

PUBLIC NOTICE
AGENDA
LOCKHART CITY COUNCIL
February 18, 2025
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. | Presentation of a proclamation declaring February 2025 as Dating Violence Awareness Month. | 4 |
| B. | Discuss City Council minutes of the December 5, 2023, December 19, 2023, January 2, 2024, January 9, 2024, and January 18, 2024 meetings. | 5-37 |
| C. | Discuss Resolution 2025-08 to grant conditional consent to the creation of the Lockhart Municipal Utility District of Caldwell County and the inclusion into said district of 889.3 acres of land, 720.681 acres of which is in City's ETJ. | 38-48 |
| D. | Presentation by Republic Services regarding residential solid waste collection route changes. | 49-60 |
| E. | Discuss annual review of the City of Lockhart Emergency Warning System policies which includes the Outdoor Warning Sirens (OWS) and the Regional Notification System (RNS) in partnership with the Capital Area Council of Governments (CAPCOG). | 61-81 |
| F. | Presentation by Police Chief Williamson regarding the 2024 Racial Profiling Report. | 82-115 |
| G. | Discuss Resolution No. 2025-07 to terminate a Chapter 380 economic development incentive with Titan Lockhart Land Investors, LLC for default. | 116-127 |
| H. | Discussion regarding Resolution 2025-09, suspending the April 12, 2025, effective date of the proposal by Texas Gas Service Company, a division of One Gas, Inc., Central-Gulf Service Area, to implement interim GRIP rate adjustments for gas utility investment in 2024. | 128-134 |

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 December 5, 2023, December 19, 2023, January 2, 2024, January 9, 2024, and January 18, 2024 meetings. **135-167**
- B. Approve Resolution 2025-09, suspending the April 12, 2025, effective date of the proposal by Texas Gas Service Company, a division of One Gas, Inc., Central-Gulf Service Area, to implement interim GRIP rate adjustments for gas utility investment in 2024. **168-174**

5. DISCUSSION/ACTION ITEMS

- A. Consideration and/or action regarding Resolution 2025-08 to grant conditional consent to the creation of the Lockhart Municipal Utility District of Caldwell County and the inclusion into said district of 889.3 acres of land, 720.681 acres of which is in City's ETJ. **175-185**
- B. Discussion and acknowledgment of receipt of the 2024 Racial Profiling Report. **186-219**
- C. Discussion and/or action to consider Resolution No. 2025-07 to terminate a Chapter 380 economic development incentive with Titan Lockhart Land Investors, LLC for default. **220-231**

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

- City staff preparing and training for launch of My Government Online.
- Update on the Texas Parks & Wildlife grant for a new aquatic facility and related next steps.
- KidFish at City Park on Saturday, March 15th.
- Citywide Spring Clean Up Program on Saturday, March 22nd.

7. **COUNCIL AND STAFF COMMENTS - ITEMS OF COMMUNITY INTEREST**
8. **EXECUTIVE SESSION IN ACCORDANCE WITH THE PROVISIONS OF THE GOVERNMENT CODE, TITLE 5, SUBCHAPTER D, SECTION 551.087 TO DELIBERATE OR FOR DISCUSSION REGARDING COMMERCIAL OR FINANCIAL INFORMATION THAT THE GOVERNMENTAL BODY HAS RECEIVED FROM A BUSINESS PROSPECT THAT THE GOVERNMENTAL BODY SEEKS TO HAVE LOCATE, STAY, OR EXPAND IN OR NEAR THE TERRITORY OF THE GOVERNMENTAL BODY AND WITH WHICH THE GOVERNMENTAL BODY IS CONDUCTING ECONOMIC DEVELOPMENT NEGOTIATIONS; OR TO DELIBERATE THE OFFER OF A FINANCIAL OR OTHER INCENTIVE TO A BUSINESS PROSPECT.**
 - A. Discussion regarding economic development negotiations with Project CA-238.
9. **EXECUTIVE SESSION IN ACCORDANCE WITH THE PROVISIONS OF THE GOVERNMENT CODE, TITLE 5, SUBCHAPTER D, SECTION 551.072 - TO DELIBERATE THE PURCHASE, EXCHANGE, LEASE OR VALUE OF REAL PROPERTY IF DELIBERATION IN AN OPEN MEETING WOULD HAVE A DETRIMENTAL EFFECT ON THE POSITION OF THE GOVERNMENTAL BODY IN NEGOTIATIONS WITH A THIRD PERSON.**
 - A. Discussion regarding possible property acquisition for public facilities.
 - B. Discussion regarding possible land acquisition related to public parks.
10. **OPEN SESSION**
 - A. Discussion and/or action regarding economic development negotiations with Project CA-238.
 - B. Discussion and/or action regarding possible property acquisition for public facilities.
 - C. Discussion and/or action regarding possible land acquisition related to public parks.
11. **ADJOURNMENT**

City Council shall have the right at anytime to seek legal advice in Executive Session from its Attorney on any agenda item, whether posted for Executive Session or not.

Posted on the bulletin board in the Municipal Building, 308 West San Antonio Street, Lockhart, Texas, on February 14, 2025 at 3:00 p.m.

Proclamation

WHEREAS, one in three adolescents is a victim of physical, sexual, emotional, or verbal abuse from a dating partner; and

WHEREAS, the effects of dating violence impact youth in all communities and cuts across economic, racial, gender, and societal barriers; and

WHEREAS, respectful, supportive, and non-violent relationships are key to safety, health, and academic success; and

WHEREAS, by providing teens and young adults with education about healthy relationships and relationship skills, and by changing attitudes that support violence, we recognize that dating violence can be prevented; and

WHEREAS, family, friends, teachers, coaches, faith leaders, community members, and other important people in young people's lives have the power to influence youth in positive ways; and

WHEREAS, last year HCWC provided 61 dating violence prevention and healthy relationships presentations to 2,430 teens and young adults; and

WHEREAS, last year HCWC reached an audience of more than 790,000 through Prevention Education Toolkit Downloads; and

WHEREAS, we must work together to raise awareness and promote healthy dating relationships with activities and conversations about mutually respectful and non-violent relationships in our homes, schools, and communities.

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

February 2025

as

**Dating Violence Awareness and Prevention Month
for teens and young adults**

and do hereby call upon the citizens of Lockhart to work together to raise awareness and prevent dating violence in our community and beyond.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed the Seal of Lockhart, Texas, this 18th day of February 2025.



CITY OF LOCKHART

ATTEST:

Julie Bowermon
City Secretary

Lew White
Mayor

**REGULAR MEETING
LOCKHART CITY COUNCIL**

DECEMBER 5, 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
Councilmember Brad Westmoreland
Councilmember John Lairsen
Mayor Pro-Tem Angie Gonzales-Sanchez

Staff present:

Steve Lewis, City Manager
Joseph Resendez, Assistant City Manager
David Fowler, Planning Director
Victoria Burns, Public Information Officer
Randy Jenkins, Fire Chief

Monte Akers, City Attorney
Julie Bowermon, City Secretary
Sean Kelley, Public Works Director
Will Wachel, City Engineer – TRC
Daniel Williams, Police Captain

Citizens/Visitors Addressing the Council: Representatives of Freese and Nichols.

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. BRIEFING FROM FREESE AND NICHOLS, INC. AND DISCUSSION REGARDING COMPREHENSIVE PLAN ACTIVITIES.

Mr. Fowler stated that Freese and Nichols, Inc., the consultant for the comprehensive planning process, will present an update on the activities conducted as part of the Comprehensive Planning process. Work began on the plan starting in May 2023 and is expected to be completed late in Fiscal Year 2023-24. Initial activities involved researching existing population and demographic conditions to provide an understanding of the current state of the community. Public or small group participation activities to date have included assembling a Steering Committee which has held three meetings, the circulation of a stakeholder survey, holding four focus group meetings, holding a public future land use workshop, and two on-site public outreach events. Through these activities, the consultants and the steering community have worked to create a Community Snapshot chapter which will inform many of the other products of the plan and includes the Guiding Principles, which will underlie the more detailed goals and objectives to be developed. The other main product that has so far emerged from the planning activities is the future land use mapping concept, which will be discussed as part of this agenda item. This concept is based on the products from the mapping exercise at the Community Workshop held October 16th and subsequent discussions at the Steering Committee meeting held November 15.

Freese and Nichols representatives provided information regarding the following topics about the Comprehensive Plan activities:

- Project schedule
- Community engagement
- Online mapping exercise
- Investing exercise

- Survey results
- Age trends
- Vision statement
- Community goals/guiding principles
- Public land use workshop
- Trade offs and considerations
- Population projections
- Commute trends
- Community created scenarios
- Land use alternatives
- Future land use plans
- Next steps
 - Drafting Future Land Use Chapter through EOY
 - Additional recommendations in Q1/Q2 of 2024
 - Next major public engagement in the Spring of 2024

There was discussion.

B. DISCUSS AWARDING AN ANNUAL FUEL BID TO GOLDEN WEST OIL, OF NEW BRAUNFELS, TEXAS WITH A PROFIT MARGIN OF \$0.0445 CENTS PER GALLON OF GASOLINE AND \$0.495 CENTS PER GALLON FOR DIESEL OVER THE OIL PRICE INFORMATION SERVICES (OPIS) PRICE FROM AUSTIN, TEXAS RACK, POSTED WEEKLY.

Mr. Kelley stated that the City uses approximately 45,000 gallons of gasoline and 26,000 gallons of diesel per year. Fuel bids were sought in compliance with State Law. Four bids were received from oil companies interested in delivering Unleaded Gasoline and Diesel to the Public Works Yard. The attached synopsis shows the overall best bid was submitted by Golden West Oil, of New Braunfels, Texas at \$0.0445 profit per gallon of gasoline and \$0.0495 profit per gallon of diesel. Golden West Oil has previously been the City's fuel distributor and provided the City with exceptional service. The contract for this fuel services is from January 1, 2024 until December 31, 2024, if approved. The price includes delivery to the Public Works yard.

C. DISCUSS RESOLUTION 2023-21 AUTHORIZING THE FILING OF A GRANT APPLICATION WITH CAPCOG FOR A REGIONAL SOLID WASTE PROGRAM GRANT; AUTHORIZING THE MAYOR TO ACT ON BEHALF OF THE CITY OF LOCKHART IN ALL MATTERS RELATED TO THE APPLICATION.

Mr. Kelley stated that the Capital Area Council Of Governments is currently accepting applications for the 2024/2025 Solid Waste Program Grant. This grant opportunity becomes available every two years. Eligible projects include solid waste programming and equipment related to solid waste. During this grant cycle there are \$274,000 grant funds available, with a maximum award of \$40,000 each. There is also a minimum 10% grant match requirement. In this year's solid waste grant application, City Staff is seeking to purchase twenty-five new commercial grade trash/recycling receptacles for the Downtown Revitalization Project. As part of the project, staff would work with Keep Lockhart Beautiful to inform the public of the new receptacles and the new availability of recycling downtown. If awarded the grant, funds will need to be used prior to the end of 2025.

D. DISCUSS RESOLUTION 2023-22 APPOINTING MAYOR LEW WHITE AS THE CITY OF LOCKHART'S CLEAN AIR COALITION REPRESENTATIVE, AS REQUIRED IN ARTICLE II OF THE CLEAN AIR COALITION OF THE CAPITAL AREA COUNCIL OF GOVERNMENTS BY-LAWS.

Mayor White stated that the City Council initially appointed Mayor White in March 2018, and reappointed him in February 2020 and January 2022, as the City's representative to the Capital Area Council of Governments (CAPCOG) Clean Air Coalition (CAC) . Their by-laws indicate that Representatives to the CAC will include elected officials appointed by governing bodies for the general members of the CAC. Each general member's governing body appoints by resolution one elected official to serve on the Coalition and shall provide written notification to the CAPCOG staff liaison. The term of appointment for a member of the CAC shall begin on the date of appointment by the member's governing body and will terminate December 31st in odd-numbered years. Mayor White stated that the current term ends in December 2023 and if approved, he would continue until December 2025.

E. DISCUSSION OF PROPOSAL FROM COUNCILMEMBER LAIRSEN FOR CREATION OF AN ANIMAL SHELTER ADVISORY BOARD.

Mr. Lairsen stated that he requests that an Animal Shelter Advisory Committee be added to the City of Lockhart boards. He stated that the goal is to provide advice and recommendations to the city council related to the Animal Shelter and general animal control throughout the community. Animal shelters are ambassadors for healthy animals, helping to stabilize the pet population and increasing the wellbeing of the animals and our citizens. He recommended that the members consist of a city representative, a Caldwell County representative, a member from a local animal advocate group, two citizens, a veterinarian that will collaborate and identify solutions for any challenges that the animal shelter and the community may be facing regarding animal welfare. There was discussion.

F. DISCUSSION ON UPDATES RELATED TO THE FIRE STATION NO. 1 CONDITION REPORT AND CONSTRUCTION PROJECT.

Mr. Resendez stated that the City's architects prepared a condition report in 2021. The recommendations in the report are intended not to alter the historic aspects of the building, which was built in 1912 with additions in 1950, and limited to primarily inside the walls. Highlights of the report include:

Life Safety Upgrades

Automatic fire sprinkler suppression system throughout the building, fire/smoke sensing and alarm system, upgrades to hazardous electrical panels and switchgear, new air scrubbers for noxious gases in apparatus bays below sleeping areas, enhanced fire/smoke barrier between apparatus bays and sleeping area above, and enhanced emergency exiting from second floor.

Enhanced Living and Working Quarters for Firefighters

Restroom on first floor renovated including exhaust air vent and reduced trip hazard, restroom on second floor completely renovated with new shower, finishes, and removal of existing furnace system, kitchen renovation to replace cabinets, appliances, and reorganize, relocation of furnace and ductwork from bathroom, remodel one bunk room sleeping quarters into three separate sleeping quarters, a new drop ceiling and LED lights throughout the remodel area and new floor finishes.

Exterior Upgrades

Repaint wood trim, touch up some brick masonry as needed.

Recent Updates

An Asbestos Survey Report is underway. The recent adoption of the 2018 International Existing Building Code (IEBC) and additional restroom, window, garage door, and signage recommendations are considerations for a revised Scope of Work.

The Architect has provided a proposal to include these updates to the Current Drawing and Construction Documentation and Construction Phase Services. City staff will present this proposal for City Council consideration at the December 19, 2023 City Council Meeting.

Fire Station No. 1 is located within the Lockhart Historical District. The Lockhart Historical Preservation Commission (LHPC) will review any proposed changes to the exterior of the building, as well as any interior work that impacts load-bearing walls.

There was discussion.

DISCUSSION OF PROPOSAL FROM COUNCILMEMBER LAIRSEN FOR CREATION OF AN ANIMAL SHELTER ADVISORY BOARD.

Mr. Akers requested direction from the Council about the proposed Animal Shelter Advisory Board. There was discussion.

Mayor White directed staff to return with documentation and/or information about the purpose, duties, guidelines, membership and state laws for Council's consideration at a future meeting.

G. DISCUSS RESCHEDULING CITY COUNCIL MEETINGS IN 2024 DUE TO CONFLICTS WITH A CITY HOLIDAY OR EVENT.

Ms. Bowermon stated that annually reviewing council meeting dates for conflicts is important to provide Development Services with an accurate Council meeting schedule when publishing public notice information about public hearings, such as zoning change applications.

The 2024 calendar reflects meeting conflicts as listed below:

Tuesday:

- October 1 – National Night Out
- November 5 - Election Day - The City of Lockhart is not scheduled to hold an Election on November 5, 2024 therefore it is not listed as a date conflict. *(History: In 2021 the City Council did not have an election scheduled and did hold a City Council meeting on election day.)*

The 2024 TML Annual Conference will be held on October 9-11 in Houston.

There was discussion.

H. DISCUSSION REGARDING THE SELECTION OF MAYOR PRO-TEM OF THE LOCKHART CITY COUNCIL AS REQUIRED BY SECTION 3.05 OF THE CITY CHARTER.

Mayor White stated that Councilmember Sanchez has expressed interest to continue serving as Mayor Pro-Tem. There were no additional nominations for Mayor Pro-Tem.

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

ITEM 1. CALL TO ORDER.

Mayor Lew White called the meeting to order at 7:50 p.m.

ITEM 2. INVOCATION, PLEDGE OF ALLEGIANCE.

Mayor Pro-Tem Sanchez gave the Invocation and led the Pledge of Allegiance to the United States and Texas flags.

ITEM 3. PUBLIC COMMENT.

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

ITEM 4. CONSENT AGENDA

Councilmember Michelson made a motion to approve consent agenda items 4A, 4B, and 4C. Councilmember Lairsen seconded. The motion passed by a vote of 7-0.

The following are the consent agenda items that were approved:

- 4A: Approve awarding an annual fuel bid to Golden West Oil, of New Braunfels, Texas with a profit margin of \$0.0445 cents per gallon of gasoline and \$0.495 cents per gallon for diesel over the Oil Price Information Services (OPIS) price from Austin, Texas RACK, posted weekly.
- 4B: Approve Resolution 2023-21 authorizing the filing of a grant application with CAPCOG for a regional solid waste program grant; authorizing the Mayor to act on behalf of the City of Lockhart in all matters related to the application.
- 4C: Approve Resolution 2023-22 appointing Mayor Lew White as the City of Lockhart's Clean Air Coalition Representative, as required in Article II of the Clean Air Coalition of the Capital Area Council of Governments by-laws.

ITEM 5-A. DISCUSSION AND/OR ACTION REGARDING RESCHEDULING CITY COUNCIL MEETINGS IN 2024 DUE TO CONFLICTS WITH A CITY HOLIDAY OR EVENT.

Mayor Pro-Tem Sanchez made a motion to hold the October 1, 2024 and November 5, 2024 Council meetings as scheduled. Councilmember Mendoza seconded. The motion passed by a vote of 7-0.

ITEM 5-B. DISCUSSION AND/OR ACTION REGARDING THE SELECTION OF MAYOR PRO-TEM OF THE LOCKHART CITY COUNCIL AS REQUIRED BY SECTION 3.05 OF THE CITY CHARTER.

Councilmember Lairsen made a motion to nominate Angie Gonzales-Sanchez as Mayor Pro-Tem. Councilmember Mendoza seconded. The motion passed by a vote of 7-0.

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

- Hansford Subdivision Phase 2 has completed their public improvements and have been accepted by the City.
- In December, City staff will begin disassembling the temporary downtown park on the Square in preparation for private development of the site.
- Update regarding the establishment of Caldwell County ESD No. 5.

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

Councilmember Mendoza thanked the Coleman Unit for hosting a volunteer appreciation dinner. He thanked the Friends of the Library and Irving Club for the successful *A Christmas to Remember* event.

Mayor Pro-Tem Sanchez thanked all involved with the successful Tree of Angels ceremony. She congratulated all involved with the successful *A Christmas to Remember* event. She congratulated college graduates. She encouraged citizens to be involved with the Coats for Kids events.

Councilmember Lairsen thanked all involved with the successful *A Christmas to Remember* event.

Councilmember Castillo thanked all involved with the successful *A Christmas to Remember* event. He requested an update about public safety and a warming center in the event of a freeze with the upcoming freezing weather.

Mayor White commended all involved with the successful Tree of Angels, *A Christmas to Remember*, First Friday, and Lighting ceremony events. He provided a brief update about the ETJ reversal petition and homeless shelters. A short reception will be held honoring the retirement of Monte Akers, City Attorney before the next Council meeting.

ITEM 8. ADJOURNMENT

Mayor Pro-Tem Sanchez made a motion to adjourn the meeting. Councilmember Mendoza seconded. The motion passed by a vote of 7-0. The meeting was adjourned at 8:12 p.m.

PASSED and APPROVED this the 18th day of February, 2025.

CITY OF LOCKHART

Lew White, Mayor

ATTEST:

Julie Bowermon
City Secretary

**REGULAR MEETING
LOCKHART CITY COUNCIL**

DECEMBER 19, 2023

6:30 P.M.

CLARK LIBRARY BUILDING, 217 SOUTH MAIN STREET, 1ST FLOOR, LOCKHART, TEXAS

Council present:

Councilmember John Castillo
Councilmember Juan Mendoza
Councilmember Jeffry Michelson

Mayor Lew White
Councilmember Brad Westmoreland
Councilmember John Lairsen
Mayor Pro-Tem Angie Gonzales-Sanchez

Staff present:

Steve Lewis, City Manager
Joseph Resendez, Assistant City Manager
David Fowler, Planning Director
Travis Hughes, Parks Director
Bertha Martinez, Library Director

Monte Akers, City Attorney
Julie Bowermon, City Secretary
Sean Kelley, Public Works Director
Gary Williamson, Police Chief
Victoria Burns, Public Information Officer

Citizens/Visitors Addressing the Council: Julian Salas-Porras and James Hemenes of Halff & Associates; Scott Wuest of Wuest Group; Mike Halligan, 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 OF THE PARKS MASTER PLAN UPDATE BY HALFF & ASSOCIATES.

Mr. Hughes stated that Halff & Associates was awarded a General Services Contract on March 1, 2023, and tasked with providing the City with an updated open-space master plan. The existing master plan was adopted on April 17, 2018. This 5-year update will be important when seeking grant funding for parks projects. He stated that Halff & Associates will give the update.

Julian Salas-Porras and James Hemenes of Halff & Associates provided information and there was discussion regarding the following:

- Parks Planning process
- Overview of 2018 Parks Master Plan
- Parks system
- Demographics
- Public engagement
- Assessment methods
- Park system inventory
- Level of service analysis
- Gap analysis
- Conditions assessment
- 2023 Parks Master Plan priorities
 - o #1 Lions Park - renovations and improvements
 - o #2 City Park - renovations and improvements

- #3 Youth Sports Complex - renovations and improvements
- #4 Swimming Pool and splash pads - construction and new outdoor pool
- #5 Indoor Recreation Center - creating the city's first recreation center
- #6 Trails Master Plan - develop the city's first trails master plan
- Lions Parks conceptual plan
- Implementation
- Funding resources
- Key takeaways of the plan
 - All the goals in this update are from the 2018 Master Plan
 - The actions in the implementation table were created for this planning process, the 2018 Master Plan did not have any action items. The 2018 Plan outlined a list of priority projects with cost estimations.
 - This update identifies six priority projects.
 - Three of the priority projects were crafted with the Parks and Recreation Department (Lion's Park, Indoor Rec Center, Swimming Pool and Splash Pad), and the last priority project was created due to the public's interest in community trails (Trails Master Plan).
 - The other two priority projects were carried over as priorities from the 2018 Plan (Youth Sports Complex and City Park).
 - City Park's classification changed to a community park classification, from a regional park classification.
 - Maple Street Park is now two parks, the Jason K LaFluer Soccer Complex (special use park) & Maple Street Park (neighborhood park)
 - Comanche Park presents an opportunity for addressing a gap in the level of service
 - Plan is TPWD compliant, eligible for local parks grants

There was discussion.

B. DISCUSS RENEWAL OF THE CEMETERY GROUNDS MOWING AND MAINTENANCE AGREEMENT.

Mr. Hughes stated that Gene Bagwell d/b/a Maintenance Management has been under contract to perform mowing and maintenance of the cemetery grounds since 2010. This was initially a 5-year agreement and has since been renewed annually. Maintenance Management is required to mow and trim the Lockhart Municipal Burial Park and Hooks Cemetery 22–24 times per year (an approximate area of 35 acres) and provide a minimum of two cemetery cleanups. They are also responsible for tree trimming and mowing on both sides of the fence along Hwy 183 and FM 672. There are no changes to the scope of work or fees in the agreement from last year to this year. There was discussion.

C. DISCUSS SEMI-ANNUAL REPORT CONCERNING THE STATUS OF IMPLEMENTATION OF CHAPTER 31, "IMPACT FEES" OF THE CODE OF ORDINANCES, AND ADVISE OF THE NEED TO UPDATE THE ORDINANCE, LAND USE ASSUMPTIONS, CAPITAL IMPROVEMENT PLANS, OR IMPACT FEES.

Mr. Fowler stated that the report covers April-September 2023. New impact fee studies for water-wastewater and roads were adopted on May 2, 2023. As such, the most recent reporting period reflects a blend of the old and new impact fee rates as existing projects have continued building and new projects have begun construction. The vast majority of the fees were received from the over 300 new houses permitted during the six-month reporting period, with the rest coming from one apartment development

and several commercial projects. As a result of this high activity, fee receipts have broken previous records, resulting in a record balance for the four accounts. There was discussion.

D. REVIEW A PETITION OF ANNEXATION FROM GEORGE KRONENBERG III ON BEHALF OF MCCORMICK RANCH PARTNERS, LP AND DISCUSSION REGARDING RESOLUTION 2023-23, SETTING THE DATE FOR THE PUBLIC HEARING FOR THE ANNEXATION OF 53 ACRES OUT OF THE CRENSHAW CORNELIUS SURVEY, ABSTRACT 68. CALDWELL COUNTY, TEXAS, LOCATED ON THE SOUTH AND WEST SIDES OF FM 2001, APPROXIMATELY 1060 FEET NORTH OF SH 130.

Mr. Fowler stated that the developer of an industrial project to be located at the bend of FM 2001 where it curves from northbound to westbound north of SH 130 has requested the city to annex the property. The developer has requested 53 acres of the 172.8 acre subject property to be brought into the city. The property has water service through a 3-inch line located in the FM 2001 right-of-way. Wastewater service would need to be extended to the property at the developer's expense. There is however, a reimbursement agreement for the extension of wastewater service and upgrading of water lines that was approved by City Council in October 2023 as part of an economic development incentive. If the resolution setting the public hearing date is approved, the hearing will be held on January 16, 2024, and the annexation would be effective immediately if the ordinance and the accompanying annexation service agreement are approved. Due to recent changes in state annexation law, the annexation would not cause the City's extraterritorial jurisdiction to expand. Upon annexation, the property would be zoned AO, Agricultural-Open Space. To accommodate the proposed industrial uses, the developer has submitted a Planned Development District request.

E. DISCUSS PROCUREMENT OPTIONS FOR POLICE DEPARTMENT VEHICLE REPLACEMENTS, INCLUDING LEASING PROGRAM OPTIONS WITH ENTERPRISE FLEET MANAGEMENT.

Mr. Resendez stated that the City Council appropriated funding in the FY 2023 adopted budget for the procurement of six new police vehicles and associated radio and safety equipment. There are multiple options for procuring these vehicles - capital purchase, lease-purchase, or leasing program.

Chief Williamson provided information about the existing vehicles and their condition in the Lockhart Police Department.

There was discussion.

RECESS: Mayor White announced that the Council would recess for a break at 8:07 p.m.

ITEM 1. CALL TO ORDER.

Mayor Lew White called the meeting to order at 8:22 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.

Mike Halligan, 2466 FM 3148, Dale, Texas; expressed concerns regarding the homelessness population and a disconnect of community outreach and services available. He encouraged more be done to explore what services are available.

ITEM 4-A. HOLD A PUBLIC HEARING ON APPLICATION ZC-23-08 BY CAROLINE ECKERT WITH WUEST GROUP ON BEHALF OF LOCKHART 130 NORTH/SOUTH LTD AND DISCUSSION AND/OR ACTION TO CONSIDER ORDINANCE 2023-27 FOR A ZONING CHANGE FROM RHD RESIDENTIAL HIGH DENSITY DISTRICT TO CHB COMMERCIAL HEAVY BUSINESS DISTRICT ON A TOTAL OF 2.102 ACRES IN THE CORNELIUS CRENSHAW SURVEY, ABSTRACT NO. A-68, LOCATED AT 2500 WEST SAN ANTONIO STREET (SH 142).

Mayor White opened the public hearing at 8:28 p.m. and requested the staff background report.

Mr. Fowler stated that the requested zoning change is to allow for a larger commercially-zoned area on which a major convenience store with a fuel station could be located. The expansion of the CHB zoning is consistent with the future land use plan map. City water currently serves the site and the engineering plans to extend wastewater southward from the railroad tracks west of SH 130 have been approved. The site would have access to both the West San Antonio Street (SH 142) and southbound Cesar Chavez Parkway (SH 130) frontages. No correspondence has been received from the public regarding the proposed zoning change.

Mayor White requested the applicant to address the Council. Scott Wuest of Wuest Group offered to answer any questions regarding the project. There were none.

Mayor White requested citizens to address the Council. There were none. He closed the public hearing at 8:33 p.m.

Councilmember Michelson made a motion to approve Ordinance 2023-27, as presented. Councilmember Castillo seconded. The motion passed by a vote of 7-0.

6-E. CONSIDERATION AND ACTION ON PETITION FOR RELEASE OF 224.692 ACRES OF LAND FROM THE CITY'S ETJ BY CHISHOLM HILL, LP, WILLIAM J. MORGAN AND EDWARD D. MORGAN, PETITIONERS.

Mayor White announced, at the City Attorney recommendation, this item would be discussed later in the meeting during executive session.

6-F. CONSIDERATION AND ACTION TO AMEND THE CONSENT AGREEMENT FOR CREATION OF CLEAR FORK RANCH MUD (CALDWELL CO. MUD NO. 2) DATED JANUARY 16, 2019, FOR PERRY HOMES (JUNIPER SPRINGS) DEVELOPMENT.

Mayor White announced, at the City Attorney recommendation, this item would be discussed later in the meeting during executive session.

ITEM 5. CONSENT AGENDA.

Councilmember Lairsen stated he would like to complete a bidding process for cemetery grounds mowing and maintenance. There was discussion.

Mayor White announce the consent items would be voted on separately.

5-A. APPROVE RENEWAL OF THE CEMETERY GROUNDS MOWING AND MAINTENANCE AGREEMENT.

Councilmember Michelson made a motion to approve the renewal of the cemetery grounds moving and maintenance agreement, as presented. Mayor Pro-Tem Sancez seconded. The motion passed by a vote of 5-2 with Councilmembers Lairsen and Castillo opposing.

5B: ACCEPT SEMI-ANNUAL REPORT CONCERNING THE STATUS OF IMPLEMENTATION OF CHAPTER 31, "IMPACT FEES" OF THE CODE OF ORDINANCES, AND ADVISE OF THE NEED TO UPDATE THE ORDINANCE, LAND USE ASSUMPTIONS, CAPITAL IMPROVEMENT PLANS, OR IMPACT FEES.

Mayor Pro-Tem Sanchez made a motion to accept the semi-annual report, as presented. Councilmember Castillo seconded. The motion passed by a vote of 7-0.

ITEM 6-A. REVIEW OF A PETITION OF ANNEXATION FROM GEORGE KRONENBERG III ON BEHALF OF MCCORMICK RANCH PARTNERS, LP AND DISCUSSION AND/OR ACTION REGARDING RESOLUTION 2023-23, SETTING THE DATE FOR THE PUBLIC HEARING FOR THE ANNEXATION OF 53 ACRES OUT OF THE CRENSHAW CORNELIUS SURVEY, ABSTRACT 68. CALDWELL COUNTY, TEXAS, LOCATED ON THE SOUTH AND WEST SIDES OF FM 2001, APPROXIMATELY 1060 FEET NORTH OF SH 130.

Councilmember Lairsen made a motion to approve Resolution 2023-23, as presented. Councilmember Mendoza seconded. The motion passed by a vote of 7-0.

ITEM 6-B. DISCUSSION AND/OR ACTION REGARDING PROCUREMENT OPTIONS FOR POLICE DEPARTMENT VEHICLE REPLACEMENTS, INCLUDING LEASING PROGRAM OPTIONS WITH ENTERPRISE FLEET MANAGEMENT.

There was discussion regarding assignment of new vehicles and take-home vehicles.

Councilmember Michelson made a motion to approve replacement of vehicles through the Enterprise Management (EFM) lease program as presented. Councilmember Castillo seconded. The motion passed by a vote of 7-0.

ITEM 6-C. DISCUSSION AND/OR ACTION REGARDING THE NOMINATION OF JERRY HAUG TO THE HISTORICAL PRESERVATION COMMISSION BY COUNCILMEMBER JOHN LAIRSEN FOR A TERM TO EXPIRE IN NOVEMBER 2026.

There was discussion regarding the board appointment process.

CONSENSUS: After discussion, the consensus of the Council was to put this item on the next Council agenda for action.

ITEM 6-D. CONSIDERATION AND ACTION TO ADOPT ORDINANCE 2023-28 CREATING AN ANIMAL SHELTER ADVISORY BOARD.

Mr. Akers stated that at the Council meeting of December 5, 2023, Councilmember Lairsen proposed creation of an animal shelter advisory board. After discussion, staff was directed to bring back a report regarding options for such a board, a statement of its duties, and related issues. The draft ordinance provides compliance with city ordinances.

There was discussion.

CONSENSUS: After discussion, the consensus of the Council to move forward with the creation of an animal shelter advisory board and return with composition of the board and board responsibilities during the next meeting.

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

- Special City Council meeting will be held January 9, 2024 to discuss growth management issues regarding water and sewer utilities and transportation matters.
- City has received GFOA Recognition for Excellence in Financial Reporting for FY '21-'22.
- Downtown Revitalization Project Guide is now available.
- City's solid waste contractor, CTR, has been acquired by Republic Services.
- Live Christmas Tree recycling.
- City offices closed December 22 and December 25 for Christmas, and January 1 for the New Year.

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

Councilmember Mendoza wished everyone a Merry Christmas and Happy New Year.

Mayor Pro-Tem Sanchez thanked several organizations for their support of helping give Christmas to needy children during the holiday season. She expressed condolences to families that have lost a loved one. She wished everyone Happy Holidays.

Councilmember Lairsen congratulated the Gaslight-Baker Theater for their sold-out 2 performances. He wished everyone Happy Holidays.

Councilmember Castillo wished city employees a Happy Holiday. He thanked Monte Akers for his service as City Attorney and congratulated him on his retirement. He welcomed Mr. Bullock as the new City Attorney. He wished everyone good health.

Councilmember Michelson wished everyone Happy Holidays and congratulated Monte Akers on his retirement.

Mayor White wished everyone safe and Happy Holidays. He congratulated Monte Akers on his retirement.

ITEM 9. EXECUTIVE SESSION IN ACCORDANCE WITH THE PROVISIONS OF THE GOVERNMENT CODE, TITLE 5, SUBCHAPTER D, SECTION 551.071, PRIVATE CONSULTATION WITH ITS ATTORNEY TO SEEK ADVICE ABOUT LEGAL MATTERS SUBJECT TO ATTORNEY/CLIENT PRIVILEGE..

Mayor White announced that the Council would enter Executive Session at 9:30 p.m. to discuss the following:

- A. Discussion with City Attorney regarding a petition for release of property from the extraterritorial jurisdiction of the City of Lockhart.
- B. Receive legal advice regarding Consent Agreement for creation of Clear Fork Ranch MUD (Caldwell Co. MUD No. 2) dated January 16, 2019, for Perry Homes (Juniper Springs) development.

ITEM 10. OPEN SESSION

Mayor White announced that the Council would enter Open Session at 9:52 p.m. to consider the following:

A. Discussion and/or action regarding a petition for release of property from the extraterritorial jurisdiction of the City of Lockhart.

There was no action.

B. Discussion and/or action regarding Consent Agreement for creation of Clear Fork Ranch MUD (Caldwell Co. MUD No. 2) dated January 16, 2019, for Perry Homes (Juniper Springs) development.

Mayor Pro-Tem Sanchez made a motion to approve the Consent Agreement, as presented. Councilmember Lairsen seconded. The motion passed by a vote of 7-0.

ITEM 11. ADJOURNMENT

Mayor Pro-Tem Sanchez made a motion to adjourn the meeting. Councilmember Mendoza seconded. The motion passed by a vote of 7-0. The meeting was adjourned at 9:55 p.m.

PASSED and APPROVED this the 18th day of February, 2025.

CITY OF LOCKHART

Lew White, Mayor

ATTEST:

Julie Bowermon
City Secretary

**REGULAR MEETING
LOCKHART CITY COUNCIL**

JANUARY 2, 2024

6:30 P.M.

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

Council present:

Councilmember John Castillo
Councilmember John Lairsen

Mayor Lew White
Councilmember Juan Mendoza
Mayor Pro-Tem Angie Gonzales-Sanchez

Council absent:

Councilmember Jeffry Michelson
Councilmember Brad Westmoreland

Staff present:

Steve Lewis, City Manager
Joseph Resendez, Assistant City Manager
David Fowler, Planning Director
Randy Jenkins, Fire Chief
Gary Williamson, Police Chief

Brad Bullock, City Attorney
Julie Bowermon, City Secretary
Sean Kelley, Public Works Director
Bob Leos, Electric Superintendent

Citizens/Visitors Addressing the Council: Mark Estrada of the Lockhart Youth Soccer Association; and Students: Ann Marie and Jackson.

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. DISCUSS THE CONVERSION OF ONE OUTDOOR BASKETBALL COURT INTO A SOCCER MINI-PITCH, LOCATED AT THE LAFLEUR SOCCER COMPLEX. THIS IS A JOINT PROJECT BETWEEN THE CITY OF LOCKHART AND THE LOCKHART INDEPENDENT SCHOOL DISTRICT, WITH GRANT FUNDING PROVIDED BY SOCCER ASSIST, ST. DAVID'S FOUNDATION, 4ATX, AND THE US SOCCER FOUNDATION.

Mr. Lewis stated that the USSF has successfully installed over 600 mini-pitches in the US, with 7 in Central Texas. These mini-pitches are a part of the US Soccer Foundation "Safe Places to Play" initiative. Soccer Assist is a local 501c3 located in Austin that partners with Austin FC (professional soccer team) and the US Soccer Foundation to build soccer sports courts, by securing grants and donations. Lockhart ISD made the City aware of this opportunity and has been working with these organizations to secure funding and identify a suitable location for this project. Lockhart ISD suggested an ideal location for this project would be the outdoor basketball court located at LaFleur Soccer Complex. The Parks Director is in full support of this location, as it is currently under-utilized and is perfectly situated adjacent to the LaFleur Soccer Fields, Bluebonnet Elementary, and Lockhart Jr. High. One basketball court will still remain, but the hope is to convert it to a soccer mini-pitch in the future and to install basketball courts at Maple Park across the street. The total cost of the court conversion is \$100,000. Soccer Assist has obtained funding from St. David's Foundation and other sources for \$51,000. Austin FC has contributed \$25,000 through its charitable foundation, 4ATX. The remaining \$24,000 would be split 50/50 by the City and Lockhart ISD. Court conversion would begin in early March and be completed by the end of March, with a launch party scheduled in April. The size of the soccer mini-pitch is

approximately 90' x 50' and will have an all-weather surface and lighting, allowing for play during all weather conditions and during the evenings.

Mark Estrada of the Lockhart Youth Soccer Association spoke in favor of the soccer mini-pitch.

Ann Marie, minor student, spoke in favor of building a new soccer mini-pitch in Lockhart.

Jackson, minor student, spoke in favor of building a new soccer mini-pitch in Lockhart.

Mark Estrada provided details about the proposed new soccer mini-pitch. He stated that the new soccer mini-pitch is currently 90 percent funded. There was discussion.

B. DISCUSSION ON UPDATES RELATED TO THE FIRE STATION NO. 1 CONDITION REPORT AND CONSTRUCTION PROJECT.

Mr. Resendez and Chief Jenkins provided information and there was discussion regarding the following:

Recent Updates

An Asbestos Inspection Report was completed on December 13, 2023. This inspection report was "limited" to areas scheduled for renovation as recommended in the 2021 Fire Station No. 1 Condition Report. The Summary of Findings identified asbestos content in 1st floor tile/mastic, exterior window glazing, and 2nd floor sheetrock/surfacing. The consulting architects and city staff are working with abatement contractors to develop specifications for asbestos removal and project management. These contractors will also assist in developing a revised Scope of Work and subsequent costs to accommodate these developments. The City's architects prepared a condition report in 2021. The recommendations in the report are intended not to alter the historic aspects of the building, which was built in 1912 with additions in 1950, and limited to primarily inside the walls. Highlights of the report include:

Life Safety Upgrades

Automatic fire sprinkler suppression system throughout the building, fire/smoke sensing and alarm system, upgrades to hazardous electrical panels and switchgear, new air scrubbers for noxious gases in apparatus bays below sleeping areas, enhanced fire/smoke barrier between apparatus bays and sleeping area above, and enhanced emergency exiting from second floor.

Enhanced Living and Working Quarters for Firefighters

Restroom on first floor renovated including exhaust air vent and reduced trip hazard, restroom on second floor completely renovated with new shower, finishes, and removal of existing furnace system, kitchen renovation to replace cabinets, appliances, and reorganize, relocation of furnace and ductwork from bathroom, remodel one bunk room sleeping quarters into three separate sleeping quarters, a new drop ceiling and LED lights throughout the remodel area and new floor finishes.

Exterior Upgrades

Repaint wood trim, touch up some brick masonry as needed.

Additional Considerations

The results of the Asbestos Inspection Report are considerations for a revised Scope of Work. The Architect is updating a proposal to include these updates and considerations from the recent adoption of the 2018 International Existing Building Code (IEBC) and additional restroom, window, garage door, and signage recommendations to the Current Drawing and Construction.

C. DISCUSS AGREEMENT WITH TECHLINE CONSTRUCTION, LLC FOR PROJECT 5A AS PART OF THE CITY OF LOCKHART'S FIVE-YEAR SYSTEM STUDY AND CAPITAL PLAN AS PREPARED BY THE LOWER COLORADO RIVER AUTHORITY (LCRA).

Mr. Leos stated that Techline Construction is the Lower Colorado River Authority's (LCRA) preferred contractor for projects because they are experienced with high voltage line repairs. Techline has conducted the majority of projects for the City of Lockhart since 1995. Project #5A is a "System Rehabilitation" project and part of the LCRA's five-year System Study that will replace single strand copper conductor. These conductors have been shown to become brittle and break with age, causing outages. Project #5A will rebuild approximately 950ft of power line on circuit LK30, along Willow between Blanco and Pecos. Projects 5B and 5C will be completed in 2023 and 2024. The project will begin in the first quarter of 2024 with an estimated completion date of the third quarter of 2024. Labor for Project #5A is an estimated total of \$96,380.00 not to exceed \$102,760.00. There was discussion.

D. DISCUSS GRANT APPLICATION FOR FUNDING ALLOCATED FROM THE TEXAS GENERAL LAND OFFICE (GLO) FOR HAZARD MITIGATION PROJECTS.

Mr. Resendez stated that as previously discussed with City Council during the FY 2023-24 budget workshops, the City was appropriated \$1,889,900 from the Texas General Land Office (GLO) for mitigation projects to reduce regional riverine, flash flooding, and seasonal flooding risks and damage to infrastructure due to tropical depressions, storms, and/or hurricanes moving inland from the Texas coast.

Eligible projects include:

- Flood control and drainage improvement, including the construction or rehabilitation of stormwater management systems.
- Natural or green infrastructure.
- Public Facilities (shelter, library, etc.).
- Water and sewer facilities.
- Communications infrastructure.
- Provision of generators.
- Streets or bridges.
- Public Services (within the 15% cap).
- FEMA Hazard Mitigation Grant Program (HMGP) cost share for CDBG-MIT eligible project.

After further discussion with GLO officials to review time constraints for an application, staff developed a preliminary scope of potential projects for City Council consideration. These projects include street and drainage improvements, public safety facility upgrades, SH-142 corridor study to include drainage and public safety considerations, and traffic safety improvements at the intersection of SH-142 and Mockingbird Lane. Additional requirements mandate at least 50% of total funds (\$945,000) must be spent on projects that directly benefit Low-and-Moderate-Income (LMI) persons within the city and a minimum 14-day public participation period. Funds have been appropriated to the City for eligible projects. However, an application must be submitted to access this funding. The project application deadline is Thursday, February 29, 2024. City staff developed a CDBG-MIT Low-Moderate Income (LMI) Map of the City of Lockhart defined by Census block groups to ensure we comply with LMI beneficiary requirements. Next steps include the procurement of Grant Administrator and Engineering services, selecting a project(s), and receiving community stakeholder input to satisfy the public participation requirement.

Councilmember Mendoza questioned if Blackjack Street could be considered for drainage improvements. Mr. Kelley replied that the funds allocated would most likely not be able to cover the expenses to improve drainage on Blackjack Street.

There was discussion about drainage improvements on Bois D'arc and Nueces Streets and the grant fund allocation schedule.

Mr. Kelley stated that staff would consult with the city engineer to research which streets would be best probable for paving to allow the most value of the funds available. There was discussion.

E. DISCUSS APPOINTING THE CITY MANAGER AND DESIGNATED STAFF AS AN AUTHORIZED SIGNER FOR MOTOR VEHICLE LEASES BETWEEN ENTERPRISE FLEET MANAGEMENT AND THE CITY OF LOCKHART AND APPROVING LEASE TERMS.

Mr. Resendez stated that the City Council received a presentation at the December 19, 2023 City Council meeting regarding procurement options for 6 Police Department patrol vehicles identified for replacement during the FY 2023-24 budget process. Staff was directed to replace these vehicles through the Enterprise Fleet Management (EFM) Lease Program. The Authorized Signer agreement will appoint the City Manager and designated staff as authorized signers for motor vehicle leases. An updated agreement is required to remove the previous Finance Director as an authorized signer and add additional staff for redundancy. This leasing program will allow the City to replace aged and high mileage vehicles with leased vehicles over a multi-year term for less than procuring these vehicles in a single fiscal year. Attached is a summary of the proposed lease terms and projected FY 2023-2024 costs. There was discussion.

F. DISCUSS RESOLUTION 2024-01 REQUIRING APPROVAL BY THE CITY COUNCIL OF THE CITY OF LOCKHART FOR THE 2023 CERTIFIED PROPERTY TAX ROLL.

Mr. Resendez stated that Section 26.09 of the Property Tax Code requires approval by the City Council of the City of Lockhart for the Certified Property Tax Roll, with the tax amount presented by the Caldwell County Appraisal District for 2023 tax year. The 2023 Certified Property Tax Roll contains final amounts due totaling \$7,497,409.59 (\$1,698,660.60 for debt service).

G. DISCUSS THE ADOPTION OF ORDINANCE 2024-01 CREATING AN ANIMAL SHELTER ADVISORY BOARD.

Mr. Lewis stated that for the Council meeting of December 5, 2023, Councilmember Lairsen proposed creation of an animal shelter advisory board. After discussion, staff was directed to bring back a report regarding options for such a board, a statement of its duties, and related issues. During the Council meeting of December 19, 2023 following a discussion of the proposed creation of an animal shelter advisory board, staff was directed to return with additional information regarding the structure, scope, and authority of the board. He provided details of the contents of the draft ordinance for the Council's consideration.

Mayor White stated that if the Ordinance is adopted, nominations of members to the Board will be considered during a future Council meeting.

H. DISCUSS RESOLUTION 2024-02 OF THE CITY OF LOCKHART, TEXAS ESTABLISHING AND CLARIFYING AN ADMINISTRATIVE PROCEDURE FOR THE NOMINATION OF MEMBERS OF CITY BOARDS, COMMISSIONS, AND COMMITTEES.

Mayor White suggested that the item be tabled until all Councilmembers are present.

CONSENSUS: The consensus of the Council was to table the item to the second Council meeting in January 2024.

I. DISCUSS THE NOMINATION OF JERRY HAUG TO THE HISTORICAL PRESERVATION COMMISSION BY COUNCILMEMBER JOHN LAIRSEN FOR A TERM TO EXPIRE IN NOVEMBER 2026.

Mayor White stated that item will be considered during the regular meeting.

J. DISCUSS MOVING THE APPOINTMENT OF FRANK GOMILLION FROM THE ELECTRIC BOARD TO THE HISTORICAL PRESERVATION COMMISSION BY MAYOR LEW WHITE WITH A TERM TO EXPIRE NOVEMBER 2026.

Mayor White stated that the appointment of Frank Gomillion will be considered during the next Council meeting.

K. DISCUSS MOVING THE APPOINTMENT OF MARICA PROCTOR FROM THE ZONING BOARD OF ADJUSTMENT AND APPEALS TO THE HISTORICAL PRESERVATION COMMISSION BY COUNCILMEMBER JEFFRY MICHELSON WITH A TERM TO EXPIRE IN NOVEMBER 2026.

Mayor White stated that the appointment of Marcia Proctor will be considered during the next Council meeting.

L. DISCUSS PETITION FOR RELEASE OF 224.692 ACRES OF LAND FROM THE CITY'S ETJ BY CHISHOLM HILL, LP, WILLIAM J. MORGAN AND EDWARD D. MORGAN, PETITIONERS.

Mr. Lewis stated that on December 4, 2023, Petitioners filed an ETJ release petition pursuant to the process set forth in SB 2038. Petitioners are represented by a Houston-based law firm that has been involved in other petitions. The petition was filed in accordance with Sections 42.101-105 of the Texas Local Government Code. Senate Bill 2038, effective September 1, 2023, provides that owners of land in a City's ETJ may petition for release of the land by the City, resulting in the land being considered subject only to County jurisdiction. If the City grants the petition, the area will be released immediately. This item was previously discussed during the December 19, 2023 Council meeting.

RECESS: Mayor White announced that the Council would recess for a break at 7:15 p.m.

ITEM 1. CALL TO ORDER.

Mayor Lew White called the meeting to order at 7:35 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. There were none.

ITEM 4-A. DISCUSSION AND/OR ACTION TO CONSIDER THE CONVERSION OF ONE OUTDOOR BASKETBALL COURT INTO A SOCCER MINI-PITCH, LOCATED AT THE LAFLEUR SOCCER COMPLEX. THIS IS A JOINT PROJECT BETWEEN THE CITY OF LOCKHART AND THE LOCKHART INDEPENDENT SCHOOL DISTRICT, WITH GRANT FUNDING PROVIDED BY SOCCER ASSIST, ST. DAVID'S FOUNDATION, 4ATX, AND THE US SOCCER FOUNDATION.

Mayor White stated that the city's match is \$12,000 and a four-month construction schedule.

Mayor Pro-Tem Sanchez made a motion to approve the conversion of one outdoor basketball court into a soccer mini-pitch, as requested. Councilmember Lairsen seconded. The motion passed by a vote of 5-0.

ITEM 4-B. DISCUSSION AND/OR ACTION REGARDING AGREEMENT WITH TECHLINE CONSTRUCTION, LLC FOR PROJECT 5A AS PART OF THE CITY OF LOCKHART'S FIVEYEAR SYSTEM STUDY AND CAPITAL PLAN AS PREPARED BY THE LOWER COLORADO RIVER AUTHORITY (LCRA).

Councilmember Lairsen made a motion to approve the agreement with Techline Construction, LLC for Project 5A, as presented. Councilmember Mendoza seconded. The motion passed by a vote of 5-0.

ITEM 4-C. DISCUSSION AND/OR ACTION TO CONSIDER APPOINTING THE CITY MANAGER AND DESIGNATED STAFF AS AN AUTHORIZED SIGNER FOR MOTOR VEHICLE LEASES BETWEEN ENTERPRISE FLEET MANAGEMENT AND THE CITY OF LOCKHART AND APPROVING LEASE TERMS.

Mayor Pro-Tem Sanchez made a motion to appoint the City Manager and designated staff as an authorized signer for motor vehicle leases between Enterprise Fleet Management, as presented. Councilmember Castillo seconded. The motion passed by a vote of 5-0.

ITEM 4-D. DISCUSSION AND/OR ACTION TO ADOPT RESOLUTION 2024-01 REQUIRING APPROVAL BY THE CITY COUNCIL OF THE CITY OF LOCKHART FOR THE 2023 CERTIFIED PROPERTY TAX ROLL.

Councilmember Castillo made a motion to approve Resolution 2024-01, as presented. Councilmember Mendoza seconded. The motion passed by a vote of 5-0.

ITEM 4-E. DISCUSSION AND/OR ACTION TO ADOPT OF ORDINANCE 2024-01 CREATING AN ANIMAL SHELTER ADVISORY BOARD.

Mayor Pro-Tem Sanchez made a motion to approve Ordinance 2024-01, as presented. Councilmember Lairsen seconded. The motion passed by a vote of 5-0.

ITEM 4-F. DISCUSSION AND/OR ACTION TO ADOPT RESOLUTION 2024-02 OF THE CITY OF LOCKHART, TEXAS ESTABLISHING AND CLARIFYING AN ADMINISTRATIVE PROCEDURE FOR THE NOMINATION OF MEMBERS OF CITY BOARDS, COMMISSIONS, AND COMMITTEES.

Mayor White made a motion to table the item to the next Council meeting. Councilmember Mendoza seconded. The motion passed by a vote of 5-0.

ITEM 4-G. DISCUSSION AND/OR ACTION REGARDING THE NOMINATION OF JERRY HAUG TO THE HISTORICAL PRESERVATION COMMISSION BY COUNCILMEMBER JOHN LAIRSEN FOR A TERM TO EXPIRE IN NOVEMBER 2026.

Councilmember Lairsen made a motion to appoint Jerry Haug to the Historical Preservation Commission. Mayor Pro-Tem Sanchez seconded. The motion passed by a vote of 5-0.

ITEM 4-H. DISCUSSION AND/OR ACTION TO CONSIDER MOVING THE APPOINTMENT OF FRANK GOMILLION FROM THE ELECTRIC BOARD TO THE HISTORICAL PRESERVATION COMMISSION BY MAYOR LEW WHITE WITH A TERM TO EXPIRE NOVEMBER 2026.

Mayor White made a motion to consider the nomination/appointment during the next Council meeting. Mayor Pro-Tem Sanchez seconded. The motion passed by a vote of 5-0.

ITEM 4-I. DISCUSSION AND/OR ACTION TO CONSIDER MOVING THE APPOINTMENT OF MARICA PROCTOR FROM THE ZONING BOARD OF ADJUSTMENT AND APPEALS TO THE HISTORICAL PRESERVATION COMMISSION BY COUNCILMEMBER JEFFRY MICHELSON WITH A TERM TO EXPIRE IN NOVEMBER 2026.

Mayor Pro-Tem Sanchez made a motion to consider the nomination/appointment during the next Council meeting. Councilmember Mendoza seconded. The motion passed by a vote of 5-0.

ITEM 4-J. CONSIDERATION AND ACTION ON PETITION FOR RELEASE OF 224.692 ACRES OF LAND FROM THE CITY'S ETJ BY CHISHOLM HILL, LP, WILLIAM J. MORGAN AND EDWARD D. MORGAN, PETITIONERS.

Mayor White made a motion that the petition for the release of 224.692 acres of land from the city's ETJ by Chisholm Hill, LP, William J. Morgan and Edward D. Morgan petitioners to remove the property from the city's extraterritorial jurisdiction be denied because Senate Bill 2038 is an unconstitutional delegation of legislative authority and it conflicts with the city's grant of discretionary or legislative authority in Local Government Code, Section 42.023. The city does not consent to the reduction of its ETJ. Councilmember Lairsen seconded. The motion passed by a vote of 5-0.

ITEM 5. CITY MANAGER'S REPORT, PRESENTATION AND POSSIBLE ACTION

- Live Christmas tree recycling program.
- Special City Council meeting will be held January 9, 2024 at 6 p.m. to discuss growth management issues regarding water and sewer utilities and transportation matters.
- City offices closed January 15, 2024 for MLK Day.
- ESD No. 5 update.
- Tree Trimming Program update.

ITEM 6. COUNCIL AND STAFF COMMENTS - ITEMS OF COMMUNITY INTEREST

Councilmember Mendoza welcomed the students back to school. He encouraged everyone to be safe during the upcoming storms.

Mayor Pro-Tem Sanchez expressed condolences to families that have lost a loved one. She wished everyone a Happy New Year.

Councilmember Castillo expressed condolences to families that have lost a loved one. He encouraged constituents of District 2 to reach out to him with concerns. He requested that staff investigate street repairs and curb and gutters to Blanco, Peach and North Pecos Streets, which citizens have expressed concern about.

Mayor White wished everyone a Happy New Year. He announced that a special meeting will be held next Tuesday to discuss utility capacity and transportation issues.

ITEM 7. ADJOURNMENT

Mayor Pro-Tem Sanchez made a motion to adjourn the meeting. Councilmember Mendoza seconded. The motion passed by a vote of 5-0. The meeting was adjourned at 7:55 p.m.

PASSED and APPROVED this the 18th day of February, 2025.

CITY OF LOCKHART

Lew White, Mayor

ATTEST:

Julie Bowermon
City Secretary

**SPECIAL MEETING
LOCKHART CITY COUNCIL**

JANUARY 9, 2024

6:00 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
Councilmember Brad Westmoreland
Councilmember John Lairsen
Mayor Pro-Tem Angie Gonzales-Sanchez

Staff present:

Joseph Resendez, Assistant City Manager
David Fowler, Planning Director
Victoria Burns, Public Information Officer

Julie Bowermon, City Secretary
Sean Kelley, Public Works Director

Citizens/Visitors Addressing the Council: Will Wachel of TRC Engineering; and Philip Ruiz of the Planning and Zoning Commission.

ITEM 1. CALL TO ORDER,

Mayor Lew White called the meeting to order at 6:00 p.m.

ITEM 2-A. DISCUSSION REGARDING GROWTH MANAGEMENT ISSUES REGARDING WATER AND SEWER UTILITIES AND TRANSPORTATION MATTERS.

Mr. Fowler provided information and there was discussion regarding the following:

- Permits obtained for residential, multi-family and apartments.
- New residential/subdivision developments and expanding developments.
- Recent housing trends.
- Fall 2023 impact fee account balances and revenue.
- Population growth and demographics.
- Summary
 - New development activity slowing
 - Recent legislative actions will improve quality of housing and ensure costs of development are more fully covered.
 - Impact fee funds available to cover infrastructure extension project with private partners.
 - Comprehensive plan will provide biggest opportunity to discuss and refine policy approaches for Lockhart's next 20 years.

Mr. Kelley provided information and there was discussion regarding the following:

- Projected growth population.
- Future thoroughfare planning and Transportation Industry Analysis (TIAs)
 - 2022 Annual average daily traffic
- Transportation projects
 - Downtown revitalization project
 - New truck route
- Other projects
 - North Blanco Street bridge replacement – starting January 2026

- SH 142 from Downtown to Borchert Loop – pavement repair and overlay scheduled in Summer 2025
- FM 20/FM 1322 traffic signal project, estimated 2026
- Annual street improvements project (Bois D’arc from Pecos to Wichita, Prairie Lea from Frio to Rio Grande, Rosewood from US 183 to Brazos, Red River from Cedar to Olive, Sunrise Terrace from FM 20 to Sundown, Concho from Prairie Lea to Plum, Red River from China to dead-end, and Plum from Cibilo to Guadalupe)
- Regulatory agencies, expansion triggers and milestones
- Utility capacities
- Water and wastewater projects
- Impact fees

Will Wachel of TRC Engineers provided information and there was discussion regarding the following:

- Water storage, water supply and treatment capacities, and wastewater treatment capacity regulations.
- Elevated water storage capacity.
- Current and projected water supply capacity.
- Current and projected wastewater supply capacity.
- Water and wastewater projects.
 - Water plant high service pump project.
 - Water plant generator installations.
 - Water and wastewater master planning.

Mr. Kelley provided information and there was discussion regarding the following:

- Water impact fee eligible projects.
- Wastewater impact fee eligible projects.
- Notable impact fee projects:
 - Completed – Maple Street (Jason K. Lafleur Soccer complex to Mockingbird Lane)
 - In Progress – water/wastewater mast plan
 - Possible future consideration – North US 183 sewer extension (FM 2001 to Railroad tracks along Commerce Street – S-31 & S-32)
 - Possible future consideration – Stueve Lane sewer extension (FM 2001 to Railroad tracks, S-26)
 - Possible future consideration – FM 1322 lift station and extension (Blackjack to city limits, S-33 & S-34)

Philip Ruiz, member of the Planning and Zoning Commission, provided information and there was discussion regarding the following:

- Property acquisition, storage, and transmission costs for new elevated storage tanks.
- Estimated population growth might be more than estimated.
- Recommends that Larremore wastewater treatment plant be moved out of the residential neighborhood.
- Traffic congestion and traffic light delays.
- Possible additional water acquisition options.

Mayor White thanked all for their input and stated that the Council and staff will consider the information that was provided.

ITEM 3. ADJOURNMENT

Mayor Pro-Tem Sanchez made a motion to adjourn the meeting. Councilmember Mendoza seconded.
The motion passed by a vote of 7-0. The meeting was adjourned at 7:48 p.m.

PASSED and APPROVED this the 18th day of February, 2025.

CITY OF LOCKHART

Lew White, Mayor

ATTEST:

Julie Bowermon
City Secretary

**REGULAR MEETING
LOCKHART CITY COUNCIL**

JANUARY 18, 2024

6:30 P.M.

NOTE: The January 16, 2024 City Council meeting was postponed to January 18, 2024 at 6:30 p.m. due to a catastrophe as defined by TOMA, Section 551.0411(c).

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
Councilmember Brad Westmoreland
Councilmember John Lairsen

Council absent:

Mayor Pro-Tem Angie Gonzales-Sanchez

Staff present:

Steve Lewis, City Manager
Joseph Resendez, Assistant City Manager
David Fowler, Planning Director
Randy Jenkins, Fire Chief
Kevin Waller, Senior Planner

Brad Bullock, City Attorney
Julie Bowermon, City Secretary
Sean Kelley, Public Works Director
Gary Williamson, Police Chief
Victoria Burns, Public Information Officer

Citizens/Visitors Addressing the Council: Representatives of District 1 Pride; Khalil Coltrain of the Lower Colorado River Authority; and Pam Madir Jackson Walker.

Work Session 6:30 p.m.

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

DISCUSSION ONLY

Mayor White presented a proclamation to Representatives of District 1 Pride declaring January 15, 2024 as Martin Luther King, Jr. Day.

A. DISCUSS ENTERING INTO AN INTERLOCAL AGREEMENT (ILA) WITH THE LOWER COLORADO RIVER AUTHORITY (LCRA) TO BECOME A PARTICIPATING MEMBER OF A NEW EMERGENCY COMMUNICATION VOICE RADIO SYSTEM AND CO-LOCATED DISPATCH CENTER BEING BUILT FOR CALDWELL COUNTY.

Chief Jenkins stated that the City of Lockhart and Caldwell County are currently on the Greater Austin-Travis Regional Radio System (GATRRS). The GATRRS system is operated by the City of Austin and provides voice communications for public safety and other public service organizations in the central Texas region. Due to GATRRS system reliability, radio coverage, and system maintenance, Caldwell County has contracted with LCRA to create a new voice radio communication system in Caldwell County for public safety using two existing towers, one new tower and all new infrastructure. Current end user portable and mobile radios will be reprogrammed for use on the new system. All voice radio communication systems involve the use of a combination of radio towers, FCC licensed radio frequencies, software, specialized radio equipment, portable and mobile radios, maintenance, programming, monitoring, and support. The current Federal Communications Commission (FCC) licensed radio

frequencies issued to the City of Lockhart will be deployed on the new system if approved. An authorization letter is included in this item to allow the City Manager to legally sign for the City of Lockhart on any FCC Form 601 application to the federal government for 700/800 radio frequencies. A co-located 911 emergency dispatch center at the Caldwell County Justice Center is also in the development phase for use with the new LCRA system. The completion of the new tower, infrastructure, 911 dispatch center, programming and training is estimated for summer 2024. City staff is in communication with the City of Austin, Texas Department of Public Safety (TxDPS), and Texas Department of Transportation (TxDOT) to discuss the possible transition from GATRRS to the LCRA system if approved.

Khalil Coltrain of LCRA provided information about LCRA's plans to construct new communication towers throughout the region.

Mr. Fowler provided information about the development services protocols to consider the construction of the new communication towers.

There was discussion.

B. DISCUSS REQUEST BY RONDA REAGAN OF 7G TEXAN, LLC, FOR A DETERMINATION OF ELIGIBILITY FOR A TAX ABATEMENT (TA-23-02) PURSUANT TO CHAPTER 28 "HISTORIC DISTRICTS AND LANDMARKS" DIVISION 2 "TAX ABATEMENT", OF THE LOCKHART CODE OF ORDINANCES, FOR VARIOUS INTERIOR IMPROVEMENTS TO A BUILDING IN THE HISTORIC DISTRICT, LOCATED AT 112 NORTH MAIN STREET.

Mr. Waller stated that Division 2 of the Historic Districts and Landmarks Ordinance provides for tax abatements to mitigate the cost of eligible improvements to structures that are within a historic district or that are a City-designated historic landmark. The owner of a commercial building within the Historic District, located at 112 North Main Street, has applied for a tax abatement for interior improvements to the building, including reorganizing interior walls, expanding the bathrooms to be ADA-compliant, connecting the subject property to the adjacent building under the same ownership by re-opening a boarded archway and installing a door, and installing a 208 square-foot stage and accompanying lighting. The changes will include the necessary plumbing and electrical upgrades to support the new facilities. A Tax Abatement application must first be considered by the Historical Preservation Commission for a recommendation to the City Council, which will in turn make a determination of eligibility for the tax abatement. In addition, a Certificate for Alteration must be considered by the Commission along with the Tax Abatement application. A Certificate for Alteration was approved by the Commission for the project on January 3, 2024. The Tax Abatement application was recommended for approval at the same meeting of the Commission on January 3, 2024.

C. DISCUSS THE 1ST QUARTER FISCAL YEAR 2024 INVESTMENT REPORT.

Mr. Resendez stated that 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. He provided details about the 1st Quarter Investment Report of Fiscal Year 2024, ending December 31st, 2023.

D. FURTHER DISCUSSION OF GRANT APPLICATION FOR FUNDING ALLOCATED FROM THE TEXAS GENERAL LAND OFFICE (GLO) FOR HAZARD MITIGATION PROJECTS.

Mr. Resendez stated that the City Council provided staff direction at the January 2, 2024, City Council meeting after discussing potential projects for further consideration.

The previously discussed projects and additional projects are as listed below:

- FY 2024 Street Overlay Appropriation (\$650,000 - Design & Construction)
 - o Bois D'Arc (Pecos to Wichita)
 - o Prairie Lea (Frio to Rio Grande)
 - o Rosewood (US183 to Brazos)
 - o Red River (Cedar to Olive)
 - o Sunrise Terrace (FM20 to Sundown)
 - o Concho (Prairie Lea to Plum)
 - o Red River (China to Dead-end)
 - o Plum (Cibolo to Guadalupe)
- Bois D'Arc Street Overlay - Starting from N Medina St. to N Blanco St. (\$750,000 - Design & Construction - 3,100 LF)
- N Blanco Street Overlay - Starting from China St. to Bois D'Arc St. (\$552,000 - Design & Construction - 2,400 LF)
- N Pecos Street Overlay with Curb and Gutter - Starting from Silent Valley Rd. to N Dead-End (\$207,000 - Design & Construction for Overlay Only - 1,800 LF)
- Peach Street Overlay with Curb and Gutter - Starting from N Medina St. to Wichita St. (\$207,000 - Design & Construction for Overlay Only - 1,500 LF)
- N Church Street with Curb and Gutter - Starting from Creek to Pecan St. (\$94,000 - Design & Construction for Overlay Only - 515 LF)
- Bois D'Arc St. Waterline Replacement - Starting from Elm St. to N Blanco St. (\$665,000 - Design & Construction - 1,300 Linear Feet)
- N. Blanco St. Waterline Replacement - Starting from W Olive St. to Willow St. (\$595,000 - Design & Construction - 830 LF)
- 50% Design Costs for Clear Fork St. and City Line Rd. (\$300,000; Remaining 50% from Impact Fees)
- SH-142 x Mockingbird Ln Intersection Improvements (\$1M - Construction)
- Fire Station No. 1 Remodel (\$637,000 - Design & Construction)

Further, staff discussed the above projects with GLO and grant administrators in comparison to other successful regional project applications for insight into the application review process. For example, a Fire Station Remodel project would be a unique submission; Projects consisting of Design-only (Engineering and other Professional Services) are frequently unsuccessful; and clarification regarding street Overlay projects vs. street Reconstruction projects.

As previously discussed with City Council during the FY 2023-24 budget workshops, the City was appropriated \$1,889,900 from the Texas General Land Office (GLO) for mitigation projects. Additional requirements mandate at least 50% of total funds (\$945,000) must be spent on projects that directly benefit Low-and-Moderate-Income (LMI) persons within the city and a minimum 14-day public participation period. Funds have been appropriated to the City for eligible projects. However, an application must be submitted to access this funding. The project application deadline is Thursday, February 29, 2024.

There was discussion.

E. DISCUSS APPOINTING TWO MEMBERS TO THE LOCKHART-CALDWELL COUNTY JOINT AIRPORT ZONING BOARD TO HEAR VARIANCE REQUESTS REGARDING THE LOCKHART MUNICIPAL AIRPORT HAZARD ZONING MAP.

Mr. Kelley stated that recently, an application to build a new communication tower was received by the planning department. During the review process, it was discovered that the height of the tower exceeds the height limitations found in the Lockhart Hazard Zoning Map. Ordinance 91-01 established the Lockhart Municipal Hazard Zoning Map on December 18, 1991. The zoning map identifies height restrictions based on the proximity to the Lockhart Municipal Airport and is centered around a model FAA zoning ordinance. Projects and/or towers seeking to exceed the height limitations found in the zoning map must file for a variance prior to the construction of the project. The adopted ordinance describes the process for variances regarding the limitation of the zoning map. In order to hear variance requests and make a recommendation to the Board of Adjustments, the Joint Airport Zoning Board must reconvene. Since the Joint Airport Board only meets to hear items related to the Airport Hazard Zoning Map, there are no current board members, so they must be selected.

The process for member selection found in the ordinance is as follows:

Joint Airport Zoning Board-Means a board consisting of five (5) members, two (2) members appointed by the City Council of the City of Lockhart, Texas and two (2) members appointed by the Commissioners Court of Caldwell County, Texas. The four (4) members so appointed shall elect a fifth (5th) member who shall serve as chairman of said Lockhart-Caldwell County Airport Zoning Board.

Mr. Kelley stated that the purpose for the joint City/County Board is due to the contour lines of the Lockhart Municipal Hazard Zoning Map stretching outside the City Limits of Lockhart.

F. DISCUSS RESOLUTION 2024-02 OF THE CITY OF LOCKHART, TEXAS ESTABLISHING AND CLARIFYING AN ADMINISTRATIVE PROCEDURE FOR THE NOMINATION OF MEMBERS OF CITY BOARDS, COMMISSIONS, AND COMMITTEES.

Mr. Lewis stated that on January 18, 2022, the City Council adopted a resolution establishing an administrative procedure for appointing members to city boards and committees. On December 19, 2023, the City Council directed staff to clarify that the procedure for appointing members to city boards and committees will include a two-step process.

Resolution 2024-02 includes detail that the administrative procedure will include a two-step process: *Nominations will be placed on agendas in a two step process. First, listed as “announcement of nomination” to provide adequate time for Councilmembers to consider the nomination followed by subsequent meeting listed as “discussion and/or action to consider nomination.”*

On January 2, 2024, the City Council directed staff to provide additional clarification that the procedure for appointing members to city boards and committees will include detail on the application of the two-step process regarding nomination categories.

Resolution 2024-02 includes detail on the application of the two-step process regarding nomination categories:

The two-step process set forth in Section 7 does not apply to the renomination of the same person to the same board position for a new term. Council action on such renominations can occur at one meeting.

The two-step process set forth in Section 7 does apply to the nomination of a currently serving board member if the nominee is changing board positions or is being nominated to serve on a different City board.

The two-step process set forth in Section 7 does apply to the nomination of a person who currently holds an alternate position if the purpose of the nomination is to elevate them to a regular position on the same board.

G. DISCUSS MOVING THE APPOINTMENT OF FRANK GOMILLION FROM THE ELECTRIC BOARD TO THE HISTORICAL PRESERVATION COMMISSION BY MAYOR LEW WHITE WITH A TERM TO EXPIRE NOVEMBER 2026.

Mayor White stated that the appointment is to replace John Lairsen on the Historical Preservation Commission.

H. DISCUSS MOVING THE APPOINTMENT OF MARICA PROCTOR FROM THE ZONING BOARD OF ADJUSTMENT AND APPEALS TO THE HISTORICAL PRESERVATION COMMISSION BY COUNCILMEMBER JEFFRY MICHELSON WITH A TERM TO EXPIRE IN NOVEMBER 2026.

Councilmember Michelson requested the appointment of Marcia Proctor to the Historical Preservation Commission.

I. DISCUSS REQUEST FROM MAYOR WHITE TO REAPPOINT HIS NOMINATIONS FOR APPOINTMENTS TO CITY BOARDS AND COMMISSIONS.

Mayor White stated that he requests to re-appoint the following:

- Airport Board: Benny Hilburn
- Board of Adjustment: Mike Annas
- Construction Board: Raymond DeLeon
- Lockhart Economic Development Corporation: Alan Fielder
- Electric Board: No Nomination made at this time
- Historical Preservation: (currently on the Jan. 16th agenda to consider appointing Frank Gomillion)
- Library Board: Stephanie Riggan
- Parks and Recreation: Karla Tate
- Planning & Zoning: Ron Peterson
- Impact Fee Adv. Comm: Larry Metzler

J. DISCUSS THE NOMINATION OF NIGEL GUSDORF TO THE AIRPORT ADVISORY BOARD BY MAYOR WHITE FOR A TERM TO EXPIRE IN NOVEMBER 2026.

Mayor White requested the nomination of Nigel Gusdorf to the Airport Advisory Board. He provided a brief background of Mr. Gusdorf. The appointment will be considered during the first meeting in February.

RECESS: Mayor White announced that the Council would recess for a break at 7:30 p.m.

ITEM 1. CALL TO ORDER.

Mayor Lew White called the meeting to order at 7:45 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. There were none.

ITEM 4-A. HOLD A PUBLIC HEARING ON APPLICATION ZC-23-10 BY PAUL GINSBERG AND DISCUSSION AND/OR ACTION TO CONSIDER ORDINANCE 2024-02 FOR A ZONING CHANGE FROM RLD RESIDENTIAL LOW DENSITY DISTRICT TO RMD RESIDENTIAL MEDIUM DENSITY DISTRICT ON APPROXIMATELY 0.371 ACRES IN THE BYRD LOCKHART SURVEY, ABSTRACT A-17, LOCATED AT 1107 AND 1109 NORTH COMMERCE STREET.

Mayor White opened the public hearing at 7:48 p.m. and requested the staff background report.

Mr. Fowler stated that the proposed zoning case is intended to make possible the development of the current property as two lots that would conform with the RMD Residential Medium Density zoning district. Currently, the site has two parcels, both of which are nonconforming within the current RLD Residential Low Density district. Additionally, the one house that sits on the lot encroaches the property line between the two parcels. If the zoning is approved, the applicant would plan to plat the site as two lots oriented towards East China Street. These lots would conform with the dimensional standards of the SF-2 single-family development type. Because the existing house is setback only 10 feet from China Street, a zoning variance would be required to make the plat possible. The only response received following the notification of the public hearings was from the current renter of the property, who asked about the intentions behind the proposed rezoning. Mr. Fowler stated that the Planning and Zoning Commission and staff recommend approval.

Mayor White requested the applicant to address the Council. The applicant was not present.

Mayor White closed the public hearing at 7:54 p.m.

Councilmember Lairsen made a motion to approve Ordinance 2024-02, as presented. Councilmember Castillo seconded. The motion passed by a vote of 6-0.

ITEM 4-B. HOLD A PUBLIC HEARING AND CONSIDER APPROVAL OF ORDINANCE 2024-03, ANNEXING 53 ACRES OUT OF THE CORNELIUS CRENSHAW SURVEY, ABSTRACT 68, CALDWELL COUNTY, TEXAS, LOCATED ON THE SOUTH AND WEST SIDES OF FM 2001 APPROXIMATELY 1,060 FEET NORTH OF SH 130.

Mayor White opened the public hearing at 7:55 p.m. and requested the staff background report.

Mr. Fowler stated that this voluntary annexation request proposes to bring 53 acres into the city for the purpose of developing a cold storage facility that is the subject of an approved economic development agreement. The property is located inside the bend south of FM 2001 approximately 1,060 feet northwest of SH 130. The attached annexation service agreement states that water and wastewater service will be available to the site, the property owner needs to extend wastewater to the site and upsize the existing water lines in order to provide adequate service. All other aspects of the proposed annexation are as

expected, with all other city services available upon annexation. Upon annexation, the property will be automatically assigned to the AO Agricultural- Open Space zoning district. A Planned Development District (PDD) designed to accommodate the proposed cold storage business plus additional future tenants has been submitted and is expected to be heard at the February 6, 2024 City Council meeting.

Mayor White requested the applicant to address the Council.

Pam Madir Jackson Walker thanked city staff for working with them on the project.

Mayor White requested citizens in favor of or against the annexation to address the Council. There were none. He closed the public hearing at 8:00 p.m.

Councilmember Michelson made a motion to approve Ordinance 2024-03, as presented. Councilmember Westmoreland seconded. The motion passed by a vote of 6-0.

ITEM 5-A. PRESENTATION REGARDING SECTION 3 REQUIREMENTS FOR THE RECENTLY AWARDED COMMUNITY DEVELOPMENT BLOCK GRANT FROM THE DEPARTMENT OF AGRICULTURE FOR THE REPLACEMENT OF RESIDENTIAL WATER METERS.

Mr. Kelley requested that the item be postponed to the February 6, 2024 Council meeting.

ITEM 6-A. DISCUSSION AND/OR ACTION TO CONSIDER ENTERING INTO AN INTERLOCAL AGREEMENT (ILA) WITH THE LOWER COLORADO RIVER AUTHORITY (LCRA) TO BECOME A PARTICIPATING MEMBER OF A NEW EMERGENCY COMMUNICATION VOICE RADIO SYSTEM AND CO-LOCATED DISPATCH CENTER BEING BUILT FOR CALDWELL COUNTY.

Councilmember Michelson made a motion to approve the Interlocal Agreement with the Lower Colorado River Authority to become a participating member of a new emergency communication voice radio system and co-located dispatch center being built for Caldwell County, as presented. Councilmember Lairsen seconded. The motion passed by a vote of 6-0.

ITEM 6-B. DISCUSSION AND/OR ACTION REGARDING REQUEST BY RONDA REAGAN OF 7G TEXAN, LLC, FOR A DETERMINATION OF ELIGIBILITY FOR A TAX ABATEMENT (TA-23-02) PURSUANT TO CHAPTER 28 "HISTORIC DISTRICTS AND LANDMARKS" DIVISION 2 "TAX ABATEMENT", OF THE LOCKHART CODE OF ORDINANCES, FOR VARIOUS INTERIOR IMPROVEMENTS TO A BUILDING IN THE HISTORIC DISTRICT, LOCATED AT 112 NORTH MAIN STREET.

Councilmember Lairsen made a motion to approve the request by Ronda Reagan, as presented. Councilmember Mendoza seconded. The motion passed by a vote of 6-0.

ITEM 6-C. DISCUSSION AND/OR ACTION TO RECEIVE THE 1ST QUARTER FISCAL YEAR 2024 INVESTMENT REPORT.

Councilmember Lairsen made a motion to approve the 1st Quarter Fiscal Year 2024 Investment report, as presented. Councilmember Castillo seconded. The motion passed by a vote of 6-0.

ITEM 6-D. DISCUSSION AND/OR ACTION TO CONSIDER APPOINTING TWO MEMBERS TO THE LOCKHART-CALDWELL COUNTY JOINT AIRPORT ZONING BOARD TO HEAR VARIANCE REQUESTS REGARDING THE LOCKHART MUNICIPAL AIRPORT HAZARD ZONING MAP.

Mayor White made a motion to appoint Jake McCullough and Dan Covert to the Lockhart-Caldwell County Joint Airport Zoning Board. Councilmember Michelson seconded. The motion passed by a vote of 6-0.

ITEM 6-E. DISCUSSION AND/OR ACTION REGARDING RESOLUTION 2024-02 OF THE CITY OF LOCKHART, TEXAS ESTABLISHING AND CLARIFYING AN ADMINISTRATIVE PROCEDURE FOR THE NOMINATION OF MEMBERS OF CITY BOARDS, COMMISSIONS, AND COMMITTEES.

Councilmember Mendoza made a motion to approve Resolution 2024-02, as presented. Councilmember Westmoreland seconded. The motion passed by a vote of 6-0.

ITEM 6-F. DISCUSSION AND/OR ACTION TO CONSIDER MOVING THE APPOINTMENT OF FRANK GOMILLION FROM THE ELECTRIC BOARD TO THE HISTORICAL PRESERVATION COMMISSION BY MAYOR LEW WHITE WITH A TERM TO EXPIRE NOVEMBER 2026.

Mayor White made a motion to appoint Frank Gomillion to the Historical Preservation Commission. Councilmember Mendoza seconded. The motion passed by a vote of 6-0.

ITEM 6-G. DISCUSSION AND/OR ACTION TO CONSIDER MOVING THE APPOINTMENT OF MARICA PROCTOR FROM THE ZONING BOARD OF ADJUSTMENT AND APPEALS TO THE HISTORICAL PRESERVATION COMMISSION BY COUNCILMEMBER JEFFRY MICHELSON WITH A TERM TO EXPIRE IN NOVEMBER 2026.

Councilmember Michelson made a motion to appoint Marcia Proctor to the Historical Preservation Commission with an effective date of February 6, 2024. Councilmember Westmoreland seconded. The motion passed by a vote of 6-0.

ITEM 6-H. DISCUSSION AND/OR ACTION TO CONSIDER REQUEST FROM MAYOR WHITE TO REAPPOINT HIS NOMINATIONS FOR APPOINTMENTS TO CITY BOARDS AND COMMISSIONS.

Mayor White made a motion to re-appoint the individuals as listed below. Councilmember Lairsen seconded. The motion passed by a vote of 6-0.

- Airport Board: Benny Hilburn
- Board of Adjustment: Mike Annas
- Construction Board: Raymond DeLeon
- Lockhart Economic Development Corporation: Alan Fielder
- Electric Board: No Nomination made at this time
- Historical Preservation: (currently on the Jan. 16th agenda to consider appointing Frank Gomillion)
- Library Board: Stephanie Riffin
- Parks and Recreation: Karla Tate
- Planning & Zoning: Ron Peterson
- Impact Fee Adv. Comm: Larry Metzler

ITEM 6-I. DISCUSSION AND/OR ACTION TO CONSIDER THE NOMINATION OF NIGEL GUSDORF TO THE AIRPORT ADVISORY BOARD BY MAYOR WHITE FOR A TERM TO EXPIRE IN NOVEMBER 2026.

Mayor White announced that the appointment of Nigel Gusdorf will be placed on the next Council agenda for consideration.

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

- Update regarding the formation of Caldwell County ESD No. 5 and efforts by Caldwell County, Lockhart and Luling to defray expenses in establishing the ESD No. 5 Board and operations.
- Update regarding the appointments to the newly created Animal Shelter Advisory Board.
- Tree Trimming Program update.
- Update on electric system rehabilitation project on Willow Street.
- Comprehensive Plan Steering Committee will meet on January 31st to discuss the future land use draft map along with several new topics.

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

Councilmember Westmoreland expressed condolences to the family of Sam Harrison for their loss.

Councilmember Mendoza thanked city staff for their work during the cold storm.

Councilmember Lairsen thanked city staff for their work during the cold storm.

Councilmember Castillo expressed condolences to the family of Sam Harrison for their loss. He thanked city staff for their work.

Councilmember Michelson thanked city staff for their work during the cold storm.

Mayor White stated that the second meeting about homeless issues was held last week. He stated that additional organizations will provide input to assist with the homelessness and that a public meeting about it might be scheduled soon. He provided information about a young individual who is very ill that has requested information and artifacts of Lockhart since he is a distant relative to the Lockhart Byrd family. A ribbon cutting for Mill Scale will be held on Wednesday.

ITEM 9. ADJOURNMENT

Councilmember Mendoza made a motion to adjourn the meeting. Councilmember Westmoreland seconded. The motion passed by a vote of 6-0. The meeting was adjourned at 8:20 p.m.

PASSED and APPROVED this the 18th day of February, 2025.

CITY OF LOCKHART

Lew White, Mayor

ATTEST:

Julie Bowermon
City Secretary

City of Lockhart, Texas

Council Agenda Item Cover Sheet

COUNCIL MEETING DATE: February 18, 2025

AGENDA ITEM CAPTION: Discuss Resolution 2025-08 to grant conditional consent to the creation of the Lockhart Municipal Utility District of Caldwell County and the inclusion into said district of 889.3 acres of land, 720.681 acres of which is in City's ETJ.

ORIGINATING DEPARTMENT AND CONTACT: City Attorney - Brad Bullock

ACTION REQUESTED: Resolution

BACKGROUND/SUMMARY/DISCUSSION: State law requires that a city consent to the inclusion of land in its ETJ in a municipal utility district ("MUD"). At a workshop on January 27, 2025, Hillwood Communities discussed the development of 889.3 acres of land ("Property"), 720.681 acres of which is in City's ETJ ("Property"). Hillwood Communities is in its due diligence period for the purchase of the Property and has asked the City to grant a conditional consent to creation of the Lockhart Municipal Utility District of Caldwell County and the inclusion of the Property into said district. This consent is conditioned in part on the ability of Hillwood Communities and the City being able to negotiate and enter into a development agreement and expires in 180 days.

PROJECT SCHEDULE (if applicable): N/A

FISCAL NOTE (if applicable): N/A

PREVIOUS COUNCIL ACTION: N/A

COMMITTEE/BOARD/COMMISSION ACTION: N/A

STAFF RECOMMENDATION/REQUESTED MOTION: Approval of Resolution 2025-08.

LIST OF SUPPORTING DOCUMENTS: Resolution 2025-08, Exhibit A

CITY OF LOCKHART, TEXAS

RESOLUTION NO. 2025-08

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOCKHART, TEXAS, GRANTING CONDITIONAL CONSENT TO THE CREATION OF THE LOCKHART MUNICIPAL UTILITY DISTRICT OF CALDWELL COUNTY AND THE INCLUSION OF 889.3 ACRES OF LAND INTO SAID DISTRICT; MAKING FINDINGS RELATED THERETO; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Lockhart, Texas (the “City”), a home-rule municipality created under the laws of the State of Texas, received a request for consent from Spencewood, Inc., (“Owner”) to the creation of the Lockhart Municipal Utility District of Caldwell County (the “District”) encompassing 889.3 acres (“Land”) as more particularly described in Exhibit A, attached hereto and incorporated by reference, approximately 720.681 acres of the Land being situated within the City’s extraterritorial jurisdiction and the remainder situated within unincorporated Caldwell County; and

WHEREAS, the Land is not situated within the corporate limits or extraterritorial jurisdiction of any other municipality; and

WHEREAS, Section 54.016 of the Texas Water Code provides that land within a city or its extraterritorial jurisdiction may not be included within a municipal utility district without such city’s consent; and

WHEREAS, this Resolution is authorized by Section 54.016 of the Texas Water Code, Chapters 49 and 54 of the Texas Water Code, Section 42.042 of the Texas Local Government Code, and all applicable law; and

WHEREAS, the District will be created and organized pursuant to Article XVI, Section 59 and Article III, Section 52, of the Texas Constitution, and Chapters 49 and 54 of the Texas Water Code, as amended; and

WHEREAS, the City wishes to evidence its conditional support and consent for the creation of the District to the extent any portion of the District is located within the City’s extraterritorial jurisdiction, as evidenced by Exhibit A, subject to the terms of a Development Agreement to be negotiated between the City and the landowners (the “Development Agreement”) and the terms of this Resolution, subject to the expiration thereof upon the passage of one-hundred eighty (180) days,

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

Section 1. All of the above premises are hereby found to be true and correct legislative findings of the City Council of the City of Lockhart (the “City Council”), and they are hereby approved and incorporated into the body of this Resolution as if copied in their entirety.

Section 2. The City Council hereby grants its conditional support and consent for the creation of a district operating pursuant to Article XVI, Section 59 and Article III, Section 52, Texas Constitution and Chapter 54, Texas Water Code, as amended, to the extent any portion of the District is located within its extraterritorial jurisdiction as shown more fully in Exhibit A and to the extent that the City and Owner and District are able to negotiate and enter into a Development Agreement, and the City Manager of the City is hereby authorized to execute any documents necessary to effectuate this Resolution. The City Council's conditional consent expires one hundred and eighty (180) days from the date of this Resolution.

Section 3. The City Council further states that it has not relinquished any rights, duties or powers relating to the inclusion of the District within its extraterritorial jurisdiction.

Section 4. The City Council further states that this Resolution is provided subject to and in reliance upon the terms of a Development Agreement, which may be entered into between the City and the landowners within the District. The District shall execute a joinder and become a party to the Development Agreement. The City does not consent to the organization of the District, election, or issuance of bonds from any revenue available to the District until the Development Agreement is executed.

Section 5. The City Council hereby finds and determines that sufficient written notice of the date, hour, place and subject of this meeting of the City Council was posted as a place convenient to the public at the City Hall of the City for the time required by law preceding this meeting, as required by the Texas Open Meetings Act, contained in Chapter 551 of the Texas Government Code, as amended, and that this meeting was open to the public and the subject matter of this Resolution and its contents have been discussed, considered and formally acted upon by the City Council. Further, the City Council ratifies, approves and confirms such written notice and the contents and posting thereof, and the foregoing fully complied with all applicable law.

Section 6. If any part of this Resolution, of whatever size, is ever declared invalid or unenforceable for any reason, the remainder of this Resolution shall remain in full force and effect.

Section 7. This Resolution shall be effective from and after its passage by the City Council.

PASSED AND APPROVED by the City Council of the City of Lockhart, Texas the 18th day of February, 2025.

Lew White, Mayor

ATTEST:

Julie Bowermon, City Secretary

APPROVED AS TO FORM:

Bradford E. Bullock, City Attorney

EXHIBIT A
(Legal Description of Property to be included in the District)

DESCRIPTION OF AN 889.3 ACRE TRACT OF LAND
SITUATED IN THE JAMES M. BAKER SURVEY, ABSTRACT NO. 46
MILES G. DIKES SURVEY NO. 9, ABSTRACT NO. 6
CALDWELL COUNTY, TEXAS

BEING an 889.3 acre tract of land situated in the James M. Baker Survey, Abstract No. 46, and the Miles G. Dikes Survey No. 9, Abstract No. 6 of Caldwell County, Texas, being a portion of a called 691.822 acre tract of land described in an instrument to Spencewood, Inc. described in Volume 194, Page 893, Official Public Records of Caldwell County, Texas (O.P.R.C.C.T.), save and except a called 80.895 acre tract described in an instrument recorded in Volume 538, Page 333, O.P.R.C.C.T., and save and except a called 129.248 acre tract described in an instrument recorded in Volume 552, Page 399, O.P.R.C.C.T.; being all of a called 181.790 acre tract described in an instrument to Spencewood, Inc. recorded in Volume 503, Page 764, O.P.R.C.C.T.; being a portion of a called 57.315 acre tract of land described in an instrument to Spencewood, Inc. recorded in Volume 634, Page 543, O.P.R.C.C.T., save and except a called 0.339 acre tract recorded in Volume 579, Page 97, O.P.R.C.C.T.; said 889.3 acre tract of land described by metes and bounds as follows:

BEGINNING at a 1/2-inch iron rod found on the East right-of-way line of State Highway 130 a controlled access variable width right-of-way (right-of-way being dedicated in the following documents: Volume 579, Page 39, O.P.R.C.C.T., Volume 579, Page 47, O.P.R.C.C.T., Volume 579, Page 27, O.P.R.C.C.T., Volume 579, Page 55, O.P.R.C.C.T., Volume 579, Page 65, O.P.R.C.C.T., Volume 579, Page 73, O.P.R.C.C.T., Volume 579, Page 81, O.P.R.C.C.T., Volume 579, Page 89, O.P.R.C.C.T., Volume 579, Page 104, O.P.R.C.C.T., Volume 579, Pg. 112, O.P.R.C.C.T., Volume 579, Page 97, O.P.R.C.C.T., Volume 579, Page 120, O.P.R.C.C.T., Volume 579, Page 128, O.P.R.C.C.T., Volume 619, Page 659, O.P.R.C.C.T., Volume 619, Page 661, O.P.R.C.C.T., and Volume 579, Page 136, O.P.R.C.C.T.), being the Southwest corner of the remainder of a called 101.25 acre tract of land described in an instrument to Zanty Lynn Champion and wife Doris Bragg Champion recorded in Volume 356, Page 19, Deed Records of Caldwell County, Texas (D.R.C.C.T.) and being the Northwest corner of the remainder of said 691.822 acre tract of land;

THENCE, South 61° 53' 33" East, along and with the North line of said 691.822 acre tract and the South line of said 101.25 acre tract, a distance of 93.52 feet to a 5-inch cedar fence corner post found for an angle point;

THENCE, North 78° 52' 36" East, continuing along and with the North line of said 691.822 acre tract and the South line of said 101.25 acre tract, a distance of 348.06 feet to a 4-inch cedar fence post found for an angle point;

THENCE, North 78° 30' 19" East, continuing along and with the North line of said 691.822 acre tract and the South line of said 101.25 acre tract, a distance of 950.36 feet to a 5/8-inch iron rod with cap stamped "Summit Geomatics, Inc." set in the center of an old tree stump with wire;

THENCE, South 10° 40' 13" East, along and with an East line of said 691.822 acre tract and the West line of a called 70.83 acre tract (Tract II) and a called 70.83 acre tract (Tract I) described in an instrument to Delbert Decker recorded in Volume 435, Page 472, O.P.R.C.C.T., a distance of 2,008.96 feet to a 10-inch cedar fence post found for the Southwest corner of said 70.83 acre tract (Tract I) and being an interior corner of said 691.822 acre tract and the herein described tract;

THENCE, North $78^{\circ} 21' 12''$ East, along and with the South line of said 70.83 acre tract (Tract I) and the North line of said 691.822 acre tract, and the North line of said 181.790 acre tract, a distance of 3,275.62 feet to a 3/8-inch iron rod found for the Southeast corner of said Tract I and being the Southwest corner of a called 118.357 acre tract of land described in an instrument to Bridge to One, Inc. recorded in Document No. 2021-009484, O.P.R.C.C.T. and being an angle point on the North line of said 181.790 acre tract;

THENCE, North $78^{\circ} 03' 03''$ East, along and with the South line of said 118.357 acre tract and the North line of said 181.790 acre tract, a distance of 1,777.47 feet to a 7-inch cedar fence post found on the occupied West right-of-way line of Dry Creek Road (variable width right-of-way – no deed of record found) and being the occupied Northeast corner of said 181.790 acre tract, and an angle point on the South line of said 118.357 acre tract;

THENCE, along and with the East and South lines of said 181.790 acre tract same being the occupied West and North right-of-way lines of said Dry Creek Road, the following eight (8) bearings and distances:

- 1) South $36^{\circ} 03' 44''$ East, a distance of 20.64 feet to a 5/8-inch iron rod with cap stamped "Summit Geomatics, Inc." set for an angle point;
- 2) South $11^{\circ} 35' 37''$ East, a distance of 593.70 feet to a 5/8-inch iron rod with cap stamped "Summit Geomatics, Inc." set for an angle point;
- 3) South $12^{\circ} 13' 42''$ East, a distance of 721.17 feet to a 5/8-inch iron rod with cap stamped "Summit Geomatics, Inc." set for an angle point;
- 4) South $11^{\circ} 31' 51''$ East, a distance of 1,285.35 feet to an 8-inch cedar fence corner post found for corner;
- 5) South $00^{\circ} 48' 15''$ East, a distance of 159.84 feet to a 6-inch cedar fence corner post found for corner;
- 6) South $39^{\circ} 04' 45''$ West, a distance of 71.90 feet to an 8-inch cedar fence corner post found for corner;
- 7) South $78^{\circ} 27' 46''$ West, a distance of 772.29 feet to a 6-inch cedar fence corner post found for corner;
- 8) South $79^{\circ} 38' 55''$ West, a distance of 784.15 feet to a 7-inch cedar fence corner post found for the most Easterly Northeast corner of said 691.822 acre tract;

THENCE, along and with the East lines of said 691.822 acre tract same being the occupied West right-of-way line of said Dry Creek Road, the following seven (7) bearings and distances:

- 1) South $10^{\circ} 03' 46''$ West, a distance of 75.84 feet to a 37-inch live oak tree;
- 2) South $13^{\circ} 04' 38''$ East, a distance of 86.31 feet to a 7-inch cedar fence corner post;
- 3) South $26^{\circ} 28' 01''$ East, a distance of 83.48 feet to an 8-inch cedar fence corner post;
- 4) South $21^{\circ} 18' 42''$ East, a distance of 512.98 feet to a 5/8-inch iron rod with cap stamped "Summit Geomatics, Inc." set for an angle point;
- 5) South $21^{\circ} 10' 59''$ East, a distance of 911.78 feet to a 5/8-inch iron rod with cap stamped "Summit Geomatics, Inc." set for an angle point;
- 6) South $25^{\circ} 11' 46''$ East, a distance of 622.32 feet to a 5/8-inch iron rod with cap stamped "Summit Geomatics, Inc." set for an angle point;

- 7) South 21° 52' 46" East, a distance of 608.22 feet to a 3-inch metal fence post found for the occupied Southeast corner of said 691.822 acre tract and the occupied Northeast corner of a called 100 acre tract of land described as Second Tract in an instrument to Barbara Lou Segler et al recorded in Volume 364, Page 54 of the D.R.C.C.T.;

THENCE, along and with the common line of said 100 acre tract and said 691.822 acre tract, the following four (4) bearings and distances:

- 1) South 78° 19' 35" West, a distance of 1,848.63 feet to a 7-inch cedar fence post found for an angle point;
- 2) South 78° 18' 17" West, a distance of 1,280.10 feet to a 4-inch metal fence post found for an angle point;
- 3) South 78° 45' 38" West, a distance of 806.01 feet to a t-post found for an angle point;
- 4) South 77° 54' 58" West, a distance of 885.98 feet to a calculated point in the approximate centerline of Plum Creek and being the East line of a called 204.145 acre tract of land described in an instrument to La Familia Partnership, LTD., recorded in Volume 228, Page 493, O.P.R.C.C.T., and being further described in Volume 416, Page 694, D.R.C.C.T., and being the common Westerly corner of said 100 acre tract and said 691.822 acre tract and marking the most Southerly Southwest corner of the herein described tract;

THENCE, along and with the approximate centerline of Plum Creek, same being the East line of said 204.145 acre tract and the West line of said 691.822 acre tract, the following forty-one (41) bearings and distances:

- 1) North 23° 24' 09" East, a distance of 57.35 feet to a calculated point for corner;
- 2) North 11° 15' 07" East, a distance of 99.02 feet to a calculated point for corner;
- 3) North 03° 03' 49" West, a distance of 83.76 feet to a calculated point for corner;
- 4) North 40° 07' 18" West, a distance of 54.71 feet to a calculated point for corner;
- 5) North 43° 48' 44" West, a distance of 86.61 feet to a calculated point for corner;
- 6) North 76° 38' 06" West, a distance of 59.52 feet to a calculated point for corner;
- 7) North 89° 34' 23" West, a distance of 159.53 feet to a calculated point for corner;
- 8) North 45° 43' 00" West, a distance of 237.39 feet to a calculated point for corner;
- 9) North 04° 50' 50" West, a distance of 88.11 feet to a calculated point for corner;
- 10) North 38° 24' 49" West, a distance of 112.95 feet to a calculated point for corner;
- 11) North 31° 03' 49" West, a distance of 66.09 feet to a calculated point for corner;
- 12) North 48° 41' 53" West, a distance of 69.74 feet to a calculated point for corner;
- 13) South 81° 32' 05" West, a distance of 138.88 feet to a calculated point for corner;
- 14) South 84° 47' 07" West, a distance of 45.19 feet to a calculated point for corner;
- 15) South 80° 12' 18" West, a distance of 76.04 feet to a calculated point for corner;
- 16) South 75° 16' 21" West, a distance of 22.49 feet to a calculated point for corner;
- 17) South 33° 29' 16" West, a distance of 72.95 feet to a calculated point for corner;
- 18) South 66° 38' 23" West, a distance of 113.82 feet to a calculated point for corner;
- 19) North 52° 12' 37" West, a distance of 29.22 feet to a calculated point for corner;
- 20) North 51° 00' 35" West, a distance of 100.62 feet to a calculated point for corner;
- 21) North 58° 43' 21" West, a distance of 115.68 feet to a calculated point for corner;
- 22) South 89° 41' 28" West, a distance of 84.87 feet to a calculated point for corner;
- 23) North 49° 34' 03" West, a distance of 161.32 feet to a calculated point for corner;
- 24) North 10° 20' 55" West, a distance of 146.23 feet to a calculated point for corner;
- 25) North 06° 40' 43" East, a distance of 113.07 feet to a calculated point for corner;

- 26) North 02° 26' 01" West, a distance of 62.69 feet to a calculated point for corner;
- 27) North 06° 30' 09" East, a distance of 51.12 feet to a calculated point for corner;
- 28) North 12° 55' 26" East, a distance of 70.10 feet to a calculated point for corner;
- 29) North 15° 21' 21" East, a distance of 97.97 feet to a calculated point for corner;
- 30) North 10° 31' 47" East, a distance of 155.22 feet to a calculated point for corner;
- 31) North 24° 32' 11" East, a distance of 33.50 feet to a calculated point for corner;
- 32) North 11° 05' 46" East, a distance of 56.86 feet to a calculated point for corner;
- 33) North 19° 37' 09" East, a distance of 179.53 feet to a calculated point for corner;
- 34) North 33° 57' 25" East, a distance of 116.26 feet to a calculated point for corner;
- 35) North 42° 05' 09" East, a distance of 86.94 feet to a calculated point for corner;
- 36) North 59° 43' 10" East, a distance of 77.48 feet to a calculated point for corner;
- 37) North 52° 59' 09" East, a distance of 217.90 feet to a calculated point for corner;
- 38) North 54° 38' 09" East, a distance of 79.74 feet to a calculated point for corner;
- 39) North 34° 30' 50" East, a distance of 166.27 feet to a calculated point for corner;
- 40) North 11° 33' 43" East, a distance of 112.67 feet to a calculated point for corner;
- 41) North 04° 11' 35" West, a distance of 78.81 feet to a calculated point for the Northeast corner of said 204.145 acre tract and being the Southeast corner of said 57.315 acre tract;

THENCE, South 78° 34' 00" West, along and with the occupied South line of said 57.315 acre tract and being the occupied North line of said 204.145 acre tract, a distance of 1,616.84 feet to a calculated point for corner;

THENCE, North 11° 27' 55" East, over and across said 57.315 acre tract, a distance of 55.71 feet to a 1/2-inch iron rod with cap stamped "Hinkle Surveying" found for the monumented Southeast corner of a called 9.988 acre tract of land described in an instrument to Spencewood, Inc. recorded in Volume 634, Page 601, O.P.R.C.C.T.;

THENCE, North 11° 09' 57" East, along and with the West line of said 57.315 acre tract same being the East line of said 9.998 acre tract, the East line of a called 9.484 acre tract described in an instrument to Spencewood, Inc. recorded in Volume 634, Page 551, O.P.R.C.C.T., the East line of a called 9.391 acre tract described in an instrument to Spencewood, Inc. recorded in Volume 634, Page 558, O.P.R.C.C.T., the East line of a called 9.329 acre tract described in an instrument to Spencewood, Inc. recorded in Volume 634, Page 565, O.P.R.C.C.T., the East line of a called 9.304 acre tract described in an instrument to Spencewood, Inc. recorded in Volume 634, Page 572, O.P.R.C.C.T., the East line of a called 9.198 acre tract described in an instrument to Spencewood, Inc. recorded in Volume 634, Page 536, O.P.R.C.C.T., and the East line of a called 36.934 acre tract described in an instrument to Spencewood, Inc. recorded in Volume 634, Page 528, O.P.R.C.C.T., at a distance of 2,444.22 feet passing a 1/2-inch iron rod (bent) and continuing for a total distance of 2,591.70 feet to a calculated point in the approximate centerline of Plum Creek and being the Northeast corner of said 36.934 acre tract;

THENCE, along and with the North line of said 36.934 acre tract, the following eight (8) bearings and distances:

- 1) North 31° 24' 31" West, a distance of 61.66 feet to a calculated point for corner;
- 2) North 08° 56' 21" West, a distance of 84.16 feet to a calculated point for corner;
- 3) North 40° 23' 15" West, a distance of 114.49 feet to a calculated point for corner;
- 4) North 43° 38' 39" West, a distance of 134.69 feet to a calculated point for corner;
- 5) North 19° 31' 20" West, a distance of 80.43 feet to a calculated point for corner;
- 6) North 37° 11' 55" West, a distance of 100.98 feet to a calculated point for corner;

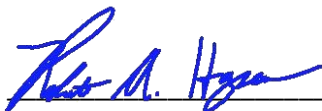
- 7) North 45° 50' 12" West, a distance of 211.91 feet to a calculated point for corner;
- 8) North 68° 14' 45" West, a distance of 106.56 feet to a 60D nail found on the East right-of-way line of said S.H. 130;

THENCE, North 11° 10' 57" East, along and with the East right-of-way line of said S.H. 130, a distance of 1,552.24 feet to a TxDOT Type II brass disc monument marking the beginning of a curve to the right;

THENCE, continuing along and with the East right-of-way line of said S.H. 130 and along said curve to the right through an angle of 02° 17' 59", having a radius of 12,000.00 feet, an arc length of 481.63 feet and whose long chord bears North 12° 19' 56" East, a distance of 481.60 feet to the **POINT OF BEGINNING** and containing 889.3 acres of land.

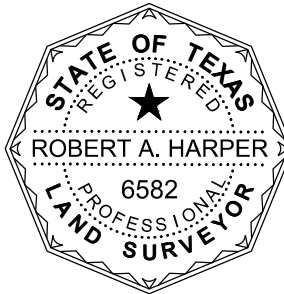
Notes:

- 1) Bearing orientation is based upon the Texas Coordinate System, South Central Zone 4204, North American Datum of 1983 (NAD 83), 2011 Adjustment, Epoch 2010.00. Distances shown hereon are in Surface. To convert distances to Divide by the Surface Adjustment Factor of 1.00013.
- 2) This M&B description was prepared in conjunction with a survey sketch of even date.

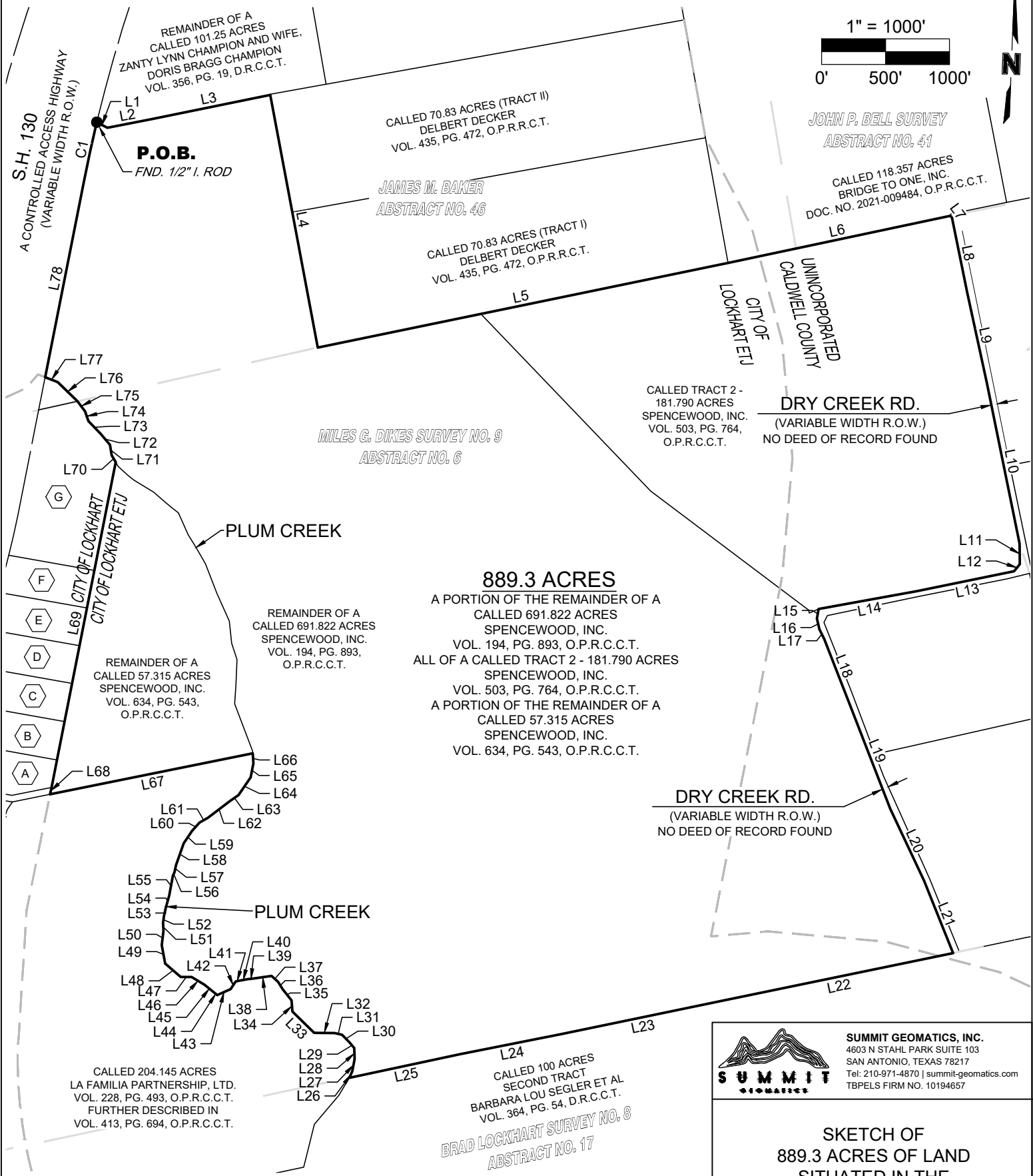


Robert A. Harper, RPLS No. 6582

Summit Geomatics, Inc.
4603 N Stahl Park Suite 103
San Antonio, Texas 78217
TBPELS Firm No. 10194657



SKETCH TO ACCOMPANY M&B DESCRIPTION



GENERAL NOTES:

1. BEARING ORIENTATION IS BASED UPON THE TEXAS COORDINATE SYSTEM, SOUTH CENTRAL ZONE 4204, NORTH AMERICAN DATUM OF 1983 (NAD 83), 2011 ADJUSTMENT, EPOCH 2010.00. MEASUREMENTS ARE IN U.S. SURVEY FEET. DISTANCES AND COORDINATES SHOWN HEREON ARE IN SURFACE AND MAY BE CONVERTED TO GRID BY USING THE COMBINED ADJUSTMENT FACTOR OF 1.00013.
2. A METES AND BOUNDS DESCRIPTION OF EVEN DATE WAS PREPARED IN CONJUNCTION WITH THIS SKETCH.



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4603 N STAHL PARK SUITE 103
SAN ANTONIO, TEXAS 78217
Tel: 210-971-4870 | summit-geomatics.com
TBPELS FIRM NO. 10194657

**SKETCH OF
889.3 ACRES OF LAND
SITUATED IN THE
JAMES M. BAKER SURVEY, A-46
MILES G. DIKES SURVEY NO. 9, A-6
CALDWELL COUNTY, TEXAS**

SCALE:	JOB NO.:	DATE:	SHEET:
1"=1,000'	24.0329	02/06/2025	1 OF 2

SKETCH TO ACCOMPANY M&B DESCRIPTION

LEGEND

DOC. DOCUMENT
FND. FOUND
I. IRON
NO. NUMBER
O.P.R.C.C.T. OFFICIAL PUBLIC RECORDS
OF CALDWELL COUNTY, TEXAS
PG. PAGE
P.O.B. POINT OF BEGINNING
VOL. VOLUME

LINE TABLE		
NO.	BEARING	DISTANCE
L1	S 61°53'33" E	93.52'
L2	N 78°52'36" E	348.06'
L3	N 78°30'19" E	950.36'
L4	S 10°40'13" E	2,008.96'
L5	N 78°21'12" E	3,275.62'
L6	N 78°03'03" E	1,777.47'
L7	S 36°03'44" E	20.64'
L8	S 11°35'37" E	593.70'
L9	S 12°13'42" E	721.17'
L10	S 11°31'51" E	1,285.35'
L11	S 00°48'15" E	159.84'
L12	S 39°04'45" W	71.90'
L13	S 78°27'46" W	772.29'
L14	S 79°38'55" W	784.15'
L15	S 10°03'46" W	75.84'
L16	S 13°04'38" E	86.31'
L17	S 26°28'01" E	83.48'
L18	S 21°18'42" E	512.98'
L19	S 21°10'59" E	911.78'
L20	S 25°11'46" E	622.32'
L21	S 21°52'46" E	608.22'
L22	S 78°19'35" W	1,848.63'
L23	S 78°18'17" W	1,280.10'
L24	S 78°45'38" W	806.01'
L25	S 77°54'58" W	885.98'
L26	N 23°24'09" E	57.35'
L27	N 11°15'07" E	99.02'
L28	N 03°03'49" W	83.76'
L29	N 40°07'18" W	54.71'
L30	N 43°48'44" W	86.61'
L31	N 76°38'06" W	59.52'
L32	N 89°34'23" W	159.53'
L33	N 45°43'00" W	237.39'
L34	N 04°50'50" W	88.11'
L35	N 38°24'49" W	112.95'
L36	N 31°03'49" W	66.09'
L37	N 48°41'53" W	69.74'
L38	S 81°32'05" W	138.88'
L39	S 84°47'07" W	45.19'

LINE TABLE		
NO.	BEARING	DISTANCE
L40	S 80°12'18" W	76.04'
L41	S 75°16'21" W	22.49'
L42	S 33°29'16" W	72.95'
L43	S 66°38'23" W	113.82'
L44	N 52°12'37" W	29.22'
L45	N 51°00'35" W	100.62'
L46	N 58°43'21" W	115.68'
L47	S 89°41'28" W	84.87'
L48	N 49°34'03" W	161.32'
L49	N 10°20'55" W	146.23'
L50	N 06°40'43" E	113.07'
L51	N 02°26'01" W	62.69'
L52	N 06°30'09" E	51.12'
L53	N 12°55'26" E	70.10'
L54	N 15°21'21" E	97.97'
L55	N 10°31'47" E	155.22'
L56	N 24°32'11" E	33.50'
L57	N 11°05'46" E	56.86'
L58	N 19°37'09" E	179.53'
L59	N 33°57'25" E	116.26'
L60	N 42°05'09" E	86.94'
L61	N 59°43'10" E	77.48'
L62	N 52°59'09" E	217.90'
L63	N 54°38'09" E	79.74'
L64	N 34°30'50" E	166.27'
L65	N 11°33'43" E	112.67'
L66	N 04°11'35" W	78.81'
L67	S 78°34'00" W	1,616.84'
L68	N 11°27'55" E	55.71'
L69	N 11°09'57" E	2,591.70'
L70	N 31°24'31" W	61.66'
L71	N 08°56'21" W	84.16'
L72	N 40°23'15" W	114.49'
L73	N 43°38'39" W	134.69'
L74	N 19°31'20" W	80.43'
L75	N 37°11'55" W	100.98'
L76	N 45°50'12" W	211.91'
L77	N 68°14'45" W	106.56'
L78	N 11°10'57" E	1,552.24'



REMAINDER OF A
CALLED 9.988 ACRES
SPENCEWOOD, INC.
VOL. 634, PG. 601, O.P.R.C.C.T.



REMAINDER OF A
CALLED 9.484 ACRES
SPENCEWOOD, INC.
VOL. 634, PG. 551, O.P.R.C.C.T.



REMAINDER OF A
CALLED 9.391 ACRES
SPENCEWOOD, INC.
VOL. 634, PG. 558, O.P.R.C.C.T.



REMAINDER OF A
CALLED 9.329 ACRES
SPENCEWOOD, INC.
VOL. 634, PG. 572, O.P.R.C.C.T.



REMAINDER OF A
CALLED 9.304 ACRES
SPENCEWOOD, INC.
VOL. 634, PG. 572, O.P.R.C.C.T.



REMAINDER OF A
CALLED 9.198 ACRES
SPENCEWOOD, INC.
VOL. 634, PG. 536, O.P.R.C.C.T.



REMAINDER OF A
CALLED 36.934 ACRES
SPENCEWOOD, INC.
VOL. 634, PG. 528, O.P.R.C.C.T.

CURVE TABLE

NO.	ARC LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD DISTANCE
C1	481.63'	12,000.00'	2°17'59"	N 12°19'56" E	481.60'



SUMMIT GEOMATICS, INC.
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SAN ANTONIO, TEXAS 78217
Tel: 210-971-4870 | summit-geomatics.com
TBPELS FIRM NO. 10194657

SKETCH OF
889.3 ACRES OF LAND
SITUATED IN THE
JAMES M. BAKER SURVEY, A-46
MILES G. DIKES SURVEY NO. 9, A-6
CALDWELL COUNTY, TEXAS

SCALE:	JOB NO.:	DATE:	SHEET:
1"=1,000'	24.0329	02/06/2025	2 OF 2

X:\03_Summit_Projects\2024-Projects\24.0329_GrayEngineering_SpencewoodSvy_Lockhart\03_Finals\01_CAD\Spencewood-LockhartOutsideCL1(S).dwg. 2/06/2025 2:52 PM, siujan

City of Lockhart, Texas

Council Agenda Item Cover Sheet

COUNCIL MEETING DATE: February 18, 2025

AGENDA ITEM CAPTION: Presentation by Republic Services regarding residential solid waste collection route changes.

ORIGINATING DEPARTMENT AND CONTACT: Public Works - Sean Kelley

ACTION REQUESTED: Other

BACKGROUND/SUMMARY/DISCUSSION: Republic Services notified staff on upcoming changes to solid waste collection in an effort to optimize route efficiency and balance the number of customers along routes. Previously on June 13, 2022, Republic Services (formerly CTR) converted to three days per week service for residential collection from four day per week collection for residential customers and implemented a transition plan that was successful.

Since the last route modification, Lockhart has experienced significant growth, which has placed a heavier burden on completion of routes within the scheduled pick-up time (7 a.m. to 6 p.m.). City staff has also been sharing information with Republic Services regarding absorption of new residential neighborhoods and future phasing of developments coming online. In June 2022 the house count for solid waste services was 5,325. This amount has increased by 826 homes since the last route change to a total of 6,151 accounts.

This information has provided Republic Services with guidance in creating a new route revision. Important information regarding the new routes include:

- Moving from Three-Day per Week Service (Monday, Tuesday and Thursday) to Four-Day per Week Service (Monday, Tuesday, Thursday and Friday).
- Simplified dividing route lines using highways and collector streets.
- Two rear-load trucks will continue to be utilized on each route, with a third rear-load truck available for unforeseen issues or breakdowns.
- Approximately 1950 houses will be affected by the proposed route day changes, approximately 1,350 are due to adding the Friday route.
- Curb side recycling and commercial solid waste collection days will remain unchanged.

Proper notification to the affected customers and expanded services during the transition period are vital to a successful roll-out of a route change. Tonight' s presentation will cover Republic's communication plan, timelines and transitional services for implementing the residential solid waste collection route revisions.

PROJECT SCHEDULE (if applicable): New Residential Routes would begin on Monday, March 31, 2025

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: Council approved contract with CTR/Republic Services on May 25, 2021.

Contract duration June 1, 2021 to June 1, 2026.

COMMITTEE/BOARD/COMMISSION ACTION:

STAFF RECOMMENDATION/REQUESTED MOTION: None.

LIST OF SUPPORTING DOCUMENTS: RS Memo Re Routes Optimization Feb18 2025,
Current Residential Routes, Lockhart Route Presentation



Sustainability in Action

February 14, 2025

Steve Lewis, City Manager
City of Lockhart
PO Box 239
Lockhart, TX 78644

Re: Republic Services Route Optimization Proposal

Mr. Lewis:

As you are aware, we are experiencing an unprecedented growth to our community and surrounding region. As a result, this puts a strain on existing infrastructure and utility services to the rapidly expanding population. Therefore, it is prudent to take a proactive approach occasionally, to look at the trash and recycling routes of the Lockhart residents to better serve their needs. It is Republic Services' intention to manage a proposed change in the routes with minimal impact to residents while meeting the City's expectations of excellent and reliable service.

Our proposal includes:

- Adding Fridays as a day of service to the current schedule. Wednesday would remain for recycle collection.
- Focus on minimizing impacted residents on each day of service. During the transition week Republic Services will have a hyper-care approach to ensure customer satisfaction.
- Boundaries of service routes will be clearly defined.
- Developing a Messaging Plan and working with the City to introduce the proposed changes. Plan will include mailers, flyers, maps (including interactive) and other media for distribution and making available to post on City website. Targeting March 1st to initiate Plan.
- Proposed date of route changes: Monday, March 31, 2025.

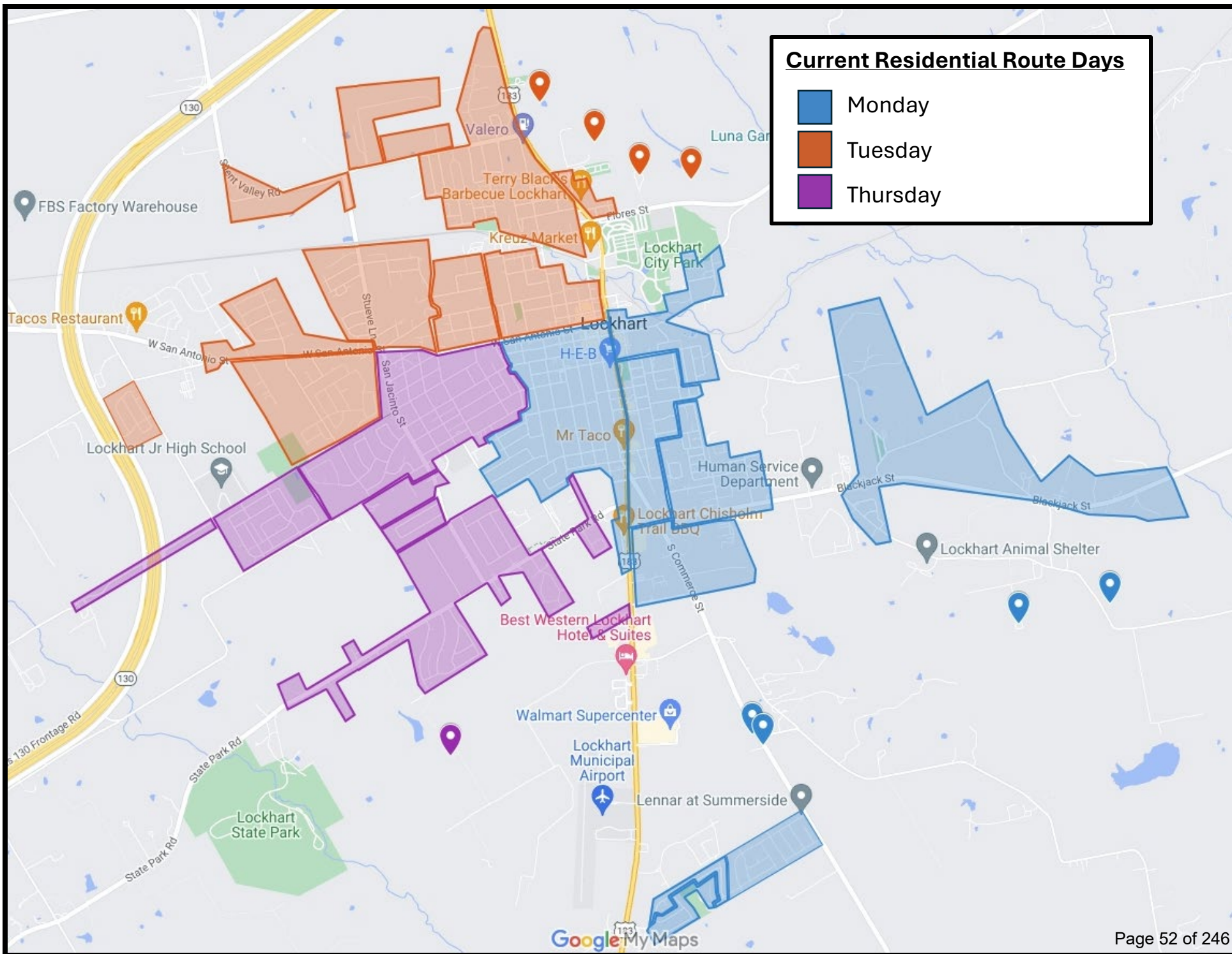
We look forward to presenting our recommendations to Mayor and City Council at the upcoming February 18, 2025, Council meeting. We will be available for additional details and any questions that may arise.

Best Regards,

Alfonso Sifuentes

Alfonso Sifuentes

Municipal Sales Manager

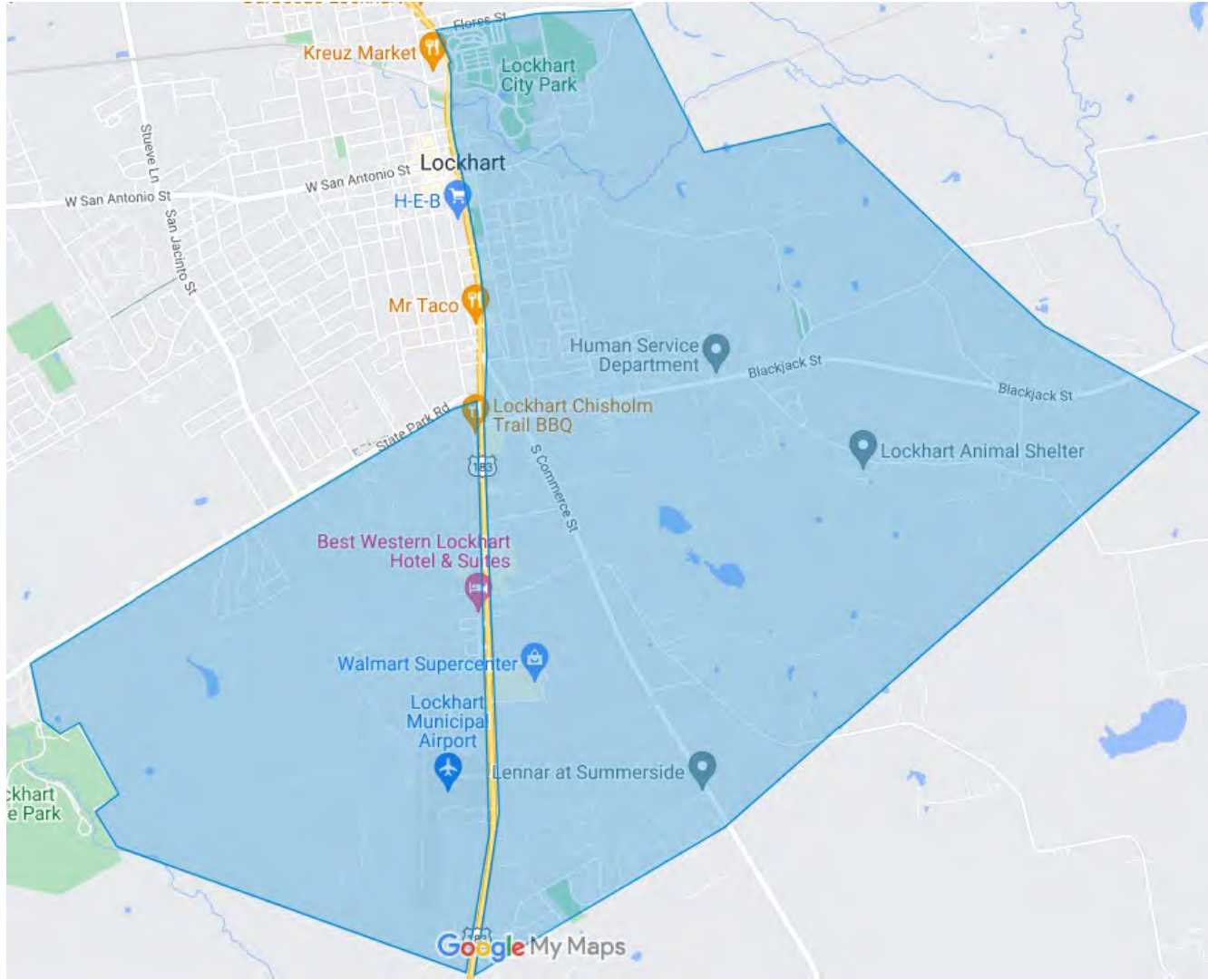


City of Lockhart Service Change

Objective

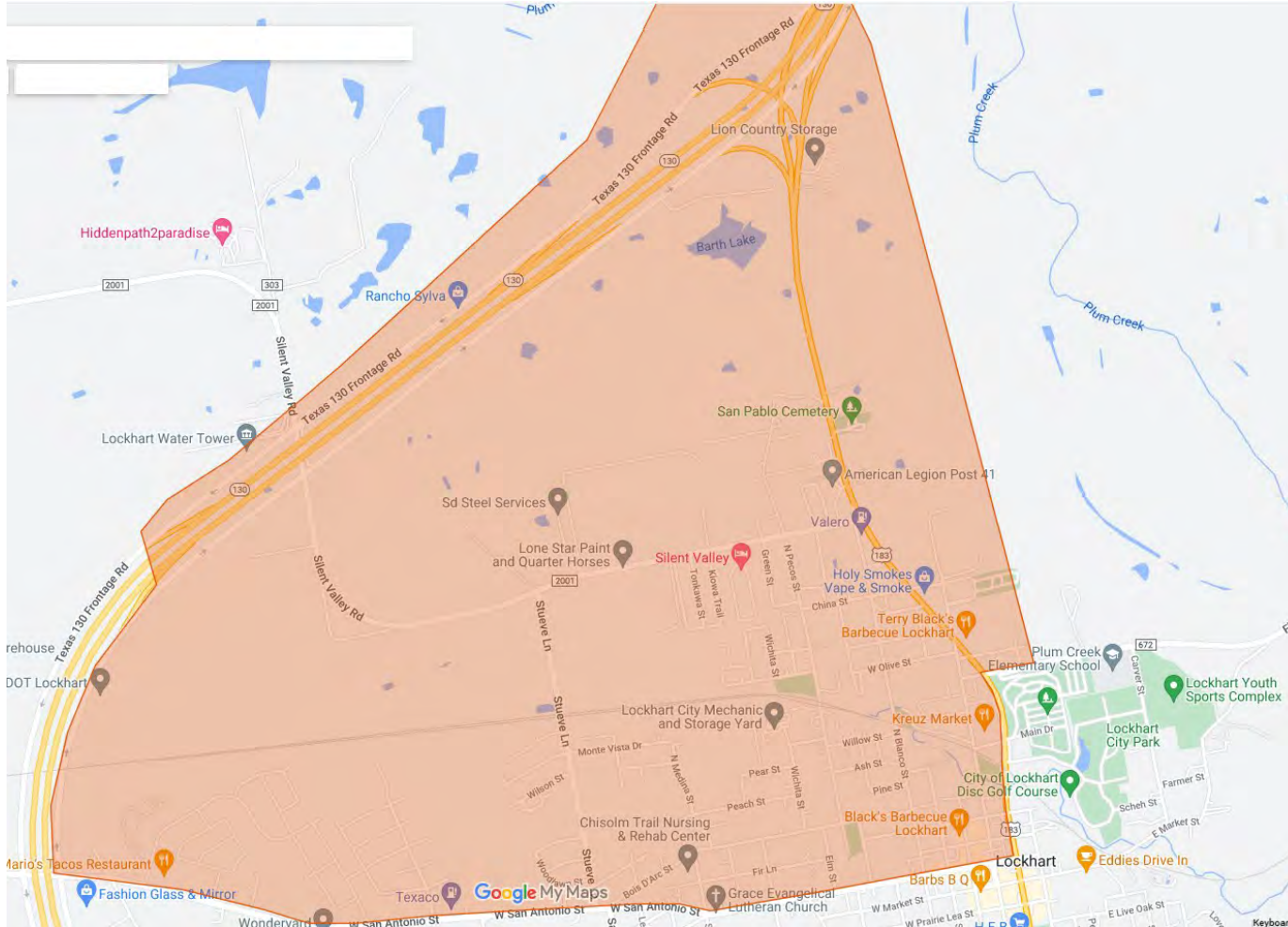
- Adapt with the current growth projections for City of Lockhart to ensure timely MSW service is provided for all residents
- Add Friday as a day of service to have MSW service be provided Monday, Tuesday, Thursday and Friday
 - This would not impact anything with the current recycle collection on Wednesdays
- Focus on minimizing day changes for residents

Monday with Proposed Changes



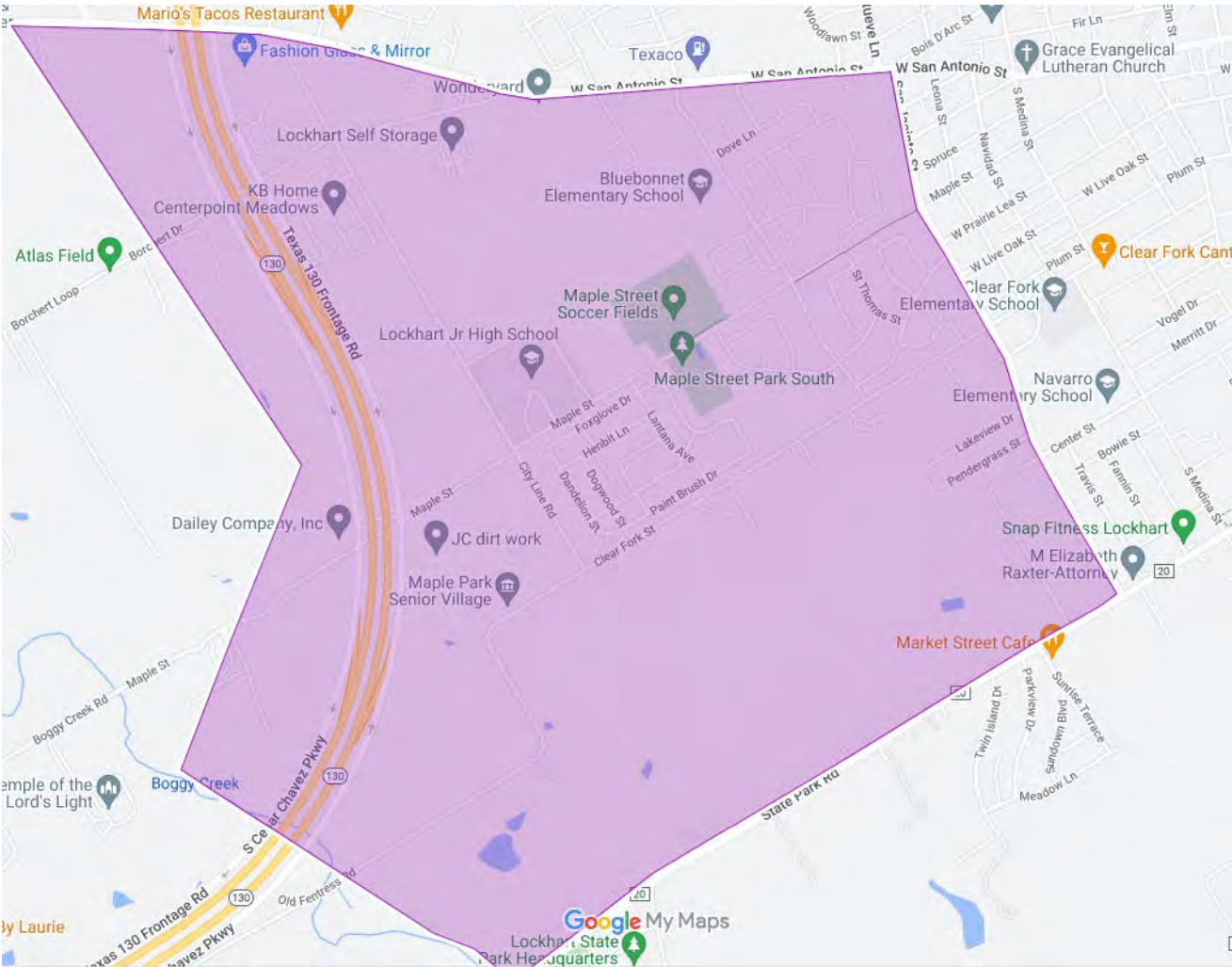
- Key Changes:
 - Current residents on Monday route that are “West” of Colorado St between W San Antonio St & State Park Rd would experience day change to Friday (approx. 670 residents)
 - **Week of change would receive 2 pickups Monday & Friday**
 - Current residents on Thursday that are “South” of State Park Rd would experience day change to Monday (approx. 290 residents)
- Boundaries:
 - “West” of Colorado St “South” of State Park
 - “East” of Colorado St “South” of Flores St

Tuesday with Proposed Changes



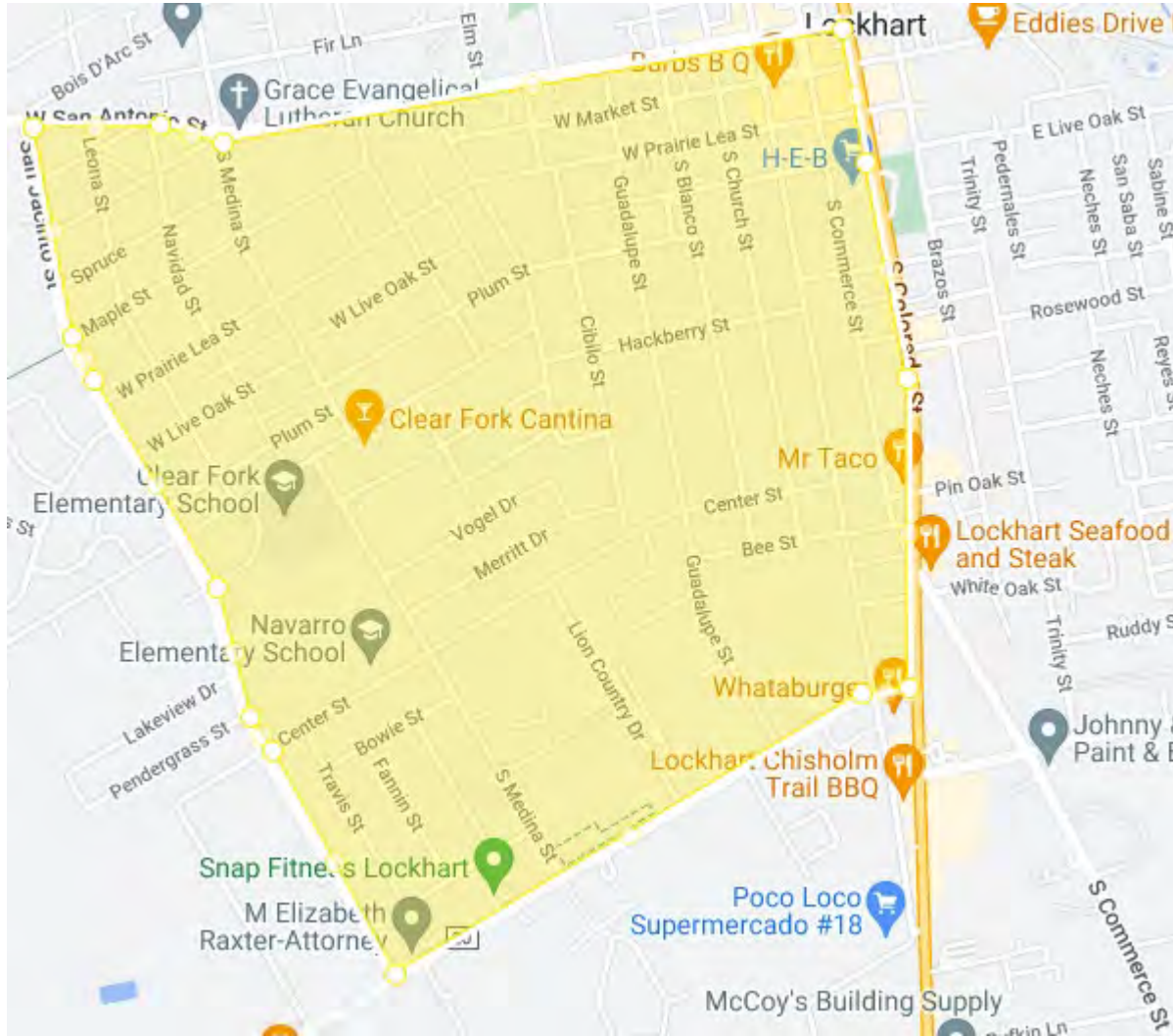
- Key Changes:
 - Current residents on Tuesday route that are “South” of W San Antonio would experience day change to Thursday (approx. 530 residents)
 - **Week of change would allow up to 10 extra bags**
- Boundaries:
 - “North” of W San Antonio St to COL limits “West” of Colorado St
 - “North” of Flores St “East” of Colorado St

Thursday with Proposed Changes



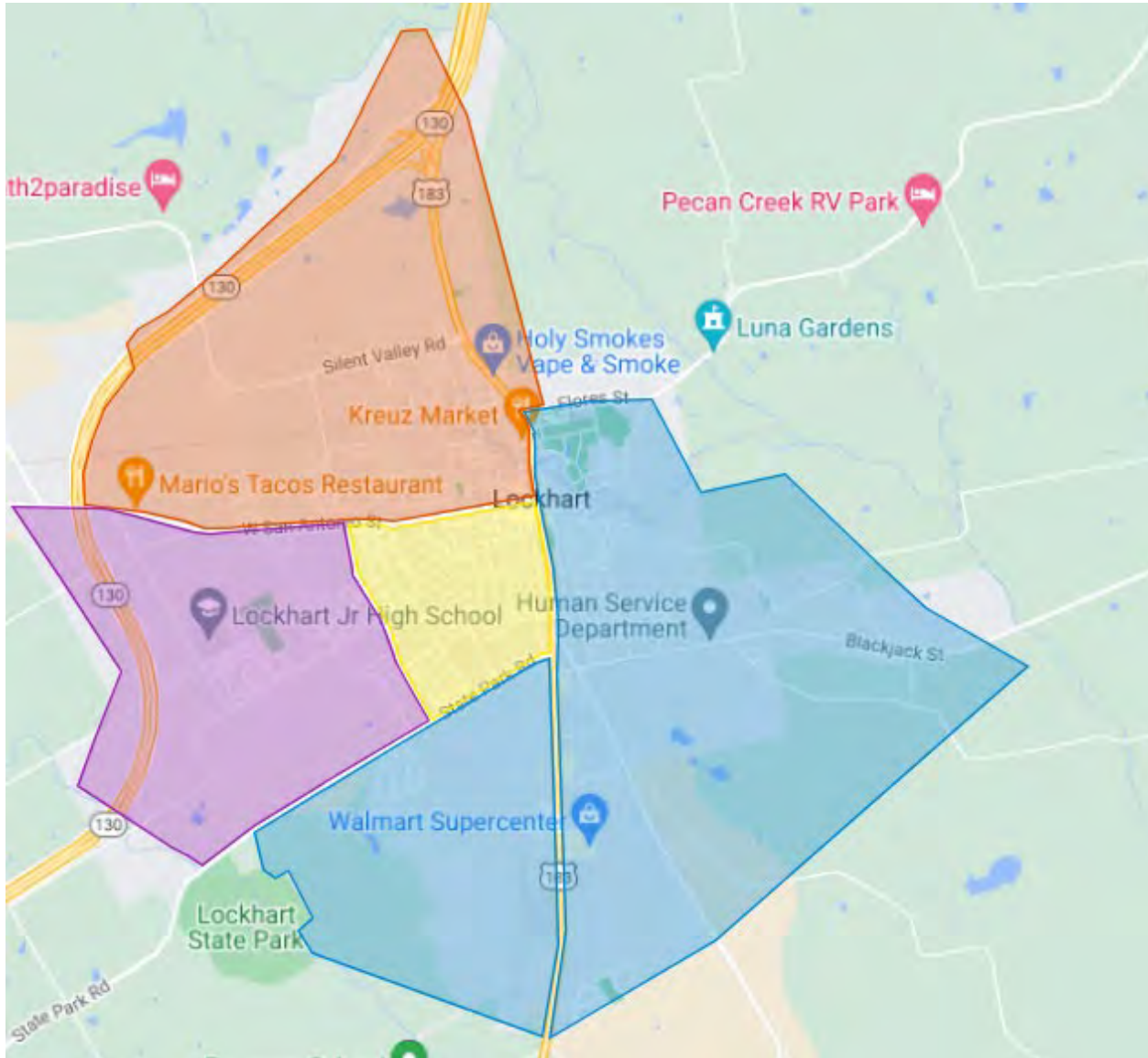
- Key Changes:
 - Addition of Tuesday residents' "South" of W San Antonio Thursday (approx. 530 residents)
 - **Week of change would allow up to 10 extra bags**
 - Current residents on Thursday route "East" of San Jacinto St would experience day change to Friday (approx. 670 residents)
- Boundaries:
 - "West" of San Jacinto St to COL limits
 - "South" of W San Antonio St
 - "North" of State Park Rd

Friday with Proposed Changes



- Key Changes:
 - Addition of Friday
 - Monday residents' "West" of Colorado St (approx. 670 residents)
 - 2nd pickup for these residents
 - Addition of Thursday residents' "East" of San Jacinto St
 - Week of change would allow up to 10 extra bags
- Boundaries:
 - "East" of San Jacinto St
 - "South" of W San Antonio St
 - "North" of State Park Rd
 - "West" of Colorado St

Whole Week Map



Map Key:
Monday = Blue section
Tuesday = Orange section
Thursday = Purple section
Friday = Yellow section

Recap / Plan for Successful Rollout

- Preferred date **Monday, March 31, 2025**
- Approx 1950 houses with day changes.
- Post updated service maps at city hall.
- Interactive city map to load on COL website.
- Mailer added to residents on day change.
- RS to tag carts of those impacted by day change week of 3.3.25 notifying of change.
- RS to do final tagging for those impacted by day change week of 3.24.25 (one week prior to change).
- Week of Roll Out:
 - Residents **West of Colorado** who were serviced previously on Monday will receive 2 pickups week of 3.31.25, and Friday 4.4.25.
 - o All other residents will be adjusted to new schedule without additional pickup.
 - o Residents moving from Tuesday to Thurs and Thurs to Friday will be allowed **10 extra bags that week** only.
 - o Residents who forget “new service day” send these addresses to Alfonso to partner with Ops team to work on quick recovery.

City of Lockhart, Texas

Council Agenda Item Cover Sheet

COUNCIL MEETING DATE: February 18, 2025

AGENDA ITEM CAPTION: Discuss annual review of the City of Lockhart Emergency Warning System policies which includes the Outdoor Warning Sirens (OWS) and the Regional Notification System (RNS) in partnership with the Capital Area Council of Governments (CAPCOG).

ORIGINATING DEPARTMENT AND CONTACT: Fire - Randy Jenkins

ACTION REQUESTED: Other

BACKGROUND/SUMMARY/DISCUSSION: Severe weather is common in Central Texas from March through November. This includes the typical, peak severe thunderstorm and tornado months from March to June, and it includes the Atlantic hurricane season from June 1 to November 30. The purpose of this agenda item is to complete a routine annual review of the policy and make any needed amendments before the upcoming severe weather season.

The current emergency warning system includes both outdoor and indoor warning methods.

The Outdoor Warning Sirens consist of five (5) electro-mechanical sirens strategically located throughout the city. The sirens are tested on the 1st Monday of each month at 1 p.m. and are maintained through an annual maintenance contract.

Indoor warnings are managed through the CAPCOG Regional Notification System (WarnCentralTexas.org), which has been implemented for citizens to receive warnings and important information on a phone (call or text), and/or computers (Email), to include automated weather warnings from the National Weather Service (NWS).

Due to the age of the Outdoor Warning Sirens (2016), an upgrade to the server and software was completed in 2024. A second manual activation control point was also added at dispatch. In February 2025, all the battery chargers and batteries were upgraded on the system.

The Outdoor Warning Sirens were activated once by the "Auto Activation" software on May 9, 2024, at 8:24:57 p.m. for a Tornado Warning in Caldwell County issued by the NWS.

The City of Lockhart currently has 13,827 contacts in WarnCentralTexas.org.

PROJECT SCHEDULE (if applicable): N/A

FISCAL NOTE (if applicable):

City of Lockhart, Texas

Council Agenda Item Cover Sheet

PREVIOUS COUNCIL ACTION: Emergency Warning Guidelines were adopted by Resolution 2019-14 on July 2, 2019.

COMMITTEE/BOARD/COMMISSION ACTION: N/A

STAFF RECOMMENDATION/REQUESTED MOTION: None.

LIST OF SUPPORTING DOCUMENTS: Resolution 2019-14, OWS Overview 2-18-2025

RESOLUTION NO. 2019-14

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOCKHART ADOPTING EMERGENCY MANAGEMENT STANDARD OPERATION GUIDELINES FOR THE CITY OF LOCKHART OUTDOOR WARNING SIRENS AND FOR A REGIONAL NOTIFICATION SYSTEM

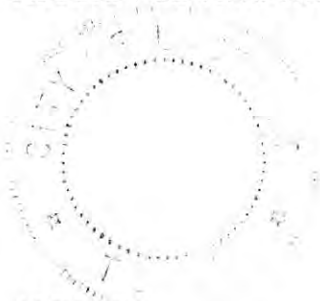
WHEREAS, the City of Lockhart maintains a “Lockhart Hazardous Weather Early Warning System” policy that specifies types of siren signals for particular hazardous weather events and identifies officers who are authorized to activate the early warning system; and

WHEREAS, it is the desire of the City Council of Lockhart to implement a comprehensive emergency warning system that addresses both the City’s outdoor warning sirens and a regional notification system, providing for indoor warnings, summaries of purpose, definitions, operation procedures, chemical emergencies, and which addresses testing, operation, maintenance, and public education concerning the system;

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

1. The foregoing recitals are adopted and incorporated herein for all purposes.
2. The current “Lockhart Hazardous Weather Early Warning System” policy is hereby amended and replaced by the following:
 - (a) “Emergency Management Standard Operating Guideline” for Outdoor Warning Sirens, number 2.1, attached hereto and Exhibit “A”; and
 - (b) “Emergency Management Standard Operating Guideline” for Regional Notification System,” number 2.2, attached hereto as Exhibit “B.”
3. Exhibits “A” and “B” are adopted and incorporated herein for all purposes, effective as of the date of this Resolution.

APPROVED AND ADOPTED on this, the 2th day of July, 2019.



ATTEST:



Connie Constancio, City Secretary

CITY OF LOCKHART



Lew White, Mayor

Approved as to form:



Monte Akers, City Attorney

EXHIBIT "A"



EMERGENCY MANAGEMENT STANDARD OPERATING GUIDELINE

TITLE: OUTDOOR WARNING SIRENS

NUMBER: 2.1

EFFECTIVE: July 2, 2019

Section 1 Purpose

1. The purpose of this procedure is to develop guidelines for the activation, testing and maintenance of the City of Lockhart "Outdoor Warning Sirens".

Section 2 Definitions

1. **Outdoor Warning Sirens (OWS):** Five electro-mechanical rotating sirens strategically located throughout the City of Lockhart to warn citizens outdoor of severe weather and chemical emergencies. See attached map for locations.
2. **Steady Tone:** Audible sound which will rise to its peak and maintain its full strength without declining for three minutes. The sound will have a natural increase and decrease due to the rotation of the siren head.
3. **Primary Activation Point:** Lockhart 9-1-1 Communication Center.
4. **National Weather Service (NWS):** Agency of the United States federal government that is tasked with providing weather forecasts, hazardous weather warnings to organizations and the public for the purposes of protection, safety, and general information.

Section 3 Siren Activation

Outdoor Warning Sirens may be activated for the following conditions in Lockhart:

1. Severe Weather (Steady Tone)

- The National Weather Service (NWS) issues a Tornado Warning.
- The National Weather Service (NWS) issues a Severe Thunderstorm Warning and indicates the potential for destructive winds of 70 mph or greater.
- Observed hail of 1.50" in diameter (ping pong ball) or greater.
- Any observed weather condition, which is judged to be hazardous to people and early warning would potentially save lives.

- A. All sirens will be activated for severe weather. Tornadoes, straight line winds, hail and other weather conditions will be confirmed by the NWS, storm spotters, police and fire supervisors or EOC staff before sirens are activated.
- B. On-duty Fire or Police supervisors will notify the 9-1-1 Communication Center or EOC if activated, with severe weather conditions and are authorized to activate the sirens by the 9-1-1 Communication Center for the above-mentioned weather conditions.
- C. The 9-1-1 Communications Center must have authorization to activate the Outdoor Warning sirens for any emergency.
- D. Designated public officials who are authorized to activate the Outdoor Warning Sirens include;
 - Police Chief or supervisor in charge
 - Fire Chief or supervisor in charge
 - Emergency Management Coordinator (EMC)
 - City Manager
- E. All calls from public about severe weather will be confirmed before activation of the sirens.
- F. Information on severe weather conditions will be passed on to the National Weather Service (NWS) by telephone (**800-292-5508**), Twitter (**@#eWXspotter**) or NWS Chat so warning can be issued if necessary.
- G. Notifications of severe weather may be received from:
 - a) National Weather Service (NWS) may issue warnings of severe weather in area; via telephone, telex, NWS Chat, NOAA weather radio, Regional Notification System (RNS), or television.
 - b) Police officers, firefighters or EOC staff will notify 9-1-1 Communication Center of severe weather in the city.
 - c) Members of community

2. Chemical Emergencies (Steady Tone)

- Railroad Accidents
- Fixed Facilities
- Explosives
- Radiological Accidents

- A. All sirens will be activated for a chemical emergency. Fire Department Incident Commander, Police Supervisor or EMC will determine when necessary to activate sirens for a chemical emergency.
- B. Reports of chemical emergencies from members of the public will be confirmed before activation of Outdoor Warning Sirens.
- C. Information on type of emergency, location, and action required must be distributed to the public for chemical emergencies. Public warning methods include; Regional Notification System (RNS), Social Media, and door to door.

Section 4 Monthly Testing

- 1. Sirens will be tested monthly on the first Monday at 1 PM by the 9-1-1 Communication Center. Sirens will be manually activated by the 911 dispatcher.
- 2. All sirens will be activated using the Severe Weather “Steady Tone” for three minutes.
- 3. Information about the monthly test will be posted on social media the day of the test and information about the Outdoor Warning Sirens will be posted on city’s website for review by public.
- 4. The Outdoor Warning Sirens will not be tested if the weather is threatening on the day of the test or a large event is planned for Lockhart. The 9-1-1 Communications Supervisor will make the final determination after reviewing the weather forecast, current weather conditions, and planned events.

Section 5 Operations / Maintenance

- 1. Lockhart Police Department will be responsible for the operation and maintenance of the Outdoor Warning Sirens.
- 2. Sirens will be monitored and activated from the Lockhart 9-1-1 Communication Center.
- 3. All malfunctions or alarms will be reported to the Lockhart Police Chief or his designee for investigation and repair.
- 4. An annual maintenance and repair contract will be maintained by the city.

Section 6 Locations

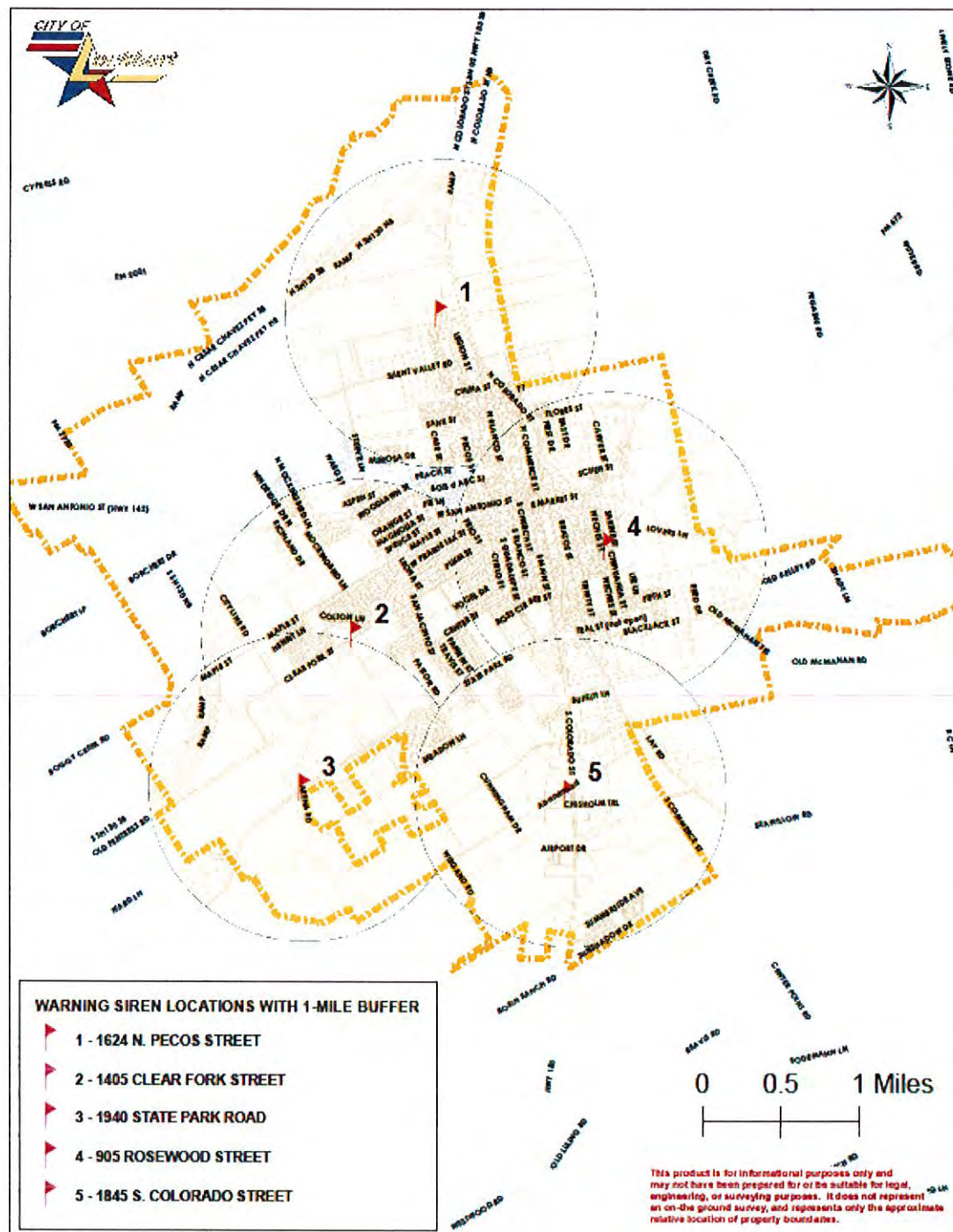


EXHIBIT "B"



EMERGENCY MANAGEMENT STANDARD OPERATING GUIDELINE

TITLE: REGIONAL NOTIFICATION SYSTEM
NUMBER: 2.2
EFFECTIVE: July 2, 2019

Section 1 Purpose

1. The purpose of this procedure is to develop guidelines for the use and maintenance of the City of Lockhart "Regional Notification System" (RNS).

Section 2 Definitions

1. **WarnCentralTexas.org** –The Capital Area Council of Governments (CAPCOG) uses a Regional Notification System (RNS) as a crucial public-safety tool. The web-based tool is available to users throughout the CAPCOG region to alert the public to emergency and non-emergency situations. It's an effective tool for notifying a relatively large number of people in a short period of time.
2. Messages may include content such as incident-specific information, recommended protective actions or response directives. They can be delivered to various devices that accept voice, Email or SMS text content and to alpha or numeric pagers.
3. The message sender identifies recipients, develops the message and determines which types of devices receive the message. Regional partners which use RNS can send voice messages to landline phones using CAPCOG's 9-1-1 database. However, residents and visitors to the CAPCOG region must register their cell phone numbers and Email addresses to receive notifications on mobile devices or computers.
4. In addition to alerts sent by local jurisdictions, residents may choose to receive automated warnings for tornados, severe thunderstorms or flash flooding, from the National Weather Service (NWS).

Section 3 Operation / Procedures

1. The following designated public safety officials are authorized to develop, approve, and/or initiate an emergency message;
 - Police Chief or supervisor in charge
 - Fire Chief or supervisor in charge
 - Emergency Management Coordinator (EMC)
 - City Manager

2. Each of the personnel above will have the authority to create emergency messages for the public. The message, area to send message, and time to send message will be given to 9-1-1 Communications to create the message.
3. The **Regional Notification System (RNS)** may be activated for the following types of emergency situations:
 - Boil-Water Notices
 - Missing Person / Child
 - Evacuation / Shelter-in-Place Notices
 - Natural Hazards (Wildfires, etc.)
 - Chemical Spills / Gas Leaks
 - Utility Outages
 - Major Traffic Disruptions
 - Criminal Alert
 - Other situations as approved by authorized public safety officials
 - Automated weather warnings from the National Weather Service (NWS) for Tornado, Flooding, Winter Storm, and Severe Thunderstorms
4. The pre-recorded phone message should include a description of the situation and any instructions for residents to take. Locations for additional information such as city website may be included in messages.
5. Additional notification systems may be used in connection with the RNS to distribute emergency information to the public. These systems include:
 - Outdoor Warning Sirens
 - Social Networking Sites (*Facebook, Twitter*)
 - Press Releases
 - City Cable Channel
 - City Website
6. The 9-1-1 Communications Center may also maintain city call out lists as provided by each department. Example: Management / EOC Team, Utilities call list, etc. Each department is responsible for updating the list and forwarding any changes to 9-1-1 Communications.
7. Emergency and non-emergency informational messages for staff may be delivered through the Regional Notification System (RNS).

Section 4 Testing / Maintenance

1. An RNS test message will be sent to a pre-determined number of city staff to test the system on the same date the Outdoor Warning Sirens are tested monthly. The 9-1-1 Communication Center will initiate the test message.
2. The 9-1-1 Communications Supervisor or on-duty Police supervisor will be the point of contact for the RNS system, to include operational issues, department call list, and emergency messages.

Section 5 RNS Marketing

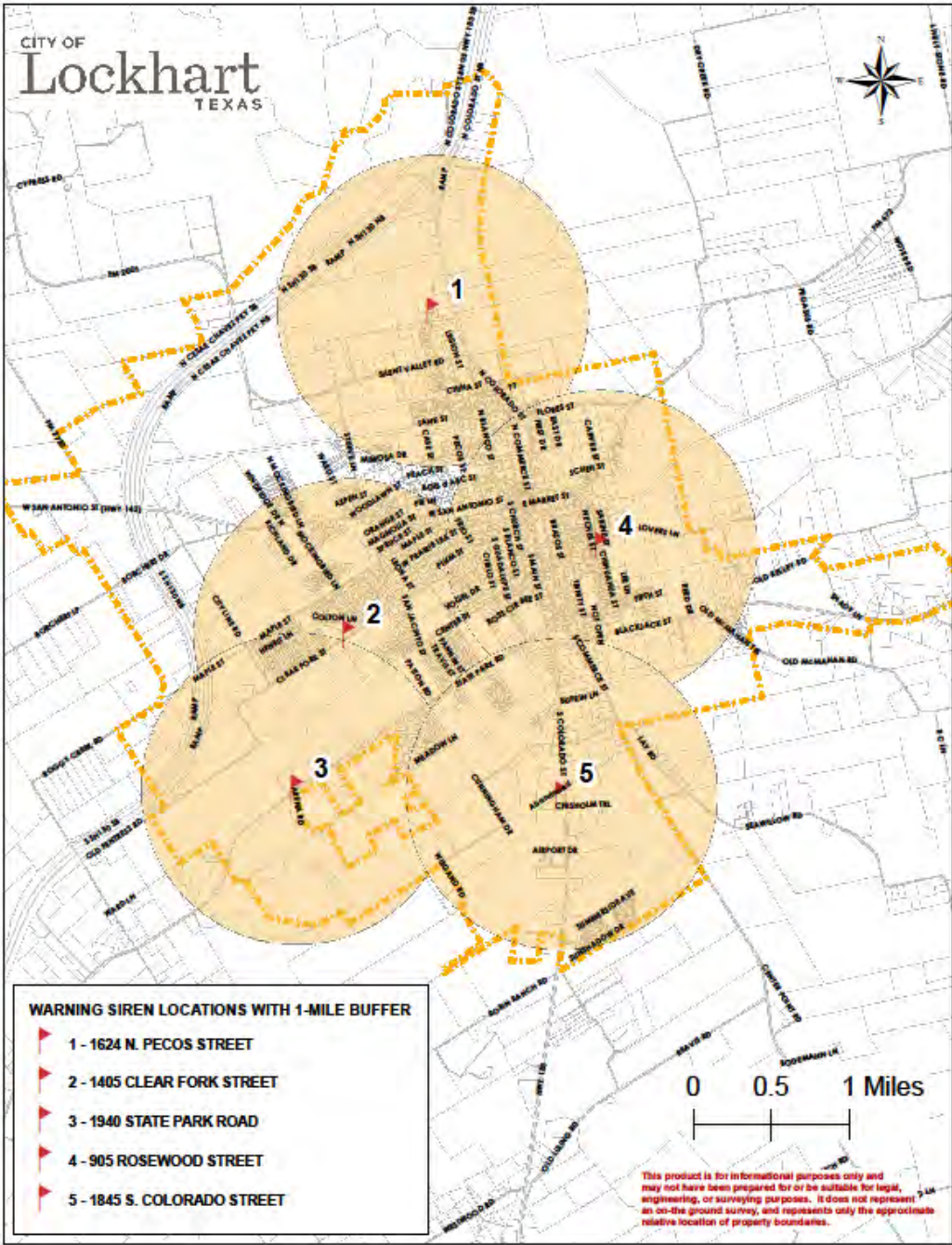
1. The City of Lockhart will encourage citizens to enroll in the Regional Notification System (RNS) through newsletters, Social Media (Facebook, Twitter), city website, flyers at community events, and through public education in schools, etc.



OUTDOOR WARNING SIRENS POLICY REVIEW 2025



CURRENT OWS MAP



OUTDOOR WARNING SIREN ACTIVATION CRITERIA

- National Weather Service (NWS) issues a Tornado Warning.
- National Weather Service (NWS) issues a Severe Thunderstorm Warning and indicates the potential for destructive winds of 70 mph or greater.
- Observed hail of 1.50” in diameter (ping pong ball) or greater.
- Any observed weather condition, which is judged to be hazardous to people and early warning would potentially save lives.

ACTIVATION AUTHORITY

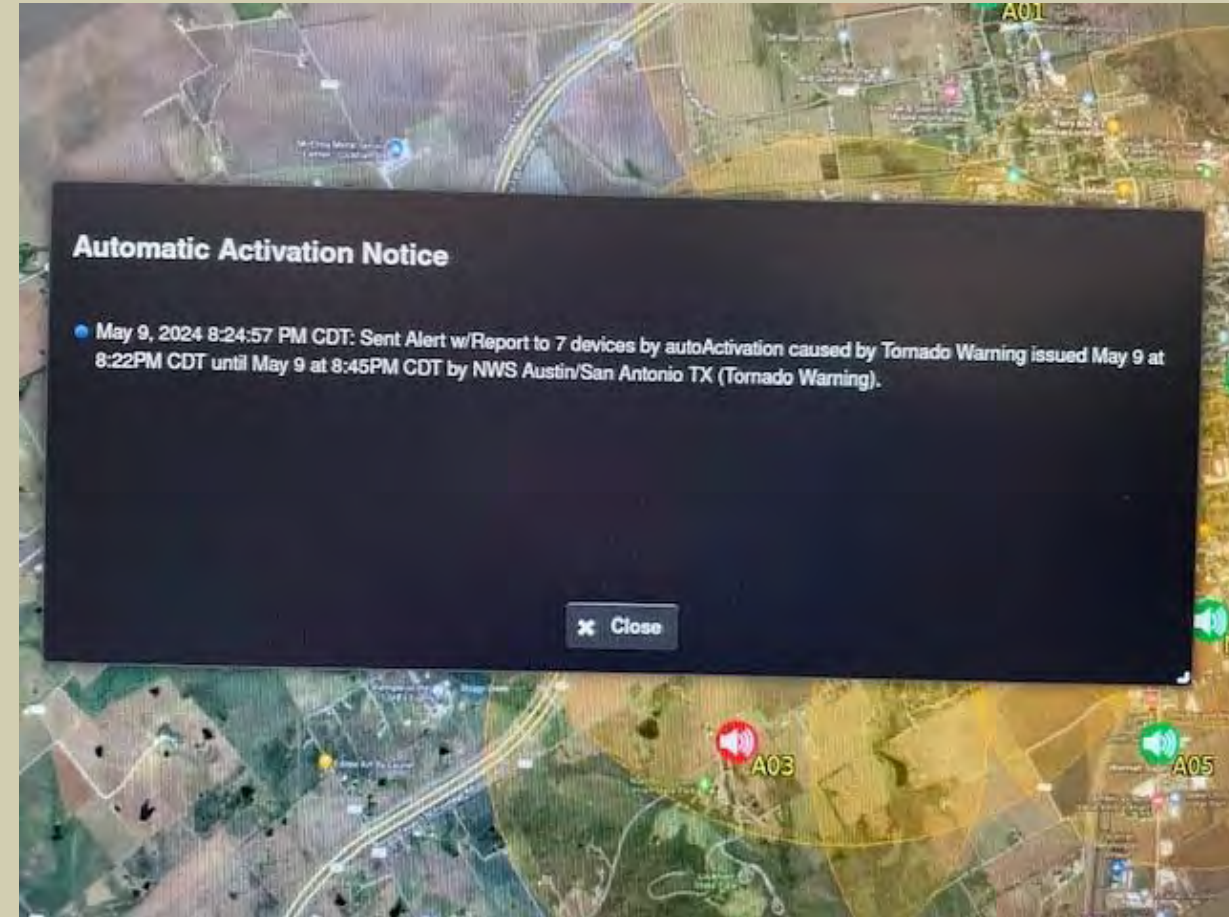
- Public officials authorized to activate the OWS include;
 - Police Chief or supervisor in charge.
 - Fire Chief/EMC or supervisor in charge.
 - City Manager.

NWS POLYGONS FOR WARNINGS

- The National Weather Service (NWS) issues weather warnings using polygons (Tornado, Thunderstorm, etc.)
- A polygon is any 2-dimensional shape formed with straight lines.
- An Outdoor Warning Siren activation is based on polygon warnings from the NWS which include the City of Lockhart and meets the activation criteria.
- The Regional Notification System (*WarnCentralTexas*) uses the NWS polygons to issue warnings. You will receive notifications when the address you entered into the system is included in a NWS polygon.
- Citizens must sign up online to receive automated weather warnings.
<https://warncentraltexas.org/>

OUTDOOR WARNING SIREN ACTIVATIONS 2024

- The OWS were activated once in 2024.
- May 9, 2024, at 8:24:57 pm.
- Activated for a Tornado Warning issued by the NWS for Caldwell County to include Lockhart.
- The “Auto Activation” software initiated the OWS activation.



Tomado Warning

Beginning: 2024-05-10T01:22:00

Ending: 2024-05-10T01:45:00

New Alert

THE NATIONAL WEATHER SERVICE IN AUSTIN SAN ANTONIO HAS ISSUED A

* TORNADO WARNING FOR...
NORTHWESTERN CALDWELL COUNTY IN SOUTH CENTRAL TEXAS...
SOUTHEASTERN HAYS COUNTY IN SOUTH CENTRAL TEXAS...
NORTH CENTRAL GUADALUPE COUNTY IN SOUTH CENTRAL TEXAS...

* UNTIL 845 PM CDT.

* AT 821 PM CDT, A SEVERE THUNDERSTORM CAPABLE OF PRODUCING A TORNADO
WAS LOCATED NEAR SAN MARCOS, MOVING SOUTHEAST AT 40 MPH.

HAZARD...TORNADO AND SOFTBALL SIZE HAIL.

SOURCE...RADAR INDICATED ROTATION.

IMPACT...FLYING DEBRIS WILL BE DANGEROUS TO THOSE CAUGHT WITHOUT
SHELTER. MOBILE HOMES WILL BE DAMAGED OR DESTROYED.
DAMAGE TO ROOFS, WINDOWS, AND VEHICLES WILL OCCUR. TREE
DAMAGE IS LIKELY.

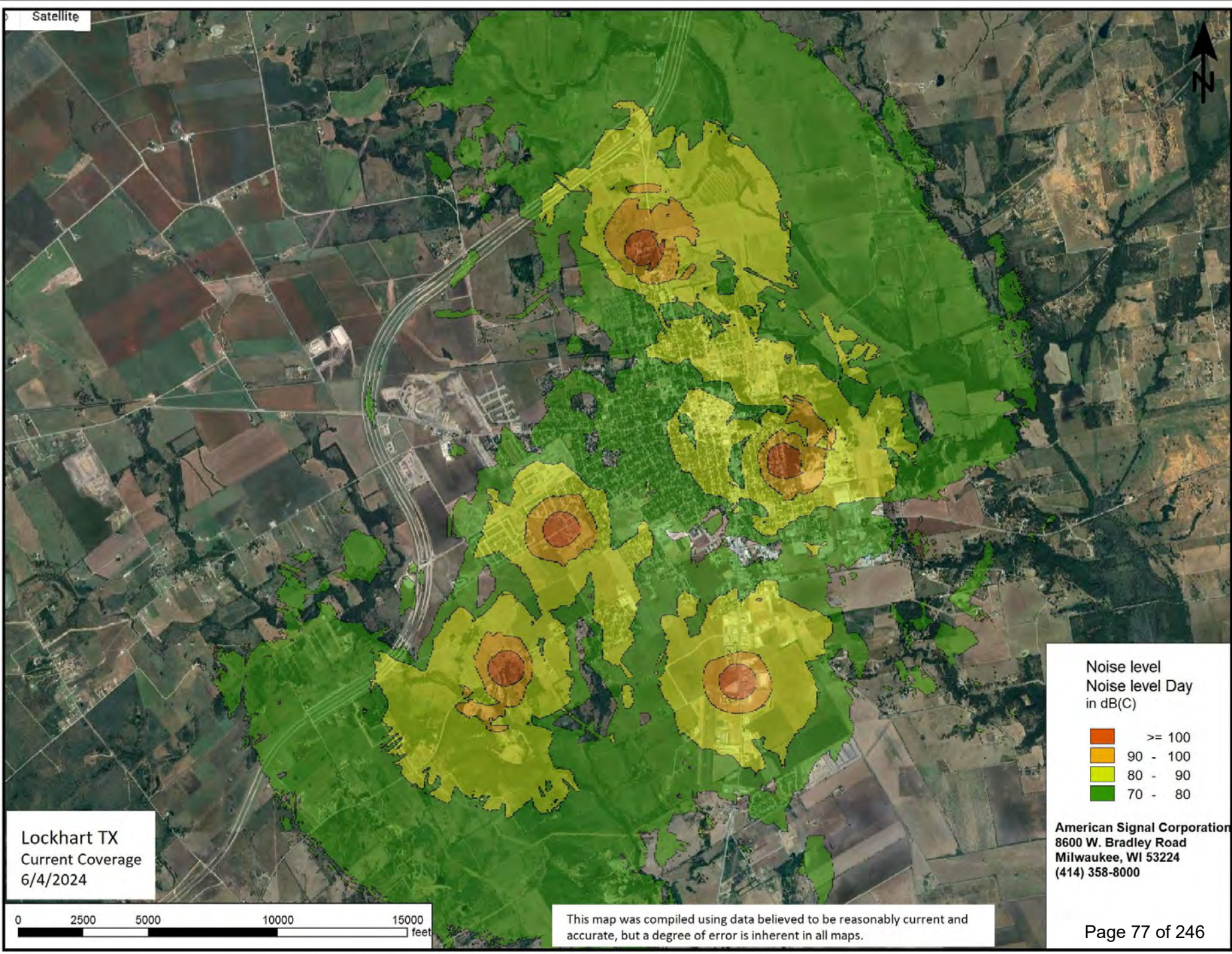
* LOCATIONS IMPACTED INCLUDE...
SAN MARCOS, KYLE, LOCKHART, WIMBERLEY, MARTINDALE, UHLAND,
NIEDERWALD, STAPLES, ZORN, MOUNTAIN CITY, SAN MARCOS REGIONAL
AIRPORT, MAXWELL, REEDVILLE, REDWOOD, AND HAYS CITY.

PRECAUTIONARY/PREPAREDNESS ACTIONS...

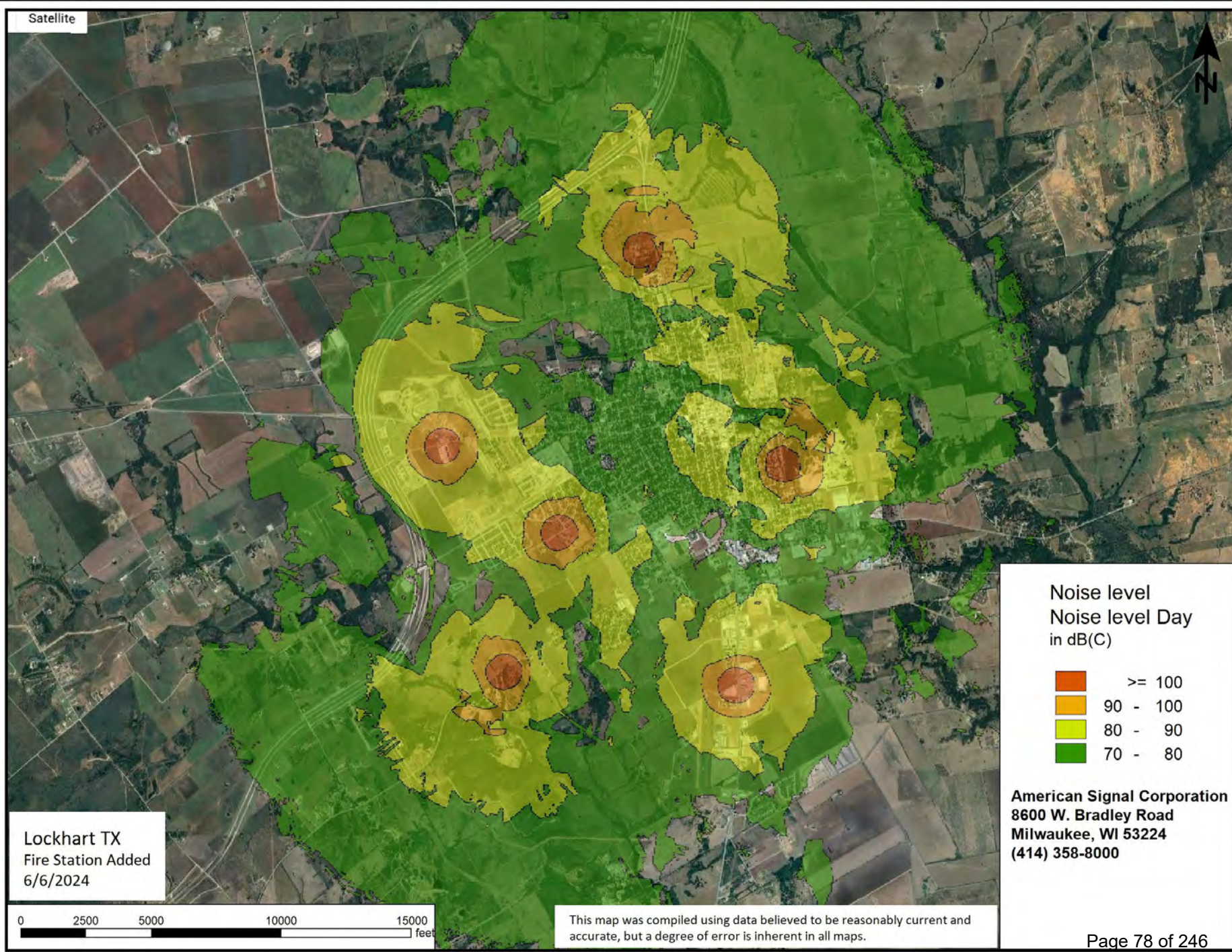
TAKE COVER NOW! MOVE TO A BASEMENT OR AN INTERIOR ROOM ON THE LOWEST
FLOOR OF A STURDY BUILDING. AVOID WINDOWS. IF YOU ARE OUTDOORS, IN A
MOBILE HOME, OR IN A VEHICLE, MOVE TO THE CLOSEST SUBSTANTIAL SHELTER
AND PROTECT YOURSELF FROM FLYING DEBRIS.

TORRENTIAL RAINFALL IS OCCURRING WITH THIS STORM, AND MAY LEAD TO
FLASH FLOODING. DO NOT DRIVE YOUR VEHICLE THROUGH FLOODED ROADWAYS

TOPOGRAPHY
MAP
CURRENT



TOPOGRAPHY
MAP
NEW LOCATION



2025 UPGRADES TO OWS SYSTEM



BEE REMOVAL N. PECOS ST.



QUESTIONS??



City of Lockhart, Texas

Council Agenda Item Cover Sheet

COUNCIL MEETING DATE: February 18, 2025

AGENDA ITEM CAPTION: Presentation by Police Chief Williamson regarding the 2024 Racial Profiling Report.

ORIGINATING DEPARTMENT AND CONTACT: Police - Gary Williamson

ACTION REQUESTED: Other

BACKGROUND/SUMMARY/DISCUSSION: State law requires collection of information relating to motor vehicle stops in which a citation or warning is issued and for arrests made due to traffic stops. In addition, State law requires the following:

1. A comparative analysis of the information compiled;
2. Evaluate and compare the number of motor vehicle stops, within the applicable jurisdiction, of persons who are recognized as racial or ethnic minorities and person who are not recognized as racial or ethnic minorities;
3. Examine the disposition of motor vehicle stops made by officers employed by the agency, categorized according to the race or ethnicity of the affected persons, as appropriate, including searches resulting from stops within the applicable jurisdiction;
4. Evaluate and compare the number of searches resulting from motor vehicle stops within the applicable jurisdiction and whether contraband or other evidence was discovered during those searches and whether the individual detained consented to the search;
5. Information relating to each complaint filed with the agency alleging that a peace officer employed by the agency was engaged in racial profiling;
6. Whether the peace officer knew the race or ethnicity of the individual detained before detaining the individual;
7. Whether the peace officer used physical force that resulted in bodily injury, as that term is defined by Section 1.07, Penal Code, during the stop;
8. Location of the stops; and
9. The reason for the stops.

PROJECT SCHEDULE (if applicable): N/A

FISCAL NOTE (if applicable): N/A

PREVIOUS COUNCIL ACTION: N/A

COMMITTEE/BOARD/COMMISSION ACTION: N/A

STAFF RECOMMENDATION/REQUESTED MOTION: Motion to acknowledge receipt of the

City of Lockhart, Texas

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2024 Racial Profiling Report and place it on file.

LIST OF SUPPORTING DOCUMENTS: 2024 Racial Profiling Report powerpoint , 2024 Racial Profiling Report, Texas TCOLE SB1187 Racial Profiling Report (2024) - Brazos Analysis

2024 Racial Profiling Report



Racial profiling is, by definition: *a law enforcement-initiated action based on an individual's race or ethnicity or national origin rather than on an individual's behavior or on information identifying the individual as having engaged in criminal activity.*

Racial profiling is strictly prohibited by law and profiling based upon national origin, race, ethnicity, sex, age, sexual preference, religion or creed is strictly prohibited by the Lockhart Police Department.

State Racial Profiling Law

- Mandates each agency collect data on traffic stops and submit to:
 - Agency's governing body.
 - Texas Commission on Law Enforcement (TCOLE)
- Data includes:
 - # of motor vehicle stops with racial and ethnic breakdowns.
 - Disposition of the traffic stop.
 - Written Warning, Citation, Arrest, Verbal warning, Citation and Arrest, Warning and Arrest.

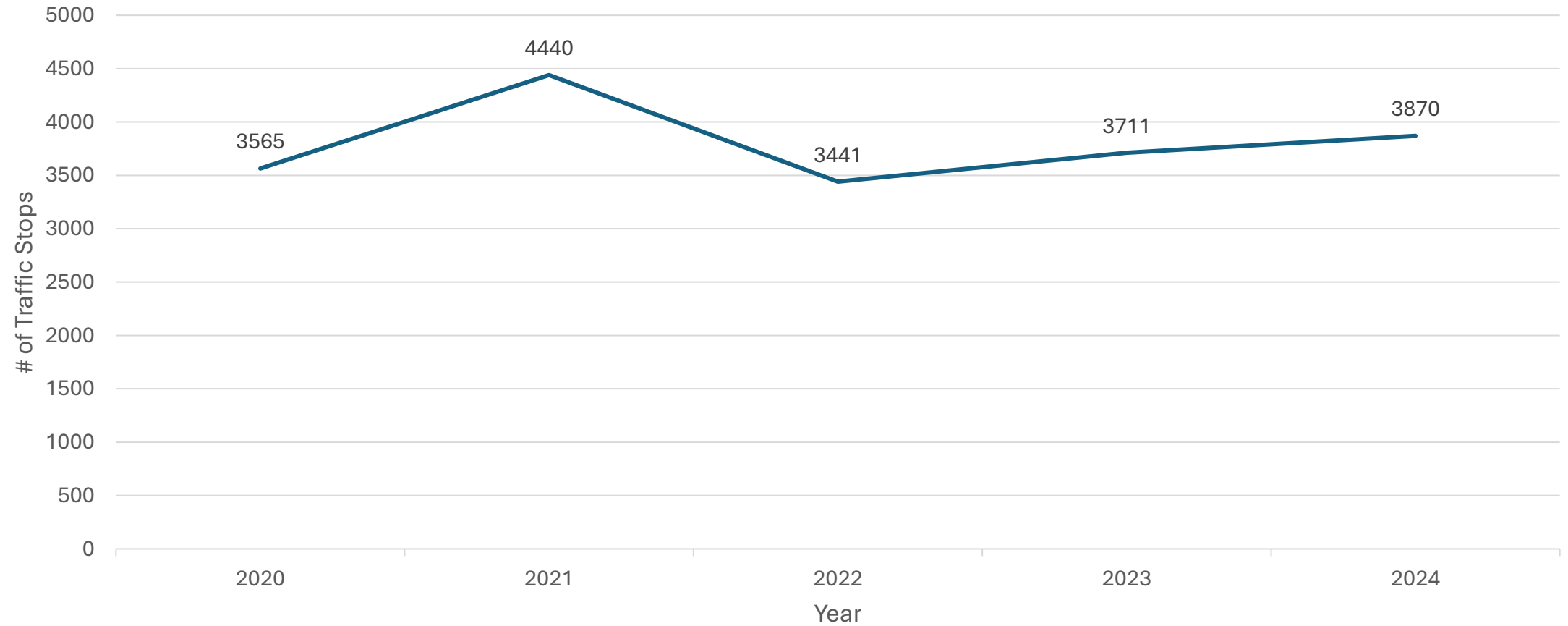
State Racial Profiling Law

- # of Vehicle Searches.
- # of complaints related to racial profiling.
- Any physical force that resulted in injury during a stop.
- Reasons of the stops.

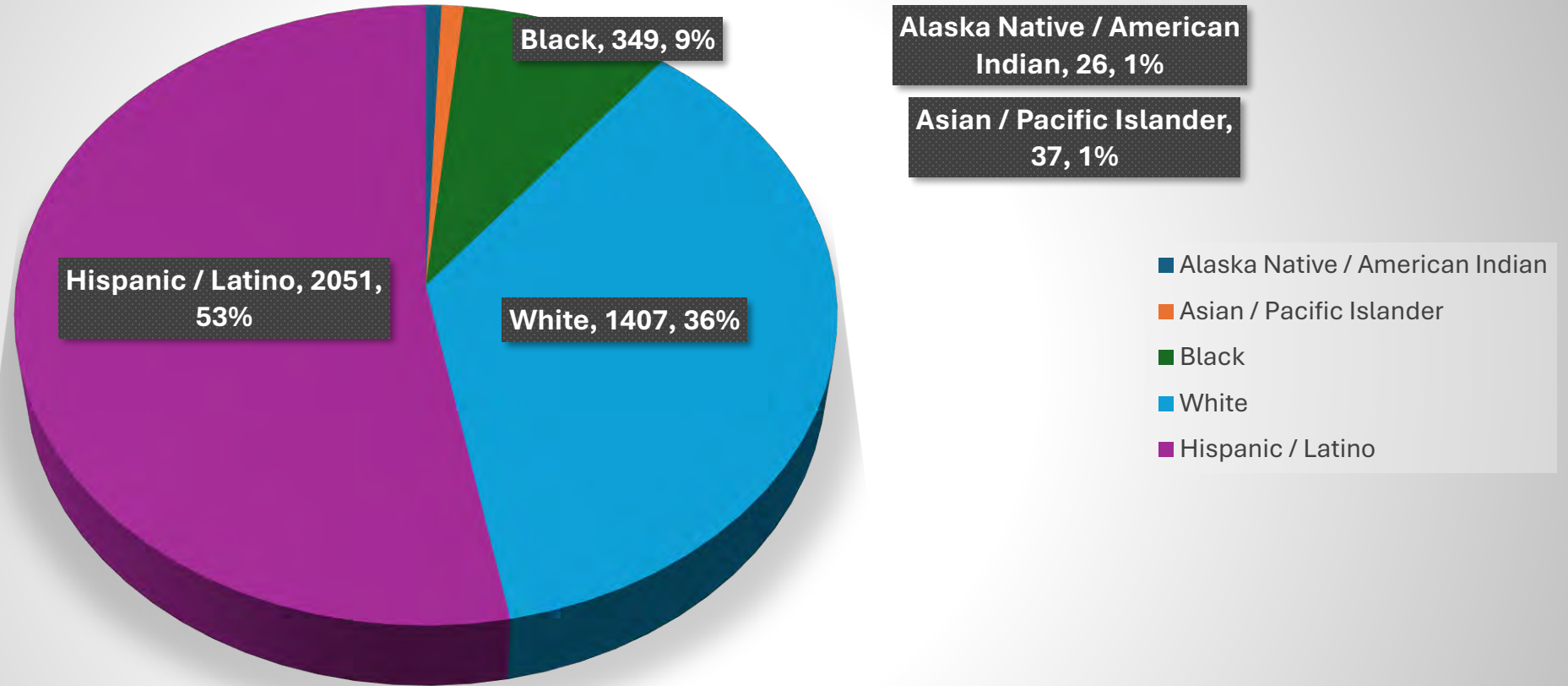
3,870 Traffic Stops by LPD in 2024



of Traffic Stops for the Past 5 Years

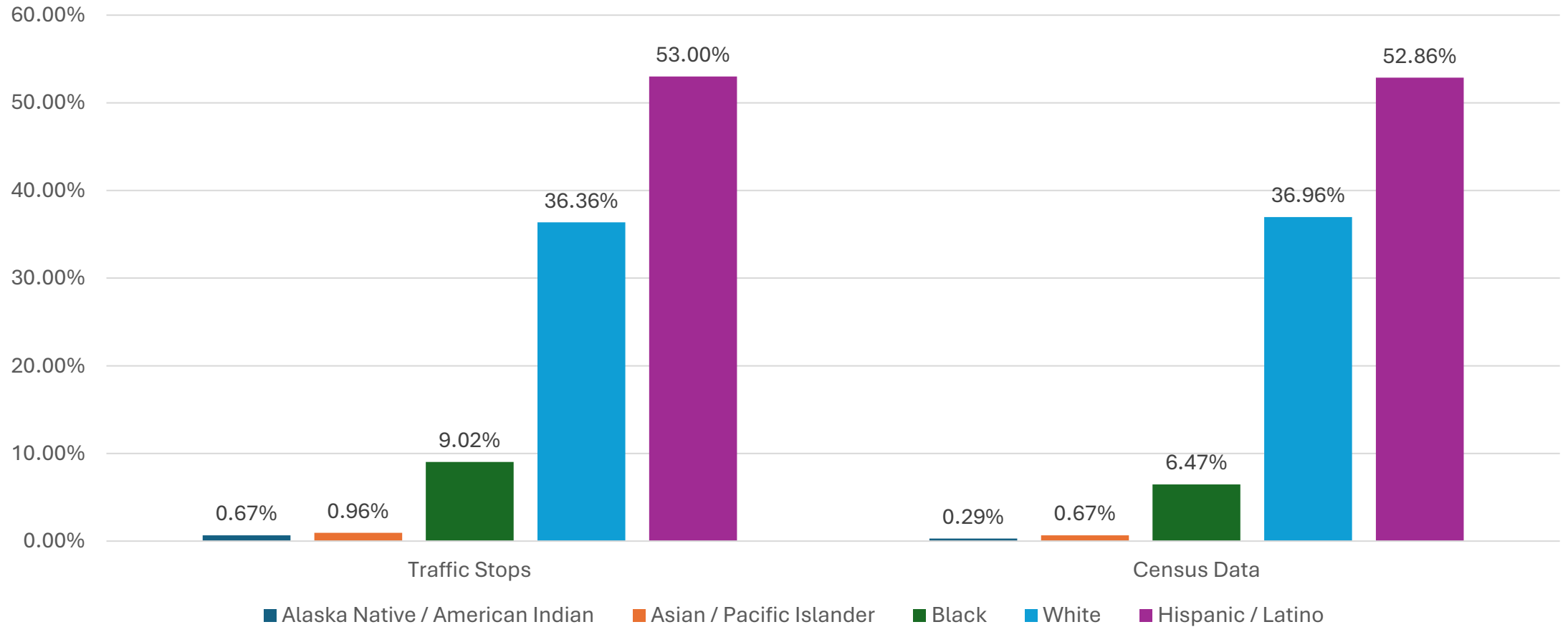


Traffic Stops by Race / Ethnicity 2024

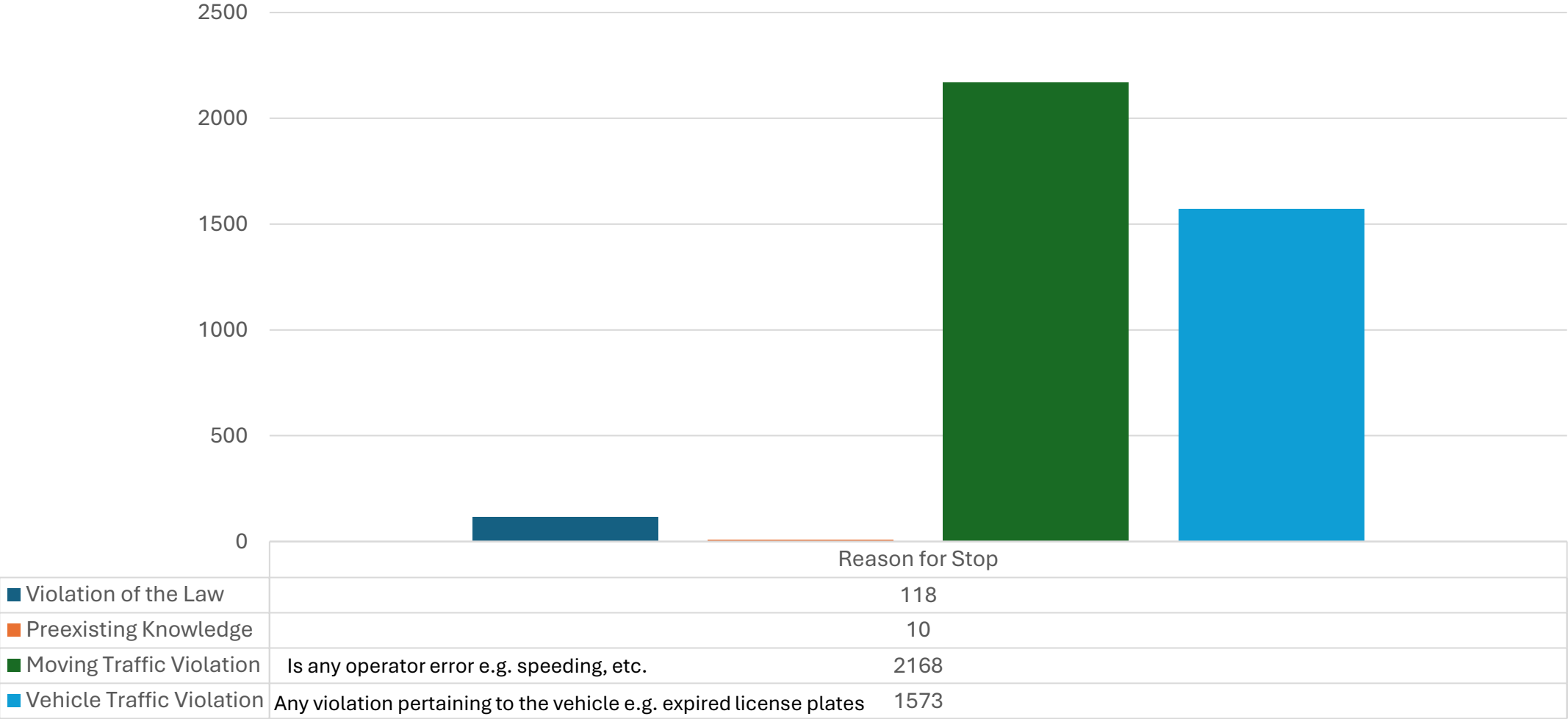


Traffic Stops vs. Census Data

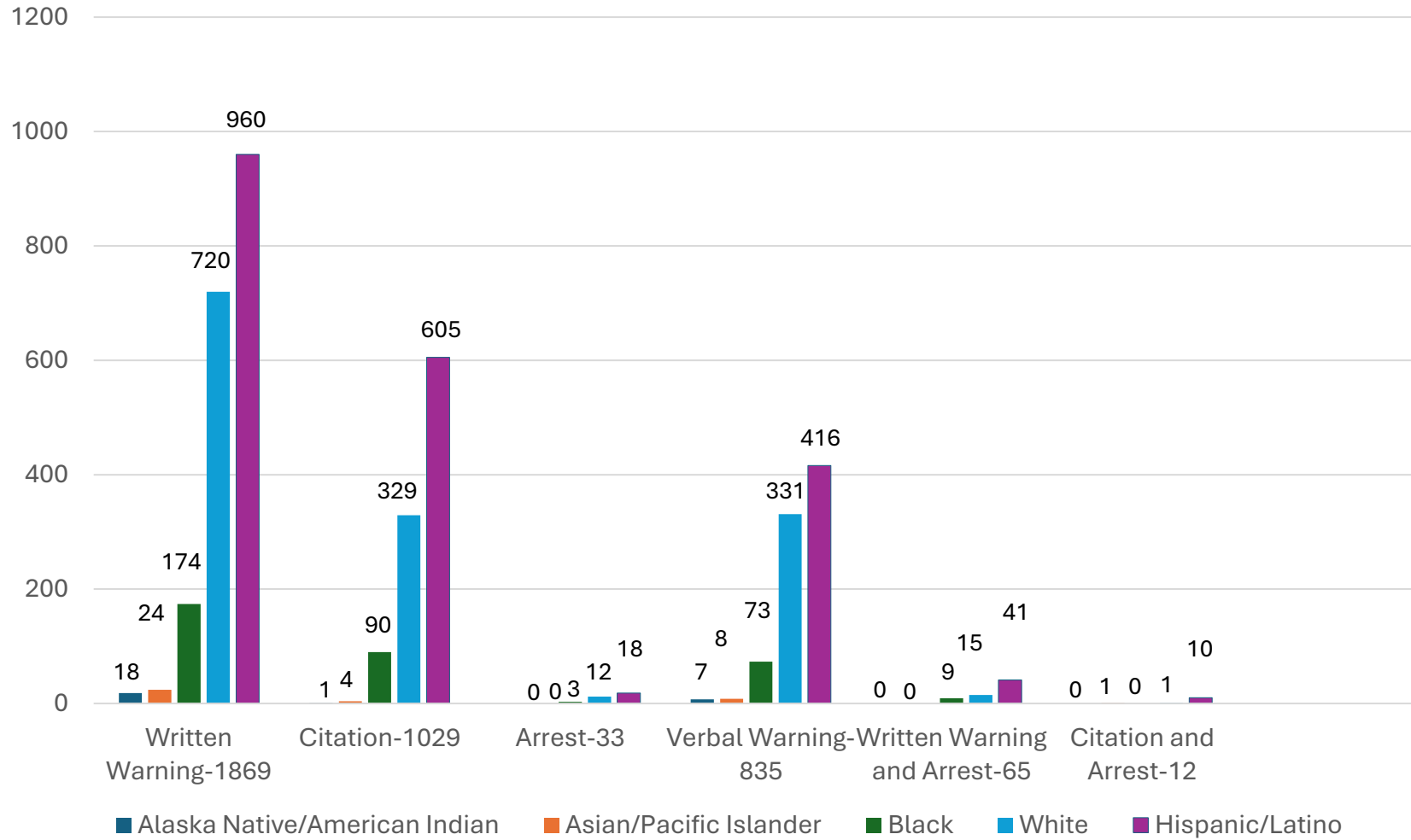
(2020 Census Data)



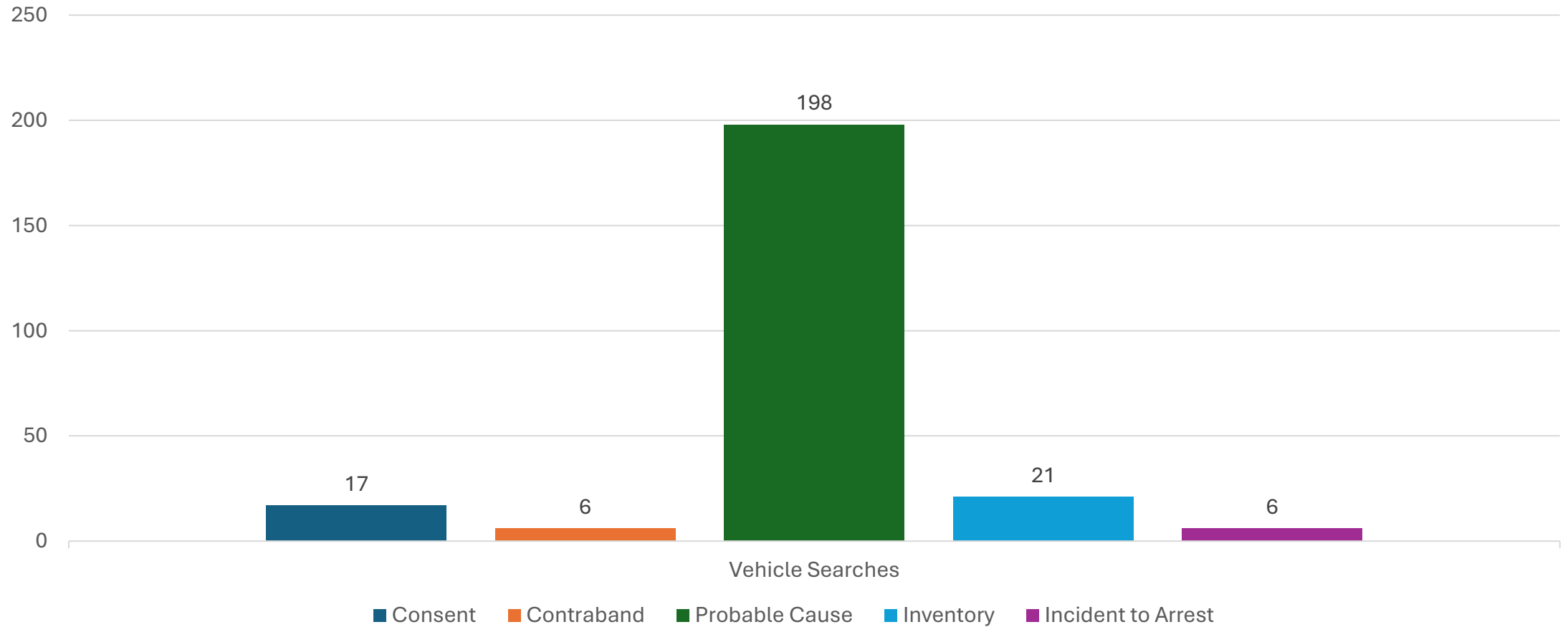
Reason for Traffic Stop



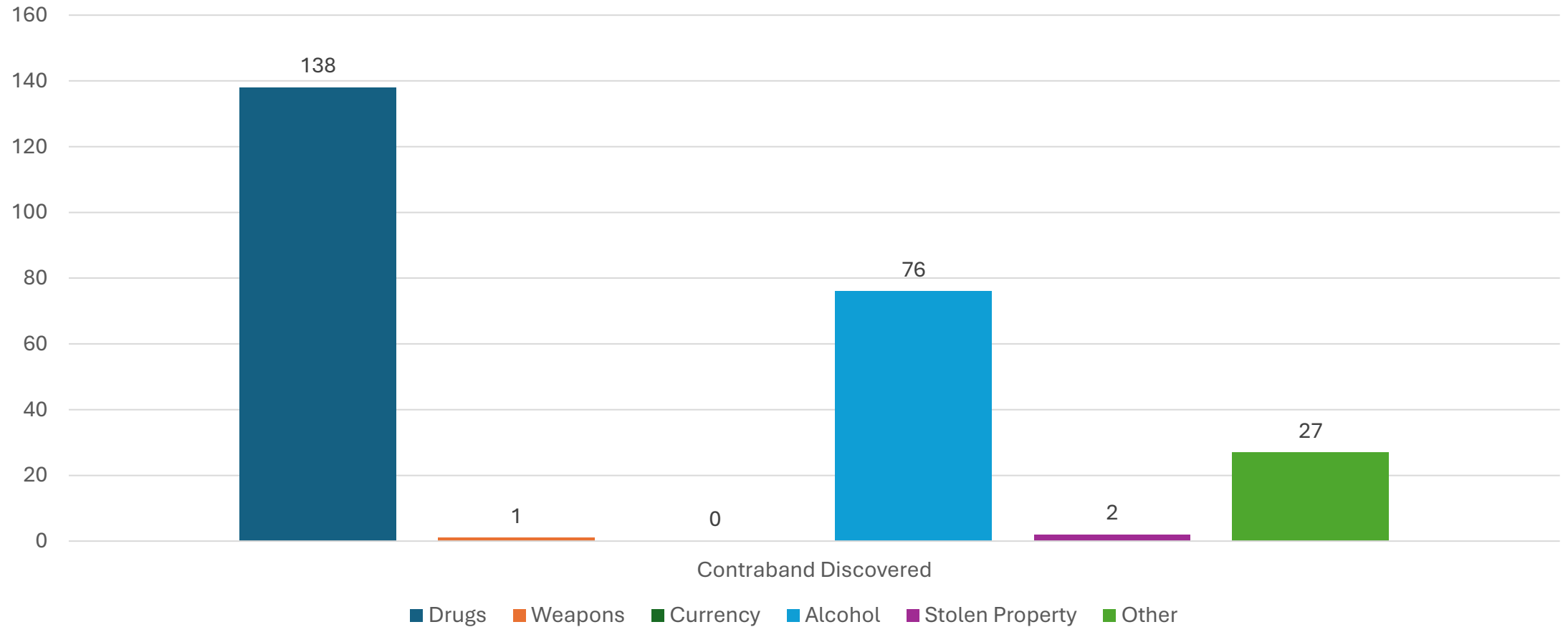
Disposition of the Traffic Stops



Vehicle Searches



Contraband Discovered



Racial Profiling Report

- In 2024, there was a use of force incident that resulted in bodily injury during a traffic stop.
- No complaints of racial profiling.
- LPD policy prohibits Bias-based Profiling and Racial Profiling.

Questions?

Racial Profiling Report | Full

Agency Name: LOCKHART POLICE DEPARTMENT
Reporting Date: 01/27/2025
TCOLE Agency Number: 055201

Chief Administrator: GARY P. WILLIAMSON

Agency Contact Information:

Phone: (512) 398-4401

Email: gwilliamson@ps.lockhart-tx.org

Mailing Address:

214 BUFKIN LN

LOCKHART, TX 78644-4006

This Agency filed a full report

LOCKHART POLICE DEPARTMENT has adopted a detailed written policy on racial profiling. Our policy:

- 1) clearly defines acts constituting racial profiling;
- 2) strictly prohibits peace officers employed by the LOCKHART POLICE DEPARTMENT from engaging in racial profiling;
- 3) implements a process by which an individual may file a complaint with the LOCKHART POLICE DEPARTMENT if the individual believes that a peace officer employed by the LOCKHART POLICE DEPARTMENT has engaged in racial profiling with respect to the individual;
- 4) provides public education relating to the agency's complaint process;
- 5) requires appropriate corrective action to be taken against a peace officer employed by the LOCKHART POLICE DEPARTMENT who, after an investigation, is shown to have engaged in racial profiling in violation of the LOCKHART POLICE DEPARTMENT policy;
- 6) requires collection of information relating to motor vehicle stops in which a warning or citation is issued and to arrests made as a result of those stops, including information relating to:
 - a. the race or ethnicity of the individual detained;
 - b. whether a search was conducted and, if so, whether the individual detained consented to the search;
 - c. whether the peace officer knew the race or ethnicity of the individual detained before detaining that individual;
 - d. whether the peace officer used physical force that resulted in bodily injury during the stop;
 - e. the location of the stop;
 - f. the reason for the stop.
- 7) requires the chief administrator of the agency, regardless of whether the administrator is elected, employed, or appointed, to submit an annual report of the information collected under Subdivision (6) to:
 - a. the Commission on Law Enforcement; and
 - b. the governing body of each county or municipality served by the agency, if the agency is an agency of a county, municipality, or other political subdivision of the state.

The LOCKHART POLICE DEPARTMENT has satisfied the statutory data audit requirements as prescribed in

Article 2.133(c), Code of Criminal Procedure during the reporting period.

Executed by: DANIEL WILLIAMS
Captain

Date: 01/27/2025

Total stops: 3870

Street address or approximate location of the stop

City street	3427
US highway	345
County road	9
State highway	86
Private property or other	3

Was race or ethnicity known prior to stop?

Yes	28
No	3842

Race / Ethnicity

Alaska Native / American Indian	26
Asian / Pacific Islander	37
Black	349
White	1407
Hispanic / Latino	2051

Gender

Female	1281
Alaska Native / American Indian	3
Asian / Pacific Islander	7
Black	85
White	526
Hispanic / Latino	660
Male	2589
Alaska Native / American Indian	23
Asian / Pacific Islander	30
Black	264
White	881
Hispanic / Latino	1391

Reason for stop?

Violation of law	118
Alaska Native / American Indian	0
Asian / Pacific Islander	1
Black	15
White	32

Hispanic / Latino	70
Preexisting knowledge	10
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	2
White	3
Hispanic / Latino	5
Moving traffic violation	2168
Alaska Native / American Indian	15
Asian / Pacific Islander	23
Black	194
White	832
Hispanic / Latino	1104
Vehicle traffic violation	1574
Alaska Native / American Indian	11
Asian / Pacific Islander	13
Black	138
White	871
Hispanic / Latino	540
Was a search conducted?	
Yes	248
Alaska Native / American Indian	1
Asian / Pacific Islander	1
Black	36
White	55
Hispanic / Latino	155
No	3622
Alaska Native / American Indian	25
Asian / Pacific Islander	36
Black	313
White	1352
Hispanic / Latino	1896
Reason for Search?	
Consent	17
Alaska Native / American Indian	1
Asian / Pacific Islander	0
Black	1
White	4

Hispanic / Latino	10				
Contraband	6				
Alaska Native / American Indian	0				
Asian / Pacific Islander	0				
Black	1				
White	1				
Hispanic / Latino	4				
Probable	198				
Alaska Native / American Indian	0				
Asian / Pacific Islander	0				
Black	33				
White	45				
Hispanic / Latino	120				
Inventory	21				
Alaska Native / American Indian	0				
Asian / Pacific Islander	1				
Black	0				
White	5				
Hispanic / Latino	15				
Incident to arrest	6				
Alaska Native / American Indian	0				
Asian / Pacific Islander	0				
Black	0				
White	0				
Hispanic / Latino	6				
Was Contraband discovered?					
Yes	201				
		Did the finding result in arrest?			
		(total should equal previous column)			
Alaska Native / American Indian	1	Yes	1	No	0
Asian / Pacific Islander	1	Yes	0	No	1
Black	28	Yes	22	No	6
White	43	Yes	35	No	8
Hispanic / Latino	128	Yes	103	No	25
No	47				
Alaska Native / American Indian	0				
Asian / Pacific Islander	0				
Black	8				
White	12				
Hispanic / Latino	27				

Description of contraband	
Drugs	138
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	25
White	27
Hispanic / Latino	86
Weapons	1
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	1
White	0
Hispanic / Latino	0
Currency	0
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	0
White	0
Hispanic / Latino	0
Alcohol	76
Alaska Native / American Indian	0
Asian / Pacific Islander	1
Black	6
White	14
Hispanic / Latino	55
Stolen property	2
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	0
White	2
Hispanic / Latino	0
Other	27
Alaska Native / American Indian	1
Asian / Pacific Islander	1
Black	2
White	6
Hispanic / Latino	17
Result of the stop	
Verbal warning	835

Alaska Native / American Indian	7
Asian / Pacific Islander	8
Black	73
White	331
Hispanic / Latino	416
Written warning	1896
Alaska Native / American Indian	18
Asian / Pacific Islander	24
Black	174
White	720
Hispanic / Latino	960
Citation	1029
Alaska Native / American Indian	1
Asian / Pacific Islander	4
Black	90
White	329
Hispanic / Latino	605
Written warning and arrest	65
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	9
White	15
Hispanic / Latino	41
Citation and arrest	12
Alaska Native / American Indian	0
Asian / Pacific Islander	1
Black	0
White	1
Hispanic / Latino	10
Arrest	33
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	3
White	12
Hispanic / Latino	18
Arrest based on	
Violation of Penal Code	90
Alaska Native / American Indian	0
Asian / Pacific Islander	1

Black	10
White	21
Hispanic / Latino	58
Violation of Traffic Law	6
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	1
White	5
Hispanic / Latino	0
Violation of City Ordinance	1
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	0
White	0
Hispanic / Latino	1
Outstanding Warrant	13
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	1
White	7
Hispanic / Latino	5

Was physical force resulting in bodily injury used during stop?

Yes	1
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	0
White	0
Hispanic / Latino	1
Resulting in Bodily Injury To:	
Suspect	1
Officer	0
Both	0
No	3869
Alaska Native / American Indian	26
Asian / Pacific Islander	37
Black	349
White	1407
Hispanic / Latino	2050

Number of complaints of racial profiling

Total	0
Resulted in disciplinary action	0
Did not result in disciplinary action	0

Comparative Analysis

Use TCOLE's auto generated analysis	☐
Use Department's submitted analysis	☒

Optional Narrative

N/A

Submitted electronically to the



The Texas Commission on Law Enforcement

Lockhart, TX PD

Jan 1, 2024 - Dec 31, 2024

Texas TCOLE SB1187 Racial Profiling Report (2024)

PLEASE NOTE: This report is based on the format provided by the Texas Commission on Law Enforcement (TCOLE), current as of Dec. 14, 2022.

01.Total Traffic Stops			
			3,870
			3,870
02. Location of Stop			
	0.03%		1
CITY STREET	88.53%		3,426
COUNTY ROAD	0.23%		9
PRIVATE PROPERTY OR OTHER	0.08%		3
STATE HIGHWAY	2.22%		86
US HIGHWAY	8.91%		345
Total	100.00%		3,870
03. Was Race Known Prior to Stop?			
N	99.28%		3,842
Y	0.72%		28
Total	100.00%		3,870
04. Race or Ethnicity			
ALASKA NATIVE/AMERICAN INDIAN	0.67%		26
ASIAN/PACIFIC ISLANDER	0.96%		37
BLACK	9.02%		349
HISPANIC/LATINO	53.00%		2,051
WHITE	36.36%		1,407
Total	100.00%		3,870
05. Gender			
FEMALE	ALASKA NATIVE/AMERICAN INDIAN	0.23%	3
	ASIAN/PACIFIC ISLANDER	0.55%	7

Texas TCOLE SB1187 Racial Profiling Report (2024)

PLEASE NOTE: This report is based on the format provided by the Texas Commission on Law Enforcement (TCOLE), current as of Dec. 14, 2022.

05. Gender			
FEMALE	BLACK	6.64%	85
	HISPANIC/LATINO	51.52%	660
	WHITE	41.06%	526
		100.00%	1,281
MALE	ALASKA NATIVE/AMERICAN INDIAN	0.89%	23
	ASIAN/PACIFIC ISLANDER	1.16%	30
	BLACK	10.20%	264
	HISPANIC/LATINO	53.73%	1,391
	WHITE	34.03%	881
		100.00%	2,589
Total			3,870

06. Reason for Stop?			
	HISPANIC/LATINO	100.00%	1
		100.00%	1
MOVING TRAFFIC VIOLATION	ALASKA NATIVE/AMERICAN INDIAN	0.69%	15
	ASIAN/PACIFIC ISLANDER	1.06%	23
	BLACK	8.95%	194
	HISPANIC/LATINO	50.92%	1,104
	WHITE	38.38%	832
		100.00%	2,168
PRE EXISTING KNOWLEDGE	BLACK	20.00%	2
	HISPANIC/LATINO	50.00%	5
	WHITE	30.00%	3
		100.00%	10
VEHICLE TRAFFIC VIOLATION	ALASKA NATIVE/AMERICAN INDIAN	0.70%	11

Lockhart, TX PD

Jan 1, 2024 - Dec 31, 2024

Texas TCOLE SB1187 Racial Profiling Report (2024)

PLEASE NOTE: This report is based on the format provided by the Texas Commission on Law Enforcement (TCOLE), current as of Dec. 14, 2022.

06. Reason for Stop?			
VEHICLE TRAFFIC VIOLATION	ASIAN/PACIFIC ISLANDER	0.83%	13
	BLACK	8.77%	138
	HISPANIC/LATINO	55.37%	871
	WHITE	34.33%	540
		100.00%	1,573
VIOLATION OF LAW	ASIAN/PACIFIC ISLANDER	0.85%	1
	BLACK	12.71%	15
	HISPANIC/LATINO	59.32%	70
	WHITE	27.12%	32
		100.00%	118
Total			3,870

07. Was a Search Conducted?			
N	ALASKA NATIVE/AMERICAN INDIAN	0.69%	25
	ASIAN/PACIFIC ISLANDER	0.99%	36
	BLACK	8.64%	313
	HISPANIC/LATINO	52.35%	1,896
	WHITE	37.33%	1,352
		100.00%	3,622
Y	ALASKA NATIVE/AMERICAN INDIAN	0.40%	1
	ASIAN/PACIFIC ISLANDER	0.40%	1
	BLACK	14.52%	36
	HISPANIC/LATINO	62.50%	155
	WHITE	22.18%	55
		100.00%	248
Total			3,870

Lockhart, TX PD

Jan 1, 2024 - Dec 31, 2024

Texas TCOLE SB1187 Racial Profiling Report (2024)

08. Reason for Search?			
CONSENT	ALASKA NATIVE/AMERICAN INDIAN	5.88%	1
	BLACK	11.76%	2
	HISPANIC/LATINO	58.82%	10
	WHITE	23.53%	4
		100.00%	17
CONTRABAND IN PLAIN VIEW	BLACK	16.67%	1
	HISPANIC/LATINO	66.67%	4
	WHITE	16.67%	1
		100.00%	6
INCIDENT TO ARREST	HISPANIC/LATINO	100.00%	6
		100.00%	6
INVENTORY	ASIAN/PACIFIC ISLANDER	4.76%	1
	HISPANIC/LATINO	71.43%	15
	WHITE	23.81%	5
		100.00%	21
NO SEARCH	ALASKA NATIVE/AMERICAN INDIAN	0.69%	25
	ASIAN/PACIFIC ISLANDER	0.99%	36
	BLACK	8.64%	313
	HISPANIC/LATINO	52.35%	1,896
	WHITE	37.33%	1,352
		100.00%	3,622
PROBABLE CAUSE	BLACK	16.67%	33
	HISPANIC/LATINO	60.61%	120
	WHITE	22.73%	45
		100.00%	198
Total			3,870

Texas TCOLE SB1187 Racial Profiling Report (2024)

09. Was Contraband Discovered?			
N	BLACK	17.02%	8
	HISPANIC/ LATINO	57.45%	27
	WHITE	25.53%	12
		100.00%	47
Y	ALASKA NATIVE/ AMERICAN INDIAN	0.50%	1
	ASIAN/ PACIFIC ISLANDER	0.50%	1
	BLACK	13.93%	28
	HISPANIC/ LATINO	63.68%	128
	WHITE	21.39%	43
		100.00%	201
Total			248
10. Description of Contraband			
ALCOHOL	ASIAN/PACIFIC ISLANDER	1.30%	1
	BLACK	7.79%	6
	HISPANIC/LATINO	72.73%	55
	WHITE	18.18%	14
		100.00%	76
DRUGS	BLACK	19.15%	25
	HISPANIC/LATINO	61.70%	86
	WHITE	19.15%	27
		100.00%	138
OTHER	ALASKA NATIVE/AMERICAN INDIAN	3.70%	1
	ASIAN/PACIFIC ISLANDER	3.70%	1

Lockhart, TX PD

Jan 1, 2024 - Dec 31, 2024

Texas TCOLE SB1187 Racial Profiling Report (2024)

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10. Description of Contraband			
OTHER	BLACK	7.41%	2
	HISPANIC/LATINO	62.96%	17
	WHITE	22.22%	6
		100.00%	27
STOLEN PROPERTY	WHITE	100.00%	2
		100.00%	2
WEAPONS	BLACK	100.00%	1
		100.00%	1
Total			244

11. Result of the Stop			
ARREST	BLACK	9.09%	3
	HISPANIC/LATINO	54.55%	18
	WHITE	36.36%	12
		100.00%	33
CITATION	ALASKA NATIVE/AMERICAN INDIAN	0.10%	1
	ASIAN/PACIFIC ISLANDER	0.39%	4
	BLACK	8.75%	90
	HISPANIC/LATINO	58.79%	605
	WHITE	31.97%	329
		100.00%	1,029
CITATION AND ARREST	ASIAN/PACIFIC ISLANDER	8.33%	1
	HISPANIC/LATINO	83.33%	10
	WHITE	8.33%	1
		100.00%	12
FIELD INTERVIEW	HISPANIC/LATINO	100.00%	1
		100.00%	1

Lockhart, TX PD

Jan 1, 2024 - Dec 31, 2024

Texas TCOLE SB1187 Racial Profiling Report (2024)

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11. Result of the Stop			
VERBAL WARNING	ALASKA NATIVE/AMERICAN INDIAN	0.84%	7
	ASIAN/PACIFIC ISLANDER	0.96%	8
	BLACK	8.75%	73
	HISPANIC/LATINO	49.88%	416
	WHITE	39.57%	330
		100.00%	834
WRITTEN WARNING	ALASKA NATIVE/AMERICAN INDIAN	0.95%	18
	ASIAN/PACIFIC ISLANDER	1.27%	24
	BLACK	9.18%	174
	HISPANIC/LATINO	50.63%	960
	WHITE	37.97%	720
		100.00%	1,896
WRITTEN WARNING AND ARREST	BLACK	13.85%	9
	HISPANIC/LATINO	63.08%	41
	WHITE	23.08%	15
		100.00%	65
Total			3,870
12. Arrest Based On			
OUTSTANDING WARRANT	BLACK	7.69%	1
	HISPANIC/LATINO	38.46%	5
	WHITE	53.85%	7
		100.00%	13
VIOLATION OF CITY ORDINANCE	HISPANIC/LATINO	100.00%	1
		100.00%	1
VIOLATION OF PENAL CODE	ASIAN/PACIFIC ISLANDER	1.11%	1

Lockhart, TX PD

Jan 1, 2024 - Dec 31, 2024

Texas TCOLE SB1187 Racial Profiling Report (2024)

PLEASE NOTE: This report is based on the format provided by the Texas Commission on Law Enforcement (TCOLE), current as of Dec. 14, 2022.

12. Arrest Based On			
VIOLATION OF PENAL CODE	BLACK	11.11%	10
	HISPANIC/LATINO	64.44%	58
	WHITE	23.33%	21
		100.00%	90
VIOLATION OF TRAFFIC LAW	BLACK	16.67%	1
	HISPANIC/LATINO	83.33%	5
		100.00%	6
Total			110

13. Was Physical Force Used?			
	HISPANIC/LATINO	100.00%	1
		100.00%	1
N	ALASKA NATIVE/AMERICAN INDIAN	0.67%	26
	ASIAN/PACIFIC ISLANDER	0.96%	37
	BLACK	9.02%	349
	HISPANIC/LATINO	52.99%	2,050
	WHITE	36.37%	1,407
		100.00%	3,869
Total			3,870

Was Arrest Due to Contraband Found?			
N	ASIAN/PACIFIC ISLANDER	1.23%	1
	BLACK	8.64%	7
	HISPANIC/LATINO	65.43%	53
	WHITE	24.69%	20
		100.00%	81
Y	BLACK	17.24%	5
	HISPANIC/LATINO	55.17%	16

Lockhart, TX PD

Jan 1, 2024 - Dec 31, 2024

Texas TCOLE SB1187 Racial Profiling Report (2024)

PLEASE NOTE: This report is based on the format provided by the Texas Commission on Law Enforcement (TCOLE), current as of Dec. 14, 2022.

Was Arrest Due to Contraband Found?			
Y	WHITE	27.59%	8
		100.00%	29
Total			110

City of Lockhart, Texas

Council Agenda Item Cover Sheet

COUNCIL MEETING DATE: February 18, 2025

AGENDA ITEM CAPTION: Discuss Resolution No. 2025-07 to terminate a Chapter 380 economic development incentive with Titan Lockhart Land Investors, LLC for default.

ORIGINATING DEPARTMENT AND CONTACT: Economic Development - Holly Malish

ACTION REQUESTED: Resolution

BACKGROUND/SUMMARY/DISCUSSION: Titan bought 31.485 acres in LEDC's Industrial Park 3 in 2023. During Titan's due diligence period on the property unexpected additional costs were determined by the company. To incentivize the closing and to ensure a development of a new speculative building, City Council approved a Chapter 380 agreement that would provide a 50% rebate of road impact fees up to \$326,000 and require an investment in a building and the property to be at least \$16 million. Titan was to submit plans for a site permit within 180 days after closing and complete construction and obtain a certificate of occupancy within 18 months from a building permit issued by the City of Lockhart. Due to adverse market conditions, Titan was never able to submit plans or complete construction of a building within the timeline outlined in the agreement.

Titan remains committed and is actively marketing the property for development. LEDC staff / Titan will maintain their long-standing history of collaboration. Going forward, Titan is prepared to bring prospects to LEDC staff for a new development agreement.

PROJECT SCHEDULE (if applicable):

FISCAL NOTE (if applicable):

PREVIOUS COUNCIL ACTION: Chapter 380 Performance Agreement approved on April 18, 2023.

COMMITTEE/BOARD/COMMISSION ACTION:

STAFF RECOMMENDATION/REQUESTED MOTION: Staff recommends approving Resolution No 2025-07 to terminate agreement with Titan.

LIST OF SUPPORTING DOCUMENTS: RESOLUTION NO 2025-07 Ch 380 Termination Lockhart Land Investors, Letter to City re 380 Termination (Lockhart Ph. 2) 2025-02-04 Executed, Titan Chapter 380 Termination Letter - signed, 2023 Ch 380 Agmt Titan Lockhart Land Investors

RESOLUTION NO. 2025-07

A RESOLUTION OF THE CITY COUNCIL OF LOCKHART, TEXAS AUTHORIZING THE TERMINATION OF A CHAPTER 380 ECONOMIC DEVELOPMENT INCENTIVE AGREEMENT WITH TITAN LOCKHART LAND INVESTORS, LLC FOR DEFAULT

RECITALS

WHEREAS, Chapter 380, Texas Local Government Code, authorizes the CITY OF LOCKHART, TEXAS, (the “City”) to establish a program, including the making of loans and grants of public money, to promote state or local economic development and stimulate business and commercial activity within the City; and

WHEREAS, TITAN LOCKHART LAND INVESTORS, LLC (TITAN) and the City entered into a Chapter 380 Economic Development Performance Agreement (the “Agreement”), dated effective April 18, 2023; and

WHEREAS, the Agreement provides that TITAN will receive a 50% rebate of road impact fees for a combined total not to exceed THREE HUNDRED AND TWENTY SIX THOUSAND DOLLARS (\$326,000) to build a SIXTEEN MILLION DOLLARS (\$16,000,000) industrial building; and

WHEREAS, the Agreement requires Titan to meet certain construction milestones in order to receive the funds. Titan has failed to meet the construction milestones and is in default of the Agreement; and

WHEREAS, the City tendered notice of default and termination to Titan on January 23, 2025, and Titan acknowledged and confirmed the termination of the Agreement on February 4, 2025; and

WHEREAS, Titan has not paid any road impact fees to the City and the City has not paid any funds to Titan, no money is owed to either the City or Titan; and

WHEREAS, CITY OF LOCKHART CITY COUNCIL (the City Council) desires to terminate the Agreement; and

WHEREAS, the City finds that terminating the Agreement will not diminish the relationship with the developer, economic benefit or other valuable aspects of the Agreement and will advance the legitimate governmental interests of the City.

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

Section 1. The recitals and findings set forth above are true and correct and are incorporated in the body of this Resolution as if fully set forth herein.

Section 2. The City Council finds that Titan is in default of the Agreement and authorizes the termination of the Agreement and authorizes the City Manager, or his designee, to execute any necessary documents.

Section 2. The Resolution shall be effective from and after its passage as proved by law.

PASS AND ADOPTED on this, the 18th day of February 2025.

City of Lockhart, Texas

Lew White, Mayor

Attest:

Approved as to form:

Julie Bowermon, City Secretary

Brad Bullock, City Attorney



February 4, 2025

Via USPS and Email:

The City of Lockhart
Attn: Steve Lewis, City Manager
PO Box 239
Lockhart, TX 78644
Email: slewis@lockhart-tx.org

RE: The 2023 Chapter 380 EDP Agreement ("Agreement") by and between The City of Lockhart, TX ("City") and Titan Lockhart Land Investors, LLC ("Titan");
Titan's Response to City's Notice of Termination of Agreement

Dear City Manager Lewis:

I am in receipt of your letter dated January 23, 2025 to Mr. Iannacone regarding the City's decision to terminate the Agreement, of which Titan hereby confirms said termination. As Titan has not paid any road impact fees in accordance with terms of the Agreement, and as such the City has not collected any road impact fees from Titan, Titan is not required to repay any portion of the Grant under the Agreement.

We continue to be committed to seeking out development opportunities for the Property for the ultimate growth and betterment of the Property's surrounding community and the City as a whole. We look forward to maintaining open communication and goodwill with the City as we move forward with this commitment.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Aimee González'.

Aimee González
General Counsel
Titan Development.

cc: Holly Malish, LED Director; hmalish@lockhart-tx.org

NEW MEXICO
6300 Riverside Plaza, Ste. 200
Albuquerque, NM 87120

TEXAS
4903 Woodrow Ave, Bldg A
Austin, TX 78756

TITAN DEVELOPMENT
www.titan-development.com



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

January 23, 2025

Titan Development
Attn: Joe Iannacone
4903 Woodrow Ave., Building A
Austin, TX 78756

RE: Chapter 380 Economic Development Program Agreement – NOTICE OF
TERMINATION

Dear Mr. Iannacone:

The City of Lockhart, Texas hereby provides notice of termination of the above referenced contract pursuant to Section 4 thereof, wherein Titan Lockhart Land Investors, LLC ("Titan") is in incurable default of said agreement. According to the terms thereof, Titan was to make a \$16,000,000 investment in the acquisition of certain property and the construction of certain facilities (as defined therein) and within 180 days of the acquisition of said property, which occurred on July 18, 2023, submit to the City drawings of said facility and thereafter commence construction of said facility within 150 days of the City's approval of construction plans. Titan failed to timely submit said schematic drawings within said time frame and has been unable to cure said deficiency.

Accordingly, pursuant to Section 6 of the said agreement, Titan is in default thereof. Titan has thirty (30) days to cure this default and if it does not, Titan is required to repay to the City the grant funds remitted to Titan by the City as set forth in the agreement following payment of road impact fees by Titan, if any. Titan's responsibility to repay said grant funds is required to be made within fifteen (15) days following the expiration of thirty (30) days of this notice if it has not cured its default. By this letter, the City makes demand for the repayment of said grant funds, if applicable, if Titan does not cure within thirty (30) days of the date following receipt of this letter.

Sincerely,

A handwritten signature in blue ink, appearing to read "Steve Lewis", written over a white background.

Steve Lewis
City Manager

Cc: Holly Malish, Economic Development Director
Brad Bullock, City Attorney

CHAPTER 380 ECONOMIC DEVELOPMENT PROGRAM AGREEMENT

This Chapter 380 Economic Development Program Agreement ("Agreement") is made and entered into as of APRIL 18, 2023 ("Effective Date") by and between THE CITY OF LOCKHART, TEXAS, a Texas home-rule municipal corporation ("City"), and TITAN LOCKHART LAND INVESTORS, LLC, a Texas limited liability company ("Titan").

RECITALS

Pursuant to Chapter 380, Texas Local Government Code, City is authorized to make loans and grants of public money, to promote state or local economic development and to stimulate business and commercial activity within the City, and City has authorized the City Manager to make a grant of money to Titan.

Titan desires to purchase land, construct a shell industrial building within the municipal limits of the City, and participate in the Economic Development Program established in this Agreement.

Titan intends to make a total investment of at least sixteen million and 00/100ths dollars (\$16,000,000.00) in the acquisition of the Property and construction of the Facility (both as defined below), including but not limited to the cost to purchase the Property and required easements or other appurtenances thereto, the design and construction of the Facility (including but not limited to hard construction costs, engineering fees, permitting fees, financing costs, and testing fees), and all on-site and off-site improvements installed by Titan and any ponding required for the benefit of the Property made by Titan following its acquisition and closing on the Property.

City has determined that a substantial economic benefit and the creation of new opportunities of employment will accrue to the City and the surrounding area if the Facility is successfully developed.

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

AGREEMENTS

Section 1. Recitals: The recitals set forth above are incorporated herein for all purposes.

Section 2. Chapter 380 Program and Consideration

The City finds, and the parties hereto agree, that the program established by this Agreement will promote state and local economic development and will stimulate business and commercial activity in the City of Lockhart. City and Titan enter into this

Agreement in consideration of such economic development and stimulation of business and commercial activity as well as the mutual covenants contained herein.

The City's execution of this Agreement, as authorized by Chapter 380 of the Texas Local Government Code, constitutes a valid and binding obligation of the City upon compliance by Company of the obligations as described herein below.

Section 3. Term: This Agreement shall have a term of five (5) years, commencing on the Effective Date and terminating upon the full payment of the Incentive, at midnight on the fifth anniversary of that date, or unless sooner terminated as provided herein.

Section 4. TITAN Requirements

Titan agrees:

- (a) To acquire sufficient land in the City of Lockhart, estimated to be thirty-one and four-hundred-eighty-five thousandths (31.485) acres, ("the Property") that will be suitable for the construction of one or more shell industrial buildings ("the Facility"), as outlined in that Purchase and Sale Agreement dated July 18, 2023 by and between Lockhart Economic Development Corporation, a Type B sales tax corporation, and Titan Property Management, LLC, a New Mexico limited liability company, its successors and assigns "PSA".
- (b) Following acquisition of the Property, to retain title thereto and complete the Facility, and under no circumstances to sell any or all of the Property to a third party during the Term without first constructing the Facility or requiring such third-party to confirm that it shall build a Facility on all or part of the Property which would satisfy the total investment obligation herein.
- (c) Construct the Facility on the Property with a project budget of approximately sixteen million dollars (\$16,000,000.00) in Capital Investment. Provided, however, that no investment made by Titan prior to closing on the Property shall count toward said sixteen million dollars.
- (d) Submit schematic drawings for the Facility, or the first thereof if more than one Facility, to the City of Lockhart within one hundred 180 (180) days of execution of closing on the Property under the PSA, and thereafter commence construction of said Facility within one hundred fifty (150) days after the City's approval of the construction plans and issuance of a building permit for said Facility. A 90 (ninety) day extension may be requested in writing to City Council during the first 180 days for consideration and approval solely by the City Council.
- (e) Complete construction of the Facility, or the first thereof if more than one Facility, and obtain a Certificate of Occupancy from the City within eighteen (18) months after the issuance of the aforesaid building permit for said Facility.

- (f) Titan shall provide the City with proof of investment by submitting copies of receipts or other documentation reasonably and commercially satisfactory to the City, which shall be provided within ninety (90) days of the end of construction of the Facility, or the first thereof if more than one Facility.
- (g) Keep current in the payment of taxes owed for the Facility to any taxing jurisdiction in which the Property is located unless such taxes are being legally contested by Titan.

Section 5. City Requirements

- (a) In consideration of Titan's agreement to perform the acts described above, City agrees to provide a grant to Titan in an amount of money equal to a percentage of the road impact fees paid by Titan on the development of the Facility and actually collected by the City.
- (b) The amount of the grant to be paid to Titan by the City shall be calculated as follows: Fifty percent (50%) of the road impact fees collected by the City not to exceed three hundred twenty-six thousand and 00/100ths dollars (\$326,000.00), ("Grant").

Section 6. Recapture/Termination

- (a) In the event that Titan begins construction on the Facility on the Property, but subsequently discontinues construction on the Facility for any reason, excepting fire, explosion or other casualty or accident or natural disaster or other event beyond the reasonable control of Titan for a period of one hundred eighty (180) days during the term of this Agreement, then in such event the City will no longer be obligated to expend any further funds, and Titan shall be required to repay the Grant to the City within 30 days of the expiration of the 180 days. The burden shall be upon Titan to prove to the reasonable satisfaction of the City that the discontinuance of operating the Facility was as a result of fire, explosion, or other casualty or accident or natural disaster or other event beyond the control of Titan. In the event Titan meets this burden and the City is satisfied that the discontinuance of the operation of the Facility was the result of events beyond the control of Titan, then Titan shall have a period of one (1) year in which to resume the construction thereof. In the event that Titan fails to resume the construction of the Facility within one (1) year, then in such event the City will no longer be obligated to expend any further monies and Titan shall be required to repay the Grant to the City within 30 days of the expiration of the one-year period.
- (b) In the event that Titan allows ad valorem taxes on property owed to the City to become delinquent and fails to timely and properly follow the legal procedures for their protest or contest, then in such event the City will no

longer be obligated to expend any further monies and Titan shall be required to repay the Grant to the City within 30 days of such event.

- (c) In the event that the City determines that Titan is in default of any of the terms or conditions contained in this Agreement, then in such event the City shall give Titan thirty (30) days written notice to cure such default. In the event such default is not cured to the reasonable satisfaction of the City within the thirty (30) days notice period, then in such event the City will no longer be obligated to expend any further monies, and Titan shall be required to repay the Grant to the City within 30 days of the default.
- (d) In the event that Titan shall fail to repay the City within the time set forth under any provision of this Section 5, Titan hereby agrees that the City may place a lien on Property belonging to Titan and located in Caldwell County, Texas for full payment of such monies.

Section 7. Payment Request and Certification of Compliance: Upon payment by Titan of road impact fees for the Property, Titan shall submit a payment request for the Grant and certify in writing to the City that, at the time such request is made, it is compliance with all provisions of this Agreement and that all taxes related to the Property have been paid in full as required by law ("Payment Request"). Such Payment Request shall be delivered to _____ (name), at _____ (e-mail), The City, at any reasonable time, shall have the right to review Titan's records related to the provisions of this Agreement. City shall pay the Grant to Titan within fifteen (15) days after receipt of the Payment Request.

Section 8. Entire Agreement: This Agreement contains the entire agreement between the City and Titan with respect to the transactions contemplated herein. This Agreement may be amended, altered, or revoked only by written instrument signed by the City and Titan.

Section 9. Successors and Assigns: This Agreement shall be binding on and inure to the benefit of the parties, their respective successors and assigns. Titan may assign its rights and obligations under this agreement only upon prior written approval of the City, which approval shall not be unreasonably withheld or delayed.

Section 10. Notices: Any notice and/or statement required and permitted to be delivered shall be deemed delivered by depositing same in the United States mail, certified with return receipt requested, postage prepaid, addressed to the appropriate party at the following addresses or at such addresses provided by the parties in writing hereafter:

TITAN:	Titan Lockhart Land Investors, LLC Attn: Joe Iannacone 4903 Woodrow Ave., Bldg. A Austin, TX 78756 Email: jiannacone@titan-development.com
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With a copy to: Titan Lockhart Land Investors, LLC
Attn: Aimeé González
6300 Riverside Plaza Ln., NW, Suite 200
Albuquerque, New Mexico, 87120
Email: agonzalez@titan-development.com

City: City of Lockhart
Attn: City Manager
P.O. Box 239
Lockhart, Texas 78644
Email: _____.

Section 11. Interpretation: Regardless of the actual drafter of this Agreement, this Agreement shall in the event of dispute over its meaning or application, be interpreted fairly and reasonably, and neither more strongly for or against either party.

Section 12. Applicable Law: This Agreement is made and shall be construed and interpreted under the laws of the State of Texas and venue shall lie in Caldwell County, Texas.

Section 13. Severability: In the event that any provision of this Agreement is illegal, invalid, or unenforceable under present or future laws, then and in that event it is the intention of the parties hereto that the remainder of this Agreement shall not be affected thereby, and it is also the intention of the parties to this Agreement that in lieu of each clause or provision that is found to be illegal, invalid, or unenforceable, a provision be added to this Agreement which is legal, valid and enforceable and is as similar in terms as possible to the provision found to be illegal, invalid, or unenforceable.

Section 14. Mutual Assistance: City and Titan agree to do all things necessary or appropriate to carry out the terms and provisions of this Agreement and to aid and assist each other in carrying out such terms and provisions.

Section 15. Limitation on Liability. It is acknowledged and agreed by the parties hereto that the terms hereof are not intended to and shall not be deemed to create a partnership or joint venture among the parties.

Section 16. Authorization. Each party hereto represents that it has full capacity and authority to grant all rights and assume all obligations that are granted and assumed under this Agreement. The undersigned officers and/or agents of the parties hereto are the properly authorized officials and have the necessary authority to execute this Agreement on behalf of said party.

Section 17. Counterparts. This Agreement may be executed in counterparts. Each of the counterparts shall be deemed an original instrument, but all of the counterparts shall constitute one and the same instrument.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the 18th day of APRIL, 2023.

THE CITY OF LOCKHART

ATTEST:

Lew White

Lew White, Mayor

Julie Bowermon

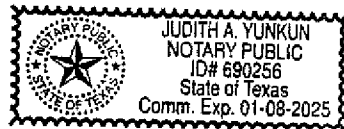
Julie Bowermon, City Secretary

State of Texas)(

)(

County of Caldwell)(

The foregoing instrument was acknowledged before me this 18th day of April, 2023, by Lew White, known to me to be the Mayor of the City of Lockhart, Texas.



Judith A. Yunkun
Notary Public, State of Texas

My Commission expires: 1/8/2025

TITAN LOCKHART LAND INVESTORS, LLC

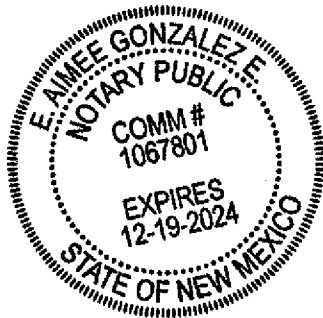
By: Titan Lockhart Management, LLC
Its Manager

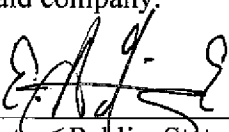
By: Titan Property Management, LLC
Its Manager

By: 
Ben F. Spencer, Manager

State of New Mexico)(
)(
County of Bernalillo)(

The foregoing instrument was acknowledged before me this 24 day of April, 2023, by Ben F. Spencer, as Manager of Titan Property Management, LLC, as Manager of Titan Lockhart Land Investors, LLC, on behalf of said company.




Notary Public, State of New Mexico

My Commission expires: 12-19-2024

City of Lockhart, Texas

Council Agenda Item Cover Sheet

COUNCIL MEETING DATE: February 18, 2025

AGENDA ITEM CAPTION: Discussion regarding Resolution 2025-09, suspending the April 12, 2025, effective date of the proposal by Texas Gas Service Company, a division of One Gas, Inc., Central-Gulf Service Area, to implement interim GRIP rate adjustments for gas utility investment in 2024.

ORIGINATING DEPARTMENT AND CONTACT: Administration - Steven Lewis

ACTION REQUESTED: Resolution

BACKGROUND/SUMMARY/DISCUSSION: This is an annual interim rate adjustment and that the purpose of the resolution is to suspend the effective date of the rate increase by 45 days. Further, the Texas Supreme Court has determined that the City has no authority to take additional action or undertake a substantive examination of the request.

PROJECT SCHEDULE (if applicable): N/A

FISCAL NOTE (if applicable): N/A

PREVIOUS COUNCIL ACTION: N/A

COMMITTEE/BOARD/COMMISSION ACTION: N/A

STAFF RECOMMENDATION/REQUESTED MOTION: Approval of Resolution 2025-09.

LIST OF SUPPORTING DOCUMENTS: Texas Gas Service Letter February 11, 2025, Resolution 2025-09



Judy J. Hitchye
1301 S. Mopac, Suite 400
Austin, TX 78746
Office: 512-370-8229
Judy.Hitchye@onegas.com

February 11, 2025

Honorable Mayors and Members of the City Councils of the following Texas cities:

Austin, Bayou Vista, Beaumont, Bee Cave, Buda, Cedar Park, Cuero, Dripping Springs, Galveston, Georgetown, Gonzales, Groves, Hutto, Jamaica Beach, Kyle, Lakeway, Lockhart, Luling, Marble Falls, Mustang Ridge, Nederland, Nixon, Pflugerville, Port Arthur, Port Neches, Rollingwood, Shiner, Sunset Valley, West Lake Hills, and Yoakum, Texas.

Re: Texas Gas Service Company, a Division of ONE Gas, Inc.'s Test Year 2024 Gas Reliability Infrastructure Program Interim Rate Adjustment for the Incorporated Areas of the Central-Gulf Service Area

Dear Mayors and Members of the City Councils:

Texas Gas Service Company ("TGS" or the "Company"), a Division of ONE Gas, Inc., hereby files the attached tariffs to implement an Interim Rate Adjustment applicable to gas utility service provided to customers within the incorporated areas of the Central-Gulf Service Area ("CGSA") which includes the cities of: Austin, Bayou Vista, Beaumont, Bee Cave, Buda, Cedar Park, Cuero, Dripping Springs, Galveston, Georgetown, Gonzales, Groves, Hutto, Jamaica Beach, Kyle, Lakeway, Lockhart, Luling, Marble Falls, Mustang Ridge, Nederland, Nixon, Pflugerville, Port Arthur, Port Neches, Rollingwood, Shiner, Sunset Valley, West Lake Hills, and Yoakum, Texas (collectively, the "Cities"), which together with their environs and the environs of Bastrop, Texas comprise the Company's CGSA.

This filing is made pursuant to Section 104.301 of the Texas Utilities Code (Interim Adjustment for Changes in Investment) and is the Company's first Interim Rate Adjustment filing with the Cities following its rate case filed in 2024. TGS proposes that the tariffs (Rate Schedules 10, 15, 20, 25, 30, 40, C-1, CNG-1 and T-1) become effective in sixty (60) days and be applied to meters read on and after April 12, 2025.

For reference, Section 104.301 establishes the state's Gas Reliability Infrastructure Program and is commonly referred to as the "GRIP" statute. The stated purposes of the GRIP statute are to encourage the timely investment in needed system improvements and to reduce the frequency of traditional rate cases by providing a streamlined process for utilities to recover the cost of those investments on an interim basis between rate cases. The GRIP statute complements the traditional ratemaking and regulatory process by allowing for an annual interim adjustment of rates to reflect changes in the value of capital invested each year. The Cities have an initial period of not more than sixty (60) days to review the proposed Interim Rate Adjustment, and may act to suspend the implementation of the Interim Rate Adjustment for an additional forty-five (45) days, as provided by Section 104.301(a) of the Texas Utilities Code.

GRIP adjustments are not intended to eliminate the need for a full and complete rate review in a rate case. All interim rate adjustments are subject to refund and a complete review in the same manner as other changes to the utility's invested capital that have occurred since the last rate case. The complete review of the underlying investments will occur in the Company's next rate case.

In this filing, the Company has determined the net increase in capital invested in the entire CGSA from January 1, 2024, through December 31, 2024 to be \$117,718,719. The Interim Rate Adjustment necessary to recover this incremental investment is \$15,412,580 on a system-wide basis, of which, \$13,909,766 is attributable to customers in the CGSA incorporated areas. The Interim Rate Adjustment will increase the average residential bill by \$3.36 per month excluding taxes.

In accordance with the Texas Utilities Code, the proposed Interim Rate Adjustment is allocated among the various customer classes in the same manner as the cost of service allocation that was approved in TGS's last CGSA rate case, Case No. 17471, as decided on November 19, 2024. The GRIP rates will be recovered through an increase in the monthly customer charge applicable to each customer class.

Exhibit 1, attached hereto, shows the impact the Interim Rate Adjustment will have on the average bill for each class of customers served in the CGSA. The Interim Rate Adjustment is detailed on Rate Schedules 10, 15, 20, 25, 30, 40, C-1, CNG-1, and T-1, filed herewith.



The Company will provide notice of the proposed Interim Rate Adjustment to all affected customers, by bill insert or direct mail, not later than the 45th day after the date of this filing, as required by Section 104.301(a) of the Texas Utilities Code.

The Company is available to discuss or answer any questions you may have about this filing. TGS appreciates your consideration of the proposed IRA filing.

Respectfully Submitted,

Judy Hitchye
Signature: AF7PK5LQ10

Judy J. Hitchye
Managing Attorney
Texas Gas Service Company
Barton Skyway IV
1301 S. Mopac, Suite 400
Austin, Texas 78746
(512) 370-8229
Judy.Hitchye@onegas.com

Exhibit 1

Customer Class	Current Customer Charge	Proposed Customer Charge	Current Average Bill*	Proposed Average Bill*	Change in Average Bill*	% Change in Average Bill*
Gas Sales						
Residential - Small (Rate Sch. 10) Average Usage of @ 1.7 Mcf*	\$18.00	\$21.36	\$41.37	\$44.73	\$3.36	8.12%
Residential - Large (Rate Sch. 15) Average Usage of @ 4.3 Mcf*	\$30.00	\$33.36	\$71.51	\$74.87	\$3.36	4.70%
Commercial - Small (Rate Sch. 20) Average Usage of 6.2 Mcf*	\$60.00	\$72.88	\$108.20	\$121.07	\$12.88	11.90%
Commercial - Large (Rate Sch. 25) Average Usage of 96.6 Mcf*	\$75.00	\$87.88	\$123.20	\$136.07	\$12.88	10.45%
Industrial (Rate Sch. 30) Average Usage of 208.5 Mcf*	\$571.38	\$1,033.21	\$1,913.67	\$2,375.50	\$461.83	24.13%
Public Authority (Rate Sch. 40) Average Usage of 188.0 Mcf*	\$155.97	\$181.93	\$1,351.22	\$1,377.18	\$25.96	1.92%
Electrical Cogeneration (Rate Sch. C-1)	\$175.68	\$201.64	No Customers			
Compressed Natural Gas (Rate Sch. CNG-1) Average Usage of 0 Mcf*	\$594.55	\$746.15	\$594.55	\$746.15	\$151.60	25.50%
Standard Transportation (Rate Sch. T-1)						
Commercial Average Usage of 441.4 Mcf*	\$308.08	\$320.96	\$867.73	\$880.61	\$12.88	1.48%
Industrial Average Usage of 3,732.5 Mcf*	\$771.38	\$1,233.21	\$6,209.26	\$6,671.09	\$461.83	7.44%
Public Authority Average Usage of 253.8 Mcf*	\$178.97	\$204.93	\$528.40	\$554.36	\$25.96	4.91%
Electrical Generation Average Usage of 33,755.8 Mcf*	\$175.68	\$201.64	\$15,821.71	\$15,847.67	\$25.96	0.16%
Compressed Natural Gas Average Usage of 2,364.7 Mcf*	\$619.55	\$771.15	\$2,468.04	\$2,619.64	\$151.60	6.14%

*Average bill usage per Case No. 17471. Average bills exclude revenue-related taxes and include cost of gas (except transportation). The 2024 cost of gas 12-month average is \$4.98 per Mcf.

RESOLUTION NO. 2025-09

A RESOLUTION BY THE CITY OF LOCKHART, TEXAS SUSPENDING THE APRIL 12, 2025 EFFECTIVE DATE OF THE PROPOSAL BY TEXAS GAS SERVICE COMPANY, A DIVISION OF ONE GAS, INC. – CENTRAL-GULF SERVICE AREA, TO IMPLEMENT INTERIM GRIP RATE ADJUSTMENTS FOR GAS UTILITY INVESTMENT IN 2024 AND REQUIRING DELIVERY OF THIS RESOLUTION TO THE COMPANY AND LEGAL COUNSEL.

WHEREAS, the City of Lockhart, Texas (“City”) is a gas utility customer of Texas Gas Service Company, a Division of ONE Gas, Inc. – Central-Gulf Service Area, (“TGS” or “the Company”) and a regulatory authority with an interest in the rates and charges of TGS; and

WHEREAS, TGS made filings with the City and the Railroad Commission of Texas (“Railroad Commission”) on February 11, 2025, proposing to implement interim rate adjustments (“GRIP Rate Increases”) pursuant to Texas Utilities Code § 104.301 on all customers served by TGS, effective April 12, 2025; and

WHEREAS, it is incumbent upon the City, as a regulatory authority, to examine the GRIP Rate Increases to determine its compliance with the Texas Utilities Code.

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

1. The April 12, 2025 effective date of the GRIP Rate Increases proposed by TGS is hereby suspended for the maximum period allowed by Texas Utilities Code § 104.301(a) to permit adequate time to review the proposed increases, analyze all necessary information, and take appropriate action related to the proposed increases.

2. A copy of this Resolution shall be sent to TGS, care of Judy Hitchye at 1301 S. Mopac, Suite 400, Austin, Texas 78746, and to Thomas Brocato, legal counsel to the City, at Lloyd Gosselink, 816 Congress Ave., Suite 1900, Austin, Texas 78701.

Signed this 18th day of February, 2025.

CITY OF LOCKHART

Lew White, Mayor

ATTEST:

Julie Bowermon, City Secretary

**REGULAR MEETING
LOCKHART CITY COUNCIL**

DECEMBER 5, 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
Councilmember Brad Westmoreland
Councilmember John Lairsen
Mayor Pro-Tem Angie Gonzales-Sanchez

Staff present:

Steve Lewis, City Manager
Joseph Resendez, Assistant City Manager
David Fowler, Planning Director
Victoria Burns, Public Information Officer
Randy Jenkins, Fire Chief

Monte Akers, City Attorney
Julie Bowermon, City Secretary
Sean Kelley, Public Works Director
Will Wachel, City Engineer – TRC
Daniel Williams, Police Captain

Citizens/Visitors Addressing the Council: Representatives of Freese and Nichols.

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. BRIEFING FROM FREESE AND NICHOLS, INC. AND DISCUSSION REGARDING COMPREHENSIVE PLAN ACTIVITIES.

Mr. Fowler stated that Freese and Nichols, Inc., the consultant for the comprehensive planning process, will present an update on the activities conducted as part of the Comprehensive Planning process. Work began on the plan starting in May 2023 and is expected to be completed late in Fiscal Year 2023-24. Initial activities involved researching existing population and demographic conditions to provide an understanding of the current state of the community. Public or small group participation activities to date have included assembling a Steering Committee which has held three meetings, the circulation of a stakeholder survey, holding four focus group meetings, holding a public future land use workshop, and two on-site public outreach events. Through these activities, the consultants and the steering community have worked to create a Community Snapshot chapter which will inform many of the other products of the plan and includes the Guiding Principles, which will underlie the more detailed goals and objectives to be developed. The other main product that has so far emerged from the planning activities is the future land use mapping concept, which will be discussed as part of this agenda item. This concept is based on the products from the mapping exercise at the Community Workshop held October 16th and subsequent discussions at the Steering Committee meeting held November 15.

Freese and Nichols representatives provided information regarding the following topics about the Comprehensive Plan activities:

- Project schedule
- Community engagement
- Online mapping exercise
- Investing exercise

- Survey results
- Age trends
- Vision statement
- Community goals/guiding principles
- Public land use workshop
- Trade offs and considerations
- Population projections
- Commute trends
- Community created scenarios
- Land use alternatives
- Future land use plans
- Next steps
 - Drafting Future Land Use Chapter through EOY
 - Additional recommendations in Q1/Q2 of 2024
 - Next major public engagement in the Spring of 2024

There was discussion.

B. DISCUSS AWARDING AN ANNUAL FUEL BID TO GOLDEN WEST OIL, OF NEW BRAUNFELS, TEXAS WITH A PROFIT MARGIN OF \$0.0445 CENTS PER GALLON OF GASOLINE AND \$0.495 CENTS PER GALLON FOR DIESEL OVER THE OIL PRICE INFORMATION SERVICES (OPIS) PRICE FROM AUSTIN, TEXAS RACK, POSTED WEEKLY.

Mr. Kelley stated that the City uses approximately 45,000 gallons of gasoline and 26,000 gallons of diesel per year. Fuel bids were sought in compliance with State Law. Four bids were received from oil companies interested in delivering Unleaded Gasoline and Diesel to the Public Works Yard. The attached synopsis shows the overall best bid was submitted by Golden West Oil, of New Braunfels, Texas at \$0.0445 profit per gallon of gasoline and \$0.0495 profit per gallon of diesel. Golden West Oil has previously been the City's fuel distributor and provided the City with exceptional service. The contract for this fuel services is from January 1, 2024 until December 31, 2024, if approved. The price includes delivery to the Public Works yard.

C. DISCUSS RESOLUTION 2023-21 AUTHORIZING THE FILING OF A GRANT APPLICATION WITH CAPCOG FOR A REGIONAL SOLID WASTE PROGRAM GRANT; AUTHORIZING THE MAYOR TO ACT ON BEHALF OF THE CITY OF LOCKHART IN ALL MATTERS RELATED TO THE APPLICATION.

Mr. Kelley stated that the Capital Area Council Of Governments is currently accepting applications for the 2024/2025 Solid Waste Program Grant. This grant opportunity becomes available every two years. Eligible projects include solid waste programming and equipment related to solid waste. During this grant cycle there are \$274,000 grant funds available, with a maximum award of \$40,000 each. There is also a minimum 10% grant match requirement. In this year's solid waste grant application, City Staff is seeking to purchase twenty-five new commercial grade trash/recycling receptacles for the Downtown Revitalization Project. As part of the project, staff would work with Keep Lockhart Beautiful to inform the public of the new receptacles and the new availability of recycling downtown. If awarded the grant, funds will need to be used prior to the end of 2025.

D. DISCUSS RESOLUTION 2023-22 APPOINTING MAYOR LEW WHITE AS THE CITY OF LOCKHART'S CLEAN AIR COALITION REPRESENTATIVE, AS REQUIRED IN ARTICLE II OF THE CLEAN AIR COALITION OF THE CAPITAL AREA COUNCIL OF GOVERNMENTS BY-LAWS.

Mayor White stated that the City Council initially appointed Mayor White in March 2018, and reappointed him in February 2020 and January 2022, as the City's representative to the Capital Area Council of Governments (CAPCOG) Clean Air Coalition (CAC) . Their by-laws indicate that Representatives to the CAC will include elected officials appointed by governing bodies for the general members of the CAC. Each general member's governing body appoints by resolution one elected official to serve on the Coalition and shall provide written notification to the CAPCOG staff liaison. The term of appointment for a member of the CAC shall begin on the date of appointment by the member's governing body and will terminate December 31st in odd-numbered years. Mayor White stated that the current term ends in December 2023 and if approved, he would continue until December 2025.

E. DISCUSSION OF PROPOSAL FROM COUNCILMEMBER LAIRSEN FOR CREATION OF AN ANIMAL SHELTER ADVISORY BOARD.

Mr. Lairsen stated that he requests that an Animal Shelter Advisory Committee be added to the City of Lockhart boards. He stated that the goal is to provide advice and recommendations to the city council related to the Animal Shelter and general animal control throughout the community. Animal shelters are ambassadors for healthy animals, helping to stabilize the pet population and increasing the wellbeing of the animals and our citizens. He recommended that the members consist of a city representative, a Caldwell County representative, a member from a local animal advocate group, two citizens, a veterinarian that will collaborate and identify solutions for any challenges that the animal shelter and the community may be facing regarding animal welfare. There was discussion.

F. DISCUSSION ON UPDATES RELATED TO THE FIRE STATION NO. 1 CONDITION REPORT AND CONSTRUCTION PROJECT.

Mr. Resendez stated that the City's architects prepared a condition report in 2021. The recommendations in the report are intended not to alter the historic aspects of the building, which was built in 1912 with additions in 1950, and limited to primarily inside the walls. Highlights of the report include:

Life Safety Upgrades

Automatic fire sprinkler suppression system throughout the building, fire/smoke sensing and alarm system, upgrades to hazardous electrical panels and switchgear, new air scrubbers for noxious gases in apparatus bays below sleeping areas, enhanced fire/smoke barrier between apparatus bays and sleeping area above, and enhanced emergency exiting from second floor.

Enhanced Living and Working Quarters for Firefighters

Restroom on first floor renovated including exhaust air vent and reduced trip hazard, restroom on second floor completely renovated with new shower, finishes, and removal of existing furnace system, kitchen renovation to replace cabinets, appliances, and reorganize, relocation of furnace and ductwork from bathroom, remodel one bunk room sleeping quarters into three separate sleeping quarters, a new drop ceiling and LED lights throughout the remodel area and new floor finishes.

Exterior Upgrades

Repaint wood trim, touch up some brick masonry as needed.

Recent Updates

An Asbestos Survey Report is underway. The recent adoption of the 2018 International Existing Building Code (IEBC) and additional restroom, window, garage door, and signage recommendations are considerations for a revised Scope of Work.

The Architect has provided a proposal to include these updates to the Current Drawing and Construction Documentation and Construction Phase Services. City staff will present this proposal for City Council consideration at the December 19, 2023 City Council Meeting.

Fire Station No. 1 is located within the Lockhart Historical District. The Lockhart Historical Preservation Commission (LHPC) will review any proposed changes to the exterior of the building, as well as any interior work that impacts load-bearing walls.

There was discussion.

DISCUSSION OF PROPOSAL FROM COUNCILMEMBER LAIRSEN FOR CREATION OF AN ANIMAL SHELTER ADVISORY BOARD.

Mr. Akers requested direction from the Council about the proposed Animal Shelter Advisory Board. There was discussion.

Mayor White directed staff to return with documentation and/or information about the purpose, duties, guidelines, membership and state laws for Council's consideration at a future meeting.

G. DISCUSS RESCHEDULING CITY COUNCIL MEETINGS IN 2024 DUE TO CONFLICTS WITH A CITY HOLIDAY OR EVENT.

Ms. Bowermon stated that annually reviewing council meeting dates for conflicts is important to provide Development Services with an accurate Council meeting schedule when publishing public notice information about public hearings, such as zoning change applications.

The 2024 calendar reflects meeting conflicts as listed below:

Tuesday:

- October 1 – National Night Out
- November 5 - Election Day - The City of Lockhart is not scheduled to hold an Election on November 5, 2024 therefore it is not listed as a date conflict. *(History: In 2021 the City Council did not have an election scheduled and did hold a City Council meeting on election day.)*

The 2024 TML Annual Conference will be held on October 9-11 in Houston.

There was discussion.

H. DISCUSSION REGARDING THE SELECTION OF MAYOR PRO-TEM OF THE LOCKHART CITY COUNCIL AS REQUIRED BY SECTION 3.05 OF THE CITY CHARTER.

Mayor White stated that Councilmember Sanchez has expressed interest to continue serving as Mayor Pro-Tem. There were no additional nominations for Mayor Pro-Tem.

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

ITEM 1. CALL TO ORDER.

Mayor Lew White called the meeting to order at 7:50 p.m.

ITEM 2. INVOCATION, PLEDGE OF ALLEGIANCE.

Mayor Pro-Tem Sanchez gave the Invocation and led the Pledge of Allegiance to the United States and Texas flags.

ITEM 3. PUBLIC COMMENT.

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

ITEM 4. CONSENT AGENDA

Councilmember Michelson made a motion to approve consent agenda items 4A, 4B, and 4C. Councilmember Lairsen seconded. The motion passed by a vote of 7-0.

The following are the consent agenda items that were approved:

- 4A: Approve awarding an annual fuel bid to Golden West Oil, of New Braunfels, Texas with a profit margin of \$0.0445 cents per gallon of gasoline and \$0.495 cents per gallon for diesel over the Oil Price Information Services (OPIS) price from Austin, Texas RACK, posted weekly.
- 4B: Approve Resolution 2023-21 authorizing the filing of a grant application with CAPCOG for a regional solid waste program grant; authorizing the Mayor to act on behalf of the City of Lockhart in all matters related to the application.
- 4C: Approve Resolution 2023-22 appointing Mayor Lew White as the City of Lockhart's Clean Air Coalition Representative, as required in Article II of the Clean Air Coalition of the Capital Area Council of Governments by-laws.

ITEM 5-A. DISCUSSION AND/OR ACTION REGARDING RESCHEDULING CITY COUNCIL MEETINGS IN 2024 DUE TO CONFLICTS WITH A CITY HOLIDAY OR EVENT.

Mayor Pro-Tem Sanchez made a motion to hold the October 1, 2024 and November 5, 2024 Council meetings as scheduled. Councilmember Mendoza seconded. The motion passed by a vote of 7-0.

ITEM 5-B. DISCUSSION AND/OR ACTION REGARDING THE SELECTION OF MAYOR PRO-TEM OF THE LOCKHART CITY COUNCIL AS REQUIRED BY SECTION 3.05 OF THE CITY CHARTER.

Councilmember Lairsen made a motion to nominate Angie Gonzales-Sanchez as Mayor Pro-Tem. Councilmember Mendoza seconded. The motion passed by a vote of 7-0.

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

- Hansford Subdivision Phase 2 has completed their public improvements and have been accepted by the City.
- In December, City staff will begin disassembling the temporary downtown park on the Square in preparation for private development of the site.
- Update regarding the establishment of Caldwell County ESD No. 5.

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

Councilmember Mendoza thanked the Coleman Unit for hosting a volunteer appreciation dinner. He thanked the Friends of the Library and Irving Club for the successful *A Christmas to Remember* event.

Mayor Pro-Tem Sanchez thanked all involved with the successful Tree of Angels ceremony. She congratulated all involved with the successful *A Christmas to Remember* event. She congratulated college graduates. She encouraged citizens to be involved with the Coats for Kids events.

Councilmember Lairsen thanked all involved with the successful *A Christmas to Remember* event.

Councilmember Castillo thanked all involved with the successful *A Christmas to Remember* event. He requested an update about public safety and a warming center in the event of a freeze with the upcoming freezing weather.

Mayor White commended all involved with the successful Tree of Angels, *A Christmas to Remember*, First Friday, and Lighting ceremony events. He provided a brief update about the ETJ reversal petition and homeless shelters. A short reception will be held honoring the retirement of Monte Akers, City Attorney before the next Council meeting.

ITEM 8. ADJOURNMENT

Mayor Pro-Tem Sanchez made a motion to adjourn the meeting. Councilmember Mendoza seconded. The motion passed by a vote of 7-0. The meeting was adjourned at 8:12 p.m.

PASSED and APPROVED this the 18th day of February, 2025.

CITY OF LOCKHART

Lew White, Mayor

ATTEST:

Julie Bowermon
City Secretary

**REGULAR MEETING
LOCKHART CITY COUNCIL**

DECEMBER 19, 2023

6:30 P.M.

CLARK LIBRARY BUILDING, 217 SOUTH MAIN STREET, 1ST FLOOR, LOCKHART, TEXAS

Council present:

Councilmember John Castillo
Councilmember Juan Mendoza
Councilmember Jeffry Michelson

Mayor Lew White
Councilmember Brad Westmoreland
Councilmember John Lairsen
Mayor Pro-Tem Angie Gonzales-Sanchez

Staff present:

Steve Lewis, City Manager
Joseph Resendez, Assistant City Manager
David Fowler, Planning Director
Travis Hughes, Parks Director
Bertha Martinez, Library Director

Monte Akers, City Attorney
Julie Bowermon, City Secretary
Sean Kelley, Public Works Director
Gary Williamson, Police Chief
Victoria Burns, Public Information Officer

Citizens/Visitors Addressing the Council: Julian Salas-Porras and James Hemenes of Halff & Associates; Scott Wuest of Wuest Group; Mike Halligan, 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 OF THE PARKS MASTER PLAN UPDATE BY HALFF & ASSOCIATES.

Mr. Hughes stated that Halff & Associates was awarded a General Services Contract on March 1, 2023, and tasked with providing the City with an updated open-space master plan. The existing master plan was adopted on April 17, 2018. This 5-year update will be important when seeking grant funding for parks projects. He stated that Halff & Associates will give the update.

Julian Salas-Porras and James Hemenes of Halff & Associates provided information and there was discussion regarding the following:

- Parks Planning process
- Overview of 2018 Parks Master Plan
- Parks system
- Demographics
- Public engagement
- Assessment methods
- Park system inventory
- Level of service analysis
- Gap analysis
- Conditions assessment
- 2023 Parks Master Plan priorities
 - o #1 Lions Park - renovations and improvements
 - o #2 City Park - renovations and improvements

- #3 Youth Sports Complex - renovations and improvements
- #4 Swimming Pool and splash pads - construction and new outdoor pool
- #5 Indoor Recreation Center - creating the city's first recreation center
- #6 Trails Master Plan - develop the city's first trails master plan
- Lions Parks conceptual plan
- Implementation
- Funding resources
- Key takeaways of the plan
 - All the goals in this update are from the 2018 Master Plan
 - The actions in the implementation table were created for this planning process, the 2018 Master Plan did not have any action items. The 2018 Plan outlined a list of priority projects with cost estimations.
 - This update identifies six priority projects.
 - Three of the priority projects were crafted with the Parks and Recreation Department (Lion's Park, Indoor Rec Center, Swimming Pool and Splash Pad), and the last priority project was created due to the public's interest in community trails (Trails Master Plan).
 - The other two priority projects were carried over as priorities from the 2018 Plan (Youth Sports Complex and City Park).
 - City Park's classification changed to a community park classification, from a regional park classification.
 - Maple Street Park is now two parks, the Jason K LaFluer Soccer Complex (special use park) & Maple Street Park (neighborhood park)
 - Comanche Park presents an opportunity for addressing a gap in the level of service
 - Plan is TPWD compliant, eligible for local parks grants

There was discussion.

B. DISCUSS RENEWAL OF THE CEMETERY GROUNDS MOWING AND MAINTENANCE AGREEMENT.

Mr. Hughes stated that Gene Bagwell d/b/a Maintenance Management has been under contract to perform mowing and maintenance of the cemetery grounds since 2010. This was initially a 5-year agreement and has since been renewed annually. Maintenance Management is required to mow and trim the Lockhart Municipal Burial Park and Hooks Cemetery 22–24 times per year (an approximate area of 35 acres) and provide a minimum of two cemetery cleanups. They are also responsible for tree trimming and mowing on both sides of the fence along Hwy 183 and FM 672. There are no changes to the scope of work or fees in the agreement from last year to this year. There was discussion.

C. DISCUSS SEMI-ANNUAL REPORT CONCERNING THE STATUS OF IMPLEMENTATION OF CHAPTER 31, "IMPACT FEES" OF THE CODE OF ORDINANCES, AND ADVISE OF THE NEED TO UPDATE THE ORDINANCE, LAND USE ASSUMPTIONS, CAPITAL IMPROVEMENT PLANS, OR IMPACT FEES.

Mr. Fowler stated that the report covers April-September 2023. New impact fee studies for water-wastewater and roads were adopted on May 2, 2023. As such, the most recent reporting period reflects a blend of the old and new impact fee rates as existing projects have continued building and new projects have begun construction. The vast majority of the fees were received from the over 300 new houses permitted during the six-month reporting period, with the rest coming from one apartment development

and several commercial projects. As a result of this high activity, fee receipts have broken previous records, resulting in a record balance for the four accounts. There was discussion.

D. REVIEW A PETITION OF ANNEXATION FROM GEORGE KRONENBERG III ON BEHALF OF MCCORMICK RANCH PARTNERS, LP AND DISCUSSION REGARDING RESOLUTION 2023-23, SETTING THE DATE FOR THE PUBLIC HEARING FOR THE ANNEXATION OF 53 ACRES OUT OF THE CRENSHAW CORNELIUS SURVEY, ABSTRACT 68. CALDWELL COUNTY, TEXAS, LOCATED ON THE SOUTH AND WEST SIDES OF FM 2001, APPROXIMATELY 1060 FEET NORTH OF SH 130.

Mr. Fowler stated that the developer of an industrial project to be located at the bend of FM 2001 where it curves from northbound to westbound north of SH 130 has requested the city to annex the property. The developer has requested 53 acres of the 172.8 acre subject property to be brought into the city. The property has water service through a 3-inch line located in the FM 2001 right-of-way. Wastewater service would need to be extended to the property at the developer's expense. There is however, a reimbursement agreement for the extension of wastewater service and upgrading of water lines that was approved by City Council in October 2023 as part of an economic development incentive. If the resolution setting the public hearing date is approved, the hearing will be held on January 16, 2024, and the annexation would be effective immediately if the ordinance and the accompanying annexation service agreement are approved. Due to recent changes in state annexation law, the annexation would not cause the City's extraterritorial jurisdiction to expand. Upon annexation, the property would be zoned AO, Agricultural-Open Space. To accommodate the proposed industrial uses, the developer has submitted a Planned Development District request.

E. DISCUSS PROCUREMENT OPTIONS FOR POLICE DEPARTMENT VEHICLE REPLACEMENTS, INCLUDING LEASING PROGRAM OPTIONS WITH ENTERPRISE FLEET MANAGEMENT.

Mr. Resendez stated that the City Council appropriated funding in the FY 2023 adopted budget for the procurement of six new police vehicles and associated radio and safety equipment. There are multiple options for procuring these vehicles - capital purchase, lease-purchase, or leasing program.

Chief Williamson provided information about the existing vehicles and their condition in the Lockhart Police Department.

There was discussion.

RECESS: Mayor White announced that the Council would recess for a break at 8:07 p.m.

ITEM 1. CALL TO ORDER.

Mayor Lew White called the meeting to order at 8:22 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.

Mike Halligan, 2466 FM 3148, Dale, Texas; expressed concerns regarding the homelessness population and a disconnect of community outreach and services available. He encouraged more be done to explore what services are available.

ITEM 4-A. HOLD A PUBLIC HEARING ON APPLICATION ZC-23-08 BY CAROLINE ECKERT WITH WUEST GROUP ON BEHALF OF LOCKHART 130 NORTH/SOUTH LTD AND DISCUSSION AND/OR ACTION TO CONSIDER ORDINANCE 2023-27 FOR A ZONING CHANGE FROM RHD RESIDENTIAL HIGH DENSITY DISTRICT TO CHB COMMERCIAL HEAVY BUSINESS DISTRICT ON A TOTAL OF 2.102 ACRES IN THE CORNELIUS CRENSHAW SURVEY, ABSTRACT NO. A-68, LOCATED AT 2500 WEST SAN ANTONIO STREET (SH 142).

Mayor White opened the public hearing at 8:28 p.m. and requested the staff background report.

Mr. Fowler stated that the requested zoning change is to allow for a larger commercially-zoned area on which a major convenience store with a fuel station could be located. The expansion of the CHB zoning is consistent with the future land use plan map. City water currently serves the site and the engineering plans to extend wastewater southward from the railroad tracks west of SH 130 have been approved. The site would have access to both the West San Antonio Street (SH 142) and southbound Cesar Chavez Parkway (SH 130) frontages. No correspondence has been received from the public regarding the proposed zoning change.

Mayor White requested the applicant to address the Council. Scott Wuest of Wuest Group offered to answer any questions regarding the project. There were none.

Mayor White requested citizens to address the Council. There were none. He closed the public hearing at 8:33 p.m.

Councilmember Michelson made a motion to approve Ordinance 2023-27, as presented. Councilmember Castillo seconded. The motion passed by a vote of 7-0.

6-E. CONSIDERATION AND ACTION ON PETITION FOR RELEASE OF 224.692 ACRES OF LAND FROM THE CITY'S ETJ BY CHISHOLM HILL, LP, WILLIAM J. MORGAN AND EDWARD D. MORGAN, PETITIONERS.

Mayor White announced, at the City Attorney recommendation, this item would be discussed later in the meeting during executive session.

6-F. CONSIDERATION AND ACTION TO AMEND THE CONSENT AGREEMENT FOR CREATION OF CLEAR FORK RANCH MUD (CALDWELL CO. MUD NO. 2) DATED JANUARY 16, 2019, FOR PERRY HOMES (JUNIPER SPRINGS) DEVELOPMENT.

Mayor White announced, at the City Attorney recommendation, this item would be discussed later in the meeting during executive session.

ITEM 5. CONSENT AGENDA.

Councilmember Lairsen stated he would like to complete a bidding process for cemetery grounds mowing and maintenance. There was discussion.

Mayor White announce the consent items would be voted on separately.

5-A. APPROVE RENEWAL OF THE CEMETERY GROUNDS MOWING AND MAINTENANCE AGREEMENT.

Councilmember Michelson made a motion to approve the renewal of the cemetery grounds moving and maintenance agreement, as presented. Mayor Pro-Tem Sancez seconded. The motion passed by a vote of 5-2 with Councilmembers Lairsen and Castillo opposing.

5B: ACCEPT SEMI-ANNUAL REPORT CONCERNING THE STATUS OF IMPLEMENTATION OF CHAPTER 31, "IMPACT FEES" OF THE CODE OF ORDINANCES, AND ADVISE OF THE NEED TO UPDATE THE ORDINANCE, LAND USE ASSUMPTIONS, CAPITAL IMPROVEMENT PLANS, OR IMPACT FEES.

Mayor Pro-Tem Sanchez made a motion to accept the semi-annual report, as presented. Councilmember Castillo seconded. The motion passed by a vote of 7-0.

ITEM 6-A. REVIEW OF A PETITION OF ANNEXATION FROM GEORGE KRONENBERG III ON BEHALF OF MCCORMICK RANCH PARTNERS, LP AND DISCUSSION AND/OR ACTION REGARDING RESOLUTION 2023-23, SETTING THE DATE FOR THE PUBLIC HEARING FOR THE ANNEXATION OF 53 ACRES OUT OF THE CRENSHAW CORNELIUS SURVEY, ABSTRACT 68. CALDWELL COUNTY, TEXAS, LOCATED ON THE SOUTH AND WEST SIDES OF FM 2001, APPROXIMATELY 1060 FEET NORTH OF SH 130.

Councilmember Lairsen made a motion to approve Resolution 2023-23, as presented. Councilmember Mendoza seconded. The motion passed by a vote of 7-0.

ITEM 6-B. DISCUSSION AND/OR ACTION REGARDING PROCUREMENT OPTIONS FOR POLICE DEPARTMENT VEHICLE REPLACEMENTS, INCLUDING LEASING PROGRAM OPTIONS WITH ENTERPRISE FLEET MANAGEMENT.

There was discussion regarding assignment of new vehicles and take-home vehicles.

Councilmember Michelson made a motion to approve replacement of vehicles through the Enterprise Management (EFM) lease program as presented. Councilmember Castillo seconded. The motion passed by a vote of 7-0.

ITEM 6-C. DISCUSSION AND/OR ACTION REGARDING THE NOMINATION OF JERRY HAUG TO THE HISTORICAL PRESERVATION COMMISSION BY COUNCILMEMBER JOHN LAIRSEN FOR A TERM TO EXPIRE IN NOVEMBER 2026.

There was discussion regarding the board appointment process.

CONSENSUS: After discussion, the consensus of the Council was to put this item on the next Council agenda for action.

ITEM 6-D. CONSIDERATION AND ACTION TO ADOPT ORDINANCE 2023-28 CREATING AN ANIMAL SHELTER ADVISORY BOARD.

Mr. Akers stated that at the Council meeting of December 5, 2023, Councilmember Lairsen proposed creation of an animal shelter advisory board. After discussion, staff was directed to bring back a report regarding options for such a board, a statement of its duties, and related issues. The draft ordinance provides compliance with city ordinances.

There was discussion.

CONSENSUS: After discussion, the consensus of the Council to move forward with the creation of an animal shelter advisory board and return with composition of the board and board responsibilities during the next meeting.

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

- Special City Council meeting will be held January 9, 2024 to discuss growth management issues regarding water and sewer utilities and transportation matters.
- City has received GFOA Recognition for Excellence in Financial Reporting for FY '21-'22.
- Downtown Revitalization Project Guide is now available.
- City's solid waste contractor, CTR, has been acquired by Republic Services.
- Live Christmas Tree recycling.
- City offices closed December 22 and December 25 for Christmas, and January 1 for the New Year.

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

Councilmember Mendoza wished everyone a Merry Christmas and Happy New Year.

Mayor Pro-Tem Sanchez thanked several organizations for their support of helping give Christmas to needy children during the holiday season. She expressed condolences to families that have lost a loved one. She wished everyone Happy Holidays.

Councilmember Lairsen congratulated the Gaslight-Baker Theater for their sold-out 2 performances. He wished everyone Happy Holidays.

Councilmember Castillo wished city employees a Happy Holiday. He thanked Monte Akers for his service as City Attorney and congratulated him on his retirement. He welcomed Mr. Bullock as the new City Attorney. He wished everyone good health.

Councilmember Michelson wished everyone Happy Holidays and congratulated Monte Akers on his retirement.

Mayor White wished everyone safe and Happy Holidays. He congratulated Monte Akers on his retirement.

ITEM 9. EXECUTIVE SESSION IN ACCORDANCE WITH THE PROVISIONS OF THE GOVERNMENT CODE, TITLE 5, SUBCHAPTER D, SECTION 551.071, PRIVATE CONSULTATION WITH ITS ATTORNEY TO SEEK ADVICE ABOUT LEGAL MATTERS SUBJECT TO ATTORNEY/CLIENT PRIVILEGE..

Mayor White announced that the Council would enter Executive Session at 9:30 p.m. to discuss the following:

- A. Discussion with City Attorney regarding a petition for release of property from the extraterritorial jurisdiction of the City of Lockhart.
- B. Receive legal advice regarding Consent Agreement for creation of Clear Fork Ranch MUD (Caldwell Co. MUD No. 2) dated January 16, 2019, for Perry Homes (Juniper Springs) development.

ITEM 10. OPEN SESSION

Mayor White announced that the Council would enter Open Session at 9:52 p.m. to consider the following:

A. Discussion and/or action regarding a petition for release of property from the extraterritorial jurisdiction of the City of Lockhart.

There was no action.

B. Discussion and/or action regarding Consent Agreement for creation of Clear Fork Ranch MUD (Caldwell Co. MUD No. 2) dated January 16, 2019, for Perry Homes (Juniper Springs) development.

Mayor Pro-Tem Sanchez made a motion to approve the Consent Agreement, as presented. Councilmember Lairsen seconded. The motion passed by a vote of 7-0.

ITEM 11. ADJOURNMENT

Mayor Pro-Tem Sanchez made a motion to adjourn the meeting. Councilmember Mendoza seconded. The motion passed by a vote of 7-0. The meeting was adjourned at 9:55 p.m.

PASSED and APPROVED this the 18th day of February, 2025.

CITY OF LOCKHART

Lew White, Mayor

ATTEST:

Julie Bowermon
City Secretary

**REGULAR MEETING
LOCKHART CITY COUNCIL**

JANUARY 2, 2024

6:30 P.M.

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

Council present:

Councilmember John Castillo
Councilmember John Lairsen

Mayor Lew White
Councilmember Juan Mendoza
Mayor Pro-Tem Angie Gonzales-Sanchez

Council absent:

Councilmember Jeffry Michelson
Councilmember Brad Westmoreland

Staff present:

Steve Lewis, City Manager
Joseph Resendez, Assistant City Manager
David Fowler, Planning Director
Randy Jenkins, Fire Chief
Gary Williamson, Police Chief

Brad Bullock, City Attorney
Julie Bowermon, City Secretary
Sean Kelley, Public Works Director
Bob Leos, Electric Superintendent

Citizens/Visitors Addressing the Council: Mark Estrada of the Lockhart Youth Soccer Association; and Students: Ann Marie and Jackson.

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. DISCUSS THE CONVERSION OF ONE OUTDOOR BASKETBALL COURT INTO A SOCCER MINI-PITCH, LOCATED AT THE LAFLEUR SOCCER COMPLEX. THIS IS A JOINT PROJECT BETWEEN THE CITY OF LOCKHART AND THE LOCKHART INDEPENDENT SCHOOL DISTRICT, WITH GRANT FUNDING PROVIDED BY SOCCER ASSIST, ST. DAVID'S FOUNDATION, 4ATX, AND THE US SOCCER FOUNDATION.

Mr. Lewis stated that the USSF has successfully installed over 600 mini-pitches in the US, with 7 in Central Texas. These mini-pitches are a part of the US Soccer Foundation "Safe Places to Play" initiative. Soccer Assist is a local 501c3 located in Austin that partners with Austin FC (professional soccer team) and the US Soccer Foundation to build soccer sports courts, by securing grants and donations. Lockhart ISD made the City aware of this opportunity and has been working with these organizations to secure funding and identify a suitable location for this project. Lockhart ISD suggested an ideal location for this project would be the outdoor basketball court located at LaFleur Soccer Complex. The Parks Director is in full support of this location, as it is currently under-utilized and is perfectly situated adjacent to the LaFleur Soccer Fields, Bluebonnet Elementary, and Lockhart Jr. High. One basketball court will still remain, but the hope is to convert it to a soccer mini-pitch in the future and to install basketball courts at Maple Park across the street. The total cost of the court conversion is \$100,000. Soccer Assist has obtained funding from St. David's Foundation and other sources for \$51,000. Austin FC has contributed \$25,000 through its charitable foundation, 4ATX. The remaining \$24,000 would be split 50/50 by the City and Lockhart ISD. Court conversion would begin in early March and be completed by the end of March, with a launch party scheduled in April. The size of the soccer mini-pitch is

approximately 90' x 50' and will have an all-weather surface and lighting, allowing for play during all weather conditions and during the evenings.

Mark Estrada of the Lockhart Youth Soccer Association spoke in favor of the soccer mini-pitch.

Ann Marie, minor student, spoke in favor of building a new soccer mini-pitch in Lockhart.

Jackson, minor student, spoke in favor of building a new soccer mini-pitch in Lockhart.

Mark Estrada provided details about the proposed new soccer mini-pitch. He stated that the new soccer mini-pitch is currently 90 percent funded. There was discussion.

B. DISCUSSION ON UPDATES RELATED TO THE FIRE STATION NO. 1 CONDITION REPORT AND CONSTRUCTION PROJECT.

Mr. Resendez and Chief Jenkins provided information and there was discussion regarding the following:

Recent Updates

An Asbestos Inspection Report was completed on December 13, 2023. This inspection report was "limited" to areas scheduled for renovation as recommended in the 2021 Fire Station No. 1 Condition Report. The Summary of Findings identified asbestos content in 1st floor tile/mastic, exterior window glazing, and 2nd floor sheetrock/surfacing. The consulting architects and city staff are working with abatement contractors to develop specifications for asbestos removal and project management. These contractors will also assist in developing a revised Scope of Work and subsequent costs to accommodate these developments. The City's architects prepared a condition report in 2021. The recommendations in the report are intended not to alter the historic aspects of the building, which was built in 1912 with additions in 1950, and limited to primarily inside the walls. Highlights of the report include:

Life Safety Upgrades

Automatic fire sprinkler suppression system throughout the building, fire/smoke sensing and alarm system, upgrades to hazardous electrical panels and switchgear, new air scrubbers for noxious gases in apparatus bays below sleeping areas, enhanced fire/smoke barrier between apparatus bays and sleeping area above, and enhanced emergency exiting from second floor.

Enhanced Living and Working Quarters for Firefighters

Restroom on first floor renovated including exhaust air vent and reduced trip hazard, restroom on second floor completely renovated with new shower, finishes, and removal of existing furnace system, kitchen renovation to replace cabinets, appliances, and reorganize, relocation of furnace and ductwork from bathroom, remodel one bunk room sleeping quarters into three separate sleeping quarters, a new drop ceiling and LED lights throughout the remodel area and new floor finishes.

Exterior Upgrades

Repaint wood trim, touch up some brick masonry as needed.

Additional Considerations

The results of the Asbestos Inspection Report are considerations for a revised Scope of Work. The Architect is updating a proposal to include these updates and considerations from the recent adoption of the 2018 International Existing Building Code (IEBC) and additional restroom, window, garage door, and signage recommendations to the Current Drawing and Construction.

C. DISCUSS AGREEMENT WITH TECHLINE CONSTRUCTION, LLC FOR PROJECT 5A AS PART OF THE CITY OF LOCKHART'S FIVE-YEAR SYSTEM STUDY AND CAPITAL PLAN AS PREPARED BY THE LOWER COLORADO RIVER AUTHORITY (LCRA).

Mr. Leos stated that Techline Construction is the Lower Colorado River Authority's (LCRA) preferred contractor for projects because they are experienced with high voltage line repairs. Techline has conducted the majority of projects for the City of Lockhart since 1995. Project #5A is a "System Rehabilitation" project and part of the LCRA's five-year System Study that will replace single strand copper conductor. These conductors have been shown to become brittle and break with age, causing outages. Project #5A will rebuild approximately 950ft of power line on circuit LK30, along Willow between Blanco and Pecos. Projects 5B and 5C will be completed in 2023 and 2024. The project will begin in the first quarter of 2024 with an estimated completion date of the third quarter of 2024. Labor for Project #5A is an estimated total of \$96,380.00 not to exceed \$102,760.00. There was discussion.

D. DISCUSS GRANT APPLICATION FOR FUNDING ALLOCATED FROM THE TEXAS GENERAL LAND OFFICE (GLO) FOR HAZARD MITIGATION PROJECTS.

Mr. Resendez stated that as previously discussed with City Council during the FY 2023-24 budget workshops, the City was appropriated \$1,889,900 from the Texas General Land Office (GLO) for mitigation projects to reduce regional riverine, flash flooding, and seasonal flooding risks and damage to infrastructure due to tropical depressions, storms, and/or hurricanes moving inland from the Texas coast.

Eligible projects include:

- Flood control and drainage improvement, including the construction or rehabilitation of stormwater management systems.
- Natural or green infrastructure.
- Public Facilities (shelter, library, etc.).
- Water and sewer facilities.
- Communications infrastructure.
- Provision of generators.
- Streets or bridges.
- Public Services (within the 15% cap).
- FEMA Hazard Mitigation Grant Program (HMGP) cost share for CDBG-MIT eligible project.

After further discussion with GLO officials to review time constraints for an application, staff developed a preliminary scope of potential projects for City Council consideration. These projects include street and drainage improvements, public safety facility upgrades, SH-142 corridor study to include drainage and public safety considerations, and traffic safety improvements at the intersection of SH-142 and Mockingbird Lane. Additional requirements mandate at least 50% of total funds (\$945,000) must be spent on projects that directly benefit Low-and-Moderate-Income (LMI) persons within the city and a minimum 14-day public participation period. Funds have been appropriated to the City for eligible projects. However, an application must be submitted to access this funding. The project application deadline is Thursday, February 29, 2024. City staff developed a CDBG-MIT Low-Moderate Income (LMI) Map of the City of Lockhart defined by Census block groups to ensure we comply with LMI beneficiary requirements. Next steps include the procurement of Grant Administrator and Engineering services, selecting a project(s), and receiving community stakeholder input to satisfy the public participation requirement.

Councilmember Mendoza questioned if Blackjack Street could be considered for drainage improvements. Mr. Kelley replied that the funds allocated would most likely not be able to cover the expenses to improve drainage on Blackjack Street.

There was discussion about drainage improvements on Bois D'arc and Nueces Streets and the grant fund allocation schedule.

Mr. Kelley stated that staff would consult with the city engineer to research which streets would be best probable for paving to allow the most value of the funds available. There was discussion.

E. DISCUSS APPOINTING THE CITY MANAGER AND DESIGNATED STAFF AS AN AUTHORIZED SIGNER FOR MOTOR VEHICLE LEASES BETWEEN ENTERPRISE FLEET MANAGEMENT AND THE CITY OF LOCKHART AND APPROVING LEASE TERMS.

Mr. Resendez stated that the City Council received a presentation at the December 19, 2023 City Council meeting regarding procurement options for 6 Police Department patrol vehicles identified for replacement during the FY 2023-24 budget process. Staff was directed to replace these vehicles through the Enterprise Fleet Management (EFM) Lease Program. The Authorized Signer agreement will appoint the City Manager and designated staff as authorized signers for motor vehicle leases. An updated agreement is required to remove the previous Finance Director as an authorized signer and add additional staff for redundancy. This leasing program will allow the City to replace aged and high mileage vehicles with leased vehicles over a multi-year term for less than procuring these vehicles in a single fiscal year. Attached is a summary of the proposed lease terms and projected FY 2023-2024 costs. There was discussion.

F. DISCUSS RESOLUTION 2024-01 REQUIRING APPROVAL BY THE CITY COUNCIL OF THE CITY OF LOCKHART FOR THE 2023 CERTIFIED PROPERTY TAX ROLL.

Mr. Resendez stated that Section 26.09 of the Property Tax Code requires approval by the City Council of the City of Lockhart for the Certified Property Tax Roll, with the tax amount presented by the Caldwell County Appraisal District for 2023 tax year. The 2023 Certified Property Tax Roll contains final amounts due totaling \$7,497,409.59 (\$1,698,660.60 for debt service).

G. DISCUSS THE ADOPTION OF ORDINANCE 2024-01 CREATING AN ANIMAL SHELTER ADVISORY BOARD.

Mr. Lewis stated that for the Council meeting of December 5, 2023, Councilmember Lairsen proposed creation of an animal shelter advisory board. After discussion, staff was directed to bring back a report regarding options for such a board, a statement of its duties, and related issues. During the Council meeting of December 19, 2023 following a discussion of the proposed creation of an animal shelter advisory board, staff was directed to return with additional information regarding the structure, scope, and authority of the board. He provided details of the contents of the draft ordinance for the Council's consideration.

Mayor White stated that if the Ordinance is adopted, nominations of members to the Board will be considered during a future Council meeting.

H. DISCUSS RESOLUTION 2024-02 OF THE CITY OF LOCKHART, TEXAS ESTABLISHING AND CLARIFYING AN ADMINISTRATIVE PROCEDURE FOR THE NOMINATION OF MEMBERS OF CITY BOARDS, COMMISSIONS, AND COMMITTEES.

Mayor White suggested that the item be tabled until all Councilmembers are present.

CONSENSUS: The consensus of the Council was to table the item to the second Council meeting in January 2024.

I. DISCUSS THE NOMINATION OF JERRY HAUG TO THE HISTORICAL PRESERVATION COMMISSION BY COUNCILMEMBER JOHN LAIRSEN FOR A TERM TO EXPIRE IN NOVEMBER 2026.

Mayor White stated that item will be considered during the regular meeting.

J. DISCUSS MOVING THE APPOINTMENT OF FRANK GOMILLION FROM THE ELECTRIC BOARD TO THE HISTORICAL PRESERVATION COMMISSION BY MAYOR LEW WHITE WITH A TERM TO EXPIRE NOVEMBER 2026.

Mayor White stated that the appointment of Frank Gomillion will be considered during the next Council meeting.

K. DISCUSS MOVING THE APPOINTMENT OF MARICA PROCTOR FROM THE ZONING BOARD OF ADJUSTMENT AND APPEALS TO THE HISTORICAL PRESERVATION COMMISSION BY COUNCILMEMBER JEFFRY MICHELSON WITH A TERM TO EXPIRE IN NOVEMBER 2026.

Mayor White stated that the appointment of Marcia Proctor will be considered during the next Council meeting.

L. DISCUSS PETITION FOR RELEASE OF 224.692 ACRES OF LAND FROM THE CITY'S ETJ BY CHISHOLM HILL, LP, WILLIAM J. MORGAN AND EDWARD D. MORGAN, PETITIONERS.

Mr. Lewis stated that on December 4, 2023, Petitioners filed an ETJ release petition pursuant to the process set forth in SB 2038. Petitioners are represented by a Houston-based law firm that has been involved in other petitions. The petition was filed in accordance with Sections 42.101-105 of the Texas Local Government Code. Senate Bill 2038, effective September 1, 2023, provides that owners of land in a City's ETJ may petition for release of the land by the City, resulting in the land being considered subject only to County jurisdiction. If the City grants the petition, the area will be released immediately. This item was previously discussed during the December 19, 2023 Council meeting.

RECESS: Mayor White announced that the Council would recess for a break at 7:15 p.m.

ITEM 1. CALL TO ORDER.

Mayor Lew White called the meeting to order at 7:35 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. There were none.

ITEM 4-A. DISCUSSION AND/OR ACTION TO CONSIDER THE CONVERSION OF ONE OUTDOOR BASKETBALL COURT INTO A SOCCER MINI-PITCH, LOCATED AT THE LAFLEUR SOCCER COMPLEX. THIS IS A JOINT PROJECT BETWEEN THE CITY OF LOCKHART AND THE LOCKHART INDEPENDENT SCHOOL DISTRICT, WITH GRANT FUNDING PROVIDED BY SOCCER ASSIST, ST. DAVID'S FOUNDATION, 4ATX, AND THE US SOCCER FOUNDATION.

Mayor White stated that the city's match is \$12,000 and a four-month construction schedule.

Mayor Pro-Tem Sanchez made a motion to approve the conversion of one outdoor basketball court into a soccer mini-pitch, as requested. Councilmember Lairsen seconded. The motion passed by a vote of 5-0.

ITEM 4-B. DISCUSSION AND/OR ACTION REGARDING AGREEMENT WITH TECHLINE CONSTRUCTION, LLC FOR PROJECT 5A AS PART OF THE CITY OF LOCKHART'S FIVEYEAR SYSTEM STUDY AND CAPITAL PLAN AS PREPARED BY THE LOWER COLORADO RIVER AUTHORITY (LCRA).

Councilmember Lairsen made a motion to approve the agreement with Techline Construction, LLC for Project 5A, as presented. Councilmember Mendoza seconded. The motion passed by a vote of 5-0.

ITEM 4-C. DISCUSSION AND/OR ACTION TO CONSIDER APPOINTING THE CITY MANAGER AND DESIGNATED STAFF AS AN AUTHORIZED SIGNER FOR MOTOR VEHICLE LEASES BETWEEN ENTERPRISE FLEET MANAGEMENT AND THE CITY OF LOCKHART AND APPROVING LEASE TERMS.

Mayor Pro-Tem Sanchez made a motion to appoint the City Manager and designated staff as an authorized signer for motor vehicle leases between Enterprise Fleet Management, as presented. Councilmember Castillo seconded. The motion passed by a vote of 5-0.

ITEM 4-D. DISCUSSION AND/OR ACTION TO ADOPT RESOLUTION 2024-01 REQUIRING APPROVAL BY THE CITY COUNCIL OF THE CITY OF LOCKHART FOR THE 2023 CERTIFIED PROPERTY TAX ROLL.

Councilmember Castillo made a motion to approve Resolution 2024-01, as presented. Councilmember Mendoza seconded. The motion passed by a vote of 5-0.

ITEM 4-E. DISCUSSION AND/OR ACTION TO ADOPT OF ORDINANCE 2024-01 CREATING AN ANIMAL SHELTER ADVISORY BOARD.

Mayor Pro-Tem Sanchez made a motion to approve Ordinance 2024-01, as presented. Councilmember Lairsen seconded. The motion passed by a vote of 5-0.

ITEM 4-F. DISCUSSION AND/OR ACTION TO ADOPT RESOLUTION 2024-02 OF THE CITY OF LOCKHART, TEXAS ESTABLISHING AND CLARIFYING AN ADMINISTRATIVE PROCEDURE FOR THE NOMINATION OF MEMBERS OF CITY BOARDS, COMMISSIONS, AND COMMITTEES.

Mayor White made a motion to table the item to the next Council meeting. Councilmember Mendoza seconded. The motion passed by a vote of 5-0.

ITEM 4-G. DISCUSSION AND/OR ACTION REGARDING THE NOMINATION OF JERRY HAUG TO THE HISTORICAL PRESERVATION COMMISSION BY COUNCILMEMBER JOHN LAIRSEN FOR A TERM TO EXPIRE IN NOVEMBER 2026.

Councilmember Lairsen made a motion to appoint Jerry Haug to the Historical Preservation Commission. Mayor Pro-Tem Sanchez seconded. The motion passed by a vote of 5-0.

ITEM 4-H. DISCUSSION AND/OR ACTION TO CONSIDER MOVING THE APPOINTMENT OF FRANK GOMILLION FROM THE ELECTRIC BOARD TO THE HISTORICAL PRESERVATION COMMISSION BY MAYOR LEW WHITE WITH A TERM TO EXPIRE NOVEMBER 2026.

Mayor White made a motion to consider the nomination/appointment during the next Council meeting. Mayor Pro-Tem Sanchez seconded. The motion passed by a vote of 5-0.

ITEM 4-I. DISCUSSION AND/OR ACTION TO CONSIDER MOVING THE APPOINTMENT OF MARICA PROCTOR FROM THE ZONING BOARD OF ADJUSTMENT AND APPEALS TO THE HISTORICAL PRESERVATION COMMISSION BY COUNCILMEMBER JEFFRY MICHELSON WITH A TERM TO EXPIRE IN NOVEMBER 2026.

Mayor Pro-Tem Sanchez made a motion to consider the nomination/appointment during the next Council meeting. Councilmember Mendoza seconded. The motion passed by a vote of 5-0.

ITEM 4-J. CONSIDERATION AND ACTION ON PETITION FOR RELEASE OF 224.692 ACRES OF LAND FROM THE CITY'S ETJ BY CHISHOLM HILL, LP, WILLIAM J. MORGAN AND EDWARD D. MORGAN, PETITIONERS.

Mayor White made a motion that the petition for the release of 224.692 acres of land from the city's ETJ by Chisholm Hill, LP, William J. Morgan and Edward D. Morgan petitioners to remove the property from the city's extraterritorial jurisdiction be denied because Senate Bill 2038 is an unconstitutional delegation of legislative authority and it conflicts with the city's grant of discretionary or legislative authority in Local Government Code, Section 42.023. The city does not consent to the reduction of its ETJ. Councilmember Lairsen seconded. The motion passed by a vote of 5-0.

ITEM 5. CITY MANAGER'S REPORT, PRESENTATION AND POSSIBLE ACTION

- Live Christmas tree recycling program.
- Special City Council meeting will be held January 9, 2024 at 6 p.m. to discuss growth management issues regarding water and sewer utilities and transportation matters.
- City offices closed January 15, 2024 for MLK Day.
- ESD No. 5 update.
- Tree Trimming Program update.

ITEM 6. COUNCIL AND STAFF COMMENTS - ITEMS OF COMMUNITY INTEREST

Councilmember Mendoza welcomed the students back to school. He encouraged everyone to be safe during the upcoming storms.

Mayor Pro-Tem Sanchez expressed condolences to families that have lost a loved one. She wished everyone a Happy New Year.

Councilmember Castillo expressed condolences to families that have lost a loved one. He encouraged constituents of District 2 to reach out to him with concerns. He requested that staff investigate street repairs and curb and gutters to Blanco, Peach and North Pecos Streets, which citizens have expressed concern about.

Mayor White wished everyone a Happy New Year. He announced that a special meeting will be held next Tuesday to discuss utility capacity and transportation issues.

ITEM 7. ADJOURNMENT

Mayor Pro-Tem Sanchez made a motion to adjourn the meeting. Councilmember Mendoza seconded. The motion passed by a vote of 5-0. The meeting was adjourned at 7:55 p.m.

PASSED and APPROVED this the 18th day of February, 2025.

CITY OF LOCKHART

Lew White, Mayor

ATTEST:

Julie Bowermon
City Secretary

**SPECIAL MEETING
LOCKHART CITY COUNCIL**

JANUARY 9, 2024

6:00 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
Councilmember Brad Westmoreland
Councilmember John Lairsen
Mayor Pro-Tem Angie Gonzales-Sanchez

Staff present:

Joseph Resendez, Assistant City Manager
David Fowler, Planning Director
Victoria Burns, Public Information Officer

Julie Bowermon, City Secretary
Sean Kelley, Public Works Director

Citizens/Visitors Addressing the Council: Will Wachel of TRC Engineering; and Philip Ruiz of the Planning and Zoning Commission.

ITEM 1. CALL TO ORDER,

Mayor Lew White called the meeting to order at 6:00 p.m.

ITEM 2-A. DISCUSSION REGARDING GROWTH MANAGEMENT ISSUES REGARDING WATER AND SEWER UTILITIES AND TRANSPORTATION MATTERS.

Mr. Fowler provided information and there was discussion regarding the following:

- Permits obtained for residential, multi-family and apartments.
- New residential/subdivision developments and expanding developments.
- Recent housing trends.
- Fall 2023 impact fee account balances and revenue.
- Population growth and demographics.
- Summary
 - New development activity slowing
 - Recent legislative actions will improve quality of housing and ensure costs of development are more fully covered.
 - Impact fee funds available to cover infrastructure extension project with private partners.
 - Comprehensive plan will provide biggest opportunity to discuss and refine policy approaches for Lockhart's next 20 years.

Mr. Kelley provided information and there was discussion regarding the following:

- Projected growth population.
- Future thoroughfare planning and Transportation Industry Analysis (TIAs)
 - 2022 Annual average daily traffic
- Transportation projects
 - Downtown revitalization project
 - New truck route
- Other projects
 - North Blanco Street bridge replacement – starting January 2026

- SH 142 from Downtown to Borchert Loop – pavement repair and overlay scheduled in Summer 2025
- FM 20/FM 1322 traffic signal project, estimated 2026
- Annual street improvements project (Bois D’arc from Pecos to Wichita, Prairie Lea from Frio to Rio Grande, Rosewood from US 183 to Brazos, Red River from Cedar to Olive, Sunrise Terrace from FM 20 to Sundown, Concho from Prairie Lea to Plum, Red River from China to dead-end, and Plum from Cibilo to Guadalupe)
- Regulatory agencies, expansion triggers and milestones
- Utility capacities
- Water and wastewater projects
- Impact fees

Will Wachel of TRC Engineers provided information and there was discussion regarding the following:

- Water storage, water supply and treatment capacities, and wastewater treatment capacity regulations.
- Elevated water storage capacity.
- Current and projected water supply capacity.
- Current and projected wastewater supply capacity.
- Water and wastewater projects.
 - Water plant high service pump project.
 - Water plant generator installations.
 - Water and wastewater master planning.

Mr. Kelley provided information and there was discussion regarding the following:

- Water impact fee eligible projects.
- Wastewater impact fee eligible projects.
- Notable impact fee projects:
 - Completed – Maple Street (Jason K. Lafleur Soccer complex to Mockingbird Lane)
 - In Progress – water/wastewater mast plan
 - Possible future consideration – North US 183 sewer extension (FM 2001 to Railroad tracks along Commerce Street – S-31 & S-32)
 - Possible future consideration – Stueve Lane sewer extension (FM 2001 to Railroad tracks, S-26)
 - Possible future consideration – FM 1322 lift station and extension (Blackjack to city limits, S-33 & S-34)

Philip Ruiz, member of the Planning and Zoning Commission, provided information and there was discussion regarding the following:

- Property acquisition, storage, and transmission costs for new elevated storage tanks.
- Estimated population growth might be more than estimated.
- Recommends that Larremore wastewater treatment plant be moved out of the residential neighborhood.
- Traffic congestion and traffic light delays.
- Possible additional water acquisition options.

Mayor White thanked all for their input and stated that the Council and staff will consider the information that was provided.

ITEM 3. ADJOURNMENT

Mayor Pro-Tem Sanchez made a motion to adjourn the meeting. Councilmember Mendoza seconded.
The motion passed by a vote of 7-0. The meeting was adjourned at 7:48 p.m.

PASSED and APPROVED this the 18th day of February, 2025.

CITY OF LOCKHART

Lew White, Mayor

ATTEST:

Julie Bowermon
City Secretary

**REGULAR MEETING
LOCKHART CITY COUNCIL**

JANUARY 18, 2024

6:30 P.M.

NOTE: The January 16, 2024 City Council meeting was postponed to January 18, 2024 at 6:30 p.m. due to a catastrophe as defined by TOMA, Section 551.0411(c).

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
Councilmember Brad Westmoreland
Councilmember John Lairsen

Council absent:

Mayor Pro-Tem Angie Gonzales-Sanchez

Staff present:

Steve Lewis, City Manager
Joseph Resendez, Assistant City Manager
David Fowler, Planning Director
Randy Jenkins, Fire Chief
Kevin Waller, Senior Planner

Brad Bullock, City Attorney
Julie Bowermon, City Secretary
Sean Kelley, Public Works Director
Gary Williamson, Police Chief
Victoria Burns, Public Information Officer

Citizens/Visitors Addressing the Council: Representatives of District 1 Pride; Khalil Coltrain of the Lower Colorado River Authority; and Pam Madir Jackson Walker.

Work Session 6:30 p.m.

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

DISCUSSION ONLY

Mayor White presented a proclamation to Representatives of District 1 Pride declaring January 15, 2024 as Martin Luther King, Jr. Day.

A. DISCUSS ENTERING INTO AN INTERLOCAL AGREEMENT (ILA) WITH THE LOWER COLORADO RIVER AUTHORITY (LCRA) TO BECOME A PARTICIPATING MEMBER OF A NEW EMERGENCY COMMUNICATION VOICE RADIO SYSTEM AND CO-LOCATED DISPATCH CENTER BEING BUILT FOR CALDWELL COUNTY.

Chief Jenkins stated that the City of Lockhart and Caldwell County are currently on the Greater Austin-Travis Regional Radio System (GATRRS). The GATRRS system is operated by the City of Austin and provides voice communications for public safety and other public service organizations in the central Texas region. Due to GATRRS system reliability, radio coverage, and system maintenance, Caldwell County has contracted with LCRA to create a new voice radio communication system in Caldwell County for public safety using two existing towers, one new tower and all new infrastructure. Current end user portable and mobile radios will be reprogrammed for use on the new system. All voice radio communication systems involve the use of a combination of radio towers, FCC licensed radio frequencies, software, specialized radio equipment, portable and mobile radios, maintenance, programming, monitoring, and support. The current Federal Communications Commission (FCC) licensed radio

frequencies issued to the City of Lockhart will be deployed on the new system if approved. An authorization letter is included in this item to allow the City Manager to legally sign for the City of Lockhart on any FCC Form 601 application to the federal government for 700/800 radio frequencies. A co-located 911 emergency dispatch center at the Caldwell County Justice Center is also in the development phase for use with the new LCRA system. The completion of the new tower, infrastructure, 911 dispatch center, programming and training is estimated for summer 2024. City staff is in communication with the City of Austin, Texas Department of Public Safety (TxDPS), and Texas Department of Transportation (TxDOT) to discuss the possible transition from GATRRS to the LCRA system if approved.

Khalil Coltrain of LCRA provided information about LCRA's plans to construct new communication towers throughout the region.

Mr. Fowler provided information about the development services protocols to consider the construction of the new communication towers.

There was discussion.

B. DISCUSS REQUEST BY RONDA REAGAN OF 7G TEXAN, LLC, FOR A DETERMINATION OF ELIGIBILITY FOR A TAX ABATEMENT (TA-23-02) PURSUANT TO CHAPTER 28 "HISTORIC DISTRICTS AND LANDMARKS" DIVISION 2 "TAX ABATEMENT", OF THE LOCKHART CODE OF ORDINANCES, FOR VARIOUS INTERIOR IMPROVEMENTS TO A BUILDING IN THE HISTORIC DISTRICT, LOCATED AT 112 NORTH MAIN STREET.

Mr. Waller stated that Division 2 of the Historic Districts and Landmarks Ordinance provides for tax abatements to mitigate the cost of eligible improvements to structures that are within a historic district or that are a City-designated historic landmark. The owner of a commercial building within the Historic District, located at 112 North Main Street, has applied for a tax abatement for interior improvements to the building, including reorganizing interior walls, expanding the bathrooms to be ADA-compliant, connecting the subject property to the adjacent building under the same ownership by re-opening a boarded archway and installing a door, and installing a 208 square-foot stage and accompanying lighting. The changes will include the necessary plumbing and electrical upgrades to support the new facilities. A Tax Abatement application must first be considered by the Historical Preservation Commission for a recommendation to the City Council, which will in turn make a determination of eligibility for the tax abatement. In addition, a Certificate for Alteration must be considered by the Commission along with the Tax Abatement application. A Certificate for Alteration was approved by the Commission for the project on January 3, 2024. The Tax Abatement application was recommended for approval at the same meeting of the Commission on January 3, 2024.

C. DISCUSS THE 1ST QUARTER FISCAL YEAR 2024 INVESTMENT REPORT.

Mr. Resendez stated that 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. He provided details about the 1st Quarter Investment Report of Fiscal Year 2024, ending December 31st, 2023.

D. FURTHER DISCUSSION OF GRANT APPLICATION FOR FUNDING ALLOCATED FROM THE TEXAS GENERAL LAND OFFICE (GLO) FOR HAZARD MITIGATION PROJECTS.

Mr. Resendez stated that the City Council provided staff direction at the January 2, 2024, City Council meeting after discussing potential projects for further consideration.

The previously discussed projects and additional projects are as listed below:

- FY 2024 Street Overlay Appropriation (\$650,000 - Design & Construction)
 - o Bois D'Arc (Pecos to Wichita)
 - o Prairie Lea (Frio to Rio Grande)
 - o Rosewood (US183 to Brazos)
 - o Red River (Cedar to Olive)
 - o Sunrise Terrace (FM20 to Sundown)
 - o Concho (Prairie Lea to Plum)
 - o Red River (China to Dead-end)
 - o Plum (Cibolo to Guadalupe)
- Bois D'Arc Street Overlay - Starting from N Medina St. to N Blanco St. (\$750,000 - Design & Construction - 3,100 LF)
- N Blanco Street Overlay - Starting from China St. to Bois D'Arc St. (\$552,000 - Design & Construction - 2,400 LF)
- N Pecos Street Overlay with Curb and Gutter - Starting from Silent Valley Rd. to N Dead-End (\$207,000 - Design & Construction for Overlay Only - 1,800 LF)
- Peach Street Overlay with Curb and Gutter - Starting from N Medina St. to Wichita St. (\$207,000 - Design & Construction for Overlay Only - 1,500 LF)
- N Church Street with Curb and Gutter - Starting from Creek to Pecan St. (\$94,000 - Design & Construction for Overlay Only - 515 LF)
- Bois D'Arc St. Waterline Replacement - Starting from Elm St. to N Blanco St. (\$665,000 - Design & Construction - 1,300 Linear Feet)
- N. Blanco St. Waterline Replacement - Starting from W Olive St. to Willow St. (\$595,000 - Design & Construction - 830 LF)
- 50% Design Costs for Clear Fork St. and City Line Rd. (\$300,000; Remaining 50% from Impact Fees)
- SH-142 x Mockingbird Ln Intersection Improvements (\$1M - Construction)
- Fire Station No. 1 Remodel (\$637,000 - Design & Construction)

Further, staff discussed the above projects with GLO and grant administrators in comparison to other successful regional project applications for insight into the application review process. For example, a Fire Station Remodel project would be a unique submission; Projects consisting of Design-only (Engineering and other Professional Services) are frequently unsuccessful; and clarification regarding street Overlay projects vs. street Reconstruction projects.

As previously discussed with City Council during the FY 2023-24 budget workshops, the City was appropriated \$1,889,900 from the Texas General Land Office (GLO) for mitigation projects. Additional requirements mandate at least 50% of total funds (\$945,000) must be spent on projects that directly benefit Low-and-Moderate-Income (LMI) persons within the city and a minimum 14-day public participation period. Funds have been appropriated to the City for eligible projects. However, an application must be submitted to access this funding. The project application deadline is Thursday, February 29, 2024.

There was discussion.

E. DISCUSS APPOINTING TWO MEMBERS TO THE LOCKHART-CALDWELL COUNTY JOINT AIRPORT ZONING BOARD TO HEAR VARIANCE REQUESTS REGARDING THE LOCKHART MUNICIPAL AIRPORT HAZARD ZONING MAP.

Mr. Kelley stated that recently, an application to build a new communication tower was received by the planning department. During the review process, it was discovered that the height of the tower exceeds the height limitations found in the Lockhart Hazard Zoning Map. Ordinance 91-01 established the Lockhart Municipal Hazard Zoning Map on December 18, 1991. The zoning map identifies height restrictions based on the proximity to the Lockhart Municipal Airport and is centered around a model FAA zoning ordinance. Projects and/or towers seeking to exceed the height limitations found in the zoning map must file for a variance prior to the construction of the project. The adopted ordinance describes the process for variances regarding the limitation of the zoning map. In order to hear variance requests and make a recommendation to the Board of Adjustments, the Joint Airport Zoning Board must reconvene. Since the Joint Airport Board only meets to hear items related to the Airport Hazard Zoning Map, there are no current board members, so they must be selected.

The process for member selection found in the ordinance is as follows:

Joint Airport Zoning Board-Means a board consisting of five (5) members, two (2) members appointed by the City Council of the City of Lockhart, Texas and two (2) members appointed by the Commissioners Court of Caldwell County, Texas. The four (4) members so appointed shall elect a fifth (5th) member who shall serve as chairman of said Lockhart-Caldwell County Airport Zoning Board.

Mr. Kelley stated that the purpose for the joint City/County Board is due to the contour lines of the Lockhart Municipal Hazard Zoning Map stretching outside the City Limits of Lockhart.

F. DISCUSS RESOLUTION 2024-02 OF THE CITY OF LOCKHART, TEXAS ESTABLISHING AND CLARIFYING AN ADMINISTRATIVE PROCEDURE FOR THE NOMINATION OF MEMBERS OF CITY BOARDS, COMMISSIONS, AND COMMITTEES.

Mr. Lewis stated that on January 18, 2022, the City Council adopted a resolution establishing an administrative procedure for appointing members to city boards and committees. On December 19, 2023, the City Council directed staff to clarify that the procedure for appointing members to city boards and committees will include a two-step process.

Resolution 2024-02 includes detail that the administrative procedure will include a two-step process: *Nominations will be placed on agendas in a two step process. First, listed as “announcement of nomination” to provide adequate time for Councilmembers to consider the nomination followed by subsequent meeting listed as “discussion and/or action to consider nomination.”*

On January 2, 2024, the City Council directed staff to provide additional clarification that the procedure for appointing members to city boards and committees will include detail on the application of the two-step process regarding nomination categories.

Resolution 2024-02 includes detail on the application of the two-step process regarding nomination categories:

The two-step process set forth in Section 7 does not apply to the renomination of the same person to the same board position for a new term. Council action on such renominations can occur at one meeting.

The two-step process set forth in Section 7 does apply to the nomination of a currently serving board member if the nominee is changing board positions or is being nominated to serve on a different City board.

The two-step process set forth in Section 7 does apply to the nomination of a person who currently holds an alternate position if the purpose of the nomination is to elevate them to a regular position on the same board.

G. DISCUSS MOVING THE APPOINTMENT OF FRANK GOMILLION FROM THE ELECTRIC BOARD TO THE HISTORICAL PRESERVATION COMMISSION BY MAYOR LEW WHITE WITH A TERM TO EXPIRE NOVEMBER 2026.

Mayor White stated that the appointment is to replace John Lairsen on the Historical Preservation Commission.

H. DISCUSS MOVING THE APPOINTMENT OF MARICA PROCTOR FROM THE ZONING BOARD OF ADJUSTMENT AND APPEALS TO THE HISTORICAL PRESERVATION COMMISSION BY COUNCILMEMBER JEFFRY MICHELSON WITH A TERM TO EXPIRE IN NOVEMBER 2026.

Councilmember Michelson requested the appointment of Marcia Proctor to the Historical Preservation Commission.

I. DISCUSS REQUEST FROM MAYOR WHITE TO REAPPOINT HIS NOMINATIONS FOR APPOINTMENTS TO CITY BOARDS AND COMMISSIONS.

Mayor White stated that he requests to re-appoint the following:

- Airport Board: Benny Hilburn
- Board of Adjustment: Mike Annas
- Construction Board: Raymond DeLeon
- Lockhart Economic Development Corporation: Alan Fielder
- Electric Board: No Nomination made at this time
- Historical Preservation: (currently on the Jan. 16th agenda to consider appointing Frank Gomillion)
- Library Board: Stephanie Riggan
- Parks and Recreation: Karla Tate
- Planning & Zoning: Ron Peterson
- Impact Fee Adv. Comm: Larry Metzler

J. DISCUSS THE NOMINATION OF NIGEL GUSDORF TO THE AIRPORT ADVISORY BOARD BY MAYOR WHITE FOR A TERM TO EXPIRE IN NOVEMBER 2026.

Mayor White requested the nomination of Nigel Gusdorf to the Airport Advisory Board. He provided a brief background of Mr. Gusdorf. The appointment will be considered during the first meeting in February.

RECESS: Mayor White announced that the Council would recess for a break at 7:30 p.m.

ITEM 1. CALL TO ORDER.

Mayor Lew White called the meeting to order at 7:45 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. There were none.

ITEM 4-A. HOLD A PUBLIC HEARING ON APPLICATION ZC-23-10 BY PAUL GINSBERG AND DISCUSSION AND/OR ACTION TO CONSIDER ORDINANCE 2024-02 FOR A ZONING CHANGE FROM RLD RESIDENTIAL LOW DENSITY DISTRICT TO RMD RESIDENTIAL MEDIUM DENSITY DISTRICT ON APPROXIMATELY 0.371 ACRES IN THE BYRD LOCKHART SURVEY, ABSTRACT A-17, LOCATED AT 1107 AND 1109 NORTH COMMERCE STREET.

Mayor White opened the public hearing at 7:48 p.m. and requested the staff background report.

Mr. Fowler stated that the proposed zoning case is intended to make possible the development of the current property as two lots that would conform with the RMD Residential Medium Density zoning district. Currently, the site has two parcels, both of which are nonconforming within the current RLD Residential Low Density district. Additionally, the one house that sits on the lot encroaches the property line between the two parcels. If the zoning is approved, the applicant would plan to plat the site as two lots oriented towards East China Street. These lots would conform with the dimensional standards of the SF-2 single-family development type. Because the existing house is setback only 10 feet from China Street, a zoning variance would be required to make the plat possible. The only response received following the notification of the public hearings was from the current renter of the property, who asked about the intentions behind the proposed rezoning. Mr. Fowler stated that the Planning and Zoning Commission and staff recommend approval.

Mayor White requested the applicant to address the Council. The applicant was not present.

Mayor White closed the public hearing at 7:54 p.m.

Councilmember Lairsen made a motion to approve Ordinance 2024-02, as presented. Councilmember Castillo seconded. The motion passed by a vote of 6-0.

ITEM 4-B. HOLD A PUBLIC HEARING AND CONSIDER APPROVAL OF ORDINANCE 2024-03, ANNEXING 53 ACRES OUT OF THE CORNELIUS CRENSHAW SURVEY, ABSTRACT 68, CALDWELL COUNTY, TEXAS, LOCATED ON THE SOUTH AND WEST SIDES OF FM 2001 APPROXIMATELY 1,060 FEET NORTH OF SH 130.

Mayor White opened the public hearing at 7:55 p.m. and requested the staff background report.

Mr. Fowler stated that this voluntary annexation request proposes to bring 53 acres into the city for the purpose of developing a cold storage facility that is the subject of an approved economic development agreement. The property is located inside the bend south of FM 2001 approximately 1,060 feet northwest of SH 130. The attached annexation service agreement states that water and wastewater service will be available to the site, the property owner needs to extend wastewater to the site and upsize the existing water lines in order to provide adequate service. All other aspects of the proposed annexation are as

expected, with all other city services available upon annexation. Upon annexation, the property will be automatically assigned to the AO Agricultural- Open Space zoning district. A Planned Development District (PDD) designed to accommodate the proposed cold storage business plus additional future tenants has been submitted and is expected to be heard at the February 6, 2024 City Council meeting.

Mayor White requested the applicant to address the Council.

Pam Madir Jackson Walker thanked city staff for working with them on the project.

Mayor White requested citizens in favor of or against the annexation to address the Council. There were none. He closed the public hearing at 8:00 p.m.

Councilmember Michelson made a motion to approve Ordinance 2024-03, as presented. Councilmember Westmoreland seconded. The motion passed by a vote of 6-0.

ITEM 5-A. PRESENTATION REGARDING SECTION 3 REQUIREMENTS FOR THE RECENTLY AWARDED COMMUNITY DEVELOPMENT BLOCK GRANT FROM THE DEPARTMENT OF AGRICULTURE FOR THE REPLACEMENT OF RESIDENTIAL WATER METERS.

Mr. Kelley requested that the item be postponed to the February 6, 2024 Council meeting.

ITEM 6-A. DISCUSSION AND/OR ACTION TO CONSIDER ENTERING INTO AN INTERLOCAL AGREEMENT (ILA) WITH THE LOWER COLORADO RIVER AUTHORITY (LCRA) TO BECOME A PARTICIPATING MEMBER OF A NEW EMERGENCY COMMUNICATION VOICE RADIO SYSTEM AND CO-LOCATED DISPATCH CENTER BEING BUILT FOR CALDWELL COUNTY.

Councilmember Michelson made a motion to approve the Interlocal Agreement with the Lower Colorado River Authority to become a participating member of a new emergency communication voice radio system and co-located dispatch center being built for Caldwell County, as presented. Councilmember Lairsen seconded. The motion passed by a vote of 6-0.

ITEM 6-B. DISCUSSION AND/OR ACTION REGARDING REQUEST BY RONDA REAGAN OF 7G TEXAN, LLC, FOR A DETERMINATION OF ELIGIBILITY FOR A TAX ABATEMENT (TA-23-02) PURSUANT TO CHAPTER 28 "HISTORIC DISTRICTS AND LANDMARKS" DIVISION 2 "TAX ABATEMENT", OF THE LOCKHART CODE OF ORDINANCES, FOR VARIOUS INTERIOR IMPROVEMENTS TO A BUILDING IN THE HISTORIC DISTRICT, LOCATED AT 112 NORTH MAIN STREET.

Councilmember Lairsen made a motion to approve the request by Ronda Reagan, as presented. Councilmember Mendoza seconded. The motion passed by a vote of 6-0.

ITEM 6-C. DISCUSSION AND/OR ACTION TO RECEIVE THE 1ST QUARTER FISCAL YEAR 2024 INVESTMENT REPORT.

Councilmember Lairsen made a motion to approve the 1st Quarter Fiscal Year 2024 Investment report, as presented. Councilmember Castillo seconded. The motion passed by a vote of 6-0.

ITEM 6-D. DISCUSSION AND/OR ACTION TO CONSIDER APPOINTING TWO MEMBERS TO THE LOCKHART-CALDWELL COUNTY JOINT AIRPORT ZONING BOARD TO HEAR VARIANCE REQUESTS REGARDING THE LOCKHART MUNICIPAL AIRPORT HAZARD ZONING MAP.

Mayor White made a motion to appoint Jake McCullough and Dan Covert to the Lockhart-Caldwell County Joint Airport Zoning Board. Councilmember Michelson seconded. The motion passed by a vote of 6-0.

ITEM 6-E. DISCUSSION AND/OR ACTION REGARDING RESOLUTION 2024-02 OF THE CITY OF LOCKHART, TEXAS ESTABLISHING AND CLARIFYING AN ADMINISTRATIVE PROCEDURE FOR THE NOMINATION OF MEMBERS OF CITY BOARDS, COMMISSIONS, AND COMMITTEES.

Councilmember Mendoza made a motion to approve Resolution 2024-02, as presented. Councilmember Westmoreland seconded. The motion passed by a vote of 6-0.

ITEM 6-F. DISCUSSION AND/OR ACTION TO CONSIDER MOVING THE APPOINTMENT OF FRANK GOMILLION FROM THE ELECTRIC BOARD TO THE HISTORICAL PRESERVATION COMMISSION BY MAYOR LEW WHITE WITH A TERM TO EXPIRE NOVEMBER 2026.

Mayor White made a motion to appoint Frank Gomillion to the Historical Preservation Commission. Councilmember Mendoza seconded. The motion passed by a vote of 6-0.

ITEM 6-G. DISCUSSION AND/OR ACTION TO CONSIDER MOVING THE APPOINTMENT OF MARICA PROCTOR FROM THE ZONING BOARD OF ADJUSTMENT AND APPEALS TO THE HISTORICAL PRESERVATION COMMISSION BY COUNCILMEMBER JEFFRY MICHELSON WITH A TERM TO EXPIRE IN NOVEMBER 2026.

Councilmember Michelson made a motion to appoint Marcia Proctor to the Historical Preservation Commission with an effective date of February 6, 2024. Councilmember Westmoreland seconded. The motion passed by a vote of 6-0.

ITEM 6-H. DISCUSSION AND/OR ACTION TO CONSIDER REQUEST FROM MAYOR WHITE TO REAPPOINT HIS NOMINATIONS FOR APPOINTMENTS TO CITY BOARDS AND COMMISSIONS.

Mayor White made a motion to re-appoint the individuals as listed below. Councilmember Lairsen seconded. The motion passed by a vote of 6-0.

- Airport Board: Benny Hilburn
- Board of Adjustment: Mike Annas
- Construction Board: Raymond DeLeon
- Lockhart Economic Development Corporation: Alan Fielder
- Electric Board: No Nomination made at this time
- Historical Preservation: (currently on the Jan. 16th agenda to consider appointing Frank Gomillion)
- Library Board: Stephanie Riffin
- Parks and Recreation: Karla Tate
- Planning & Zoning: Ron Peterson
- Impact Fee Adv. Comm: Larry Metzler

ITEM 6-I. DISCUSSION AND/OR ACTION TO CONSIDER THE NOMINATION OF NIGEL GUSDORF TO THE AIRPORT ADVISORY BOARD BY MAYOR WHITE FOR A TERM TO EXPIRE IN NOVEMBER 2026.

Mayor White announced that the appointment of Nigel Gusdorf will be placed on the next Council agenda for consideration.

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

- Update regarding the formation of Caldwell County ESD No. 5 and efforts by Caldwell County, Lockhart and Luling to defray expenses in establishing the ESD No. 5 Board and operations.
- Update regarding the appointments to the newly created Animal Shelter Advisory Board.
- Tree Trimming Program update.
- Update on electric system rehabilitation project on Willow Street.
- Comprehensive Plan Steering Committee will meet on January 31st to discuss the future land use draft map along with several new topics.

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

Councilmember Westmoreland expressed condolences to the family of Sam Harrison for their loss.

Councilmember Mendoza thanked city staff for their work during the cold storm.

Councilmember Lairsen thanked city staff for their work during the cold storm.

Councilmember Castillo expressed condolences to the family of Sam Harrison for their loss. He thanked city staff for their work.

Councilmember Michelson thanked city staff for their work during the cold storm.

Mayor White stated that the second meeting about homeless issues was held last week. He stated that additional organizations will provide input to assist with the homelessness and that a public meeting about it might be scheduled soon. He provided information about a young individual who is very ill that has requested information and artifacts of Lockhart since he is a distant relative to the Lockhart Byrd family. A ribbon cutting for Mill Scale will be held on Wednesday.

ITEM 9. ADJOURNMENT

Councilmember Mendoza made a motion to adjourn the meeting. Councilmember Westmoreland seconded. The motion passed by a vote of 6-0. The meeting was adjourned at 8:20 p.m.

PASSED and APPROVED this the 18th day of February, 2025.

CITY OF LOCKHART

Lew White, Mayor

ATTEST:

Julie Bowermon
City Secretary

City of Lockhart, Texas

Council Agenda Item Cover Sheet

COUNCIL MEETING DATE: February 18, 2025

AGENDA ITEM CAPTION: Approve Resolution 2025-09, suspending the April 12, 2025, effective date of the proposal by Texas Gas Service Company, a division of One Gas, Inc., Central-Gulf Service Area, to implement interim GRIP rate adjustments for gas utility investment in 2024.

ORIGINATING DEPARTMENT AND CONTACT: Administration - Steven Lewis

ACTION REQUESTED: Resolution

BACKGROUND/SUMMARY/DISCUSSION: This is an annual interim rate adjustment and that the purpose of the resolution is to suspend the effective date of the rate increase by 45 days. Further, the Texas Supreme Court has determined that the City has no authority to take additional action or undertake a substantive examination of the request.

PROJECT SCHEDULE (if applicable): N/A

FISCAL NOTE (if applicable): N/A

PREVIOUS COUNCIL ACTION: N/A

COMMITTEE/BOARD/COMMISSION ACTION: N/A

STAFF RECOMMENDATION/REQUESTED MOTION: Approval of Resolution 2025-09.

LIST OF SUPPORTING DOCUMENTS: Texas Gas Service Letter February 11, 2025, Resolution 2025-09



Judy J. Hitchye
1301 S. Mopac, Suite 400
Austin, TX 78746
Office: 512-370-8229
Judy.Hitchye@onegas.com

February 11, 2025

Honorable Mayors and Members of the City Councils of the following Texas cities:

Austin, Bayou Vista, Beaumont, Bee Cave, Buda, Cedar Park, Cuero, Dripping Springs, Galveston, Georgetown, Gonzales, Groves, Hutto, Jamaica Beach, Kyle, Lakeway, Lockhart, Luling, Marble Falls, Mustang Ridge, Nederland, Nixon, Pflugerville, Port Arthur, Port Neches, Rollingwood, Shiner, Sunset Valley, West Lake Hills, and Yoakum, Texas.

Re: Texas Gas Service Company, a Division of ONE Gas, Inc.'s Test Year 2024 Gas Reliability Infrastructure Program Interim Rate Adjustment for the Incorporated Areas of the Central-Gulf Service Area

Dear Mayors and Members of the City Councils:

Texas Gas Service Company ("TGS" or the "Company"), a Division of ONE Gas, Inc., hereby files the attached tariffs to implement an Interim Rate Adjustment applicable to gas utility service provided to customers within the incorporated areas of the Central-Gulf Service Area ("CGSA") which includes the cities of: Austin, Bayou Vista, Beaumont, Bee Cave, Buda, Cedar Park, Cuero, Dripping Springs, Galveston, Georgetown, Gonzales, Groves, Hutto, Jamaica Beach, Kyle, Lakeway, Lockhart, Luling, Marble Falls, Mustang Ridge, Nederland, Nixon, Pflugerville, Port Arthur, Port Neches, Rollingwood, Shiner, Sunset Valley, West Lake Hills, and Yoakum, Texas (collectively, the "Cities"), which together with their environs and the environs of Bastrop, Texas comprise the Company's CGSA.

This filing is made pursuant to Section 104.301 of the Texas Utilities Code (Interim Adjustment for Changes in Investment) and is the Company's first Interim Rate Adjustment filing with the Cities following its rate case filed in 2024. TGS proposes that the tariffs (Rate Schedules 10, 15, 20, 25, 30, 40, C-1, CNG-1 and T-1) become effective in sixty (60) days and be applied to meters read on and after April 12, 2025.

For reference, Section 104.301 establishes the state's Gas Reliability Infrastructure Program and is commonly referred to as the "GRIP" statute. The stated purposes of the GRIP statute are to encourage the timely investment in needed system improvements and to reduce the frequency of traditional rate cases by providing a streamlined process for utilities to recover the cost of those investments on an interim basis between rate cases. The GRIP statute complements the traditional ratemaking and regulatory process by allowing for an annual interim adjustment of rates to reflect changes in the value of capital invested each year. The Cities have an initial period of not more than sixty (60) days to review the proposed Interim Rate Adjustment, and may act to suspend the implementation of the Interim Rate Adjustment for an additional forty-five (45) days, as provided by Section 104.301(a) of the Texas Utilities Code.

GRIP adjustments are not intended to eliminate the need for a full and complete rate review in a rate case. All interim rate adjustments are subject to refund and a complete review in the same manner as other changes to the utility's invested capital that have occurred since the last rate case. The complete review of the underlying investments will occur in the Company's next rate case.

In this filing, the Company has determined the net increase in capital invested in the entire CGSA from January 1, 2024, through December 31, 2024 to be \$117,718,719. The Interim Rate Adjustment necessary to recover this incremental investment is \$15,412,580 on a system-wide basis, of which, \$13,909,766 is attributable to customers in the CGSA incorporated areas. The Interim Rate Adjustment will increase the average residential bill by \$3.36 per month excluding taxes.

In accordance with the Texas Utilities Code, the proposed Interim Rate Adjustment is allocated among the various customer classes in the same manner as the cost of service allocation that was approved in TGS's last CGSA rate case, Case No. 17471, as decided on November 19, 2024. The GRIP rates will be recovered through an increase in the monthly customer charge applicable to each customer class.

Exhibit 1, attached hereto, shows the impact the Interim Rate Adjustment will have on the average bill for each class of customers served in the CGSA. The Interim Rate Adjustment is detailed on Rate Schedules 10, 15, 20, 25, 30, 40, C-1, CNG-1, and T-1, filed herewith.

The Company will provide notice of the proposed Interim Rate Adjustment to all affected customers, by bill insert or direct mail, not later than the 45th day after the date of this filing, as required by Section 104.301(a) of the Texas Utilities Code.

The Company is available to discuss or answer any questions you may have about this filing. TGS appreciates your consideration of the proposed IRA filing.

Respectfully Submitted,

Judy Hitchye
Signature: AF7PK5LQ19

Judy J. Hitchye
Managing Attorney
Texas Gas Service Company
Barton Skyway IV
1301 S. Mopac, Suite 400
Austin, Texas 78746
(512) 370-8229
Judy.Hitchye@onegas.com

Exhibit 1

Customer Class	Current Customer Charge	Proposed Customer Charge	Current Average Bill*	Proposed Average Bill*	Change in Average Bill*	% Change in Average Bill*
Gas Sales						
Residential - Small (Rate Sch. 10) Average Usage of @ 1.7 Mcf*	\$18.00	\$21.36	\$41.37	\$44.73	\$3.36	8.12%
Residential - Large (Rate Sch. 15) Average Usage of @ 4.3 Mcf*	\$30.00	\$33.36	\$71.51	\$74.87	\$3.36	4.70%
Commercial - Small (Rate Sch. 20) Average Usage of 6.2 Mcf*	\$60.00	\$72.88	\$108.20	\$121.07	\$12.88	11.90%
Commercial - Large (Rate Sch. 25) Average Usage of 96.6 Mcf*	\$75.00	\$87.88	\$123.20	\$136.07	\$12.88	10.45%
Industrial (Rate Sch. 30) Average Usage of 208.5 Mcf*	\$571.38	\$1,033.21	\$1,913.67	\$2,375.50	\$461.83	24.13%
Public Authority (Rate Sch. 40) Average Usage of 188.0 Mcf*	\$155.97	\$181.93	\$1,351.22	\$1,377.18	\$25.96	1.92%
Electrical Cogeneration (Rate Sch. C-1)	\$175.68	\$201.64	No Customers			
Compressed Natural Gas (Rate Sch. CNG-1) Average Usage of 0 Mcf*	\$594.55	\$746.15	\$594.55	\$746.15	\$151.60	25.50%
Standard Transportation (Rate Sch. T-1)						
Commercial Average Usage of 441.4 Mcf*	\$308.08	\$320.96	\$867.73	\$880.61	\$12.88	1.48%
Industrial Average Usage of 3,732.5 Mcf*	\$771.38	\$1,233.21	\$6,209.26	\$6,671.09	\$461.83	7.44%
Public Authority Average Usage of 253.8 Mcf*	\$178.97	\$204.93	\$528.40	\$554.36	\$25.96	4.91%
Electrical Generation Average Usage of 33,755.8 Mcf*	\$175.68	\$201.64	\$15,821.71	\$15,847.67	\$25.96	0.16%
Compressed Natural Gas Average Usage of 2,364.7 Mcf*	\$619.55	\$771.15	\$2,468.04	\$2,619.64	\$151.60	6.14%

*Average bill usage per Case No. 17471. Average bills exclude revenue-related taxes and include cost of gas (except transportation). The 2024 cost of gas 12-month average is \$4.98 per Mcf.

RESOLUTION NO. 2025-09

A RESOLUTION BY THE CITY OF LOCKHART, TEXAS SUSPENDING THE APRIL 12, 2025 EFFECTIVE DATE OF THE PROPOSAL BY TEXAS GAS SERVICE COMPANY, A DIVISION OF ONE GAS, INC. – CENTRAL-GULF SERVICE AREA, TO IMPLEMENT INTERIM GRIP RATE ADJUSTMENTS FOR GAS UTILITY INVESTMENT IN 2024 AND REQUIRING DELIVERY OF THIS RESOLUTION TO THE COMPANY AND LEGAL COUNSEL.

WHEREAS, the City of Lockhart, Texas (“City”) is a gas utility customer of Texas Gas Service Company, a Division of ONE Gas, Inc. – Central-Gulf Service Area, (“TGS” or “the Company”) and a regulatory authority with an interest in the rates and charges of TGS; and

WHEREAS, TGS made filings with the City and the Railroad Commission of Texas (“Railroad Commission”) on February 11, 2025, proposing to implement interim rate adjustments (“GRIP Rate Increases”) pursuant to Texas Utilities Code § 104.301 on all customers served by TGS, effective April 12, 2025; and

WHEREAS, it is incumbent upon the City, as a regulatory authority, to examine the GRIP Rate Increases to determine its compliance with the Texas Utilities Code.

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

1. The April 12, 2025 effective date of the GRIP Rate Increases proposed by TGS is hereby suspended for the maximum period allowed by Texas Utilities Code § 104.301(a) to permit adequate time to review the proposed increases, analyze all necessary information, and take appropriate action related to the proposed increases.

2. A copy of this Resolution shall be sent to TGS, care of Judy Hitchye at 1301 S. Mopac, Suite 400, Austin, Texas 78746, and to Thomas Brocato, legal counsel to the City, at Lloyd Gosselink, 816 Congress Ave., Suite 1900, Austin, Texas 78701.

Signed this 18th day of February, 2025.

CITY OF LOCKHART

Lew White, Mayor

ATTEST:

Julie Bowermon, City Secretary

City of Lockhart, Texas

Council Agenda Item Cover Sheet

COUNCIL MEETING DATE: February 18, 2025

AGENDA ITEM CAPTION: Consideration and/or action regarding Resolution 2025-08 to grant conditional consent to the creation of the Lockhart Municipal Utility District of Caldwell County and the inclusion into said district of 889.3 acres of land, 720.681 acres of which is in City's ETJ.

ORIGINATING DEPARTMENT AND CONTACT: City Attorney - Brad Bullock

ACTION REQUESTED: Resolution

BACKGROUND/SUMMARY/DISCUSSION: State law requires that a city consent to the inclusion of land in its ETJ in a municipal utility district ("MUD"). At a workshop on January 27, 2025, Hillwood Communities discussed the development of 889.3 acres of land ("Property"), 720.681 acres of which is in City's ETJ ("Property"). Hillwood Communities is in its due diligence period for the purchase of the Property and has asked the City to grant a conditional consent to creation of the Lockhart Municipal Utility District of Caldwell County and the inclusion of the Property into said district. This consent is conditioned in part on the ability of Hillwood Communities and the City being able to negotiate and enter into a development agreement and expires in 180 days.

PROJECT SCHEDULE (if applicable): N/A

FISCAL NOTE (if applicable): N/A

PREVIOUS COUNCIL ACTION: N/A

COMMITTEE/BOARD/COMMISSION ACTION: N/A

STAFF RECOMMENDATION/REQUESTED MOTION: Approval of Resolution 2025-08.

LIST OF SUPPORTING DOCUMENTS: Resolution 2025-08, Exhibit A

CITY OF LOCKHART, TEXAS

RESOLUTION NO. 2025-08

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOCKHART, TEXAS, GRANTING CONDITIONAL CONSENT TO THE CREATION OF THE LOCKHART MUNICIPAL UTILITY DISTRICT OF CALDWELL COUNTY AND THE INCLUSION OF 889.3 ACRES OF LAND INTO SAID DISTRICT; MAKING FINDINGS RELATED THERETO; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Lockhart, Texas (the “City”), a home-rule municipality created under the laws of the State of Texas, received a request for consent from Spencewood, Inc., (“Owner”) to the creation of the Lockhart Municipal Utility District of Caldwell County (the “District”) encompassing 889.3 acres (“Land”) as more particularly described in Exhibit A, attached hereto and incorporated by reference, approximately 720.681 acres of the Land being situated within the City’s extraterritorial jurisdiction and the remainder situated within unincorporated Caldwell County; and

WHEREAS, the Land is not situated within the corporate limits or extraterritorial jurisdiction of any other municipality; and

WHEREAS, Section 54.016 of the Texas Water Code provides that land within a city or its extraterritorial jurisdiction may not be included within a municipal utility district without such city’s consent; and

WHEREAS, this Resolution is authorized by Section 54.016 of the Texas Water Code, Chapters 49 and 54 of the Texas Water Code, Section 42.042 of the Texas Local Government Code, and all applicable law; and

WHEREAS, the District will be created and organized pursuant to Article XVI, Section 59 and Article III, Section 52, of the Texas Constitution, and Chapters 49 and 54 of the Texas Water Code, as amended; and

WHEREAS, the City wishes to evidence its conditional support and consent for the creation of the District to the extent any portion of the District is located within the City’s extraterritorial jurisdiction, as evidenced by Exhibit A, subject to the terms of a Development Agreement to be negotiated between the City and the landowners (the “Development Agreement”) and the terms of this Resolution, subject to the expiration thereof upon the passage of one-hundred eighty (180) days,

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

Section 1. All of the above premises are hereby found to be true and correct legislative findings of the City Council of the City of Lockhart (the “City Council”), and they are hereby approved and incorporated into the body of this Resolution as if copied in their entirety.

Section 2. The City Council hereby grants its conditional support and consent for the creation of a district operating pursuant to Article XVI, Section 59 and Article III, Section 52, Texas Constitution and Chapter 54, Texas Water Code, as amended, to the extent any portion of the District is located within its extraterritorial jurisdiction as shown more fully in Exhibit A and to the extent that the City and Owner and District are able to negotiate and enter into a Development Agreement, and the City Manager of the City is hereby authorized to execute any documents necessary to effectuate this Resolution. The City Council's conditional consent expires one hundred and eighty (180) days from the date of this Resolution.

Section 3. The City Council further states that it has not relinquished any rights, duties or powers relating to the inclusion of the District within its extraterritorial jurisdiction.

Section 4. The City Council further states that this Resolution is provided subject to and in reliance upon the terms of a Development Agreement, which may be entered into between the City and the landowners within the District. The District shall execute a joinder and become a party to the Development Agreement. The City does not consent to the organization of the District, election, or issuance of bonds from any revenue available to the District until the Development Agreement is executed.

Section 5. The City Council hereby finds and determines that sufficient written notice of the date, hour, place and subject of this meeting of the City Council was posted as a place convenient to the public at the City Hall of the City for the time required by law preceding this meeting, as required by the Texas Open Meetings Act, contained in Chapter 551 of the Texas Government Code, as amended, and that this meeting was open to the public and the subject matter of this Resolution and its contents have been discussed, considered and formally acted upon by the City Council. Further, the City Council ratifies, approves and confirms such written notice and the contents and posting thereof, and the foregoing fully complied with all applicable law.

Section 6. If any part of this Resolution, of whatever size, is ever declared invalid or unenforceable for any reason, the remainder of this Resolution shall remain in full force and effect.

Section 7. This Resolution shall be effective from and after its passage by the City Council.

PASSED AND APPROVED by the City Council of the City of Lockhart, Texas the 18th day of February, 2025.

Lew White, Mayor

ATTEST:

Julie Bowermon, City Secretary

APPROVED AS TO FORM:

Bradford E. Bullock, City Attorney

EXHIBIT A
(Legal Description of Property to be included in the District)



DESCRIPTION OF AN 889.3 ACRE TRACT OF LAND
SITUATED IN THE JAMES M. BAKER SURVEY, ABSTRACT NO. 46
MILES G. DIKES SURVEY NO. 9, ABSTRACT NO. 6
CALDWELL COUNTY, TEXAS

BEING an 889.3 acre tract of land situated in the James M. Baker Survey, Abstract No. 46, and the Miles G. Dikes Survey No. 9, Abstract No. 6 of Caldwell County, Texas, being a portion of a called 691.822 acre tract of land described in an instrument to Spencewood, Inc. described in Volume 194, Page 893, Official Public Records of Caldwell County, Texas (O.P.R.C.C.T.), save and except a called 80.895 acre tract described in an instrument recorded in Volume 538, Page 333, O.P.R.C.C.T., and save and except a called 129.248 acre tract described in an instrument recorded in Volume 552, Page 399, O.P.R.C.C.T.; being all of a called 181.790 acre tract described in an instrument to Spencewood, Inc. recorded in Volume 503, Page 764, O.P.R.C.C.T.; being a portion of a called 57.315 acre tract of land described in an instrument to Spencewood, Inc. recorded in Volume 634, Page 543, O.P.R.C.C.T., save and except a called 0.339 acre tract recorded in Volume 579, Page 97, O.P.R.C.C.T.; said 889.3 acre tract of land described by metes and bounds as follows:

BEGINNING at a 1/2-inch iron rod found on the East right-of-way line of State Highway 130 a controlled access variable width right-of-way (right-of-way being dedicated in the following documents: Volume 579, Page 39, O.P.R.C.C.T., Volume 579, Page 47, O.P.R.C.C.T., Volume 579, Page 27, O.P.R.C.C.T., Volume 579, Page 55, O.P.R.C.C.T., Volume 579, Page 65, O.P.R.C.C.T., Volume 579, Page 73, O.P.R.C.C.T., Volume 579, Page 81, O.P.R.C.C.T., Volume 579, Page 89, O.P.R.C.C.T., Volume 579, Page 104, O.P.R.C.C.T., Volume 579, Pg. 112, O.P.R.C.C.T., Volume 579, Page 97, O.P.R.C.C.T., Volume 579, Page 120, O.P.R.C.C.T., Volume 579, Page 128, O.P.R.C.C.T., Volume 619, Page 659, O.P.R.C.C.T., Volume 619, Page 661, O.P.R.C.C.T., and Volume 579, Page 136, O.P.R.C.C.T.), being the Southwest corner of the remainder of a called 101.25 acre tract of land described in an instrument to Zanty Lynn Champion and wife Doris Bragg Champion recorded in Volume 356, Page 19, Deed Records of Caldwell County, Texas (D.R.C.C.T.) and being the Northwest corner of the remainder of said 691.822 acre tract of land;

THENCE, South 61° 53' 33" East, along and with the North line of said 691.822 acre tract and the South line of said 101.25 acre tract, a distance of 93.52 feet to a 5-inch cedar fence corner post found for an angle point;

THENCE, North 78° 52' 36" East, continuing along and with the North line of said 691.822 acre tract and the South line of said 101.25 acre tract, a distance of 348.06 feet to a 4-inch cedar fence post found for an angle point;

THENCE, North 78° 30' 19" East, continuing along and with the North line of said 691.822 acre tract and the South line of said 101.25 acre tract, a distance of 950.36 feet to a 5/8-inch iron rod with cap stamped "Summit Geomatics, Inc." set in the center of an old tree stump with wire;

THENCE, South 10° 40' 13" East, along and with an East line of said 691.822 acre tract and the West line of a called 70.83 acre tract (Tract II) and a called 70.83 acre tract (Tract I) described in an instrument to Delbert Decker recorded in Volume 435, Page 472, O.P.R.C.C.T., a distance of 2,008.96 feet to a 10-inch cedar fence post found for the Southwest corner of said 70.83 acre tract (Tract I) and being an interior corner of said 691.822 acre tract and the herein described tract;

THENCE, North $78^{\circ} 21' 12''$ East, along and with the South line of said 70.83 acre tract (Tract I) and the North line of said 691.822 acre tract, and the North line of said 181.790 acre tract, a distance of 3,275.62 feet to a 3/8-inch iron rod found for the Southeast corner of said Tract I and being the Southwest corner of a called 118.357 acre tract of land described in an instrument to Bridge to One, Inc. recorded in Document No. 2021-009484, O.P.R.C.C.T. and being an angle point on the North line of said 181.790 acre tract;

THENCE, North $78^{\circ} 03' 03''$ East, along and with the South line of said 118.357 acre tract and the North line of said 181.790 acre tract, a distance of 1,777.47 feet to a 7-inch cedar fence post found on the occupied West right-of-way line of Dry Creek Road (variable width right-of-way – no deed of record found) and being the occupied Northeast corner of said 181.790 acre tract, and an angle point on the South line of said 118.357 acre tract;

THENCE, along and with the East and South lines of said 181.790 acre tract same being the occupied West and North right-of-way lines of said Dry Creek Road, the following eight (8) bearings and distances:

- 1) South $36^{\circ} 03' 44''$ East, a distance of 20.64 feet to a 5/8-inch iron rod with cap stamped "Summit Geomatics, Inc." set for an angle point;
- 2) South $11^{\circ} 35' 37''$ East, a distance of 593.70 feet to a 5/8-inch iron rod with cap stamped "Summit Geomatics, Inc." set for an angle point;
- 3) South $12^{\circ} 13' 42''$ East, a distance of 721.17 feet to a 5/8-inch iron rod with cap stamped "Summit Geomatics, Inc." set for an angle point;
- 4) South $11^{\circ} 31' 51''$ East, a distance of 1,285.35 feet to an 8-inch cedar fence corner post found for corner;
- 5) South $00^{\circ} 48' 15''$ East, a distance of 159.84 feet to a 6-inch cedar fence corner post found for corner;
- 6) South $39^{\circ} 04' 45''$ West, a distance of 71.90 feet to an 8-inch cedar fence corner post found for corner;
- 7) South $78^{\circ} 27' 46''$ West, a distance of 772.29 feet to a 6-inch cedar fence corner post found for corner;
- 8) South $79^{\circ} 38' 55''$ West, a distance of 784.15 feet to a 7-inch cedar fence corner post found for the most Easterly Northeast corner of said 691.822 acre tract;

THENCE, along and with the East lines of said 691.822 acre tract same being the occupied West right-of-way line of said Dry Creek Road, the following seven (7) bearings and distances:

- 1) South $10^{\circ} 03' 46''$ West, a distance of 75.84 feet to a 37-inch live oak tree;
- 2) South $13^{\circ} 04' 38''$ East, a distance of 86.31 feet to a 7-inch cedar fence corner post;
- 3) South $26^{\circ} 28' 01''$ East, a distance of 83.48 feet to an 8-inch cedar fence corner post;
- 4) South $21^{\circ} 18' 42''$ East, a distance of 512.98 feet to a 5/8-inch iron rod with cap stamped "Summit Geomatics, Inc." set for an angle point;
- 5) South $21^{\circ} 10' 59''$ East, a distance of 911.78 feet to a 5/8-inch iron rod with cap stamped "Summit Geomatics, Inc." set for an angle point;
- 6) South $25^{\circ} 11' 46''$ East, a distance of 622.32 feet to a 5/8-inch iron rod with cap stamped "Summit Geomatics, Inc." set for an angle point;

- 7) South 21° 52' 46" East, a distance of 608.22 feet to a 3-inch metal fence post found for the occupied Southeast corner of said 691.822 acre tract and the occupied Northeast corner of a called 100 acre tract of land described as Second Tract in an instrument to Barbara Lou Segler et al recorded in Volume 364, Page 54 of the D.R.C.C.T.;

THENCE, along and with the common line of said 100 acre tract and said 691.822 acre tract, the following four (4) bearings and distances:

- 1) South 78° 19' 35" West, a distance of 1,848.63 feet to a 7-inch cedar fence post found for an angle point;
- 2) South 78° 18' 17" West, a distance of 1,280.10 feet to a 4-inch metal fence post found for an angle point;
- 3) South 78° 45' 38" West, a distance of 806.01 feet to a t-post found for an angle point;
- 4) South 77° 54' 58" West, a distance of 885.98 feet to a calculated point in the approximate centerline of Plum Creek and being the East line of a called 204.145 acre tract of land described in an instrument to La Familia Partnership, LTD., recorded in Volume 228, Page 493, O.P.R.C.C.T., and being further described in Volume 416, Page 694, D.R.C.C.T., and being the common Westerly corner of said 100 acre tract and said 691.822 acre tract and marking the most Southerly Southwest corner of the herein described tract;

THENCE, along and with the approximate centerline of Plum Creek, same being the East line of said 204.145 acre tract and the West line of said 691.822 acre tract, the following forty-one (41) bearings and distances:

- 1) North 23° 24' 09" East, a distance of 57.35 feet to a calculated point for corner;
- 2) North 11° 15' 07" East, a distance of 99.02 feet to a calculated point for corner;
- 3) North 03° 03' 49" West, a distance of 83.76 feet to a calculated point for corner;
- 4) North 40° 07' 18" West, a distance of 54.71 feet to a calculated point for corner;
- 5) North 43° 48' 44" West, a distance of 86.61 feet to a calculated point for corner;
- 6) North 76° 38' 06" West, a distance of 59.52 feet to a calculated point for corner;
- 7) North 89° 34' 23" West, a distance of 159.53 feet to a calculated point for corner;
- 8) North 45° 43' 00" West, a distance of 237.39 feet to a calculated point for corner;
- 9) North 04° 50' 50" West, a distance of 88.11 feet to a calculated point for corner;
- 10) North 38° 24' 49" West, a distance of 112.95 feet to a calculated point for corner;
- 11) North 31° 03' 49" West, a distance of 66.09 feet to a calculated point for corner;
- 12) North 48° 41' 53" West, a distance of 69.74 feet to a calculated point for corner;
- 13) South 81° 32' 05" West, a distance of 138.88 feet to a calculated point for corner;
- 14) South 84° 47' 07" West, a distance of 45.19 feet to a calculated point for corner;
- 15) South 80° 12' 18" West, a distance of 76.04 feet to a calculated point for corner;
- 16) South 75° 16' 21" West, a distance of 22.49 feet to a calculated point for corner;
- 17) South 33° 29' 16" West, a distance of 72.95 feet to a calculated point for corner;
- 18) South 66° 38' 23" West, a distance of 113.82 feet to a calculated point for corner;
- 19) North 52° 12' 37" West, a distance of 29.22 feet to a calculated point for corner;
- 20) North 51° 00' 35" West, a distance of 100.62 feet to a calculated point for corner;
- 21) North 58° 43' 21" West, a distance of 115.68 feet to a calculated point for corner;
- 22) South 89° 41' 28" West, a distance of 84.87 feet to a calculated point for corner;
- 23) North 49° 34' 03" West, a distance of 161.32 feet to a calculated point for corner;
- 24) North 10° 20' 55" West, a distance of 146.23 feet to a calculated point for corner;
- 25) North 06° 40' 43" East, a distance of 113.07 feet to a calculated point for corner;

- 26) North 02° 26' 01" West, a distance of 62.69 feet to a calculated point for corner;
- 27) North 06° 30' 09" East, a distance of 51.12 feet to a calculated point for corner;
- 28) North 12° 55' 26" East, a distance of 70.10 feet to a calculated point for corner;
- 29) North 15° 21' 21" East, a distance of 97.97 feet to a calculated point for corner;
- 30) North 10° 31' 47" East, a distance of 155.22 feet to a calculated point for corner;
- 31) North 24° 32' 11" East, a distance of 33.50 feet to a calculated point for corner;
- 32) North 11° 05' 46" East, a distance of 56.86 feet to a calculated point for corner;
- 33) North 19° 37' 09" East, a distance of 179.53 feet to a calculated point for corner;
- 34) North 33° 57' 25" East, a distance of 116.26 feet to a calculated point for corner;
- 35) North 42° 05' 09" East, a distance of 86.94 feet to a calculated point for corner;
- 36) North 59° 43' 10" East, a distance of 77.48 feet to a calculated point for corner;
- 37) North 52° 59' 09" East, a distance of 217.90 feet to a calculated point for corner;
- 38) North 54° 38' 09" East, a distance of 79.74 feet to a calculated point for corner;
- 39) North 34° 30' 50" East, a distance of 166.27 feet to a calculated point for corner;
- 40) North 11° 33' 43" East, a distance of 112.67 feet to a calculated point for corner;
- 41) North 04° 11' 35" West, a distance of 78.81 feet to a calculated point for the Northeast corner of said 204.145 acre tract and being the Southeast corner of said 57.315 acre tract;

THENCE, South 78° 34' 00" West, along and with the occupied South line of said 57.315 acre tract and being the occupied North line of said 204.145 acre tract, a distance of 1,616.84 feet to a calculated point for corner;

THENCE, North 11° 27' 55" East, over and across said 57.315 acre tract, a distance of 55.71 feet to a 1/2-inch iron rod with cap stamped "Hinkle Surveying" found for the monumented Southeast corner of a called 9.988 acre tract of land described in an instrument to Spencewood, Inc. recorded in Volume 634, Page 601, O.P.R.C.C.T.;

THENCE, North 11° 09' 57" East, along and with the West line of said 57.315 acre tract same being the East line of said 9.998 acre tract, the East line of a called 9.484 acre tract described in an instrument to Spencewood, Inc. recorded in Volume 634, Page 551, O.P.R.C.C.T., the East line of a called 9.391 acre tract described in an instrument to Spencewood, Inc. recorded in Volume 634, Page 558, O.P.R.C.C.T., the East line of a called 9.329 acre tract described in an instrument to Spencewood, Inc. recorded in Volume 634, Page 565, O.P.R.C.C.T., the East line of a called 9.304 acre tract described in an instrument to Spencewood, Inc. recorded in Volume 634, Page 572, O.P.R.C.C.T., the East line of a called 9.198 acre tract described in an instrument to Spencewood, Inc. recorded in Volume 634, Page 536, O.P.R.C.C.T., and the East line of a called 36.934 acre tract described in an instrument to Spencewood, Inc. recorded in Volume 634, Page 528, O.P.R.C.C.T., at a distance of 2,444.22 feet passing a 1/2-inch iron rod (bent) and continuing for a total distance of 2,591.70 feet to a calculated point in the approximate centerline of Plum Creek and being the Northeast corner of said 36.934 acre tract;

THENCE, along and with the North line of said 36.934 acre tract, the following eight (8) bearings and distances:

- 1) North 31° 24' 31" West, a distance of 61.66 feet to a calculated point for corner;
- 2) North 08° 56' 21" West, a distance of 84.16 feet to a calculated point for corner;
- 3) North 40° 23' 15" West, a distance of 114.49 feet to a calculated point for corner;
- 4) North 43° 38' 39" West, a distance of 134.69 feet to a calculated point for corner;
- 5) North 19° 31' 20" West, a distance of 80.43 feet to a calculated point for corner;
- 6) North 37° 11' 55" West, a distance of 100.98 feet to a calculated point for corner;

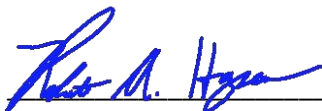
- 7) North 45° 50' 12" West, a distance of 211.91 feet to a calculated point for corner;
- 8) North 68° 14' 45" West, a distance of 106.56 feet to a 60D nail found on the East right-of-way line of said S.H. 130;

THENCE, North 11° 10' 57" East, along and with the East right-of-way line of said S.H. 130, a distance of 1,552.24 feet to a TxDOT Type II brass disc monument marking the beginning of a curve to the right;

THENCE, continuing along and with the East right-of-way line of said S.H. 130 and along said curve to the right through an angle of 02° 17' 59", having a radius of 12,000.00 feet, an arc length of 481.63 feet and whose long chord bears North 12° 19' 56" East, a distance of 481.60 feet to the **POINT OF BEGINNING** and containing 889.3 acres of land.

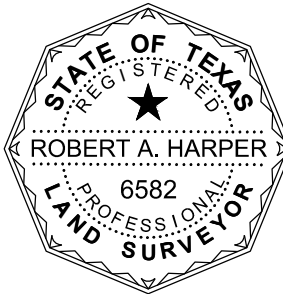
Notes:

- 1) Bearing orientation is based upon the Texas Coordinate System, South Central Zone 4204, North American Datum of 1983 (NAD 83), 2011 Adjustment, Epoch 2010.00. Distances shown hereon are in Surface. To convert distances to Divide by the Surface Adjustment Factor of 1.00013.
- 2) This M&B description was prepared in conjunction with a survey sketch of even date.

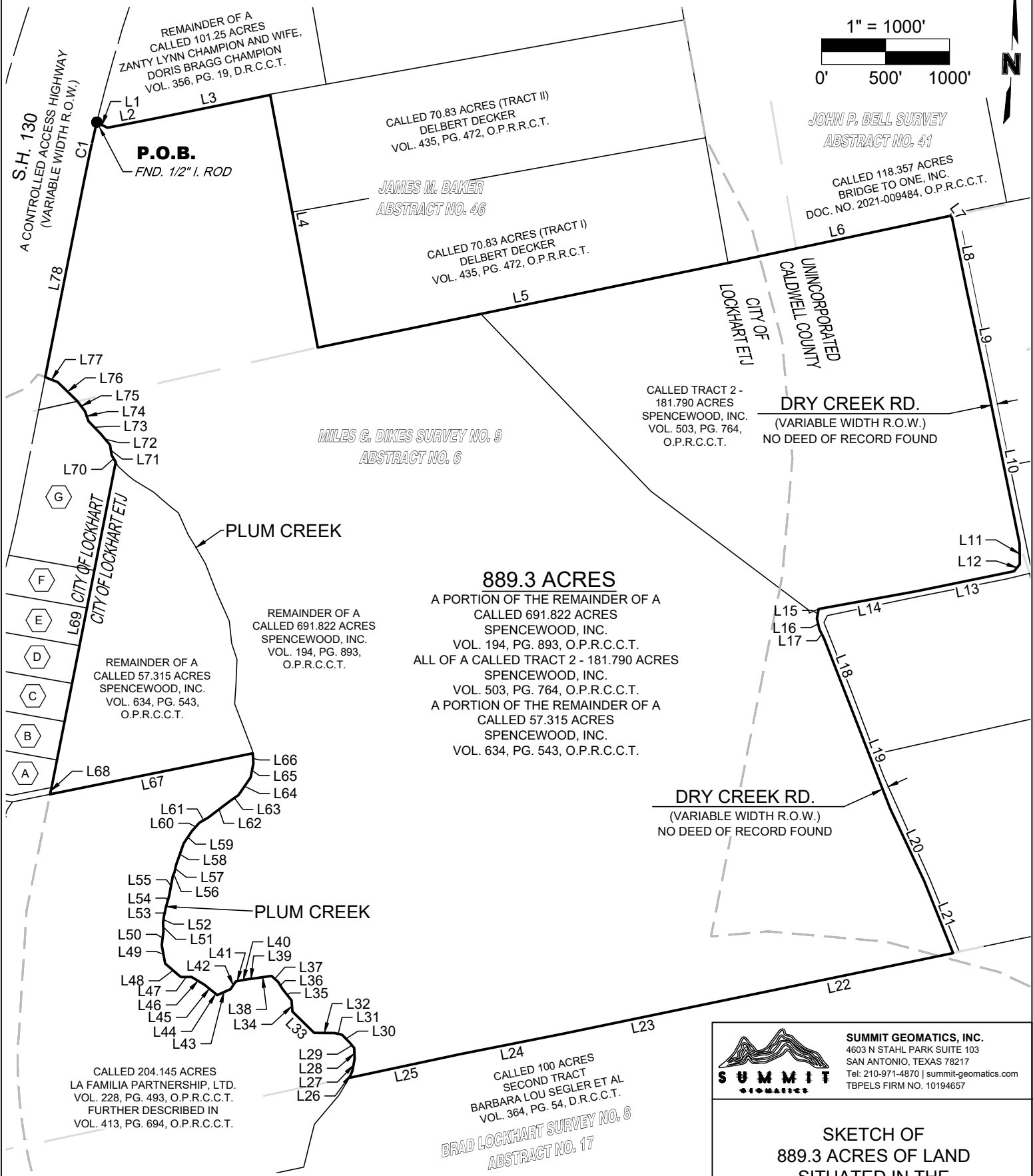


Robert A. Harper, RPLS No. 6582

Summit Geomatics, Inc.
4603 N Stahl Park Suite 103
San Antonio, Texas 78217
TBPELS Firm No. 10194657



SKETCH TO ACCOMPANY M&B DESCRIPTION



GENERAL NOTES:

1. BEARING ORIENTATION IS BASED UPON THE TEXAS COORDINATE SYSTEM, SOUTH CENTRAL ZONE 4204, NORTH AMERICAN DATUM OF 1983 (NAD 83), 2011 ADJUSTMENT, EPOCH 2010.00. MEASUREMENTS ARE IN U.S. SURVEY FEET. DISTANCES AND COORDINATES SHOWN HEREON ARE IN SURFACE AND MAY BE CONVERTED TO GRID BY USING THE COMBINED ADJUSTMENT FACTOR OF 1.00013.
2. A METES AND BOUNDS DESCRIPTION OF EVEN DATE WAS PREPARED IN CONJUNCTION WITH THIS SKETCH.



SUMMIT GEOMATICS, INC.
4603 N STAHL PARK SUITE 103
SAN ANTONIO, TEXAS 78217
Tel: 210-971-4870 | summit-geomatics.com
TBPES FIRM NO. 10194657

SKETCH OF
889.3 ACRES OF LAND
SITUATED IN THE
JAMES M. BAKER SURVEY, A-46
MILES G. DIKES SURVEY NO. 9, A-6
CALDWELL COUNTY, TEXAS

SCALE:	JOB NO.:	DATE:	SHEET:
1"=1,000'	24.0329	02/06/2025	1 OF 2

SKETCH TO ACCOMPANY M&B DESCRIPTION

LEGEND

DOC. DOCUMENT
FND. FOUND
I. IRON
NO. NUMBER
O.P.R.C.C.T. OFFICIAL PUBLIC RECORDS
OF CALDWELL COUNTY, TEXAS
PG. PAGE
P.O.B. POINT OF BEGINNING
VOL. VOLUME

LINE TABLE		
NO.	BEARING	DISTANCE
L1	S 61°53'33" E	93.52'
L2	N 78°52'36" E	348.06'
L3	N 78°30'19" E	950.36'
L4	S 10°40'13" E	2,008.96'
L5	N 78°21'12" E	3,275.62'
L6	N 78°03'03" E	1,777.47'
L7	S 36°03'44" E	20.64'
L8	S 11°35'37" E	593.70'
L9	S 12°13'42" E	721.17'
L10	S 11°31'51" E	1,285.35'
L11	S 00°48'15" E	159.84'
L12	S 39°04'45" W	71.90'
L13	S 78°27'46" W	772.29'
L14	S 79°38'55" W	784.15'
L15	S 10°03'46" W	75.84'
L16	S 13°04'38" E	86.31'
L17	S 26°28'01" E	83.48'
L18	S 21°18'42" E	512.98'
L19	S 21°10'59" E	911.78'
L20	S 25°11'46" E	622.32'
L21	S 21°52'46" E	608.22'
L22	S 78°19'35" W	1,848.63'
L23	S 78°18'17" W	1,280.10'
L24	S 78°45'38" W	806.01'
L25	S 77°54'58" W	885.98'
L26	N 23°24'09" E	57.35'
L27	N 11°15'07" E	99.02'
L28	N 03°03'49" W	83.76'
L29	N 40°07'18" W	54.71'
L30	N 43°48'44" W	86.61'
L31	N 76°38'06" W	59.52'
L32	N 89°34'23" W	159.53'
L33	N 45°43'00" W	237.39'
L34	N 04°50'50" W	88.11'
L35	N 38°24'49" W	112.95'
L36	N 31°03'49" W	66.09'
L37	N 48°41'53" W	69.74'
L38	S 81°32'05" W	138.88'
L39	S 84°47'07" W	45.19'

LINE TABLE		
NO.	BEARING	DISTANCE
L40	S 80°12'18" W	76.04'
L41	S 75°16'21" W	22.49'
L42	S 33°29'16" W	72.95'
L43	S 66°38'23" W	113.82'
L44	N 52°12'37" W	29.22'
L45	N 51°00'35" W	100.62'
L46	N 58°43'21" W	115.68'
L47	S 89°41'28" W	84.87'
L48	N 49°34'03" W	161.32'
L49	N 10°20'55" W	146.23'
L50	N 06°40'43" E	113.07'
L51	N 02°26'01" W	62.69'
L52	N 06°30'09" E	51.12'
L53	N 12°55'26" E	70.10'
L54	N 15°21'21" E	97.97'
L55	N 10°31'47" E	155.22'
L56	N 24°32'11" E	33.50'
L57	N 11°05'46" E	56.86'
L58	N 19°37'09" E	179.53'
L59	N 33°57'25" E	116.26'
L60	N 42°05'09" E	86.94'
L61	N 59°43'10" E	77.48'
L62	N 52°59'09" E	217.90'
L63	N 54°38'09" E	79.74'
L64	N 34°30'50" E	166.27'
L65	N 11°33'43" E	112.67'
L66	N 04°11'35" W	78.81'
L67	S 78°34'00" W	1,616.84'
L68	N 11°27'55" E	55.71'
L69	N 11°09'57" E	2,591.70'
L70	N 31°24'31" W	61.66'
L71	N 08°56'21" W	84.16'
L72	N 40°23'15" W	114.49'
L73	N 43°38'39" W	134.69'
L74	N 19°31'20" W	80.43'
L75	N 37°11'55" W	100.98'
L76	N 45°50'12" W	211.91'
L77	N 68°14'45" W	106.56'
L78	N 11°10'57" E	1,552.24'



REMAINDER OF A
CALLED 9.988 ACRES
SPENCEWOOD, INC.
VOL. 634, PG. 601, O.P.R.C.C.T.



REMAINDER OF A
CALLED 9.484 ACRES
SPENCEWOOD, INC.
VOL. 634, PG. 551, O.P.R.C.C.T.



REMAINDER OF A
CALLED 9.391 ACRES
SPENCEWOOD, INC.
VOL. 634, PG. 558, O.P.R.C.C.T.



REMAINDER OF A
CALLED 9.329 ACRES
SPENCEWOOD, INC.
VOL. 634, PG. 572, O.P.R.C.C.T.



REMAINDER OF A
CALLED 9.304 ACRES
SPENCEWOOD, INC.
VOL. 634, PG. 572, O.P.R.C.C.T.



REMAINDER OF A
CALLED 9.198 ACRES
SPENCEWOOD, INC.
VOL. 634, PG. 536, O.P.R.C.C.T.



REMAINDER OF A
CALLED 36.934 ACRES
SPENCEWOOD, INC.
VOL. 634, PG. 528, O.P.R.C.C.T.

CURVE TABLE

NO.	ARC LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD DISTANCE
C1	481.63'	12,000.00'	2°17'59"	N 12°19'56" E	481.60'



SUMMIT GEOMATICS, INC.
4603 N STAHL PARK SUITE 103
SAN ANTONIO, TEXAS 78217
Tel: 210-971-4870 | summit-geomatics.com
TBPELS FIRM NO. 10194657

SKETCH OF
889.3 ACRES OF LAND
SITUATED IN THE
JAMES M. BAKER SURVEY, A-46
MILES G. DIKES SURVEY NO. 9, A-6
CALDWELL COUNTY, TEXAS

SCALE:	JOB NO.:	DATE:	SHEET:
1"=1,000'	24.0329	02/06/2025	2 OF 2

X:\03_Summit_Projects\2024-Projects\24.0329_GrayEngineering_SpencewoodSvy_Lockhart\03_Finals\01_CAD\Spencewood-LockhartOutsideCL1(S).dwg, 2/06/2025 2:52 PM, siujan

City of Lockhart, Texas

Council Agenda Item Cover Sheet

COUNCIL MEETING DATE: February 18, 2025

AGENDA ITEM CAPTION: Discussion and acknowledgment of receipt of the 2024 Racial Profiling Report.

ORIGINATING DEPARTMENT AND CONTACT: Police - Gary Williamson

ACTION REQUESTED: Other

BACKGROUND/SUMMARY/DISCUSSION: State law requires collection of information relating to motor vehicle stops in which a citation or warning is issued and for arrests made due to traffic stops. In addition, State law requires the following:

1. A comparative analysis of the information compiled;
2. Evaluate and compare the number of motor vehicle stops, within the applicable jurisdiction, of persons who are recognized as racial or ethnic minorities and person who are not recognized as racial or ethnic minorities;
3. Examine the disposition of motor vehicle stops made by officers employed by the agency, categorized according to the race or ethnicity of the affected persons, as appropriate, including searches resulting from stops within the applicable jurisdiction;
4. Evaluate and compare the number of searches resulting from motor vehicle stops within the applicable jurisdiction and whether contraband or other evidence was discovered during those searches and whether the individual detained consented to the search;
5. Information relating to each complaint filed with the agency alleging that a peace officer employed by the agency was engaged in racial profiling;
6. Whether the peace officer knew the race or ethnicity of the individual detained before detaining the individual;
7. Whether the peace officer used physical force that resulted in bodily injury, as that term is defined by Section 1.07, Penal Code, during the stop;
8. Location of the stops; and
9. The reason for the stops.

PROJECT SCHEDULE (if applicable): N/A

FISCAL NOTE (if applicable): N/A

PREVIOUS COUNCIL ACTION: N/A

COMMITTEE/BOARD/COMMISSION ACTION: N/A

STAFF RECOMMENDATION/REQUESTED MOTION: Motion to acknowledge receipt of the

City of Lockhart, Texas

Council Agenda Item Cover Sheet

2024 Racial Profiling Report and place it on file.

LIST OF SUPPORTING DOCUMENTS: 2024 Racial Profiling Report powerpoint , 2024 Racial Profiling Report, Texas TCOLE SB1187 Racial Profiling Report (2024) - Brazos Analysis

2024 Racial Profiling Report



Racial profiling is, by definition: *a law enforcement-initiated action based on an individual's race or ethnicity or national origin rather than on an individual's behavior or on information identifying the individual as having engaged in criminal activity.*

Racial profiling is strictly prohibited by law and profiling based upon national origin, race, ethnicity, sex, age, sexual preference, religion or creed is strictly prohibited by the Lockhart Police Department.

State Racial Profiling Law

- Mandates each agency collect data on traffic stops and submit to:
 - Agency's governing body.
 - Texas Commission on Law Enforcement (TCOLE)
- Data includes:
 - # of motor vehicle stops with racial and ethnic breakdowns.
 - Disposition of the traffic stop.
 - Written Warning, Citation, Arrest, Verbal warning, Citation and Arrest, Warning and Arrest.

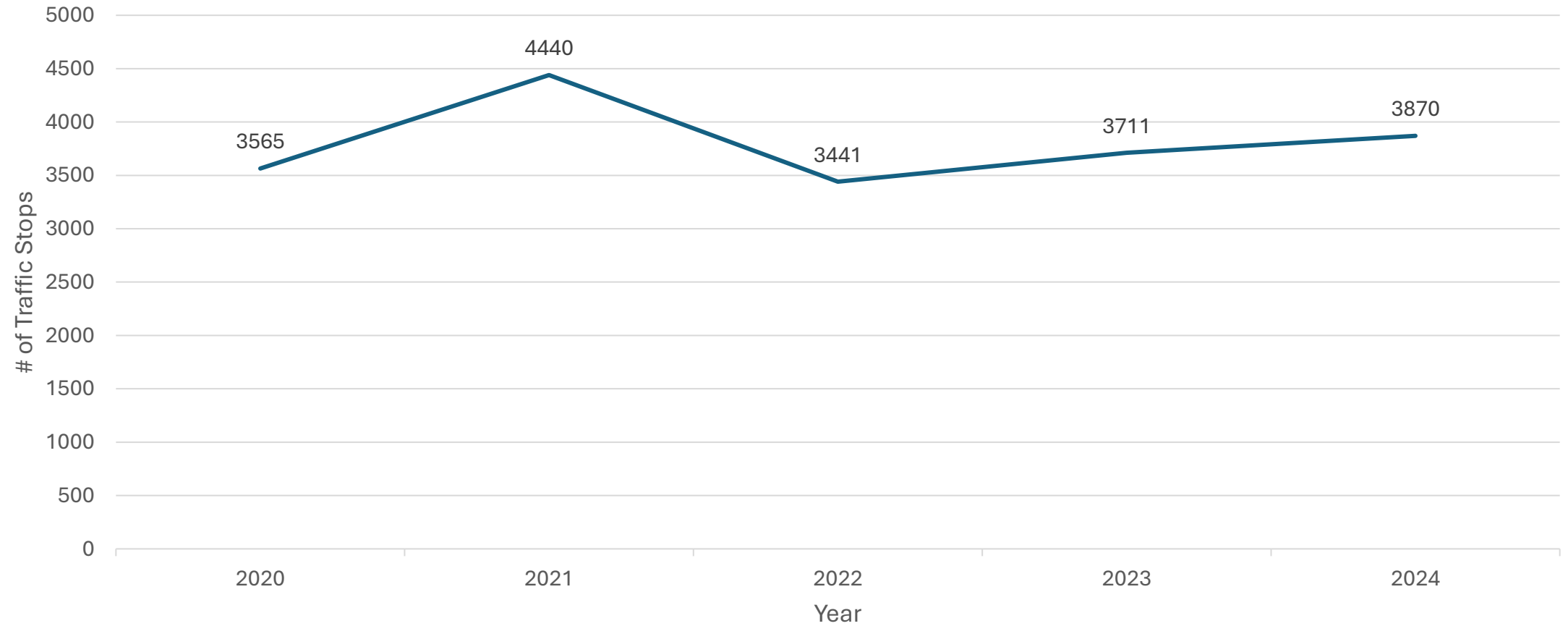
State Racial Profiling Law

- # of Vehicle Searches.
- # of complaints related to racial profiling.
- Any physical force that resulted in injury during a stop.
- Reasons of the stops.

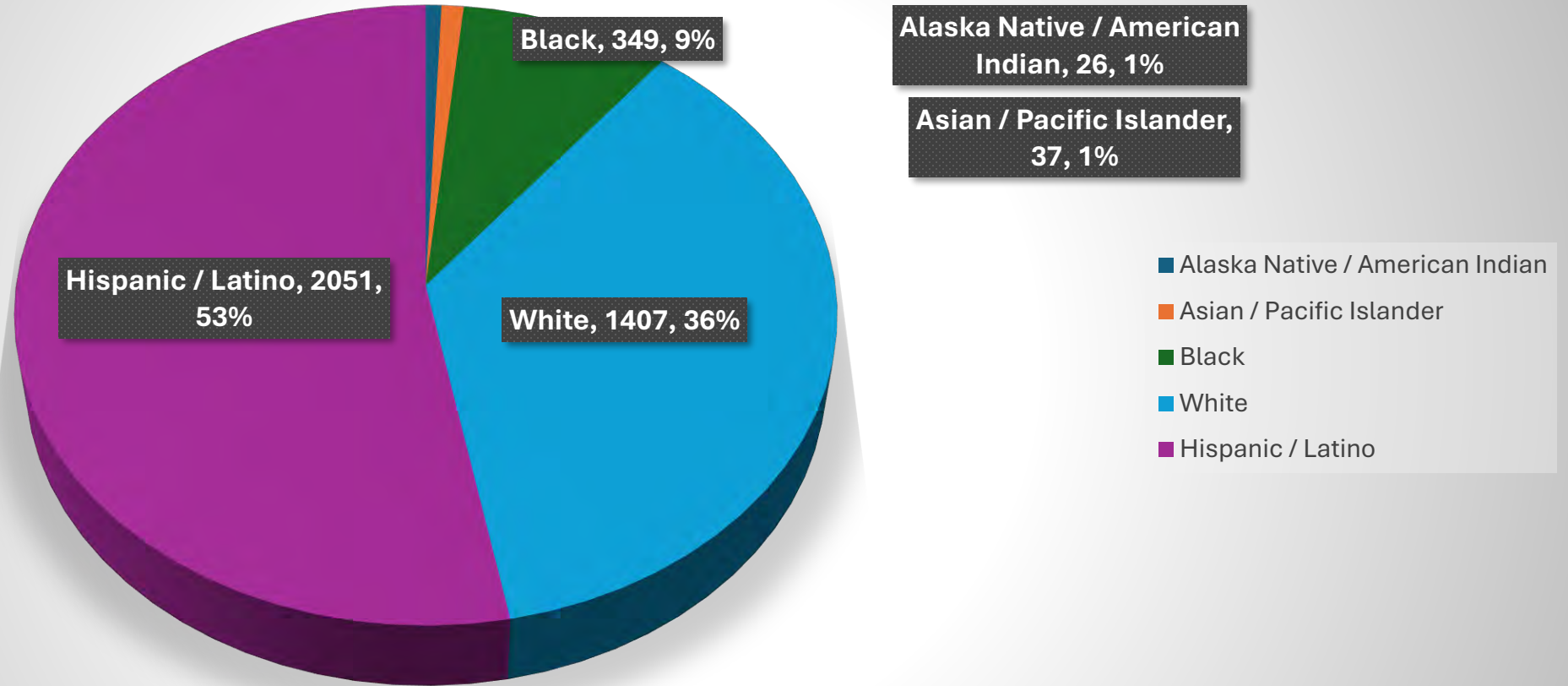
3,870 Traffic Stops by LPD in 2024



of Traffic Stops for the Past 5 Years

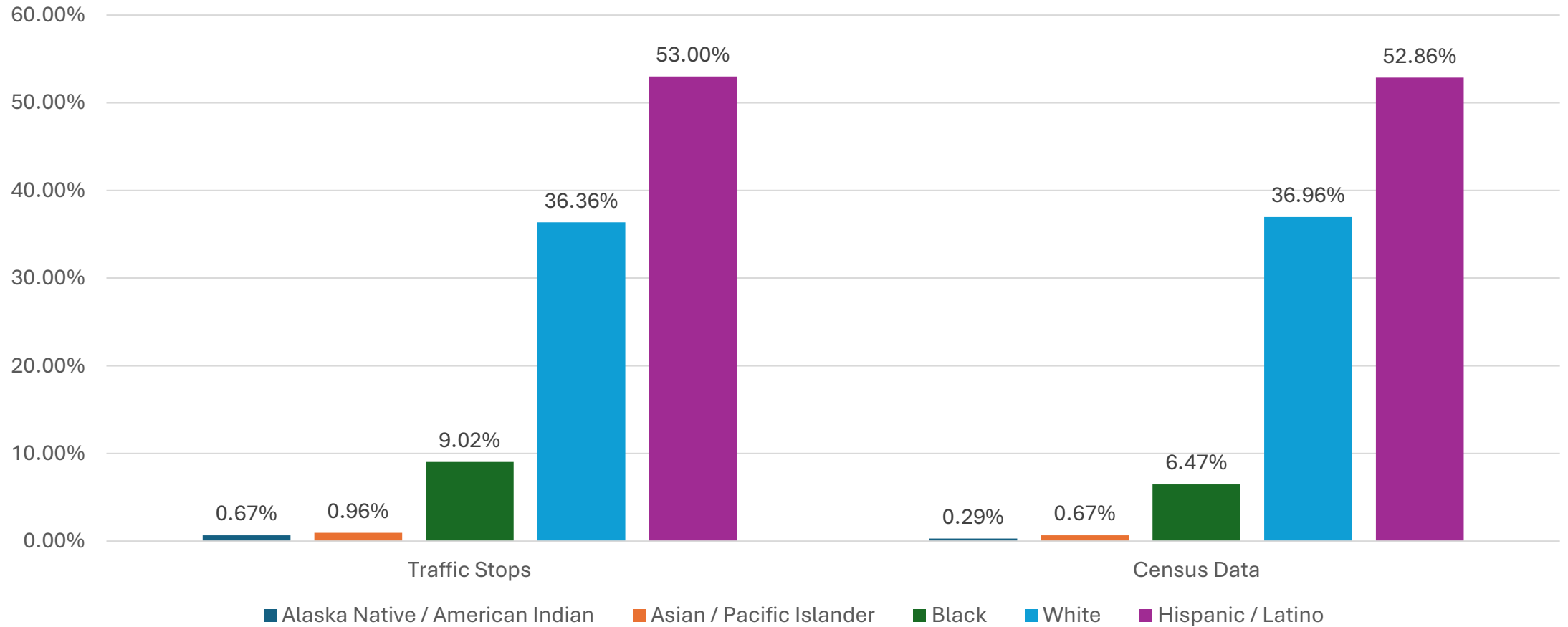


Traffic Stops by Race / Ethnicity 2024

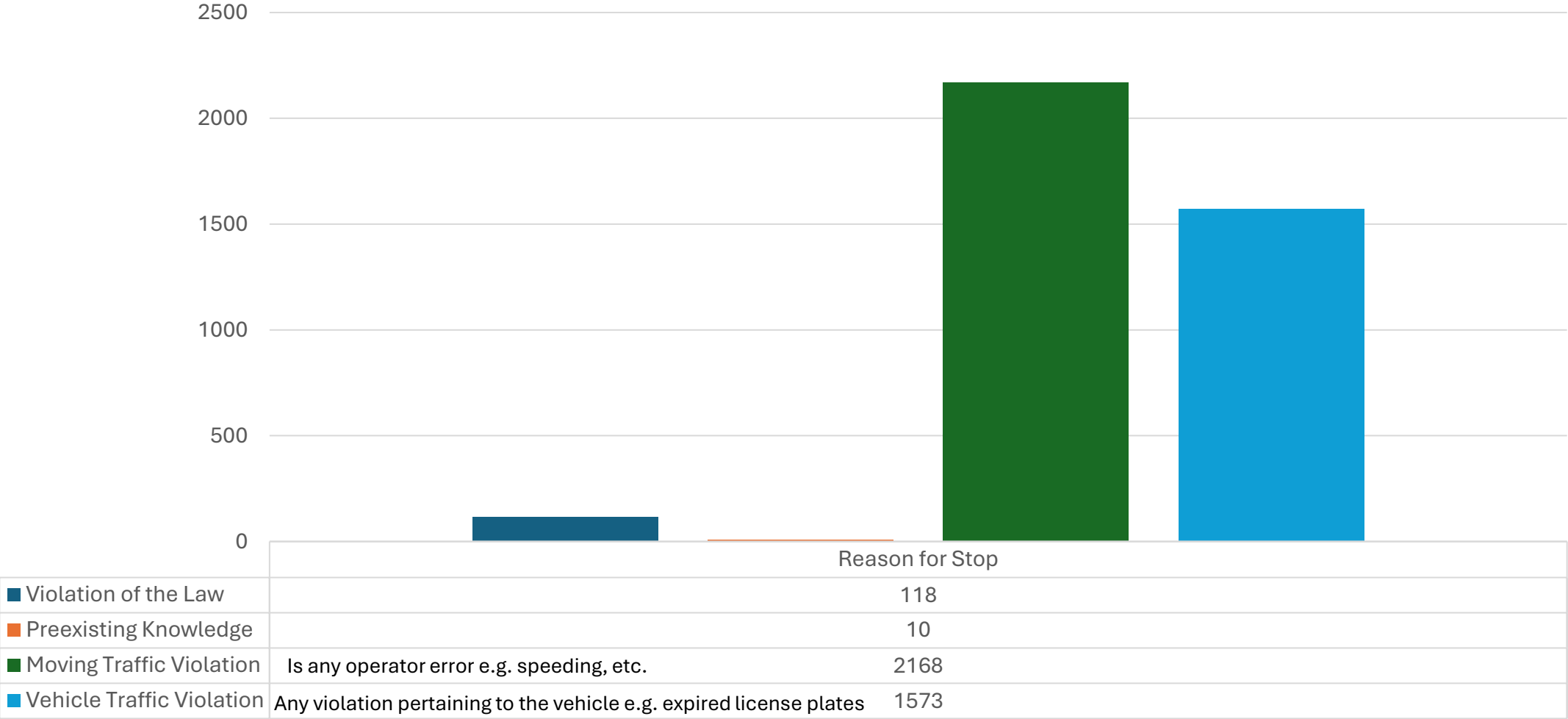


Traffic Stops vs. Census Data

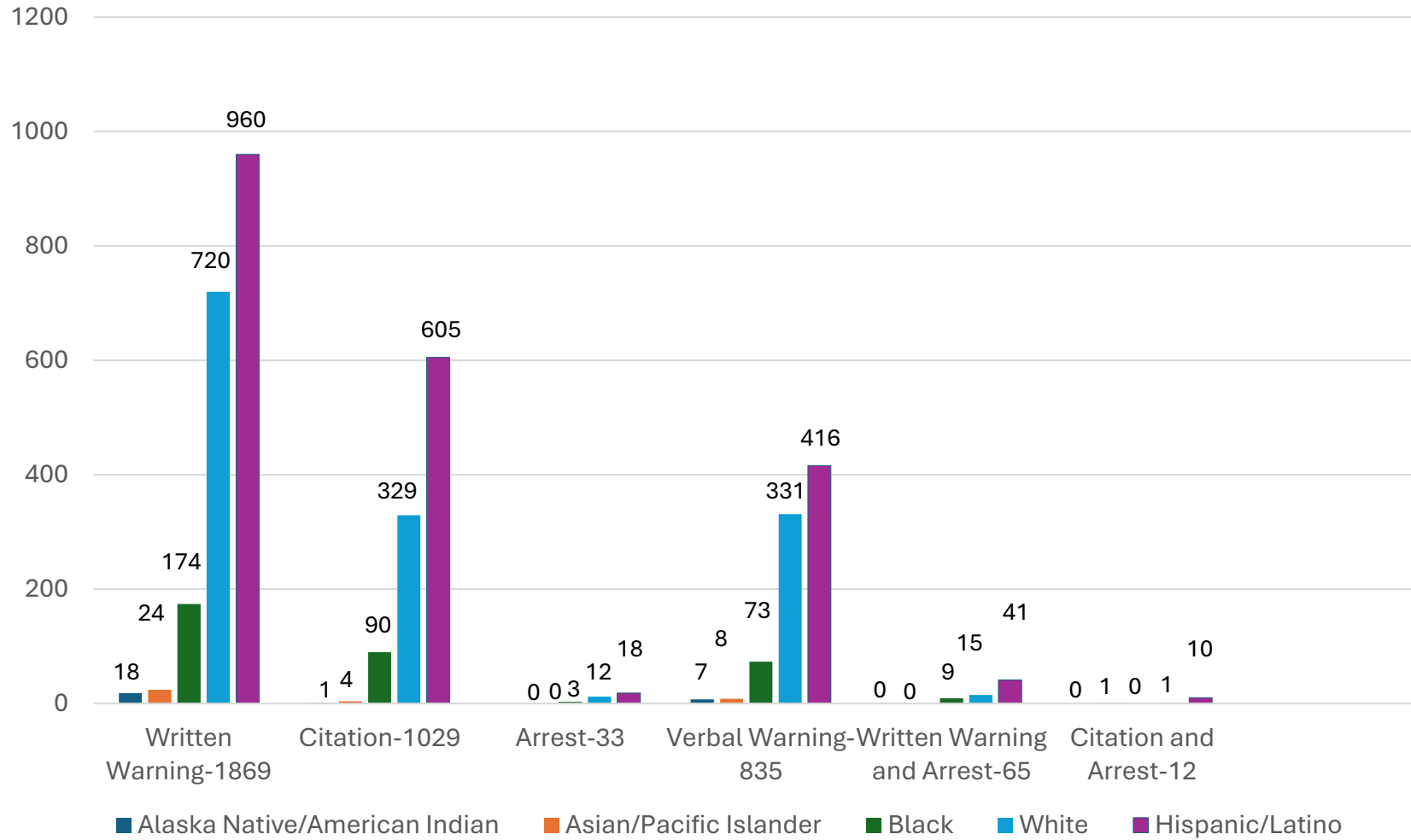
(2020 Census Data)



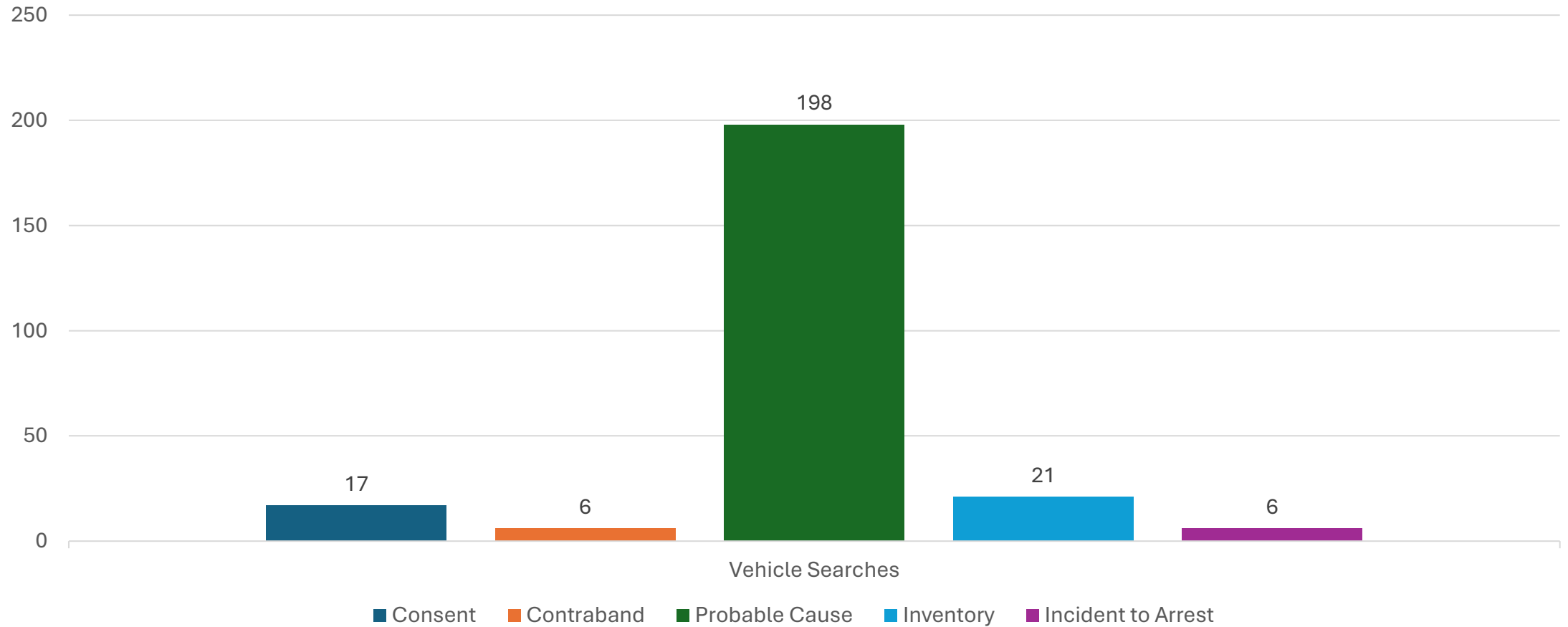
Reason for Traffic Stop



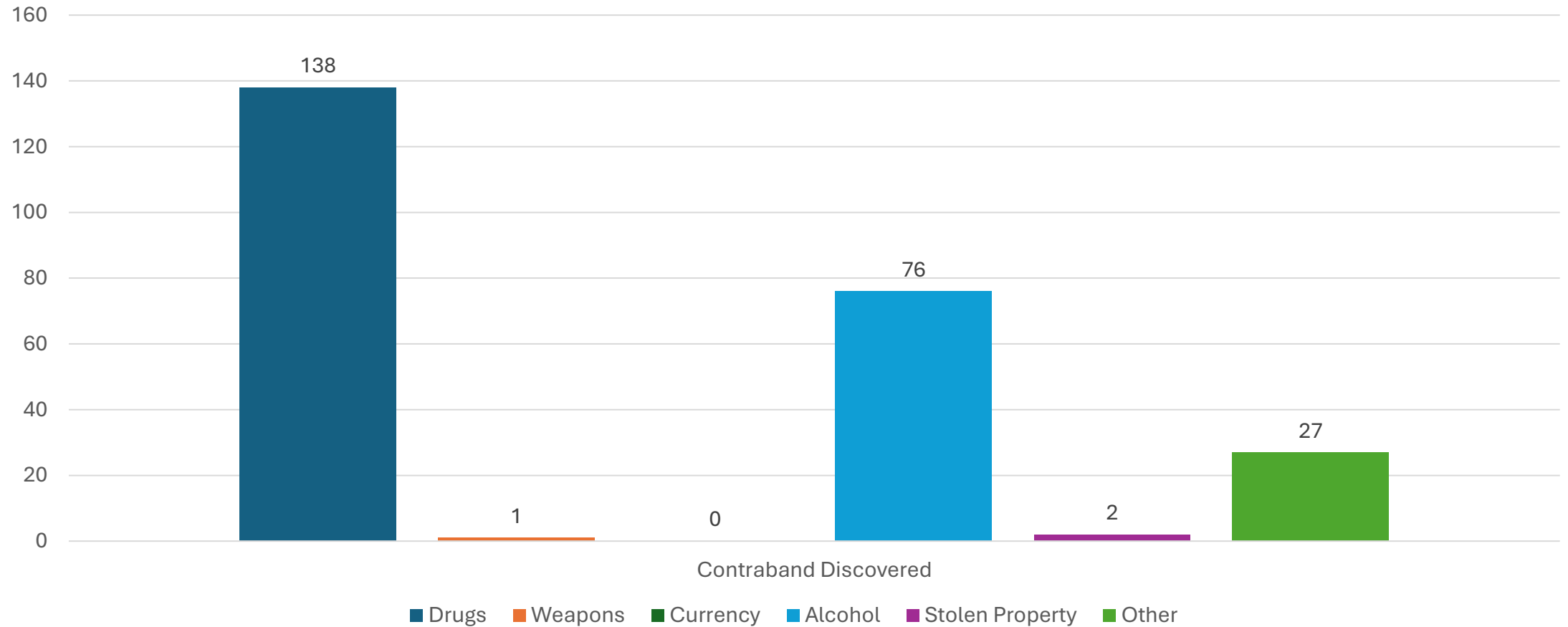
Disposition of the Traffic Stops



Vehicle Searches



Contraband Discovered



Racial Profiling Report

- In 2024, there was a use of force incident that resulted in bodily injury during a traffic stop.
- No complaints of racial profiling.
- LPD policy prohibits Bias-based Profiling and Racial Profiling.

Questions?

Racial Profiling Report | Full

Agency Name: LOCKHART POLICE DEPARTMENT
Reporting Date: 01/27/2025
TCOLE Agency Number: 055201

Chief Administrator: GARY P. WILLIAMSON

Agency Contact Information:

Phone: (512) 398-4401

Email: gwilliamson@ps.lockhart-tx.org

Mailing Address:

214 BUFKIN LN

LOCKHART, TX 78644-4006

This Agency filed a full report

LOCKHART POLICE DEPARTMENT has adopted a detailed written policy on racial profiling. Our policy:

- 1) clearly defines acts constituting racial profiling;
- 2) strictly prohibits peace officers employed by the LOCKHART POLICE DEPARTMENT from engaging in racial profiling;
- 3) implements a process by which an individual may file a complaint with the LOCKHART POLICE DEPARTMENT if the individual believes that a peace officer employed by the LOCKHART POLICE DEPARTMENT has engaged in racial profiling with respect to the individual;
- 4) provides public education relating to the agency's complaint process;
- 5) requires appropriate corrective action to be taken against a peace officer employed by the LOCKHART POLICE DEPARTMENT who, after an investigation, is shown to have engaged in racial profiling in violation of the LOCKHART POLICE DEPARTMENT policy;
- 6) requires collection of information relating to motor vehicle stops in which a warning or citation is issued and to arrests made as a result of those stops, including information relating to:
 - a. the race or ethnicity of the individual detained;
 - b. whether a search was conducted and, if so, whether the individual detained consented to the search;
 - c. whether the peace officer knew the race or ethnicity of the individual detained before detaining that individual;
 - d. whether the peace officer used physical force that resulted in bodily injury during the stop;
 - e. the location of the stop;
 - f. the reason for the stop.
- 7) requires the chief administrator of the agency, regardless of whether the administrator is elected, employed, or appointed, to submit an annual report of the information collected under Subdivision (6) to:
 - a. the Commission on Law Enforcement; and
 - b. the governing body of each county or municipality served by the agency, if the agency is an agency of a county, municipality, or other political subdivision of the state.

The LOCKHART POLICE DEPARTMENT has satisfied the statutory data audit requirements as prescribed in

Article 2.133(c), Code of Criminal Procedure during the reporting period.

Executed by: DANIEL WILLIAMS
Captain

Date: 01/27/2025

Total stops: 3870

Street address or approximate location of the stop

City street	3427
US highway	345
County road	9
State highway	86
Private property or other	3

Was race or ethnicity known prior to stop?

Yes	28
No	3842

Race / Ethnicity

Alaska Native / American Indian	26
Asian / Pacific Islander	37
Black	349
White	1407
Hispanic / Latino	2051

Gender

Female	1281
Alaska Native / American Indian	3
Asian / Pacific Islander	7
Black	85
White	526
Hispanic / Latino	660
Male	2589
Alaska Native / American Indian	23
Asian / Pacific Islander	30
Black	264
White	881
Hispanic / Latino	1391

Reason for stop?

Violation of law	118
Alaska Native / American Indian	0
Asian / Pacific Islander	1
Black	15
White	32

Hispanic / Latino	70
Preexisting knowledge	10
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	2
White	3
Hispanic / Latino	5
Moving traffic violation	2168
Alaska Native / American Indian	15
Asian / Pacific Islander	23
Black	194
White	832
Hispanic / Latino	1104
Vehicle traffic violation	1574
Alaska Native / American Indian	11
Asian / Pacific Islander	13
Black	138
White	871
Hispanic / Latino	540
Was a search conducted?	
Yes	248
Alaska Native / American Indian	1
Asian / Pacific Islander	1
Black	36
White	55
Hispanic / Latino	155
No	3622
Alaska Native / American Indian	25
Asian / Pacific Islander	36
Black	313
White	1352
Hispanic / Latino	1896
Reason for Search?	
Consent	17
Alaska Native / American Indian	1
Asian / Pacific Islander	0
Black	1
White	4

Hispanic / Latino	10				
Contraband	6				
Alaska Native / American Indian	0				
Asian / Pacific Islander	0				
Black	1				
White	1				
Hispanic / Latino	4				
Probable	198				
Alaska Native / American Indian	0				
Asian / Pacific Islander	0				
Black	33				
White	45				
Hispanic / Latino	120				
Inventory	21				
Alaska Native / American Indian	0				
Asian / Pacific Islander	1				
Black	0				
White	5				
Hispanic / Latino	15				
Incident to arrest	6				
Alaska Native / American Indian	0				
Asian / Pacific Islander	0				
Black	0				
White	0				
Hispanic / Latino	6				
Was Contraband discovered?					
Yes	201				
		Did the finding result in arrest?			
		(total should equal previous column)			
Alaska Native / American Indian	1	Yes	1	No	0
Asian / Pacific Islander	1	Yes	0	No	1
Black	28	Yes	22	No	6
White	43	Yes	35	No	8
Hispanic / Latino	128	Yes	103	No	25
No	47				
Alaska Native / American Indian	0				
Asian / Pacific Islander	0				
Black	8				
White	12				
Hispanic / Latino	27				

Description of contraband	
Drugs	138
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	25
White	27
Hispanic / Latino	86
Weapons	1
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	1
White	0
Hispanic / Latino	0
Currency	0
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	0
White	0
Hispanic / Latino	0
Alcohol	76
Alaska Native / American Indian	0
Asian / Pacific Islander	1
Black	6
White	14
Hispanic / Latino	55
Stolen property	2
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	0
White	2
Hispanic / Latino	0
Other	27
Alaska Native / American Indian	1
Asian / Pacific Islander	1
Black	2
White	6
Hispanic / Latino	17
Result of the stop	
Verbal warning	835

Alaska Native / American Indian	7
Asian / Pacific Islander	8
Black	73
White	331
Hispanic / Latino	416
Written warning	1896
Alaska Native / American Indian	18
Asian / Pacific Islander	24
Black	174
White	720
Hispanic / Latino	960
Citation	1029
Alaska Native / American Indian	1
Asian / Pacific Islander	4
Black	90
White	329
Hispanic / Latino	605
Written warning and arrest	65
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	9
White	15
Hispanic / Latino	41
Citation and arrest	12
Alaska Native / American Indian	0
Asian / Pacific Islander	1
Black	0
White	1
Hispanic / Latino	10
Arrest	33
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	3
White	12
Hispanic / Latino	18
Arrest based on	
Violation of Penal Code	90
Alaska Native / American Indian	0
Asian / Pacific Islander	1

Black	10
White	21
Hispanic / Latino	58
Violation of Traffic Law	6
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	1
White	5
Hispanic / Latino	0
Violation of City Ordinance	1
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	0
White	0
Hispanic / Latino	1
Outstanding Warrant	13
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	1
White	7
Hispanic / Latino	5

Was physical force resulting in bodily injury used during stop?

Yes	1
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	0
White	0
Hispanic / Latino	1
Resulting in Bodily Injury To:	
Suspect	1
Officer	0
Both	0
No	3869
Alaska Native / American Indian	26
Asian / Pacific Islander	37
Black	349
White	1407
Hispanic / Latino	2050

Number of complaints of racial profiling

Total	0
Resulted in disciplinary action	0
Did not result in disciplinary action	0

Comparative Analysis

Use TCOLE's auto generated analysis	☐
Use Department's submitted analysis	☒

Optional Narrative

N/A

Submitted electronically to the



The Texas Commission on Law Enforcement

Lockhart, TX PD

Jan 1, 2024 - Dec 31, 2024

Texas TCOLE SB1187 Racial Profiling Report (2024)

PLEASE NOTE: This report is based on the format provided by the Texas Commission on Law Enforcement (TCOLE), current as of Dec. 14, 2022.

01.Total Traffic Stops			
			3,870
			3,870
02. Location of Stop			
	0.03%		1
CITY STREET	88.53%		3,426
COUNTY ROAD	0.23%		9
PRIVATE PROPERTY OR OTHER	0.08%		3
STATE HIGHWAY	2.22%		86
US HIGHWAY	8.91%		345
Total	100.00%		3,870
03. Was Race Known Prior to Stop?			
N	99.28%		3,842
Y	0.72%		28
Total	100.00%		3,870
04. Race or Ethnicity			
ALASKA NATIVE/AMERICAN INDIAN	0.67%		26
ASIAN/PACIFIC ISLANDER	0.96%		37
BLACK	9.02%		349
HISPANIC/LATINO	53.00%		2,051
WHITE	36.36%		1,407
Total	100.00%		3,870
05. Gender			
FEMALE	ALASKA NATIVE/AMERICAN INDIAN	0.23%	3
	ASIAN/PACIFIC ISLANDER	0.55%	7

Texas TCOLE SB1187 Racial Profiling Report (2024)

PLEASE NOTE: This report is based on the format provided by the Texas Commission on Law Enforcement (TCOLE), current as of Dec. 14, 2022.

05. Gender			
FEMALE	BLACK	6.64%	85
	HISPANIC/LATINO	51.52%	660
	WHITE	41.06%	526
		100.00%	1,281
MALE	ALASKA NATIVE/AMERICAN INDIAN	0.89%	23
	ASIAN/PACIFIC ISLANDER	1.16%	30
	BLACK	10.20%	264
	HISPANIC/LATINO	53.73%	1,391
	WHITE	34.03%	881
		100.00%	2,589
Total			3,870

06. Reason for Stop?			
	HISPANIC/LATINO	100.00%	1
		100.00%	1
MOVING TRAFFIC VIOLATION	ALASKA NATIVE/AMERICAN INDIAN	0.69%	15
	ASIAN/PACIFIC ISLANDER	1.06%	23
	BLACK	8.95%	194
	HISPANIC/LATINO	50.92%	1,104
	WHITE	38.38%	832
		100.00%	2,168
PRE EXISTING KNOWLEDGE	BLACK	20.00%	2
	HISPANIC/LATINO	50.00%	5
	WHITE	30.00%	3
		100.00%	10
VEHICLE TRAFFIC VIOLATION	ALASKA NATIVE/AMERICAN INDIAN	0.70%	11

Lockhart, TX PD

Jan 1, 2024 - Dec 31, 2024

Texas TCOLE SB1187 Racial Profiling Report (2024)

PLEASE NOTE: This report is based on the format provided by the Texas Commission on Law Enforcement (TCOLE), current as of Dec. 14, 2022.

06. Reason for Stop?			
VEHICLE TRAFFIC VIOLATION	ASIAN/PACIFIC ISLANDER	0.83%	13
	BLACK	8.77%	138
	HISPANIC/LATINO	55.37%	871
	WHITE	34.33%	540
		100.00%	1,573
VIOLATION OF LAW	ASIAN/PACIFIC ISLANDER	0.85%	1
	BLACK	12.71%	15
	HISPANIC/LATINO	59.32%	70
	WHITE	27.12%	32
		100.00%	118
Total			3,870

07. Was a Search Conducted?			
N	ALASKA NATIVE/AMERICAN INDIAN	0.69%	25
	ASIAN/PACIFIC ISLANDER	0.99%	36
	BLACK	8.64%	313
	HISPANIC/LATINO	52.35%	1,896
	WHITE	37.33%	1,352
		100.00%	3,622
Y	ALASKA NATIVE/AMERICAN INDIAN	0.40%	1
	ASIAN/PACIFIC ISLANDER	0.40%	1
	BLACK	14.52%	36
	HISPANIC/LATINO	62.50%	155
	WHITE	22.18%	55
		100.00%	248
Total			3,870

Lockhart, TX PD

Jan 1, 2024 - Dec 31, 2024

Texas TCOLE SB1187 Racial Profiling Report (2024)

08. Reason for Search?			
CONSENT	ALASKA NATIVE/AMERICAN INDIAN	5.88%	1
	BLACK	11.76%	2
	HISPANIC/LATINO	58.82%	10
	WHITE	23.53%	4
		100.00%	17
CONTRABAND IN PLAIN VIEW	BLACK	16.67%	1
	HISPANIC/LATINO	66.67%	4
	WHITE	16.67%	1
		100.00%	6
INCIDENT TO ARREST	HISPANIC/LATINO	100.00%	6
		100.00%	6
INVENTORY	ASIAN/PACIFIC ISLANDER	4.76%	1
	HISPANIC/LATINO	71.43%	15
	WHITE	23.81%	5
		100.00%	21
NO SEARCH	ALASKA NATIVE/AMERICAN INDIAN	0.69%	25
	ASIAN/PACIFIC ISLANDER	0.99%	36
	BLACK	8.64%	313
	HISPANIC/LATINO	52.35%	1,896
	WHITE	37.33%	1,352
		100.00%	3,622
PROBABLE CAUSE	BLACK	16.67%	33
	HISPANIC/LATINO	60.61%	120
	WHITE	22.73%	45
		100.00%	198
Total			3,870

Texas TCOLE SB1187 Racial Profiling Report (2024)

09. Was Contraband Discovered?			
N	BLACK	17.02%	8
	HISPANIC/ LATINO	57.45%	27
	WHITE	25.53%	12
		100.00%	47
Y	ALASKA NATIVE/ AMERICAN INDIAN	0.50%	1
	ASIAN/ PACIFIC ISLANDER	0.50%	1
	BLACK	13.93%	28
	HISPANIC/ LATINO	63.68%	128
	WHITE	21.39%	43
		100.00%	201
Total			248
10. Description of Contraband			
ALCOHOL	ASIAN/PACIFIC ISLANDER	1.30%	1
	BLACK	7.79%	6
	HISPANIC/LATINO	72.73%	55
	WHITE	18.18%	14
		100.00%	76
DRUGS	BLACK	19.15%	25
	HISPANIC/LATINO	61.70%	86
	WHITE	19.15%	27
		100.00%	138
OTHER	ALASKA NATIVE/AMERICAN INDIAN	3.70%	1
	ASIAN/PACIFIC ISLANDER	3.70%	1

Lockhart, TX PD

Jan 1, 2024 - Dec 31, 2024

Texas TCOLE SB1187 Racial Profiling Report (2024)

PLEASE NOTE: This report is based on the format provided by the Texas Commission on Law Enforcement (TCOLE), current as of Dec. 14, 2022.

10. Description of Contraband			
OTHER	BLACK	7.41%	2
	HISPANIC/LATINO	62.96%	17
	WHITE	22.22%	6
		100.00%	27
STOLEN PROPERTY	WHITE	100.00%	2
		100.00%	2
WEAPONS	BLACK	100.00%	1
		100.00%	1
Total			244

11. Result of the Stop			
ARREST	BLACK	9.09%	3
	HISPANIC/LATINO	54.55%	18
	WHITE	36.36%	12
		100.00%	33
CITATION	ALASKA NATIVE/AMERICAN INDIAN	0.10%	1
	ASIAN/PACIFIC ISLANDER	0.39%	4
	BLACK	8.75%	90
	HISPANIC/LATINO	58.79%	605
	WHITE	31.97%	329
		100.00%	1,029
CITATION AND ARREST	ASIAN/PACIFIC ISLANDER	8.33%	1
	HISPANIC/LATINO	83.33%	10
	WHITE	8.33%	1
		100.00%	12
FIELD INTERVIEW	HISPANIC/LATINO	100.00%	1
		100.00%	1

Texas TCOLE SB1187 Racial Profiling Report (2024)

PLEASE NOTE: This report is based on the format provided by the Texas Commission on Law Enforcement (TCOLE), current as of Dec. 14, 2022.

11. Result of the Stop			
VERBAL WARNING	ALASKA NATIVE/AMERICAN INDIAN	0.84%	7
	ASIAN/PACIFIC ISLANDER	0.96%	8
	BLACK	8.75%	73
	HISPANIC/LATINO	49.88%	416
	WHITE	39.57%	330
		100.00%	834
WRITTEN WARNING	ALASKA NATIVE/AMERICAN INDIAN	0.95%	18
	ASIAN/PACIFIC ISLANDER	1.27%	24
	BLACK	9.18%	174
	HISPANIC/LATINO	50.63%	960
	WHITE	37.97%	720
		100.00%	1,896
WRITTEN WARNING AND ARREST	BLACK	13.85%	9
	HISPANIC/LATINO	63.08%	41
	WHITE	23.08%	15
		100.00%	65
Total			3,870
12. Arrest Based On			
OUTSTANDING WARRANT	BLACK	7.69%	1
	HISPANIC/LATINO	38.46%	5
	WHITE	53.85%	7
		100.00%	13
VIOLETION OF CITY ORDINANCE	HISPANIC/LATINO	100.00%	1
		100.00%	1
VIOLETION OF PENAL CODE	ASIAN/PACIFIC ISLANDER	1.11%	1

Lockhart, TX PD

Jan 1, 2024 - Dec 31, 2024

Texas TCOLE SB1187 Racial Profiling Report (2024)

PLEASE NOTE: This report is based on the format provided by the Texas Commission on Law Enforcement (TCOLE), current as of Dec. 14, 2022.

12. Arrest Based On			
VIOLATION OF PENAL CODE	BLACK	11.11%	10
	HISPANIC/LATINO	64.44%	58
	WHITE	23.33%	21
		100.00%	90
VIOLATION OF TRAFFIC LAW	BLACK	16.67%	1
	HISPANIC/LATINO	83.33%	5
		100.00%	6
Total			110

13. Was Physical Force Used?			
	HISPANIC/LATINO	100.00%	1
		100.00%	1
N	ALASKA NATIVE/AMERICAN INDIAN	0.67%	26
	ASIAN/PACIFIC ISLANDER	0.96%	37
	BLACK	9.02%	349
	HISPANIC/LATINO	52.99%	2,050
	WHITE	36.37%	1,407
		100.00%	3,869
Total			3,870

Was Arrest Due to Contraband Found?			
N	ASIAN/PACIFIC ISLANDER	1.23%	1
	BLACK	8.64%	7
	HISPANIC/LATINO	65.43%	53
	WHITE	24.69%	20
		100.00%	81
Y	BLACK	17.24%	5
	HISPANIC/LATINO	55.17%	16

Lockhart, TX PD

Jan 1, 2024 - Dec 31, 2024

Texas TCOLE SB1187 Racial Profiling Report (2024)

PLEASE NOTE: This report is based on the format provided by the Texas Commission on Law Enforcement (TCOLE), current as of Dec. 14, 2022.

Was Arrest Due to Contraband Found?			
Y	WHITE	27.59%	8
		100.00%	29
Total			110

City of Lockhart, Texas

Council Agenda Item Cover Sheet

COUNCIL MEETING DATE: February 18, 2025

AGENDA ITEM CAPTION: Discussion and/or action to consider Resolution No. 2025-07 to terminate a Chapter 380 economic development incentive with Titan Lockhart Land Investors, LLC for default.

ORIGINATING DEPARTMENT AND CONTACT: Economic Development - Holly Malish

ACTION REQUESTED: Resolution

BACKGROUND/SUMMARY/DISCUSSION: Titan bought 31.485 acres in LEDC's Industrial Park 3 in 2023. During Titan's due diligence period on the property unexpected additional costs were determined by the company. To incentivize the closing and to ensure a development of a new speculative building, City Council approved a Chapter 380 agreement that would provide a 50% rebate of road impact fees up to \$326,000 and require an investment in a building and the property to be at least \$16 million. Titan was to submit plans for a site permit within 180 days after closing and complete construction and obtain a certificate of occupancy within 18 months from a building permit issued by the City of Lockhart. Due to adverse market conditions, Titan was never able to submit plans or complete construction of a building within the timeline outlined in the agreement.

Titan remains committed and is actively marketing the property for development. LEDC staff / Titan will maintain their long-standing history of collaboration. Going forward, Titan is prepared to bring prospects to LEDC staff for a new development agreement.

PROJECT SCHEDULE (if applicable):

FISCAL NOTE (if applicable):

PREVIOUS COUNCIL ACTION: Chapter 380 Performance Agreement approved on April 18, 2023.

COMMITTEE/BOARD/COMMISSION ACTION:

STAFF RECOMMENDATION/REQUESTED MOTION: Staff recommends approving Resolution No 2025-07 to terminate agreement with Titan.

LIST OF SUPPORTING DOCUMENTS: RESOLUTION NO 2025-07 Ch 380 Termination Lockhart Land Investors, Letter to City re 380 Termination (Lockhart Ph. 2) 2025-02-04 Executed, Titan Chapter 380 Termination Letter - signed, 2023 Ch 380 Agmt Titan Lockhart Land Investors, .

RESOLUTION NO. 2025-07

A RESOLUTION OF THE CITY COUNCIL OF LOCKHART, TEXAS AUTHORIZING THE TERMINATION OF A CHAPTER 380 ECONOMIC DEVELOPMENT INCENTIVE AGREEMENT WITH TITAN LOCKHART LAND INVESTORS, LLC FOR DEFAULT

RECITALS

WHEREAS, Chapter 380, Texas Local Government Code, authorizes the CITY OF LOCKHART, TEXAS, (the “City”) to establish a program, including the making of loans and grants of public money, to promote state or local economic development and stimulate business and commercial activity within the City; and

WHEREAS, TITAN LOCKHART LAND INVESTORS, LLC (TITAN) and the City entered into a Chapter 380 Economic Development Performance Agreement (the “Agreement”), dated effective April 18, 2023; and

WHEREAS, the Agreement provides that TITAN will receive a 50% rebate of road impact fees for a combined total not to exceed THREE HUNDRED AND TWENTY SIX THOUSAND DOLLARS (\$326,000) to build a SIXTEEN MILLION DOLLARS (\$16,000,000) industrial building; and

WHEREAS, the Agreement requires Titan to meet certain construction milestones in order to receive the funds. Titan has failed to meet the construction milestones and is in default of the Agreement; and

WHEREAS, the City tendered notice of default and termination to Titan on January 23, 2025, and Titan acknowledged and confirmed the termination of the Agreement on February 4, 2025; and

WHEREAS, Titan has not paid any road impact fees to the City and the City has not paid any funds to Titan, no money is owed to either the City or Titan; and

WHEREAS, CITY OF LOCKHART CITY COUNCIL (the City Council) desires to terminate the Agreement; and

WHEREAS, the City finds that terminating the Agreement will not diminish the relationship with the developer, economic benefit or other valuable aspects of the Agreement and will advance the legitimate governmental interests of the City.

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

Section 1. The recitals and findings set forth above are true and correct and are incorporated in the body of this Resolution as if fully set forth herein.

Section 2. The City Council finds that Titan is in default of the Agreement and authorizes the termination of the Agreement and authorizes the City Manager, or his designee, to execute any necessary documents.

Section 2. The Resolution shall be effective from and after its passage as proved by law.

PASS AND ADOPTED on this, the 18th day of February 2025.

City of Lockhart, Texas

Lew White, Mayor

Attest:

Approved as to form:

Julie Bowermon, City Secretary

Brad Bullock, City Attorney



**REAL ESTATE INVESTING
+ EXPERTISE**

February 4, 2025

Via USPS and Email:

The City of Lockhart
Attn: Steve Lewis, City Manager
PO Box 239
Lockhart, TX 78644
Email: slewis@lockhart-tx.org

RE: The 2023 Chapter 380 EDP Agreement ("Agreement") by and between The City of Lockhart, TX ("City") and Titan Lockhart Land Investors, LLC ("Titan");
Titan's Response to City's Notice of Termination of Agreement

Dear City Manager Lewis:

I am in receipt of your letter dated January 23, 2025 to Mr. Iannacone regarding the City's decision to terminate the Agreement, of which Titan hereby confirms said termination. As Titan has not paid any road impact fees in accordance with terms of the Agreement, and as such the City has not collected any road impact fees from Titan, Titan is not required to repay any portion of the Grant under the Agreement.

We continue to be committed to seeking out development opportunities for the Property for the ultimate growth and betterment of the Property's surrounding community and the City as a whole. We look forward to maintaining open communication and goodwill with the City as we move forward with this commitment.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Aimee González'.

Aimee González
General Counsel
Titan Development.

cc: Holly Malish, LED Director; hmalish@lockhart-tx.org

NEW MEXICO
6300 Riverside Plaza, Ste. 200
Albuquerque, NM 87120

TEXAS
4903 Woodrow Ave, Bldg A
Austin, TX 78756

TITAN DEVELOPMENT
www.titan-development.com



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

January 23, 2025

Titan Development
Attn: Joe Iannacone
4903 Woodrow Ave., Building A
Austin, TX 78756

RE: Chapter 380 Economic Development Program Agreement – NOTICE OF
TERMINATION

Dear Mr. Iannacone:

The City of Lockhart, Texas hereby provides notice of termination of the above referenced contract pursuant to Section 4 thereof, wherein Titan Lockhart Land Investors, LLC ("Titan") is in incurable default of said agreement. According to the terms thereof, Titan was to make a \$16,000,000 investment in the acquisition of certain property and the construction of certain facilities (as defined therein) and within 180 days of the acquisition of said property, which occurred on July 18, 2023, submit to the City drawings of said facility and thereafter commence construction of said facility within 150 days of the City's approval of construction plans. Titan failed to timely submit said schematic drawings within said time frame and has been unable to cure said deficiency.

Accordingly, pursuant to Section 6 of the said agreement, Titan is in default thereof. Titan has thirty (30) days to cure this default and if it does not, Titan is required to repay to the City the grant funds remitted to Titan by the City as set forth in the agreement following payment of road impact fees by Titan, if any. Titan's responsibility to repay said grant funds is required to be made within fifteen (15) days following the expiration of thirty (30) days of this notice if it has not cured its default. By this letter, the City makes demand for the repayment of said grant funds, if applicable, if Titan does not cure within thirty (30) days of the date following receipt of this letter.

Sincerely,

A handwritten signature in blue ink, appearing to read "Steve Lewis", written over a white background.

Steve Lewis
City Manager

Cc: Holly Malish, Economic Development Director
Brad Bullock, City Attorney

CHAPTER 380 ECONOMIC DEVELOPMENT PROGRAM AGREEMENT

This Chapter 380 Economic Development Program Agreement ("Agreement") is made and entered into as of APRIL 18, 2023 ("Effective Date") by and between THE CITY OF LOCKHART, TEXAS, a Texas home-rule municipal corporation ("City"), and TITAN LOCKHART LAND INVESTORS, LLC, a Texas limited liability company ("Titan").

RECITALS

Pursuant to Chapter 380, Texas Local Government Code, City is authorized to make loans and grants of public money, to promote state or local economic development and to stimulate business and commercial activity within the City, and City has authorized the City Manager to make a grant of money to Titan.

Titan desires to purchase land, construct a shell industrial building within the municipal limits of the City, and participate in the Economic Development Program established in this Agreement.

Titan intends to make a total investment of at least sixteen million and 00/100ths dollars (\$16,000,000.00) in the acquisition of the Property and construction of the Facility (both as defined below), including but not limited to the cost to purchase the Property and required easements or other appurtenances thereto, the design and construction of the Facility (including but not limited to hard construction costs, engineering fees, permitting fees, financing costs, and testing fees), and all on-site and off-site improvements installed by Titan and any ponding required for the benefit of the Property made by Titan following its acquisition and closing on the Property.

City has determined that a substantial economic benefit and the creation of new opportunities of employment will accrue to the City and the surrounding area if the Facility is successfully developed.

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

AGREEMENTS

Section 1. Recitals: The recitals set forth above are incorporated herein for all purposes.

Section 2. Chapter 380 Program and Consideration

The City finds, and the parties hereto agree, that the program established by this Agreement will promote state and local economic development and will stimulate business and commercial activity in the City of Lockhart. City and Titan enter into this

Agreement in consideration of such economic development and stimulation of business and commercial activity as well as the mutual covenants contained herein.

The City's execution of this Agreement, as authorized by Chapter 380 of the Texas Local Government Code, constitutes a valid and binding obligation of the City upon compliance by Company of the obligations as described herein below.

Section 3. Term: This Agreement shall have a term of five (5) years, commencing on the Effective Date and terminating upon the full payment of the Incentive, at midnight on the fifth anniversary of that date, or unless sooner terminated as provided herein.

Section 4. TITAN Requirements

Titan agrees:

- (a) To acquire sufficient land in the City of Lockhart, estimated to be thirty-one and four-hundred-eighty-five thousandths (31.485) acres, ("the Property") that will be suitable for the construction of one or more shell industrial buildings ("the Facility"), as outlined in that Purchase and Sale Agreement dated July 18, 2023 by and between Lockhart Economic Development Corporation, a Type B sales tax corporation, and Titan Property Management, LLC, a New Mexico limited liability company, its successors and assigns "PSA".
- (b) Following acquisition of the Property, to retain title thereto and complete the Facility, and under no circumstances to sell any or all of the Property to a third party during the Term without first constructing the Facility or requiring such third-party to confirm that it shall build a Facility on all or part of the Property which would satisfy the total investment obligation herein.
- (c) Construct the Facility on the Property with a project budget of approximately sixteen million dollars (\$16,000,000.00) in Capital Investment. Provided, however, that no investment made by Titan prior to closing on the Property shall count toward said sixteen million dollars.
- (d) Submit schematic drawings for the Facility, or the first thereof if more than one Facility, to the City of Lockhart within one hundred 180 (180) days of execution of closing on the Property under the PSA, and thereafter commence construction of said Facility within one hundred fifty (150) days after the City's approval of the construction plans and issuance of a building permit for said Facility. A 90 (ninety) day extension may be requested in writing to City Council during the first 180 days for consideration and approval solely by the City Council.
- (e) Complete construction of the Facility, or the first thereof if more than one Facility, and obtain a Certificate of Occupancy from the City within eighteen (18) months after the issuance of the aforesaid building permit for said Facility.

- (f) Titan shall provide the City with proof of investment by submitting copies of receipts or other documentation reasonably and commercially satisfactory to the City, which shall be provided within ninety (90) days of the end of construction of the Facility, or the first thereof if more than one Facility.
- (g) Keep current in the payment of taxes owed for the Facility to any taxing jurisdiction in which the Property is located unless such taxes are being legally contested by Titan.

Section 5. City Requirements

- (a) In consideration of Titan's agreement to perform the acts described above, City agrees to provide a grant to Titan in an amount of money equal to a percentage of the road impact fees paid by Titan on the development of the Facility and actually collected by the City.
- (b) The amount of the grant to be paid to Titan by the City shall be calculated as follows: Fifty percent (50%) of the road impact fees collected by the City not to exceed three hundred twenty-six thousand and 00/100ths dollars (\$326,000.00), ("Grant").

Section 6. Recapture/Termination

- (a) In the event that Titan begins construction on the Facility on the Property, but subsequently discontinues construction on the Facility for any reason, excepting fire, explosion or other casualty or accident or natural disaster or other event beyond the reasonable control of Titan for a period of one hundred eighty (180) days during the term of this Agreement, then in such event the City will no longer be obligated to expend any further funds, and Titan shall be required to repay the Grant to the City within 30 days of the expiration of the 180 days. The burden shall be upon Titan to prove to the reasonable satisfaction of the City that the discontinuance of operating the Facility was as a result of fire, explosion, or other casualty or accident or natural disaster or other event beyond the control of Titan. In the event Titan meets this burden and the City is satisfied that the discontinuance of the operation of the Facility was the result of events beyond the control of Titan, then Titan shall have a period of one (1) year in which to resume the construction thereof. In the event that Titan fails to resume the construction of the Facility within one (1) year, then in such event the City will no longer be obligated to expend any further monies and Titan shall be required to repay the Grant to the City within 30 days of the expiration of the one-year period.
- (b) In the event that Titan allows ad valorem taxes on property owed to the City to become delinquent and fails to timely and properly follow the legal procedures for their protest or contest, then in such event the City will no

longer be obligated to expend any further monies and Titan shall be required to repay the Grant to the City within 30 days of such event.

- (c) In the event that the City determines that Titan is in default of any of the terms or conditions contained in this Agreement, then in such event the City shall give Titan thirty (30) days written notice to cure such default. In the event such default is not cured to the reasonable satisfaction of the City within the thirty (30) days notice period, then in such event the City will no longer be obligated to expend any further monies, and Titan shall be required to repay the Grant to the City within 30 days of the default.
- (d) In the event that Titan shall fail to repay the City within the time set forth under any provision of this Section 5, Titan hereby agrees that the City may place a lien on Property belonging to Titan and located in Caldwell County, Texas for full payment of such monies.

Section 7. Payment Request and Certification of Compliance: Upon payment by Titan of road impact fees for the Property, Titan shall submit a payment request for the Grant and certify in writing to the City that, at the time such request is made, it is compliance with all provisions of this Agreement and that all taxes related to the Property have been paid in full as required by law ("Payment Request"). Such Payment Request shall be delivered to _____ (name), at _____ (e-mail), The City, at any reasonable time, shall have the right to review Titan's records related to the provisions of this Agreement. City shall pay the Grant to Titan within fifteen (15) days after receipt of the Payment Request.

Section 8. Entire Agreement: This Agreement contains the entire agreement between the City and Titan with respect to the transactions contemplated herein. This Agreement may be amended, altered, or revoked only by written instrument signed by the City and Titan.

Section 9. Successors and Assigns: This Agreement shall be binding on and inure to the benefit of the parties, their respective successors and assigns. Titan may assign its rights and obligations under this agreement only upon prior written approval of the City, which approval shall not be unreasonably withheld or delayed.

Section 10. Notices: Any notice and/or statement required and permitted to be delivered shall be deemed delivered by depositing same in the United States mail, certified with return receipt requested, postage prepaid, addressed to the appropriate party at the following addresses or at such addresses provided by the parties in writing hereafter:

TITAN:

Titan Lockhart Land Investors, LLC
Attn: Joe Iannacone
4903 Woodrow Ave., Bldg. A
Austin, TX 78756
Email: jiannacone@titan-development.com

With a copy to: Titan Lockhart Land Investors, LLC
Attn: Aimeé González
6300 Riverside Plaza Ln., NW, Suite 200
Albuquerque, New Mexico, 87120
Email: agonzalez@titan-development.com

City: City of Lockhart
Attn: City Manager
P.O. Box 239
Lockhart, Texas 78644
Email: _____.

Section 11. Interpretation: Regardless of the actual drafter of this Agreement, this Agreement shall in the event of dispute over its meaning or application, be interpreted fairly and reasonably, and neither more strongly for or against either party.

Section 12. Applicable Law: This Agreement is made and shall be construed and interpreted under the laws of the State of Texas and venue shall lie in Caldwell County, Texas.

Section 13. Severability: In the event that any provision of this Agreement is illegal, invalid, or unenforceable under present or future laws, then and in that event it is the intention of the parties hereto that the remainder of this Agreement shall not be affected thereby, and it is also the intention of the parties to this Agreement that in lieu of each clause or provision that is found to be illegal, invalid, or unenforceable, a provision be added to this Agreement which is legal, valid and enforceable and is as similar in terms as possible to the provision found to be illegal, invalid, or unenforceable.

Section 14. Mutual Assistance: City and Titan agree to do all things necessary or appropriate to carry out the terms and provisions of this Agreement and to aid and assist each other in carrying out such terms and provisions.

Section 15. Limitation on Liability. It is acknowledged and agreed by the parties hereto that the terms hereof are not intended to and shall not be deemed to create a partnership or joint venture among the parties.

Section 16. Authorization. Each party hereto represents that it has full capacity and authority to grant all rights and assume all obligations that are granted and assumed under this Agreement. The undersigned officers and/or agents of the parties hereto are the properly authorized officials and have the necessary authority to execute this Agreement on behalf of said party.

Section 17. Counterparts. This Agreement may be executed in counterparts. Each of the counterparts shall be deemed an original instrument, but all of the counterparts shall constitute one and the same instrument.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the 18th day of APRIL, 2023.

THE CITY OF LOCKHART

ATTEST:

Lew White

Lew White, Mayor

Julie Bowermon

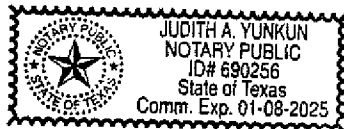
Julie Bowermon, City Secretary

State of Texas)(

)(

County of Caldwell)(

The foregoing instrument was acknowledged before me this 18th day of April, 2023, by Lew White, known to me to be the Mayor of the City of Lockhart, Texas.



Judith A. Yunkun
Notary Public, State of Texas

My Commission expires: 1/8/2025

TITAN LOCKHART LAND INVESTORS, LLC

By: Titan Lockhart Management, LLC
Its Manager

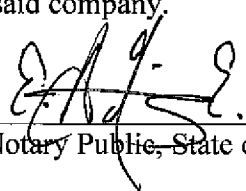
By: Titan Property Management, LLC
Its Manager

By: 
Ben F. Spencer, Manager

State of New Mexico)(
)(
County of Bernalillo)(

The foregoing instrument was acknowledged before me this 24 day of April, 2023, by Ben F. Spencer, as Manager of Titan Property Management, LLC, as Manager of Titan Lockhart Land Investors, LLC, on behalf of said company.




Notary Public, State of New Mexico

My Commission expires: 12-19-2024



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:

