treatment facility to serve the City until WWTP No. 2 was constructed and placed into service in the spring of 1999. WWTP No. 1 received major upgrades in 1950 and 1986. The 1986 upgrade included construction of a number of process basins and replacement of the majority of process equipment within the existing concrete structures. The plant has a design capacity of 1.1 MGD and chlorination, sludge handling, and dewatering with drying beds. The aeration process is operated in the contact stabilization mode of the activated sludge process. WWTP No. 1 has TCEQ number: WQ0010210001, the operator is GBRA, the owner is the City of Lockhart, and the receiving stream that the treated water is discharged into is Town Branch Creek.

WWTP No. 2

Construction was complete on WWTP No. 2 in 1998. The plant has a design capacity of 1.5 MGD and a peak capacity of 4.5 MGD, but the site layout was designed to allow expansion of the facilities to 4.5 MGD design and 13.5 MGD peak. The screenings and grit removal units will handle a capacity of 3.0 MGD design and 9.0 MGD peak. The facility is located on a 20.9-acre site on F.M. 20, southeast of town. The plant consists of raw sewage screening, grit removal, aeration basin, clarification, ultraviolet disinfection, sludge handling, and dewatering with a belt filter press. Thus, the two treatment facilities have a combined capacity of 2.6 MGD design and 8.5 MGD peak. WWTP No. 2 has TCEQ number: WQ0010210002, the operator and owner is GBRA, and the receiving stream that the treated water is discharged into is Plum Creek.

ATTACHMENT D: Service Area Map for the City of Lockhart



City of Lockhart, Texas

Council Agenda Item Cover Sheet

COUNCIL MEETING DATE: April 16, 2024

AGENDA ITEM CAPTION: Discussion and/or action to consider reappointment of Hotel Occupancy Tax (HOT) Advisory Board Members for a two-year term beginning April 16, 2024 through April 15, 2026.

ORIGINATING DEPARTMENT AND CONTACT: Administration - Joseph Resendez

ACTION REQUESTED: Other

BACKGROUND/SUMMARY/DISCUSSION: According to Ordinance 2019-29, the City of Lockhart's Hotel occupancy Tax (HOT) Advisory Board consists of a five-member board that shall serve two-year terms. The board shall be comprised of the following: a lodging facility representative, the City Manager or his designee, a former member of the City Council, and two citizens nominated by the Mayor. The board member appointments must be confirmed by City Council.

The terms for the current board members are from February 2022 through February 2024 and include Sally Daniel, Archana Gandhi, Steve Lewis, Alfredo Munoz, and Ray Sanders. Janet Grigar served as an alternate during this term. All board members, with the exception of Ms. Grigar, have indicated their interest in being reappointed for a new two-year term from April 16, 2024 through April 15, 2026. City Council may confirm reappointments of the same person to the same board for a new term in one meeting. New nominations will require the two-step appointment process.

The next meeting of the HOT Advisory Board is tentatively scheduled for Tuesday, April 30th to review 2024 funding applications. The first round of board funding recommendations will be presented to City Council at a future meeting shortly thereafter. Applicants have been encouraged to attend the City Council to make formal presentations.

PROJECT SCHEDULE (if applicable):

AMOUNT & SOURCE OF FUNDING:

Funds Required:

Account Number:

Funds Available:

Account Name:

FISCAL NOTE (if applicable):

PREVIOUS COUNCIL ACTION:

City of Lockhart, Texas

Council Agenda Item Cover Sheet

COMMITTEE/BOARD/COMMISSION ACTION:

STAFF RECOMMENDATION/REQUESTED MOTION: Council action is necessary for the reappointment of HOT Advisory Board members.

LIST OF SUPPORTING DOCUMENTS:

City of Lockhart, Texas

Council Agenda Item Cover Sheet

COUNCIL MEETING DATE: April 16, 2024

AGENDA ITEM CAPTION: Discussion and/or action to consider entering into an agreement with Brycer, LLC (The Compliance Engine) to provide an internet-based tool to assist Lockhart Fire Rescue with collecting, organizing, and tracking fire and life safety systems compliance.

ORIGINATING DEPARTMENT AND CONTACT: Fire - Randy Jenkins

ACTION REQUESTED: Agreement

BACKGROUND/SUMMARY/DISCUSSION: The City of Lockhart has approximately 500 commercial businesses with a small percentage equipped with a fire sprinkler, fire alarm, or kitchen hood system. The adopted fire code requires these life safety systems to be inspected at least annually by a licensed contractor.

The Compliance Engine provides a secure cloud environment in which third-party contractors who inspect, test, and maintain fire protection systems submit their reports via Brycer, LLC (The Compliance Engine) web portal directly to Lockhart Fire. The fire department will then be able to review, track, and follow-up with businesses to correct deficiencies and maintain systems. The Compliance Engine also sends out letters on the city letterhead and/or calls the business when an inspection or maintenance is due.

The goal is to obtain 100% compliance and create a comprehensive and accurate database of commercial businesses which have life safety systems, when they were last tested or inspected, and if any open deficiencies exist which may cause the system to not operate properly.

There is no cost to the City of Lockhart to enter into the agreement and use The Compliance Engine. Each third-party contractor will pay a \$20 fee to upload a life safety system inspection into The Compliance Engine. The fee may be passed down to business owners.

Section 108.3 (Recordkeeping) of the 2018 International Fire Code (IFC) as adopted by the City of Lockhart states "the fire code official is authorized to prescribe the form and format of such recordkeeping. The fire code official is authorized to require that certain required records be filed with the fire code official."

Central Texas cities using The Compliance Engine include San Marcos, New Braunfels, Austin, Kyle, Leander, Georgetown, Round Rock, Selma, Schertz, Sequin, and Universal City.

PROJECT SCHEDULE (if applicable): Implementation of "The Compliance Engine" database is estimated to take 60 to 90 days.

-

City of Lockhart, Texas

Council Agenda Item Cover Sheet

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: Staff recommends entering into an agreement with Brycer, LLC (The Compliance Engine) to review, track, and follow-up with businesses to correct deficiencies and maintain life safety systems.

LIST OF SUPPORTING DOCUMENTS: BRYCER_SLA_(2023) Lockhart TX Agreement, Executive Summary on The Compliance Engine (BRYCER), .

BRYCER, LLC
4355 Weaver Parkway
Suite 230
Warrenville, IL 60555

January 3rd, 2024

Lockhart Fire Rescue
201 W Market St
Lockhart, TX 78644

Re: “The Compliance Engine”

Dear Lockhart Fire Department:

We look forward to providing you with “The Compliance Engine” (the “Solution”). This proposal letter provides the basic terms by which Brycer, LLC (“Brycer”) will provide you, Lockhart Fire Department (“Client”), with the Solution. The use of the Solution and all matters between Brycer and Client will be subject to the standard “Terms and Conditions” attached to this proposal as Exhibit A. The basic terms are as follows:

1. **Term:** Brycer will provide Client with the Solution for three years, commencing _____ (the “Initial Term”). Thereafter, the Term shall automatically renew for successive three-year periods unless terminated by Brycer or Client in writing at least 90 days prior to the expiration of the then current Term (each, a “Renewal Term” and together with the Initial Term, the “Term”). Following the expiration or termination of the Term (as provided in the Terms and Conditions), Client shall stop using the Solution; provided, however, Brycer shall make available, and Client shall have the right to download, Client’s data from the Solution for a period of 60 days after the expiration or termination of the Term. Client shall have the right to terminate this agreement upon giving 90 days written notice to Brycer.

2. **Fees:** Client shall not pay any fees for use of the Solution. Brycer will collect all fees due and payable by third party inspectors in connection with activities relating to the Solution.

3. **Brycer Responsibilities:** During the Term, Brycer shall be responsible for the following in connection with Client’s use of the Solution:

- **Availability.** Brycer shall make the Solution available to Client as set forth on Exhibit B. The maintenance schedule and minimum service levels for the Solution are set forth on Exhibit B.
- **Service Level.** Brycer shall provide commercially reasonable levels of customer service with respect to the Solution to all third parties who transact business with Client and access the Solution.
- **Backup.** Brycer shall backup the database used in connection with the Solution to a separate server located within the same web hosting firm which the Solution is being hosted on a real time basis. Upon request by Client (which can be no more than once a month) or made prior to or within 60 days after the effective date of termination of the Term, Brycer will make available to Client a complete and secure (i.e. encrypted and appropriately authenticated) download file of Client data in XML format including all schema and attachments in their native format. Brycer shall maintain appropriate administrative, physical and technical safeguards for protection of the security, confidentiality and

integrity of Client data. Brycer shall not (a) modify Client data or (b) disclose Client data except as required by law.

- **Retention of Information.** Brycer will maintain all information entered into the database by third party inspectors for at least five years from the time such information is entered into the database.
- **Notices.** Brycer will be responsible for generating and delivering the following notices to third parties in connection with the Solution: (a) reminders of upcoming inspections that are due; (b) notices that an inspection is past due; and (c) notices of completed inspection reports which contain one or more deficiencies.
- **Call Center** Phone calls by Brycer on behalf of the Client to the property for EACH life-safety system overdue for service based on dates automatically tracked within the TCE database. Brycer is not an agent of the Client and all scripts for the overdue calls will be approved by the Client.
- **Updates and Enhancements.** In the event Brycer releases any updates, corrections, or enhancements to the Solution during the Term, Brycer shall promptly provide such updates or corrections to Client free of any charge or fee.

4. **Client Responsibilities:** During the Term, Client shall be responsible for the following in connection with Client's use of the Solution:

- **Operating System.** Client shall be solely responsible for providing a proper operating environment, including computer hardware or other equipment and software, for any portion of the Solution installed on the Client's equipment (the "Client Access Software") and for the installation of network connections to the Internet. In addition to any other Client Access Software requirements, Client must use version Edge, Firefox version 76, Chrome 60 or Safari (or more recent versions), in addition to having a .pdf reader installed on machines to view attachments.
- **Training.** Client shall allow Brycer at Client's facilities to train all applicable personnel of Client on the use of the Solution.
- **Information.** Client shall promptly provide Brycer with all appropriate information necessary for Brycer to create the database for the Solution, including without limitation: (a) all commercial building addresses within **[Lockhart Fire Department]** for Brycer's initial upload; and (b) quarterly updates to in a format acceptable to Brycer in its discretion.
- **Enforcement.** Client shall take all actions necessary to require (e.g. resolution, ordinance, fire policy, code amendment) the use of the Solution by third party inspection companies.
- **Reports.** Client will require all compliant and deficient test results to be submitted.

5. **Ownership of Data.** Client owns all the data provided by Client and received from third party contractors for Client. Brycer shall maintain appropriate administrative, physical and technical safeguards for protection of the security, confidentiality and integrity of Client's data.

Please acknowledge your acceptance of this proposal and our standard Terms and Conditions by counter-signing this proposal below. We look forward to a long-term and mutually beneficial relationship with you.

Brycer, LLC

By: _____
Its: _____

Acknowledged and Agreed to this
____ day of _____, 20____:

[Lockhart Fire Department]

By: _____
Its: _____

Exhibit A

Terms and Conditions

Any capitalized terms not defined in these Terms and Conditions shall have the meaning assigned to it in that certain Letter Agreement attached hereto by and between Brycer, LLC and Client (the "Agreement").

1. **Restrictions on Use.** Client shall not copy, distribute, create derivative works of or modify the Solution in any way. Client agrees that: (a) it shall only permit its officers and employees (collectively, the "Authorized Users") to use the Solution for the benefit of Client; (b) it shall use commercially reasonable efforts to prevent the unauthorized use or disclosure of the Solution; (c) it shall not sell, resell, rent or lease the Solution; (d) it shall not use the Solution to store or transmit infringing or otherwise unlawful or tortious material, or to store or transmit material in violation of third party rights; (e) it shall not interfere with or disrupt the integrity or performance of the Solution or third-party data contained therein; (f) it shall not reverse engineer, translate, disassemble, decompile or otherwise attempt to create any source code which is derived from the Solution (g) it shall not permit anyone other than the Authorized Users to view or use the Solution and any screen shots of the Solution and (h) it shall not disclose the features of the Solution to anyone other than the Authorized Users. Client is responsible for all actions taken by the Authorized Users in connection with the Solution.
2. **Proprietary Rights.** All right, title and interest in and to the Solution, the features of the Solution and images of the Solution as well any and all derivative works or modifications thereof (the "Derivative Works"), and any accompanying documentation, manuals or other materials used or supplied under this Agreement or with respect to the Solution or Derivative Works (the "Documentation"), and any reproductions works made thereof, remain with Brycer. Client shall not remove any product identification or notices of such proprietary rights from the Solution. Client acknowledges and agrees that, except for the limited use rights established hereunder, Client has no right, title or interest in the Solution, the Derivative Works or the Documentation.
3. **Independent Contractor.** Nothing in the Agreement may be construed or interpreted as constituting either party hereto as the agent, principal, employee or joint venturer of the other. Each of Client and Brycer is an independent contractor. Neither may assume, either directly or indirectly, any liability of or for the other party. Neither party has the authority to bind or obligate the other party and neither party may represent that it has such authority.
4. **Reservation of Rights.** Brycer reserves the right, in its sole discretion and with prior notice to Client, to discontinue, add, adapt, or otherwise modify any design or specification of the Solution and/or Brycer's policies, procedures, and requirements specified or related hereto. All rights not expressly granted to Client are reserved to Brycer, including the right to provide all or any part of the Solution to other parties.
5. **Use of Logos.** During the term of this Agreement, Brycer shall have the right to use Client's logos for the purpose of providing the Solution to Client.
6. **Confidential Information.** Brycer and Client acknowledge and agree that in providing the Solution, Brycer and Client, as the case may be, may disclose to the other party certain confidential, proprietary trade secret information ("Confidential Information"). Confidential Information may include, but is not limited to, the Solution, computer programs, flowcharts, diagrams, manuals, schematics, development tools, specifications, design documents, marketing information, financial information or business plans. Each party agrees that it will not, without the express prior written consent of the other party, disclose any Confidential Information or any part thereof to any third party. Notwithstanding the foregoing, the parties acknowledge that Client and Brycer shall be permitted to comply with any all federal and state laws concerning disclosure provided that any such required disclosure will not include any of Brycer's screen shots. The disclosing party shall provide prior written notice of any required disclosure of the nondisclosing party's Confidential Information to the nondisclosing party and shall disclose only the information that is required to be disclosed by law. In the event that Client requests from Brycer any reports or other information for purposes of complying with federal and state disclosure laws, Brycer shall provide such information within five business day following such request. Confidential Information excludes information: (a) that is or becomes generally available to the public through no fault of the receiving party; (b) that is rightfully received by the receiving party from a third party without limitation as to its use; or (c) that is independently developed by receiving party without use of any Confidential Information. At the termination of this Agreement, each party will return the other party all Confidential Information of the other party. Each party also agrees that it shall not duplicate, translate, modify, copy, printout, disassemble, decompile or otherwise tamper with any Confidential Information of the other party or any firmware, circuit board or software provided therewith.
7. **Brycer Warranty.** Brycer represents and warrants to Client that Brycer has all rights necessary in and to any patent, copyright, trademark, service mark or other intellectual property right used in, or associated with, the Solution, and that Brycer is duly authorized to enter into this Agreement and provide the Solution to Client pursuant to this Agreement.
8. **Disclaimer.** All information entered into Brycer's database is produced by third party inspectors and their agents. **THEREFORE, BRYCER SPECIFICALLY DISCLAIMS ANY REPRESENTATION OR WARRANTY AS TO THE ACCURACY OR COMPLETENESS OF ANY INFORMATION ENTERED INTO BRYCER'S DATABASE BY EITHER CLIENT OR THIRD PARTY INSPECTORS. EXCEPT AS SET FORTH IN SECTION 7, BRYCER MAKES NO OTHER WARRANTY, EXPRESS OR IMPLIED, WITH RESPECT TO THE SOLUTION OR ANY OTHER INFORMATION AND ALL OTHER WARRANTIES, WHETHER EXPRESS OR IMPLIED, ARE HEREBY DISCLAIMED, INCLUDING, WITHOUT LIMITATION, THE IMPLIED WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE. BRYCER'S SOLE LIABILITY FOR BREACH OF THE REPRESENTATION AND WARRANTY SET FORTH IN SECTION 7, AND CLIENT'S SOLE REMEDY, SHALL BE THAT BRYCER SHALL INDEMNIFY AND HOLD RECIPIENT HARMLESS FROM AND AGAINST ANY LOSS, SUIT, DAMAGE, CLAIM OR DEFENSE ARISING OUT OF BREACH OF THE REPRESENTATION AND WARRANTY.**
9. **LIMITATION ON DAMAGES.** BRYCER SHALL ONLY BE LIABLE TO CLIENT FOR DIRECT DAMAGES PURSUANT TO THE AGREEMENT. EXCEPT AS OTHERWISE PROVIDED IN SECTION 7, IN NO EVENT SHALL BRYCER BE LIABLE FOR OR OBLIGATED IN ANY MANNER FOR SPECIAL, CONSEQUENTIAL, OR INDIRECT DAMAGES, INCLUDING, BUT NOT LIMITED TO, LOSS OF USE, LOSS OF PROFITS OR SYSTEM DOWNTIME. CLIENT ACKNOWLEDGES AND AGREES THAT IN NO CASE SHALL BRYCER'S LIABILITY FOR ANY LOSS OF DATA OR DATA INTEGRITY EXCEED THE REPLACEMENT COST OF THE MEDIA ON WHICH THE DATA WAS STORED.
10. **Risks Inherent to Internet.** Client acknowledges that: (a) the Internet is a worldwide network of computers, (b) communication on the Internet may not be secure, (c) the Internet is beyond the control of Brycer, and (d) Brycer does not own, operate or manage the Internet. Client also acknowledges that there are inherent risks associated with using the Solution, including but not limited to the risk of breach of security, the risk of exposure to computer viruses and the risk of interception, distortion, or loss of communications. Client assumes these risks knowingly and voluntarily releases Brycer from all liability from all

such risks. Not in limitation of the foregoing, Client hereby assumes the risk, and Brycer shall have no responsibility or liability of any kind hereunder, for: (1) errors in the Solution resulting from misuse, negligence, revision, modification, or improper use of all or any part of the Solution by any entity other than Brycer or its authorized representatives; (2) any version of the Solution other than the then-current unmodified version provided to Client; (3) Client's failure to timely or correctly install any updates to the Client Access Software; (4) problems caused by connecting or failure to connect to the Internet; (5) failure to provide and maintain the technical and connectivity configurations for the use and operation of the Solution that meet Brycer's recommended requirements; (6) nonconformities resulting from or problems to or caused by non-Brycer products or services; or (7) data or data input, output, accuracy, and suitability, which shall be deemed under Client's exclusive control.

11. **Indemnity.** Brycer (the "Indemnifying Party") will defend and indemnify Client against any damages, losses, liabilities, causes of action, costs or expenses arising from Brycer's breach of this Agreement, gross negligence or intentional misconduct. Client will defend and indemnify Brycer against any damages, losses, liabilities, costs or expenses (including reasonable attorneys' fees) arising from Client's breach of this Agreement, gross negligence or intentional misconduct. Client acknowledges that Brycer does not create any of the data and information included in the Solution and is not responsible for and does not assess or make any suggestions or recommendations with respect to any such data or information. Client will defend and indemnify Brycer against any damages, losses, liabilities, costs or expenses (including reasonable attorneys' fees), claims, demands, suits or proceedings made or brought against Brycer by a third party in connection with Client's or an Authorized User's use of the Solution, or any action or inaction taken by a third party, including, but not limited to, third party inspectors, in connection with such third party providing services for Client or otherwise at Client's or an Authorized User's request or direction.
12. **Breach.** Brycer shall have the right to terminate or suspend this Agreement, and all of Client's rights hereunder, immediately upon delivering written notice to Client detailing Client's breach of any provision of this Agreement. If Client cures such breach within 5 days of receiving written notice thereof, Brycer shall restore the Solution and Client shall pay any fees or costs incurred by Brycer in connection with the restoration of the Solution.
13. **Illegal Payments.** Client acknowledges and agrees that it has not received or been offered any illegal or improper bribe, kickback, payment, gift or anything of value from any employee or agent of Brycer in connection with the Agreement.
14. **Beneficiaries.** There are no third party beneficiaries to the Agreement.
15. **Force Majeure.** Neither party shall be responsible for any failure to perform due to unforeseen, non-commercial circumstances beyond its reasonable control, including but not limited to acts of God, war, riot, embargoes, acts of civil or military authorities, fire, floods, earthquakes, blackouts, accidents, or strikes. In the event of any such delay, any applicable period of time for action by said party may be deferred for a period of time equal to the time of such delay, except that a party's failure to make any payment when due hereunder shall not be so excused.
16. **Notices.** All notices required in the Agreement shall be effective: (a) if given personally, upon receipt; (b) if given by facsimile or electronic mail, when such notice is transmitted and confirmation of receipt obtained; (c) if mailed by certified mail, postage prepaid, to the last known address of each party, three business days after mailing; or (d) if delivered to a nationally recognized overnight courier service, one business day after delivery.
17. **JURISDICTION AND VENUE.** THE AGREEMENT SHALL BE GOVERNED BY, CONSTRUED AND INTERPRETED IN ACCORDANCE WITH, AND ENFORCEABLE UNDER, THE LAWS OF THE STATE IN WHICH CLIENT EXISTS APPLICABLE TO CONTRACTS MADE IN SUCH STATE AND THAT ARE TO BE WHOLLY PERFORMED IN SUCH STATE WITHOUT REFERENCE TO THE CHOICE-OF-LAW PRINCIPLES OF SUCH STATE. THE PARTIES IRREVOCABLY AGREE THAT ALL ACTIONS OR PROCEEDINGS IN ANY WAY, MANNER OR RESPECT ARISING OUT OF OR FROM OR RELATED TO THE AGREEMENT SHALL BE LITIGATED ONLY IN COURTS LOCATED WITHIN THE STATE IN WHICH CLIENT EXISTS. THE PARTIES HEREBY CONSENT AND SUBMIT TO THE EXCLUSIVE JURISDICTION OF ANY LOCAL, STATE OR FEDERAL COURT LOCATED WITHIN SAID STATE. THE PARTIES HEREBY WAIVE ANY RIGHTS THEY MAY HAVE TO TRANSFER OR CHANGE VENUE OF ANY SUCH ACTION OR PROCEEDING ARISING OUT OF OR RELATING TO THIS AGREEMENT. THE PARTIES WAIVE ANY RIGHT TO TRIAL BY JURY ON ANY ACTION OR PROCEEDING TO ENFORCE OR DEFEND ANY RIGHTS UNDER THE AGREEMENT, AND AGREE THAT ANY SUCH ACTION OR PROCEEDING SHALL BE TRIED BEFORE A COURT AND NOT BEFORE A JURY.
18. **Attorneys' Fees.** The prevailing party in any proceeding in connection with the Agreement shall be entitled to recover from the non-prevailing party all costs and expenses, including without limitation, reasonable attorneys' and paralegals' fees and costs incurred by such party in connection with any such proceeding.
19. **Entire Agreement.** The Agreement sets out the entire agreement between the parties relative to the subject matter hereof and supersedes all prior or contemporaneous agreements or representations, oral or written.
20. **Amendment.** The Agreement may not be altered or modified, except by written amendment which expressly refers to the Agreement and which is duly executed by authorized representatives of both parties. The waiver or failure by either party to exercise or enforce any right provided for in the Agreement shall not be deemed a waiver of any further right under the Agreement. Any provision of the Agreement held to be invalid under applicable law shall not render the Agreement invalid as a whole, and in such an event, such provision shall be interpreted so as to best accomplish the intent of the parties within the limits of applicable law. The Agreement may be executed by facsimile and in counterparts, each of which shall be deemed an original, and all of which together shall constitute one and the same instrument.
21. **Expiration.** The rights and obligations contained in these Terms and Conditions shall survive any expiration or termination of the Agreement.

Exhibit B

Maintenance Schedule and Minimum Service Levels

1. **Uptime and Maintenance.**

The Solution shall be available 24 hours per day during the term of this Agreement. The Solution shall be fully functional, timely and accessible by Client at least 99.5% of the time or better and Brycer shall use reasonable efforts to provide Client with advance notice of any unscheduled downtime.

2. **Response Time.**

Brycer shall respond to telephone calls from Client within two hours of the call and/or message and all emails from Client within two hours of the receipt of the email.

3. **Customer Support**

Customer support hours are 24/7/365. The number is 630-413-9511

Brycer will assign client a dedicated customer representative with direct access to their email and work number.

The Compliance Engine is a simple, internet-based tool for code officials to track and drive code compliance, reduce false alarm activity and provide a safer community. It provides a secure cloud environment in which third party contractors who inspect, test and maintain fire protections systems, submit their reports via Brycer's (The Compliance Engine) web portal directly to the AHJ. This facilitates a more efficient review, tracking and follow-up process with occupants to correct deficiencies and maintain systems. In addition to the web-based technology, our services include a team to administer hard and soft copy notifications, build your database and perform follow up calls to help increase testing and maintenance activity in each jurisdiction. The end result is a comprehensive and accurate aggregation of data around which buildings have what types of systems, when they were last tested, and if there are any open deficiencies that could jeopardize their successful deployment in the event of an incident. With The Compliance Engine, AHJs are better equipped to do more with less in their mission to drive 100% code compliance with fire and life safety laws.

Current Landscape

- 40% of life safety systems go uninspected or maintained every year
- 32.5% of false alarms are due to lack of maintenance and testing
- 29% of fire code officials time is spent administering 3rd Party ITM reports
- 95% of AHJs do not have the resources to enforce their adopted fire code
- Current process is manual, paper based, reactionary, inefficient and expensive

The Compliance Engine Benefits

- Drives 100% compliance with fire & life safety code
- Electronically collects, organizes and tracks fire and life safety test results
- Offers API Services with RMS and software inspection companies
- Maximizes limited resources, saves time and streamlines communication
- Built to ensure a safer environment for firefighters, citizens and guests
- Saves AHJs money while strengthening life safety and offers cost recovery

Revenue Model

- Free for AHJs
- No charge to the building owners
- Fee paid by 3rd party contractors on per system, per premises basis (ITM's).
- Delivers compliance resulting in new business and maintenance revenue for 3rd party contractors
- Endorsed by IKECA and the Western Fire Chiefs Association

NOTABLE NATIONAL PARTNERS



Los Angeles, CA
Chicago, IL
Phoenix, AZ
San Diego, CA
San Jose, CA
Austin, TX
Seattle, WA
Albuquerque, NM
Kansas City, MO
Colorado Springs, CO
Raleigh, NC
Long Beach, CA
Wichita, KS
Corpus Christi, TX
Greensboro, NC
Laredo, TX
Boise, ID
Tacoma, WA
State of Mississippi
State of Maryland
State of Nevada
Springfield, MO
Naperville, IL
Syracuse, NY
Scottsdale, AZ
Fort Lauderdale, FL
Oklahoma City, OK
Harris County, TX
Boulder, CO



Lockhart

T E X A S

2022-2023 Strategic Work Plan



The Strategic Planning Process

From January through April 2022, the City of Lockhart embarked on a strategic planning process to create strategic priorities for 2022-2023. The following is the process used to reach the conclusions for the plan:

The process kicked off with a preliminary Zoom between the City Manager, Steve Lewis, Mayor Lew White, and professional facilitator Alysia A. Cook, PCED, IOM with Opportunity Strategies LLC. The three met to review key issues facing the city, understand the programs and projects currently underway, and to prepare the process and format for the planning session.

On April 8, 2022, the City of Lockhart Management Team met at the Library for Part 1 of the Strategic Work Planning Session for 2022-2023.

On April 9, 2022, the City of Lockhart City Council and City Manager met at the Library for Part 2 of the Strategic Work Planning Session for 2022-2023.



Day One – Management Team

Day One began with City Manager Steve Lewis reviewing with the Management Team the City of Lockhart's accomplishments and success stories of 2021.

Following that, the City Manager and the facilitator shared some leadership concepts and considerations with the Lockhart Management Team. This led to some group discussions about the importance of continuous learning and leadership development.

The City Manager discussed with the participants that when goals are adopted by the City Council, they provide a positive impact for the Management Team in at least 4 different ways:

- a) Direction is clearly set by City Council
- b) Once that direction is established, differences can be discussed in a more open, less polarizing manner
- c) Saves time in decision making on projects/programs
- d) City Manager's recommendations can be better aligned with ultimate objectives

Mission of Lockhart Management Team

To promote and influence the alignment of organizational resources by focusing on:

- a) Organizational planning and issues
- b) Open communication with elected officials, staff, boards, commissions, and citizens
- c) Ensuring City of Lockhart is a leader in Central Texas regarding issues with community relevance
- d) Implementing programs that derive from the City Council and community's goals

Start – Stop – Continue

The facilitator then engaged the Management Team in a group exercise called *Start – Stop – Continue* which divides participants into small groups and has them offer feedback on what the City needs to start doing, stop doing, and continue doing.

These are individual manager recommendations and not necessarily agreed to by all managers or by City Council members. The responses are as follows:

Start

- Long-term capital planning
- Increasing non-emergency communications
- Administering annual customer service surveys that are statistically valid
- Developing recreation programs
- Indoor community recreation center
- City facilities and community infrastructure improvements
- New spaces for city facilities
- Modernize Human Resources policies including technology
- A vehicle acquisition fund
- Decreasing steps in the hiring process
- Staff planning for future growth
- Modernizing our contracts, best practices, attorney, etc. including reviewing for mutually beneficial language and avoiding one-sided contracts

Stop

- Ineffective/outdated contracts
- Thinking small
- Six-month probationary period for personnel
- Reconnecting customers after 10pm
- Providing free services (such as banners and road closures) and establish a fee schedule for these special requests
- Requiring utility inspections for every change of occupant

Continue

- Longevity pay
- Forward-looking planning for quality growth
- Law enforcement outreach with community
- Contracting (sending RFPs) for solid waste collection
- Supporting tourism
- Modernizing technology, e.g. paperless, Go Green
- Enhancing community investment
- Planning our wayfinding and signage
- Growing events that enhance overnight stays in Lockhart and maximize HOT \$ collections
- Economic growth including considering developing a 4th industrial park
- Striving for improved customer service
- Community engagement including public open houses and social media



Next, the Management Team embarked on a discussion around the following topics which also included some departmental reports on the status of various projects:

- Growth Trends
- Land Development
- Economic Development
- Service Delivery
- Workforce Development
- Long Range Financial Outlook

Following those discussions, the facilitator led the Management Team through a discussion of what they each thought should be the 2022-2023 goals City Council would establish the following day. She recorded those recommendations, then the group reached consensus on what would be put forth to the Council to consider.

The final decisions for 2022-2023 were made by City Council the following day and are listed below.

Day Two – City Council

Day Two began with City Manager Steve Lewis reviewing with City Council the City of Lockhart's accomplishments and success stories of 2021.

Expectations – City Council

Following that, the facilitator asked City Council to share any expectations for the day. Responses were as follows:

- TxDOT – Wayfinding and Signage
- Summerside Subdivision turn lane and traffic light
- Urgent Care facility
- Comprehensive mental health care for first responders
- Keeping City Staff wages competitive
- Need for an Assistant City Manager
- Need for a grantwriter
- Regional animal shelter
- Next industrial park and/or property

The following is the City of Lockhart 2022-2023 Strategic Work Plan.

City of Lockhart Vision:

- To be a first-class community that has maintained its integrity and sense of community characterized by livable neighborhoods and quality schools.
- To be a City that focuses on family by ensuring quality recreational and cultural activities, services, housing, economic, and educational opportunities that promote a well-rounded productive member of the community.
- To be a City that is friendly to visitors and future residents with a spirit of fellowship and cooperation by accommodating their needs and recognizing the wealth in cultural, ethnic and age diversity.
- To be a City committed to sustainability by diligently balancing community needs with available resources and managing growth in a smart and fiscally responsible manner.
- To be a City that celebrates and embraces its long and rich history by reinvesting in neighborhoods, preserving areas and buildings of historic significance and returning the Central Business District to an economically viable and lively activity center.
- To be a City recognized for the quality of its built environment and the integration of the natural landscape throughout the community.
- To be a City that ensures a good balance between residential, commercial, industrial, and public/institutional uses supported by quality infrastructure and transportation systems.
- To be a City known for its innovative solutions to managing growth, progressiveness of City government, and responsiveness to the needs of citizens and businesses.

Source: Lockhart 2020 Comprehensive Plan

Goal #1:

**City
Facilities**

Goal #2:

**Human Resources/
Staffing**

Goal #3:

**Parks &
Recreation**

Goal #4:

Infrastructure

Goal #5:

**Modernization &
Communications**

Goal #6:

**Development &
Quality of Life**

Goal #7:

**Revenue
Sustainability**

2022-2023 Goals:

Each of the following seven goals is guided by the values of diversity and inclusion. Diversity and inclusion are a tapestry that is woven through every goal, every service, and every program.

Goal #1: City Facilities

To begin planning for new city facilities and offices.

Goal #2: Human Resources/Staffing

To enhance our HR services to ensure Lockhart remains a competitive employer.

Goal #3: Parks & Recreation

To develop the Parks & Recreation program and services.

Goal #4: Infrastructure

To enhance physical infrastructure and branded wayfinding throughout Lockhart.

Goal #5: Modernization & Communications

To modernize our in-house and online technology, systems, and communications to serve residents more efficiently and tell the Lockhart story.

Goal #6: Development & Quality of Life

To continually improve the quality of life and employment opportunities of the people of Lockhart.

Goal #7: Revenue Sustainability

To ensure the long-term financial health and sustainability of the City of Lockhart.

Goal #1: City Facilities

To begin planning for new city facilities and offices.

- 1.1 Consider which facilities improvements should be funded by certificates of obligation vs. bonds
- 1.2 Begin plans to replace/update City Hall
- 1.3 Begin plans to replace/update Police/Fire/Training facilities
- 1.4 Begin plans to replace/update Maintenance/City Barn Utilities
- 1.5 Reclaim old space at the hospital
- 1.6 Lease additional space at the EDC building
- 1.7 Conduct a Facilities Study with architects and engineers
- 1.8 Consider Airport improvements (TxDOT Aviation) in the study

Goal #2: Human Resources/Staffing

To enhance our HR services to ensure Lockhart remains a competitive employer.

- 2.1 Hire ACM (Assistant City Manager) immediately
- 2.2 Hire City Manager Support Staff (Executive Assistant or Administrative Assistant)
- 2.3 Once new ACM is hired, assign him/her with developing a Staffing Plan
- 2.4 Once new ACM is hired, assign him/her with developing a Succession Plan
- 2.5 Consider adding additional staff city-wide as needed
- 2.6 Retain law enforcement officers by ensuring compensation competitiveness
- 2.7 Implement a formal EAP (Employee Assistance Program)
- 2.8 Secure a grantwriter (explore opportunities for hiring one vs. contractor)

Goal #3: Parks & Recreation

To develop the Parks & Recreation program and services.

- 3.1 Develop adult and youth programming that utilize existing facilities
- 3.2 Conduct successful outreach to sports leagues across Texas and neighboring states
- 3.3 Consider new Parks & Rec facilities such as pickleball, volleyball, and frisbee golf
- 3.4 Plan for and implement safety improvements of existing facilities
- 3.5 Plan for and implement aesthetic improvements of existing facilities
- 3.6 City Council requests to meet with Parks & Rec Director and City Manager to discuss ideas and brainstorm next steps in the Parks Plan including:
 - Work session, then tour Parks facilities with Parks & Rec Director
 - Discuss short-term vs. long-term Parks & Rec needs
 - Develop plan to survey citizens including bond exploration

Goal #4: Infrastructure

To enhance physical infrastructure and branded wayfinding throughout Lockhart.

- 4.1 Conduct public open houses to determine public wishes for Downtown
- 4.2 Council to approve a final Downtown Conceptual Design and authorize staff to implement
- 4.3 Consider an additional commercial district with retail and mixed-use offerings
- 4.4 Issue the RFP for a Comprehensive Plan update (hire firm by January 2023, then CIP (capital improvement plan) to follow
- 4.5 Explore downtown WiFi options including geofencing

Goal #5: Modernization & Communications

To modernize our in-house and online technology, systems, and communications to serve residents more efficiently and tell the Lockhart story.

- 5.1 PIO (Public Information Officer) to secure proposals for a new website design including:
 - Online forms and application portals (permitting, employment, variance requests, etc.)
 - Must be mobile responsive platform
 - Ensure ease of use and innovative utility of site
 - Include a portal to the Lockhart Economic Development Corporation website
- 5.2 Hire a consultant to 1) build a survey to ask the public what information they seek to find on the City of Lockhart website and 2) compare Lockhart website to other communities with high utilization of an innovative website
- 5.3 Streamline application processes of permits, developer proposals, engineering, employment, etc. to be placed on website (see 5.1)
- 5.4 Verify internet access at all City facilities



Goal #6: Development & Quality of Life

To continually improve the quality of life and employment opportunities of the people of Lockhart.

- 6.1 Consider proposed sidewalk ordinance
- 6.2 Facilitate/incentivize more housing options including:
 - Rental housing options
 - Workforce housing options
 - Higher-income housing
 - Infill/revitalized housing within centers of commerce (existing or planned)
 - Senior/retiree housing
- 6.3 Continue to promote family-friendly events in Downtown
- 6.4 Encourage higher development standards (within state legislature constraints) to research modernization techniques and make recommendations to City Manager for consideration
- 6.5 Continue to implement Animal Control Audit recommendations
- 6.6 Continue to provide concerts on the square

Goal #7: Revenue Sustainability

To ensure the long-term financial health and sustainability of the City of Lockhart.

- 7.1 Explore and increase film production permitting fees
- 7.2 Create and implement fees for banners, road closures, event special requests
- 7.3 Use grantwriter (see 2.8) to find and write grants that benefit the City of Lockhart and its residents
- 7.4 Conduct discussions between City Council and Staff regarding which items can/should be funded by certificates of obligation vs. bonds
- 7.5 Update/increase construction permit fees and impact fees
- 7.6 Explore a bond vote for the items proposed by Parks & Rec and Council from Goal #3
- 7.7 Explore the concept of a Community Foundation with community benefactor options including other communities who have successfully created and implemented a Community Foundation

City of Lockhart Leadership

The 2022 City Council and Management Team participating:

City Council:

Lew White, Mayor
Angie Gonzales-Sanchez, Mayor Pro-Tem
Brad Westmoreland, Councilmember At-Large
Juan Mendoza, Councilmember District 1
David Bryant, Councilmember District 2
Kara McGregor, Councilmember District 3
Jeffrey Michelson, Councilmember District 4

Management Team:

Steve Lewis, City Manager
Julie Bowermon, Director of Human Resources
Connie Constancio, City Secretary
Travis Hughes, Director of Parks & Recreation
Randy Jenkins, Fire Chief
Mike Kamerlander, Economic Development Director
Sean Kelley, Public Works Director
Pam Larison, Director of Finance
Bobby Leos, Electric Superintendent
Victoria Maranan, Public Information Officer
Bertha Martinez, Director of Library Services
Ernest Pedraza, Chief of Police





City of Lockhart

2020-2021 Strategic Priorities

Prepared by:

