

**PUBLIC NOTICE**

**AGENDA**

**LOCKHART CITY COUNCIL**

**December 21, 2021**

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

**6:30 P.M. WORK SESSION (No Action)**

Work session will be held to receive briefings and to initially discuss all items contained on the Agenda posted for 7:30 p.m. Generally, this work session is to simplify issues as it relates to the agenda items. No vote will be taken on any issues discussed or reviewed during the work session.

**DISCUSSION ONLY**

- A. Discuss City Council minutes of December 7, 2021. *4-7*
- B. Discuss fuel bid award to Schmidt & Sons, Inc. with a profit margin of 5 cents per gallon for gasoline and 5 cents per gallon for diesel over the Oil Price Information Services (OPIS) price from Austin, Texas, RACK, posted weekly, and appointing the Mayor to sign approval documents. *8-14*
- C. Discuss one year renewal to the existing contract with Gene Bagwell, dba, Maintenance Management of San Marcos, Texas for cemetery maintenance mowing services in the West Section of the Lockhart Municipal Burial Park on North Colorado Street in the amount of \$53,248.40 and appointing the Mayor to sign the contractual document if approved. *15-21*
- D. Discuss semi-annual report from the Impact Fee Advisory Committee concerning the status of implementation of Chapter 31 "impact fees" of the Lockhart Code of Ordinances with regard to water, wastewater, and road impact fees, and discussion and/or action to consider the need to update or revise the land use assumptions, capital improvement plans (CIP's), and impact fees. *22-27*
- E. Discussion regarding petition for rate adjustment filed by Central Texas Refuse LLC dated November 17, 2021 as outlined in Resolution 2021-23. *28-30*
- F. Discussion regarding matters related to COVID-19. *31-50*

**7:30 P.M. REGULAR MEETING**

**1. CALL TO ORDER**

Mayor Lew White

**2. INVOCATION, PLEDGE OF ALLEGIANCE**

Invocation. Pledge of Allegiance to the United States and Texas flags.

**3. PUBLIC COMMENT**

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

**4. PUBLIC HEARING/COUNCIL ACTION**

- A. Hold a PUBLIC HEARING on applications ZC-21-19 and PDD-21-02 by Keith Schauer, P.E., on behalf of Jesco Construction, Inc., and discussion and/or action to consider Ordinance 2021-41 for a **Zoning Change** from *RMD Residential Medium Density District* to *PDD Planned Development District*, including by-reference adoption of a **PDD Development Plan** for *Jesco Subdivision*, on 9.186 acres in the James George Survey, Abstract No. 9, and located at 920 Trinity Street.

51-75

**5. CONSENT AGENDA**

- A. Approve City Council minutes of December 7, 2021.
- B. Approve fuel bid award to Schmidt & Sons, Inc. with a profit margin of 5 cents per gallon for gasoline and 5 cents per gallon for diesel over the Oil Price Information Services (OPIS) price from Austin, Texas, RACK, posted weekly, and appointing the Mayor to sign approval documents.
- C. Approve one year renewal to the existing contract with Gene Bagwell, dba, Maintenance Management of San Marcos, Texas for cemetery maintenance mowing services in the West Section of the Lockhart Municipal Burial Park on North Colorado Street in the amount of \$53,248.40 and appointing the Mayor to sign the contractual document if approved.

76-79

80-86

87-93

**6. DISCUSSION/ACTION ITEMS**

- A. Discussion and/or action to consider accepting the semi-annual report from the Impact Fee Advisory Committee concerning the status of implementation of Chapter 31 "impact fees" of the Lockhart Code of Ordinances with regard to water, wastewater, and road impact fees, and discussion and/or action to consider the need to update or revise the land use assumptions, capital improvement plans (CIP's), and impact fees. 94-99
- B. Discussion and/or action regarding petition for rate adjustment filed by Central Texas Refuse LLC dated November 17, 2021 as outlined in Resolution 2021-23. 100-102
- C. Discussion regarding matters related to COVID-19. 103-122
- D. Discussion and/or action regarding appointments to various boards, commissions or committees. 123-133

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

- Fire Department updates.
- City Offices closed on December 23 & 24 in observance of Christmas Holidays and December 31 in observance of New Year's Holiday.

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

**9. EXECUTIVE SESSION IN ACCORDANCE WITH THE PROVISIONS OF THE GOVERNMENT CODE, TITLE 5, SUBCHAPTER D, SECTION 551.074, TO DELIBERATE THE APPOINTMENT, EMPLOYMENT, EVALUATION, REASSIGNMENT, DUTIES, DISCIPLINE, OR DISMISSAL OF A PUBLIC OFFICER OR EMPLOYEE.**

- A. Conduct City Manager's evaluation.

**10. OPEN SESSION**

- A. Discussion and/or action to consider Resolution 2021-24 authorizing a salary adjustment for City Manager Steven Lewis and addendum to the City Manager Agreement dated effective August 18, 2018 by and between the City of Lockhart and Steven Lewis. 134-136

**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 the 17th day of December, 2021 at 3:30 p.m.



**LOCKHART CITY COUNCIL  
REGULAR MEETING**

**DECEMBER 7, 2021**

**6:30 P.M.**

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

**Council present:**

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

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

**Staff present:**

Steven Lewis, City Manager  
Monte Akers, City Attorney  
Sean Kelley, Public Works Director  
Pam Larison, Finance Director

Connie Constancio, City Secretary  
Victoria Maranan, Public Information Officer  
Shane Mondin, Building Official  
Tina Ramsey, Victim Assistance Team

**Citizens/Visitors Addressing the Council:** Charles Cloutman of Meals on Wheels of Central Texas.

**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:

**A. PRESENTATION OF A PROCLAMATION DECLARING DECEMBER 1-7, 2021 AS TREE OF ANGELS WEEK.**

Mayor White presented the proclamation to Representatives of the Lockhart Victim Assistance Team (VAT). He announced that the Tree of Angels ceremony is virtual this year and can be viewed on-line. Tina Ramsey of the Lockhart Victim Assistance Team thanked the Council for their continued support and stated that the Tree of Angels is displayed at Lockhart City Hall.

Mayor Pro-Tem Sanchez arrived at the meeting.

**B. PRESENTATION BY CHARLES CLOUTMAN REGARDING A GRANT AWARDED TO THE MEALS ON WHEELS OF CENTRAL TEXAS BY THE *just keep livin'* FOUNDATION FOR STORM HOME REPAIRS AND HOME WEATHERIZATION EFFORTS FOR LOW- INCOME HOMEOWNERS IN CALDWELL COUNTY.**

Charles Cloutman, Vice President of the Home Repairs of the Meals on Wheels of Central Texas provided information regarding a \$1 million grant that they were awarded through the *just keep livin' Foundation*. The grant would allow assistance for low-income homeowners in Caldwell County with winter storm and weatherization home repairs. Meals on Wheels of Central Texas will administer all aspects of the grant process. There was discussion.

**C. DISCUSS CITY COUNCIL MINUTES OF THE NOVEMBER 15, 2021 AND NOVEMBER 16, 2021 MEETINGS.**

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



**D. DISCUSSION REGARDING THE HIGH SERVICE PUMP STATION EXPANSION AT THE LOCKHART WATER TREATMENT PLANT.**

Mr. Kelley stated that the objective of the upgrade is to deliver potable water of approved quality at established pressures, and in quantities and rates of flow that the customer’s desire. The goal is to deliver treated water to customers while maintaining a minimum normal operating pressure of 35-psi and a minimum pressure of 20-psi during fire flow conditions. There was discussion.

**E. DISCUSSION REGARDING ORDINANCE 2021-39 AMENDING CHAPTER 12 OF THE CITY OF LOCKHART CODE OF ORDINANCES, BUILDINGS AND BUILDING REGULATIONS, ARTICLES II, III, IV, V, VI, VII AND IX, ADOPTING THE 2018 INTERNATIONAL BUILDING CODES WITH AMENDMENTS AS FOLLOWS: BUILDING CODE, EXISTING BUILDING CODE, RESIDENTIAL CODE, PLUMBING CODE, FUEL AND GAS CODE, MECHANICAL CODE, ENERGY CODE, SWIMMING POOL AND SPA CODE, AND THE 2017 NATIONAL ELECTRICAL CODE.**

Mr. Mondin stated that the City's current adopted code is the 2015 edition. In order to comply with current code requirements and assist with better Insurance Services Office ratings, the International Building Code and the International Residential Code, 2018 edition needs to be adopted with local amendments. The new code will take effect 30 days after passage. Most contractors and design professionals are already familiar with the 2018 code. Other surrounding cities that use the 2018 International Codes are San Marcos, Kyle and Buda. Additional research of other cities is as follows: San Antonio and Taylor use 2018 International Codes, City of Gonzales uses 2015 International Codes, City of Luling uses 2009 International Codes and City of Austin uses 2021 International Codes. Mr. Mondin recommended approval. There was discussion.

**F. DISCUSSION REGARDING MATTERS RELATED TO COVID-19.**

Mayor White stated that there were no matters to discuss relating to COVID-19.

RECESS: Mayor White announced that the Council would recess for a break at 7:00 p.m.

**REGULAR MEETING**

**ITEM 1. CALL TO ORDER.**

Mayor Lew White called the meeting to order at 7:20 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. HOLD A PUBLIC HEARING ON APPLICATIONS ZC-21-19 AND PDD-21-02 BY KEITH SCHAUER, P.E., ON BEHALF OF JESCO CONSTRUCTION, INC., AND DISCUSSION AND/OR ACTION TO CONSIDER A ZONING CHANGE FROM RMD RESIDENTIAL MEDIUM DENSITY DISTRICT TO PDD PLANNED DEVELOPMENT DISTRICT, INCLUDING A PDD DEVELOPMENT PLAN FOR THE JESCO SUBDIVISION, ON 9.186 ACRES IN THE JAMES GEORGE SURVEY, ABSTRACT NO. 9, LOCATED AT 920 TRINITY STREET. WITHDRAWN - RESUBMITTED FOR CONSIDERATION AT THE DECEMBER 21, 2021 COUNCIL MEETING.**

Mayor White announced that the item was withdrawn and it will be resubmitted for consideration at the December 21, 2021 Council meeting.

**ITEM 5-A. CONSIDER CITY COUNCIL MINUTES OF THE NOVEMBER 15, 2021 AND NOVEMBER 16, 2021 MEETINGS.**

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

**ITEM 5-B. DISCUSSION REGARDING THE HIGH SERVICE PUMP STATION EXPANSION AT THE LOCKHART WATER TREATMENT PLANT.**

There was no action taken.

**ITEM 5-C. DISCUSSION AND/OR ACTION TO CONSIDER ORDINANCE 2021-39 AMENDING CHAPTER 12 OF THE CITY OF LOCKHART CODE OF ORDINANCES, BUILDINGS AND BUILDING REGULATIONS, ARTICLES II, III, IV, V, VI, VII AND IX, ADOPTING THE 2018 INTERNATIONAL BUILDING CODES WITH AMENDMENTS AS FOLLOWS: BUILDING CODE, EXISTING BUILDING CODE, RESIDENTIAL CODE, PLUMBING CODE, FUEL AND GAS CODE, MECHANICAL CODE, ENERGY CODE, SWIMMING POOL AND SPA CODE, AND THE 2017 NATIONAL ELECTRICAL CODE.**

Councilmember Michelson made a motion to approve Ordinance 2021-39, as presented. Councilmember Westmoreland seconded. The motion passed by a vote of 7-0-1

**ITEM 5-D. DISCUSSION REGARDING MATTERS RELATED TO COVID-19.**

There was no discussion.

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

Mayor White requested appointments to boards and committees. There were none.

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

- Special meeting on December 14, 2021 at 6:30 p.m. to consider two items.
- Animal Services transition to Police Department.

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

Mayor Pro-Tem Sanchez thanked the Friends of the Library and Library staff for the successful Dickens' Reverse Lighted Parade. She expressed condolences to the families of Christina Davenport, Florentino Martinez, Agapito Hernandez, and Billy Joyce Branch for their loss.

Councilmember McGregor encouraged everyone to give back to the community during the holidays.

Councilmember Bryant thanked the Victim Assistance Team for the Tree of Angels Week and he expressed condolences to those that have lost a loved one.

Councilmember Michelson thanked all involved with the Dickens' Reverse Lighted parade.

Mayor White thanked all involved with the Dickens' Reverse Lighted parade and stated that he hopes that the event will be back to normal next year.

**ITEM 8. 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 PENDING OR CONTEMPLATED LITIGATION; SETTLEMENT OFFER; OR LEGAL MATTERS SUBJECT TO ATTORNEY/CLIENT PRIVILEGE. Consultation with City Attorney to seek legal advice on matters subject to the attorney-client privilege.**

Mayor White announced that the Council would enter Executive Session at 7:30 p.m.

**ITEM 9. OPEN SESSION. Discussion and/or action regarding matters discussed in Executive Session.**

Mayor White announced that the Council would enter Open Session at 8:05 p.m. There was no action.

**ITEM 10. ADJOURNMENT.**

Mayor Pro-Tem Sanchez made a motion to adjourn the meeting. Councilmember Mendoza seconded. The motion passed by a vote of 7-0. The meeting was adjourned at 8:05 p.m.

PASSED and APPROVED this the 21<sup>st</sup> day of December 2021.

**CITY OF LOCKHART**

\_\_\_\_\_  
Lew White, Mayor

ATTEST:

\_\_\_\_\_  
Connie Constancio, TRMC  
City Secretary



# City of Lockhart, Texas

## Council Agenda Item Cover Sheet

**COUNCIL MEETING DATE:** December 21, 2021

**AGENDA ITEM CAPTION:** Discuss fuel bid award to Schmidt & Sons, Inc. with a profit margin of 5 cents per gallon for gasoline and 5 cents per gallon for diesel over the Oil Price Information Services (OPIS) price from Austin, Texas, RACK, posted weekly, and appointing the Mayor to sign approval documents.

**ORIGINATING DEPARTMENT AND CONTACT:** Public Works - Sean Kelley

**ACTION REQUESTED:** Approval of Bid

**BACKGROUND/SUMMARY/DISCUSSION:** Fuel bids were sought in compliance with State Law. The City uses about 40,000 gallons of gasoline and 26,000 gallons of diesel per year. A total of two bids were received for the annual fuel delivery contract. The attached synopsis shows the overall best bid was submitted by Golden West Oil Company, but Schmidt & Sons, Inc. is within 5% of the lowest bid. Since local companies are also allowed an additional 5% consideration in their bid submittals, Schmidt & Sons, Inc., of Lockhart may be awarded the bid at \$0.050 per gallon for gasoline and \$0.050 per gallon for diesel. Besides being a local company, Schmidt & Sons provides additional benefits by providing 24-hour emergency fuel supplies from their facility on Patton Road when the City fuel systems are down due to maintenance or repairs.

**PROJECT SCHEDULE (if applicable):** Provide fuel from January 1, 2022 to December 31, 2022.

**AMOUNT & SOURCE OF FUNDING:**

**Funds Required:**

**Account Number:**

**Funds Available:**

**Account Name:**

**FISCAL NOTE (if applicable):**

**PREVIOUS COUNCIL ACTION:** N/A

**COMMITTEE/BOARD/COMMISSION ACTION:** N/A

**STAFF RECOMMENDATION/REQUESTED MOTION:** Staff recommends awarding annual fuel bid to Schmidt & Sons, Inc.

# ***City of Lockhart, Texas***

## **Council Agenda Item Cover Sheet**

**LIST OF SUPPORTING DOCUMENTS:** 2022 Fuel Bid Advertisement and Form, Fuel bids,  
2022 Fuel Bid Selection Data



**CITY OF LOCKHART  
PUBLIC BID FOR FUELS**

The City of Lockhart is accepting annual supply bids for approximately 40,000 gallons of unleaded plus gasoline and 26,000 gallons of No. 2 dyed diesel fuel. A minimum of two-thousand five hundred (2,500) gallons would be ordered at any given time. The price of fuels may increase or decrease based on the Daily *average* Oil Price Information Service (OPIS) price published each Thursday from the Austin, Texas, Rack. The amount designated as the supplier's profit margin per gallon must include delivery and must remain the same during the term of the contract. The contract term will be from one year from the date of approval by the City Council. Bid award may be separate for each fuel. Required forms for bid submittal are available on the City's website at [www.lockhart-tx.org](http://www.lockhart-tx.org) or the Public Works Office at 705 Wichita Street during normal business hours.

Bids must be received by ***11 am, Wednesday, December 8, 2021 at City Hall, 308 W. San Antonio Street, PO Box 239, Lockhart, Texas 78644.*** Bids not received by this time and date will be rejected. Bid envelopes should be externally marked to indicate ***"Fuel Bids"***.

The City of Lockhart reserves the right to reject any and all fuel bids.



**CITY OF LOCKHART  
PUBLIC WORKS DEPARTMENT**

**Annual Fuel Bid Package**

Unleaded Plus Gasoline  
No. 2 Dyed Diesel

**Bid Opening Information:**

Date: December 8, 2021  
Time: 11:00 am  
Place: Lockhart City Hall  
PO Box 239  
308 W. San Antonio Street  
Lockhart, Texas 78644

**Bid**

2,500 gallon Min. Delivery

<b><u>Fuel Type</u></b>	<b><u>Profit Margin Per Gallon</u></b>
Unleaded Plus	\$0. _____ per gal. over OPIS
No. 2 Dyed Diesel	\$0. _____ per gal. over OPIS

All deliveries to be made to 705 Wichita Street during normal business hours unless otherwise specified. During the term of the contract, fuel price may increase or decrease based on the *Daily* Oil Price Information Service (OPIS) Price from Austin, TX, RACK. The amount designated by the supplier's profit margin per gallon will remain constant for the term of the contract which is for one year from the date of award by the Lockhart City Council.

\_\_\_\_\_  
Supplier Firm (Printed)

\_\_\_\_\_  
Printed name and title

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

**CITY OF LOCKHART  
PUBLIC WORKS DEPARTMENT**

**Annual Fuel Bid Package**

Unleaded Plus Gasoline  
No. 2 Dyed Diesel

**Bid Opening Information:**

Date: December 8, 2021  
Time: 11:00 am  
Place: Lockhart City Hall  
PO Box 239  
308 W. San Antonio Street  
Lockhart, Texas 78644

**Bid**

2,500 gallon Min. Delivery

**Fuel Type**

**Profit Margin Per Gallon**

Unleaded Plus

\$0. 05 per gal. over OPIS

No. 2 Dyed Diesel

\$0. 05 per gal. over OPIS

All deliveries to be made to 705 Wichita Street during normal business hours unless otherwise specified. During the term of the contract, fuel price may increase or decrease based on the *Daily* Oil Price Information Service (OPIS) Price from Austin, TX, RACK. The amount designated by the supplier's profit margin per gallon will remain constant for the term of the contract which is for one year from the date of award by the Lockhart City Council.

Schmidt & Sons, Inc.

Supplier Firm (Printed)

Susan Barnick - Controller

Printed name and title

Susan Barnick

Signature

12.8.2021

Date

**CITY OF LOCKHART  
PUBLIC WORKS DEPARTMENT**

**Annual Fuel Bid Package**

Unleaded Plus Gasoline  
No. 2 Dyed Diesel

**Bid Opening Information:**

Date: December 8, 2021  
Time: 11:00 am  
Place: Lockhart City Hall  
PO Box 239  
308 W. San Antonio Street  
Lockhart, Texas 78644

**Bid**

2,500 gallon Min. Delivery

<u>Fuel Type</u>	<u>Profit Margin Per Gallon</u>
Unleaded Plus	\$0. <u>0440</u> per gal. over OPIS
No. 2 Dyed Diesel	\$0. <u>0540</u> per gal. over OPIS

All deliveries to be made to 705 Wichita Street during normal business hours unless otherwise specified. During the term of the contract, fuel price may increase or decrease based on the *Daily Oil Price Information Service* (OPIS) Price from Austin, TX, RACK. The amount designated by the supplier's profit margin per gallon will remain constant for the term of the contract which is for one year from the date of award by the Lockhart City Council.

Golden West Oil Company  
Supplier Firm (Printed)  
Chad Raemsch - Sales Rep  
Printed name and title  
Chad Raemsch  
Signature  
12/7/21  
Date



## Fuel Bids Synopsis-Top Two Companies

**2022**

<u>Company and Bid Analysis</u>	<u>Margin</u>	<u>Surcharge</u>	<u>Extension</u>
<b>Golden West</b>			
<b>New Braunfels, Texas</b>			
Gasoline	40,000 \$ 0.0440		\$ 1,760.00
Average Loads per year			\$ -
Diesel	26000 \$ 0.0540		\$ 1,404.00
Average Loads			\$ -
		Total	\$ 3,164.00
<b>Schmidt &amp; Sons</b>			
<b>Lockhart, Texas business</b>			
Gasoline	40,000 \$ 0.0500		\$ 2,000.00
Average Loads per year			
Diesel	26000 \$ 0.0500		\$ 1,300.00
Average Loads			
		Toal	\$ 3,300.00

The Schmidt & Sons bid is \$136 (4.2%) more than Golden West Oil Co.

Local business preference can be up to 5 % difference.

Schmidt & Sons is recommended for the bid award by staff.

**Additional Factors of Consideration:**

Schmidt & Sons is a local company that has a history of providing timely fuel deliveries from its local bulk plant. The Company also provides fuel services when City fuel pumps are down which is a great convenience.

# City of Lockhart, Texas

## Council Agenda Item Cover Sheet

**COUNCIL MEETING DATE:** December 21, 2021

**AGENDA ITEM CAPTION:** Discuss one year renewal to the existing contract with Gene Bagwell, dba, Maintenance Management of San Marcos, Texas for cemetery maintenance mowing services in the West Section of the Lockhart Municipal Burial Park on North Colorado Street in the amount of \$53,248.40 and appointing the Mayor to sign the contractual document if approved.

**ORIGINATING DEPARTMENT AND CONTACT:** Public Works - Sean Kelley

**ACTION REQUESTED:** Award of Contract

**BACKGROUND/SUMMARY/DISCUSSION:** The existing contract was awarded in 2009. Mr. Bagwell has maintained the City cemetery for the past 20 years and has done a commendable job, especially in the areas of customer service. This company has multiple cemetery mowing maintenance contracts including the City of San Marcos, City of Austin and the State Veteran's Land Board. This contract does have cost adjustments to the base bid price based on the annual June Consumer Price Index, with a maximum increase or decrease amount of 3%. The City can cancel the proposed contract with a 30-day written notice to the contractor as written in Section 12 of the existing contract. General liability and workers compensation insurances that cover the City of Lockhart are requirements of this contract.

**PROJECT SCHEDULE (if applicable):** Contract renewal duration from January 1, 2022 to December 31, 2022.

**AMOUNT & SOURCE OF FUNDING:**

**Funds Required:** \$53,248.40

**Account Number:** 100-5632-208 -Cemetery – Grounds and Landscaping

**Funds Available:** \$57,000

**Account Name:** FY Budget 2021-2022

**FISCAL NOTE (if applicable):** N/A

**PREVIOUS COUNCIL ACTION:** N/A

**COMMITTEE/BOARD/COMMISSION ACTION:** N/A

# ***City of Lockhart, Texas***

## **Council Agenda Item Cover Sheet**

**STAFF RECOMMENDATION/REQUESTED MOTION:** Staff respectfully recommends approval of contract extension for one year from January 1, 2022 to December 31, 2022 with Gene Bagwell, dba, Maintenance Management under the provisions of the existing contract in the amount of \$53,248.40.



**LIST OF SUPPORTING DOCUMENTS:** Cemetery Map-Mowing Service Areas, Contract Renewal Notice 2022, Bagwell Cemetery Maintenance Contract

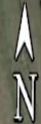


# Lockhart Municipal Burial Park

Mowing/Maintenance Service Areas

**Legend**

-  City Maintained Section
-  Contractor Maintained Section





STATE OF TEXAS )  
 ) CITY OF  
LOCKHART )  
CALDWELL COUNTY )

**CONTRACT RENEWAL**

**Mr. Gene Bagwell d/b/a Maintenance Management  
625 Pioneer Trail  
San Marcos, Texas 78666**

**Re: Third Renewal of Lockhart Cemeteries Maintenance Contract Agreement**

**Initial Term: January 1, 2010 through December 31, 2014  
First Renewal Term: January 1, 2015 through December 31, 2019  
Second Renewal Term: January 1, 2020 through December 31, 2020  
Third Renewal Term: January 1, 2021 through December 31, 2021  
Fourth Renewal term: January 1, 2022 through December 31, 2022**

**Date: December 21, 2021**

The Cemeteries Maintenance Contract described above was awarded to you on November 10, 2009. We have determined that you have performed in accordance with the requirements of the Contract.

Therefore, the City is exercising its option to renew the Contract year to year effective from January 1, 2021 through December 31, 2021. This renewal period is governed by the specifications, pricing, terms and conditions set forth in the Cemeteries Maintenance Contract. Also, this Contract Renewal reflects the understanding of you and the City when the original Agreement was entered into, and rectifies the renewal language on page 8, section 1 of the Contract Agreement, that the first renewal term of the Lockhart Cemeteries Maintenance Contract Agreement is for five (5) additional years and thereafter year to year at the City's discretion.

The Contract amount price set forth in this Renewal will be in the amount of \$53,248.40. This Contract amount is subject to price adjustments at the beginning of the City's fiscal year (October 1) based on the "June" Consumer Price Index as published by the U.S. Department of Labor, Bureau of Labor Statistics. Any such adjustment may not increase more than 3% or decrease more than 3%. Proposed price adjustments must be presented to the City in writing at least 90 days prior to October 1, 2022.

**Re: Third Renewal of Lockhart Cemeteries Maintenance Contract Agreement**

**Initial Term: January 1, 2010 through December 31, 2014**

**First Renewal Term: January 1, 2015 through December 31, 2019**

**Second Renewal Term: January 1, 2020 through December 31, 2020**

**Third Renewal Term: January 1, 2021 through December 31, 2021**

**Fourth Renewal Term: January 1, 2022 through December 31, 2022**

I hereby acknowledge acceptance of this Contract Renewal, and I agree to be bound by all requirements, terms, and conditions as set forth in the Lockhart Cemeteries Maintenance Contract Agreement and this Contract Renewal.

**CONTRACTOR**

\_\_\_\_\_  
Mr. Gene Bagwell d/b/a Maintenance Management

\_\_\_\_\_  
Date

**CITY OF LOCKHART**

\_\_\_\_\_  
Lew White, Mayor

\_\_\_\_\_  
Date

Attest:

\_\_\_\_\_  
Connie Constancio, TRMC, City Secretary

\_\_\_\_\_  
Date

STATE OF TEXAS )  
 )  
CALDWELL COUNTY )

CITY OF LOCKHART

**CONTRACT RENEWAL**

**Mr. Gene Bagwell d/b/a Maintenance Management  
625 Pioneer Trail  
San Marcos, Texas 78666**

**Re: Third Renewal of Lockhart Cemeteries Maintenance Contract Agreement**

**Initial Term: January 1, 2010 through December 31, 2014  
First Renewal Term: January 1, 2015 through December 31, 2019  
Second Renewal Term: January 1, 2020 through December 31, 2020  
Third Renewal Term: January 1, 2021 through December 31, 2021**

**Date: November 17, 2020**

The Cemeteries Maintenance Contract described above was awarded to you on November 10, 2009. We have determined that you have performed in accordance with the requirements of the Contract.

Therefore, the City is exercising its option to renew the Contract year to year effective from January 1, 2021 through December 31, 2021. This renewal period is governed by the specifications, pricing, terms and conditions set forth in the Cemeteries Maintenance Contract. Also, this Contract Renewal reflects the understanding of you and the City when the original Agreement was entered into, and rectifies the renewal language on page 8, section 1 of the Contract Agreement, that the first renewal term of the Lockhart Cemeteries Maintenance Contract Agreement is for five (5) additional years and thereafter year to year at the City's discretion.

The Contract amount price set forth in this Renewal will be in the amount of \$53,248.40. This Contract amount is subject to price adjustments at the beginning of the City's fiscal year (October 1) based on the "June" Consumer Price Index as published by the U.S. Department of Labor, Bureau of Labor Statistics. Any such adjustment may not increase more than 3% or decrease more than 3%. Proposed price adjustments must be presented to the City in writing at least 90 days prior to October 1, 2021.



**Re: Third Renewal of Lockhart Cemeteries Maintenance Contract Agreement**

**Initial Term: January 1, 2010 through December 31, 2014**

**First Renewal Term: January 1, 2015 through December 31, 2019**

**Second Renewal Term: January 1, 2020 through December 31, 2020**

**Third Renewal Term: January 1, 2021 through December 31, 2021**

I hereby acknowledge acceptance of this Contract Renewal, and I agree to be bound by all requirements, terms, and conditions as set forth in the Lockhart Cemeteries Maintenance Contract Agreement and this Contract Renewal.

**CONTRACTOR**

\_\_\_\_\_  
Mr. Gene Bagwell d/b/a Maintenance Management

\_\_\_\_\_  
Date

**CITY OF LOCKHART**

  
\_\_\_\_\_  
Lew White, Mayor

11-17-2020  
\_\_\_\_\_  
Date

Attest:

  
\_\_\_\_\_  
Connie Constancio, TRMC, City Secretary

11-17-2020  
\_\_\_\_\_  
Date

# City of Lockhart, Texas

## Council Agenda Item Cover Sheet

**COUNCIL MEETING DATE:** December 21, 2021

**AGENDA ITEM CAPTION:** Discuss semi-annual report from the Impact Fee Advisory Committee concerning the status of implementation of Chapter 31 "impact fees" of the Lockhart Code of Ordinances with regard to water, wastewater, and road impact fees, and discussion and/or action to consider the need to update or revise the land use assumptions, capital improvement plans (CIP's), and impact fees.

**ORIGINATING DEPARTMENT AND CONTACT:** Development Services - Dan Gibson

**ACTION REQUESTED:** Direction

**BACKGROUND/SUMMARY/DISCUSSION:** In accordance with State law, the Impact Fee Advisory Committee has an ongoing role in monitoring and evaluating implementation of the impact fee capital improvement plans, and submitting semi-annual reports to City Council. The Committee met on December 8<sup>th</sup> to consider their 39<sup>th</sup> semi-annual report since impact fees were originally adopted on January 15, 2002. The current total balance of all impact fee accounts is \$3,085,031. Total impact fee revenue during this six-month period was \$462,014, and there were no expenditures of impact fees in any of the accounts for this period. State law requires that qualified consultants be retained every five years to update the land use assumptions, CIP's, and fees. The most recent impact fee update was completed and adopted in 2017, so the statutory five-year update will be due in 2022. The Council does have the option of deciding that an update of the land use assumptions, capital improvement plans, and impact fees isn't necessary. In such case, the City can go another five years without an update or, if the need arises, can choose to do an update at any time before the next five years are up. If the Council does decide that an update is not necessary, a notice of that decision must be published three consecutive times in the newspaper. The notice will state that anyone potentially affected by the impact fees can contact the City within 60 days of the decision and request that the update be done anyway, in which case the City has no choice but to do the update. If nobody requests an update, then the decision not to do an update takes effect. If the Council wishes to do the five-year update, then consultants will need to be hired soon so that their reports can be finished in time to be adopted by the City Council during 2022. More information is contained in the attached semi-annual report and from the Committee, which is for the six-month period from April 1, 2021, to September 31, 2021.

**PROJECT SCHEDULE (if applicable):** If the Council agrees that the impact fee update and adoption of new fees is needed, it should be done during 2022.

# City of Lockhart, Texas

## Council Agenda Item Cover Sheet

### **AMOUNT & SOURCE OF FUNDING:**

**Funds Required:** N/A

**Account Number:** N/A

**Funds Available:** N/A

**Account Name:** N/A

**FISCAL NOTE (if applicable):** Impact fees, which are charged at the time that building permits are issued, provide revenue to the City, and are spent only on projects authorized in the water, wastewater, and road impact fee capital improvement plans.

**PREVIOUS COUNCIL ACTION:** The current land use assumptions, CIP's, and impact fees were adopted on April 4, 2017.

**COMMITTEE/BOARD/COMMISSION ACTION:** On December 8th, the Impact Fee Advisory Committee voted unanimously to submit the attached report, which recommends that an update of the current land use assumptions, capital improvement plans, and impact fees be undertaken in 2022.

**STAFF RECOMMENDATION/REQUESTED MOTION:** Staff recommends that the Council ACCEPT the Impact Fee Advisory Committee's report, and direct staff to retain consultants, as required by State law, to begin the process of the update.

**LIST OF SUPPORTING DOCUMENTS:** Fall 2021 signed committee report to CC, impact fee Exhibit A fall 2021, impact fee Exhibit B fall 2021

**IMPACT FEE REPORT**  
*To Lockhart City Council –December 2021*

**PURPOSE**

State law requires a continuing semi-annual role for the Impact Fee Advisory Committee in monitoring the progress of implementation of the impact fee ordinance, and in advising the City Council on needed revisions. More specifically, State law provides that the Committee:

- 1) Monitor and evaluate implementation of the capital improvements plans;
- 2) File semi-annual reports with respect to the progress of the capital improvements plans and report to City Council any perceived inequities in implementing the plans or imposing the impact fees; and,
- 3) Advise the City Council of the need to update or revise the land use assumptions, capital improvements plans (CIP's), and impact fees.

This is the 39<sup>th</sup> status report since the impact fee ordinance was originally adopted on January 15, 2002, and is for the period from April 1, 2021, to September 31, 2021. It is the ninth report since the update adopted on April 4, 2017, and is based on the current capital improvement plans and impact fees. The six-month reporting dates align with the fiscal year quarters.

**STATUS OF ACCOUNTS**

**Exhibit A** shows revenue totaling \$462,014 during the period covered by this report. Fees collected during the six-month period was for 39 new houses, one retail interior tenant space finish-out, and one industrial building. There were no expenditures of impact fees in any of the accounts for this period. The water, wastewater, and road impact fee account balances for the previous semi-annual report, as well as the current balances as of October 1, 2021, including accrued interest, are shown in the table.

The total estimated cost of all of the projects in the capital improvement plans in effect during the six-month reporting period was \$58,311,537. However, the City Council adopted one-half that amount as the maximum to be collected by April 1, 2027, which is the end of the ten-year CIP period, so the maximum fees are based on an estimated cost of all three CIP's being \$29,155,769. The total of all impact fees spent on CIP projects so far since the April 4, 2017 update is \$673,073, which does not include payments to impact fee update consultants. That leaves \$28,482,696 to still be spent. The total balance available remaining collectively in the four impact fee accounts that can be used toward meeting that goal, is currently \$3,085,031.

## TRENDS

The bar graph in **Exhibit B** illustrates the impact fee collection trends beginning with the first semi-annual report in July 2003. The trends generally reflect the state of the economy, as well as the availability of lots for residential development. With housing demand at an all-time high, and sufficient platted lots available, the total for this reporting period is the highest of all of the reporting periods. It is important to build a healthy balance in all of the accounts because there is interest in development where the City does not currently have adequate infrastructure, but where many of the needed projects are already listed in the impact fee CIP's.

## UPDATE

The most recent impact fee update was completed and adopted in 2017, so the statutory five year update will be due in 2022. The Council does have the option of deciding that an update of the land use assumptions, capital improvement plans, and impact fees isn't necessary. In such case, the City can go another five years without an update or, if the need arises, can choose to do an update at any time before the next five years is up. If the Council does decide that an update is not necessary, a notice of that decision must be published three consecutive times in the newspaper. The notice will state that anyone potentially affected by the impact fees can contact the City within 60 days of the decision and request that the update be done anyway, in which case the City has no choice but to do the update. If nobody requests an update, then the decision to not do an update takes effect.

If the Council wishes to do the five-year update, then consultants will need to be hired soon so that their reports can be finished in time to be adopted by the City Council during 2022. There are several arguments that would support proceeding with the five-year update. The primary reason is due to construction cost inflation. Impact fees are based on the estimated cost of the projects in each CIP, and those costs are now out-of-date. In addition, the CIP's are intended to reflect the anticipated growth of the city, and the rapid population growth we are experiencing may require changes in the location and size of projects that are in the current CIP's, and/or may support adding new projects. For example, there is interest in development tracts to the north, south, and southeast of the city that will require annexations and extensions of utilities. Our water CCN (State-authorized service area) has grown by 2,373 acres to the north, but will also need to expand to the south where the rural water supply company currently having jurisdiction is unable to serve urban land use densities that are currently being proposed in that area.

## RECOMMENDATION

The Committee met on December 8, 2021, and unanimously voted to forward this semi-annual report to the City Council for the period ending on September 31<sup>st</sup>, recommending that an update of the current land use assumptions, capital improvement plans, and impact fees be undertaken in 2022.

Respectfully,



Philip Ruiz, Chair  
Impact Fee Advisory Committee

# EXHIBIT A

## ***FALL 2021 IMPACT FEE ACCOUNT BALANCES<sup>1</sup>***

	<u>April 1, 2021</u>	+	Revenue <sup>2</sup>	-	Expense	=	<u>October 1, 2021</u>
<b>Water</b>	865,618		95,279		0		960,897
<b>Wastewater</b>	805,677		74,166		0		879,843
<b>Roads (Service Area 1)</b>	646,176		7,904		0		654,080
<b>Roads (Service Area 2)</b>	305,546		284,665		0		590,211
<b>TOTAL</b>	<b>\$2,623,017</b>		<b>\$462,014</b>		<b>\$0</b>		<b>\$3,085,031</b>

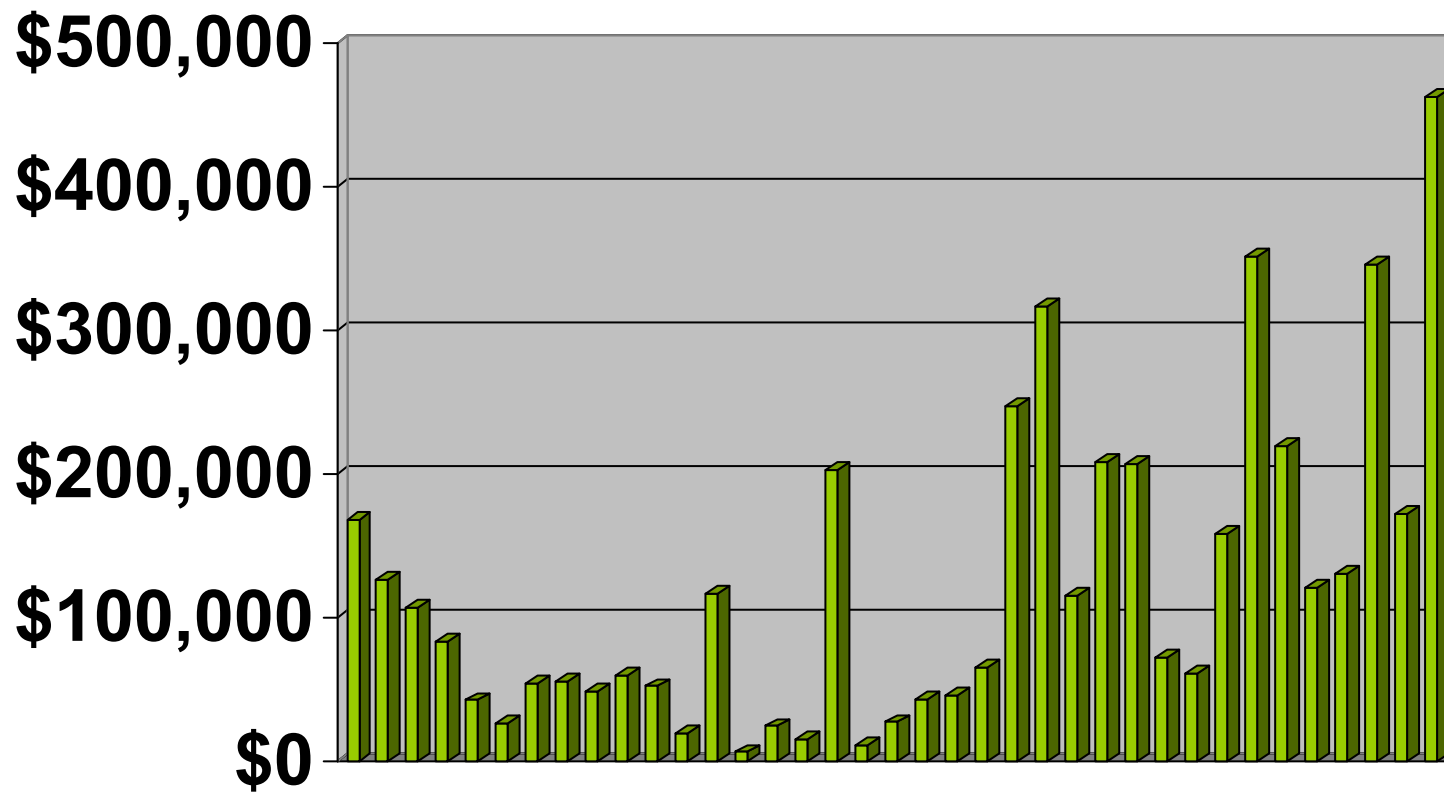
1. All amounts have been rounded to the nearest dollar.

2. Revenue amounts include accrued interest.

One-half total CIP estimated cost (estimated 100% cost of all projects is \$58,311,537):	\$29,155,769
Total spent on projects since adoption of Ordinance 2017-08 on April 4, 2017:	\$673,073
Remaining amount of 1/2 estimated cost not yet spent:	\$28,482,696
Current balance on October 1, 2020:	\$3,085,031

**NOTE:** The CIP cost information is the total for the capital improvements plans adopted by Ordinance 2017-08 on April 4, 2017, with all amounts rounded to the nearest dollar.

**EXHIBIT B**  
***IMPACT FEE SEMI-ANNUAL REVENUE***  
**July 2003 - October 2021**





# ***City of Lockhart, Texas***

## **Council Agenda Item Cover Sheet**

**COUNCIL MEETING DATE:** December 21, 2021

**AGENDA ITEM CAPTION:** Discussion regarding petition for rate adjustment filed by Central Texas Refuse LLC dated November 17, 2021 as outlined in Resolution 2021-23.

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

**ACTION REQUESTED:** Resolution

**BACKGROUND/SUMMARY/DISCUSSION:** The City and Central Texas Refuse, LLC entered into a contract for solid waste services date effective June 1, 2021, after which it was determined that the parties have different interpretations of, or disputes over, certain provisions of the contract. In an effort to resolve the disputes, the City proposed and CTR agreed to submit a petition for a rate adjustment under protest, which CTR did by letter dated November 17, 2021. However, City Staff has determined that acceptance of the petition will not resolve the differences in interpretation of the contract and disputes.

**PROJECT SCHEDULE (if applicable):**

**AMOUNT & SOURCE OF FUNDING:**

**Funds Required:**

**Account Number:**

**Funds Available:**

**Account Name:**

**FISCAL NOTE (if applicable):**

**PREVIOUS COUNCIL ACTION:** Approval of the Solid Waste Services contract with CTR effective June 1, 2021.

**COMMITTEE/BOARD/COMMISSION ACTION:**

**STAFF RECOMMENDATION/REQUESTED MOTION:** Denial of the petition filed under protest.

**LIST OF SUPPORTING DOCUMENTS:** Resolution No. 2021-23

## **RESOLUTION 2021-23**

### **A RESOLUTION OF THE CITY OF LOCKHART, TEXAS DENYING THE PETITION OF CENTRAL TEXAS REFUSE, LLC FOR A FUEL SURCHARGE FOR SOLID WASTE SERVICES PURSUANT TO THE CITY'S CONTRACT WITH CENTRAL TEXAS REFUSE, LLC DATED JUNE 1, 2021**

**WHEREAS**, the City of Lockhart (“the City”) entered into a contract for solid waste services with Central Texas Refuse, LLC, (“CTR”) dated effective June 1, 2021 (“the Contract”); and

**WHEREAS**, in July 2021, CTR notified the City that it intended to implement a fuel surcharge that would affect the rates under the Contract; and

**WHEREAS**, the City determined that the Contract does not authorize implementation of a fuel surcharge unless petitioned by CTR and approved by the City Council through amendment of the Contract, as provided in Sec. III B 2 of the Contract; and

**WHEREAS**, the City and CTR have different interpretations of the Contract, or disputes, regarding the fuel surcharge, the procedure for a rate adjustment, and proper application of Sec. IV A and Schedule B of the Contract regarding the eight percent fee due the City; and

**WHEREAS**, in an attempt to resolve the dispute over interpretation, the City proposed and CTR agreed to submit a petition under Sec. III B 2, but filed under protest; and

**WHEREAS**, the petition under protest from CTR was filed with the City by letter dated November 17, 2021 (“the Petition”); and

**WHEREAS**, pursuant to Sec. III B 2 of the Contract, such a petition was required to “specifically identify the reasons for the requested adjustment and its impact upon the Contractor’s cost of operations, in unit terms, with an explanation of the methodology used to calculate such impact.” and

**WHEREAS**, the Petition contains a summary of CTR’s contract interpretation dispute and its proposed solutions but does not contain the information regarding impact, cost in unit terms, explanation of methodology, or other information required under Sec. III B 2; and

**WHEREAS**, the City Council has determined that acceptance of the petition will not resolve the differences in interpretation of the contract and disputes over the fuel surcharge, the procedure for a rate adjustment, nor proper application of Sec. IV A and Exhibit B of the Contract regarding the eight percent fee due the City, and will not provide a pathway for amendment of the Contract as allowed under Sec. III B 2 of the Contract ;

**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. For the reasons stated in the recitals, the City Council hereby declines to approve the petition or request for implementation of a fuel surcharge.
3. CTR is not prohibited from hereafter filing a petition that complies with Sec. III B 2.

**PASSED AND ADOPTED on this the 21st day of December 2021.**

**CITY OF LOCKHART**

\_\_\_\_\_  
Lew White, Mayor

**ATTEST:**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Connie Constancio, TRMC, City Secretary

\_\_\_\_\_  
Monte Akers, City Attorney

# City of Lockhart, Texas

## Council Agenda Item Cover Sheet

**COUNCIL MEETING DATE:** December 21, 2021

**AGENDA ITEM CAPTION:** Discussion regarding matters related to COVID-19.

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

**ACTION REQUESTED:** Other

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

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

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

### Open Meetings Act Suspensions Terminate effective September 1, 2021

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

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

The following are provisions in the OMA suspension that will no longer be allowed effective September 1, 2021:

- 1) Video conferencing capability will change in that a member of the governing body or board can meet virtually but there must be a quorum physically present at the meeting location.
- 2) Telephone conference meetings will not be allowed to continue and are only allowed in an emergency.

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

# **City of Lockhart, Texas**

## **Council Agenda Item Cover Sheet**

On October 11, 2021, Governor Abbott issued GA-40 prohibiting vaccine mandates, subject to legislative action.

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

**PROJECT SCHEDULE (if applicable):** N/A

**AMOUNT & SOURCE OF FUNDING:**

**Funds Required:** N/A

**Account Number:** N/A

**Funds Available:** N/A

**Account Name:** N/A

**FISCAL NOTE (if applicable):** None.

**PREVIOUS COUNCIL ACTION:** N/A

**COMMITTEE/BOARD/COMMISSION ACTION:** N/A

**STAFF RECOMMENDATION/REQUESTED MOTION:** None.

**LIST OF SUPPORTING DOCUMENTS:** Update of COVID-19 orders and Council actions, GA-39, GA-38, Governor Abbott proclamation renewing the Declaration of Disaster, GA 40

## **HISTORY OF COVID-19 ORDERS/COUNCIL ACTIONS**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

On **October 11, 2021**, Governor Abbott issued GA-40 relating to prohibiting all entities of compelling receipt of a COVID-19 vaccine until the issue has been considered through legislation.





GOVERNOR GREG ABBOTT

August 25, 2021

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

AUG 25 2021

Secretary of State

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


Dear Deputy Secretary Esparza:

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

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

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

Respectfully submitted,

  
Gregory S. Davidson  
Executive Clerk to the Governor

GSD/gsd

Attachment

# Executive Order

BY THE  
GOVERNOR OF THE STATE OF TEXAS

Executive Department  
Austin, Texas  
August 25, 2021

EXECUTIVE ORDER  
GA 39

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

---

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

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

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

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

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

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

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

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

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

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

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SECRETARY OF STATE  
2 PM O'CLOCK

AUG 25 2021

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

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

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

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

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

1. No governmental entity can compel any individual to receive a COVID-19 vaccine. I hereby suspend Section 81.082(f)(1) of the Texas Health and Safety Code, and any other relevant statutes, to the extent necessary to ensure that no governmental entity can compel any individual to receive a COVID-19 vaccine.
2. State agencies and political subdivisions shall not adopt or enforce any order, ordinance, policy, regulation, rule, or similar measure that requires an individual to provide, as a condition of receiving any service or entering any place, documentation regarding the individual's vaccination status for any COVID-19 vaccine. I hereby suspend Section 81.085(i) of the Texas Health and Safety Code, and any other relevant statutes, to the extent necessary to enforce this prohibition. This paragraph does not apply to any documentation requirements necessary for the administration of a COVID-19 vaccine.
3. Any public or private entity that is receiving or will receive public funds through any means, including grants, contracts, loans, or other disbursements of taxpayer money, shall not require a consumer to provide, as a condition of receiving any service or entering any place, documentation regarding the consumer's vaccination status for any COVID-19 vaccine. No consumer may be denied entry to a facility financed in whole or in part by public funds for failure to provide documentation regarding the consumer's vaccination status for any COVID-19 vaccine.
4. Nothing in this executive order shall be construed to limit the ability of a nursing home, state supported living center, assisted living facility, or long-term care facility to require documentation of a resident's vaccination status for any COVID-19 vaccine.
5. This executive order shall supersede any conflicting order issued by local officials in response to the COVID-19 disaster. Pursuant to Section 418.016(a) of the Texas Government Code, I hereby suspend Sections 418.1015(b) and 418.108 of the Texas Government Code, Chapter 81, Subchapter E of the Texas Health and Safety Code, and any

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SECRETARY OF STATE  
2:45 P.M. O'CLOCK

AUG 25 2021

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

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



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

Handwritten signature of Greg Abbott in black ink.

GREG ABBOTT  
Governor

ATTESTED BY:

Handwritten signature of Joe A. Esparza in black ink.  
\_\_\_\_\_  
JOE A. ESPARZA  
Deputy Secretary of State

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

AUG 25 2021





GOVERNOR GREG ABBOTT

July 29, 2021

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

JUL 29 2021

Secretary of State

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

Dear Deputy Secretary Esparza:

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

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

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

Respectfully submitted,

  
Gregory S. Davidson  
Executive Clerk to the Governor

GSD/gsd

Attachment

# Executive Order

BY THE  
GOVERNOR OF THE STATE OF TEXAS

Executive Department  
Austin, Texas  
July 29, 2021

EXECUTIVE ORDER  
GA 38

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

---

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

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

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

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

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

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

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

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

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

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

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

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JUL 29 2021

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

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

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

1. To ensure the continued availability of timely information about COVID-19 testing and hospital bed capacity that is crucial to efforts to cope with the COVID-19 disaster, the following requirements apply:
  - a. All hospitals licensed under Chapter 241 of the Texas Health and Safety Code, and all Texas state-run hospitals, except for psychiatric hospitals, shall submit to the Texas Department of State Health Services (DSHS) daily reports of hospital bed capacity, in the manner prescribed by DSHS. DSHS shall promptly share this information with the Centers for Disease Control and Prevention (CDC).
  - b. Every public or private entity that is utilizing an FDA-approved test, including an emergency use authorization test, for human diagnostic purposes of COVID-19, shall submit to DSHS, as well as to the local health department, daily reports of all test results, both positive and negative. DSHS shall promptly share this information with the CDC.
2. To ensure that vaccines continue to be voluntary for all Texans and that Texans' private COVID-19-related health information continues to enjoy protection against compelled disclosure, in addition to new laws enacted by the legislature against so-called "vaccine passports," the following requirements apply:
  - a. No governmental entity can compel any individual to receive a COVID-19 vaccine administered under an emergency use authorization. I hereby suspend Section 81.082(f)(1) of the Texas Health and Safety Code to the extent necessary to ensure that no governmental entity can compel any individual to receive a COVID-19 vaccine administered under an emergency use authorization.
  - b. State agencies and political subdivisions shall not adopt or enforce any order, ordinance, policy, regulation, rule, or similar measure that requires an individual to provide, as a condition of receiving any service or entering any place, documentation regarding the individual's vaccination status for any COVID-19 vaccine administered under an emergency use authorization. I hereby suspend Section 81.085(i) of the Texas Health and Safety Code to the extent necessary to enforce this prohibition. This paragraph does not apply to any documentation requirements necessary for the administration of a COVID-19 vaccine.
  - c. Any public or private entity that is receiving or will receive public funds through any means, including grants, contracts, loans, or other disbursements of taxpayer money, shall not require a consumer to provide, as a condition of receiving any service or entering any place, documentation regarding the consumer's vaccination status for any COVID-19 vaccine administered under an emergency use authorization. No consumer may be denied entry to a facility financed

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- in whole or in part by public funds for failure to provide documentation regarding the consumer's vaccination status for any COVID-19 vaccine administered under an emergency use authorization.
- d. Nothing in this executive order shall be construed to limit the ability of a nursing home, state supported living center, assisted living facility, or long-term care facility to require documentation of a resident's vaccination status for any COVID-19 vaccine.
  - e. This paragraph number 2 shall supersede any conflicting order issued by local officials in response to the COVID-19 disaster. I hereby suspend Sections 418.1015(b) and 418.108 of the Texas Government Code, Chapter 81, Subchapter E of the Texas Health and Safety Code, and any other relevant statutes, to the extent necessary to ensure that local officials do not impose restrictions in response to the COVID-19 disaster that are inconsistent with this executive order.
3. To ensure the ability of Texans to preserve livelihoods while protecting lives, the following requirements apply:
- a. There are no COVID-19-related operating limits for any business or other establishment.
  - b. In areas where the COVID-19 transmission rate is high, individuals are encouraged to follow the safe practices they have already mastered, such as wearing face coverings over the nose and mouth wherever it is not feasible to maintain six feet of social distancing from another person not in the same household, but no person may be required by any jurisdiction to wear or to mandate the wearing of a face covering.
  - c. In providing or obtaining services, every person (including individuals, businesses, and other legal entities) is strongly encouraged to use good-faith efforts and available resources to follow the Texas Department of State Health Services (DSHS) health recommendations, found at [www.dshs.texas.gov/coronavirus](http://www.dshs.texas.gov/coronavirus).
  - d. Nursing homes, state supported living centers, assisted living facilities, and long-term care facilities should follow guidance from the Texas Health and Human Services Commission (HHSC) regarding visitations, and should follow infection control policies and practices set forth by HHSC, including minimizing the movement of staff between facilities whenever possible.
  - e. Public schools may operate as provided by, and under the minimum standard health protocols found in, guidance issued by the Texas Education Agency. Private schools and institutions of higher education are encouraged to establish similar standards.
  - f. County and municipal jails should follow guidance from the Texas Commission on Jail Standards regarding visitations.
  - g. As stated above, business activities and legal proceedings are free to proceed without COVID-19-related limitations imposed by local governmental entities or officials. This paragraph number 3 supersedes any conflicting local order in response to the COVID-19 disaster, and all relevant laws are suspended to the extent necessary to preclude any such inconsistent local orders. Pursuant to the legislature's command in Section 418.173 of the Texas Government Code and the State's emergency management plan, the imposition of any conflicting or inconsistent limitation by a local governmental entity or official constitutes a "failure to comply with" this executive order that is subject to a fine up to \$1,000.

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4. To further ensure that no governmental entity can mandate masks, the following requirements shall continue to apply:
  - a. No governmental entity, including a county, city, school district, and public health authority, and no governmental official may require any person to wear a face covering or to mandate that another person wear a face covering; provided, however, that:
    - i. state supported living centers, government-owned hospitals, and government-operated hospitals may continue to use appropriate policies regarding the wearing of face coverings; and
    - ii. the Texas Department of Criminal Justice, the Texas Juvenile Justice Department, and any county and municipal jails acting consistent with guidance by the Texas Commission on Jail Standards may continue to use appropriate policies regarding the wearing of face coverings.
  - b. This paragraph number 4 shall supersede any face-covering requirement imposed by any local governmental entity or official, except as explicitly provided in subparagraph number 4.a. To the extent necessary to ensure that local governmental entities or officials do not impose any such face-covering requirements, I hereby suspend the following:
    - i. Sections 418.1015(b) and 418.108 of the Texas Government Code;
    - ii. Chapter 81, Subchapter E of the Texas Health and Safety Code;
    - iii. Chapters 121, 122, and 341 of the Texas Health and Safety Code;
    - iv. Chapter 54 of the Texas Local Government Code; and
    - v. Any other statute invoked by any local governmental entity or official in support of a face-covering requirement.

Pursuant to the legislature's command in Section 418.173 of the Texas Government Code and the State's emergency management plan, the imposition of any such face-covering requirement by a local governmental entity or official constitutes a "failure to comply with" this executive order that is subject to a fine up to \$1,000.
  - c. Even though face coverings cannot be mandated by any governmental entity, that does not prevent individuals from wearing one if they choose.
5. To further ensure uniformity statewide:
  - a. This executive order shall supersede any conflicting order issued by local officials in response to the COVID-19 disaster, but only to the extent that such a local order restricts services allowed by this executive order or allows gatherings restricted by this executive order. Pursuant to Section 418.016(a) of the Texas Government Code, I hereby suspend Sections 418.1015(b) and 418.108 of the Texas Government Code, Chapter 81, Subchapter E of the Texas Health and Safety Code, and any other relevant statutes, to the extent necessary to ensure that local officials do not impose restrictions in response to the

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

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



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

Handwritten signature of Greg Abbott in black ink.

GREG ABBOTT  
Governor

ATTESTED BY:

Handwritten signature of Joe A. Esparza in black ink, written over a horizontal line.

JOE A. ESPARZA  
Deputy Secretary of State

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JUL 29 2021





GOVERNOR GREG ABBOTT

August 29, 2021

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SECRETARY OF STATE  
3:30 PM CLOCK

AUG 29 2021

  
Secretary of State

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

Dear Mr. Deputy Secretary:

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

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

The original proclamation is attached to this letter of transmittal.

Respectfully submitted,

  
Gregory S. Davidson  
Executive Clerk to the Governor

GSD/gsd

Attachment

**PROCLAMATION**  
BY THE  
**Governor of the State of Texas**

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TO ALL TO WHOM THESE PRESENTS SHALL COME:

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

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

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

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

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

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

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

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



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

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

GREG ABBOTT  
Governor

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AUG 29 2021

ATTESTED BY:

  
\_\_\_\_\_  
JOE ESPARZA  
Deputy Secretary of State

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AUG 29 2021



GOVERNOR GREG ABBOTT

October 11, 2021

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OCT 11 2021

Secretary of State

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

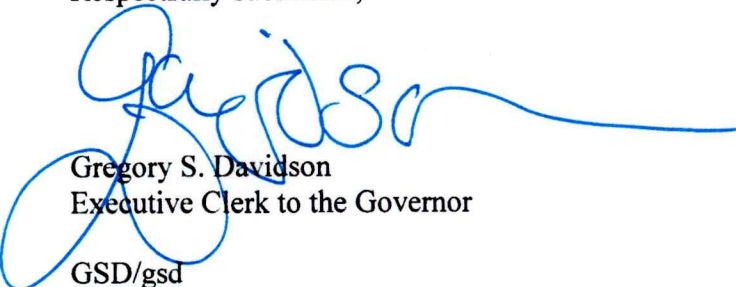
Dear Deputy Secretary Esparza:

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

Executive Order No. GA-40 relating to prohibiting vaccine mandates, subject to legislative action.

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

Respectfully submitted,

  
Gregory S. Davidson  
Executive Clerk to the Governor

GSD/gsd

Attachment



# Executive Order

BY THE  
GOVERNOR OF THE STATE OF TEXAS

Executive Department  
Austin, Texas  
October 11, 2021

EXECUTIVE ORDER  
GA 40

*Relating to prohibiting vaccine mandates,  
subject to legislative action.*

---

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

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

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

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

WHEREAS, I issued Executive Orders GA-35, GA-38, and GA-39 to prohibit governmental entities and certain others from imposing COVID-19 vaccine mandates or requiring vaccine passports; and

WHEREAS, in yet another instance of federal overreach, the Biden Administration is now bullying many private entities into imposing COVID-19 vaccine mandates, causing workforce disruptions that threaten Texas's continued recovery from the COVID-19 disaster; and

WHEREAS, countless Texans fear losing their livelihoods because they object to receiving a COVID-19 vaccination for reasons of personal conscience, based on a religious belief, or for medical reasons, including prior recovery from COVID-19; and

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

WHEREAS, the legislature has taken care to provide exemptions that allow people to opt out of being forced to take a vaccine for reasons of conscience or medical reasons; and

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

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

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OCT 11 2021



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

1. No entity in Texas can compel receipt of a COVID-19 vaccine by any individual, including an employee or a consumer, who objects to such vaccination for any reason of personal conscience, based on a religious belief, or for medical reasons, including prior recovery from COVID-19. I hereby suspend all relevant statutes to the extent necessary to enforce this prohibition.
2. The maximum fine allowed under Section 418.173 of the Texas Government Code and the State's emergency management plan shall apply to any "failure to comply with" this executive order. Confinement in jail is not an available penalty for violating this executive order.
3. This executive order shall supersede any conflicting order issued by local officials in response to the COVID-19 disaster. Pursuant to Section 418.016(a) of the Texas Government Code, I hereby suspend Sections 418.1015(b) and 418.108 of the Texas Government Code, Chapter 81, Subchapter E of the Texas Health and Safety Code, and any other relevant statutes, to the extent necessary to ensure that local officials do not impose restrictions in response to the COVID-19 disaster that are inconsistent with this executive order.

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

Given under my hand this the 11th  
day of October, 2021.



GREG ABBOTT  
Governor

ATTESTED BY:



JOE A. ESPARZA  
Deputy Secretary of State

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SECRETARY OF STATE  
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OCT 11 2021

# City of Lockhart, Texas

## Council Agenda Item Cover Sheet

**COUNCIL MEETING DATE:** December 21, 2021

**AGENDA ITEM CAPTION:** Hold a PUBLIC HEARING on applications ZC-21-19 and PDD-21-02 by Keith Schauer, P.E., on behalf of Jesco Construction, Inc., and discussion and/or action to consider Ordinance 2021-41 for a **Zoning Change** from *RMD Residential Medium Density District* to *PDD Planned Development District*, including by-reference adoption of a **PDD Development Plan** for *Jesco Subdivision*, on 9.186 acres in the James George Survey, Abstract No. 9, and located at 920 Trinity Street.

**ORIGINATING DEPARTMENT AND CONTACT:** Development Services - Dan Gibson

**ACTION REQUESTED:** Ordinance

**BACKGROUND/SUMMARY/DISCUSSION:** A duplex subdivision was originally proposed for the subject property, and a final plat was approved in February 2020, but it was never recorded because the public improvements were not constructed. A different type of development is now proposed that will essentially use the same street and lot layout that was previously approved, although the need for additional access easements requires revisions to the approved final plat. The current RMD zoning allows only one principal structure per lot, so one duplex building per lot complies with that limit. However, the new proposal is to have two detached single-family dwellings on most of the lots, which is not allowed because they would constitute more than one principal building on the same lot. The lots can't be simply divided so that each single-family dwelling would be on its own lot because the new lots would not meet the minimum width and area dimensions required in the RMD district. Because there is no other conventional residential district that would allow two or more detached dwellings on the size of lots in this proposed subdivision, the only option for allowing two or more detached residential dwellings per lot is the PDD classification, which accommodates developments that have unusual characteristics and may require deviations from the normal zoning and/or subdivision standards. In return for such flexibility, the PDD requires more commitment on the part of the developer in terms of the site layout, land uses, and amenities. Unlike conventional zoning classifications, which cannot have conditions attached, the PDD classification is subject to the conditions represented by the development plan. The development plan is adopted with the zoning change, and thereafter cannot be changed except through the normal rezoning process. The PDD development plan (PDD-21-02) and revised final plat (FP-21-11) were submitted with the zoning change application. At their December 8<sup>th</sup> meeting, the Planning and Zoning Commission denied the final plat, consistent with their recommendation for denial of the zoning change and PDD development plan. If the Council approves the zoning change, subject to the accompanying PDD development plan, staff will place a reconsideration of the final plat on the agenda of the next Planning and Zoning Commission meeting.

(Continued)

# City of Lockhart, Texas

## Council Agenda Item Cover Sheet

The PDD development plan shows a subdivision consisting of one single-family dwelling on one lot, two detached single-family dwellings on each of 29 lots, and three detached single-family dwellings on each of three lots. All units will be narrow two-story buildings with single-car garages and driveways. The total of 68 dwelling units on 9.186 acres results in a gross density of 7.4 units per acre, which is well within the medium density range and is exactly the same as the previously proposed duplex subdivision. Each dwelling unit will be a condominium where the owner/residents will own their individual structures, while all of the land area will be owned and maintained in common by a property owners' association. The parkland on Lot 1, Block B, and the combined stormwater detention and park/open-space lot on Lot 11, Block A, will be owned and maintained by the City except for mowing, which will be done by the property owners' association. The developer will provide a children's playscape with at least four activity components under a shade structure, plus at least two park benches. Sidewalks will be provided along all lot frontages. The PDD development plan and example floor plans are attached. **Additional information is contained in the staff reports, including details about the attached protest petition.**

**PROJECT SCHEDULE (if applicable):** Not applicable.

**AMOUNT & SOURCE OF FUNDING:**

Funds Required:

Account Number:

Funds Available:

Account Name:

**FISCAL NOTE (if applicable):** Not applicable.

**PREVIOUS COUNCIL ACTION:** None.

**COMMITTEE/BOARD/COMMISSION ACTION:** At their December 8, 2021, meeting, the Planning and Zoning Commission voted 5-2 to recommend DENIAL of all applications related to the proposed planned development.

**STAFF RECOMMENDATION/REQUESTED MOTION:** Staff recommends APPROVAL of Zoning Change ZC-21-19 and associated PDD Development Plan PDD-21-02.

**LIST OF SUPPORTING DOCUMENTS:** zc2119 ordinance, ZC2119 Exhibit A, ZC2119 case map, ZC2119 zoning, ZC2119 future landuse, ZC2119 aerial, zc2119 staff report, Protest petition, Protest withdrawal email, ZC2119 protest map, ZC2119 application, PDD-21-02 Staff Report, Jesco PDD Development Plan (12-16-21), Aubery (002) floor plan, Canelo (002) floorplan, PDD2102 application

## ORDINANCE 2021-41

**AN ORDINANCE OF THE CITY OF LOCKHART, TEXAS, AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF LOCKHART, TEXAS, TO RECLASSIFY THE PROPERTY KNOWN AS 9.186 ACRES IN THE JAMES GEORGE SURVEY, ABSTRACT NO. 9, LOCATED AT 920 TRINITY STREET, FROM RMD RESIDENTIAL MEDIUM DENSITY DISTRICT TO PDD PLANNED DEVELOPMENT DISTRICT, INCLUDING BY-REFERENCE ADOPTION OF A PDD DEVELOPMENT PLAN FOR THE JESCO SUBDIVISION.**

WHEREAS, on December 8, 2021, the Planning and Zoning Commission held a public hearing and voted to recommend denial of said change; and,

WHEREAS, the City Council nevertheless desires to amend the zoning map as provided in Section 64-128 of the Code of Ordinances; and,

WHEREAS, a public hearing was held in conformance with applicable law;

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

- I. The foregoing recitals are approved and adopted herein for all purposes.
- II. The above-referenced property described in Zoning Change request ZC-21-19 and PDD Development Plan PDD-21-02 as 9.186 acres in the James George Survey, Abstract No. 9, more particularly described in Exhibit "A" and located at 920 Trinity Street, will be reclassified from RMD Residential Medium Density District and AO Agricultural–Open Space District to PDD Planned Development District, including by-reference adoption of a PDD Development Plan for the Jesco Subdivision.
- III. Severability: If any provision, section, clause, sentence, or phrase of this ordinance is for any reason held to be unconstitutional, void, invalid, or unenforced, the validity of the remainder of this ordinance or its application shall not be affected, it being the intent of the City Council in adopting and of the Mayor in approving this ordinance that no portion, provision, or regulation contained herein shall become inoperative or fail by way of reasons of any unconstitutionality or invalidity of any other portion, provision or regulation.
- IV. Repealer: That all other ordinances, sections, or parts of ordinances heretofore adopted by the City of Lockhart in conflict with the provisions set out above in this ordinance are hereby repealed or amended as indicated.
- V. Publication: That the City Secretary is directed to cause this ordinance caption to be published in a newspaper of general circulation according to law.
- VI. Effective Date: That this ordinance shall become effective and be in full force immediately upon and from the date of its passage.

**PASSED, APPROVED, AND ADOPTED AT A REGULAR MEETING OF THE LOCKHART CITY COUNCIL ON THIS THE 21<sup>st</sup> DAY OF DECEMBER, 2021.**

CITY OF LOCKHART

\_\_\_\_\_  
Lew White, Mayor

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Connie Constancio, TRMC, City Secretary

\_\_\_\_\_  
Monte Akers, City Attorney

**EXHIBIT "A"**

**BOUNDARY DESCRIPTION**

**BEING 9.186 acres called to be 9.232 acres, more or less, in the James George Survey, A-9, Caldwell County, Texas, and being the same tract of land described in the deed to Jesco Construction, Inc. recorded at Document Number 2014-2802 Official Records of Caldwell County, Texas, and more particularly described as follows:**

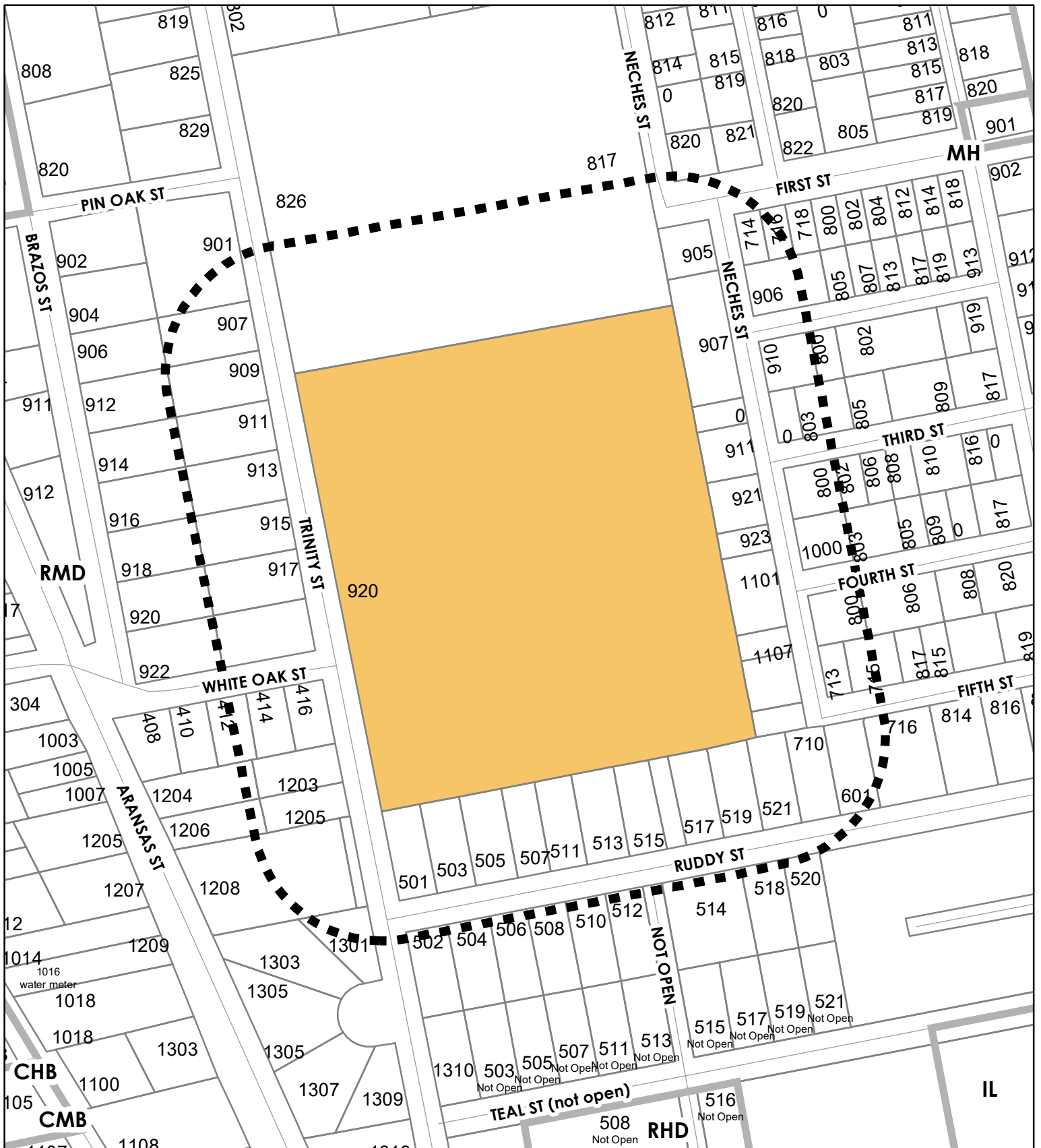
**BEGINNING at a capped iron rod (unreadable) in the east right of way of Trinity Street (50' wide) being the south corner of that certain tract of land called to be 7.05 acres to Susan DeNiff Gattis recorded in Volume 29, Page 345 Official Records of Caldwell County, Texas, the west corner of Jesco Tract, and the west corner hereof;**

**Thence with the common line of Gattis, N 81° 13' 33" E, a distance of 594.30 feet to a capped iron rod (unreadable)(called for) and the north corner hereof, the east corner of Gattis and in the west line of Block A, Oakview Addition, Recorded in Volume 241, Page 437 Deed and Plat Records of Caldwell County, Texas;**

**Thence S 11° 02' 46" E, a distance of 662.78 feet with the west line of Block A, and the west line of Block C, Oakview Addition recorded in Volume 234, Page 641 Deed and Plat Records of Caldwell County, Texas and the north line of Block 1, Revised Plat, Trinity Addition recorded in Volume 241, Page 806 Deed and Plat Records of Caldwell County, Texas to a fence post for corner;**

**Thence with the north line of said Block 1, S 78° 45' 13" W, a distance of 590.56 feet to a called for 6" cedar fence post in the east right of way of Trinity Street, and the south corner of said Jesco Tract and hereof;**

**Thence with the west line hereof and the east line of Trinity Street, N 11° 19' 11" W, a distance of 688.75 feet to the PLACE OF BEGINNING Containing 400,163 square feet or 9.186 acres of land more or less.**



**ZC-21-19 & PDD-21-02**

JESCO SUBDIVISION

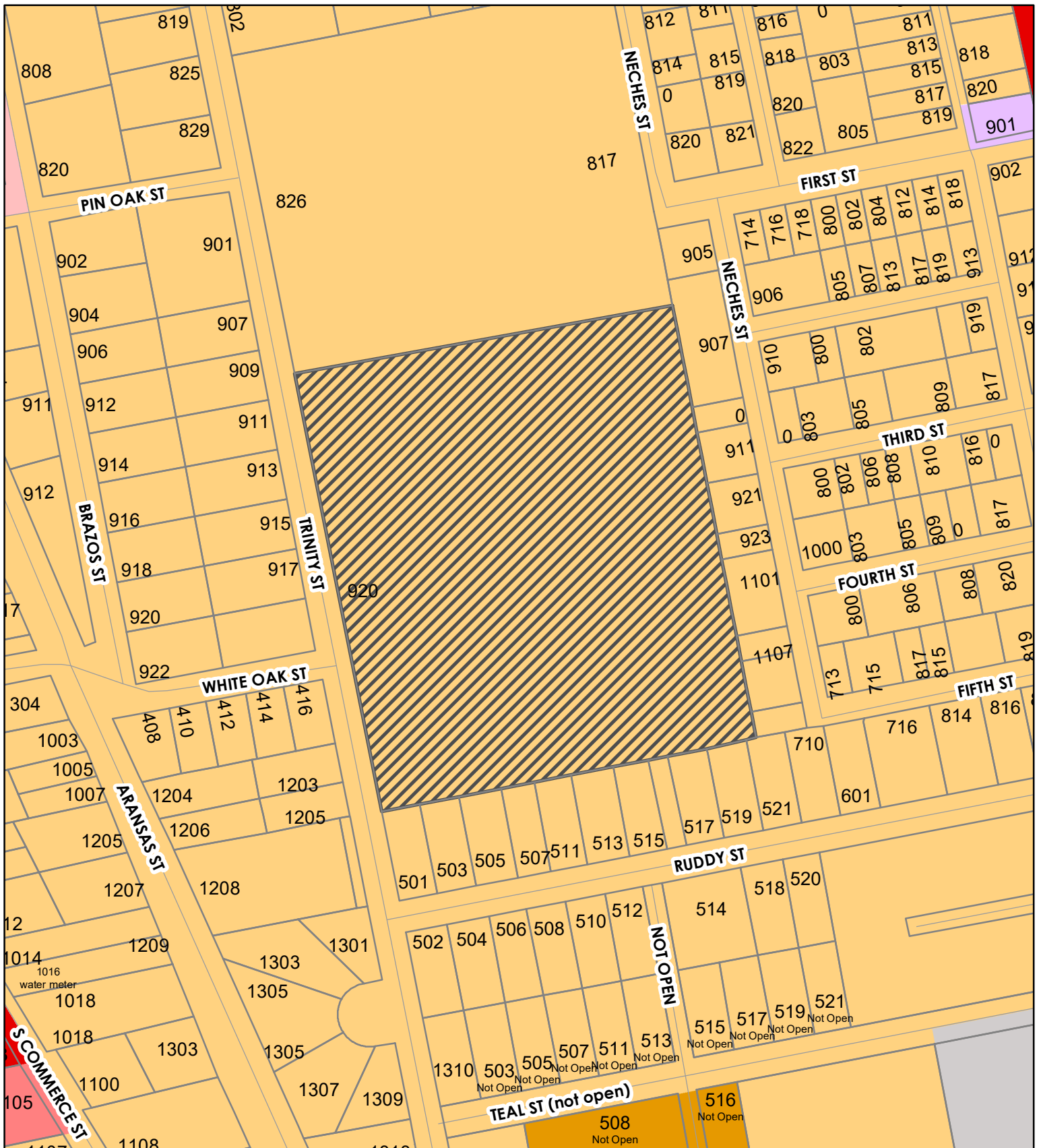
RMD TO PDD

920 TRINITY ST



scale 1" = 200'

- SUBJECT PROPERTY
- ZONING BOUNDARY
- 200 FT BUFFER



**ZC-21-19 & PDD-21-02**

JESCO SUBDIVISION

RMD TO PDD

920 TRINITY ST

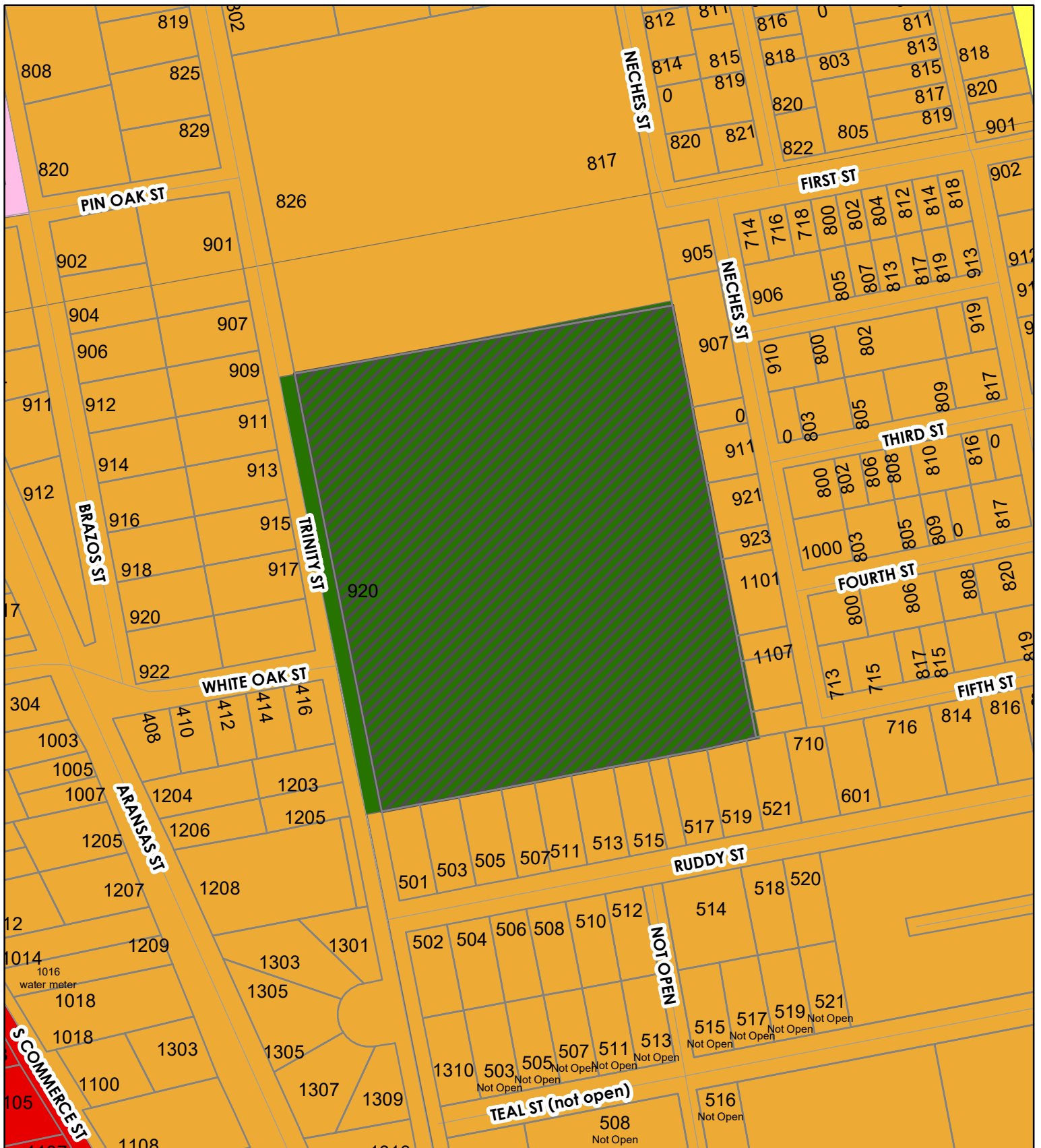


scale 1" = 200'

**ZONING DISTRICTS**

- COMMERCIAL HEAVY BUSINESS
- COMMERCIAL LIGHT BUSINESS
- COMMERCIAL MEDIUM BUSINESS
- INDUSTRIAL LIGHT
- MANUFACTURED HOME
- RESIDENTIAL HIGH DENSITY
- RESIDENTIAL MEDIUM DENSITY





**FUTURE LANDUSE**  
 JESCO SUBDIVISION  
 RMD TO PDD  
 920 TRINITY ST



scale 1" = 200'

- GENERAL-HEAVY COMMERCIAL
- LIGHT-MEDIUM COMMERCIAL
- PARKS AND OPEN SPACE
- RESIDENTIAL, LOW DENSITY
- RESIDENTIAL, MEDIUM DENSITY







**CASE SUMMARY**

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STAFF: Dan Gibson, City Planner

CASE NUMBER: ZC-21-19

REPORT DATE: December 4, 2021 [Updated 12-15-21]

PLANNING AND ZONING COMMISSION HEARING DATE: December 8, 2021

CITY COUNCIL HEARING DATE: December 21, 2021

REQUESTED CHANGE: RMD to PDD

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

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APPLICANT: Keith Schauer, P.E.

OWNER: Jesco Construction, Inc.

SITE LOCATION: 920 Trinity Street

LEGAL DESCRIPTION: Metes and bounds

SIZE OF PROPERTY: 9.186 acres

EXISTING USE OF PROPERTY: Vacant land

LAND USE PLAN DESIGNATION: *Parks and Open Space***ANALYSIS OF ISSUES**

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REASON FOR REQUESTED ZONING CHANGE: A duplex subdivision was originally proposed for the subject property, and a final plat was approved in February 2020, but it was never recorded because the public improvements were not constructed. A different type of development is now proposed that will essentially use the same street and lot layout that was previously approved, although the need for additional access easements requires revisions to the approved final plat. The current RMD zoning allows only one principal structure per lot, so one duplex building per lot complies with that limit. However, the new proposal is to have two detached single-family dwellings on most of the lots, which is not allowed because they would constitute more than one principal building on the same lot. The lots can't be simply divided so that each single-family dwelling would be on its own lot because the new lots would not meet the minimum width and area dimensions required in the RMD district. Because there is no other conventional residential district that would allow two or more detached dwellings on the size of lots in this proposed subdivision, the only option for allowing two or more detached residential dwellings per lot is the PDD classification, which accommodates developments that have unusual characteristics and may require deviations from the normal zoning and/or subdivision standards. In return for such flexibility, the PDD requires more of an advance commitment on the part of the developer in terms of the site layout, land uses, and amenities. Unlike conventional zoning classifications, which cannot have conditions attached, the PDD classification is subject to the conditions represented by the development plan. The development plan is adopted with the zoning change, and thereafter cannot be changed except through the normal rezoning process. The PDD development plan (PDD-21-02) and revised final plat (FP-21-11) were submitted with this zoning change application. At their December 8<sup>th</sup> meeting, the Planning and Zoning Commission denied the final plat, consistent with their recommendation for denial of the zoning change and PDD development plan. If the Council approves the zoning change, subject to the accompanying PDD development plan, staff will place a reconsideration of the final plat on the agenda of the next Planning and Zoning Commission meeting.

AREA CHARACTERISTICS:

	Existing Use	Zoning	Future Land Use Plan
<b>North</b>	Single-family residential	RMD	<i>Medium Density Residential</i>
<b>East</b>	Single-family residential, including several manufactured homes	RMD	<i>Medium Density Residential</i>
<b>South</b>	Single-family residential	RMD	<i>Medium Density Residential</i>
<b>West</b>	Single-family residential	RMD	<i>Medium Density Residential</i>

TRANSITION OF ZONING DISTRICTS: Because PDD is not a conventional zoning classification, the basis for comparison to other zoning districts would be the development plan, which in this case shows a subdivision consisting of one single-family dwelling on one lot, two detached single-family dwellings on each of 29 lots, and three detached single-family dwellings on each of three lots. The total of 68 dwelling units on 9.186 acres results in a gross density of 7.4 units per acre, which is well within the medium density range and is the exactly the same as the previously proposed duplex subdivision. In terms of appearance and function, the proposed development is similar to the form and density of housing allowed in the surrounding RMD zoning district classification, which should result in a smooth transition.

ADEQUACY OF INFRASTRUCTURE: A new internal public street will be constructed to provide vehicular access to all lots and dwellings. Adequate City utility service is available.

POTENTIAL NEIGHBORHOOD IMPACT: The proposed use and density is relatively consistent with the surrounding neighborhood, with the most significant difference being the each dwelling unit will be a condominium where the owner/residents will own their individual structures, while all of the land area will be owned and maintained in common by a property owners’ association. A six-foot tall masonry wall is proposed around the perimeter of the subdivision.

CONSISTENCY WITH COMPREHENSIVE PLAN: The proposed PDD zoning is consistent with the *Medium Density Residential* designation for the property on the Land Use Plan map.

ALTERNATIVE CLASSIFICATIONS: None more appropriate.

RESPONSE TO NOTIFICATION: The attached protest petition with names representing 31 properties was submitted just prior to the Planning and Zoning Commission meeting, and two citizens spoke in opposition at the meeting. However, after eliminating properties occupied by renters who signed the petition, and after eliminating properties beyond 200 feet, there were eleven properties having valid signatures. Subsequent to the Planning and Zoning Commission meeting, the owners of 816 Trinity Street requested in the attached e-mail to withdraw their opposition, which reduced the total area of properties protesting to just eleven percent of the area within 200 feet of the subject property. Because that is less than 20 percent, a simple-majority of votes in favor is all that is required for approval of the zoning change.

STAFF RECOMMENDATION: Originally, the development of the property under the current RMD zoning classification was to be 34 duplexes that would all be rental units, whereas the new plan requiring the PDD zoning classification will be the same number of units, but they will be owner-occupied. The current plans propose an additional dedicated park with active play equipment for children that was not part of the previously approved subdivision plat, and there will be sidewalks on both sides of the street, unlike the standard duplex subdivision which was proposed to have a sidewalk on only one side of the street. Staff views the proposed PDD as being a superior development compared to the originally proposed duplex subdivision that is allowed by-right in the RMD district, so we recommend APPROVAL of the PDD zoning and accompanying development plan.

City of Lockhart

Planning and Zoning Committee

We the residents / owners of property within the 9.186 acres known as the James George Survey, Abstract No. 9, located at 920 Trinity St., are opposed to the PDD Zoning accompanied by the PDD Development Plan Z(PDD-21-02) as requested by Keith Schauer, P.E., on behalf of Jesco Construction Inc., for a Zoning Change from RMD Residential Medium Density District.

Based on the attached petition opposing this request for Zoning Change, comprise of the 20% residents affected by said property within 200 feet.

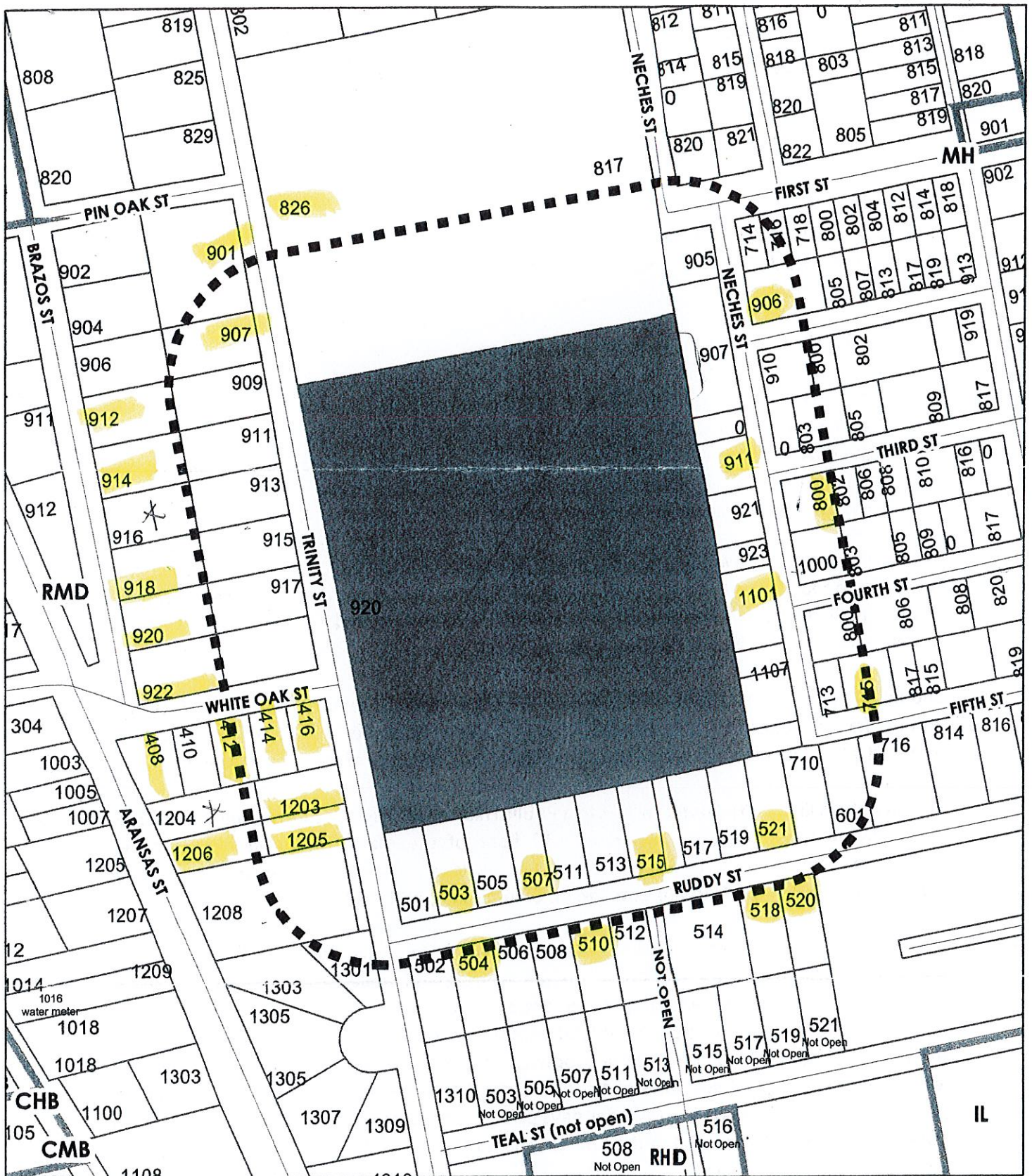
We, the residents who reside within 200 feet of the property 9.186 acres in the James George Survey, Abstract No. 9, located at 920 Trinity St, Lockhart, TX 78644; are in opposition to the zoning change from RMD Residential Medium Density to PDD Planned Development Density as proposed by the Jesco Construction Inc and its representative Keith Schauer, P.E.

	First Name	Last Name	Address	Contact Information	Signature
1	MARIA	Castillo	416 White Oak St		[Signature]
2	EDWARD	SIMPSON	414 WHITE OAK ST		[Signature]
3	Jamao	EVANS	920 Brazos		[Signature]
4	Marvin	EVANS	920 Brazos		[Signature]
8	Divyan	EVANS	412 Whiteoak		[Signature]
9	nino	Ramirez	1206 Anasas		[Signature]
10	NICHOLE	EVANS	922 BRAZOS		[Signature]
11	astarion	andrews	922 BRAZOS		[Signature]
12	Elias	Villalobos	408 White Oak		[Signature]
13	DANIEL	Hernandez	918 S. Brazos		[Signature]
14	Crystal	Espinoza	914 S. Brazos		[Signature]
15	Janie	TOVAR	912 S. Brazos		[Signature]
16	ADELA	MIRLES	967 TRINITY		[Signature]
17	KERRY	GADDIS	826 TRINITY		[Signature]
18	Christina	Facundo	907 Trinity		[Signature]
19	Angie	Facundo	907 Trinity		[Signature]
20	Carlos	Alvarez	907 Trinity		[Signature]
21	Divya	Young	503 Woody		[Signature]
22	Peterah	Hart	505 Ruddy		[Signature]
23	Gene	Tristan	510 Ruddy St		[Signature]
24	Peter	Tienda	515 Ruddy		[Signature]
25	Frank	Trigo	520 Ruddy		[Signature]
26	Thomas	Licerio	521 Ruddy		[Signature]
27	MARY	SIERRA	715 FIFTH ST		[Signature]
28	Carrie	William	WINECOCK ST		[Signature]
29	Margaret	Tansy	911 Neches		[Signature]
30	David	McAnally	906 Neches St		[Signature]

We, the residents who reside within 200 feet of the property 9.186 acres in the James George Survey, Abstract No. 9, located at 920 Trinity St, Lockhart, TX 78644; are in opposition to the zoning change from RMD Residential Medium Density to PDD Planned Development Density as proposed by the Jesco Construction Inc and its representative Keith Schauer, P.E.

	First Name	Last Name	Address	Contact Information	Signature
1	Rebecca	<sup>III</sup> Guerrero	800 4th St	512-587-3667	Rebecca Guerrero
2	Patricia	Trinidad	716	578	[Signature]
3	STABIAN	James Sr	507 Ruddy St	512-749-7730	Stabian James Sr
4	José	Almendarez	504 Ruddy St	512-609-9155	[Signature]
8	Timoteo	Juarez	1203 Trinity		[Signature]
9	ADAM	RODRIGUEZ	1205 Trinity	512-376-9520	Adam Rodriguez
10	FRANCES	RODRIGUEZ	1205 TRINITY	512-376-9520	Frances Rodriguez
11	Jaclyn	Zapier	909 Trinity	512-995-0905	Jaclyn Zapier
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**ZC-21-19 & PDD-21-02**

JESCO SUBDIVISION

RMD TO PDD

920 TRINITY ST



scale 1" = 200'

- SUBJECT PROPERTY
- ZONING BOUNDARY
- 200 FT BUFFER

## Dan Gibson

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**From:** Kerry & Suzanne <ksgaddis@att.net>  
**Sent:** Monday, December 13, 2021 8:28 PM  
**To:** Dan Gibson  
**Subject:** PDD Trinity Street

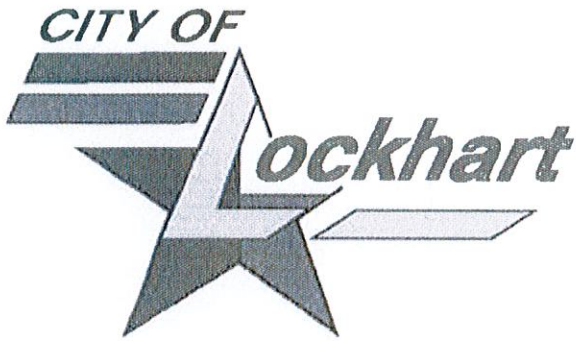
Mr. Gibson,

My name is Kerry Gaddis and I live at 826 Trinity Street. I signed a petition in opposing the PDD proposed at 920 Trinity Street. I would like to formally remove my name from the petition. After consideration of the project and receiving additional details about the proposal my family and I are in favor of the Planned PDD and support it's approval. If you additional information you can contact me at 512-995-0096. Thanks.

Sent from my iPhone







**ZONING CHANGE APPLICATION**

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

**APPLICANT/OWNER**

APPLICANT NAME Keith Schauer, P.E. ADDRESS Doucet & Associates, Inc.  
DAY-TIME TELEPHONE 521-583-2672 829 St. Joseph Street  
E-MAIL kschauer@doucetengineers.com Gonzales, TX 78929

OWNER NAME Jesco Construction, Inc. ADDRESS Glenn Synnott  
DAY-TIME TELEPHONE \_\_\_\_\_ P.O. Box 17066  
E-MAIL glenn@domainindustries.com Austin, TX 78760-7066  
james@domainindustries.com

**PROPERTY**

ADDRESS OR GENERAL LOCATION Trinity Street  
LEGAL DESCRIPTION (IF PLATTED) Jesco Subdivision *Meters & bounds (plat not yet recorded)*  
SIZE 9.186 ACRE(S) LAND USE PLAN DESIGNATION Parks and Open Space  
EXISTING USE OF LAND AND/OR BUILDING(S) Vacant  
PROPOSED NEW USE, IF ANY Residential

**REQUESTED CHANGE**

FROM CURRENT ZONING CLASSIFICATION RMD  
TO PROPOSED ZONING CLASSIFICATION PDD  
REASON FOR REQUEST To allow flexibility in layout of single family dwellings and to allow multiple single family dwellings on a single lot.



**SUBMITTAL REQUIREMENTS**

IF THE APPLICANT IS NOT THE OWNER, A LETTER SIGNED AND DATED BY THE OWNER CERTIFYING THEIR OWNERSHIP OF THE PROPERTY AND AUTHORIZING THE APPLICANT TO REPRESENT THE PERSON, ORGANIZATION, OR BUSINESS THAT OWNS THE PROPERTY.

NAME(S) AND ADDRESS(ES) OF PROPERTY LIEN-HOLDER(S), IF ANY.

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

APPLICATION FEE OF \$ 334 PAYABLE TO THE CITY OF LOCKHART AS FOLLOWS:

1/4 acre or less	\$125
Between 1/4 and one acre	\$150
One acre or greater	\$170 plus \$20.00 per each acre over one acre

TO THE BEST OF MY KNOWLEDGE, THIS APPLICATION AND ASSOCIATED DOCUMENTS ARE COMPLETE AND CORRECT, AND IT IS UNDERSTOOD THAT I OR ANOTHER REPRESENTATIVE SHOULD BE PRESENT AT ALL PUBLIC MEETINGS CONCERNING THIS APPLICATION.

SIGNATURE *Kevin Walker*  
Jesco Construction, Inc.

DATE 11-16-21

**OFFICE USE ONLY**

ACCEPTED BY *Kevin Walker*

RECEIPT NUMBER 1035413

DATE SUBMITTED 11-17-21

CASE NUMBER ZC - 21 - 19

DATE NOTICES MAILED 11-22-2021

DATE NOTICE PUBLISHED 11-25-2021

PLANNING AND ZONING COMMISSION MEETING DATE 12-8-21

PLANNING AND ZONING COMMISSION RECOMMENDATION Denial 5-2

CITY COUNCIL MEETING DATE 12-21-21

DECISION \_\_\_\_\_

**CASE SUMMARY**

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STAFF CONTACT: Dan Gibson, City Planner CASE NUMBER: PDD-21-02  
 REPORT DATE: December 3, 2021 [Updated 12-15-21]  
 PLANNING & ZONING COMMISSION DATE: December 8, 2021  
 CITY COUNCIL DATE: December 21, 2021  
 STAFF RECOMMENDATION: **Approval**  
 SUGGESTED CONDITIONS: None  
 PLANNING & ZONING COMMISSION ACTION: **Denial**

**BACKGROUND DATA**

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ENGINEER: Keith Schauer, P.E., Doucet & Associates, Inc.  
 SURVEYOR: Chris Terry, P.L.S., Doucet @ Associates, Inc.  
 OWNER: Glenn Synnott, Jesco Construction, Inc.  
 SITE LOCATION: 920 Trinity Street  
 SUBDIVISION NAME: Jesco Subdivision  
 SIZE OF PROPERTY: 9.186 acres  
 NUMBER OF LOTS: 33 residential lots, one parkland lot, and one combined stormwater detention and park/open-space lot  
 EXISTING USE OF PROPERTY: Vacant  
 ZONING CLASSIFICATIONS: RMD (proposed to be rezoned to PDD)

**ANALYSIS OF ISSUES**

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PROPOSED DEVELOPMENT: This development plan accompanies the Zoning Change request (ZC-21-19) for the same property. Unlike conventional zoning classifications, which cannot have conditions attached, the Planned Development District (PDD) classification is subject to the conditions represented by the development plan. The development plan is adopted with the zoning change, and thereafter cannot be changed except through the normal rezoning process. The PDD zoning classification is intended to accommodate developments that have unusual characteristics that might require deviations from the normal zoning and/or subdivision standards. In return for such flexibility, the PDD requires more of a commitment on the part of the developer in terms of the site layout, land uses, and amenities. The zoning change and PDD development plan must be considered concurrently, since the zoning is conditional upon the project being developed as depicted on the plan. This proposal is for a total of 68 single-family detached condominium dwelling units, where the owner/residents will own their individual structures, while all of the land area will be owned and maintained in common by a property owners’ association. The individual dwellings will be narrow, two-story buildings with single garages and driveways, as illustrated in the lower left-hand corner of the development plan. The parkland on Lot 1, Block B, and the combined stormwater detention and park/open-space lot on Lot 11, Block A, will be owned and maintained by the City except for mowing, which will be done by the property owners’ association. The developer will provide a children’s playscape with at least four activity components under a shade structure, plus at least two park benches. Sidewalks will be provided along all lot frontages. The PDD development plan and example floor plans are attached.



**NEIGHBORHOOD COMPATIBILITY:** The proposed use and density is relatively consistent with the surrounding neighborhood, with the most significant difference being the that the form of housing will be condominium ownership. The total of 68 dwelling units on 9.186 acres results in a gross density of 7.4 units per acre, which is well within the medium density range. The development will include construction of a six-foot tall masonry fence around the perimeter of the subdivision as a visual buffer.

**FORM AND CONTENT:** The PDD Development Plan conforms to all minimum requirements for form and content.

**COMPLIANCE WITH STANDARDS:** The proposed development will comply with all applicable subdivision standards, including sidewalks, utilities, stormwater drainage, and parkland.

**ADDITIONAL REQUIREMENTS:** None.

**STAFF RECOMMENDATION:** Staff believes that the project will add to the diversity of housing types in Lockhart, and recommends APPROVAL. The Planning and Zoning Commission voted for denial of the PDD zoning change, development plan, and revised final plat that were all submitted together. Their action on the plan is a final decision unless the City Council approves the PDD zoning change and development plan. In that case, staff will place a reconsideration of the final plat on the agenda of the next Planning and Zoning Commission meeting. Because the plat meets all standards of the subdivision regulations, the Commission is legally obligated to approve it.



NOTES:

- THE PROPERTY IS SHOWN ON FEMA FLOOD INSURANCE RATE MAP (FIRM), COMMUNITY NO. 480095, PANEL NO. 0120E AND PANEL NO. 0235, DATED 06/16/2012, AS BEING IN FLOOD ZONE X, WHICH IS AN AREA OF NO SPECIAL FLOOD HAZARD.
- FOUR-FOOT WIDE PUBLIC SIDEWALKS SHALL BE CONSTRUCTED ON BOTH SIDES OF ALL INTERNAL STREETS BY INDIVIDUAL LOT OWNERS, PRIOR TO ISSUANCE OF A CERTIFICATE OF OCCUPANCY FOR ANY STRUCTURE ON EACH LOT. FOUR-FOOT WIDE PUBLIC SIDEWALKS SHALL BE CONSTRUCTED ALONG: (1) TRINITY STREET AND (2) WHITE OAK CIRCLE FRONTAGE OF LOT 11, BLOCK A (STORMWATER DETENTION AND PARK/OPEN SPACE), AND THE WHITE OAK CIRCLE FRONTAGE OF LOT 1, BLOCK B (PARKLAND AREA) SHALL BE CONSTRUCTED BY THE SUBDIVIDER AS A SUBDIVISION IMPROVEMENT PRIOR TO RECORDATION OF FINAL PLAT.
- THIS SUBDIVISION IS WHOLLY CONTAINED WITHIN THE CURRENT CORPORATE LIMITS OF THE CITY OF LOCKHART, TEXAS.
- NO DWELLING IN THIS SUBDIVISION SHALL BE OCCUPIED UNTIL CONNECTED TO THE CITY OF LOCKHART WATER DISTRIBUTION AND WASTEWATER COLLECTION FACILITIES.
- A BUILDING PERMIT IS REQUIRED FROM THE CITY OF LOCKHART PRIOR TO ANY BUILDING OR SITE IMPROVEMENT ON ANY LOT IN THIS SUBDIVISION.
- PARKLAND IMPROVEMENTS ON LOT 1, BLOCK B WILL INCLUDE THE CONSTRUCTION OF A CHILDREN'S PLAYSCAPE HAVING AT LEAST FOUR ACTIVITY COMPONENTS WITH AN OVERHEAD CANOPY FOR SHADE AND TWO ALL WEATHER PARK BENCHES. THE PLAYSCAPE AND PARK BENCHES SHALL BE CONSTRUCTED BY THE SUBDIVIDER WITH THE SUBDIVISION IMPROVEMENTS, PRIOR TO RECORDATION OF THE FINAL PLAT.
- THE PUBLIC PARKLAND LOT IN LOT 1, BLOCK B, AND THE STORMWATER DETENTION AND PARK/OPEN SPACE LOT IN LOT 11, BLOCK A WILL BE OWNED AND MAINTAINED BY THE CITY OF LOCKHART, WITH THE EXCEPTION OF THE MOWING OF GRASS ON THESE LOTS, WHICH SHALL BE THE RESPONSIBILITY OF THE HOMEOWNERS' ASSOCIATION.
- THE BUILDING FOOTPRINTS SHOWN ARE REPRESENTATIVE OF THE VARIOUS FOOTPRINTS AVAILABLE. THE ACTUAL LOCATION OF VARIOUS FOOTPRINTS MAY DIFFER FROM WHAT IS DEPICTED ON THIS DRAWING.
- A PROPERTY OWNER'S ASSOCIATION AND CONDOMINIUM REGIMES WILL BE ESTABLISHED TO MAINTAIN AND ENFORCE MAINTENANCE STANDARDS OF COMMON AREAS WITHIN EACH LOT. THE UNITS WILL BE OWNER OCCUPIED WITH THE CONDOMINIUM MAINTAINING THE DRIVEWAYS, GROUNDS AND LANDSCAPING AND EACH OWNER MAINTAINING THE EXTERIOR OF THE HOMES.
- A 6" MASONRY WALL WILL BE CONSTRUCTED WITHIN THE PROPERTY ADJACENT TO THE TRINITY STREET RIGHT OF WAY BY THE SUBDIVIDER WITH THE SUBDIVISION IMPROVEMENTS, PRIOR TO RECORDATION OF THE FINAL PLAT.

BUILDING INFO:

BUILDINGS ARE 15 FEET WIDE AND TWO STORIES. SIZE RANGES FROM 1300 TO 2000 SQUARE FEET.

IMPERVIOUS COVER		
	SF	%
SITE AREA	396722	100%
BUILDINGS	56897	14%
DRIVEWAYS	40920	10%
STREETS	45273	11%
SIDEWALKS	7800	2%
MISC	3324	1%
TOTAL IMPERVIOUS COVER AS SHOWN	154214	39%
MAXIMUM ANTICIPATED IMPERVIOUS COVER	178525	45%

RENDERING OF REPRESENTATIVE BUILDINGS

\*ELEVATIONS ARE SUBJECT TO CHANGE BASED ON MARKET CONDITIONS AND MARKET DEMAND\*



Drawings: C:\pwworking\jescosubdivision\jescosubdivision.dwg  
 User: VOSTIGUIN  
 Last Modified: Dec. 16, 21 - 13:34  
 Plot Date/Time: Dec. 16, 21 - 16:52:23

**DOUCET**  
 Civil Engineering // Eminent // Geospatial  
 829 N Saint Joseph St.  
 Gonzales, TX 78629 Tel: (512)-851-1740  
 www.doucetengineers.com  
 TBE Firm Number: 9937  
 TBEFS Firm Number: 10105600

PDD DEVELOPMENT PLAN

**JESCO SUBDIVISION**  
 LOCKHART, TX

THESE PLANS ARE RELEASED UNDER THE AUTHORITY OF J. KEITH SCHAUER, P.E., TBE#81658, ON 10/13/21, FOR THE PURPOSES OF REVIEW AND ARE NOT TO BE USED FOR CONSTRUCTION PRIOR TO APPROVAL BY THE CITY OF LOCKHART.

Designed:	XX
Drawn:	XX
Reviewed:	XX
Date:	10-13-2021
SHEET	
1	
OF 1	
Project No.:	1636-011



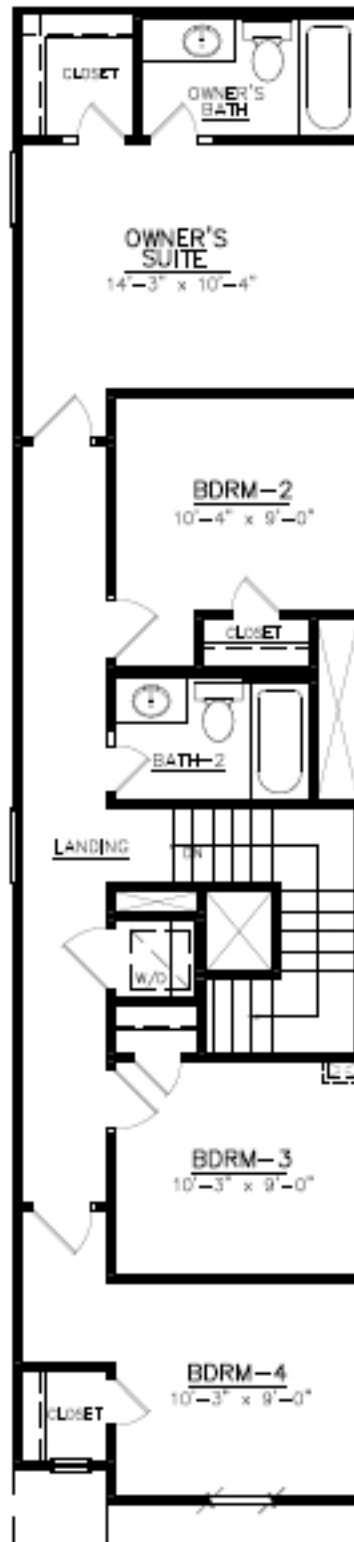
# AUBREY

WELLTON  
LIVING SQUARE FEET: 1530

DESIGN NO. 1530



FIRST FLOOR PLAN



SECOND FLOOR PLAN

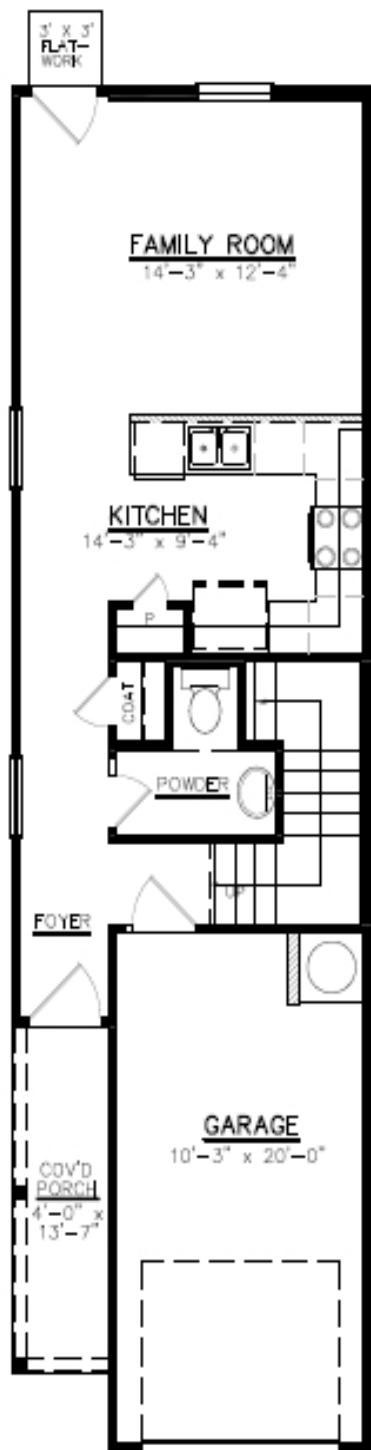


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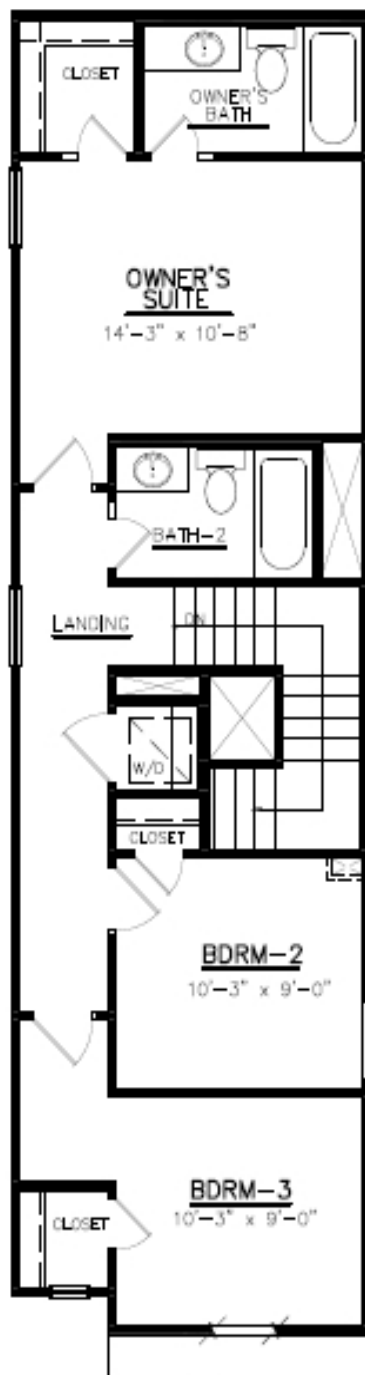
WELLTON

LIVING SQUARE FEET: 1189

DESIGN NO. 1510



FIRST FLOOR PLAN



SECOND FLOOR PLAN



**PDD DEVELOPMENT PLAN APPLICATION**

CITY OF  
**Lockhart**  
TEXAS

*Resubmitted Application Form  
Dated 11/16/21*

**APPLICANT/OWNER**

APPLICANT NAME Keith Schauer, P.E.

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

DAY-TIME TELEPHONE 512-583-2672

829 St. Joseph Street

E-MAIL kschauer@doucetengineers.com

Gonzales, TX 78629

OWNER NAME Jesco Construction, Inc.

ADDRESS Glenn Synnott

DAY-TIME TELEPHONE 512-329-9255

P.O. Box 17066

E-MAIL glenn@domainindustries.com

Austin, TX 78760-7066

james@domainindustries.com

**PROPERTY**

ADDRESS OR GENERAL LOCATION Trinity Street - 920 Trinity St.

LEGAL DESCRIPTION (IF PLATTED) Jesco Subdivision (not yet platted)

PROPOSED SUBDIVISION NAME, IF NOT PLATTED \_\_\_\_\_

SIZE 9.1896 ACRE(S) ZONING CLASSIFICATION RMD

EXISTING USE OF LAND AND BUILDINGS Vacant

**PROPOSED DEVELOPMENT**

PROPOSED USE OF LAND AND BUILDINGS Residential

NUMBER OF LOTS 35 TOTAL NUMBER OF DWELLING UNITS, IF ANY 68

RESIDENTIAL DENSITY 7.4 UNITS/ACRE

TOTAL LAND AREA ALLOCATED TO RESIDENTIAL USE, IF ANY 8.363 ACRE(S)

TOTAL LAND AREA ALLOCATED TO NON-RESIDENTIAL USE, IF ANY 0.823 ACRE(S)  
(Pond and Parkland.)



**SUBMITTAL REQUIREMENTS**

IF THE APPLICANT IS NOT THE OWNER, A LETTER SIGNED AND DATED BY THE OWNER CERTIFYING THEIR OWNERSHIP OF THE PROPERTY AND AUTHORIZING THE APPLICANT TO REPRESENT THE PERSON, ORGANIZATION, OR BUSINESS THAT OWNS THE PROPERTY.

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

PROPOSED DECLARATION OF COVENANTS AND RESTRICTIONS ESTABLISHING AND GOVERNING ANY LEGAL ENTITY THAT MAY BE REQUIRED TO OWN, OPERATE, AND/OR MAINTAIN PRIVATE STREETS, UTILITIES, OR OTHER FACILITIES PROVIDED FOR THE COMMON USE OF ALL PROPERTY OWNERS.

PROPOSED WRITTEN AGREEMENT BETWEEN THE CITY AND THE LEGAL ENTITY TO BE RESPONSIBLE FOR THE OWNERSHIP AND MAINTENANCE OF PRIVATE STREETS AND ALLEYS, PERMITTING ACCESS AND USE WITHOUT LIABILITY BY CITY VEHICLES AND PERSONNEL ON OFFICIAL BUSINESS.

PDD DEVELOPMENT PLAN, AS FOLLOWS, INDICATING THE SCALE AND NORTH ARROW, PROPOSED USE(S) OF ALL PARTS OF THE DEVELOPMENT, BOUNDARIES OF PROPOSED PHASES, IF ANY, AND CONTAINING THE INFORMATION REQUIRED IN SECTION 64-166(b).

Four copies for initial staff review.

Ten copies after initial staff review.

One mylar reproducible (two if applicant wants to keep one), plus two copies, of approved PDD Development Plan.

TO THE BEST OF MY KNOWLEDGE, THIS APPLICATION AND ASSOCIATED DOCUMENTS ARE COMPLETE AND CORRECT, AND IT IS UNDERSTOOD THAT I OR ANOTHER REPRESENTATIVE SHOULD BE PRESENT AT ALL PUBLIC MEETINGS CONCERNING THIS APPLICATION.

SIGNATURE *Kevin Spinnott*  
Jesco Construction, Inc.

DATE 11-16-21

**OFFICE USE ONLY**

ACCEPTED BY *Kevin Walker*

DATE SUBMITTED 11/17/21

ZONING CASE NUMBER ZC - 21 - 19

PLAN CASE NUMBER PDD - 21 - 02

PLANNING AND ZONING COMMISSION MEETING DATE 12/8/21

DECISION *Denial 5-2*

CONDITIONS \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_



**LOCKHART CITY COUNCIL  
REGULAR MEETING**

**DECEMBER 7, 2021**

**6:30 P.M.**

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

**Council present:**

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

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

**Staff present:**

Steven Lewis, City Manager  
Monte Akers, City Attorney  
Sean Kelley, Public Works Director  
Pam Larison, Finance Director

Connie Constancio, City Secretary  
Victoria Maranan, Public Information Officer  
Shane Mondin, Building Official  
Tina Ramsey, Victim Assistance Team

**Citizens/Visitors Addressing the Council:** Charles Cloutman of Meals on Wheels of Central Texas.

**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:

**A. PRESENTATION OF A PROCLAMATION DECLARING DECEMBER 1-7, 2021 AS TREE OF ANGELS WEEK.**

Mayor White presented the proclamation to Representatives of the Lockhart Victim Assistance Team (VAT). He announced that the Tree of Angels ceremony is virtual this year and can be viewed on-line. Tina Ramsey of the Lockhart Victim Assistance Team thanked the Council for their continued support and stated that the Tree of Angels is displayed at Lockhart City Hall.

Mayor Pro-Tem Sanchez arrived at the meeting.

**B. PRESENTATION BY CHARLES CLOUTMAN REGARDING A GRANT AWARDED TO THE MEALS ON WHEELS OF CENTRAL TEXAS BY THE *just keep livin'* FOUNDATION FOR STORM HOME REPAIRS AND HOME WEATHERIZATION EFFORTS FOR LOW- INCOME HOMEOWNERS IN CALDWELL COUNTY.**

Charles Cloutman, Vice President of the Home Repairs of the Meals on Wheels of Central Texas provided information regarding a \$1 million grant that they were awarded through the *just keep livin'* Foundation. The grant would allow assistance for low-income homeowners in Caldwell County with winter storm and weatherization home repairs. Meals on Wheels of Central Texas will administer all aspects of the grant process. There was discussion.

**C. DISCUSS CITY COUNCIL MINUTES OF THE NOVEMBER 15, 2021 AND NOVEMBER 16, 2021 MEETINGS.**

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

**D. DISCUSSION REGARDING THE HIGH SERVICE PUMP STATION EXPANSION AT THE LOCKHART WATER TREATMENT PLANT.**

Mr. Kelley stated that the objective of the upgrade is to deliver potable water of approved quality at established pressures, and in quantities and rates of flow that the customer’s desire. The goal is to deliver treated water to customers while maintaining a minimum normal operating pressure of 35-psi and a minimum pressure of 20-psi during fire flow conditions. There was discussion.

**E. DISCUSSION REGARDING ORDINANCE 2021-39 AMENDING CHAPTER 12 OF THE CITY OF LOCKHART CODE OF ORDINANCES, BUILDINGS AND BUILDING REGULATIONS, ARTICLES II, III, IV, V, VI, VII AND IX, ADOPTING THE 2018 INTERNATIONAL BUILDING CODES WITH AMENDMENTS AS FOLLOWS: BUILDING CODE, EXISTING BUILDING CODE, RESIDENTIAL CODE, PLUMBING CODE, FUEL AND GAS CODE, MECHANICAL CODE, ENERGY CODE, SWIMMING POOL AND SPA CODE, AND THE 2017 NATIONAL ELECTRICAL CODE.**

Mr. Mondin stated that the City's current adopted code is the 2015 edition. In order to comply with current code requirements and assist with better Insurance Services Office ratings, the International Building Code and the International Residential Code, 2018 edition needs to be adopted with local amendments. The new code will take effect 30 days after passage. Most contractors and design professionals are already familiar with the 2018 code. Other surrounding cities that use the 2018 International Codes are San Marcos, Kyle and Buda. Additional research of other cities is as follows: San Antonio and Taylor use 2018 International Codes, City of Gonzales uses 2015 International Codes, City of Luling uses 2009 International Codes and City of Austin uses 2021 International Codes. Mr. Mondin recommended approval. There was discussion.

**F. DISCUSSION REGARDING MATTERS RELATED TO COVID-19.**

Mayor White stated that there were no matters to discuss relating to COVID-19.

RECESS: Mayor White announced that the Council would recess for a break at 7:00 p.m.

**REGULAR MEETING**

**ITEM 1. CALL TO ORDER.**

Mayor Lew White called the meeting to order at 7:20 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. HOLD A PUBLIC HEARING ON APPLICATIONS ZC-21-19 AND PDD-21-02 BY KEITH SCHAUER, P.E., ON BEHALF OF JESCO CONSTRUCTION, INC., AND DISCUSSION AND/OR ACTION TO CONSIDER A ZONING CHANGE FROM RMD RESIDENTIAL MEDIUM DENSITY DISTRICT TO PDD PLANNED DEVELOPMENT DISTRICT, INCLUDING A PDD DEVELOPMENT PLAN FOR THE JESCO SUBDIVISION, ON 9.186 ACRES IN THE JAMES GEORGE SURVEY, ABSTRACT NO. 9, LOCATED AT 920 TRINITY STREET. WITHDRAWN - RESUBMITTED FOR CONSIDERATION AT THE DECEMBER 21, 2021 COUNCIL MEETING.**

Mayor White announced that the item was withdrawn and it will be resubmitted for consideration at the December 21, 2021 Council meeting.

**ITEM 5-A. CONSIDER CITY COUNCIL MINUTES OF THE NOVEMBER 15, 2021 AND NOVEMBER 16, 2021 MEETINGS.**

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

**ITEM 5-B. DISCUSSION REGARDING THE HIGH SERVICE PUMP STATION EXPANSION AT THE LOCKHART WATER TREATMENT PLANT.**

There was no action taken.

**ITEM 5-C. DISCUSSION AND/OR ACTION TO CONSIDER ORDINANCE 2021-39 AMENDING CHAPTER 12 OF THE CITY OF LOCKHART CODE OF ORDINANCES, BUILDINGS AND BUILDING REGULATIONS, ARTICLES II, III, IV, V, VI, VII AND IX, ADOPTING THE 2018 INTERNATIONAL BUILDING CODES WITH AMENDMENTS AS FOLLOWS: BUILDING CODE, EXISTING BUILDING CODE, RESIDENTIAL CODE, PLUMBING CODE, FUEL AND GAS CODE, MECHANICAL CODE, ENERGY CODE, SWIMMING POOL AND SPA CODE, AND THE 2017 NATIONAL ELECTRICAL CODE.**

Councilmember Michelson made a motion to approve Ordinance 2021-39, as presented. Councilmember Westmoreland seconded. The motion passed by a vote of 7-01

**ITEM 5-D. DISCUSSION REGARDING MATTERS RELATED TO COVID-19.**

There was no discussion.

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

Mayor White requested appointments to boards and committees. There were none.

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

- Special meeting on December 14, 2021 at 6:30 p.m. to consider two items.
- Animal Services transition to Police Department.

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

Mayor Pro-Tem Sanchez thanked the Friends of the Library and Library staff for the successful Dickens' Reverse Lighted Parade. She expressed condolences to the families of Christina Davenport, Florentino Martinez, Agapito Hernandez, and Billy Joyce Branch for their loss.

Councilmember McGregor encouraged everyone to give back to the community during the holidays.

Councilmember Bryant thanked the Victim Assistance Team for the Tree of Angels Week and he expressed condolences to those that have lost a loved one.

Councilmember Michelson thanked all involved with the Dickens' Reverse Lighted parade.

Mayor White thanked all involved with the Dickens' Reverse Lighted parade and stated that he hopes that the event will be back to normal next year.

**ITEM 8. 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 PENDING OR CONTEMPLATED LITIGATION; SETTLEMENT OFFER; OR LEGAL MATTERS SUBJECT TO ATTORNEY/CLIENT PRIVILEGE. Consultation with City Attorney to seek legal advice on matters subject to the attorney-client privilege.**

Mayor White announced that the Council would enter Executive Session at 7:30 p.m.

**ITEM 9. OPEN SESSION. Discussion and/or action regarding matters discussed in Executive Session.**

Mayor White announced that the Council would enter Open Session at 8:05 p.m. There was no action.

**ITEM 10. ADJOURNMENT.**

Mayor Pro-Tem Sanchez made a motion to adjourn the meeting. Councilmember Mendoza seconded. The motion passed by a vote of 7-0. The meeting was adjourned at 8:05 p.m.

PASSED and APPROVED this the 21<sup>st</sup> day of December 2021.

**CITY OF LOCKHART**

\_\_\_\_\_  
Lew White, Mayor

ATTEST:

\_\_\_\_\_  
Connie Constancio, TRMC  
City Secretary

# City of Lockhart, Texas

## Council Agenda Item Cover Sheet

**COUNCIL MEETING DATE:** December 21, 2021

**AGENDA ITEM CAPTION:** Approve fuel bid award to Schmidt & Sons, Inc. with a profit margin of 5 cents per gallon for gasoline and 5 cents per gallon for diesel over the Oil Price Information Services (OPIS) price from Austin, Texas, RACK, posted weekly, and appointing the Mayor to sign approval documents.

**ORIGINATING DEPARTMENT AND CONTACT:** Public Works - Sean Kelley

**ACTION REQUESTED:** Approval of Bid

**BACKGROUND/SUMMARY/DISCUSSION:** Fuel bids were sought in compliance with State Law. The City uses about 40,000 gallons of gasoline and 26,000 gallons of diesel per year. A total of two bids were received for the annual fuel delivery contract. The attached synopsis shows the overall best bid was submitted by Golden West Oil Company, but Schmidt & Sons, Inc. is within 5% of the lowest bid. Since local companies are also allowed an additional 5% consideration in their bid submittals, Schmidt & Sons, Inc., of Lockhart may be awarded the bid at \$0.050 per gallon for gasoline and \$0.050 per gallon for diesel. Besides being a local company, Schmidt & Sons provides additional benefits by providing 24-hour emergency fuel supplies from their facility on Patton Road when the City fuel systems are down due to maintenance or repairs.

**PROJECT SCHEDULE (if applicable):** Provide fuel from January 1, 2022 to December 31, 2022.

**AMOUNT & SOURCE OF FUNDING:**

Funds Required:

Account Number:

Funds Available:

Account Name:

**FISCAL NOTE (if applicable):**

**PREVIOUS COUNCIL ACTION:** N/A

**COMMITTEE/BOARD/COMMISSION ACTION:** N/A

**STAFF RECOMMENDATION/REQUESTED MOTION:** Staff recommends awarding annual fuel bid to Schmidt & Sons, Inc.

# ***City of Lockhart, Texas***

## **Council Agenda Item Cover Sheet**

**LIST OF SUPPORTING DOCUMENTS:** 2022 Fuel Bid Advertisement and Form, Fuel bids,  
2022 Fuel Bid Selection Data





**CITY OF LOCKHART  
PUBLIC BID FOR FUELS**

The City of Lockhart is accepting annual supply bids for approximately 40,000 gallons of unleaded plus gasoline and 26,000 gallons of No. 2 dyed diesel fuel. A minimum of two-thousand five hundred (2,500) gallons would be ordered at any given time. The price of fuels may increase or decrease based on the Daily *average* Oil Price Information Service (OPIS) price published each Thursday from the Austin, Texas, Rack. The amount designated as the supplier's profit margin per gallon must include delivery and must remain the same during the term of the contract. The contract term will be from one year from the date of approval by the City Council. Bid award may be separate for each fuel. Required forms for bid submittal are available on the City's website at [www.lockhart-tx.org](http://www.lockhart-tx.org) or the Public Works Office at 705 Wichita Street during normal business hours.

Bids must be received by ***11 am, Wednesday, December 8, 2021 at City Hall, 308 W. San Antonio Street, PO Box 239, Lockhart, Texas 78644.*** Bids not received by this time and date will be rejected. Bid envelopes should be externally marked to indicate ***"Fuel Bids"***.

The City of Lockhart reserves the right to reject any and all fuel bids.

**CITY OF LOCKHART  
PUBLIC WORKS DEPARTMENT**

**Annual Fuel Bid Package**

Unleaded Plus Gasoline  
No. 2 Dyed Diesel

**Bid Opening Information:**

Date: December 8, 2021  
Time: 11:00 am  
Place: Lockhart City Hall  
PO Box 239  
308 W. San Antonio Street  
Lockhart, Texas 78644

**Bid**

2,500 gallon Min. Delivery

<b><u>Fuel Type</u></b>	<b><u>Profit Margin Per Gallon</u></b>
Unleaded Plus	\$0. _____ per gal. over OPIS
No. 2 Dyed Diesel	\$0. _____ per gal. over OPIS

All deliveries to be made to 705 Wichita Street during normal business hours unless otherwise specified. During the term of the contract, fuel price may increase or decrease based on the *Daily* Oil Price Information Service (OPIS) Price from Austin, TX, RACK. The amount designated by the supplier's profit margin per gallon will remain constant for the term of the contract which is for one year from the date of award by the Lockhart City Council.

\_\_\_\_\_  
Supplier Firm (Printed)

\_\_\_\_\_  
Printed name and title

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

**CITY OF LOCKHART  
PUBLIC WORKS DEPARTMENT**

**Annual Fuel Bid Package**

Unleaded Plus Gasoline  
No. 2 Dyed Diesel

**Bid Opening Information:**

Date: December 8, 2021  
Time: 11:00 am  
Place: Lockhart City Hall  
PO Box 239  
308 W. San Antonio Street  
Lockhart, Texas 78644

**Bid**

2,500 gallon Min. Delivery

**Fuel Type**

**Profit Margin Per Gallon**

Unleaded Plus

\$0. .05 per gal. over OPIS

No. 2 Dyed Diesel

\$0. .05 per gal. over OPIS

All deliveries to be made to 705 Wichita Street during normal business hours unless otherwise specified. During the term of the contract, fuel price may increase or decrease based on the *Daily* Oil Price Information Service (OPIS) Price from Austin, TX, RACK. The amount designated by the supplier's profit margin per gallon will remain constant for the term of the contract which is for one year from the date of award by the Lockhart City Council.

Schmidt & Sons, Inc.

Supplier Firm (Printed)

Susan Barnick - Controller

Printed name and title

Susan Barnick

Signature

12.8.2021

Date

**CITY OF LOCKHART  
PUBLIC WORKS DEPARTMENT**

**Annual Fuel Bid Package**

Unleaded Plus Gasoline  
No. 2 Dyed Diesel

**Bid Opening Information:**

Date: December 8, 2021  
Time: 11:00 am  
Place: Lockhart City Hall  
PO Box 239  
308 W. San Antonio Street  
Lockhart, Texas 78644

**Bid**

2,500 gallon Min. Delivery

<u>Fuel Type</u>	<u>Profit Margin Per Gallon</u>
Unleaded Plus	\$0. <u>0440</u> per gal. over OPIS
No. 2 Dyed Diesel	\$0. <u>0540</u> per gal. over OPIS

All deliveries to be made to 705 Wichita Street during normal business hours unless otherwise specified. During the term of the contract, fuel price may increase or decrease based on the *Daily Oil Price Information Service* (OPIS) Price from Austin, TX, RACK. The amount designated by the supplier's profit margin per gallon will remain constant for the term of the contract which is for one year from the date of award by the Lockhart City Council.

Golden West Oil Company  
Supplier Firm (Printed)  
Chad Raemsch - Sales Rep  
Printed name and title  
Chad Raemsch  
Signature  
12/7/21  
Date

## Fuel Bids Synopsis-Top Two Companies

**2022**

<u>Company and Bid Analysis</u>	<u>Margin</u>	<u>Surcharge</u>	<u>Extension</u>
<b>Golden West</b>	<b>New Braunfels, Texas</b>		
Gasoline	40,000 \$ 0.0440		\$ 1,760.00
Average Loads per year			\$ -
Diesel	26000 \$ 0.0540		\$ 1,404.00
Average Loads			\$ -
		Total	\$ 3,164.00
<b>Schmidt &amp; Sons</b>	<b>Lockhart, Texas business</b>		
Gasoline	40,000 \$ 0.0500		\$ 2,000.00
Average Loads per year			
Diesel	26000 \$ 0.0500		\$ 1,300.00
Average Loads			
		Toal	\$ 3,300.00

The Schmidt & Sons bid is \$136 (4.2%) more than Golden West Oil Co.

Local business preference can be up to 5 % difference.

Schmidt & Sons is recommended for the bid award by staff.

**Additional Factors of Consideration:**

Schmidt & Sons is a local company that has a history of providing timely fuel deliveries from its local bulk plant. The Company also provides fuel services when City fuel pumps are down which is a great convenience.



# City of Lockhart, Texas

## Council Agenda Item Cover Sheet

**COUNCIL MEETING DATE:** December 21, 2021

**AGENDA ITEM CAPTION:** Approve one year renewal to the existing contract with Gene Bagwell, dba, Maintenance Management of San Marcos, Texas for cemetery maintenance mowing services in the West Section of the Lockhart Municipal Burial Park on North Colorado Street in the amount of \$53,248.40 and appointing the Mayor to sign the contractual document if approved.

**ORIGINATING DEPARTMENT AND CONTACT:** Public Works - Sean Kelley

**ACTION REQUESTED:** Award of Contract

**BACKGROUND/SUMMARY/DISCUSSION:** The existing contract was awarded in 2009. Mr. Bagwell has maintained the City cemetery for the past 20 years and has done a commendable job, especially in the areas of customer service. This company has multiple cemetery mowing maintenance contracts including the City of San Marcos, City of Austin and the State Veteran's Land Board. This contract does have cost adjustments to the base bid price based on the annual June Consumer Price Index, with a maximum increase or decrease amount of 3%. The City can cancel the proposed contract with a 30-day written notice to the contractor as written in Section 12 of the existing contract. General liability and workers compensation insurances that cover the City of Lockhart are requirements of this contract.

**PROJECT SCHEDULE (if applicable):** Contract renewal duration from January 1, 2022 to December 31, 2022.

**AMOUNT & SOURCE OF FUNDING:**

**Funds Required:** \$53,248.40

**Account Number:** 100-5632-208 -Cemetery – Grounds and Landscaping

**Funds Available:** \$57,000

**Account Name:** FY Budget 2021-2022

**FISCAL NOTE (if applicable):** N/A

**PREVIOUS COUNCIL ACTION:** N/A

**COMMITTEE/BOARD/COMMISSION ACTION:** N/A

# ***City of Lockhart, Texas***

## **Council Agenda Item Cover Sheet**

**STAFF RECOMMENDATION/REQUESTED MOTION:** Staff respectfully recommends approval of contract extension for one year from January 1, 2022 to December 31, 2022 with Gene Bagwell, dba, Maintenance Management under the provisions of the existing contract in the amount of \$53,248.40.



**LIST OF SUPPORTING DOCUMENTS:** Cemetery Map-Mowing Service Areas, Contract Renewal Notice 2022, Bagwell Cemetery Maintenance Contract



# Lockhart Municipal Burial Park

Mowing/Maintenance Service Areas

**Legend**

-  City Maintained Section
-  Contractor Maintained Section





STATE OF TEXAS )  
 ) CITY OF  
LOCKHART )  
CALDWELL COUNTY )

**CONTRACT RENEWAL**

**Mr. Gene Bagwell d/b/a Maintenance Management  
625 Pioneer Trail  
San Marcos, Texas 78666**

**Re: Third Renewal of Lockhart Cemeteries Maintenance Contract Agreement**

**Initial Term: January 1, 2010 through December 31, 2014  
First Renewal Term: January 1, 2015 through December 31, 2019  
Second Renewal Term: January 1, 2020 through December 31, 2020  
Third Renewal Term: January 1, 2021 through December 31, 2021  
Fourth Renewal term: January 1, 2022 through December 31, 2022**

**Date: December 21, 2021**

The Cemeteries Maintenance Contract described above was awarded to you on November 10, 2009. We have determined that you have performed in accordance with the requirements of the Contract.

Therefore, the City is exercising its option to renew the Contract year to year effective from January 1, 2021 through December 31, 2021. This renewal period is governed by the specifications, pricing, terms and conditions set forth in the Cemeteries Maintenance Contract. Also, this Contract Renewal reflects the understanding of you and the City when the original Agreement was entered into, and rectifies the renewal language on page 8, section 1 of the Contract Agreement, that the first renewal term of the Lockhart Cemeteries Maintenance Contract Agreement is for five (5) additional years and thereafter year to year at the City's discretion.

The Contract amount price set forth in this Renewal will be in the amount of \$53,248.40. This Contract amount is subject to price adjustments at the beginning of the City's fiscal year (October 1) based on the "June" Consumer Price Index as published by the U.S. Department of Labor, Bureau of Labor Statistics. Any such adjustment may not increase more than 3% or decrease more than 3%. Proposed price adjustments must be presented to the City in writing at least 90 days prior to October 1, 2022.

**Re: Third Renewal of Lockhart Cemeteries Maintenance Contract Agreement**

**Initial Term: January 1, 2010 through December 31, 2014**  
**First Renewal Term: January 1, 2015 through December 31, 2019**  
**Second Renewal Term: January 1, 2020 through December 31, 2020**  
**Third Renewal Term: January 1, 2021 through December 31, 2021**  
**Fourth Renewal Term: January 1, 2022 through December 31, 2022**

I hereby acknowledge acceptance of this Contract Renewal, and I agree to be bound by all requirements, terms, and conditions as set forth in the Lockhart Cemeteries Maintenance Contract Agreement and this Contract Renewal.

**CONTRACTOR**

\_\_\_\_\_  
Mr. Gene Bagwell d/b/a Maintenance Management

\_\_\_\_\_  
Date

**CITY OF LOCKHART**

\_\_\_\_\_  
Lew White, Mayor

\_\_\_\_\_  
Date

Attest:

\_\_\_\_\_  
Connie Constancio, TRMC, City Secretary

\_\_\_\_\_  
Date



STATE OF TEXAS )  
 )  
CALDWELL COUNTY )

CITY OF LOCKHART

**CONTRACT RENEWAL**

**Mr. Gene Bagwell d/b/a Maintenance Management  
625 Pioneer Trail  
San Marcos, Texas 78666**

**Re: Third Renewal of Lockhart Cemeteries Maintenance Contract Agreement**

**Initial Term: January 1, 2010 through December 31, 2014  
First Renewal Term: January 1, 2015 through December 31, 2019  
Second Renewal Term: January 1, 2020 through December 31, 2020  
Third Renewal Term: January 1, 2021 through December 31, 2021**

**Date: November 17, 2020**

The Cemeteries Maintenance Contract described above was awarded to you on November 10, 2009. We have determined that you have performed in accordance with the requirements of the Contract.

Therefore, the City is exercising its option to renew the Contract year to year effective from January 1, 2021 through December 31, 2021. This renewal period is governed by the specifications, pricing, terms and conditions set forth in the Cemeteries Maintenance Contract. Also, this Contract Renewal reflects the understanding of you and the City when the original Agreement was entered into, and rectifies the renewal language on page 8, section 1 of the Contract Agreement, that the first renewal term of the Lockhart Cemeteries Maintenance Contract Agreement is for five (5) additional years and thereafter year to year at the City's discretion.

The Contract amount price set forth in this Renewal will be in the amount of \$53,248.40. This Contract amount is subject to price adjustments at the beginning of the City's fiscal year (October 1) based on the "June" Consumer Price Index as published by the U.S. Department of Labor, Bureau of Labor Statistics. Any such adjustment may not increase more than 3% or decrease more than 3%. Proposed price adjustments must be presented to the City in writing at least 90 days prior to October 1, 2021.

**Re: Third Renewal of Lockhart Cemeteries Maintenance Contract Agreement**

**Initial Term: January 1, 2010 through December 31, 2014**

**First Renewal Term: January 1, 2015 through December 31, 2019**

**Second Renewal Term: January 1, 2020 through December 31, 2020**

**Third Renewal Term: January 1, 2021 through December 31, 2021**

I hereby acknowledge acceptance of this Contract Renewal, and I agree to be bound by all requirements, terms, and conditions as set forth in the Lockhart Cemeteries Maintenance Contract Agreement and this Contract Renewal.

**CONTRACTOR**

\_\_\_\_\_  
Mr. Gene Bagwell d/b/a Maintenance Management

\_\_\_\_\_  
Date

**CITY OF LOCKHART**

  
\_\_\_\_\_  
Lew White, Mayor

11-17-2020  
\_\_\_\_\_  
Date

Attest:

  
\_\_\_\_\_  
Connie Constancio, TRMC, City Secretary

11-17-2020  
\_\_\_\_\_  
Date

# City of Lockhart, Texas

## Council Agenda Item Cover Sheet

**COUNCIL MEETING DATE:** December 21, 2021

**AGENDA ITEM CAPTION:** Discussion and/or action to consider accepting the semi-annual report from the Impact Fee Advisory Committee concerning the status of implementation of Chapter 31 "impact fees" of the Lockhart Code of Ordinances with regard to water, wastewater, and road impact fees, and discussion and/or action to consider the need to update or revise the land use assumptions, capital improvement plans (CIP's), and impact fees.

**ORIGINATING DEPARTMENT AND CONTACT:** Development Services - Dan Gibson

**ACTION REQUESTED:** Direction

**BACKGROUND/SUMMARY/DISCUSSION:** In accordance with State law, the Impact Fee Advisory Committee has an ongoing role in monitoring and evaluating implementation of the impact fee capital improvement plans, and submitting semi-annual reports to City Council. The Committee met on December 8<sup>th</sup> to consider their 39<sup>th</sup> semi-annual report since impact fees were originally adopted on January 15, 2002. The current total balance of all impact fee accounts is \$3,085,031. Total impact fee revenue during this six-month period was \$462,014, and there were no expenditures of impact fees in any of the accounts for this period. State law requires that qualified consultants be retained every five years to update the land use assumptions, CIP's, and fees. The most recent impact fee update was completed and adopted in 2017, so the statutory five-year update will be due in 2022. The Council does have the option of deciding that an update of the land use assumptions, capital improvement plans, and impact fees isn't necessary. In such case, the City can go another five years without an update or, if the need arises, can choose to do an update at any time before the next five years are up. If the Council does decide that an update is not necessary, a notice of that decision must be published three consecutive times in the newspaper. The notice will state that anyone potentially affected by the impact fees can contact the City within 60 days of the decision and request that the update be done anyway, in which case the City has no choice but to do the update. If nobody requests an update, then the decision not to do an update takes effect. If the Council wishes to do the five-year update, then consultants will need to be hired soon so that their reports can be finished in time to be adopted by the City Council during 2022. More information is contained in the attached semi-annual report and from the Committee, which is for the six-month period from April 1, 2021, to September 31, 2021.

**PROJECT SCHEDULE (if applicable):** If the Council agrees that the impact fee update and adoption of new fees is needed, it should be done during 2022.

# City of Lockhart, Texas

## Council Agenda Item Cover Sheet

### **AMOUNT & SOURCE OF FUNDING:**

**Funds Required:** N/A

**Account Number:** N/A

**Funds Available:** N/A

**Account Name:** N/A

**FISCAL NOTE (if applicable):** Impact fees, which are charged at the time that building permits are issued, provide revenue to the City, and are spent only on projects authorized in the water, wastewater, and road impact fee capital improvement plans.

**PREVIOUS COUNCIL ACTION:** The current land use assumptions, CIP's, and impact fees were adopted on April 4, 2017.

**COMMITTEE/BOARD/COMMISSION ACTION:** On December 8th, the Impact Fee Advisory Committee voted unanimously to submit the attached report, which recommends that an update of the current land use assumptions, capital improvement plans, and impact fees be undertaken in 2022.

**STAFF RECOMMENDATION/REQUESTED MOTION:** Staff recommends that the Council ACCEPT the Impact Fee Advisory Committee's report, and direct staff to retain consultants, as required by State law, to begin the process of the update.

**LIST OF SUPPORTING DOCUMENTS:** Fall 2021 signed committee report to CC, impact fee Exhibit A fall 2021, impact fee Exhibit B fall 2021

**IMPACT FEE REPORT**  
*To Lockhart City Council –December 2021*

**PURPOSE**

State law requires a continuing semi-annual role for the Impact Fee Advisory Committee in monitoring the progress of implementation of the impact fee ordinance, and in advising the City Council on needed revisions. More specifically, State law provides that the Committee:

- 1) Monitor and evaluate implementation of the capital improvements plans;
- 2) File semi-annual reports with respect to the progress of the capital improvements plans and report to City Council any perceived inequities in implementing the plans or imposing the impact fees; and,
- 3) Advise the City Council of the need to update or revise the land use assumptions, capital improvements plans (CIP's), and impact fees.

This is the 39<sup>th</sup> status report since the impact fee ordinance was originally adopted on January 15, 2002, and is for the period from April 1, 2021, to September 31, 2021. It is the ninth report since the update adopted on April 4, 2017, and is based on the current capital improvement plans and impact fees. The six-month reporting dates align with the fiscal year quarters.

**STATUS OF ACCOUNTS**

**Exhibit A** shows revenue totaling \$462,014 during the period covered by this report. Fees collected during the six-month period was for 39 new houses, one retail interior tenant space finish-out, and one industrial building. There were no expenditures of impact fees in any of the accounts for this period. The water, wastewater, and road impact fee account balances for the previous semi-annual report, as well as the current balances as of October 1, 2021, including accrued interest, are shown in the table.

The total estimated cost of all of the projects in the capital improvement plans in effect during the six-month reporting period was \$58,311,537. However, the City Council adopted one-half that amount as the maximum to be collected by April 1, 2027, which is the end of the ten-year CIP period, so the maximum fees are based on an estimated cost of all three CIP's being \$29,155,769. The total of all impact fees spent on CIP projects so far since the April 4, 2017 update is \$673,073, which does not include payments to impact fee update consultants. That leaves \$28,482,696 to still be spent. The total balance available remaining collectively in the four impact fee accounts that can be used toward meeting that goal, is currently \$3,085,031.



## TRENDS

The bar graph in **Exhibit B** illustrates the impact fee collection trends beginning with the first semi-annual report in July 2003. The trends generally reflect the state of the economy, as well as the availability of lots for residential development. With housing demand at an all-time high, and sufficient platted lots available, the total for this reporting period is the highest of all of the reporting periods. It is important to build a healthy balance in all of the accounts because there is interest in development where the City does not currently have adequate infrastructure, but where many of the needed projects are already listed in the impact fee CIP's.

## UPDATE

The most recent impact fee update was completed and adopted in 2017, so the statutory five year update will be due in 2022. The Council does have the option of deciding that an update of the land use assumptions, capital improvement plans, and impact fees isn't necessary. In such case, the City can go another five years without an update or, if the need arises, can choose to do an update at any time before the next five years is up. If the Council does decide that an update is not necessary, a notice of that decision must be published three consecutive times in the newspaper. The notice will state that anyone potentially affected by the impact fees can contact the City within 60 days of the decision and request that the update be done anyway, in which case the City has no choice but to do the update. If nobody requests an update, then the decision to not do an update takes effect.

If the Council wishes to do the five-year update, then consultants will need to be hired soon so that their reports can be finished in time to be adopted by the City Council during 2022. There are several arguments that would support proceeding with the five-year update. The primary reason is due to construction cost inflation. Impact fees are based on the estimated cost of the projects in each CIP, and those costs are now out-of-date. In addition, the CIP's are intended to reflect the anticipated growth of the city, and the rapid population growth we are experiencing may require changes in the location and size of projects that are in the current CIP's, and/or may support adding new projects. For example, there is interest in development tracts to the north, south, and southeast of the city that will require annexations and extensions of utilities. Our water CCN (State-authorized service area) has grown by 2,373 acres to the north, but will also need to expand to the south where the rural water supply company currently having jurisdiction is unable to serve urban land use densities that are currently being proposed in that area.

## RECOMMENDATION

The Committee met on December 8, 2021, and unanimously voted to forward this semi-annual report to the City Council for the period ending on September 31<sup>st</sup>, recommending that an update of the current land use assumptions, capital improvement plans, and impact fees be undertaken in 2022.

Respectfully,



Philip Ruiz, Chair  
Impact Fee Advisory Committee

# EXHIBIT A

## ***FALL 2021 IMPACT FEE ACCOUNT BALANCES<sup>1</sup>***

	<u>April 1, 2021</u>	+	Revenue <sup>2</sup>	-	Expense	=	<u>October 1, 2021</u>
<b>Water</b>	865,618		95,279		0		960,897
<b>Wastewater</b>	805,677		74,166		0		879,843
<b>Roads (Service Area 1)</b>	646,176		7,904		0		654,080
<b>Roads (Service Area 2)</b>	305,546		284,665		0		590,211
<b>TOTAL</b>	<b>\$2,623,017</b>		<b>\$462,014</b>		<b>\$0</b>		<b>\$3,085,031</b>

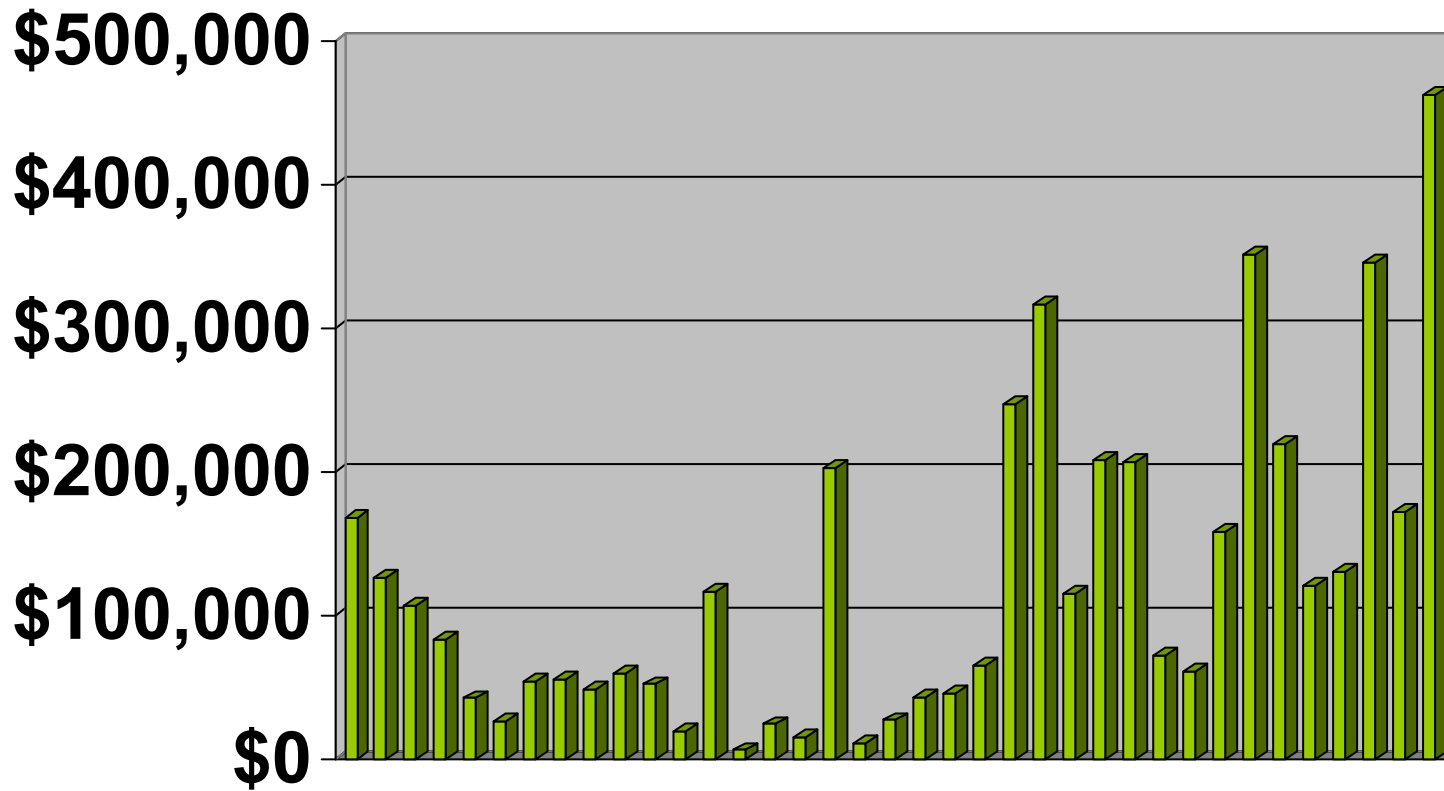
1. All amounts have been rounded to the nearest dollar.

2. Revenue amounts include accrued interest.

One-half total CIP estimated cost (estimated 100% cost of all projects is \$58,311,537):	\$29,155,769
Total spent on projects since adoption of Ordinance 2017-08 on April 4, 2017:	\$673,073
Remaining amount of 1/2 estimated cost not yet spent:	\$28,482,696
Current balance on October 1, 2020:	\$3,085,031

**NOTE:** The CIP cost information is the total for the capital improvements plans adopted by Ordinance 2017-08 on April 4, 2017, with all amounts rounded to the nearest dollar.

**EXHIBIT B**  
***IMPACT FEE SEMI-ANNUAL REVENUE***  
**July 2003 - October 2021**



# City of Lockhart, Texas

## Council Agenda Item Cover Sheet

**COUNCIL MEETING DATE:** December 21, 2021

**AGENDA ITEM CAPTION:** Discussion and/or action regarding petition for rate adjustment filed by Central Texas Refuse LLC dated November 17, 2021 as outlined in Resolution 2021-23.

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

**ACTION REQUESTED:** Resolution

**BACKGROUND/SUMMARY/DISCUSSION:** The City and Central Texas Refuse, LLC entered into a contract for solid waste services date effective June 1, 2021, after which it was determined that the parties have different interpretations of, or disputes over, certain provisions of the contract. In an effort to resolve the disputes, the City proposed and CTR agreed to submit a petition for a rate adjustment under protest, which CTR did by letter dated November 17, 2021. However, City Staff has determined that acceptance of the petition will not resolve the differences in interpretation of the contract and disputes.

**PROJECT SCHEDULE (if applicable):**

**AMOUNT & SOURCE OF FUNDING:**

Funds Required:

Account Number:

Funds Available:

Account Name:

**FISCAL NOTE (if applicable):**

**PREVIOUS COUNCIL ACTION:** Approval of the Solid Waste Services contract with CTR effective June 1, 2021.

**COMMITTEE/BOARD/COMMISSION ACTION:**

**STAFF RECOMMENDATION/REQUESTED MOTION:** Denial of the petition filed under protest.

**LIST OF SUPPORTING DOCUMENTS:** Resolution No. 2021-23

## RESOLUTION 2021-23

### **A RESOLUTION OF THE CITY OF LOCKHART, TEXAS DENYING THE PETITION OF CENTRAL TEXAS REFUSE, LLC FOR A FUEL SURCHARGE FOR SOLID WASTE SERVICES PURSUANT TO THE CITY'S CONTRACT WITH CENTRAL TEXAS REFUSE, LLC DATED JUNE 1, 2021**

**WHEREAS**, the City of Lockhart (“the City”) entered into a contract for solid waste services with Central Texas Refuse, LLC, (“CTR”) dated effective June 1, 2021 (“the Contract”); and

**WHEREAS**, in July 2021, CTR notified the City that it intended to implement a fuel surcharge that would affect the rates under the Contract; and

**WHEREAS**, the City determined that the Contract does not authorize implementation of a fuel surcharge unless petitioned by CTR and approved by the City Council through amendment of the Contract, as provided in Sec. III B 2 of the Contract; and

**WHEREAS**, the City and CTR have different interpretations of the Contract, or disputes, regarding the fuel surcharge, the procedure for a rate adjustment, and proper application of Sec. IV A and Schedule B of the Contract regarding the eight percent fee due the City; and

**WHEREAS**, in an attempt to resolve the dispute over interpretation, the City proposed and CTR agreed to submit a petition under Sec. III B 2, but filed under protest; and

**WHEREAS**, the petition under protest from CTR was filed with the City by letter dated November 17, 2021 (“the Petition”); and

**WHEREAS**, pursuant to Sec. III B 2 of the Contract, such a petition was required to “specifically identify the reasons for the requested adjustment and its impact upon the Contractor’s cost of operations, in unit terms, with an explanation of the methodology used to calculate such impact.” and

**WHEREAS**, the Petition contains a summary of CTR’s contract interpretation dispute and its proposed solutions but does not contain the information regarding impact, cost in unit terms, explanation of methodology, or other information required under Sec. III B 2; and

**WHEREAS**, the City Council has determined that acceptance of the petition will not resolve the differences in interpretation of the contract and disputes over the fuel surcharge, the procedure for a rate adjustment, nor proper application of Sec. IV A and Exhibit B of the Contract regarding the eight percent fee due the City, and will not provide a pathway for amendment of the Contract as allowed under Sec. III B 2 of the Contract ;



**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. For the reasons stated in the recitals, the City Council hereby declines to approve the petition or request for implementation of a fuel surcharge.
3. CTR is not prohibited from hereafter filing a petition that complies with Sec. III B 2.

**PASSED AND ADOPTED on this the 21st day of December 2021.**

**CITY OF LOCKHART**

\_\_\_\_\_  
Lew White, Mayor

**ATTEST:**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Connie Constancio, TRMC, City Secretary

\_\_\_\_\_  
Monte Akers, City Attorney

# City of Lockhart, Texas

## Council Agenda Item Cover Sheet

**COUNCIL MEETING DATE:** December 21, 2021

**AGENDA ITEM CAPTION:** Discussion regarding matters related to COVID-19.

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

**ACTION REQUESTED:** Other

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

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

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

### Open Meetings Act Suspensions Terminate effective September 1, 2021

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

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

The following are provisions in the OMA suspension that will no longer be allowed effective September 1, 2021:

- 1) Video conferencing capability will change in that a member of the governing body or board can meet virtually but there must be a quorum physically present at the meeting location.
- 2) Telephone conference meetings will not be allowed to continue and are only allowed in an emergency.

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

# **City of Lockhart, Texas**

## **Council Agenda Item Cover Sheet**

On October 11, 2021, Governor Abbott issued GA-40 prohibiting vaccine mandates, subject to legislative action.

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

**PROJECT SCHEDULE (if applicable):** N/A

**AMOUNT & SOURCE OF FUNDING:**

**Funds Required:** N/A

**Account Number:** N/A

**Funds Available:** N/A

**Account Name:** N/A

**FISCAL NOTE (if applicable):** None.

**PREVIOUS COUNCIL ACTION:** N/A

**COMMITTEE/BOARD/COMMISSION ACTION:** N/A

**STAFF RECOMMENDATION/REQUESTED MOTION:** None.

**LIST OF SUPPORTING DOCUMENTS:** Update of COVID-19 orders and Council actions, GA-39, GA-38, Governor Abbott proclamation renewing the Declaration of Disaster, GA 40

## HISTORY OF COVID-19 ORDERS/COUNCIL ACTIONS

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

On **October 11, 2021**, Governor Abbott issued GA-40 relating to prohibiting all entities of compelling receipt of a COVID-19 vaccine until the issue has been considered through legislation.





GOVERNOR GREG ABBOTT

August 25, 2021

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

AUG 25 2021

*[Handwritten Signature]*  
Secretary of State

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

Dear Deputy Secretary Esparza:

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

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

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

Respectfully submitted,

*[Handwritten Signature: Gregory S. Davidson]*  
Gregory S. Davidson  
Executive Clerk to the Governor  
GSD/gsd

Attachment

# Executive Order

BY THE  
GOVERNOR OF THE STATE OF TEXAS

Executive Department  
Austin, Texas  
August 25, 2021

EXECUTIVE ORDER  
GA 39

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

---

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

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

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

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

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

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

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

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

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

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

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AUG 25 2021

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

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

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

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

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

1. No governmental entity can compel any individual to receive a COVID-19 vaccine. I hereby suspend Section 81.082(f)(1) of the Texas Health and Safety Code, and any other relevant statutes, to the extent necessary to ensure that no governmental entity can compel any individual to receive a COVID-19 vaccine.
2. State agencies and political subdivisions shall not adopt or enforce any order, ordinance, policy, regulation, rule, or similar measure that requires an individual to provide, as a condition of receiving any service or entering any place, documentation regarding the individual's vaccination status for any COVID-19 vaccine. I hereby suspend Section 81.085(i) of the Texas Health and Safety Code, and any other relevant statutes, to the extent necessary to enforce this prohibition. This paragraph does not apply to any documentation requirements necessary for the administration of a COVID-19 vaccine.
3. Any public or private entity that is receiving or will receive public funds through any means, including grants, contracts, loans, or other disbursements of taxpayer money, shall not require a consumer to provide, as a condition of receiving any service or entering any place, documentation regarding the consumer's vaccination status for any COVID-19 vaccine. No consumer may be denied entry to a facility financed in whole or in part by public funds for failure to provide documentation regarding the consumer's vaccination status for any COVID-19 vaccine.
4. Nothing in this executive order shall be construed to limit the ability of a nursing home, state supported living center, assisted living facility, or long-term care facility to require documentation of a resident's vaccination status for any COVID-19 vaccine.
5. This executive order shall supersede any conflicting order issued by local officials in response to the COVID-19 disaster. Pursuant to Section 418.016(a) of the Texas Government Code, I hereby suspend Sections 418.1015(b) and 418.108 of the Texas Government Code, Chapter 81, Subchapter E of the Texas Health and Safety Code, and any

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AUG 25 2021

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

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



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

Handwritten signature of Greg Abbott in black ink.

GREG ABBOTT  
Governor

ATTESTED BY:

Handwritten signature of Joe A. Esparza in black ink.  
JOE A. ESPARZA  
Deputy Secretary of State

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

AUG 25 2021





GOVERNOR GREG ABBOTT

July 29, 2021

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

JUL 29 2021

Secretary of State

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

Dear Deputy Secretary Esparza:

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

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

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

Respectfully submitted,

  
Gregory S. Davidson  
Executive Clerk to the Governor

GSD/gsd

Attachment



# Executive Order

BY THE  
GOVERNOR OF THE STATE OF TEXAS

Executive Department  
Austin, Texas  
July 29, 2021

EXECUTIVE ORDER  
GA 38

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

---

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

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

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

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

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

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

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

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

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

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

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

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JUL 29 2021

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

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

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

1. To ensure the continued availability of timely information about COVID-19 testing and hospital bed capacity that is crucial to efforts to cope with the COVID-19 disaster, the following requirements apply:
  - a. All hospitals licensed under Chapter 241 of the Texas Health and Safety Code, and all Texas state-run hospitals, except for psychiatric hospitals, shall submit to the Texas Department of State Health Services (DSHS) daily reports of hospital bed capacity, in the manner prescribed by DSHS. DSHS shall promptly share this information with the Centers for Disease Control and Prevention (CDC).
  - b. Every public or private entity that is utilizing an FDA-approved test, including an emergency use authorization test, for human diagnostic purposes of COVID-19, shall submit to DSHS, as well as to the local health department, daily reports of all test results, both positive and negative. DSHS shall promptly share this information with the CDC.
2. To ensure that vaccines continue to be voluntary for all Texans and that Texans' private COVID-19-related health information continues to enjoy protection against compelled disclosure, in addition to new laws enacted by the legislature against so-called "vaccine passports," the following requirements apply:
  - a. No governmental entity can compel any individual to receive a COVID-19 vaccine administered under an emergency use authorization. I hereby suspend Section 81.082(f)(1) of the Texas Health and Safety Code to the extent necessary to ensure that no governmental entity can compel any individual to receive a COVID-19 vaccine administered under an emergency use authorization.
  - b. State agencies and political subdivisions shall not adopt or enforce any order, ordinance, policy, regulation, rule, or similar measure that requires an individual to provide, as a condition of receiving any service or entering any place, documentation regarding the individual's vaccination status for any COVID-19 vaccine administered under an emergency use authorization. I hereby suspend Section 81.085(i) of the Texas Health and Safety Code to the extent necessary to enforce this prohibition. This paragraph does not apply to any documentation requirements necessary for the administration of a COVID-19 vaccine.
  - c. Any public or private entity that is receiving or will receive public funds through any means, including grants, contracts, loans, or other disbursements of taxpayer money, shall not require a consumer to provide, as a condition of receiving any service or entering any place, documentation regarding the consumer's vaccination status for any COVID-19 vaccine administered under an emergency use authorization. No consumer may be denied entry to a facility financed

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3:15 PM O'CLOCK

JUL 29 2021



- in whole or in part by public funds for failure to provide documentation regarding the consumer's vaccination status for any COVID-19 vaccine administered under an emergency use authorization.
- d. Nothing in this executive order shall be construed to limit the ability of a nursing home, state supported living center, assisted living facility, or long-term care facility to require documentation of a resident's vaccination status for any COVID-19 vaccine.
  - e. This paragraph number 2 shall supersede any conflicting order issued by local officials in response to the COVID-19 disaster. I hereby suspend Sections 418.1015(b) and 418.108 of the Texas Government Code, Chapter 81, Subchapter E of the Texas Health and Safety Code, and any other relevant statutes, to the extent necessary to ensure that local officials do not impose restrictions in response to the COVID-19 disaster that are inconsistent with this executive order.
3. To ensure the ability of Texans to preserve livelihoods while protecting lives, the following requirements apply:
- a. There are no COVID-19-related operating limits for any business or other establishment.
  - b. In areas where the COVID-19 transmission rate is high, individuals are encouraged to follow the safe practices they have already mastered, such as wearing face coverings over the nose and mouth wherever it is not feasible to maintain six feet of social distancing from another person not in the same household, but no person may be required by any jurisdiction to wear or to mandate the wearing of a face covering.
  - c. In providing or obtaining services, every person (including individuals, businesses, and other legal entities) is strongly encouraged to use good-faith efforts and available resources to follow the Texas Department of State Health Services (DSHS) health recommendations, found at [www.dshs.texas.gov/coronavirus](http://www.dshs.texas.gov/coronavirus).
  - d. Nursing homes, state supported living centers, assisted living facilities, and long-term care facilities should follow guidance from the Texas Health and Human Services Commission (HHSC) regarding visitations, and should follow infection control policies and practices set forth by HHSC, including minimizing the movement of staff between facilities whenever possible.
  - e. Public schools may operate as provided by, and under the minimum standard health protocols found in, guidance issued by the Texas Education Agency. Private schools and institutions of higher education are encouraged to establish similar standards.
  - f. County and municipal jails should follow guidance from the Texas Commission on Jail Standards regarding visitations.
  - g. As stated above, business activities and legal proceedings are free to proceed without COVID-19-related limitations imposed by local governmental entities or officials. This paragraph number 3 supersedes any conflicting local order in response to the COVID-19 disaster, and all relevant laws are suspended to the extent necessary to preclude any such inconsistent local orders. Pursuant to the legislature's command in Section 418.173 of the Texas Government Code and the State's emergency management plan, the imposition of any conflicting or inconsistent limitation by a local governmental entity or official constitutes a "failure to comply with" this executive order that is subject to a fine up to \$1,000.

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SECRETARY OF STATE  
3:15pm O'CLOCK

JUL 29 2021

4. To further ensure that no governmental entity can mandate masks, the following requirements shall continue to apply:
  - a. No governmental entity, including a county, city, school district, and public health authority, and no governmental official may require any person to wear a face covering or to mandate that another person wear a face covering; provided, however, that:
    - i. state supported living centers, government-owned hospitals, and government-operated hospitals may continue to use appropriate policies regarding the wearing of face coverings; and
    - ii. the Texas Department of Criminal Justice, the Texas Juvenile Justice Department, and any county and municipal jails acting consistent with guidance by the Texas Commission on Jail Standards may continue to use appropriate policies regarding the wearing of face coverings.
  - b. This paragraph number 4 shall supersede any face-covering requirement imposed by any local governmental entity or official, except as explicitly provided in subparagraph number 4.a. To the extent necessary to ensure that local governmental entities or officials do not impose any such face-covering requirements, I hereby suspend the following:
    - i. Sections 418.1015(b) and 418.108 of the Texas Government Code;
    - ii. Chapter 81, Subchapter E of the Texas Health and Safety Code;
    - iii. Chapters 121, 122, and 341 of the Texas Health and Safety Code;
    - iv. Chapter 54 of the Texas Local Government Code; and
    - v. Any other statute invoked by any local governmental entity or official in support of a face-covering requirement.

Pursuant to the legislature's command in Section 418.173 of the Texas Government Code and the State's emergency management plan, the imposition of any such face-covering requirement by a local governmental entity or official constitutes a "failure to comply with" this executive order that is subject to a fine up to \$1,000.
  - c. Even though face coverings cannot be mandated by any governmental entity, that does not prevent individuals from wearing one if they choose.
5. To further ensure uniformity statewide:
  - a. This executive order shall supersede any conflicting order issued by local officials in response to the COVID-19 disaster, but only to the extent that such a local order restricts services allowed by this executive order or allows gatherings restricted by this executive order. Pursuant to Section 418.016(a) of the Texas Government Code, I hereby suspend Sections 418.1015(b) and 418.108 of the Texas Government Code, Chapter 81, Subchapter E of the Texas Health and Safety Code, and any other relevant statutes, to the extent necessary to ensure that local officials do not impose restrictions in response to the

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

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



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

Handwritten signature of Greg Abbott in black ink.

GREG ABBOTT  
Governor

ATTESTED BY:

Handwritten signature of Joe A. Esparza in black ink.  
\_\_\_\_\_  
JOE A. ESPARZA  
Deputy Secretary of State

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

JUL 29 2021





GOVERNOR GREG ABBOTT

August 29, 2021

FILED IN THE OFFICE OF THE  
SECRETARY OF STATE  
3:30 PM CLOCK

AUG 29 2021

  
Secretary of State

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

Dear Mr. Deputy Secretary:

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

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

The original proclamation is attached to this letter of transmittal.

Respectfully submitted,

  
Gregory S. Davidson  
Executive Clerk to the Governor

GSD/gsd

Attachment

**PROCLAMATION**  
BY THE  
**Governor of the State of Texas**

---

TO ALL TO WHOM THESE PRESENTS SHALL COME:

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

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

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

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

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

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

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

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



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

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

GREG ABBOTT  
Governor

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

AUG 29 2021

ATTESTED BY:

  
\_\_\_\_\_  
JOE ESPARZA  
Deputy Secretary of State

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AUG 29 2021



GOVERNOR GREG ABBOTT

October 11, 2021

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SECRETARY OF STATE  
4:30 PM 'CLOCK

OCT 11 2021

Secretary of State

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

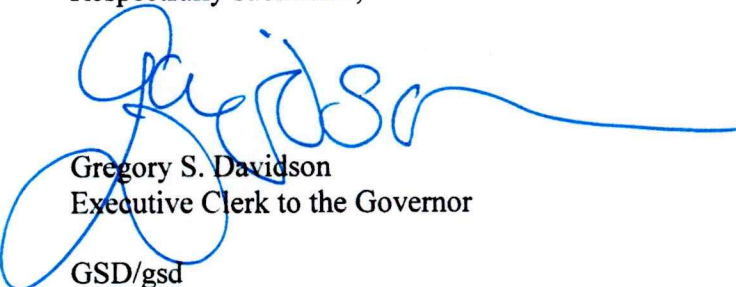
Dear Deputy Secretary Esparza:

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

Executive Order No. GA-40 relating to prohibiting vaccine mandates, subject to legislative action.

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

Respectfully submitted,

  
Gregory S. Davidson  
Executive Clerk to the Governor

GSD/gsd

Attachment



# Executive Order

BY THE  
GOVERNOR OF THE STATE OF TEXAS

Executive Department  
Austin, Texas  
October 11, 2021

EXECUTIVE ORDER  
GA 40

*Relating to prohibiting vaccine mandates,  
subject to legislative action.*

---

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

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

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

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

WHEREAS, I issued Executive Orders GA-35, GA-38, and GA-39 to prohibit governmental entities and certain others from imposing COVID-19 vaccine mandates or requiring vaccine passports; and

WHEREAS, in yet another instance of federal overreach, the Biden Administration is now bullying many private entities into imposing COVID-19 vaccine mandates, causing workforce disruptions that threaten Texas's continued recovery from the COVID-19 disaster; and

WHEREAS, countless Texans fear losing their livelihoods because they object to receiving a COVID-19 vaccination for reasons of personal conscience, based on a religious belief, or for medical reasons, including prior recovery from COVID-19; and

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

WHEREAS, the legislature has taken care to provide exemptions that allow people to opt out of being forced to take a vaccine for reasons of conscience or medical reasons; and

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

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

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SECRETARY OF STATE  
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OCT 11 2021



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

1. No entity in Texas can compel receipt of a COVID-19 vaccine by any individual, including an employee or a consumer, who objects to such vaccination for any reason of personal conscience, based on a religious belief, or for medical reasons, including prior recovery from COVID-19. I hereby suspend all relevant statutes to the extent necessary to enforce this prohibition.
2. The maximum fine allowed under Section 418.173 of the Texas Government Code and the State's emergency management plan shall apply to any "failure to comply with" this executive order. Confinement in jail is not an available penalty for violating this executive order.
3. This executive order shall supersede any conflicting order issued by local officials in response to the COVID-19 disaster. Pursuant to Section 418.016(a) of the Texas Government Code, I hereby suspend Sections 418.1015(b) and 418.108 of the Texas Government Code, Chapter 81, Subchapter E of the Texas Health and Safety Code, and any other relevant statutes, to the extent necessary to ensure that local officials do not impose restrictions in response to the COVID-19 disaster that are inconsistent with this executive order.

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

Given under my hand this the 11th  
day of October, 2021.



GREG ABBOTT  
Governor

ATTESTED BY:



JOE A. ESPARZA  
Deputy Secretary of State

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SECRETARY OF STATE  
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OCT 11 2021

**LIST OF BOARD/COMMISSION VACANCIES**

*Updated: 12/17/2021*

<b>Board Name</b>	<b>Reappointments/Vacancies</b>	<b>Council member</b>
Board of Adjustment	One Alternate position	Any Councilmember
LEDC	VACANCY – (Dyral Thomas removed Sept 2021)	Councilmember Juan Mendoza

**APPLICATIONS RECEIVED TO BE ON A BOARD/COMMISSION**

<b>APPLICANT</b>	<b>BOARD REQUESTED</b>	<b>DATE RECEIVED</b>	<b>RESIDENCE DISTRICT</b>
Adella Fernandez	1 <sup>st</sup> - LEDC 2 <sup>nd</sup> - Planning & Zoning 3 <sup>rd</sup> – Parks & Recreation	July 21, 2021	District 3
Lue Edward D. Baker	1 <sup>st</sup> – Historic Preservation Comm. 2 <sup>nd</sup> – Parks & Recreation 3 <sup>rd</sup> – Planning & Zoning	August 18, 2021	District 4
Dennis McCown	Historic Preservation Commission	October 21, 2021	District 2
Thomas Hughes	Airport Advisory Board	December 14, 2021	Caldwell County Resident
Daniel Koehler	Airport Advisory Board	December 17, 2021	District 4

CITY OF LOCKHART

ADVISORY BOARD/COMMISSION QUESTIONNAIRE/APPLICATION

NAME: Thomas Hughes E-mail: ThomasHXLI@Gmail.com

ADDRESS: 2345 Westwood Rd HOME#: —

lockhart tx 78644 WORK#: 512 488 2214

OCCUPATION: Operations Manager CELL# 386 748 4903

EDUCATION (optional): —

How long have you been a resident of Lockhart? 3 years

Are you a qualified voter of the City? Yes  No  VOTER REG. #: —

PROFESSIONAL AND/OR COMMUNITY ACTIVITIES: —

ADDITIONAL PERTINENT INFORMATION/REFERENCES: Current pilot for the last 10 years, Airplane owner, Familiar with Airport operations

I AM INTERESTED IN SERVING ON THE FOLLOWING BOARDS, COMMISSIONS, OR COMMITTEES:

(Please limit your selection to no more than three. List in order of preference: 1,2,3)

- Airport Advisory Board
- Board of Adjustments & Appeals
- Construction Board of Appeals
- Economic Development Revolving Loan
- Economic Development Corp (1/2 Cent Sales Tax)
- Electric Board
- Historic Preservation Commission
- Library Board Advisory Bd.
- Parks and Recreation Advisory Bd.
- Planning & Zoning Commission

Do you serve on any other board/commission/committee at this time? If so, please list: —

Do you have any relative working for the City of Lockhart? Yes  No

Do you receive any direct compensation or gain from the City of Lockhart? Yes  No

Do you receive any direct compensation or gain from any other governmental body? Yes  No  If yes, what type? —

[Signature]  
(Signature of Applicant)

12/8/2021  
(Date) **RECEIVED**

Return application to:  
City of Lockhart  
City Secretary's Office  
PO Box 239  
Lockhart, TX 78644  
[cconstancio@lockhart-tx.org](mailto:cconstancio@lockhart-tx.org)

DEC 14 2021

CITY OF LOCKHART  
CITY SECRETARY'S OFFICE

If you have any questions, please contact the City Secretary's Office at 512-928-3461

CITY OF LOCKHART

ADVISORY BOARD/COMMISSION QUESTIONNAIRE/APPLICATION

NAME: Daniel Koehler E-mail: dan@jrspartner.com

ADDRESS: 213 Sunshadow Dr. HOME#:

Lockhart TX, 78644 WORK#: 512-361-7028

OCCUPATION: Executive / Entrepreneur / Technology Engineer CELL# 916-792-7296

EDUCATION (optional): Business & Technology

How long have you been a resident of Lockhart? More than 3 years now

Are you a qualified voter of the City? Yes [X] No [ ] VOTER REG. #: Unknown

PROFESSIONAL AND/OR COMMUNITY ACTIVITIES: Operate multiple businesses in the community.

Have participated in community events, and volunteered with local charities.

ADDITIONAL PERTINENT INFORMATION/REFERENCES: I am a student pilot and formerly had a plane

I owned out at 50R. Unfortunately the hail storm May 2020 totaled her. I am business and financial minded and am an aviation enthusiast. I am a young professional wanting to see the community and airport grow to its potential.

I AM INTERESTED IN SERVING ON THE FOLLOWING BOARDS, COMMISSIONS, OR COMMITTEES: (Please limit your selection to no more than three. List in order of preference: 1,2,3)

- [X] Airport Advisory Board [ ] Electric Board [ ] Board of Adjustments & Appeals [ ] Historic Preservation Commission [ ] Construction Board of Appeals [ ] Library Board Advisory Bd. [ ] Economic Development Revolving Loan [ ] Parks and Recreation Advisory Bd. [ ] Economic Development Corp (1/2 Cent Sales Tax) [ ] Planning & Zoning Commission

Do you serve on any other board/commission/committee at this time? If so, please list: no

Do you have any relative working for the City of Lockhart? Yes [ ] No [X]

Do you receive any direct compensation or gain from the City of Lockhart? Yes [ ] No [X]

Do you receive any direct compensation or gain from any other governmental body? Yes [ ] No [X] If yes, what type?

(Signature of Applicant) (Date) 12-16-2021

Return application to: City of Lockhart City Secretary's Office PO Box 239 Lockhart, TX 78644 cconstancio@lockhart-tx.org

RECEIVED

DEC 17 2021

If you have any questions, please contact the City Secretary's Office at 512/398-3461.

CITY OF LOCKHART CITY SECRETARY'S OFFICE

<p>The following are NOTES regarding appointments to several boards that have certain criteria that should be met, such as qualifications or number to serve on the board. Boards that are not listed below have a seven member board and are open to any citizen without qualifications.</p>	
<p><b>NOTES:</b> AIRPORT ADVISORY BOARD</p>	<p><b>Sec. 4-26. Membership; appointments.</b> The Lockhart Airport Advisory Board shall be composed of seven members to be appointed in accordance with section 2-210. At least five members must currently be or have been flight rated, and two members may be appointed as at-large members. Members shall serve three-year terms, such terms coinciding with the council position making the appointment.</p> <p><b>Sec. 4-28. Eligibility for board membership.</b> No person having a financial interest in any commercial carrier by air, or in any concession, right or privilege to conduct any business or render any service for compensation upon the premises of the Lockhart Municipal Airport shall be eligible for membership on the Lockhart Airport Advisory Board.</p> <p><b>Sec. 4-32. Limitations of authority.</b> The Lockhart Municipal Airport Advisory Board shall not have authority to incur or create any debt in connection with airport operations; nor shall the board be empowered to enter into any contract, leases, or other legal obligations binding upon the City of Lockhart; nor shall the board have authority to hire airport personnel or direct airport personnel in the execution of their duties.</p>
<p><b>NOTES:</b> CONSTRUCTION BOARD APPOINTMENTS</p>	<p><i>Section B101.4, Board Decision,</i> is amended to read as follows: The construction board of adjustments and appeals shall have the power, as further defined in Appendix B, to hear appeals of decisions and interpretations of the building official and consider variances of the technical codes; and to conduct hearings on determinations of the building official regarding unsafe or dangerous buildings, structures and/or service systems, and to issue orders in accordance with the procedures beginning with section 12-442 of this Code [of Ordinances].</p> <p><i>Section B101.2, Membership of Board,</i> is amended to read as follows: Each District Council member and the Mayor shall appoint one member to the Construction Board of Appeals making it a five (5) member board and each Councilmember at Large shall appoint an alternate. The term of office of the board members shall be three (3) years, such terms coinciding with the council position making the appointment. The two (2) alternates shall also serve the term coinciding with the council position making the appointments. Vacancies shall be filled for an unexpired term in the manner in which the original appointments are required to be made. Board members shall consist of members who are qualified by experience and/or training to pass on matters pertaining to building construction and are not employees of the City of Lockhart.</p>
<p><b>NOTES:</b> ELECTRIC BOARD APPOINTMENTS</p>	<p><b>Sec. 12-132. Members.</b> (a) Appointments to the examining and supervisory board of electricians and appeals shall conform to section 2-210 except that the board shall consist of five persons with one being appointed by each district council member and one by the mayor. Each member shall serve three-year terms with such terms to coincide with the council position making the appointment. (b) Each board member shall reside within the county and such board shall include one member who shall be a building contractor; one layman; two members shall be master electricians who are currently licensed by the city; and one member shall be either a building contractor or master electrician licensed by the city. There shall be two ex-officio members, one who shall be the city electrical inspector, and one shall be the fire marshal.</p> <p><b>Sec. 12-133. Officers and quorum.</b> The members of the examining and supervising board of electricians and appeals shall select a chairman and secretary. A quorum shall consist of three members.</p>
<p><b>NOTES:</b> HISTORIC PRESERVATION COMMISSION</p>	<p><b>Sec. 28-3. Historical preservation commission.</b> (b) The commission shall consist of seven members, appointed by the city council in accordance with section 2-210, who shall whenever possible meet one or more of the following qualities: (1) A registered architect, planner or representative of a design profession, (2) A registered professional engineer in the State of Texas, (3) A member of a nonprofit historical organization of Caldwell County, (4) A local licensed real estate broker or member of the financial community, (5) An owner of an historic landmark residential building, (6) An owner or tenant of a business property that is an historic landmark or in an historic district, (7) A member of the Caldwell County Historical Commission.</p>
<p><b>NOTES:</b> PARKS ADVISORY BOARD</p>	<p><b>Sec. 40-133. Members.</b> (a) The board shall consist of seven members appointed in accordance with section 2-210 to serve three years terms, such terms to coincide with the council position making the appointment and two alternates shall also be appointed by the mayor and mayor pro-tem, one each. The two alternates shall also serve the term coinciding with the council position making the appointments. Vacancies shall be filled for an unexpired term in the manner in which the original appointments are required to be made. (Ordinance 06-08, adopted February 7, 2006)</p>



<p><b>NOTES:</b> Lockhart Economic Dev Corp</p>	<p><b>LEDC Bylaws – Article II. Board of Directors</b>  <b>Section 1. Powers, Number and Term of Office</b></p> <ul style="list-style-type: none"> <li>a. The property and affairs of the Corporation shall be managed and controlled by a Board of Directors (The “Board”) under the guidance and direction of the Lockhart City Council and, subject to the restrictions imposed by law, by the Articles of Incorporation, and by these Bylaws the Board shall exercise all of the powers of the Corporation.</li> <li>b. The Board shall consist of seven directors, each of whom shall be appointed by the City Council of the City. Each director shall occupy a place (individually the “Place” and collectively, the “Places”) as designated herein. Places 1-4 are designated for Councilmember Directors from Councilmember Districts 1 through 4 respectively. In the event that a particular Councilmember from said District is unable or unwilling to serve in the capacity as a Director, that Councilmember shall have the right to nominate a non-councilmember for approval and appointment. Places 5-7 are designated for Citizen Member Directors.</li> <li>c. The directors constituting the first Board shall be those directors named in the Articles of Incorporation. Successor directors shall have the qualifications, shall be of the classes of directors, and shall be appointed to the terms set forth in the Articles of Incorporation.</li> <li>d. Any director may be removed from office by the City Council at will.</li> </ul>
<p><b>NOTES:</b> ORDINANCE RE: ALL BOARD, COMMISSION APPOINTMENTS</p>	<p><b>Sec. 2-209. - Rules for appointment.</b>  The city council hereby sets the following rules:</p> <ul style="list-style-type: none"> <li>(1) Except as may be established by existing city ordinances/resolutions the process for selecting members shall be open to all Lockhart citizens, who must apply for appointment, to include those applying for reappointment. Reappointment shall not be deemed automatic.</li> <li>(2) Council shall seek to appoint the most qualified or best persons available, while also respecting the need for diverse community opinions.</li> <li>(3) No member of any appointed body shall serve on more than one quasi-judicial or advisory board or commission.</li> <li>(4) No appointed body shall deviate from its charge, deliberate items not on its agendas, or speak for the council or City of Lockhart without council authorization.</li> <li>(5) Subject to other qualifications as specifically required for membership on the below boards and commissions, the city council shall have the right (but not the duty) to appoint up to two members who are not Lockhart citizens but who are residents of Caldwell County to the Lockhart Airport Advisory Board, the Eugene Clark Library Board, and the construction board of appeals.</li> </ul> <p><b>Section 2-210. Method of selection; number of members; terms.</b></p> <ul style="list-style-type: none"> <li>(a) The mayor and city councilmembers shall nominate individuals to serve on boards and commissions. Each nomination shall then be confirmed by a simple majority of the entire city council.</li> <li>(b) Except as provided herein, there shall be seven members appointed to each board or commission corresponding with the seven members or places of the city council. Each city councilmember, except as provided herein, shall nominate a qualified person to serve in a place on an appointed body corresponding to their place on the council. At-large councilmembers shall be designated as places 5 and 6, and the mayor's position as place 7, for the purpose of this section. Nominations shall be made to fill vacant positions and/or positions whose terms have expired within 90 days of the event, such as a resignation or an election. Should any city councilmember fail to name an appointee to one of his/her corresponding places on any body within the above described 90 days, another councilmember shall then have the privilege to nominate a person to fill that same position, as described in subsection (a). However, once that position becomes vacant again for any reason, the appointment shall revert to the place corresponding with the original city council seat/place number for nominations.</li> <li>(c) Beginning with the election in May, 1998, the council shall nominate and confirm four members to serve in places 1, 2, 5, 6 on each board and commission in accordance with subsections (a) and (b) above, and with the standards set in Ordinance Number 97-09, Governance Policies. With the election of May, 1999, the remaining three places shall be filled following the same procedure as above.</li> <li>(d) Terms of service on appointed bodies shall be the same three-year terms as the councilmember who nominates a person to serve. However, a person may be appointed to complete the unexpired term of a vacant position, due to a resignation, for example.</li> <li>(e) When a person has completed a term, or terms, of service and will be vacating a place, that person may continue to serve until a replacement is nominated and confirmed by the city council.</li> <li>(f) At the discretion of the majority of the city council, one Caldwell County resident who is also an owner of real property within any local historic district may be appointed as a full member to the historical preservation commission.</li> <li>(g) Exceptions to the above regulations shall be all volunteer/special purpose/ad hoc committees appointed from time to time by the city council and the zoning board of adjustments, whose members shall serve two-year terms in accordance with V.T.C.A., Local Government Code § 211.008. All other provisions of this section, and ordinance number 97-09 which do not conflict with the chapters establishing these bodies shall be applicable.</li> </ul> <p><b>Sec. 2-212. Removal and resignation of members.</b></p> <ul style="list-style-type: none"> <li>(a) All board, commission and committee members serve at the pleasure of the city council and may be removed from office with or without cause at the discretion of the city council.</li> <li>(b) Board, commission and committee members may resign from office at any time by filing a written resignation, dated and signed by the member, with the City Secretary. Such resignation shall take effect upon receipt by the City Secretary without further action by the city council. If the city council appoints a new member to replace the resigned member, the new member shall be appointed to serve out the remainder of the resigned member's term.</li> </ul>

<p><b>NOTES:</b>                  PARKS MASTER                  PLAN STEERING                  COMMITTEE                  (Est. 09/05/2017)</p>	<p>Committee to have 8-10 members as follows:</p> <ul style="list-style-type: none"> <li>• Councilmembers</li> <li>• City staff</li> <li>• Two Parks Advisory Board members</li> <li>• Business owners</li> <li>• Civic Organization members</li> </ul> <p>Committee will assist Burditt Consultants to perform tasks outlined in the Parks Master Plan.</p>
<p><b>NOTES:</b>                  AD-HOC                  COMMITTEE – ST.                  PAUL UNITED                  CHURCH OF                  CHRIST PROPERTY                  (Est. 09/05/2017)</p>	<p>Committee will consist of at least one appointment from Mayor and each Councilmember.</p> <p>The Committee will make recommendations to the Council about the use of the property at 728 S. Main.</p>
<p><b>NOTES:</b>                  WAYFINDING                  SIGNAGE AND                  COMMUNITY                  BRANDING                  AD-HOC                  (Est. 01/02/2018)</p>	<p>Committee will assist City Planner/Development Services with wayfinding signage and community branding tasks.</p> <p>Committee will consist of up to five members appointed by the Council.</p> <p>NOTE: First Branding and Wayfinding Committee disbanded/dissolved on December 18, 2018.</p> <p>UPDATE: Second Branding and Wayfinding Committee appointed on March 5, 2019.</p>

**NOTES:**  
HOTEL  
OCCUPANCY  
TAX ADVISORY  
BOARD  
(Est. 12-3-  
2019)

Sec. 54-127 MEMBERSHIP AND MEETING FREQUENCY

- a. The HOT Advisory Board should consist of five (5) members.
- b. Members shall consist of the following, the appointment of whom shall be confirmed by the City Council
  - i. A lodging facility representative;
  - ii. The City Manager or his/her designee;
  - iii. A former member of the City Council; and
  - iv. Two citizens nominated by Mayor.
- c. The HOT Advisory Board shall meet at least quarterly for allocation of funds and post-event reviews.
- d. Three Board members shall constitute a quorum.
- e. Each Board member shall serve a term of two years.
- f. Vacancies on the Board shall be filled by appointment by the City Council for the remainder of the existing term.

Sec. 54-128 PURPOSE AND RESPONSIBILITY

- a. The legislative functions of the city council shall in no way be delegated to the HOT Advisory Board. The HOT Advisory Board shall be considered a special purpose advisory committee.
- b. The purposes and responsibility of the HOT Advisory Board shall be:
  - i. To receive, review, and evaluate applications from organizations requesting HOT funds;
  - ii. To recommend allocation of HOT funds (as authorized by the Texas Tax Code, Chapter 351) to the City Council;
  - iii. To review the actual expenditures of HOT Funds;
  - iv. To offer suggestions for improvements or changes to the use or administration of HOT funds; and
  - v. To submit an annual report to the City Council that identifies approved expenditures by the City for the preceding year, reviews such approved expenditures in the context of compliance with state laws regarding the use of HOT funds, and evaluates the effectiveness of the approved HOT expenditures and the program.

Sec. 54-129 HOT FUND GRANT PROCESS AND POST-EVENT REPORTING

- a. Applications for funding will be considered at each meeting. Completed applications must be received ten (10) days prior to a meeting of the Board at which it will be reviewed.
- b. Applicants will be notified of the award of funds following approval by the City Council of the award, at which time one-half of approved funding will be awarded.
- c. The Board shall produce guidelines for approved applicants regarding a post-event report from each such applicant that demonstrates qualified expenditures
- d. A post-event report from each approved applicant is required in order for the applicant to receive final payment.

Sec. 54-130 HOT FUND GRANT PROCESS GUIDELINES.

- In considering the grant of HOT Funds, the Board and City Council shall:
- i. Ensure that each funding requests for HOT revenues is for one or more statutorily defined purpose;
  - ii. Establish and implement a policy of properly utilizing 100% of available HOT funds each year;
  - iii. Consider whether funding should be based on a formula for pre-determined activities consistent with authorized uses (e.g. advertising, arts, signage, historical restoration/preservation);
  - iv. Consider funding approaches that will allow for equitable funding opportunities for new as well as established events and activities; and
  - vi. Consider eligibility criteria beyond the Tax Code requirements (e.g. limiting grants to 25% of the total event budget or disallowing/limiting use of HOT funds for events' programs that occur on a regular (e.g. monthly) basis.

**COUNCILMEMBER BOARD/COMMISSION APPOINTMENTS**

<b>Councilmember</b>	<b>Board/Commission</b>	<b>Appointee</b>	<b>Date Appointed</b>
Mayor – Lew White	Airport Board	John Hinnekamp	01/19/21
	Board of Adjustment	Mike Annas	01/19/21
	Construction Board	Raymond DeLeon	01/19/21
	Ec Dev. Corp. ½ Cent Sales Tax	Alan Fielder, Vice-Chair	01/19/21
	Electric Board	Joe Colley, Chair	01/19/21
	Historical Preservation	John Lairsen	01/19/21
	Library Board	Stephanie Riggins	01/19/21
	Parks and Recreation	Karla Tate	02/02/21
	Planning & Zoning	Ron Peterson	01/19/21
	ETJ Rep-Impact Fee Adv Comm	Larry Metzler	01/19/21
District 1 – Juan Mendoza	Airport Board	Larry Burrier	03/07/17
	Board of Adjustment	Lori Rangel	03/07/17
	Construction Board	Mike Votee	12/17/19
	Eco Dev. Corp, ½ Cent Sales Tax	VACANT- (Dyral Thomas removed Sept 2021)	
	Electric Board		
	Historical Preservation	Frank Gomillion	12/17/19
	Library Board	Christine Ohlendorf	06/02/20
	Parks and Recreation	Shirley Williams	12/17/19
	Planning & Zoning	Linda Thompson-Bennett	03/07/17
		Chris St. Leger	12/17/19 CM McGregor on behalf of Councilman Mendoza
District 2– David Bryant	Airport Board	Todd Blomerth	05/05/20
	Board of Adjustment	Shawn Martinez	03/17/21
	Construction Board	Oscar Torres	10/20/20
	Eco Dev. Corp. ½ Cent Sales Tax	David Bryant	09/21/21
	Electric Board	James Briceno	10/20/20
	Historical Preservation	Ron Faulstich	10/20/20
	Library Board	Quartermetra Hughes	10/20/20
	Parks and Recreation	Lonnie Jones	04/06/21
	Planning & Zoning	Manuel Oliva	10/20/20

**COUNCILMEMBER BOARD/COMMISSION APPOINTMENTS**

District 3 – Kara McGregor	Airport Board Board of Adjustment  Construction Board Eco Dev. Corp. ½ Cent Sales Tax Electric Board Historical Preservation Library Board Parks and Recreation Planning & Zoning	Ray Chandler Anne Clark, Vice-Chair Kirk Smith (Alternate) Jerry West, Vice-Chair Sally Daniel John Voigt Ronda Reagan Jean Clark Fox, Chair Warren Burnett Philip McBride, Chair	02/06/18 02/23/21 12/05/17 01/19/21 01/05/21 01/19/21 01/19/21 01/19/21 01/19/21 01/19/21 01/19/21
District 4 - Jeffry Michelson	Airport Board Board of Adjustment Construction Board Eco Dev. Corp. ½ Cent Sales Tax Electric Board Historical Preservation Library Board Parks and Recreation Planning & Zoning	Mark Brown, Vice-Chair Wayne Reeder Rick Winnett Doug Foster Ian Stowe Michel Royal Donaly Brice Russell Wheeler Rick Arnic	03/07/17 12/15/20 12/05/17 11/17/20 12/15/20 07/07/20 12/15/20 12/15/20 12/15/20
Mayor Pro-Tem (At-Large) – Angie Gonzales-Sanchez	Airport Board Board of Adjustment Construction Board Eco Dev. Corp. ½ Cent Sales Tax Historical Preservation Library Board Parks and Recreation Planning & Zoning	Andrew Reyes Laura Cline, Chair Paul Martinez Alfredo Munoz Ray Ramsey Jodi King Lee Parra Philip Ruiz, Vice-Chair	01/07/20 01/07/20 01/07/20 01/07/20 07/07/20 01/07/20 08/17/21 01/07/20



**COUNCILMEMBER BOARD/COMMISSION APPOINTMENTS**

<p>At-Large - Brad Westmoreland</p>	<p>Airport Board Board of Adjustment Construction Board (Alternate) Eco Dev. Corp. ½ Cent Sales Tax Historical Preservation Library Board Parks and Recreation Planning &amp; Zoning</p>	<p>Jayson “Tex” Cordova Severo Castillo Gary Shafer Frank Estrada Richard Thomson Rebecca Lockhart Dennis Placke Brad Lingvai</p>	<p>02/04/20 02/04/20 02/04/20 02/04/20 02/04/20 02/04/20 02/04/20 02/04/20</p>
	<p>Charter Review Commission (Five member commission) Term – 24 months after appointment</p>	<p>Ray Sanders Bill Hernandez Roland Velvin Elizabeth Raxter Alan Fielder</p>	<p>03/01/16 – Michelson 03/01/16 – Michelson 03/01/16 – Michelson 03/01/16 – Hilburn 03/15/16 – Hilburn</p>
	<p>Sign Review Committee (no longer meeting)</p>	<p>Gabe Medina Neto Madrigal Terry Black Kenneth Sneed Johnny Barron, Jr. Tim Clark</p>	<p>03/17/15 - Mayor Pro-Tem Sanchez 04/21/15 – Councilmember Mendoza 12/19/17– Councilmember McGregor 03/17/15 – Mayor White 03/17/15 – Councilmember Castillo 03/17/15– Councilmember Michelson</p>
	<p>Parks Master Plan Steering Committee (8-10 members)</p>	<p>Albert Villalapando Dennis Placke Nita McBride Rebecca Pulliam Bernie Rangel Derrick David Bryant Beverly Anderson Carl Ohlendorf Beverly Hill</p>	<p>09/05/17 – Parks Bd appointee 09/05/17 – Parks Bd appointee 12/05/17– McGregor 09/19/17– Michelson 09/19/17 – Castillo 09/19/17 - Sanchez 09/19/17 - Mendoza 09/19/17 – Westmoreland 09/19/17 – Mayor White</p>

**COUNCILMEMBER BOARD/COMMISSION APPOINTMENTS**

	<p>Church Property Ad-hoc Committee (7 members)</p>	<p>Amelia Smith Jackie Westmoreland Todd Blomerth Andy Govea Terry Black Jane Brown Raymond DeLeon Dyral Thomas</p>	<p>09/05/17 – Westmoreland 09/05/17 – Westmoreland 09/05/17 – Mayor White 09/1917 – Sanchez 12/19/17 – McGregor 09/19/17 – Michelson 09/20/17 – Castillo 09/22/17 – Mendoza</p>
	<p>Wayfinding Signage and Community Branding Ad-Hoc Committee (5 members)</p> <p><b>THIS COMMITTEE WAS - RE-ESTABLISHED ON MARCH 5, 2019</b></p>	<p>Roy Watson Ronda Reagan Sally Daniel Rob Ortiz Bobby Herzog</p>	<p>03/05/19 03/05/19 03/05/19 03/05/19 03/05/19 Appointed by Mayor with consensus of Council</p>
	<p>HOT Advisory Bd</p>	<p>Ray Sanders Alfredo Munoz Archana “Archie” Gandhi Roxanne Rix Steve Lewis and Pam Larison Sally Daniel (Alternate) Janet Grigar (Alternate)</p>	<p>All members appointed by consensus of the Council on 12/03/2019</p>

# City of Lockhart, Texas

## Council Agenda Item Cover Sheet

**COUNCIL MEETING DATE:** December 21, 2021

**AGENDA ITEM CAPTION:** Discussion and/or action to consider Resolution 2021-24 authorizing a salary adjustment for City Manager Steven Lewis and addendum to the City Manager Agreement dated effective August 18, 2018 by and between the City of Lockhart and Steven Lewis.

**ORIGINATING DEPARTMENT AND CONTACT:** Administration - Steven Lewis

**ACTION REQUESTED:** Other

**BACKGROUND/SUMMARY/DISCUSSION:**

City Council will conduct an annual evaluation with the City Manager in Executive Session.

The current agreement provides that adjustments to the City Manager's salary be carried out through a Resolution. Attached is a Resolution to be considered in Open Session if the Council desires to adjust the City Manager's salary.

**PROJECT SCHEDULE (if applicable):** N/A

**AMOUNT & SOURCE OF FUNDING:**

Funds Required: N/A

Account Number: N/A

Funds Available: N/A

Account Name: N/A

**FISCAL NOTE (if applicable):** N/A

**PREVIOUS COUNCIL ACTION:** N/A

**COMMITTEE/BOARD/COMMISSION ACTION:** N/A

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

**LIST OF SUPPORTING DOCUMENTS:** Resolution 2021-24,

**RESOLUTION 2021-24**

**A RESOLUTION OF THE CITY OF LOCKHART, TEXAS, AUTHORIZING A SALARY ADJUSTMENT FOR CITY MANAGER STEVEN LEWIS AND ADDENDUM TO THE CITY MANAGER AGREEMENT DATED EFFECTIVE AUGUST 28, 2018 BY AND BETWEEN THE CITY OF LOCKHART AND STEVEN LEWIS**

**WHEREAS**, by “City of Lockhart City Manager Agreement” (“the Agreement”) dated effective August 28, 2018, the City Council of the City of Lockhart employed, and Steven Lewis agreed to be employed as City Manager of the City; and

**WHEREAS**, pursuant to Sec. 5.1 of the Agreement, the City Council is to review the City Manager’s job performance at least annually; and

**WHEREAS**, pursuant to Sec. 3.2 of the Agreement, the Council may, in its discretion, adjust the salary paid to the City Manager, but not in an amount less than the salary provided in Sec. 3.1 of the Agreement, such adjustments to be made pursuant to lawful Council resolutions and for which the parties agreed to execute and Addendum to the Agreement; and

**WHEREAS**, the City Council has reviewed the City Manager’s job performance and is of the opinion that his salary should be adjusted and an Addendum executed;

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

1. The foregoing recitals and adopted and incorporated herein for all purposes.
2. The annual salary to be paid to City Manager Steven Lewis pursuant to Sec. 3.1 of the Agreement is hereby adjusted in the following manner provided in the Addendum to said Agreement that is attached hereto as Exhibit “A.”
3. The Mayor is authorized to execute this resolution and the attached Addendum.

**PASSED AND ADOPTED on this the 21<sup>st</sup> day of December, 2021.**

CITY OF LOCKHART

\_\_\_\_\_  
Lew White, Mayor

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Connie Constancio, TRMC, City Secretary

\_\_\_\_\_  
Monte Akers, City Attorney

**EXHIBIT “A” TO RESOLUTION 2021-24**

**ADDENDUM TWO TO CITY MANAGER AGREEMENT**

Recitals

1. By “City of Lockhart City Manager Agreement” (“the Agreement”) dated effective August 28, 2018, the City Council of the City of Lockhart employed, and Steven Lewis agreed to be employed as City Manager of the City.
2. Pursuant to Sec. 3.2 of the Agreement, the Council may, in its discretion, adjust the salary paid to the City Manager, but not in an amount less than the salary provided in Sec. 3.1 of the Agreement, such adjustments to be made pursuant to lawful Council resolutions and for which the parties agreed to execute and Addendum to the Agreement.
3. The City Council has reviewed the City Manager’s job performance and is of the opinion that his salary should be adjusted and an Addendum to the Agreement be executed by the parties.

Agreement and Amendment

For and in consideration of the mutual covenants contained herein and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Section 3.1 of the Agreement is hereby amended to read as follows:

**3.1 Salary.** The City shall provide the Manager with an annual salary in the sum of \_\_\_\_\_ commencing October 1, 2021. This annual salary rate shall be paid to the Manager in equal installments on the schedule as other City employees and shall be paid net of any applicable withholding or deductions required by Applicable Law and Authorities.

Except as amended by this Addendum, all other terms, provisions, obligations, and responsibilities of the parties contained in the Agreement shall remain in full force and effect.

**ADOPTED and effective on this the 21<sup>st</sup> day of December, 2021.**

CITY OF LOCKHART

\_\_\_\_\_  
Lew White, Mayor

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Connie Constancio, TRMC, City Secretary

\_\_\_\_\_  
Monte Akers, City Attorney





# City of Lockhart

2020-2021 Strategic Priorities

Prepared by:



## City of Lockhart

### Summary

On January 17 & 18, 2020 the City of Lockhart hosted two half-day planning sessions to develop goals and strategies for the next 2 years. Some of these goal areas were internal, whereas others were external. The following is the process used to reach the conclusions for the plan.

The process began with a preliminary phone meeting between the facilitator and Steve Lewis, City Manager, to go over key issues facing the City, understand the programs and projects underway through the community, and to prepare the agenda and format for the planning retreat.

The first portion of the strategic planning process began on Friday, January 17, 2020 with the City Manager and the City of Lockhart Management Team. The facilitator began by asking the Management Team participants what their expectations for discussion for the day were. She then conducted a group brainstorm exercise called Start/Stop/Continue that lists the things that need to begin happening, stop happening, and are mission-critical and must continue regardless of circumstances.

The facilitator then guided the Management Team through 2020-2021 goal and strategy development to recommend to the City Council the following day.

On Saturday, January 18, 2020, the City Council and City Manager convened to review, revise, and establish priorities related to the recommendations generated the day before by the Management Team. Prior to the review, the facilitator asked the City Council to list their expectations for discussion for the day.

The following are the results.

## Management Team Expectations for the Day's Discussion Topics

- Holistic view of the City
- Understanding other departments better
- Council to continue to be open to new ideas
- As the city grows, facilities and staff must keep up
- Next comprehensive master plan
- Establish an IT 3-5-year plan to keep current
- Replace phone systems and phone equipment
- Discuss records storage
- What is there for teens and tweens to do?
- Need administrative assistance
- Public Information Officer – keep information on point, factual, and streamlining voice: sharing voice vs. many voices
- Law enforcement: recruitment and administrative assistance
- Stick to implementing plan
- Fire equipment replacement plan and funding
- Achieve “needs” so we can work on “wants” for the future
- Customer service needs additional staff – same staffing level as 1000 accounts ago
- Technology training needed in Library (provide for public)
- Additional Library storage needed
- Electric services study needed and replace needed items
- Salary and compensation study to begin soon – want council to support and fund the results of the study

## City Council Expectations for the Day's Discussion Topics

- Improve work environment for staff
- Accomplish unfinished business from last strategic plan
- 142 & I-130 development
- Low-hanging fruit and larger longer-term goals
- Eliminate the red tape
- Look ahead to see what's next
- Balance citizen needs and staff needs
- Keep on track
- Prepare for quality growth
- Neighborhood beautification
- City Hall facilities
- Discuss hospital/after-hours clinic
- Hear staff recommendations

## Start/Stop/Continue

The facilitator guided the Management Team through an exercise that challenged them to brainstorm things that the City really needed to begin doing, what they should stop doing that could be a waste of resources, and what must they continue doing, regardless of circumstances. Below are their responses. Note that there are no right or wrong items; these are merely individuals' opinions about the things that should and shouldn't change in Lockhart. Just because one person has a certain opinion on a topic, that does not imply anyone else shared that opinion.

### Start

- Long-term street paving plan (paving/resurfacing)
- Electrical system study
- Formal grantsmanship program
- Records storage facility
- Digitize public works and utility records/maps
- Establish fee schedule for fire plan reviews and inspections
- Review development related fees
- Improve customer service at Police Department and Utilities Department by increasing administrative staff
- Start a Main Street Program
- New City facilities (abolish sewer smell)
- Consider a 4-day/10-hour work week option
- Annual review of facility maintenance, i.e. HVAC systems, etc.
- Make Parks Department into Parks and Recreation Department (start recreation program)
- Review and fund vehicle replacement fund
- Expand/improve airport facilities
- Figuring out how to generate more general fund revenues to pay for items on this “start” list

## Stop

- Printing reports – use digital reports when we can
- The waste in Archives
- Excessive paperwork related to personnel (consider paper reduction techniques instead)
- Making new employees wait 6 months to take time off/sick days/etc (other cities do 3 months)
- Excessive engine idling of city vehicles
- Worrying about other departments and focus on making your own team better
- Picking up commercial recycling for free
- Hanging highway banners for free
- Circulating city council department head reports monthly (do quarterly instead)
- Workshop portion of council meetings unless needed (they run too long)
- Referencing the past as “we have always done it that way” (we can be more innovative)



## Continue

- Effective communication with customers/website
- Planning for the future
- Maintaining hiring standards
- Improving community amenities finding external funding sources
- Succession planning and cross-training
- Staff meetings
- Learning new ways of doing things
- Employee longevity and retention efforts
- Good customer service
- Acknowledging staff accomplishments
- Great teamwork
- Parks improvements/parks master plan
- Efforts on wayfinding program
- Replacing aged power lines
- Planning and engineering for downtown paving and drainage improvements
- Providing utilities to areas of anticipated future growth and development
- Planning for future industrial parks
- Accreditation for Police and Fire Departments

## Recommendations from Staff:

The following items were recommendations from staff to city council. Items that have a checkbox (R) had agreement of city council the following day. The one item with no checkbox was rolled to consideration for 2022.

- Create and adopt 5-7-year paving/resurfacing plan (roads and sidewalks)
- Lockhart Police Department to conduct Active Shooter training for all City staff and elected officials and review official safety procedures for council meetings
- Explore asking the county for grant writer assistance
- Establish fee schedule for fire plan reviews and inspections
- Considering increasing existing fees for applications and development fees
- Develop an Airport Business Plan
- Research options for additional records storage
- Transition staff department reports from monthly to quarterly
- Pursue agenda management process and software
- Streamline paper processes where possible/evaluate software options
  - Utility billing
  - Applications
  - Council, boards, commissions:
    - Packets
    - Minutes




## Goal Development from City Council:

The following items were items identified by council to move forward on for 2020-2021:




- Establish a Hospital with an Emergency Room in town
- Sell church property
- Create resources via Lockhart EDC for proactive outreach to quality builders for additional housing
- Create a Youth Advisory Board to explore options around youth programs/activities
- Adopt a TIF (tax increment financing) policy prior to project being submitted
- Implement downtown drainage improvements
- Develop fiber down 142, 183, and the Central Business District
- Traffic safety improvements: turn lanes and traffic lights
- Consider submitting a multi-year street bond program to voters
- Begin TXDOT safety projects
- Promote a Neighborhood Watch Program
- Promote beautification projects through teamwork
- Clean up trash/enforcement
- Enhance lower income districts/beautification efforts









## Progress Reporting

The following icons are used to document progress of the following goals and strategies:

 = Completed
 = On Target or In Progress
 = Not on Target

### Goal 1: Economic Development / Planning

Strategies	2019-2020 Progress	2020-2021 Progress
1. Continue to partner with LISD and local youth organizations to encourage careers in local emergency services (Fire and Police)	 Partner with Boy Scouts to develop Police Explorer Program. Fire personnel attend and participate in LISD career days.	
2. Better collaborate with downtown stakeholders and both Chambers of Commerce		
3. Complete updating our development ordinances	 Revised Engineering Standards – presented to Council January 2020. Subdivision Regulations to follow.	

<p>4. Consider development tools to facilitate attraction / recruitment to SH 130 corridor</p>	 IEDC business park development study completed. Future consideration by LEDC.	
<p>5. Bring utilities, assist assembling parcels, rezoning tracts along SH 130/142 and become shovel-ready</p>	 Mostly done. Site development will facilitate the remainder.	
<p>6. Pursue prospects and developers and create a BRE (business retention and expansion) program</p>	 Hiring a second Economic Development practitioner.	
<p>7. Start investing in more property for growth</p>	 IEDC study.	
<p>8. Explore next industrial park</p>	 IEDC study.	
<p>9. HOT (Hotel Occupancy Tax) Funds – board to develop and adopt new process to collect payments from B&amp;Bs</p>	 HOT Advisory Board created. Board training and funding processes under review.	
<p>10. Adopt and implement the Economic Development Strategic Plan (currently underway by Garner Economics) by Q4 2020</p>	 LEDC Board hired Garner Economics January 2020	
<p>11. Robust LEDC website</p>	 Underway with EDsuite contract.	
<p>12. Create resources via Lockhart EDC for proactive outreach to quality builders for additional housing</p>	<p><i>N/A Brand new/created in 2020</i></p>	









Strategies	2019-2020 Progress	2020-2021 Progress
13. Adopt a TIF (tax increment financing) policy prior to project being submitted	<i>N/A Brand new/created in 2020</i>	
14. Develop fiber down 142, 183, and the Central Business District	<i>N/A Brand new/created in 2020</i>	

**Goal #1 KPIs / Metrics:**

- Did we partner with LISD & other youth organizations to encourage emergency services careers?
- Did we collaborate with downtown stakeholders and both Chambers of Commerce?
- Did we completely update our development ordinances?
- Did we brainstorm development tools for SH-130 development?
- Did we bring utilities and assemble parcels along SH-130?
- Did we develop shovel-ready development sites?
- Did we market those sites to prospective investors?
- Did we develop plans for our next industrial park?
- Did we revamp the way HOT funds are structured?
- Did we develop and implement an Economic Development Strategic Plan?
- Did the Lockhart EDC revamp their website to better attract investment?
- # of quality home builders the Lockhart EDC proactively reached out to in 2020-2021? \_\_\_\_\_
- Did we adopt a new TIF policy?
- # of miles of new fiber optics laid in Lockhart in 2020-2021? \_\_\_\_\_

**Goal 2: Quality of Life / Quality of Facilities**

Strategies	2019-2020 Progress	2020-2021 Progress
1. Invest money to improve the appearance of our town (streets, parks, entry signs)	 Doubled street resurfacing funds in FY 20; Parks Master Plan projects.	
2. Conduct and implement a Space Study of City Buildings and facilities including City Hall	 Budget established for FY 20 Space Study. RFP under development.	
3. Improve the image of City facilities as needed and conduct cosmetic improvements in the meantime	 See No. 2 above.	
4. Update, renovate, and construct City facilities as needed, based on the space study. Realize that remodel of Central Fire Station is likely next.	 Electrical panel upgrade at the Water Treatment Plant; Budget established for FY 20 Space Study; Fire Station No. 2 completed.	
5. Implement the Parks Master Plan, improving the quality of life for the community. What is in Phase 2: splash pad, restroom renovations, dog park, picnic shelter upgrades, and tree planting initiatives	 Multiple Phase I projects underway.	
6. Conduct a citywide quality of life citizen survey and ask council to fund.	 Allocate funds in FY 20-21; assign project to PIO.	
7. Establish a Hospital with an Emergency Room in town	<i>N/A Brand new/created in 2020</i>	
8. Sell church property	<i>N/A Brand new/created in 2020</i>	
9. Create a Youth Advisory Board to explore options around youth programs/activities	<i>N/A Brand new/created in 2020</i>	
10. Implement downtown drainage improvements	<i>N/A Brand new/created in 2020</i>	

Strategies	2019-2020 Progress	2020-2021 Progress
11. Consider submitting a multi-year street bond program to voters	<i>N/A Brand new/created in 2020</i>	
12. Promote beautification projects through teamwork	<i>N/A Brand new/created in 2020</i>	
13. Clean up trash/enforcement citywide	<i>N/A Brand new/created in 2020</i>	
14. Enhance lower income districts with beautification efforts	<i>N/A Brand new/created in 2020</i>	

**Goal #2 KPIs / Metrics:**

\$ amount invested in streets in 2019? \$ \_\_\_\_\_

\$ amount invested in parks in 2019? \$ \_\_\_\_\_

\$ amount invested in gateway entry signs in 2019? \$ \_\_\_\_\_

\$ amount invested in streets in 2020? \$ \_\_\_\_\_







\$ amount invested in parks in 2020? \$ \_\_\_\_\_




\$ amount invested in gateway entry signs in 2020? \$ \_\_\_\_\_

Which facilities did we improve the image of? \_\_\_\_\_

- Did we implement elements of the Parks Master Plan?
- Did we secure quotes on a Space Study of City buildings including City Hall?
- # of City-owned buildings we renovated or retrofitted? \_\_\_\_\_
- Did we conduct a citywide quality of life citizen survey?
- Did we address levels of service based on the citizen responses we received?
- Did we address levels of satisfaction based on the citizen responses we received?
- Did we address areas for improvement based on the citizen responses we received?
- Did we court hospital providers?
- Did we sell the church property?
- Did we create a Youth Advisory Board?
- Did we implement downtown drainage improvements?
- Did we fully investigate issuing a street bond?
- Did we fully enforce trash clean up around town?
- Did we specifically target lower income neighborhoods for new beautification projects?

**Goal 3: Staffing / Personnel**

Strategies	2019-2020 Progress	2020-2021 Progress
1. Consider hiring additional personnel (engineer, IT, etc.)	 In FY 20, staffing levels were increased by 2 full-time and 1 part-time positions.	
2. Conduct a staffing study that includes evaluating efficiencies and compensation	 Classification and Compensation Study underway.	
3. Right size staffing levels city-wide based on study results	 No funding was allocated for such a study; discuss need/timing of study during FY 20-21 budget process.	
4. Consider starting salaries that compete with surrounding communities	 Classification and Compensation Study underway.	
5. Be consistent with staff development / policies / purchasing procedures	 Comprehensive Purchasing Policy under development (anticipated to be complete 1 <sup>st</sup> quarter of 2020). Revision of City Personnel Policy underway.	
6. Implement a staff development program (be consistent)	 House Bill 3834 mandated cybersecurity training for all employees with computer access and elected officials – cybersecurity training program underway.	

Strategies	2019-2020 Progress	2020-2021 Progress
7. Start developing / preparing current staff to take on leadership roles within the organization in the future. Work on succession planning: add Fire, add Electric, add Streets, and add Animal Control.	 Emphasis on leadership training for police personnel, cross training of job duties underway in Finance Department.	
8. Recruit and attract more bi-lingual staff	 No funding was allocated to recruit bi-lingual staff; explore possible options during FY 20-21 budget process and the classification and compensation study.	
9. Customer service / experience excellence training for the Utility and Planning Development teams	 Training budgeted item in FY 20 for Utility Customer Services staff.	

**Goal #3 KPIs / Metrics:**

# of new positions in 2019? \_\_\_\_\_

# of new positions in 2020 and 2021? \_\_\_\_\_

Did we perform a staffing efficiency/compensation study?

Did we right-size our salaries based on that study by the end of 2020?

Did we develop new consistent policies and procedures regarding professional development of staff?

Did we develop new consistent policies and procedures regarding purchasing/procurement?

Did we create and implement a new staff development program to ensure everyone has training opportunities?







Did we begin grooming current staff for future leadership roles?

How many staff do we have on a leadership track by the end of 2020?



# of new employees added in 2019 through 2021 who are bilingual? \_\_\_\_\_

Did we deliver Customer Experience Excellence training to every City employee?

**Goal 4: Procedures / IT Management and Services**

Strategies	2019-2020 Progress	2020-2021 Progress
1. Improve technology / create specific strategies to have better IT support based on Assessment results	 New outside IT management team hired; Strategic plan for current and emerging issues (cyber) near completion.	
2. Upgrade all technology-related issues as recommended – desktops, servers, software, equipment, and peripherals. \$100K will pay for equipment, \$20K is licensing agreement costs.	 City-wide replacement of desktops with current operating systems complete; new servers in current fiscal year.	
3. Create a 5-year rolling IT equipment replacement plan	 See above notes 1 and 2.	
4. Provide superior service by keeping technology up to date and being able to communicate with the public (keep an open line of communication through website.) Purchase next modules: INCODE	 New PIO hired. Increased social media updates. INCODE permits and inspections software module implemented to track permit and inspections progress; online access to permit applications and tracking underway.	
5. Upgrade the server system	 Desktop operating systems upgrade 100% complete. Server upgrades in progress.	
6. Streamline technology hardware, software processes within the City, based on Assessment recommendations	 Ongoing and FY 20-21.	









Strategies	2019-2020 Progress	2020-2021 Progress
7. Upgrade all equipment and software and be trained on specific software to be used to maximum potential and determine which staff will require which trainings.	 Current year 2020 departmental goal.	
8. Explore implementing downtown Wi-Fi	 To be addressed in 2020 or 2021. Explore options with the Downtown Business Association and both Chambers of Commerce.	

**Goal #4 KPIs / Metrics:**

- Did we secure top quality technology support across all departments by the end of 2020?
- Did we upgrade our desktop computers?
- % of employees who received upgraded computers by the end of 2020 (from 2018 numbers)? \_\_\_\_\_
- Did we upgrade our servers?
- Did we upgrade our computer software, subscriptions, and licenses?
- Did we upgrade our peripherals?
- Did we upgrade our other technology equipment?
- Did we establish an IT policy for updates and replacements that will keep us up-to-date from now through the future?
- Did we upgrade our City server system?
- Did we streamline our City technology processes?
- Did we secure training for staff to use all new equipment properly and efficiently?
- Did we investigate implementing WiFi throughout Downtown Lockhart?

**Goal 5: Public Safety**

Strategies	2019-2020 Progress	2020-2021 Progress
1. Provide quality public safety to all citizens of Lockhart		
a. Develop a specific Retention Strategy first	 <p>City-wide classification and compensation study underway.  <b>Fire:</b> Council approved 7% salary adjustment in FY 19-20.  <b>Police:</b> all officers to attend leadership training, host ceremonial recognition events, retention strategy under development.</p>	
b. Continue to implement hiring strategies we developed such as Fire and Police.	 <p><b>Fire:</b> Use of recruitment video; developing recruitment flyer for use with LISD and the public; career day with Lockhart High School students; Fire Chief to serve on LISD Career and Technical Education Advisory Committee.  <b>Police:</b> In 2019, Lockhart Police Officers visited with police cadets attending the AACOG Academy and made presentations to 2 classes of prospective candidates. In 1<sup>st</sup> quarter of 2020, LPD will make presentations to the CAPCOG Academy currently in progress.</p>	

Strategies	2019-2020 Progress	2020-2021 Progress
c. Long-term public safety facility planning for Station #1.	 Completed Fire Station No. 2. Analysis and cost estimate to remodel and upgrade Fire Station No. 1 underway.	
d. Develop an equipment replacement schedule. Seek funding for existing equipment (fire apparatus and patrol cars) replacements.	 Developed an ambulance replacement schedule with Caldwell County and Seton. Upgrades to two-way radios (portables and mobiles) underway.	
e. Continue to ensure use of best practices / standards (research best practices, then implement)	 <b>Fire:</b> Fire Department is preparing an emergency management tabletop exercise for City staff. <b>Police:</b> Upgraded Police Officer body-worn cameras to 3 <sup>rd</sup> generation models.	
f. Evaluate Accreditation opportunities	 <b>Fire:</b> Reviewing the Texas Fire Chief’s Association (TFCA) accreditation process before formal enrollment. <b>Police:</b> Currently reviewing the 166 Texas Law Enforcement Best Practices. Will submit for recognition in the 3 <sup>rd</sup> quarter of 2020.	

Strategies	2019-2020 Progress	2020-2021 Progress
g. Traffic safety improvements: turn lanes and traffic lights	<i>N/A Brand new/created in 2020</i>	
h. Begin TXDOT safety projects	<i>N/A Brand new/created in 2020</i>	
i. Promote a Neighborhood Watch Program	<i>N/A Brand new/created in 2020</i>	

**Goal #5 KPIs / Metrics:**

# of new law enforcement officers hired in 2019? \_\_\_\_\_

# of new law enforcement officers hired in 2020? \_\_\_\_\_

# of new law enforcement officers hired in 2021? \_\_\_\_\_

% law enforcement officers retained? \_\_\_\_\_ %

# of new firefighters hired in 2019? \_\_\_\_\_

# of new firefighters hired in 2020? \_\_\_\_\_

# of new firefighters hired in 2021? \_\_\_\_\_

% firefighters retained? \_\_\_\_\_ %

- Did we develop a long-term public safety facilities plan?
- Did we develop a public safety equipment replacement schedule?
- Did we implement that new replacement schedule?
- Did we research and record best practices across the country regarding public safety policy?
- Did we make any modifications to our public safety policies based on that research?
- Did we explore and evaluate Accreditation opportunities?
- Did we implement new turn lane and traffic light improvements in 2020-2021?
- Did we begin the TXDOT safety projects?
- Did we proactively promote a Neighborhood Watch Program for Lockhart?

## **Conclusion**

At the end of the planning retreat, the facilitator reminded all the participants that these goals would only be achieved if they held true to their commitments today to implement these specific strategies and tactics.

She reminded them that they are one team working toward one vision. The city council and management team agreed to use this document regularly throughout 2020 and 2021 to track progress and measure accomplishments.



# City of Lockhart

2019-2020 Strategic Priorities

Prepared by:





# City of Lockhart

## Summary

On February 1 & 2, 2019 the City of Lockhart hosted two half-day planning sessions to develop goals and strategies for the next 2 years. Some of these goal areas were internal, whereas others were external. The following is the process used to reach the conclusions for the plan.

The process began with a preliminary phone meeting between the facilitator and Steve Lewis, City Manager, to go over key issues facing the City, understand the programs and projects underway through the community, and to prepare the agenda and format for the planning retreat.

The first portion of the strategic planning process began on Friday, February 1, 2019 with the City Manager and the City of Lockhart Management Team. The facilitator began by asking the Management Team participants what their expectations for discussion for the day were. She then took the team through a SWOT (Strengths, Weaknesses, Opportunities, & Threats) Analysis. The next group exercise was a brainstorm called Start/Stop/Continue that lists the things that need to begin happening, stop happening, and are mission-critical and must continue regardless of circumstances.

The facilitator then guided the Management Team through 2019-2020 goal and strategy development to recommend to the City Council the following day.

On Saturday, February 2, 2019, the City Council and City Manager convened to review, revise, and establish priorities related to the recommendations generated the day before by the Management Team. Prior to the review, the facilitator asked the City Council to list their expectations for discussion for the day.

The following are the results.

## Management Team Expectations for the Day's Discussion Topics

- That City Council will take what we say seriously
- Consider all staff in decisions
- Hear each other's goals
- Live by the plans we create / develop
- That Council develop goals / priorities based on sound data / research
- Focus
- Consider quality of life as over-arching goal
- Discuss business attraction vs. recruitment
- Being prepared for growth
- Facilities improvements
- Facilities maintenance
- How do we give back to those who need extra help?
- Smart land use practices
- Discuss Tourists/Tourism – what is there for kids to do while in town visiting family?

## City Council Expectations for the Day's Discussion Topics

- Capitalize on Tourism
- Discuss Wi-Fi
- Capitalize on BBQ Capital of Texas
- Cleaning up of unsightly properties (residential)
- Work in unity today
- Serve our community
- Focus
- To discuss Economic Development targeting technology jobs
- Industrial Park is full – now what?
- Cleaning up of City properties / facilities
- Actually implement our goals
- Discuss the direction of Economic Development
- Think bigger / think change / embrace change
- Develop our identity
- Attractive gateway signage
- Employee wages
- Technology infrastructure

## SWOT Analysis

The facilitator guided the participants through an analysis of their current Strengths, the current Weaknesses or Challenges they are facing, Opportunities that may come their way in the future, and Threats that are possible to occur in the future. Note that there are no right or wrong answers here and no implication of likelihood. This is simply a brainstorm of the opinions of the participants to get them thinking about goals in the next portion. The Management Team listed their responses first, then the City Council added additional items the following day.

### Strengths

- Historic district
- County seat
- BBQ Capital of Texas
- Location to highways
- Tourism
- Small town (family-oriented)
- Growing – room for more
- Desire to manage growth
- Good development process
- Proximity to Austin
- Comparable housing prices
- Existing capacity of utilities
- Easy mobility
- Economic Development Sales tax
- Clark Library
- Baker Theatre
- Ease of developing land (flat)
- Employees who experience long tenure
- Volunteers
- CTR (Chisholm Trail Roundup) & other local events
- Community support
- Recognizable court house
- Movies / film production (TFC)
- Long-term water planning
- High-level financial planning
- Competitive building / development fees
- “Real” city with well-managed growth
- New energy
- Proximity to large cities / airport
- New residents – new ideas – changing priorities
- Diversity
- First Friday Downtown Event

## Weaknesses / Challenges

- Incentives – Economic Development lack of use
- Technology – aging equipment and software
- Infrastructure
- Facilities – condition / maintenance
- Competitive salaries within region
- Training opportunities
  - Professional development
  - Budget
- Closed minds – have always done it this way
- Tourism
- Managing growth
- Need for succession planning
- Public perception influencing job applicant pool
- Weak tax base
- Limited in-town post-secondary educational opportunities
- Lack of retail
- Lack of entertainment (kids)
- Limited grocery options
- City-owned property
- College
- Venue / convention center
- Lack of hotels
- Entryways to community
- Not using TIF financing
- Emerging downtown organization
- How to effectively support increasing, ever-growing number of festivals
  - Create packages for vendors and festivals
- No city recreation programs
- In-kind services
- Very limited public transportation services
- Outdated web information
- Poor communication with citizens

## Opportunities

- Expand airport (hangars)
  - Install AWOS (Automated Weather Observing System)
- Improve working conditions of employees
- Proximity to Austin
- Implement first phase of parks master plan
- SH-130 has great properties but not city-owned property
- Undeveloped lots on Square and north / northwest of Square
- Long-tenured elected leadership
- Increase community involvement
- To develop positive relationship with County, School, and organizations
- Quality economic growth
- Franchise recreational or entertainment venues (theaters, bowling, outlets, concerts, water parks)
- Community college campus
- Increased communication needed with ISD for school planning, infrastructure, etc.
- Expand walking / biking opportunities for exercise and community involvement
- Lockhart Springs (natural spring)
- Lockhart State Park transfer to City
- Potential residential development around golf course
- Development within historic district
- School district growth
- Housing growth
- Business growth
- St. Paul Church and other redevelopment opportunities
- Hospital / medical facilities
- Public bathrooms downtown
- Develop Industrial Park
- More involvement with San Marcos Greater Partnership
- Partnership with Austin Chamber
- EDC \$ will go further today than in 2 years (spec buildings, parking)

## Threats

- Economic recession
- Voter turnout
- Government shutdown
- Citizen input
- Natural disaster
- Leadership in government
- Lack of economic development direction
- Competition from other cities
- Lack of resources
- Building maintenance
- Technology – cyber security
- Surging population
- Infrastructure improvement
- Maintaining reputation
- Planning without follow through
- Lack of educated workforce – skilled labor
- Crime
- Lack of workforce – people
- Retention and hiring
- Youth retention
- School quality
- Lack of industry
- Lack of racial unity
- Micro-managing
- Other utilities providers
- Homeless services – transportation
- Types of future growth



## Start/Stop/Continue

The facilitator guided the Management Team through an exercise that challenged them to brainstorm things that the City really needed to begin doing, what they should stop doing that could be a waste of resources, and what must they continue doing, regardless of circumstances. Below are their responses. Note that there are no right or wrong items; these are merely individuals' opinions about the things that should and shouldn't change in Lockhart. Just because one person has a certain opinion on a topic, that does not imply anyone else shared that opinion.

### Start

- Space allocation study
- Renovate City buildings – construct
- Downtown bathrooms
- Improve salaries – salary survey
- Staff development program / policies / procedures
- Consistency in purchasing
  - Revamp purchasing policy
- Replacing capital equipment / vehicles – vehicle fund
- Mandatory single stream recycling
- IT department, in-house City Engineer
- New technology in terms of equipment, network, server, software
- Re-assess who is in charge of downtown redevelopment
  - Name which entity (or entities) funds downtown redevelopment initiatives
  - Name which entity (or entities) manages downtown redevelopment initiatives
- 2020 Comprehensive Master Plan Update that includes a future land use plan and map

## Stop

- In-house utility billing (consider outsourcing)
- Outsourcing IT (consider bringing in-house)
- Repetitive useless paperwork (paperwork/policies must be updated and streamlined)
- Increasing overtime in fire and police (hire more to fix this issue)
- Using outdated equipment
- Hand -picking collections of recycled goods (business pick up)
- Laying asphalt driveway approaches for “free”
- Demolition of condemned houses – stop doing in-house (needs to be outsourced)

## Continue

- Meeting with County, City, School, Chamber, EDC
- Implementing 2020 Plan and Updates
- Attracting businesses – growth
- Providing superior service
- Redeveloping Downtown
- Implement Parks Master Plan
- Being a great place to work
- Public investments along SH-130
- Supporting festivals / movie projects
- Financial planning
- Embracing tourism

**Goal 1: Economic Development / Planning**

<b>Strategies</b>
1. Partner with LISD and local youth organizations to encourage careers in local emergency services (Fire and Police)
2. Reassess who is in charge of managing and funding downtown development and tourism
3. Attract a post-secondary education campus / facility
4. Complete updating our development ordinances
5. Consider development tools to facilitate attraction / recruitment to SH 130 corridor
6. Bring utilities, assist assembling parcels, rezoning tracts along SH 130
a) Shovel ready
b) Pursue prospects
7. Start investing in more property for growth
8. Explore next industrial park
9. HOT (Hotel Occupancy Tax) Funds – revamp structure
10. Economic Development Strategic Plan
11. Robust LEDC website

***Goal #1 KPIs / Metrics:***

- Did we partner with LISD & other youth organizations to encourage emergency services careers?
- Did we reassess downtown development and tourism initiatives and who leads each?
- Did we initiate efforts to attract a post-secondary educational institution or facility to Lockhart?
- Did we completely update our development ordinances?
- Did we brainstorm development tools for SH-130 development?
- Did we bring utilities and assemble parcels along SH-130?
- Did we develop shovel-ready development sites?
- Did we market those sites to prospective investors?
- Did we develop plans for our next industrial park?
- Did we revamp the way HOT funds are structured?
- Did we develop and implement an Economic Development Strategic Plan?
- Did the Lockhart EDC revamp their website to better attract investment?

## Goal 2: Quality of Life / Quality of Facilities

Strategies
1. Invest money to improve the appearance of our town (streets, parks, entry signs)
2. Conduct a Space Study of City Buildings and facilities including City Hall
3. Improve the image of City facilities as needed
4. Update, renovate, and construct City facilities as needed
5. Implement the Parks Master Plan, improving the quality of life for community
6. Conduct a citywide quality of life citizen survey

### Goal #2 KPIs / Metrics:

\$ amount invested in streets in 2019 and 2020? \$ \_\_\_\_\_

\$ amount invested in parks in 2019 and 2020? \$ \_\_\_\_\_

\$ amount invested in gateway entry signs in 2019 and 2020? \$ \_\_\_\_\_

# of City facilities we improved the appearance of? \_\_\_\_\_

- Which facilities did we improve the image of?
- Did we implement elements of the Parks Master Plan?
- Did we secure quotes on a Space Study of City buildings including City Hall?
- How many City-owned buildings did we renovate or retrofit?
- Did we conduct a citywide quality of life citizen survey?
- Did we address levels of service based on the citizen responses we received?
- Did we address levels of satisfaction based on the citizen responses we received?
- Did we address areas for improvement based on the citizen responses we received?



### Goal 3: Staffing / Personnel

Strategies
1. Consider hiring additional personnel (engineer, IT, etc.)
2. Conduct a staffing study that includes evaluating efficiencies and compensations
3. Right size staffing levels city-wide based on study results
3. Consider starting salaries that compete with surrounding communities
4. Be consistent with staff development / policies / purchasing procedures
5. Implement a staff development program (be consistent)
6. Start developing / preparing current staff to take on leadership roles within the organization in the future
7. Bi-lingual staff
8. Customer service / experience excellence training

#### Goal #3 KPIs / Metrics:

# of new positions in 2019 and 2020? \_\_\_\_\_

- Did we perform a staffing efficiency/compensation study?
- Did we right-size our salaries based on that study by the end of 2020?
- Did we develop new consistent policies and procedures regarding professional development of staff?
- Did we develop new consistent policies and procedures regarding purchasing/procurement?
- Did we create and implement a new staff development program to ensure everyone has training opportunities?
- Did we begin grooming current staff for future leadership roles?
- How many staff do we have on a leadership track by the end of 2020?

# of new employees added in 2019 and 2020 who are bilingual? \_\_\_\_\_

- Did we deliver Customer Experience Excellence training to every City employee?

**Goal 4: Procedures / IT / Software and Hardware**

<b>Strategies</b>
1. Conduct a Technology Assessment that yields specific recommendations
2. Improve technology / create specific strategies to have better IT support based on Assessment results
3. Upgrade all technology-related issues as recommended – desktops, servers, software, equipment, and peripherals
4. Start replacing old equipment
5. Provide superior service by keeping technology up to date and being able to communicate with the public (keep an open line of communication through website)
6. Carefully weigh all the pros and cons of considering bringing IT in-house
7. Upgrade the operating system
8. Streamline technology hardware, software processes within the City, based on Assessment recommendations
9. Upgrade all equipment and software and be trained on specific software to be used to maximum potential
10. Explore implementing downtown Wi-Fi

**Goal #4 KPIs / Metrics:**

- Did we conduct a Technology Assessment?
- Did we secure top quality technology support across all departments by the end of 2020?
- Did we upgrade our desktop computers?  
% of employees who received upgraded computers by the end of 2020 (from 2018 numbers)? \_\_\_\_\_
- Did we upgrade our servers?
- Did we upgrade our computer software, subscriptions, and licenses?
- Did we upgrade our peripherals?
- Did we upgrade our other technology equipment?
- Did we establish an IT policy for updates and replacements that will keep us up-to-date from now through the future?
- Did we carefully weigh all the pros and cons of keeping IT outsourced vs. bringing it in-house?
- Did we upgrade our City operating system?
- Did we streamline our City technology processes?
- Did we secure training for staff to use all new equipment properly and efficiently?
- Did we investigate implementing WiFi throughout Downtown Lockhart?

## Goal 5: Public Safety

Strategies
1. Provide quality public safety to all citizens of Lockhart
a) Develop a specific Retention Strategy first
b) Develop a specific Hiring Strategy
c) Long-term public safety facility planning
d) Develop an equipment replacement schedule
e) Ensure use of best practices / standards (research best practices, then implement)
f) Evaluate Accreditation opportunities

### Goal #5 KPIs / Metrics:

# of new law enforcement officers hired in 2019?

# of new law enforcement officers hired in 2020?

% law enforcement officers retained?

# of new firefighters hired in 2019?

# of new firefighters hired in 2020?

% firefighters retained?

Did we develop a long-term public safety facilities plan?

Did we develop a public safety equipment replacement schedule?

Did we implement that new replacement schedule?

Did we research and record best practices across the country regarding public safety policy?

Did we make any modifications to our public safety policies based on that research?

Did we explore and evaluate Accreditation opportunities?

## Conclusion

At the end of the planning retreat, the facilitator reminded all the participants that these goals would only be achieved if they held true to their commitments today to implement these specific strategies and tactics.

She reminded them that they are one team working toward one vision. The participants agreed to use this document regularly throughout 2019 and 2020 to track progress and measure accomplishments.

**CITY COUNCIL FY 18-19 GOALS (FINAL COMBINED)**

**PRIORITY ORDER**

<b>COUNCILMEMBER</b>	<b>PRIORITY</b>	<b>FY 18-19 GOALS</b>
CASTILLO	1	Infrastructure Improvements: streets
GONZALES-SANCHEZ	1	Hire A City Manager
MCGREGOR	1	Economic development, creating and retaining jobs, grocery campaign.
MENDOZA	1	Pay Raise City Employees.
MICHELSON	1	Public relations position/ get the word out about Lockhart (promoting)
WESTMORELAND	1	Infrastructure Improvements: streets
WHITE	1	Economic development, creating and retaining jobs, grocery campaign.
CASTILLO	2	Economic development, creating and retaining jobs, grocery campaign.
GONZALES-SANCHEZ	2	All Department Heads to Budget Salary Increases for all City Employees.
MCGREGOR	2	Work with LISD to establish a community recreation center at the Adams Gym, per under Parks
MENDOZA	2	Economic development, creating and retaining jobs, grocery campaign.
MICHELSON	2	Signage in Lockhart (highway, downtown, and toll) / Wayfinding, branding,,,) )
WESTMORELAND	2	Signage in Lockhart (highway, downtown, and toll) / Wayfinding, branding,,,) )
WHITE	2	Public relations position
CASTILLO	3	Continued police community committee involvement, neighborhood watch, gang awareness
GONZALES-SANCHEZ	3	Infrastructure: Continue City Infrastructure: Drainage, Street Repairs, Completion of Curbing, Brighter Lighting in Neighborhoods
MCGREGOR	3	Prepare Fire Station #3 (so we can have existing station remodeled)
MENDOZA	3	Continued police community committee involvement, neighborhood watch, gang awareness
MICHELSON	3	Prepare Fire Station #3 (so we can have existing station remodeled)
WESTMORELAND	3	More enforcement of codes directed at unsightly properties
WHITE	3	Wayfinding, branding, develop new entry sign and city markers
CASTILLO	4	City Facilities: Maintenance and repairs Economic Development: Recruit more businesses especially retail and continue efforts; contact existing and vacant building owners to see if they are willing to work with the City of Lockhart to bring retail businesses and specialty shops, as well as industrial. Purchase buildings and land when on the market for possible new businesses for the city.
GONZALES-SANCHEZ	4	Public relations position work with social media/ get the word out about Lockhart
MCGREGOR	4	Public relations position work with social media/ get the word out about Lockhart
MENDOZA	4	City Facilities: Maintenance and repairs

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**CITY COUNCIL FY 18-19 GOALS (FINAL COMBINED)**

**PRIORITY ORDER**

<b>COUNCILMEMBER</b>	<b>PRIORITY</b>	<b>FY 18-19 GOALS</b>
MICHELSON	4	Refurbish City Hall inside (making it more inviting)
WESTMORELAND	4	Move forward with St Paul property project
WHITE	4	Park improvements- consider medium to long range plan for Town Branch development
CASTILLO	5	Affordable housing
		Police Task Force: Budget extra funds for a Police Task Force, a Narcotics Officer and a Mental Health Officer to address any drug and gang related problems and mental issues our city is being faced not only on the East side of our city but citywide. Budget for updated training for our police officers. There is a lot of training that is free but a lot additional money for registration fees and course material.
GONZALES-SANCHEZ	5	
MCGREGOR	5	Free public wifi on the square
MENDOZA	5	Parks improvements
MICHELSON	5	Continued police community committee involvement, neighborhood watch, gang awareness
WESTMORELAND	5	Angled parking downtown: N Main and N Commerce Sts(change during downtown drainage project)
WHITE	5	Continued police community committee involvement, neighborhood watch, gang awareness
CASTILLO	6	Wellness for employees

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## CITY COUNCIL FY 18-19 GOALS

### Category Order and Comments by City Manager

Council agreed at February 13 meeting that each Councilmember will submit at least 5 category goals in priority order to the City Manager to be considered by Council at first meeting in March, 2018

CM INITIALS	PRIORITY #	GOALS IDENTIFIED BY COUNCIL FOR FY 18-19: SORTED BY CATEGORY FINAL LIST BY COUNCIL PRIORITIZED BY CATEGORY: SUBMIT TO CITY MGR BY MARCH 1 PLEASE	SUGGESTED FUNDING SOURCE BY COUNCILMEMBER	SORTED BY CATEGORY
		Improve communication between City and Chamber of Commerce	In-House	Chamber
		City Facilities	GF	City Bldgs
		Refurbish City Hall inside (making it more inviting)	Gen Fund	City Bldgs
		Prepare Fire Station 3 (so we can have main station remodeled)	Gen Fund	City Bldgs
		Hire A City Manager. Hire a City Manager that is Well Rounded and Experienced and Will Help our City to Continue to Grow for the right and positive reasons. To hire a City Manager that will allow our Department Heads to Grow and Improve Our Departments with their recommended suggestions not only from our department heads but from our employees. Working Smarter not Harder.	GF	City Manager
		More code enforcement of codes directed at unsightly properties	In-House	Code Enforc
		Continue demo of unsafe structures and pursue liens aggressively	GF	Code Enforc
		Convention Center. Our city is growing and there are too many events, programs and conferences that are going to other surrounding areas to have these events and those surrounding area businesses are benefitting and money is being spent in those areas instead on money being spent in our city. Granted, we do have meeting facilities in our city but these meeting facilities do not accomodate the number of people for the above events that have been mentioned.	GF	Convention Center
		Downtown improvements-lighting, pedestrian safety, south plaza idea? Sculpture? Sidewalk mosaics?	GF	Downtown
		Economic development, creating and retaining jobs, grocery campaign	general fund, LEDC	Econo Devl
		Economic Development	GF	Econo Devl
		Expand economic development (by helping to spread the word & being more involved)	Gen Fund	Econo Devl
		Economic Development: Recruit more businesses especailly retail and continue efforts; contact existing and vacant building owners to see if they are willing to work with the City of Lockhart to bring retail businesses and speciality shops, as well as industrial. Purchase buildings and land when on the market for possible new businesses for the city. Art Galleries and Music Venues have increased within our downtown area and though many many not appreciate these type of business and or venues, it is good for our downtown and its livelihood. Let's work on getting more of the speciality shops and boutiques in or around the sqare.	GF	Econo Devl
		Pay raise across the board	GF	Employees
		All Department Heads to Budget Salary Increases for all City Employees.	GF	Employees
		Wellness for employees	GF	Employees
		Employee: Possible additional Employee Holiday Time Off-Alternating System. Even though this has been discussed and the reasons for why it cannot be done, I would like to see a time off alatenating system, especailly during the holidays. I did appreciate that the city employees were allowed to stay home during our icy, sleet and snow days. The safety of our employees is very important.	GF	Employees
		Subdivision developemnt to attract more businesses to Lockhart. Increase the number of homes, apartments, housing. Our city is growing with new citizens wanting to make Lockhart their home but due to the number of housing available, they wait and or possibly lose interest.	GF	Housing
		Infrastructure	GF	Infrastructure
		Infrastructure improvement- uncurbed streets, street rehab	GF	Infrastructure
		Improve Streets (repairs)	In-House	Infrastructure

CM INITIALS	PRIORITY #	GOALS IDENTIFIED BY COUNCIL FOR FY 18-19: SORTED BY CATEGORY FINAL LIST BY COUNCIL PRIORITIZED BY CATEGORY: SUBMIT TO CITY MGR BY MARCH 1 PLEASE	SUGGESTED FUNDING SOURCE BY COUNCILMEMBER	SORTED BY CATEGORY
		Infrastructure: Continue City Infrastructure: Drainage, Street Repairs, Completion of Curbing, Brighter Lighting in Neighborhoods	GF	Infrastructure
		Angled parking for N Main and N Commerce Streets (change during downtown project)	In-House	Parking Downtown
		Parking around and surrounding the square. Issues with larger vehicles parked in areas that are narrow and that make it hard to see oncoming traffic. Our city is growing and we have been very fortunate with our parking however, it is a concern especially when you have the bigger and wider trucks that are parked in an area that is for a moderate size car. It becomes a hazard and a blind spot when trying to reverse out of the parking space and a blind spot for any and all pedestrians.	GF	Parking Downtown
		Continue to work on City Park improvements	Gen Fund	Parks
		Revive all City parks	Grants	Parks
		Work with LISD to establish a community recreation center at Adams Gym, perhaps under Parks (PUBLIC HEALTH/PARKS)	General Fund/Parks & Rec	Parks
		Add 3 positions to the Parks Department, to help facilitate other improvements (PARKS)	General Fund/Parks & Rec	Parks
		Park improvements - consider medium to long range Town branch development	GF	Parks
		Develop a dog park as part of the Stueve Lane Monte Vista Tract (PARKS/ANIMAL SHELTER/PUBLIC HEALTH)	General Fund/Parks & Rec	Parks
		Parks Improvemens: Purchase and update the park equipment to provide safe and fun filled parks for all to use.	GF	Parks
		Start Planning for 2040 plan	GF	Planning
		Police	GF	Police
		Continued Police Community committee involvement, neighborhood watch, gang awareness	GF	Police
		Work with Police Department to bring back drug enforcement program	Gen Fund	Police
		Get back to Neighborhood Townhall Meetings	GF	Police
		Police Task Force: Budget extra funds for a Police Task Force, a Narcotics Officer and a Mental Health Officer to address any drug and gang related problems and mental issues our city is being faced not only on the East side of our city but citywide. Budget for updated training for our police officers. There is alot of training that is free but alot additional money for registration fees and course material. I am grateful that the Police Department did invest in our Drug Dog and is being utilized by the school as well.	GF	Police
		High School cadet programs for police, fire, EMS	GF	Police/Fire
		Public relations position to deal with social media	GF	Public Relations
		Get the word out about Lockhart (promoting, hiring a Public Relations person)	Gen Fund	Public Relations
		Sidewalk repair and expansion	GF	Sidewalks
		Signage in Lockhart (highway, downtown, and toll road)	Gen Fund	Signage
		Wayfinding, branding - develop new entry sign and city property markers	GF	Signage
		Move Forward with St Paul property project	In-House	St Paul Gift
		Develop an oral history project to support a future "Walking Tour" app for Lockhart (ECONOMIC DEV/DOWNTOWN)	General Fund/Fundraising	Tourism
		More Events to Attract Tourism in Lockhart and Include Way Finding Signage (Hotels and Restaurants). Added events, especially the events that are free to the public do very well for the city as well as for the businesses and tourism. I welcome new events to the city but need to be selective in the events that we do host.	GF	Tourism
		Create a Good Neighbor program (Lockhart Utility Customers can add an additional amount to utility bill to help others)	GF	Utility Customers

CM INITIALS	PRIORITY #	GOALS IDENTIFIED BY COUNCIL FOR FY 18-19: SORTED BY CATEGORY FINAL LIST BY COUNCIL PRIORITIZED BY CATEGORY: SUBMIT TO CITY MGR BY MARCH 1 PLEASE	SUGGESTED FUNDING SOURCE BY COUNCILMEMBER	SORTED BY CATEGORY
		Access to Municipal Court for Utility Payments	In-House	Utility Customers
		Free public wifi on the square as part of the redevelopment on the North side (ECONOMIC DEV/DOWNTOWN)	CAPCOG Grant?	Wifi
		Free public wifi on the square as part of the redevelopment on the North side	GF	Wifi



CM INITIALS	PRIORITY #	GOALS IDENTIFIED BY COUNCIL FOR FY 18-19: SORTED BY CATEGORY	SUGGESTED FUNDING SOURCE BY COUNCILMEMBER	SORTED BY CATEGORY	CITY MANAGER COMMENTS
BW	7	Improve communication between City and Chamber of Commerce	In-House	Chamber	City Staff works together with Chambers on all their events by being a co-sponsor with many in-kind services. Robert Tobias attends their meetings and periodically makes presentations about Economic Development issues.
JC	4	City Facilities	GF	City Bldgs	Budget for roofs and major repairs
JEFF M	5	Refurbish City Hall inside (making it more inviting)	Gen Fund	City Bldgs	Working on it; repairs to ceiling in progress, restrooms to be refurbished and replace signage with more informative directions.
JEFF M	7	Prepare Fire Station 3 (so we can have main station remodeled)	Gen Fund	City Bldgs	New plans will be prepared working with new Chief who has different ideas than the previous Chief
AGS	1	Hire A City Manager. Hire a City Manager that is Well Rounded and Experienced and Will Help our City to Continue to Grow for the right and positive reasons. To hire a City Manager that will allow our Department Heads to Grow and Improve Our Departments with their recommended suggestions not only from our department heads but from our employees. Working Smarter not Harder.	GF	City Manager	I concur. The current City Mgr has rode back of garbage trucks, climbed electrical poles, worked water/sewer/asphalt/concrete projects, and has been a utility collections clerk, and during these experiences learned the value of suggestions for charge that comes from employees in such positions. All department heads/supervisors are encouraged to listen to employees who have constructive ideas that would benefit in performing assigned tasks. City Mgr has also learned there are employees who keep there hands in their pockets and talk while everyone else is working and these are the same ones who are often found to be dishonest in their paperwork, sleep on the job, and have a poor attendance record.
BW	1	More code enforcement of codes directed at unsightly properties	In-House	Code Enforc	Will continue to address as complaints come in and as found during investigation outings.
LW	8	Continue demo of unsafe structures and pursue liens aggressively	GF	Code Enforc	Will continue to address and City Attorney exploring process to recover demolition costs
AGS	11	Convention Center. Our city is growing and there are too many events, programs and conferences that are going to other surrounding areas to have these events and those surrounding area businesses are benefitting and money is being spent in those areas instead on money being spent in our city. Granted, we do have meeting facilities in our city but these meeting facilities do not accommodate the number of people for the above events that have been mentioned.	GF	Convention Center	HOT funds and/or Bond Issue. Maintenance funds will be a minimum of \$150,000 annually not including director's salary, utilities, and insurance.
LW	9	Downtown improvements-lighting, pedestrian safety, south plaza idea? Sculpture? Sidewalk mosaics?	GF	Downtown	CAPCOG/CO project will address
LW	1	Economic development, creating and retaining jobs, grocery campaign	general fund, LEDC	Econo Devl	Robert Tobias working with several companies now
JC	2	Economic Development	GF	Econo Devl	See above



CM INITIALS	PRIORITY #	GOALS IDENTIFIED BY COUNCIL FOR FY 18-19: SORTED BY CATEGORY	SUGGESTED FUNDING SOURCE BY COUNCILMEMBER	SORTED BY CATEGORY	CITY MANAGER COMMENTS
JEFF M	3	Expand economic development (by helping to spread the word & being more involved)	Gen Fund	Econo Devl	Robert Tobias is involved with the San Marcos Partnership, local chambers, and with downtown businesses on a regular basis. Leads from the Governor's office and the Austin Chamber are also pursued as applicable.
AGS	4	Economic Development: Recruit more businesses especially retail and continue efforts; contact existing and vacant building owners to see if they are willing to work with the City of Lockhart to bring retail businesses and specialty shops, as well as industrial. Purchase buildings and land when on the market for possible new businesses for the city. Art Galleries and Music Venues have increased within our downtown area and though many not appreciate these type of business and or venues, it is good for our downtown and its livelihood. Let's work on getting more of the specialty shops and boutiques in or around the square.	GF	Econo Devl	The problem is that many of the property owners downtown do not have the funds to customize their buildings to support specialty shops which most the time are not willing to spend money on a building. Rob Tobias is exploring ways to address this issue.
JUAN M	1	Pay raise across the board	GF	Employees	Estimated Costs Including Benefits: For each 1% for non-civil service= \$52,000 For each 1% for civil service = \$28,000
AGS	2	All Department Heads to Budget Salary Increases for all City Employees.	GF	Employees	See above
IC	5	Wellness for employees	GF	Employees	City provides good health insurance (\$586 per month each) with wellness plans for employees; many Cities have stopped this benefit and only provide a stipend for insurance.
AGS	9	Employee: Possible additional Employee Holiday Time Off-Alternating System. Even though this has been discussed and the reasons for why it cannot be done, I would like to see a time off alternating system, especially during the holidays. I did appreciate that the city employees were allowed to stay home during our icy, sleet and snow days. The safety of our employees is very important.	GF	Employees	City employees with vacation leave and holiday time are off 23 days a year with pay which is more than a month of work days. The only holidays not given that we found are Columbus Day and Texas Independence Day. Employee safety is very important, however, some employees must come in to make conditions safe for residents and to respond to emergency conditions and that responsibility belongs to each department head who determines based on staff levels and skills time off during holiday times.
AGS	6	Subdivision development to attract more businesses to Lockhart. Increase the number of homes, apartments, housing. Our city is growing with new citizens wanting to make Lockhart their home but due to the number of housing available, they wait and or possibly lose interest.	GF	Housing	6 housing projects in place at different phases. City Manager recommended incentives to builders three years ago which Council approved and during the time it was in place it produced more housing. As a result, more engineering of subdivisions has begun.
IC	1	Infrastructure	GF	Infrastructure	\$400,000 or more yearly needed for streets
LW	2	Infrastructure improvement- uncurbed streets, street rehab	GF	Infrastructure	See above. It will take a major bond issue to address all streets that do not have curbs.
BW	3	Improve Streets (repairs)	In-House	Infrastructure	See above.

CM INITIALS	PRIORITY #	GOALS IDENTIFIED BY COUNCIL FOR FY 18-19: SORTED BY CATEGORY	SUGGESTED FUNDING SOURCE BY COUNCILMEMBER	SORTED BY CATEGORY	CITY MANAGER COMMENTS
AGS	3	Infrastructure: Continue City Infrastructure: Drainage, Street Repairs, Completion of Curbing, Brighter Lighting in Neighborhoods	GF	Infrastructure	For streets please see above. Brighter lighting is always a challenge in a city with so many trees. Lockhart still must comply with Senate Bill 5 which regulates power usage. Several cities have passed an ordinance that does not allow for the planting of trees within 15' of the right of way to improve lighting of streets and reduce tree trimming around power lines.
BW	4	Angled parking for N Main and N Commerce Streets (change during downtown project)	In-House	Parking Downtown	Scheduled with downtown improvements. Should also consider making 100 Blocks of N Main and N Commerce one-way and possibly consider other blocks downtown especially north/south streets.
AGS	10	Parking around and surrounding the square. Issues with larger vehicles parked in areas that are narrow and that make it hard to see oncoming traffic. Our city is growing and we have been very fortunate with our parking however, it is a concern especially when you have the bigger and wider trucks that are parked in an area that is for a moderate size car. It becomes a hazard and a blind spot when trying to reverse out of the parking space and a blind spot for any and all pedestrians.	GF	Parking Downtown	Scheduled with downtown improvements
JEFF M	2	Continue to work on City Park improvements	Gen Fund	Parks	Master Plan near complete
BW	2	Revive all City parks	Grants	Parks	Master Plan near complete
KM	2	Work with LISD to establish a community recreation center at Adams Gym, perhaps under Parks (PUBLIC HEALTH/PARKS)	General Fund/Parks & Rec	Parks	Mayor is visiting with LISD about this
KM	3	Add 3 positions to the Parks Department, to help facilitate other improvements (PARKS)	General Fund/Parks & Rec	Parks	Approx. \$100,000 to budget not including equipment and vehicles
LW	3	Park improvements - consider medium to long range Town branch development	GF	Parks	Bond issue needed
KM	4	Develop a dog park as part of the Stueve Lane Monte Vista Tract (PARKS/ANIMAL SHELTER/PUBLIC HEALTH)	General Fund/Parks & Rec	Parks	Estimate on this property is \$ 25000 using used fencing. Maintenance and insurance are also cost factors
AGS	8	Parks Improvements: Purchase and update the park equipment to provide safe and fun filled parks for all to use.	GF	Parks	Master Plan near complete
JUAN M	3	Start Planning for 2040 plan	GF	Planning	Needs to be done
JC	3	Police	GF	Police	Chief Pedraza is working on these issues. Recently issued update that was sent to Council.
LW	4	Continued Police Community committee involvement, neighborhood watch, gang awareness	GF	Police	See above
JEFF M	4	Work with Police Department to bring back drug enforcement program	Gen Fund	Police	See above
JUAN M	5	Get back to Neighborhood Townhall Meetings	GF	Police	Will get with Chief about this

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

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

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



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

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



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

Priority	Council Person	Goals Submitted	City Manager Comments
3	Hilburn	Continue improving city streets: Increase Transportation Fund	Current transportation monthly rate is \$ 4 for residential and others; \$260,000 annual which helps fund labor and equipment, but is not sufficient for materials. Another \$250,000 for materials is needed annually.
3	Mendoza	Wi-Fi Free Zones Downtown Square. Funding source City Budget, School District, Downtown sponsors	Rough estimate is about \$12,000
3	Michelson	Refurbish City Hall	If atrium removed, add more offices estimated at \$45,000 and more outside landscaping estimated at \$ 5,000; elevator going in with improvements to restrooms and offices
3	Westmoreland	Approach interested and future businesses cordially. Stringent ordinances (and the way they are approached), scare off some businesses. Let's be friendly in a positive way.	City Mgr respectfully requests names of such businesses. He has met with 18 business representatives over past 15 months that were looking at Lockhart but did not come. Except for the non-residential exterior building esthetics ordinance, none of them indicated a problem with the current ordinances or with staff. The main problems were high land prices and the lack of "ready built retail and industrial buildings", and traffic counts were not high enough. Most thought the impact fee schedules were very reasonable compared to other cities. Will continue to work toward friendlier customer service with simplified ordinances.
3	White	Park master plan to consider park bond issue, recreation dept and staff issues	Master Plan estimate: \$ 45,000, recreation dept est at least \$ 60,000 for a recreational professional with another \$30,000 for equipment and materials
4	Castillo	Employees Wages	Est Cost Per % Increase Annually: Gen Fund (Not Civil Serv) \$ 29,000; Gen Fund Civil Serv \$ 24,000; Other/Utilities: \$ 15,000- Add'l Cost FY 16-17 due to Civil Serv Pay Plan Expansions already approved: \$ 132,000
4	Gonzales-Sanchez	Police Task Force: Budget extra funds to bring back a much needed Police Task Force to address any drug and gang related problems this city is being faced with especially on the East side of our city. Possibly ask the County to assist with funding.	Initial required funds up to \$40,000 if City Crew does the work; total cost could be more than \$70,000
4	Hilburn	Continue working on bringing industry to Lockhart: Continue supporting Ms. Mauldin	LEDC is will have sufficient funding to be more aggressive starting FY 16-17
4	Mendoza	Training Start up: Neighborhood Watch Training and Program: Police Budget	Have tried Neighborhood Watch Program in past but was not sustained because of lack of participation. Willing to try again.
4	Michelson	Improve signage on HWY 183 as well as SH130 = directing people to Lockhart	Possibly use of some of the KTB grant money
4	Westmoreland	Evaluate and/or change the degree of the angled parking along the 4 blocks off of the square. This would be: Main Street from Market to Prairie Lea Street; Main Street from San Antonio Street to Walnut Street; Commerce Street from Market Street to Prairie Lea Street, and Commerce Street from San Antonio Street to Walnut Street. These parking spaces were made before long vehicles were made! If there are cars parked on both sides of the streets, only one car can pass through at a time. Then it becomes a one lane street. I have witnessed a different angled parking arrangement, and it provides more room and is much safer for the drivers and pedestrians.	Estimate to black out existing thermoplastic markings, redefine layout, and apply new thermoplastic markings with angle parking = \$ 12,000; will probably lose 4 spaces per block. 2 on each side
4	White	Branding and wayfinding—may be included in #1	Initial required funds up to \$40,000 if City Crew does the work; total cost could be more than \$70,000
5	Castillo	Parks	Estimate: \$ 400,000 annually over next 4 years based on input from Parks Board Advisory Board
5	Gonzales-Sanchez	Subdivision development to attract more businesses to Lockhart	Working with 6 more subdivisions, either new or expanding, and possibly one more very large one northwest.
5	Hilburn	Improve tourism in Lockhart - City Council continue to work with and encourage Chambers of Commerce to be more involved	Council can make this directive to Chambers when dividing out HOT funds
5	Mendoza	Finding more funding for Retail Market Study. Zip code demographics with reports. Funding LEDC	LEDC could fund another report but the company says our numbers still should be good. Costs estimated \$22,500 for updating data and recruitment.

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

Priority	Council Person	Goals Submitted	City Manager Comments
5	Michelson	Work with LEDC or someone equivalent to build a building to help attract business	Need more 12-15,000 sf of retail spaces with reasonable lease per sf. Most softgood retailers want 12-15,000 on Hwy 183 at a reasonable price and increased traffic volumes
5	White	Sidewalks to include lighting	Funding required; for example San Jacinto to Jr High estimate is \$130,000 just for materials along Maple walkway
6	Gonzales-Sanchez	More Events to Attract Tourism in Lockhart and Include Way Finding Signage (Hotels and Restaurants)	Initial required funds up to \$40,000 if City Crew does the work; total cost could be more than \$70,000. Chambers could use HOT for more tourism.
6	Michelson	Continue to work on City Park improvements	Estimate: \$ 400,000 annually over next 4 years based on input from Parks Board Advisory Board
6	White	Pursue possible ESD-EMS district	Legal issue with participation by County and City of Luling preferable
7	Gonzales-Sanchez	Parks Improvemens: Purchase more park equipment to provide safe and fun filled parks for all to use.	Estimate: \$ 400,000 annually over next 4 years based on input from Parks Board Advisory Board
7	Mendoza	Start Talks With YMCA Austin again. Seek sponsors funding if necessary	Our population hurt in previous discussions, Will pursue again. They usually want commitment for a minimum number of individuals and families depending on population of not only City but its metro area
7	Michelson	Work on building a civic center/ recreation center	\$ 9 million plus land \$ 2.5 million for about 20,000 sf plus about \$240,000 annual maintenance costs and minimum of \$60,000 for utilities; estimated revenues offset is about \$60,000; take out recreation center and cost go down about 20%. It has been reported that Bastrop is spending over \$500,000 per year to operate its civic center. Revenues not covering costs.
7	White	Cemetery maintenance	Cemetery Tax up to 5 cents allowed by State Law
8	Gonzales-Sanchez	City Hall: Refurbish with Improvements and/or Upgrades	Elevator and improvements to restrooms planned; better offices for Connie and Sandra planned also.
9	Gonzales-Sanchez	Convention Center	\$ 9 million plus land \$ 2.5 million for about 20,000 sf plus about \$240,000 annual maintenance costs and minimum of \$60,000 for utilities; estimated revenues offset is about \$60,000; take out recreation center and cost go down about 20%. It has been reported that Bastrop is spending over \$500,000 per year to operate its civic center. Revenues not covering costs.
10	Gonzales-Sanchez	Employee: Possible additional Employee Holiday Time off-Alternating system	City employees now have 12 holidays and 1 personal holiday; time off is granted by seniority with department head responsible for keeping sufficient personnel to serve the public needs. Employees also receive at least 2 weeks of vacation time. Those employees required to work on holidays receive their normal pay plus holiday pay.

City of Lockhart  
Future Debt Payments as of 9/30/18

Description		Paid Debt	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	TOTAL DEBT
<b>General Government</b>																					
<b>Hotel Tax Fund</b>																					
2016 GO Refunding				40,000	40,000	40,000	40,000	40,000	40,000	40,000	40,000	40,000	40,000								400,000
<b>Total Hotel Tax Fund P &amp; I</b>			-	40,000	40,000	40,000	40,000	40,000	40,000	40,000	40,000	40,000	40,000	-	-	-	-	-	-	-	400,000
<b>LEDC</b>																					
2015 Tax & Revenue	100.00%		48,093	48,044	48,103	48,152	63,645	63,670	63,513	63,543	63,555	63,643	63,687	65,647	65,544	65,575	65,482	65,579	65,538	65,676	1,048,596
<b>Total LEDC Fund P &amp; I</b>			48,093	48,044	48,103	48,152	63,645	63,670	63,513	63,543	63,555	63,643	63,687	65,647	65,544	65,575	65,482	65,579	65,538	65,676	1,048,596
<b>2015 Capital Projects Fund</b>																					
2015 Tax & Revenue																					-
<b>Total 2015 Capital Projects Fund Fund P &amp; I</b>			-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
<b>Drainage</b>																					
2015 Tax & Revenue			100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	1,700,000
<b>Total Drainage Fund P &amp; I</b>			100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	1,700,000
<b>General Fund</b>																					
2015 Tax & Revenue																					-
<b>Total General Fund P &amp; I</b>			-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
<b>Debt Service Fund</b>																					
2006 Tax & Rev CO's	100.00%		47,175	50,535	48,690	46,845															146,070
2006-A Tax & Rev CO's	93.00%		267,890	267,803	267,332	271,128															806,264
2015 Tax & Revenue	TRNSF		186,594	186,302	186,653	186,945	279,275	279,421	278,487	278,662	278,735	279,261	279,523	291,203	290,590	290,773	290,222	290,798	290,554	291,374	4,548,778
2015 Tax & Revenue	12.00%		117,779	117,659	117,803	117,923	155,867	155,927	155,543	155,615	155,645	155,861	155,969	160,769	160,517	160,592	160,365	160,602	160,502	160,831	2,567,990
2016 GO Refunding	74.84%		171,056	346,930	361,150	353,161	656,899	666,927	661,698	666,974	673,111	670,566	678,350	-	-	-	-	-	-	-	5,735,766
<b>Total Debt Service Fund P &amp; I</b>			790,494	969,229	981,628	976,002	1,092,041	1,102,275	1,095,728	1,101,251	1,107,491	1,105,688	1,113,842	451,972	451,107	451,365	450,587	451,400	451,056	452,205	13,804,868
<b>Total General Government</b>			<b>938,587</b>	<b>1,157,273</b>	<b>1,169,731</b>	<b>1,164,154</b>	<b>1,295,686</b>	<b>1,305,945</b>	<b>1,299,241</b>	<b>1,304,794</b>	<b>1,311,046</b>	<b>1,309,331</b>	<b>1,317,529</b>	<b>617,619</b>	<b>616,651</b>	<b>616,940</b>	<b>616,069</b>	<b>616,979</b>	<b>616,594</b>	<b>617,881</b>	<b>16,953,464</b>

Future Debt Payments as of 9/30/18

Description	Paid Debt	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	TOTAL DEBT
<b>Proprietary</b>																				
<b>Electric Fund</b>																				
2013 SIB Loan	30.81%	71,151	71,152	71,151	71,151	71,151	71,151	71,151	71,152	71,151	71,151	71,151	71,151	71,151	71,151	71,151	71,152	-	-	1,067,268
<b>Total Electric Fund P &amp; I</b>	-	71,151	71,152	71,151	71,151	71,151	71,151	71,151	71,152	71,151	71,151	71,151	71,151	71,151	71,151	71,151	71,152	-	-	1,067,268
<b>Water Fund</b>																				
2006A Tax & Rev CO's	7.00%	20,164	20,157	20,122	20,408															60,687
2015 Tax & Revenue	49.60%	486,818	486,322	486,917	487,413	644,248	644,496	642,909	643,207	643,331	644,223	644,670	664,510	663,468	663,778	662,842	663,822	663,406	664,800	10,614,362
2016 GO Refunding	21.81%	49,849	101,103	105,247	102,919	191,435	194,357	192,833	194,371	196,159	195,418	197,686	-	-	-	-	-	-	-	1,671,528
2013 SIB Loan	35.80%	82,676	82,676	82,676	82,676	82,676	82,676	82,676	82,676	82,676	82,676	82,676	82,676	82,676	82,676	82,676	82,676	82,676	82,676	1,240,140
<b>Total Water Fund P &amp; I</b>	-	639,507	690,258	694,962	693,416	918,359	921,529	918,418	920,254	922,166	922,317	925,032	747,186	746,144	746,454	745,518	746,498	663,406	664,800	13,586,717
<b>Sewer Fund</b>																				
2015 Tax & Revenue	4.30%	42,204	42,161	42,213	42,256	55,852	55,874	55,736	55,752	55,773	55,850	55,889	57,609	57,518	57,545	57,464	57,549	57,513	57,643	920,197
2016 GO Refunding	3.35%	7,657	15,529	16,166	15,808	29,404	29,853	29,619	29,855	30,130	30,016	30,364	-	-	-	-	-	-	-	256,744
2013 SIB Loan	33.39%	77,102	77,103	77,102	77,102	77,103	77,102	77,102	77,103	77,102	77,102	77,103	77,102	77,102	77,103	77,102	77,102	77,102	77,102	1,156,537
<b>Total Sewer Fund P &amp; I</b>		126,963	134,793	135,481	135,166	162,359	162,829	162,457	162,710	163,005	162,968	163,356	134,711	134,620	134,648	134,566	134,651	57,513	57,643	2,333,478
<b>Total Proprietary Fund P &amp; I</b>	-	837,621	896,203	901,594	899,733	1,151,869	1,155,510	1,152,026	1,154,116	1,156,323	1,156,436	1,159,539	953,049	951,915	952,253	951,236	952,301	720,919	722,443	16,987,463
<b>Grand Total</b>		<b>1,776,208</b>	<b>2,053,476</b>	<b>2,071,326</b>	<b>2,063,887</b>	<b>2,447,555</b>	<b>2,461,455</b>	<b>2,451,267</b>	<b>2,458,910</b>	<b>2,467,369</b>	<b>2,465,767</b>	<b>2,477,068</b>	<b>1,570,668</b>	<b>1,568,566</b>	<b>1,569,193</b>	<b>1,567,305</b>	<b>1,569,280</b>	<b>1,337,513</b>	<b>1,340,324</b>	<b>33,940,927</b>



City of Lockhart  
2015 BOND PROGRAM

Cost	Notes	Task Name	Duration	Start	Finish	2015												2016												2017											
						Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan
\$1,355,516.00	6	<b>SH130 WATER MAIN PROJECT - City Line Rd. to Existing Tank, SH 130 @ Hwy. 142, Borchert/Mockingbird, Control Valves, FM 2001</b>	365 days	Thu 6/30/16	Thu 6/29/17																																				
		Surveying Proposal	15 days	Mon 1/18/16	Mon 2/1/16																																				
		Survey	30 days	Tue 2/2/16	Wed 3/2/16																																				
		Acquisition	150 days	Thu 3/3/16	Sat 7/30/16																																				
		Engineering Design	120 days	Thu 3/3/16	Thu 6/30/16																																				
		Bid Ad/NTP	60 days	Fri 7/1/16	Mon 8/29/16																																				
		Construction	300 days	Fri 9/2/16	Wed 6/28/17																																				
\$470,400.00	7	<b>SH130 PUMP STATION PROJECT</b>																																							
		Survey	7 days	Mon 4/25/16	Sun 5/1/16																																				
		Engineering Design	90 days	Mon 5/2/16	Sat 7/30/16																																				
		Bid Ad/NTP	60 days	Sun 7/31/16	Wed 9/28/16																																				
		Construction	270 days	Sun 10/2/16	Wed 6/28/17																																				
\$859,186.00	8	<b>SH130/TOWN BRANCH SEWER PROJECT</b>																																							
		Surveying Proposal	15 days	Fri 5/20/16	Fri 6/3/16																																				
		Survey	30 days	Sat 6/4/16	Sun 7/3/16																																				
		Acquisition	120 days	Mon 7/4/16	Mon 10/31/16																																				
		Engineering Design	90 days	Mon 7/4/16	Sat 10/1/16																																				
		Bid Ad/NTP	60 days	Sun 10/2/16	Wed 11/30/16																																				
		Construction	240 days	Mon 12/5/16	Tue 8/1/17																																				
\$1,891,126.00	9	<b>WATER TRANSMISSION MAIN PROJECT - Water Plant Transmission Main, MLK to FM 20 West Transmission Main</b>																																							
		Surveying Proposal	17 days	Wed 11/16/16	Fri 12/2/16																																				
		Survey	30 days	Sat 12/3/16	Sun 1/1/17																																				
		Acquisition	120 days	Mon 1/2/17	Mon 5/1/17																																				
		Engineering Design	90 days	Mon 1/2/17	Sat 4/1/17																																				
		Bid Ad/NTP	60 days	Sun 4/2/17	Wed 5/31/17																																				
		Construction	180 days	Mon 6/5/17	Fri 12/1/17																																				