

PUBLIC NOTICE

AGENDA

LOCKHART CITY COUNCIL

TUESDAY, APRIL 21, 2020

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

COUNCILMEMBER VIDEO AND AUDIO CONFERENCE PARTICIPATION

Pursuant to Section 551.127 of the Texas Government Code, one or more members of the Lockhart City Council may participate in a meeting remotely, following certain guidelines and notice requirements. The member of the Council presiding over the meeting will be physically present at the above public location. Video and audio conference equipment providing two-way video/audio communication with each member participating remotely will be made available, and each portion of the meeting held by video/audio conference that is required to be open to the public can be heard by the public at the location specified.

PUBLIC COMMENT

Persons wishing to "speak" during the public comment period or about an agenda item during a public meeting may do so as follows:

- Comments read aloud - Submit their written comments to cconstancio@lockhart-tx.org no later than 12:00 p.m. (noon) on the day of the meeting if they request the comment to be read aloud. Timely submitted comments will be read aloud by the Mayor during the public comment or agenda item of the meeting.
- Speak virtually
 - By video - Request a link to join the meeting by video to cconstancio@lockhart-tx.org by 12:00 p.m. (noon) on the day of the meeting.
 - By call-in (phone) - Call-in number 1-408-418-9388 Attendee Access Code 626-304-323 between 6:00 p.m. - 6:15 p.m. on the date of the meeting.

Comments shall have a time limit of three minutes each. Any threatening, defamatory or other similar comments are prohibited.

CITIZEN AND COUNCILMEMBER VIDEO/AUDIO CONFERENCE PARTICIPATION

- Call-in number 1-408-418-9388 Attendee Access Code 626-304-323
- Mayor will call upon each citizen registered to address the Council.
- Attendees may also call in to listen only.
- Council agenda packets can be reviewed at http://www.lockhart-tx.org/page/gov_agendas_minutes
- Individuals may watch the Council meeting online at http://www.lockhart-tx.org/page/gov_meeting_videos

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 issue discussed or reviewed during the work session.

DISCUSSION ONLY

- A. Discuss Caldwell County Christian Ministries to renew their lease for five years, as provided in the current lease, for portions of the building at 901 Bois D'Arc Street known as the Food Pantry and to include a land lease for the Community Garden. 5-19
- B. Discuss Resolution 2020-13 adopting the Caldwell County Hazard Mitigation Action Plan (HMAP) 2020 as developed specifically for Caldwell County as a multi-jurisdictional plan. (The HMAP document will be provided as a dropbox link through e-mail due to the large file size.) 20-37
- C. Discuss the Texas Division of Emergency Management (TDEM) Grant Terms and Conditions and Designation of Subrecipient Agent documents to participate in the Federal Emergency Management Agency (FEMA) Public Assistance (PA) Program for Disaster Number DR-4485, Texas COVID-19 Pandemic. The City of Lockhart declared a local disaster declaration on March 17, 2020 and applied for FEMA Public Assistance on March 27, 2020. 38-61
- D. Discuss the 2nd Quarter Fiscal Year 2020 Investment Report. 62-71
- E. Discuss Fiscal Year 2019-2020 Mid-Year Budget review, including COVID-19 impacts and potential responses. 72-87
- F. Discuss implementation of additional safety measures at Summerside Subdivision entrance along US 183. 88-93
- G. Discuss the City of Lockhart's Mayoral Declaration of Local State of Disaster due to Public Health Emergency order extended on April 7, 2020 and addressing other matters related to COVID-19, if necessary. 94-100

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.)

4. **CONSENT AGENDA**

- A. Approve Caldwell County Christian Ministries to renew their lease for five years, as provided in the current lease, for portions of the building at 901 Bois D'Arc Street known as the Food Pantry and to include a land lease for the Community Garden. 5-19
- B. Approve Resolution 2020-13 adopting the Caldwell County Hazard Mitigation Action Plan (HMAP) 2020 as developed specifically for Caldwell County as a multi-jurisdictional plan. (The HMAP document will be provided as a dropbox link through e-mail due to the large file size.) 20-37
- C. Approve the Texas Division of Emergency Management (TDEM) Grant Terms and Conditions and Designation of Subrecipient Agent documents to participate in the Federal Emergency Management Agency (FEMA) Public Assistance (PA) Program for Disaster Number DR-4485, Texas COVID-19 Pandemic. The City of Lockhart declared a local disaster declaration on March 17, 2020 and applied for FEMA Public Assistance on March 27, 2020. 38-61
- D. Accept the 2nd Quarter Fiscal Year 2020 Investment Report. 62-71

5. **DISCUSSION/ACTION ITEMS**

- A. Discussion and/or action regarding Fiscal Year 2019-2020 Mid-Year Budget review, including COVID-19 impacts and potential responses. 72-87
- B. Discussion regarding implementation of additional safety measures at Summerside Subdivision entrance along US 183. 88-93
- C. Discussion and/or action regarding the City of Lockhart's Mayoral Declaration of Local State of Disaster due to Public Health Emergency order extended on April 7, 2020 and addressing other matters related to COVID-19, if necessary. 94-100
- D. Discussion and/or action regarding appointments to various boards, commissions or committees. 101-109

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

- Update regarding potential delays to the U.S. Census timeline.
- Construction soon underway of a Rain Garden in the City Park as part of the TCEQ Riparian Restoration Grant.
- Preconstruction meeting was held on April 23rd regarding the Phase I Town Branch Trail.
- The Library will begin hosting a virtual Q&A session about Technology on April 17.
- Library conducting virtual story time.

7. **COUNCIL AND STAFF COMMENTS – ITEMS OF COMMUNITY INTEREST**

(**Items of Community Interest defined below)

8. **ADJOURNMENT**

*** Items of Community Interest includes: 1) expressions of thanks, congratulations or condolence; 2) information regarding holiday schedules; 3) an honorary or salutary recognition of a public official, public employee, or other citizen, except that a discussion regarding a change in the status of a person's public office or public employment is not an honorary or salutary recognition for purposes of this subdivision; 4) a reminder about an upcoming event organized or sponsored by the governing body; 5) information regarding a social, ceremonial, or community event organized or sponsored by an entity other than the governing body that was attended or is scheduled to be attended by a member of the governing body or an official employee of the municipality; and 6) announcements involving an imminent threat to the public health and safety of people in the municipality that has arisen after the posting of the agenda. (SB 1182 - effective 09/01/2009)*

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 April 2020 at 1:00pm.

City of Lockhart, Texas

Council Agenda Item Briefing Data

COUNCIL MEETING DATE: April 21, 2020

AGENDA ITEM CAPTION: Discussion and/or action regarding the request by Caldwell County Christian Ministries (CCCM) to renew their lease for five (5) years as provided in their current lease for portions of the building at 901 Bois D' Arc Street known as the Food Pantry and to include a land lease for the Community Garden.

ORIGINATING DEPARTMENT AND CONTACT: Public Works-Sean Kelley

ACTION REQUESTED:

ORDINANCE RESOLUTION CHANGE ORDER AGREEMENT
 APPROVAL OF BID AWARD OF CONTRACT CONSENSUS OTHER

BACKGROUND/SUMMARY/DISCUSSION: Caldwell County Christian Ministries (CCCM) has requested to renew their building lease of the space located at 901 Bois D' Arc Street commonly known as the Food Pantry. CCCM has been operating at that location since 2010 and has a commendable reputation for helping our community with this valuable service. The lease provides that CCCM shall: 1) pay an annual rent of \$1.00; 2) pay all costs of fuel, electricity, garbage, telephone and other utilities used on the premises; 3) at all times maintain a comprehensive liability insurance policy; and, 4) seek approval from the City for any renovations, signs, etc.

During the City's lease renewal process, CCCM expressed an interest in leasing the community garden space and garden shed in the rear of the property. The Master Gardeners Association (MGA) leased the community garden area from the City in 2018 with an expiration in September of 2020. However, the MGA disbanded the project this year thereby making the garden space available. CCCM sees this as another opportunity to provide fresh produce.

If approved, the terms of the proposed lease agreement would be set to expire April 31, 2025. CCCM would have the right to renew this lease for an additional five (5) year term provided they give the City 90-day notice of their intent to renew the lease.

PROJECT SCHEDULE (if applicable): None.

AMOUNT & SOURCE OF FUNDING: None.

Previous Council Action: Approved initial lease in 2010.

COMMITTEE/BOARD/COMMISSION ACTION: N/A

STAFF RECOMMENDATION/REQUESTED MOTION: Staff recommends approval of the five-year lease renewal with CCCM for building at 901 Bois D' Arc Street including the community garden.

LIST OF SUPPORTING DOCUMENTS: Lease Renewal, Leased Premises Depictions and 2010 lease.

Department Head initials:

City Manager's Review:



Lease Agreement

*South Bottom Wing of Old Lockhart Hospital
Building/Community Garden*

Between

City of Lockhart

and

Caldwell County Christian Ministries

Beginning Date: May 1, 2020

Ending Date: April 31, 2025

LEASE
CITY OF LOCKHART
and
CALDWELL COUNTY CHRISTIAN MINISTRIES FOOD PANTY/COMMUNITY
GARDEN

THIS LEASE is made between the City of Lockhart, hereafter called "Lessor," whose address for purposes of notice under this lease is P.O. Box 239, Lockhart, Texas 78644, and Caldwell County Christian Ministries, Food Pantry, hereafter called "Lessee," whose address for purposes of notice under this lease is 919 W. San Antonio Street, Lockhart, Texas 78644.

In consideration of the mutual covenants and agreements of this Lease, and other good and valuable consideration, the parties agree as follows:

1. **AGREEMENT TO LEASE: DESCRIPTION OF THE PROPERTY.** The Lessor leases to the Lessee, and the Lessee leases from the Lessor, the following described commercial space: approximately 1,500 square feet on the first bottom floor of the east wing of the old hospital building located at 901 Bois D'Arc, Lockhart, Texas, as shown on Exhibit A, and approximately 12,000 square feet of land and Garden Shed located in the rear of 901 Bois D' Arc, Lockhart, Texas, as shown as Exhibit B, attached and incorporated herein, (collectively, the "Leased Premises").

2. **TERMS OF LEASE.** The term of the lease is as follows:
The term of this lease shall be a period of Five (5) years, commencing on the 1st day of May, 2020, and ending at midnight on the 31st day of April, 2025 (herein called the "Primary Term"). Provided, however, that the Lessee shall have the right to renew this lease for an additional term of five (5) years (hereinafter referred to as "Renewal Term" or "Renewal Terms"), on like terms and conditions, by delivering a written notice of intention to renew Lease to Lessor no later than 90 days from the end of the Primary Term or Renewal Term as the case may be. If Lessee holds over and continues in possession of the Leased Premises after the Primary Term or, if exercised, a Renewal Term, expires, Lessee will be considered to be occupying the Leased Premises at will subject to all the terms of this Lease.

3. RENTAL. Lessee shall pay to Lessor as rent at the address set forth above, or at any other address that Lessor may designate in writing, the minimum annual rent of \$1.00 in lawful money of the United States of America. Additionally, Lessee shall perform functions as described in Paragraphs 6 and 7 of this Lease, as conditions precedent to this lease.

4. TAXES. Lessee agrees to pay any taxes levied against the personal property and trade fixtures of the Lessee in and about the Leased Premises, should such be required.

5. SUBORDINATION. This lease and all rights of Lessee under it are and shall be subject to and subordinate to the rights of any mortgage holder now or hereafter having a security interest in the Leased Premises or any other encumbrances Lessor desires to place on the property.

6. LESSEE'S COVENANTS. Lessee further covenants and agrees as follows:

a. To pay the rent and every installment of it when it comes due; to use the premises in a careful and proper manner for the express purpose of operating a not for profit social services center; to commit or permit no waste or damages to the premises; to conduct or permit no business or act that is a nuisance or may be in violation of any federal, state, or local law or ordinance; to surrender the premises on expiration or termination of this Lease in clean condition and good repair, normal wear and tear excepted, provided, however, that all alterations, additions, and improvements permanently attached and made by Lessee, its successors, sublessees, and assigns (excepting movable furniture, equipment, supplies, inventory, storage sheds and special air-conditioning equipment installed by Lessee) shall become and remain the property of Lessor on the termination of Lessee's occupancy of the premises.

b. To pay all costs of fuel, electricity, garbage, telephone, and all other utilities used on the premises. All those amounts shall be paid within 10 days of becoming due. Lessee acknowledges that the building within which the Leased Premises are located is not zoned for electrical and water utilities, and therefore Lessee shall pay a prorated portion of any electricity, based on a formula as follows:

Utility bill shall be based on the square footage of use.

c. To maintain at all times during the lease term, at Lessee's cost, a comprehensive public liability insurance policy protecting Lessor against all claims or demands that may arise or be

claimed on account of Lessee's use of the Leased Premises, in an amount of at least \$1,000,000.00 for injuries to persons in one accident, \$300,000.00 for injuries to any one person, and \$50,000.00 for damages to property the Leased Premises is located. The insurance shall be written by a company or companies acceptable to Lessor, authorized to engage in the business of general liability insurance in the State of Texas. Lessee shall deliver to Lessor annual certificates demonstrating that insurance is paid up and copies of the insurance policies issued by the insurance companies. Lessee further agrees to maintain at all times during the lease term, at Lessee's cost, broad-coverage fire and casualty insurance on its property (including inventory) and to provide Lessor with a copy of the policy and a certificate issued by the insurance company demonstrating that insurance is paid in full or current. At its option, Lessor may request Lessee to obtain a certified statement by each insurance carrier containing a clause providing that the insurance carrier will give Lessor 30 days' written notice before any cancellation shall be effective. The insurance policies shall be provided by Lessee and shall be for a period of at least one year. If Lessee fails to furnish policies or certificates showing policies to be paid in full as provided in this lease, Lessor may obtain the insurance, and the premiums on that insurance will be deemed additional rent to be paid by Lessee to Lessor on demand.

d. To prohibit and refrain from engaging or in allowing any use of the Leased Premises that will increase Lessor's premiums for insurance on the building without the express written consent of Lessor.

e. **AT ITS SOLE EXPENSE, TO PAY, AND TO INDEMNIFY AND SAVE LESSOR, ITS MEMBERS, DIRECTORS, OFFICERS, AGENTS, AND EMPLOYEES HARMLESS AGAINST AND FROM, ANY AND ALL CLAIMS BY OR ON BEHALF OF ANY PERSON, FIRM, CORPORATION, OR GOVERNMENTAL AUTHORITY ARISING FROM THE OCCUPATION, USE, OR POSSESSION OF THE LEASED PREMISES, INCLUDING ANY LIABILITY FOR VIOLATION OF CONDITIONS, RESTRICTIONS, LAWS, ORDINANCES, OR REGULATIONS AFFECTING THE LEASED PREMISES OR THE OWNERSHIP OR OCCUPANCY OR USE THEREOF (TO THE EXTENT SUCH VIOLATIONS DID NOT EXIST PRIOR TO THE COMMENCEMENT OF LESSEE'S OCCUPANCY OF THE LEASED PREMISES). LESSEE SHALL RELEASE,**

INDEMNIFY, DEFEND, REIMBURSE, AND HOLD HARMLESS THE LESSOR, ITS OFFICERS, AGENTS, EMPLOYEES AND VOLUNTEERS AGAINST ANY AND ALL ENVIRONMENTAL DAMAGES AND THE VIOLATION OF ANY AND ALL ENVIRONMENTAL REQUIREMENTS RESULTING FROM LESSEE'S USE OF THE LEASED PREMISES AND WHEN SAID ENVIRONMENTAL DAMAGES OR THE VIOLATION OF SAID ENVIRONMENTAL REQUIREMENTS WERE THE RESULT OF ANY ACT OR OMISSION OF LESSEE, ITS OFFICERS, AGENTS, EMPLOYEES, SUBCONTRACTORS, LICENSEES, OR INVITEES OR THE JOINT ACT OR OMISSION OF LESSEE, ITS OFFICERS, AGENTS, EMPLOYEES, OR SUBLESEES.

LESSEE IS EXPRESSLY NOT LIABLE FOR AND DOES NOT INDEMNIFY FOR ANY ENVIRONMENTAL DAMAGES OR THE VIOLATION OF SAID ENVIRONMENTAL REQUIREMENTS WHICH HAVE OCCURRED PRIOR TO THE DATE OF LESSEE'S INITIAL OCCUPANCY OF THE LEASED PREMISES.

LESSOR, ITS MEMBERS, DIRECTORS, OFFICERS, AGENTS, AND EMPLOYEES SHALL NOT BE LIABLE TO LESSEE OR TO ANY OTHER PARTY WHOMSOEVER FOR ANY DEATH, INJURY, OR DAMAGE THAT MAY RESULT TO ANY PERSON OR PROPERTY BY OR FROM ANY CAUSE WHATSOEVER IN OR ON THE LEASED PREMISES OR ANY PART THEREOF UNLESS CAUSED BY THE NEGLIGENCE OR WILLFUL MISCONDUCT OF LESSOR, ITS MEMBERS, DIRECTORS, OFFICERS, AGENTS, OR EMPLOYEES. LESSEE SHALL INDEMNIFY AND HOLD LESSOR, ITS MEMBERS, DIRECTORS, OFFICERS, AGENTS, AND EMPLOYEES HARMLESS FROM AND DEFEND THEM AND EACH OF THEM AGAINST ANY AND ALL CLAIMS, LOSSES, OR JUDGMENTS FOR DEATH OF OR INJURY TO ANY PERSON OR DAMAGED PROPERTY WHATSOEVER INCURRED IN OR ON THE LEASED PREMISES, AND PART THEREOF, FROM AND AFTER THE DATE OF THIS LEASE UNLESS CAUSED BY THE NEGLIGENCE OR WILLFUL MISCONDUCT OF LESSOR, ITS MEMBERS, DIRECTORS, OFFICERS, AGENTS, OR EMPLOYEES. IN THE EVENT THAT ANY ACTION OR PROCEEDING IS BROUGHT

AGAINST LESSOR BY REASON OF ANY SUCH CLAIM, LESSEE, UPON WRITTEN NOTICE FROM LESSOR, SHALL RESIST OR DEFEND SUCH ACTION OR PROCEEDING.

AFTER A DEFAULT OF LESSEE, LESSEE AGREES TO PAY AND TO INDEMNIFY LESSOR AGAINST ALL LAWFUL AND REASONABLE COSTS AND CHARGES, INCLUDING REASONABLE COUNSEL FEES, INCURRED DUE TO SUCH EVENT OF DEFAULT, IN OBTAINING POSSESSION OF THE LEASED PREMISES FROM LESSEE OR IN TERMINATING THE LEASE, OR IN ENFORCING ANY COVENANT OR AGREEMENT OF LESSEE CONTAINED IN THIS LEASE.

The provisions of this section six shall survive the termination or expiration of this lease.

f. In case of damage to glass in the Leased Premises, to replace it with glass of the same kind, size, and quality as quickly as possible at Lessee's expense.

g. To make no alterations in or additions or improvements to install any equipment in or maintain signs advertising its business on the premises without, in each case, obtaining the written consent of Lessor. If any alterations, additions, or improvements in or to the premises are made necessary by reason of the special use and occupancy of the premises by Lessee, Lessee agrees that it will make all such alterations, additions, and improvements in or to the premises at its own expense and in compliance with all building codes, ordinances, and governmental regulations pertaining to such work, use, or occupancy. Lessee agrees that it will hold Lessor harmless against all expenses, liens, claims, and damages to either property or person that may or might arise because any repairs, alterations, additions, or improvements are made.

h. To permit Lessor to enter, inspect, and make such repairs to the Leased Premises as Lessor may reasonably desire, at all reasonable times, and to permit Lessor to put on the Leased Premises a notice that Lessee may not remove stating that the premises are for rent one month preceding the expiration of this lease.

i. To effect all minor repairs to electrical, air conditioning, heating and plumbing in any amount requiring expenditures of less than \$1,500.00 after warranties have expired.

j. To install all necessary heating, air-conditioning, food cooling systems to meet City

code requirements at Lessee's sole expense in the Leased Premises.

7. ADDITIONAL REQUIREMENTS OF LESSEE. The following provisions are hereby incorporated into the Lease and shall be mandatory requirements for the continuation of the Lease.

a. The Lessee shall not in any way discriminate against person because of race, gender, or ethnic background.

b. The Lessee shall allow no activity that would in any way be construed as inappropriate for the providing of public funds or services rendered by this Lease by Lessor. The use of tobacco products and alcoholic beverages will not be allowed on the premises.

c. The Lessee, at its sole expense, shall maintain areas described in Exhibits A and B and shall allow other building lessees use of common areas such as hallways, corridors, restrooms, parking areas, etc., between or contiguous to various areas being leased. It is acknowledged that because the Lease Premises is in separate tracts within the building, there are or will be other activities or lessees in other portions of the building which shall require non-exclusivity of usage and control. Lessee acknowledges Lessor's right to permit other parties' usage of said areas. The fenced in playground area is not included in the common area as herein described.

d. The Lessee shall not allow any commercial activities for profit on the premises by any third party, except those that could be construed as being in accordance with Paragraph 8, *infra*. This does not prevent, for example, hearing aid screenings, and other service-related matters typical of those related to the services provided by the Lessee from being performed on the premises.

e. The Lessee shall comply with all zoning requirements of the City of Lockhart.

8. EXCLUSIVE USE. Lessee agrees that its use of the Leased Premises described in Exhibits A and B shall be used exclusively for purposes of providing social services by Community Action, Inc., of Hays, Caldwell, and Blanco Counties.

9. LESSOR'S COVENANTS. Lessor covenants and agrees as follows:

a. To warrant and defend Lessee in the enjoyment and peaceful possession of the premises during the aforesaid term.

b. If the premises are destroyed or so damaged by fire, casualty, or other disaster that they become untenable, Lessor will have the right to render the Leased Premises tenable by repairs within 90 days from the date of damage with reasonable additional time, if necessary, for Lessor to adjust the loss with insurance companies insuring the premises, or for any other delay occasioned by conditions beyond the control of Lessor. If the premises are not rendered tenantable within that time, either party will have the right to terminate this Lease by written notice to the other. In the event of such termination, the rent shall be paid only to the date of the damage. If the Lease is not terminated, rent nevertheless shall be abated during the period of time from the date of damage to the date of physical occupancy by Lessee or date of complete restoration, whichever occurs first.

c. At Lessor's expense, to perform all maintenance and repair required to keep the heating and air-conditioning equipment serving the Leased Premises in good operating condition during the term of this lease and any renewal term except as referenced in 6(i) of the Lessee Covenants as contained herein.

d. At Lessor's expense provide initial improvements to the Leased Premises including cleaning, painting, electric outlets, lighting, fire code requirements, doors, exterior awning to accommodate patrons, ADA entrance, restricted access to food storage areas, and additional parking areas if required.

10. **DEFAULT IN PAYMENT OF RENT.** If any rent required by this Lease is not paid when due, Lessor will have the option to:

a. Terminate this Lease, resume possession of the Leased Premises, and recover immediately from Lessee the difference between the rent specified in the Lease and the fair rental value of the Leased Premises for the remainder of the term, reduced to present worth; or

b. Resume possession and re-lease or rent the Leased Premises for the remainder of the term for the account of Lessee and recover from Lessee at the end of the term or at the time each payment of rent comes due under this Lease, whichever Lessor may choose, the difference between the rent specified in the Lease and the rent received on the re-leasing or renting.

11. DEFAULTS OTHER THAN RENT. If either Lessor or Lessee fails to perform or breaches any agreement herein other than the agreement of Lessee to pay rent, (to include those specifically delineated in Paragraph 6 of this document) and this failure or breach continues for 10 days after a written notice specifying the required performance has been given to the party failing to perform, (a) the party giving notice may institute action in a court of competent jurisdiction to terminate this Lease or to complete performance in accordance with this Lease, and the losing party in that litigation shall pay the prevailing party all expenses of the litigation, including reasonable attorneys' fees; or (b) Lessor or Lessee may, after 30 days' written notice to the other, comply with the Lease or correct any such breach, and the costs of that compliance shall be payable on demand.

12. INSOLVENCY, BANKRUPTCY, ETC., OF LESSEE. If Lessee is declared insolvent or adjudicated as bankrupt; if Lessee makes an assignment for the benefit of creditors; if Lessee's leasehold interest is sold under execution or by a trustee in bankruptcy; or if a receiver is appointed for Lessee, Lessor, without prejudice to its rights hereunder and at its option, may terminate this lease and retake possession of the Leased Premises immediately and without notice to Lessee or any assignee, transferee, trustee, or any other person or persons, using force if necessary.

13. LESSOR TO HAVE LIEN. Lessor will have a lien against all improvements by the Lessee to the building on the Leased Premises and on any goods, equipment, and other personal property not covered under the Federal Government Circular A-110, Subpart C: Property Standards #33 and any subsequent revisions during the lease term, in the aggregate amount of all rent, damages, and other sums that may at any time be owed by Lessee to Lessor under the lease. In the event of any default by Lessee, Lessor may foreclose the lien in the same manner that a mortgage would be foreclosed, and in that event, Lessee shall be obligated for all court costs and reasonable attorneys' fees.

14. ELECTION BY LESSOR NOT EXCLUSIVE. The exercise by Lessor of any right or remedy to collect rent or enforce its rights under this lease will not be a waiver or preclude the exercise of any other right or remedy afforded Lessor by this Lease agreement, by statute or law. The failure of Lessor in one or more instances to insist on strict performance or observations of one or more of the covenants or conditions of this Lease or to exercise any remedy, privilege, or option conferred by this Lease on or reserved to Lessor shall not operate or be construed as a

relinquishment or future waiver of the covenant or condition or the right to enforce it or to exercise that remedy, privilege, or option; that right shall continue in full force and effect. The receipt by Lessor of rent or any other payment or part of payment required to be made by the Lessee shall not act to waive any other additional rent or payment then due. Even with the knowledge of the breach of any covenant or condition of this Lease, receipt will not operate as or be deemed to be a waiver of this breach, and no waiver by Lessor of any of the provisions of this Lease, or any of Lessor's rights, remedies, privileges, or options under this Lease, will be deemed to have been made unless made by Lessor in writing.

No surrender of the Leased Premises for the remainder of the term of this Lease will be valid unless accepted by Lessor in writing. Lessee will not assign or sublet this Lease, or any portion of the area leased without Lessor's prior written consent. No assignment or sublease will relieve the assignor or sublessor of any obligation under this Lease. Each assignee or sublessee, by assuming such status, will become obligated to perform every agreement of this Lease to be performed by Lessee, except that a sublessee shall be obligated to perform such agreements only insofar as they relate to the subleased part of the property and the rent required by the sublease. Sublessee will be obligated to pay rent directly to Lessor only after Sublessor's default in payment and written demand from Lessor to Sublessee to pay rent directly to Lessor.

15. ADDRESSES FOR PAYMENTS AND NOTICES. Rent payments and notices to Lessor shall be mailed to the address set forth on the first page of this lease, unless Lessor advises Lessee differently in writing.

Notices to Lessee may be mailed to the Leased Premises, and proof of mailing or posting of those notices to the Leased Premises will be deemed the equivalent of personal service on Lessee. All notices to either party shall be sent by certified or registered mail, return receipt requested.

16. EMINENT DOMAIN. If any part of the Leased Premises is taken by eminent domain, Lessor and Lessee may terminate this Lease. If neither Lessor nor Lessee elects to terminate the Lease, all sums awarded or agreed upon between Lessor and the condemning authority for the taking of the interest of Lessor or Lessee, whether as damages or as compensation, will be the property of Lessor without prejudice, however, to claims of Lessee against the condemning authority for moving costs. If this Lease is terminated under this Section 16, Rent will

be payable up to the date that possession is taken by the condemning authority, and Lessor shall refund to Lessee any prepaid unaccrued Rent less any sum then owing by Lessee to Lessor.

17. CAPTIONS. The captions and paragraphs or letters appearing in this Lease are inserted only as a matter of convenience and in no way define, limit, construe, or describe the scope or intent of the sections or articles of this Lease or affect this Lease in any way.

18. TEXAS LAW. This Lease will be governed by the laws of the State of Texas, as to both interpretations and performance.

19. ENTIRE AGREEMENT. This Lease sets forth all the promises, agreements, conditions, and understandings between Lessor and Lessee relative to the Leased Premises. There are no other promises, agreements, conditions, or understandings, either oral or written, between them. No subsequent alteration, amendment, change, or addition to this Lease will be binding on Lessor or Lessee unless in writing and signed by them and made a part of this Lease by direct reference.

20. TERMS INCLUSIVE. As used herein, the terms "Lessor" and "Lessee" include the plural whenever the context requires or admits.

21. REPRESENTATIVES BOUND HEREBY. The terms of this Lease will be binding on the respective successors, representatives, and assigns of the parties.

Signature Page Follows

IN WITNESS WHEREOF, Lessor and Lessee have duly executed this

Lease Agreement on _____, 2020.

Signed and sealed as witnessed below:

LESSOR

Witness:

Lew White, Mayor

Connie Constancio, City Secretary

The City of Lockhart

LESSEE

Witness:

Meredith Jakovic

Name: _____

Caldwell County Christian Ministries

Title: _____

Exhibit "A" Leased Premises Description and Depiction

Exhibit A
Leased Premises Depiction
↑
North

Old Hospital Building

Proposed Food Pantry Area 

Additional parking can be added on the north side

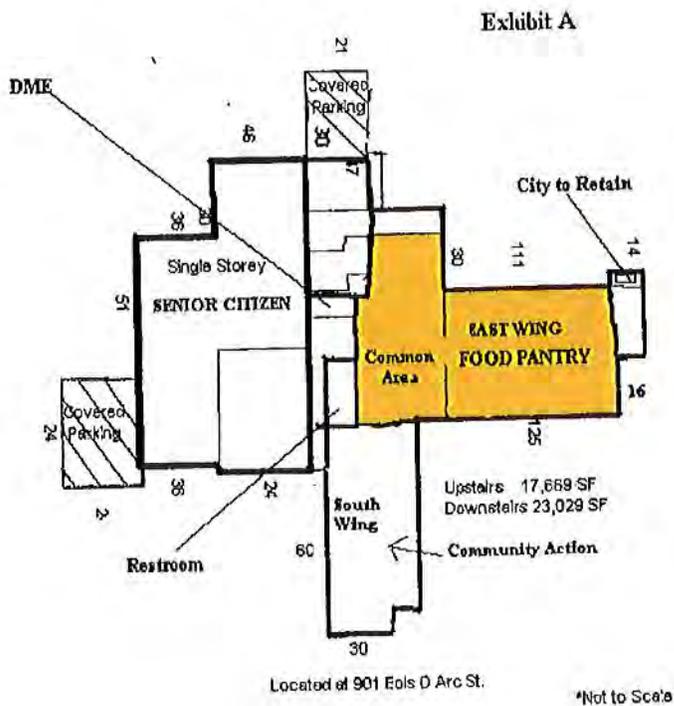


Exhibit "B" Leased Premises Description and Depiction



City of Lockhart, Texas

Council Agenda Item Briefing Data

COUNCIL MEETING DATE: April 21, 2020

AGENDA ITEM CAPTION: Discussion and/or action to consider Resolution 2020-13 adopting the "Caldwell County Hazard Mitigation Action Plan (HMAP) 2020" as developed specifically for Caldwell County as a multi-jurisdictional plan. (The HMAP document will be provided as a dropbox link through e-mail due to the large file size.)

ORIGINATING DEPARTMENT AND CONTACT: Fire Rescue; Randy Jenkins – Fire Chief

ACTION REQUESTED:

ORDINANCE **RESOLUTION** CHANGE ORDER AGREEMENT
 APPROVAL OF BID AWARD OF CONTRACT CONSENSUS OTHER

BACKGROUND/SUMMARY/DISCUSSION: The Federal Disaster Mitigation Act of 2000 and FEMA requires state, tribal, and local governments hazard mitigation plans in order to receive certain types of non-emergency disaster assistance, including funding for mitigation projects. Hazard mitigation is defined as "sustained actions to reduce or eliminate long-term risk to people and property from hazards and their effects". Caldwell County hired H2O Partners, Inc. to develop the HMAP. Participants in the plan include Caldwell County, City of Lockhart, City of Luling, City of Martindale, Emergency Service District (ESD) #1, ESD #3, ESD #4, County Line Special Utility District (SUD), Lockhart ISD, Luling ISD, Martindale Water Supply Corporation, Maxwell Water Supply Corporation, and Plum Creek Conservation District. FEMA has concluded review of the Caldwell County HMAP and final approval of the plan is pending local adoption. The Mission Statement of the Plan is, "Maintaining a secure and sustainable future through the revision and development of targeted hazard mitigation actions to protect life and property". The future potential mitigation projects associated with Caldwell County and City of Lockhart are described in "Exhibit A".

NOTE: The document is 348 pages, therefore it will not be included as part of the council packet. It will be provided in the format of a dropbox link to Mayor, Council, staff and individuals that receive the council packet. The HMAP will also be available on the Council "P" drive to allow Council/staff to upload it during the meeting.

PROJECT SCHEDULE (if applicable): After adoption, the Hazard Mitigation Action Plan (HMAP) will be reviewed annually and resubmitted to FEMA for approval every 5 years to maintain eligibility.

AMOUNT & SOURCE OF FUNDING: None.

COMMITTEE/BOARD/COMMISSION ACTION: N/A

STAFF RECOMMENDATION/REQUESTED MOTION: Staff recommends approval of Resolution 2020-13 adopting the "Caldwell County Hazard Mitigation Action Plan 2020".

LIST OF SUPPORTING DOCUMENTS:

Hazard Mitigation Action Plan (HMAP) 2020 Resolution and Exhibit A – pages pertaining to Caldwell County Lockhart Proposed Mitigation Actions

Department Head initials:

City Manager's Review:



RESOLUTION 2020-13

CITY OF LOCKHART

APPROVAL OF HAZARD MITIGATION PLAN

WHEREAS, natural hazards in the City of Lockhart area historically have caused significant disasters with losses of life and property and natural resources damage; and

WHEREAS, the Federal Disaster Mitigation Act of 2000 and Federal Emergency Management Agency (FEMA) require communities to adopt a hazard mitigation action plan to be eligible for the full range of pre-disaster and post-disaster federal funding for mitigation purposes; and

WHEREAS, FEMA requires that communities update hazard mitigation action plans every five years in order to be eligible for the full range of pre-disaster and post-disaster federal funding for mitigation purposes; and

WHEREAS, the City of Lockhart has assessed the community's potential risks and hazards and is committed to planning for a sustainable community and reducing the long-term consequences of natural and man-caused hazards; and

WHEREAS, the Caldwell County Hazard Mitigation Plan outlines a mitigation vision, goals and objectives; assesses risk from a range of hazards; and identifies risk reduction strategies and actions for hazards that threaten the community.

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

1. The Caldwell County Hazard Mitigation Plan is approved in its entirety;
2. The City of Lockhart will pursue available funding opportunities for implementation of the proposals designated therein, and will, upon receipt of such funding or other necessary resources, seek to implement the actions contained in the mitigation strategies;
3. The City of Lockhart vests with the Mayor the responsibility, authority, and means to inform all parties of this action; assure that the Hazard Mitigation Plan will be reviewed at least annually; and that any needed adjustments will be presented to the City Council for consideration; and
4. The City of Lockhart to take such other action as may be reasonably necessary to carry out the objectives of the Plan and report on progress as required by FEMA and the Texas Division of Emergency Management (TDEM).

ADOPTED this 21ST day of April, 2020.

CITY OF LOCKHART

Lew White, Mayor

ATTEST:

APPROVED AS TO FORM:

Connie Constancio, TRMC, City Secretary

Monte Akers, City Attorney

Exhibit A

Section 17: Mitigation Actions

Caldwell County – Action #3	
Proposed Action:	Acquire and install illuminating messaging fire danger rating/burn ban signs.
BACKGROUND INFORMATION	
Jurisdiction/Location:	Community-wide
Risk Reduction Benefit (Current Cost/Losses Avoided):	Reduce risk and spread of wildfires through education and awareness programs; Reduce risk of damages and injuries.
Type of Action (Local Plans and Regulations, Structure and Infrastructure projects, Natural System Protection, or Education and Awareness)	Education and Awareness

MITIGATION ACTION DETAILS	
Hazard(s) Addressed:	Wildfire
Effect on New/Existing Buildings:	N/A
Priority (High, Moderate, Low):	High
Estimated Cost:	\$168,000 (4 permanently affixed signs @ \$30,000 and 4 mobile signs @ \$17,000)
Potential Funding Sources:	Local Funds, State and Federal Grants
Lead Agency/Department Responsible:	Caldwell County Homeland Security and Emergency Management, and Grants Department
Implementation Schedule:	Within 12 months of plan adoption
Incorporation into Existing Plans:	CWPP

COMMENTS

Exhibit A

Section 17: Mitigation Actions

Caldwell County – Action #4	
Proposed Action:	Adopt and implement program to insulate outdoor pipes at CIKR buildings.
BACKGROUND INFORMATION	
Jurisdiction/Location:	CIKR buildings (six buildings)
Risk Reduction Benefit (Current Cost/Losses Avoided):	Reduce risk of damages at public buildings resulting from freezing temperatures; Ensure continuity of public services.
Type of Action (Local Plans and Regulations, Structure and Infrastructure projects, Natural System Protection, or Education and Awareness)	Structure and Infrastructure; Local Plans and Regulations

MITIGATION ACTION DETAILS	
Hazard(s) Addressed:	Winter Storm
Effect on New/Existing Buildings:	Reduce risk to existing structures
Priority (High, Moderate, Low):	High
Estimated Cost:	\$18,000 (6 buildings @ \$3,000)
Potential Funding Sources:	Local Funds, State and Federal Grants
Lead Agency/Department Responsible:	Building Maintenance
Implementation Schedule:	Within 12 months of plan adoption
Incorporation into Existing Plans:	Local Building Codes/Ordinances/Emergency Operations Plan

COMMENTS

Exhibit A

Section 17: Mitigation Actions

Caldwell County – Action #5	
Proposed Action:	Update critical facilities to include drought mitigation measures and expansive soils protection such as greywater reuse systems, drought tolerant landscaping, installation of a sprinkler system with regular watering schedule and installation of French drains where high plasticity soils are indicated.
BACKGROUND INFORMATION	
Jurisdiction/Location:	Community-wide critical facilities
Risk Reduction Benefit (<i>Current Cost/Losses Avoided</i>):	Reduce damages and water usage at critical facilities
Type of Action (<i>Local Plans and Regulations, Structure and Infrastructure projects, Natural System Protection, or Education and Awareness</i>)	Structure and Infrastructure

MITIGATION ACTION DETAILS	
Hazard(s) Addressed:	Drought, Expansive Soils
Effect on New/Existing Buildings:	Reduce risk to new and existing structures
Priority (High, Moderate, Low):	Moderate
Estimated Cost:	\$100,000
Potential Funding Sources:	Local Funds, State and Federal Grants
Lead Agency/Department Responsible:	Building Maintenance
Implementation Schedule:	Within 24 months of plan adoption
Incorporation into Existing Plans:	Capital Improvement Plan

COMMENTS

Exhibit A

Section 17: Mitigation Actions

Caldwell County – Action #6	
Proposed Action:	Determine and acquire location and utilities for the installation of a communications radio tower and internet connectivity.
BACKGROUND INFORMATION	
Jurisdiction/Location:	To be determined by radio specialists for the exact location of a tower for county-wide coverage.
Risk Reduction Benefit (Current Cost/Losses Avoided):	Enhance communication capabilities for the public safety personnel within the county during normal and emergency situations.
Type of Action (Local Plans and Regulations, Structure and Infrastructure projects, Natural System Protection, or Education and Awareness)	Structure and Infrastructure Projects

MITIGATION ACTION DETAILS	
Hazard(s) Addressed:	Dam Failure, Extreme Heat, Flood, Hail, Lightning, Thunderstorm Wind, Tornado, Wildfire, Winter Storm
Effect on New/Existing Buildings:	N/A
Priority (High, Moderate, Low):	High
Estimated Cost:	\$1.6 Million
Potential Funding Sources:	State & Federal Grants
Lead Agency/Department Responsible:	Caldwell County Homeland Security & Emergency Management
Implementation Schedule:	With 36 months of plan adoption
Incorporation into Existing Plans:	Emergency Operations Plan

COMMENTS

Exhibit A

Section 17: Mitigation Actions

Caldwell County – Action #7	
Proposed Action:	Install T-1 fiber internet within the county for communications connectivity to all public safety agencies (inclusive of municipalities).
BACKGROUND INFORMATION	
Jurisdiction/Location:	County-wide and to be determined by outside contract company hired for installation.
Risk Reduction Benefit (Current Cost/Losses Avoided):	Enhance communication capabilities for the public safety personnel within the county during normal and emergency situations.
Type of Action (Local Plans and Regulations, Structure and Infrastructure projects, Natural System Protection, or Education and Awareness)	Structure and Infrastructure Projects

MITIGATION ACTION DETAILS	
Hazard(s) Addressed:	Dam Failure, Extreme Heat, Flood, Hail, Lightning, Thunderstorm Wind, Tornado, Wildfire, Winter Storm
Effect on New/Existing Buildings:	N/A
Priority (High, Moderate, Low):	High
Estimated Cost:	\$1.5 Million
Potential Funding Sources:	State & Federal Grants
Lead Agency/Department Responsible:	Caldwell County Homeland Security & Emergency Management and/or County Information Technology Department
Implementation Schedule:	With 36 months of plan adoption
Incorporation into Existing Plans:	Emergency Operations Plan

COMMENTS

Exhibit A

Section 17: Mitigation Actions

Caldwell County – Action #8	
Proposed Action:	Construct or acquire/retrofit Evacuation Multi-use Facility for emergency or disaster incidents and special events
BACKGROUND INFORMATION	
Jurisdiction/Location:	To be determined by availability of land and other resources.
Risk Reduction Benefit (Current Cost/Losses Avoided):	To provide temporary structural housing within the county during times of evacuation for multiple emergency incidents
Type of Action (Local Plans and Regulations, Structure and Infrastructure projects, Natural System Protection, or Education and Awareness)	Structure and Infrastructure Projects

MITIGATION ACTION DETAILS	
Hazard(s) Addressed:	Dam Failure, Extreme Heat, Flood, Tornado, Wildfire, Winter Storm
Effect on New/Existing Buildings:	Reduce impact on new structure
Priority (High, Moderate, Low):	High
Estimated Cost:	\$10 Million
Potential Funding Sources:	Local funds, State & Federal Grants
Lead Agency/Department Responsible:	Caldwell County Commissioners Court and Caldwell County Homeland Security & Emergency Management
Implementation Schedule:	With 36 months of plan adoption
Incorporation into Existing Plans:	Emergency Operations Plan

COMMENTS

Exhibit A

Section 17: Mitigation Actions

Caldwell County – Action #9	
Proposed Action:	Acquire and install remote sensors to monitor and transmit real-time information of low-water crossings flooding status.
BACKGROUND INFORMATION	
Jurisdiction/Location:	County-wide.
Risk Reduction Benefit (Current Cost/Losses Avoided):	To help determine road closure and evacuation of residences during a possible flooding incident
Type of Action (Local Plans and Regulations, Structure and Infrastructure projects, Natural System Protection, or Education and Awareness)	Education and Awareness

MITIGATION ACTION DETAILS	
Hazard(s) Addressed:	Dam Failure, Flood
Effect on New/Existing Buildings:	N/A
Priority (High, Moderate, Low):	High
Estimated Cost:	\$1 Million
Potential Funding Sources:	Local fund, State & Federal Grants
Lead Agency/Department Responsible:	Caldwell County Commissioners Court, Caldwell County Homeland Security & Emergency Management, and Caldwell County Unit Road
Implementation Schedule:	With 36 months of plan adoption
Incorporation into Existing Plans:	Emergency Operations Plan

COMMENTS

Section 17: Mitigation Actions

City of Lockhart

City of Lockhart – Action #1	
Proposed Action:	Enhance early warning systems.
BACKGROUND INFORMATION	
Jurisdiction/Location:	Community-wide
Risk Reduction Benefit (Current Cost/Losses Avoided):	Reduce risk to citizens through improved early warning.
Type of Action (Local Plans and Regulations, Structure and Infrastructure projects, Natural System Protection, or Education and Awareness)	Education and Awareness

MITIGATION ACTION DETAILS	
Hazard(s) Addressed:	Extreme Heat, Flood, Hail, Lightning, Thunderstorm Wind, Tornado, Wildfire, Winter Storm
Effect on New/Existing Buildings:	N/A
Priority (High, Moderate, Low):	High
Estimated Cost:	\$80,000
Potential Funding Sources:	Local Funds, State and Federal Grants
Lead Agency/Department Responsible:	Emergency Management
Implementation Schedule:	Within 12-24 months of plan adoption
Incorporation into Existing Plans:	Emergency Response Plan

COMMENTS

Exhibit A

Section 17: Mitigation Actions

City of Lockhart – Action #2	
Proposed Action:	Enhance program for inspection and trimming of tree limbs adjacent to high voltage power lines or right-of-way.
BACKGROUND INFORMATION	
Jurisdiction/Location:	Community-wide
Risk Reduction Benefit (Current Cost/Losses Avoided):	Reduce damages to infrastructure; Ensure continuity of services during and after event; Reduce damages associated with power outages; Reduce risk of injuries or fatalities to vulnerable populations.
Type of Action (Local Plans and Regulations, Structure and Infrastructure projects, Natural System Protection, or Education and Awareness)	Structure and Infrastructure

MITIGATION ACTION DETAILS	
Hazard(s) Addressed:	Thunderstorm Wind, Hail, Lightning, Tornado, Winter Storm, Wildfire
Effect on New/Existing Buildings:	Reduce risk to new and existing structures
Priority (High, Moderate, Low):	High
Estimated Cost:	\$50,000
Potential Funding Sources:	Local Funds, State and Federal Grants
Lead Agency/Department Responsible:	Public Works
Implementation Schedule:	Within 12 months of plan adoption
Incorporation into Existing Plans:	Maintenance Plan

COMMENTS

Exhibit A

Section 17: Mitigation Actions

City of Lockhart – Action #3	
Proposed Action:	Develop and implement an additional water supply for the City of Lockhart. Plan for and develop a secured long-term water source and enhance distribution systems for the City of Lockhart based on projected growth.
BACKGROUND INFORMATION	
Jurisdiction/Location:	Community-wide
Risk Reduction Benefit (Current Cost/Losses Avoided):	Reduce risk of wildfires and the spread of wildfire by increasing water access and firefighting capabilities; Ensure continuity of services.
Type of Action (Local Plans and Regulations, Structure and Infrastructure projects, Natural System Protection, or Education and Awareness)	Structure and Infrastructure

MITIGATION ACTION DETAILS	
Hazard(s) Addressed:	Wildfire, Drought
Effect on New/Existing Buildings:	Reduce risk to existing structures and infrastructure
Priority (High, Moderate, Low):	High
Estimated Cost:	\$10,000,000
Potential Funding Sources:	Local Funds, State and Federal Grants
Lead Agency/Department Responsible:	Public Works
Implementation Schedule:	Within 12-48 months of plan adoption
Incorporation into Existing Plans:	N/A

COMMENTS

Exhibit A

Section 17: Mitigation Actions

City of Lockhart – Action #4	
Proposed Action:	Identify and implement Capital Improvements to Municipal Drainage System. Upgrade system to improve drainage capacity and reduce flood damages.
BACKGROUND INFORMATION	
Jurisdiction/Location:	Community-wide drainage system
Risk Reduction Benefit (Current Cost/Losses Avoided):	Reduce risk of flood damages through improved drainage capacity; Reduce risk of injuries to citizens; Reduce burden on emergency services during and after a flood event.
Type of Action (Local Plans and Regulations, Structure and Infrastructure projects, Natural System Protection, or Education and Awareness)	Structure and Infrastructure

MITIGATION ACTION DETAILS	
Hazard(s) Addressed:	Flood, Winter Storm
Effect on New/Existing Buildings:	Reduce risk to new and existing structures and infrastructure
Priority (High, Moderate, Low):	High
Estimated Cost:	\$2,000,000
Potential Funding Sources:	Local Funds, State and Federal Grants, Drainage Utility, Enterprise Funds, Bonds
Lead Agency/Department Responsible:	Public Works
Implementation Schedule:	Within 12-48 months of plan adoption
Incorporation into Existing Plans:	Floodplain Management Plan; Drainage Plan

COMMENTS

Exhibit A

Section 17: Mitigation Actions

City of Lockhart – Action #5	
Proposed Action:	Install or enhance shade and / or protective structures in public places such as parks.
BACKGROUND INFORMATION	
Jurisdiction/Location:	Community parks
Risk Reduction Benefit (Current Cost/Losses Avoided):	Reduce risk to citizens by providing protective covered areas in public places such as community parks.
Type of Action (Local Plans and Regulations, Structure and Infrastructure projects, Natural System Protection, or Education and Awareness)	Structure and Infrastructure

MITIGATION ACTION DETAILS	
Hazard(s) Addressed:	Extreme Heat, Lightning, Hail
Effect on New/Existing Buildings:	Reduce risk to new structures
Priority (High, Moderate, Low):	Moderate
Estimated Cost:	\$150,000
Potential Funding Sources:	Local Funds (staff time), State and Federal Grants
Lead Agency/Department Responsible:	Public Works
Implementation Schedule:	Within 12-48 months of plan adoption
Incorporation into Existing Plans:	Comprehensive Master Plan

COMMENTS

Exhibit A

Section 17: Mitigation Actions

City of Lockhart – Action #6	
Proposed Action:	Undertake a comprehensive study of flood risk and reduction alternatives, with the assistance of the U.S. Army Corps of Engineers. Adopt or revise flood damage prevention ordinance to include flood risk areas identified in the study. This study will cover all incorporated and unincorporated areas of the city that currently have limited studies with no determined base flood elevations as well as unmapped areas.
BACKGROUND INFORMATION	
Jurisdiction/Location:	Community-wide flood hazard areas
Risk Reduction Benefit (Current Cost/Losses Avoided):	Improve risk assessment; Reduce risk of damages or injuries through improved building standards; Reduce risk of damages and injuries.
Type of Action (Local Plans and Regulations, Structure and Infrastructure projects, Natural System Protection, or Education and Awareness)	Local Plans and Regulations

MITIGATION ACTION DETAILS	
Hazard(s) Addressed:	Flood
Effect on New/Existing Buildings:	Reduce risk to new and existing structures and infrastructure
Priority (High, Moderate, Low):	High
Estimated Cost:	\$300,000
Potential Funding Sources:	Local Funds, State and Federal Grants
Lead Agency/Department Responsible:	Development Services
Implementation Schedule:	Within 12-48 months of plan adoption
Incorporation into Existing Plans:	Drainage Plan; Flood Damage Prevention Ordinance

COMMENTS

Exhibit A

Section 17: Mitigation Actions

City of Lockhart – Action #7	
Proposed Action:	Enhance first responder communication systems to reduce the impact of natural hazards on the public.
BACKGROUND INFORMATION	
Jurisdiction/Location:	Community Emergency Services Facilities
Risk Reduction Benefit (Current Cost/Losses Avoided):	Reduce risk to citizens through improved communications and early warning.
Type of Action (Local Plans and Regulations, Structure and Infrastructure projects, Natural System Protection, or Education and Awareness)	Education and Awareness

MITIGATION ACTION DETAILS	
Hazard(s) Addressed:	Extreme Heat, Flood, Hail, Lightning, Thunderstorm Wind, Tornado, Wildfire, Winter Storm
Effect on New/Existing Buildings:	N/A
Priority (High, Moderate, Low):	High
Estimated Cost:	\$500,000
Potential Funding Sources:	Local Funds, State and Federal Grants
Lead Agency/Department Responsible:	Emergency Management
Implementation Schedule:	Within 24 months of plan adoption
Incorporation into Existing Plans:	Emergency Response Plan

COMMENTS



TDEM
THE TEXAS A&M UNIVERSITY SYSTEM

April 2, 2020

The Honorable Hoppy Haden
Caldwell County Judge
110 S. Main St., Rm. 201
Lockhart, Texas 78644

RE: Approvable Pending Adoption of Caldwell County, Texas Multi-Jurisdiction Hazard Mitigation Plan (HMP)

Funding Source: HMGP; 4272

Dear Judge Haden:

Congratulations! FEMA has concluded the review of the Caldwell County Multi-Jurisdiction HMP, and the plan is found to be approvable pending adoption. In order for this plan to receive final FEMA approval, the jurisdiction(s) must adopt this plan and submit the complete adoption package to the state within 90 days. The plan update timeline will begin on the date of the FEMA approval letter. Please e-mail the complete adoption package to TDEM-Mitigation@tdem.texas.gov and Natalie.Johnson@tdem.texas.gov as follows:

- The final plan formatted as a single document
 - Plan must be dated to match the date of the first adoption
 - Remove track changes, strikethroughs and highlights
- All signed resolutions as a separate single document

The previous review tool may contain recommendations to be applied to your next update. DO NOT make any further changes to your plan until it has been approved.

If you have any questions concerning this procedure, please do not hesitate to contact me at 512-424-7820 or via email at david.jackson@tdem.texas.gov. We commend you for your commitment to mitigation.

Respectfully,

David P Jackson

David Jackson, CEM
Unit Chief, Mitigation
State Hazard Mitigation Officer
Recovery and Mitigation
Texas Division of Emergency Management

Cc: Heather Ferrara, Heather@h2opartnersusa.com
Charles Reagan, Charles.Reagan@tdem.texas.gov

DJ/nj

City of Lockhart, Texas

Council Agenda Item Briefing Data

COUNCIL MEETING DATE: April 21, 2020

AGENDA ITEM CAPTION: Discussion and/or action to consider approval of the Texas Division of Emergency Management (TDEM) "Grant Terms and Conditions" and "Designation of Subrecipient Agent" documents to participate in the Federal Emergency Management Agency (FEMA) Public Assistance (PA) program for Disaster Number DR-4485, Texas COVID-19 Pandemic. The City of Lockhart declared a local disaster declaration on March 17, 2020 and applied for FEMA Public Assistance on March 27, 2020.

ORIGINATING DEPARTMENT AND CONTACT: Fire Rescue; Randy Jenkins – Fire Chief

ACTION REQUESTED:

ORDINANCE RESOLUTION CHANGE ORDER AGREEMENT
 APPROVAL OF BID AWARD OF CONTRACT CONSENSUS OTHER

BACKGROUND/SUMMARY/DISCUSSION: FEMA announced federal emergency aid has been made available to the State of Texas to supplement local recovery efforts in the areas affected by the COVID-19 Pandemic beginning on January 20, 2020. The President of the United States approved the Major Disaster Declaration for Texas on March 25, 2020. The federal assistance is available for local governments on a cost-sharing basis for emergency protective measures (Category B) under the Public Assistance (PA) program at a federal cost share of 75%. The PA program will be administered by The Texas Division of Emergency Management (TDEM) as the grant recipient and the City of Lockhart will be the subrecipient of the grant. Costs eligible for reimbursement include protective clothing such as masks, face shields and gloves, disinfection of buildings, hand sanitizer, medical supplies, disinfecting sprays and wipes, overtime and other direct costs related to COVID-19 response.

PROJECT SCHEDULE (if applicable): Upon approval by TDEM, the project worksheet will be developed.

AMOUNT & SOURCE OF FUNDING:

Funds Required: N/A
Account Number: N/A
Funds Available: N/A
Account Name: N/A

Finance Review initials _____

FISCAL NOTE (if applicable): N/A

Previous Council Action: N/A

COMMITTEE/BOARD/COMMISSION ACTION: N/A

STAFF RECOMMENDATION/REQUESTED MOTION: Staff recommends approving the "Grant Terms and Conditions" and "Designation of Subrecipient Agent" documents to participate in the FEMA's Public Assistance (PA) program.

LIST OF SUPPORTING DOCUMENTS:

Documents - Grant Terms and Conditions and Designation of Subrecipient Agent.

Department Head initials:

City Manager's Review:



Texas Division of Emergency Management Designation of Subrecipient Agent

Primary Contacts	
Subrecipient: City of Lockhart	
Disaster Number(s): DR - 4485	Grant Program: Public Assistance
Primary Agent Serves as the primary point of contact for projects.	
Name: Randy Jenkins	Office Number: 512-398-2321
Position/Job Title: Fire Chief / EMC	Fax Number: 512-359-4039
Organization/employer: City of Lockhart	Cell Number: 512-376-1885
Email* rjenkins@lockhart-tx.org	The Primary Agent will have full GMS access
Secondary Agent Serves as the secondary point of contact for projects.	
Name: Steven Lewis	Office Number: 512-398-3461 EXT: 224
Position/Job Title: City Manager	Fax Number: 512-398-5103
Organization/employer: City of Lockhart	Cell Number: 512-769-8072
Email* slewis@lockhart-tx.org	The Secondary Agent will have full GMS access
Primary Finance Agent Serves as the primary point of contact for financial matters.	
Name: Pam Larison	Office Number: 512-398-3461 EXT: 229
Position/Job Title: Finance Director	Fax Number: 512-398-5103
Organization/employer: City of Lockhart	Cell Number: N/A
Email* plarison@lockhart-tx.org	The Primary Finance Contact will have full GMS access
Certifying Official Serves as the official representative of the organization. Must possess the authority to obligate funds & enter into contracts for the organization.	
Name: Lew White	Office Number: 512-398-3461 EXT: 225
Position/Job Title: Mayor	Fax Number: 512-398-5103
Organization/employer: City of Lockhart	Cell Number: 512-376-8376
Email* lwhite@lockhart-tx.org	GMS Access (pick 1) Full <input checked="" type="checkbox"/> Read Only <input type="checkbox"/> None <input type="checkbox"/>
<i>The above Primary and Secondary Agents are hereby authorized to execute and file the application on behalf of this organization for the purpose of obtaining certain state and federal financial assistance under the Robert T. Stafford Disaster Relief & Emergency Assistance Act, (Public Law 93-288 as amended) or otherwise available. Primary Financial Agent and the Certifying Official are authorized to represent and act for this organization in all financial operations pertaining to this grant with the State of Texas. The Primary Agent will have authority to add or remove users within the Texas Division of Emergency Management (TDEM) Grant Management System (GMS) for all grants.</i>	
*Note: All email addresses must be unique to user	

Lew White

Signature of Certifying Official

(Must be a Mayor, Judge, or Executive Director with the authority to obligate funds & enter into contracts for the organization)

Print Name

Date

Texas Division of Emergency Management

Designation of Subrecipient Agent

Alternate Contacts (Optional)	
Subrecipient:	
Disaster Number(s):	Grant Program:
Alternate Contact List any additional contact here	
Name:	Office Number:
Position/Job Title:	Fax Number:
Organization/employer:	Cell Number:
Email*	GMS Access (pick 1) Full <input type="checkbox"/> Read Only <input type="checkbox"/> None <input type="checkbox"/>
If this contact replaces an existing contact, write their name below. Otherwise, leave blank or mark N/A	
Alternate Contact List any additional contact here	
Name:	Office Number:
Position/Job Title:	Fax Number:
Organization/employer:	Cell Number:
Email*	GMS Access (pick 1) Full <input type="checkbox"/> Read Only <input type="checkbox"/> None <input type="checkbox"/>
If this contact replaces an existing contact, write their name below. Otherwise, leave blank or mark N/A	
Alternate Contact List any additional contact here	
Name:	Office Number:
Position/Job Title:	Fax Number:
Organization/employer:	Cell Number:
Email*	GMS Access (pick 1) Full <input type="checkbox"/> Read Only <input type="checkbox"/> None <input type="checkbox"/>
If this contact replaces an existing contact, write their name below. Otherwise, leave blank or mark N/A	
Alternate Contact List any additional contact here	
Name:	Office Number:
Position/Job Title:	Fax Number:
Organization/employer:	Cell Number:
Email*	GMS Access (pick 1) Full <input type="checkbox"/> Read Only <input type="checkbox"/> None <input type="checkbox"/>
If this contact replaces an existing contact, write their name below. Otherwise, leave blank or mark N/A	
Alternate Contact List any additional contact here	
Name:	Office Number:
Position/Job Title:	Fax Number:
Organization/employer:	Cell Number:
Email*	GMS Access (pick 1) Full <input type="checkbox"/> Read Only <input type="checkbox"/> None <input type="checkbox"/>
If this contact replaces an existing contact, write their name below. Otherwise, leave blank or mark N/A	
<i>Additional Contacts are authorized to represent and act for this organization in all operations pertaining to this grant with the State of Texas.</i>	
*Note: All email addresses must be unique to user	

Signature of Certifying Official

(Must be a Mayor, Judge, or Executive Director with the authority to obligate funds & enter into contracts for the organization)

Print Name

Date

GRANT TERMS AND CONDITIONS

This Grant Agreement (consisting of these terms and conditions and all exhibits) is made and entered into by and between the Texas Division of Emergency Management (TDEM), an agency of the State of Texas, hereinafter referred to as "TDEM," and the grant recipient, City of Lockhart, hereinafter referred to as the "Subrecipient." Furthermore, TDEM and the Subrecipient are collectively hereinafter referred to as the "Parties." All subawards made under this grant agreement are subject to the same terms and conditions below.

Subrecipient may not assign or transfer any interest in this Grant without the express, prior written consent of TDEM and DHS/FEMA.

- a. The term Recipient and pass-through entity have the same meaning as "Grantee," as used in governing statutes, regulations, and DHS/FEMA guidance.
 - b. A Recipient is also a "non-federal entity" for grants administration purposes.
 - c. A Subrecipient is also known as a "Subgrantee" as used in governing statutes regulations and DHS/ FEMA guidance.
 - d. A Subrecipient is also a "non-federal entity" for grants administration purposes.
 - e. The "Grant" referred to in this agreement is a subgrant to the Subrecipient passed thru from TDEM to the Subrecipient.
 - f. Certifying Official will be the Mayor, Judge, or Executive Director authorized to execute these grant terms and conditions, and to submit changes of Subrecipient Agents.
 - f. Projects and any subsequent versions for those projects accepted by the Subrecipient and subsequently obligated or deobligated by DHS/FEMA are considered subawards to this grant agreement.
- A. **Standard of Performance.** Subrecipient shall perform all activities as approved by TDEM. Any change to a project shall receive prior written approval by TDEM and, if required, by FEMA. Subrecipient shall perform all activities in accordance with all terms, provisions and requirements set forth in this Grant, including but not limited to the following Exhibits:
1. Assurances – Non-Construction Programs, hereinafter referred to as "Exhibit A"
 2. Assurances – Construction Programs, hereinafter referred to as "Exhibit B"
 3. Certifications for Grant Agreements, hereinafter referred to as "Exhibit C"
 4. State of Texas Assurances, hereinafter referred to as "Exhibit D"
 5. Environmental Review Certification, hereinafter referred to as "Exhibit E"
 6. Additional Grant Conditions, hereinafter referred to as "Exhibit F"
 7. Additional Grant Certifications, hereinafter referred to as "Exhibit G"
 8. Request for Information and Documentation referred to as "Exhibit H"
- B. **Failure to Perform.** In the event Subrecipient fails to implement and complete the project(s) approved and awarded, or comply with any provision of this Grant, Subrecipient shall be liable to TDEM for an amount not to exceed the award amount of this Grant and may be barred from applying for or receiving additional DHS/FEMA grant program funds

GRANT TERMS AND CONDITIONS

or any other grant program funds administered by TDEM until repayment to TDEM is made and any other compliance or audit finding is satisfactorily resolved, in addition to any other remedy specified in this Grant. Failure to timely implement and complete projects may reduce future funding in additional DHS/FEMA and/or other grant programs administered by TDEM.

- C. **Funding Obligations.** TDEM shall not be liable to Subrecipient for any costs incurred by Subrecipient that are not allowable costs.
1. Notwithstanding any other provision of this Grant, the total of all payments and other obligations incurred by TDEM under this Grant shall not exceed the total cumulative award amounts listed on the Subawards (projects and subsequent versions).
 2. Subrecipient shall contribute the match funds listed on the subaward.

Subrecipient shall refund to TDEM any sum of these Grant funds that has been determined by TDEM or DHS/FEMA to be an overpayment to Subrecipient or that TDEM determines has not been spent by Subrecipient in accordance with this Grant. No refund payment(s) shall be made from local, state or federal Grant funds unless repayment with Grant funds is specifically permitted by statute or regulation. Subrecipient shall make such refund to TDEM within thirty (30) calendar days after TDEM requests such refund

- D. **Performance Period.** The performance period for this Grant is listed on the subaward letter for each project. **All projects shall be completed within the performance period AND all reimbursement requests shall be submitted to TDEM within 60 days of the end of the performance period.** Subrecipient shall have expended all Grant funds and submitted reimbursement requests, invoices and any supporting documentation to TDEM within 60 days of the end of the performance period. TDEM shall not be obligated to reimburse expenses incurred after the performance period or submitted after the deadline.

- E. **Uniform Administrative Requirements, Cost Principals and Audit Requirements.** Except as specifically modified by law or this Grant, Subrecipient shall administer this Grant through compliance with the most recent version of all applicable laws and regulations, including but not limited to DHS program legislation, Federal awarding agency regulations, and the terms and conditions of this Grant. A non-exclusive list is provided below [not all may apply in every projects]:

- Public Law 93-288, as amended (Stafford Act)
- 44 CFR, Emergency Management and Assistance
- Disaster Mitigation Act of 2000
- OMB Regulations 2 CFR, Grant and Agreements
- Executive Order 11988, Floodplain Management
- Executive Order 11990, Protection of Wetlands
- Executive Order 12372, Intergovernmental Review of Programs and Activities
- Executive Order 12549, Debarment and Suspension
- Executive Order 12612, Federalism
- Executive Order 12699, Seismic Design
- Executive Order 12898, Environmental Justice
- Coastal Barrier Resources Act, Public Law 97-348
- Single Audit Act, Public Law 98-502
- Sandy Recovery Improvement Act publications

GRANT TERMS AND CONDITIONS

- 16 U.S.C. § 470, National Historic Preservation Act
- 16 U.S.C. § 1531, Endangered Species Act References
- FEMA program publications, guidance and policies

- F. **State Requirements for Grants.** Subrecipient shall comply with all other federal, state, and local laws and regulations applicable to this Grant including but not limited to the laws and the regulations promulgated in Texas Government Code, Chapter 783, Uniform Grant and Contract Management, (UGMS) at:

<http://www.window.state.tx.us/procurement/catrad/ugms.pdf>

and the program State Administrative Plan, available at:

<https://grants.tdem.texas.gov>

Subrecipient shall, in addition to the assurances and certifications, comply and require each of its subcontractors employed in the completion of the project to comply with all applicable statutes, regulations, executive orders, OMB circulars, terms and conditions of this Grant and the approved application.

Grant funds may not be awarded to or expended by any entity which performs political polling. This prohibition does not apply to a poll conducted by an academic institution as part of the institution's academic mission that is not conducted for the benefit of a particular candidate or party.

Grant funds may not be expended by a unit of local government unless the following limitations and reporting requirements are satisfied:

1. Texas General Appropriations Act, Art. IX, Parts 2 and 3, except there is no requirement for increased salaries for local government employees;
2. Texas Government Code Sections 556.004, 556.005, and 556.006, which prohibits using any money or vehicle to support the candidacy of any person for office, influencing positively or negatively the payment, loan, or gift to a person or political organization for a political purpose, and using Grant funds to influence the passage or defeat of legislation including not assisting with the funding of a lobbyist, or using Grant funds to pay dues to an organization with a registered lobbyist;
3. Texas Government Code Sections 2113.012 and 2113.101, which prohibits using Grant funds to compensate any employee who uses alcoholic beverages on active duty and Subrecipient may not use Grant funds to purchase an alcoholic beverage and may not pay or reimburse any travel expense for an alcoholic beverage;
4. Texas General Appropriations Act, Art. IX, Section 6.13, which requires Subrecipient to make every effort to attain key performance target levels associated with this Grant, including performance milestones, milestone time frames, and related performance reporting requirements; and
5. General Appropriations Act, Art. IX, Sections 7.01 and 7.02, and Texas Government Code §2102.0091, which requires that this Grant may only be expended if Subrecipient timely completes and files its reports.

G. **Restrictions and General Conditions.**

1. **Use of Funds.** DHS/FEMA Grant funds may only be used for the purposes set forth in this Grant, and shall be consistent with the statutory authority for this Grant. Grant funds may not be used for matching funds for other Federal grants/cooperative agreements, lobbying, or intervention in Federal regulatory or adjudicatory proceedings. In addition,

GRANT TERMS AND CONDITIONS

- Federal funds may not be used to sue the Federal government or any other government entity.
2. Federal Employee Prohibition. Federal employees are prohibited directly benefiting from any funds under this Grant.
 3. Points of Contacts. Within 10 calendar days of any change, Subrecipient shall notify TDEM of any change in designated of Subrecipient Agents as submitted during the execution of this agreement, and any subsequent changes submitted by Subrecipient. In the event a Subrecipient hires a consultant to assist them with managing its Public Assistance grants, they must be listed on the Designated Subrecipient Agent Form. TDEM will direct all correspondence to the Subrecipient but will cc: the consultant on all email exchanges. The Subrecipient will be responsible for sharing written communications with the consultant. The Subrecipient will remain the primary point of contact and must be included in all decision making activities.
 4. DUNS Number. Subrecipient confirms its Data Universal Numbering Systems (DUNS) Number is accurate and is registered on Sams.gov. The DUNS Number is the nine digit number established and assigned by Dun and Bradstreet, Inc., at 866/705-5711 or <http://fedgov.dnb.com/webform>
 5. Central Contractor Registration and Universal Identifier Requirements. Subrecipient maintains that it has registered on the System for Award Management (SAM) at www.sam.gov or other federally established site for contractor registration, and entered TDEM-required information. Subrecipient shall keep current, and then review and update the information at least annually. Subrecipient shall keep information current in the SAM database until the later of when it submits this Grant's final financial report or receives final Grant award payment. Subrecipient agrees that it shall not make any subaward agreement or contract related to this Grant without first obtaining the vendor/subawardee's mandatory DUNS number. See Section §200.32 of OMB 2 C.F.R.
 6. Reporting Total Compensation of Subrecipient Executives. 2 C.F.R. §200.331; see FEMA Information Bulletin 350.
 - a. Applicability and what to report: Subrecipient shall report whether Subrecipient received \$25 million or more in Federal procurement contracts or financial assistance subject to the Transparency Act per 2 C.F.R. §200.331. Subrecipient shall report whether 80% or more of Subrecipient's annual gross revenues were from Federal procurement contracts or Federal financial assistance. If Subrecipient answers "yes" to both questions, Subrecipient shall report, along with Subrecipient's DUNS number, the names and total compensation (see 17 C.F.R. §229.402(c)(2)) for each of Subrecipient's five most highly compensated executives for the preceding completed fiscal year.
 - b. Where and when to report: Subrecipient shall report executive total compensation at www.sam.gov or other federally established replacement site. By signing this Grant, Subrecipient certifies that, if required, Subrecipient's jurisdiction has already registered, entered the required information, and shall keep information in the SAM database current, and update the information at least annually for each year until the later of when the jurisdiction submits its final financial report or receives final payment. Subrecipient agrees that it shall not make any subaward agreement or contract without first obtaining the subawardee's mandatory DUNS number.
 7. Debarment and Suspension. Subrecipient shall comply with Executive Order 12549 and 12689, which provide protection against waste, fraud, and abuse by debarment or

GRANT TERMS AND CONDITIONS

suspending those persons deemed irresponsible in their dealings with the Federal government.

8. Direct Deposit. A completed direct deposit form from Subrecipient shall be provided to TDEM, prior to receiving any payments under the provisions of this grant. The direct deposit form is currently available at grants.tdem.texas.gov under Resources/Public Assistance.
9. Property Management and Inventory. Subrecipient shall maintain property/inventory records which, at minimum, shall include a description of the property, a serial number or other identification number, the source of property, who holds title, the acquisition date, the cost of the property, the percentage of Federal participation in the cost of the property, the location, use and condition of the property, and any ultimate disposition data including the date of disposal and sale price of the property. Subrecipient shall develop and implement a control system to prevent loss, damage or theft of property and Subrecipient shall investigate and document any loss, damage or theft of property funded under this Grant.
10. Site Visits. DHS/FEMA and/or TDEM, through its authorized representatives, have the right at all reasonable times to make site visits to review project accomplishments and management control systems and to provide such technical assistance as may be required. If any site visit is made by DHS/FEMA on the premises of Subrecipient or a contractor under this Grant, Subrecipient shall provide and shall require its contractors to provide all reasonable facilities and assistance for the safety and convenience of the government representatives in the performance of their duties. All site visits and evaluations shall be performed in such a manner that will not unduly delay the work.

H. Procurement and Contracting.

1. Procurements. Subrecipient shall comply with all applicable federal, state, and local laws and requirements, including but not limited to proper competitive solicitation processes where required, for any procurement which utilizes federal funds awarded under this Grant in accordance with 2 C.F.R. 200.318-326 and Appendix II to Part 200 (A-C) and (E-J)
2. Contract Provisions. All contracts executed using funds awarded under this Grant shall contain the contract provisions listed under 2 C.F.R. 200.326 and Appendix II (A), Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments.
3. Procurement activities must follow the most restrictive of Federal, State and Local procurement regulations:
 - a. Procurement by micro purchase
 - b. Procurement by small purchase
 - c. Procurement by sealed bid
 - d. Procurement by competitive proposal
 - e. Procurement by non-competitive proposal, solely when the award of a contract is unfeasible under the other methods

The State must be contacted for approval to use a noncompetitive procurement method. Failure to follow eligible procurement methods will result in ineligible costs. Other types of agreements for services must have State approval prior to use or execution. A copy of the local procurement policy must be provided to the State before initial payment.

GRANT TERMS AND CONDITIONS

The **cost plus a percentage of cost** and **percentage of construction** cost methods of contracting are **ineligible**.

Must perform **cost/price analysis** for every procurement action in excess of the Simplified Acquisition Threshold.

Must negotiate profit as a separate element where required.

4. Evidence of non-debarment for vendors must be documented through <http://www.sam.gov/portal/public/SAM> and http://www.window.state.tx.us/procurement/proc/vendor_performance_debarred and submitted for review.
 5. Comply with rules related to underutilized businesses (small and minority businesses, women's enterprises and labor surplus firms) at 2 CFR 200.321
- I. **Monitoring.** Subrecipient will be monitored periodically by federal, state or local entities, both programmatically and financially, to ensure that project goals, objectives, performance requirements, timelines, milestone completion, budget, and other program-related criteria are met.

TDEM, or its authorized representative, reserves the right to perform periodic desk/office-based and/or on-site monitoring of Subrecipient's compliance with this Grant and of the adequacy and timeliness of Subrecipient's performance pursuant to this Grant. After each monitoring visit, if the monitoring visit reveals deficiencies in Subrecipient's performance under this Grant, a monitoring report will be provided to the Subrecipient and shall include requirements for the timely correction of such deficiencies by Subrecipient. Failure by Subrecipient to take action specified in the monitoring report may be cause for suspension or termination of this Grant pursuant to the Suspension and/or Termination Section herein.

J. **Audit.**

1. **Audit of Federal and State Funds.** Subrecipient shall arrange for the performance of an annual financial and compliance audit of funds received and performances rendered under this Grant as required by the Single Audit Act (OMB 2 C.F.R. 200.501, formerly A- 133). Subrecipient shall comply, as applicable, with Texas Government Code, Chapter 783, the Uniform Grant Management Standards (UGMS), the State Uniform Administrative Requirements for Grants and Cooperative Agreements.
2. **Right to Audit.** Subrecipient shall give the United States Department of Homeland Security (DHS), Federal Emergency Management Agency (FEMA), the Comptroller General of the United States, the Texas State Auditor, TDEM, or any of their duly authorized representatives, access to and the right to conduct a financial or compliance audit of Grant funds received and performances rendered under this Grant. Subrecipient shall permit TDEM or its authorized representative to audit Subrecipient's records. Subrecipient shall provide any documents, materials or information necessary to facilitate such audit.
3. **Subrecipient's Liability for Disallowed Costs.** Subrecipient understands and agrees that it shall be liable to TDEM for any costs disallowed pursuant to any financial or compliance audit(s) of these funds. Subrecipient further understands and agrees that reimbursement to TDEM of such disallowed costs shall be paid by Subrecipient

GRANT TERMS AND CONDITIONS

from funds that were not provided or otherwise made available to Subrecipient pursuant to this Grant or any other federal contract.

4. Subrecipient's Facilitation of Audit. Subrecipient shall take such action to facilitate the performance of such audit(s) conducted pursuant to this Section as TDEM may require of Subrecipient. Subrecipient shall ensure that this clause concerning the authority to audit funds received indirectly by subcontractors through Subrecipient and the requirement to cooperate is included in any subcontract it awards.
5. State Auditor's Clause. Subrecipient understands that acceptance of funds under this Grant acts as acceptance of the authority of the State Auditor's Office to conduct an audit or investigation in connection with those funds. Subrecipient further agrees to cooperate fully with the State Auditor's Office in the conduct of the audit or investigation, including providing all records requested. Subrecipient shall ensure that this clause concerning the State Auditor's Office's authority to audit funds and the requirement to cooperate fully with the State Auditor's Office is included in any subgrants or subcontracts it awards. Additionally, the State Auditor's Office shall at any time have access to and the rights to examine, audit, excerpt, and transcribe any pertinent books, documents, working papers, and records of Subrecipient relating to this Grant.

K. Retention and Accessibility of Records.

1. Retention of Records. Subrecipient shall follow its own internal retention policy, or the state's retention policy, whichever is stricter. At a minimum, the subrecipient shall maintain fiscal records and supporting documentation for all expenditures of this Grant's funds pursuant to the applicable OMB 2 C.F.R. Subpart D – Post Federal Award Requirements, §200.333-337, and this Grant. Subrecipient shall retain these records and any supporting documentation for a minimum of three (3) years from the later of the completion of this project's public objective, submission of the final expenditure report, any litigation, dispute, or audit. Records shall be retained for three (3) years after any real estate or equipment final disposition. The DHS or TDEM may direct Subrecipient to retain documents or to transfer certain records to DHS/FEMA custody when DHS/FEMA determines that the records possess long term retention value.
2. Access to Records. Subrecipient shall give the United States Department of Homeland Security, the Comptroller General of the United States, the Texas State Auditor, TDEM, or any of its duly authorized representatives, access to and the right to examine all books, accounts, records, reports, files, other papers, things or property belonging to or in use by Subrecipient pertaining to this Grant including records concerning the past use of DHS/FEMA funds. Such rights to access shall continue as long as the records are retained by Subrecipient.

L. Changes, Amendments, Suspension or Termination

1. Modification. DHS/FEMA or TDEM may modify this Grant after an award has been made. Once notification has been made in writing, any subsequent request for funds indicates Subrecipient's acceptance of the changes to this Grant. Any alteration, addition, or deletion to this Grant by Subrecipient is not valid.
2. Effect of Changes in Federal and State Laws. Any alterations, additions, or deletions to this Grant that are required by changes in federal and state laws, regulations or policy are automatically incorporated into this Grant without written amendment to this Grant and shall become effective upon the date designated by such law or regulation. In the event DHS/FEMA or TDEM determines that changes are necessary to this Grant after an award has been made, including changes to the period of performance or terms and conditions, Subrecipient shall be notified of the changes in writing. Once notification has

GRANT TERMS AND CONDITIONS

been made, any subsequent request for funds will indicate Subrecipient's acceptance of the changes to this Grant.

3. **Suspension.** In the event Subrecipient fails to comply with any term of this Grant, TDEM may, upon written notification to Subrecipient, suspend this Grant, in whole or in part, withhold payments to Subrecipient and prohibit Subrecipient from incurring additional obligations of this Grant's funds.
4. **Termination.** TDEM shall have the right to terminate this Grant, in whole or in part, at any time before the end of the Performance Period, if TDEM determines that Subrecipient has failed to comply with any term of this Grant. TDEM shall provide written notice of the termination and include:
 - a. The reason(s) for such termination;
 - b. The effective date of such termination; and
 - c. In the case of partial termination, the portion of this Grant to be terminated.
 - d. Appeal may be made to the Deputy Chief of the Texas Division of Emergency Management - Recovery & Mitigation.

M. **Enforcement.** If Subrecipient materially fails to comply with any term of this Grant, whether stated in a federal or state statute or regulation, an assurance, in a state plan or application, a notice of award, or elsewhere, TDEM or DHS/FEMA may take one or more of the following actions, as appropriate in the circumstances:

1. Increased monitoring of projects and require additional financial and performance reports
2. Require all payments as reimbursements rather than advance payments
3. Temporarily withhold payments pending correction of the deficiency
4. Disallow or deny use of funds and matching credit for all or part of the cost of the activity or action not in compliance;
5. Request DHS/FEMA to wholly or partially de-obligate funding for a project
6. Temporarily withhold cash payments pending correction of the deficiency by subrecipient or more severe enforcement action by TDEM or DHS/FEMA;
7. Withhold further awards for the grant program
8. Take other remedies that may be legally available

In taking an enforcement action, TDEM will provide Subrecipient an opportunity for a hearing, appeal, or other administrative proceeding to which Subrecipient is entitled under any statute or regulation applicable to the action involved.

The costs of Subrecipient resulting from obligations incurred by Subrecipient during a suspension or after termination of this Grant are not allowable unless TDEM or DHS/FEMA expressly authorizes them in the notice of suspension or termination or subsequently.

Other Subrecipient costs during suspension or after termination which are necessary and not reasonably avoidable are allowable if:

- The costs result from obligations which were properly incurred by Subrecipient before the effective date of suspension or termination, are not in anticipation of it, and in the case of a termination, are non-cancellable; and
- The costs would be allowable if this Grant were not suspended or expired normally at the end of the funding period in which the termination takes effects.

The enforcement remedies identified in this section, including suspension and termination, do not preclude Subrecipient from being subject to "Debarment and Suspension" under E.O.

GRANT TERMS AND CONDITIONS

12549. 2 C.F.R., Appendix II to Part 200, (I).

- N. **Conflicts of Interest**. The subrecipient will maintain written standards of conduct covering conflicts of interest and governing the actions of its employees engaged in the selection, award and administration of contracts and will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest or personal gain.
- O. **Closing of this Grant**. TDEM will close each subaward after receiving all required final documentation from the Subrecipient. If the close out review and reconciliation indicates that Subrecipient is owed additional funds, TDEM will send the final payment automatically to Subrecipient. If Subrecipient did not use all the funds received, TDEM will recover the unused funds.

At the completion and closure of all Subrecipient's projects (subawards), TDEM will request the Subrecipient to Certify the completion of all projects (subawards) in accordance of the grants terms and conditions to state there are no further claims under this subgrant.

The closeout of this Grant does not affect:

1. DHS/FEMA or TDEM's right to disallow costs and recover funds on the basis of a later audit or other review;
 2. Subrecipient's obligation to return any funds due as a result of later refunds, corrections, or other transactions;
 3. Records retention requirements, property management requirements, and audit requirements, as set forth herein; and
 4. Any other provisions of this Grant that impose continuing obligations on Subrecipient or that govern the rights and limitations of the parties to this Grant after the expiration or termination of this Grant.
- P. **Notices**. All notices and other communications pertaining to this agreement shall be delivered in electronic format and/or writing and shall be transmitted by fax, e-mail, personal hand-delivery (and receipted for) or deposited in the United States Mail, as certified mail, return receipt requested and postage prepaid, to the other party.

GRANT TERMS AND CONDITIONS

EXHIBIT A

ASSURANCES - NON-CONSTRUCTION PROGRAMS See Standard Form 424B

As the duly authorized representative of Subrecipient, I certify that Subrecipient:

- Has the legal authority to apply for Federal assistance and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project cost) to ensure proper planning, management and completion of the project described in this Grant.
- Will give the Department of Homeland Security, the Texas Division of Emergency Management, the Comptroller General of the United States and, if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to this Grant and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
- Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest or personal gain.
- Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
- Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §§4728-4763) relating to prescribed standards for merit systems for programs funded under one of the 19 statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).
- Will comply with all Federal statutes relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§1681-1683, and 1685-1686 and 44 C.F.R. Part 19), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. §794), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. §§6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) §§523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. §§290dd-3 and 290ee-3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which agreement for Federal assistance is being made; and (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.
- Will comply or has already complied with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal or federally-assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.
- Will comply, as applicable, with provisions of the Hatch Act (5 U.S.C. §§1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.
- Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. §§276a to 276a-7), the Copeland Act (40 U.S.C. §276c and 18 U.S.C. §874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§327-333) regarding labor standards for federally-assisted construction sub-agreements.
- Will comply, if applicable, with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.
- Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190 as amended by 42 U.S.C. 4311 et seq. and Executive Order (EO) 11514) which establishes national policy goals and procedures to protect and enhance the environment, including protection against natural disasters. To comply with NEPA for DHS grant-supported activities, DHS-FEMA requires the environmental aspects to be reviewed and evaluated before final action on the application; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§1451 et seq.); (f) comply with the Clean Air Act of 1977, (42 U.S.C. §§7401 et seq. and Executive Order 11738) providing for the protection of and enhancement of the quality of the nation's air resources to promote public health and welfare and for restoring and maintaining the chemical, physical, and biological integrity of the nation's waters; (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended (P.L. 93-523); and, (h) protection of endangered species under the Endangered Species Act of 1973, as amended (P.L. 93-205).
- Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.
- Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. §470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. §§469a-1 et seq.).
- Will comply with P.L. 93-348 45 C.F.R. 46, and DHS Management Directive 026-044 (Directive) regarding the protection of human subjects involved in research, development, and related activities supported by this Grant. "Research" means a systematic investigation, including research, development, testing, and evaluation designed to develop or contribute to general knowledge. See Directive for additional provisions for including humans in the womb, pregnant women, and neonates (Subpart B); prisoners (Subpart C); and children (Subpart D). See also state and local law for research using autopsy materials.
- Will comply with the Laboratory Animal Welfare Act of 1966 (P.L. 89-544, as amended, 7 U.S.C. §§2131 et seq.) which requires the minimum standards of care and treatment for vertebrate animals bred for commercial sale, used in research, transported commercially or exhibited to the public according to the Guide for Care and Use of Laboratory Animals and Public Health Service Policy and Government Principals Regarding the Care and Use of Animals.
- Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§4801 et seq.), which prohibits the use of lead-based paint in construction or rehabilitation of residence structures.
- Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1996 and OMB Circular No. A-133 (now OMB 2 C.F.R. 200.500), "Audits of States, Local Governments and Non-Profit Organizations."
- Will comply with all applicable requirements of all other Federal laws, executive orders, regulations, grant guidance and policies governing this Grant.

GRANT TERMS AND CONDITIONS

EXHIBIT B

ASSURANCES - CONSTRUCTION PROGRAMS See Standard Form 424D

As the duly authorized representative of Subrecipient, I certify that Subrecipient:

1. Has the legal authority to apply for Federal assistance, and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project costs) to ensure proper planning, management and completion of project described in this Grant.
2. Will give the Department of Homeland Security, the Texas Division of Emergency Management, the Comptroller General of the United States and, if appropriate, the State, the right to examine all records, books, papers, or documents related to this Grant and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
3. Will not dispose of, modify the use of, or change the terms of the real property title or other interest in the site and facilities without permission and instructions from the awarding agency. Will record the Federal awarding agency directives and will include a covenant in the title of real property acquired in whole or in part with Federal assistance funds to assure nondiscrimination during the useful life of this Grant.
4. Will comply with the requirements of the assistance awarding agency with regard to the drafting, review and approval of construction plans and specifications.
5. Will provide and maintain competent and adequate engineering supervision at the construction site to ensure that the complete work conforms with the approved plans and specifications and will furnish progressive reports and such other information as may be required by the awarding agency or State.
6. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
7. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest or personal gain.
8. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §§4728-4763) relating to prescribed standards of merit systems for programs funded under one of the 19 statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).
9. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§4801 et seq.) which prohibits the use of lead-based paint in construction or rehabilitation of residence structures.
10. Will comply with all Federal statutes relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§1681-1683, and 1685-1686 and 44 C.F.R. Part 19), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. §794), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. §§6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) §§523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. §§290dd-3 and 290ee-3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which agreement for Federal assistance is being made, and (j) the requirements of any other nondiscrimination statute(s) which may apply to the agreement.
11. Will comply or has already complied with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal and federally-assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.
12. Will comply with the provisions of the Hatch Act (5 U.S.C. §§1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.
13. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. §§276a to 276a-7), the Copeland Act (40 U.S.C. §276c and 18 U.S.C. §874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§327-333) regarding labor standards for federally-assisted construction sub-agreements.
14. Will comply with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.
15. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) as amended by 42 U.S.C. 4311 et seq. and Executive Order (EO) 11514 which establishes national policy goals and procedures to protect and enhance the environment, including protection against natural disasters; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§1451 et seq.); (f) comply with the Clean Air Act of 1977, (42 U.S.C. §§7401 et seq. and Executive Order 11738) providing for the protection of and enhancement of the quality of the nation's air resources to promote public health and welfare and for restoring and maintaining the chemical, physical, and biological integrity of the nation's waters; (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended (P.L. 93-523); and, (h) protection of endangered species under the Endangered Species Act of 1973, as amended (P.L. 93-205).
16. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.
17. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. §470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. §§469a-1 et seq.).
18. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1996 and OMB Circular No. A-133 (now OMB 2 C.F.R. 200.500), "Audits of States, Local Governments, and Non-Profit Organizations."
19. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations, grant guidance and policies governing this Grant.

GRANT TERMS AND CONDITIONS

Exhibit C

Certifications for Grant Agreements

The undersigned, as the authorized official, certifies the following to the best of his/her knowledge and belief.

- A. No Federal appropriated funds have been paid or will be paid by or on behalf of the undersigned to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee or a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
- B. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee or a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL Disclosure of Lobbying Activities, in accordance with its instructions.
- C. The undersigned shall require that the language of this certification prohibiting lobbying be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly. This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Section 1352, Title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.
- D. As required by Executive Order 12549, Debarment and Suspension, and implemented at 28 C.F.R. Part 67, for prospective participants in primary covered transactions, as defined at 28 C.F.R. Part 67, Section 67.510. (Federal Certification), the Subrecipient certifies that it and its principals and vendors:
 1. Are not debarred, suspended, proposed for debarment, declared ineligible, sentenced to a denial of Federal benefits by a State or Federal court, or voluntarily excluded from covered transactions by any Federal department or agency. Subrecipient can access debarment information by going to www.sam.gov and the State Debarred Vendor List at: www.window.state.tx.us/procurementprod/vendor_performance/debarred.
 2. Have not within a three-year period preceding this Grant been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction, violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
 3. Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (D)(2) of this certification;
 4. Have not within a three-year period preceding this Grant had one or more public transactions (Federal, State, or local) terminated for cause or default; or
 5. Where Subrecipient is unable to certify to any of the statements in this certification, he or she shall attach an explanation to this Grant. (Federal Certification).
- E. Federal funds will be used to supplement existing funds, and will not replace (supplant) funds that have been appropriated for the same purpose. Subrecipient may be required to supply documentation certifying that a reduction in non-federal resources occurred for reasons other than the receipt or expected receipt of federal funds.
- F. Subrecipient will comply with 2 C.F.R. Part 180, Subpart C as a condition of receiving grant funds and Subrecipient will require such compliance in any subgrants or contract at the next tier.
- G. Subrecipient will comply with the Drug-free Workplace Act, in Subpart B of 2 C.F.R. Part 3001.
- H. Subrecipient is not delinquent on any Federal debt. Examples of relevant debt include delinquent payroll and other taxes, audit disallowances, and benefit overpayments. See OMB Circular A-129 and form SF-424, item number 17 for additional information and guidance.
- I. Subrecipient will comply with all applicable requirements of all other federal laws, executive orders, regulations, program and administrative requirements, policies and any other requirements governing this Grant.
- J. Subrecipient understands that failure to comply with any of the above assurances may result in suspension, termination or reduction of funds in this Grant.

GRANT TERMS AND CONDITIONS

EXHIBIT D

State of Texas Assurances

As the duly authorized representative of Subrecipient, I certify that Subrecipient:

1. Shall comply with Texas Government Code, Chapter 573, by ensuring that no officer, employee, or member of the Subrecipient's governing body or of the Subrecipient's contractor shall vote or confirm the employment of any person related within the second degree of affinity or the third degree of consanguinity to any member of the governing body or to any other officer or employee authorized to employ or supervise such person. This prohibition shall not prohibit the employment of a person who shall have been continuously employed for a period of two years, or such other period stipulated by local law, prior to the election or appointment of the officer, employee, or governing body member related to such person in the prohibited degree.
2. Shall insure that all information collected, assembled, or maintained by the Subrecipient relative to a project will be available to the public during normal business hours in compliance with Texas Government Code, Chapter 552, unless otherwise expressly prohibited by law.
3. Shall comply with Texas Government Code, Chapter 551, which requires all regular, special, or called meetings of governmental bodies to be open to the public, except as otherwise provided by law or specifically permitted in the Texas Constitution.
4. Shall comply with Section 231.006, Texas Family Code, which prohibits payments to a person who is in arrears on child support payments.
5. Shall not contract with or issue a license, certificate, or permit to the owner, operator, or administrator of a facility if the Subrecipient is a health, human services, public safety, or law enforcement agency and the license, permit, or certificate has been revoked by another health and human services agency or public safety or law enforcement agency.
6. Shall comply with all rules adopted by the Texas Commission on Law Enforcement pursuant to Chapter 1701, Texas Occupations Code, or shall provide the grantor agency with a certification from the Texas Commission on Law Enforcement that the agency is in the process of achieving compliance with such rules if the Subrecipient is a law enforcement agency regulated by Texas Occupations Code, Chapter 1701.
7. Shall follow all assurances. When incorporated into a grant award or contract, standard assurances contained in the application package become terms or conditions for receipt of grant funds. Administering state agencies and subrecipients shall maintain an appropriate contract administration system to insure that all terms, conditions, and specifications are met. (See UGMS Section _36 for additional guidance on contract provisions).
8. Shall comply with the Texas Family Code, Section 261.101, which requires reporting of all suspected cases of child abuse to local law enforcement authorities and to the Texas Department of Child Protective and Regulatory Services. Subrecipient shall also ensure that all program personnel are properly trained and aware of this requirement.
9. Shall comply with all federal statutes relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352), which prohibits discrimination on the basis of race, color, or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§1681-1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. §794), which prohibits discrimination on the basis of handicaps and the Americans with Disabilities Act of 1990 including Titles I, II, and III of the Americans with Disability Act which prohibits recipients from discriminating on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities, 44 U.S.C. §§ 12101-12213; (d) the Age Discrimination Act of 1974, as amended (42 U.S.C. §§6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment, and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to the nondiscrimination on the basis of alcohol abuse or alcoholism; (g) §§523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. §§290dd-3 and 290ee-3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§3601 et seq.), as amended, relating to nondiscrimination in the sale, rental, or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and (j) the requirements of any other nondiscrimination statute(s) which may apply to this Grant.
10. Shall comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. §§276a to 276a-7), the Copeland Act (40 U.S.C. §276c and 18 U.S.C. §874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§327-333), regarding labor standards for federally assisted construction subagreements.
11. Shall comply with requirements of the provisions of the Uniform Relocation Assistance and Real Property Acquisitions Act of 1970 (P.L. 91-646), which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal or federally assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.
12. Shall comply with the provisions of the Hatch Political Activity Act (5 U.S.C. §§7321-29), which limit the political activity of employees whose principal employment activities are funded in whole or in part with Federal funds.
13. Shall comply with the minimum wage and maximum hours provisions of the Federal Fair Labor Standards Act and the Intergovernmental Personnel Act of 1970, as applicable.

GRANT TERMS AND CONDITIONS

14. Shall insure that the facilities under its ownership, lease, or supervision which shall be utilized in the accomplishment of the project are not listed on the Environmental Protection Agency's (EPA) list of Violating Facilities and that it will notify the Federal grantor agency of the receipt of any communication from the Director of the EPA Office of Federal Activities indicating that a facility to be used in the project is under consideration for listing by the EPA (EO 11738).
15. Shall comply with the flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973, Public Law 93-234. Section 102(a) requires the purchase of flood insurance in communities where such insurance is available as a condition for the receipt of any Federal financial assistance for construction or acquisition proposed for use in any area that has been identified by the Secretary of the Department of Housing and Urban Development as an area having special flood hazards.
16. Shall comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved state management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§1451 et seq.); (f) conformity of federal actions to State (Clear Air) Implementation Plans under Section 176(c) of the Clear Air Act of 1955, as amended (42 U.S.C. §§7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended (P.L. 93-523); and (h) protection of endangered species under the Endangered Species Act of 1973, as amended (P.L. 93-205).
17. Shall comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.
18. Shall assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. §470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. §§469a-1 et seq.).
19. Shall comply with the Laboratory Animal Welfare Act of 1966 (P.L. 89-544, as amended, 7 U.S.C. §§2131 et seq.) which requires the minimum standards of care and treatment for vertebrate animals bred for commercial sale, used in research, transported commercially, or exhibited to the public according to the Guide for Care and Use of Laboratory Animals and Public Health Service Policy and Government Principals Regarding the Care and Use of Animals.
20. Shall comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§4801 et seq.) which prohibits the use of lead-based paint in construction or rehabilitation of residential structures.
21. Shall comply with the Pro-Children Act of 1994 (Public Law 103-277), which prohibits smoking within any portion of any indoor facility used for the provision of services for children.
22. Shall comply with all federal tax laws and are solely responsible for filing all required state and federal tax forms.
23. Shall comply with all applicable requirements of all other federal and state laws, executive orders, regulations, and policies governing this program.
24. And its principals are eligible to participate and have not been subjected to suspension, debarment, or similar ineligibility determined by any federal, state, or local governmental entity and it is not listed on a state or federal government's terrorism watch list as described in Executive Order 13224. Entities ineligible for federal procurement have Exclusions listed at <https://www.sam.gov/document/SAM>.
25. Shall adopt and implement applicable provisions of the model HIV/AIDS work place guidelines of the Texas Department of Health as required by the Texas Health and Safety Code, Ann., Sec. 85.001, et seq.

GRANT TERMS AND CONDITIONS

EXHIBIT E

Environmental Review

As the duly authorized representative of Subrecipient, I certify that Subrecipient:

1. shall assess its federally funded projects for potential impact to environmental resources and historic properties.
2. shall submit any required screening form(s) as soon as possible and shall comply with deadlines established by TDEM. Timelines for the Environmental Planning and Historic Preservation (EHP) review process will vary based upon the complexity of the project and the potential for environmental or historical impact.
3. shall include sufficient review time within its project management plan to comply with EHP requirements. Initiation of any activity prior to completion of FEMA's EHP review will result in a non-compliance finding and TDEM will not authorize or release Grant funds for non-compliant projects.
4. as soon as possible upon receiving this Grant, shall provide information to TDEM to assist with the legally-required EHP review and to ensure compliance with applicable EHP laws and Executive Orders (EO) currently using the FEMA EHP Screening Form OMB Number 1660-0115/FEMA Form 024-0-01 and submitting it, with all supporting documentation, to TDEM for review. These EHP requirements include but are not limited to the National Environmental Policy Act, the National Historic Preservation Act, the Endangered Species Act, EO 11988 – Floodplain Management, EO 11990 – Protection of Wetlands, and EO 12898 – Environmental Justice. Subrecipient shall comply with all Federal, State, and local EHP requirements and shall obtain applicable permits and clearances.
5. shall not undertake any activity from the project that would result in ground disturbance, facility modification, or purchase and use of sonar equipment without the prior approval of FEMA. These include but are not limited to communications towers, physical security enhancements involving ground disturbance, new construction, and modifications to buildings.
6. shall comply with all mitigation or treatment measures required for the project as the result of FEMA's EHP review. Any changes to an approved project description will require re-evaluation for compliance with EHP requirements before the project can proceed.
7. if ground disturbing activities occur during project implementation, Subrecipient shall ensure monitoring of ground disturbance and if any potential archeological resources are discovered, Subrecipient shall immediately cease construction in that area and notify FEMA and the appropriate State Historical Preservation Office.

GRANT TERMS AND CONDITIONS

EXHIBIT F

Additional Grant Conditions

1. Additional damage requiring a new Public Assistance project to be written must be reported within 60 days following the Project Scoping meeting with the State- Federal team.
2. All work must be done prior to the approved project completion deadline assigned to each Project (POP). Should additional time be required, a time extension request must be submitted which: a.) Identifies the projects requiring an extension. b.) Explains the reason for an extension. c.) Indicates the percentage of work that has been completed. d.) Provides an anticipated completion date. The reason for an extension must be based on extenuating circumstances or unusual project requirements that are beyond the control of your jurisdiction/organization. **Failure to submit a time extension request 60 days prior to the end of the period of performance may result in reduction or withdrawal of federal funds for approved work.**
3. Any significant change to a project's approved Scope of Work must be reported and approved through TDEM and FEMA before starting the project. Failure to do so will jeopardize grant funding. The Subrecipient shall submit requests for cost overruns requiring additional obligations to TDEM, who will forward to FEMA for review and approval prior to incurring costs.
4. The Project Completion and Certification Report must be submitted to TDEM within 60 days of all approved work being completed for each project. If any project requires the purchase of insurance as a condition of receiving federal funds, a copy of the current policy must be attached to this report, or Duplication of Benefits form certifying other funds were received to complete the project.
5. A cost overrun appeal on small Public Assistance projects must be reported to the Texas Division of Emergency Management (TDEM) within 60 days of completing the last small project in order to be considered for additional funding.
6. Appeals may be filed on any determination made by FEMA or TDEM. All appeals must be submitted to TDEM within 60 days from receiving written notice of the action you wish to appeal. Should you wish to appeal a determination contained in the project application, the 60 days will start the day the application is signed. Appeals for Alternative Projects will be subject to the terms of the signed agreement for the Alternative Project.
7. Public Assistance program projects will not receive funding until all of the requirements identified in the comments section of the Project Worksheet are met.
8. You may request a payment of funds on projects by initiating a Request for Reimbursement (RFR) in TDEM's Grant Management System (GMS) or an Advance of Funds Request (AFR), and including documentation supporting your request. Small Public Assistance projects are paid upon obligation and will be initiated by TDEM personnel. Payments for open projects must be requested at least quarterly if expenditures have been made in that quarter.
9. Subrecipients will be required to submit quarterly project reports (QPR) for open large projects using TDEM's GMS. Your assigned Grant Coordinator will coordinate the due date for your specific reporting. Public Assistance program small projects are typically exempt from quarterly reporting, however TDEM reserves the right to require QPRs on any smalls requiring a POP extension. The first quarterly report will be due at the end of the first full quarter following the quarter in which the project was obligated. No quarterlies are required for projects that Subrecipient has initiated a closeout request and has provided a certificate of completion. Failure to submit required quarterly reports for two or more quarters can result in withholding or deobligation of funding for Subrecipients until all reports are submitted and up-to-date.

GRANT TERMS AND CONDITIONS

10. Subrecipients expending \$750,000 or more in total Federal financial assistance in a fiscal year will be required to provide an audit made in accordance with OMB Uniform Guidance; Cost Principles, Audit, and Administrative Requirements for Federal Awards, Subpart F. A copy of the Single Audit must be submitted to your cognizant State agency or TDEM within nine months of the end of the subrecipient's fiscal year. Consult with your financial officer regarding this requirement. If not required to submit a single audit, a letter must be sent to TDEM certifying to this.
11. Subrecipients will not make any award to any party which is debarred or suspended, or is otherwise excluded from participation in the Federal assistance programs (EO 12549, Debarment and Suspension). Subrecipient must maintain documentation validating review of debarment list of eligible contractors.
12. Subrecipients must keep record of equipment acquired by federal funds for the life cycle of the equipment. A life cycle for most equipment will be three years, but could be longer. If the fair market value of a piece of equipment is valued over \$5,000, FEMA will have the right to a portion of proceeds if equipment is sold. If the fair market value of a piece of equipment is less than \$5,000, the property can either be retained, sold or designated as surplus with no further obligation to FEMA.
13. TDEM will be using the new FEMA Public Assistance Delivery Model to facilitate the writing of project worksheets (Portal). Subrecipient will be responsible for establishing and maintaining an active account in the Portal and to provide and upload timely, all information requested that is needed to write accurate project worksheets. The Portal will provide the Subrecipient visibility of the entire project writing process.
14. TDEM will be using its new Grant Management System (GMS) for Subrecipient grant management functions. Subrecipient will access GMS to initiate Requests for Reimbursements (RFR), Advance of Funds Requests (AFR), Time Extensions, Scope and Cost changes requests, Quarterly Reports, Project Closeouts, Appeals, and other items deemed necessary by TDEM. Requested forms and processes may be adjusted and changed to accommodate GMS processes and requirements. Subrecipient agrees to monitor GMS as necessary to properly manage and complete awarded projects under this agreement.
- 16.2 CFR 200.210(a)(15), 2 CFR 200.331(a)(1)(xiii) and (a)(4) make reference to indirect cost rates. The Subrecipient may use the negotiated Indirect Cost Rate approved by its cognizant agency, or may use the 10% de minimis rate of modified total direct costs (MTDC) (as per § 200.414) when receiving Management Costs.

GRANT TERMS AND CONDITIONS

EXHIBIT G

Match Certification

Additional Grant Certifications

Subrecipient certifies that it has the ability to meet or exceed the cost share required for all subawards (Projects) and amendments (versions) under this Grant Agreement.

Duplication of Program Statement

Subrecipient certifies there has not been, nor will there be, a duplication of benefits for this project.

Match Certification

Federal Debt Disclosure

Subrecipient certifies that it is not delinquent on any Federal Debt.

For Hazard Mitigation Projects Only:

Maintenance Agreement

Applicant certifies that if there is a Maintenance Agreement needed for this facility copy of that agreement will be provided to TDEM.

Environmental Justice Statement

Federal Executive Order 12898 compliance requirements -- If there are any concentrations of low income or minority populations in or near the HMGP project:

1. Applicant certifies that the HMGP project result will not result in a disproportionately high or adverse effect on low income or minority populations.

OR

2. Applicant certifies that action will be taken to ensure achievement of environmental justice for low income and minority populations related to this HMGP project.

Request for Information and Documentation Policy and Guideline

It is crucial to the success of the overall Grant Program and to the timely completion and closure of awarded projects that timelines be established for providing information and documentation. TDEM has developed a framework to support this endeavor following a progressive series of communications for the Subrecipient (RFI). TDEM will work with you throughout the RFI process as communication is the key to your success.

RFI Timelines	
First Informal Request	The primary contact for the Subrecipient will receive the RFI via email with five business days to respond.
Second Informal Request	A second email to the primary contact will be sent with an additional five business days to respond.
Third Informal Request	A phone call will be made to the primary contact with a third email requesting the information to be provided within five business days. The Regional Section Administrator and State Coordinator will be copied.
Fourth Formal Request	The Supervising Program Director of Recovery will issue a certified letter to the highest ranking official highlighting previous requests and an additional ten days to provide the requested information.
Final Formal Request	A final request by certified letter will be issued by the Deputy Assistant Director of Recovery, Mitigation, and Standards, or the Assistant Director of the Texas Division of Emergency Management to the highest ranking official giving the final ten business days to respond or deobligation of the project will begin.
Final Action	If the RFI is not sufficiently answered, the project will be deobligated, and any previously paid funds must be returned to TDEM.

Reference: RMS Services Grant Program Request for Information and Documentation August 2017

GRANT TERMS AND CONDITIONS

Please initial by each Exhibit, acknowledging you have received them, understand them, and agree to abide by them.

_____ Assurances – Non-Construction Programs, hereinafter referred to as "Exhibit A"

_____ Assurances – Construction Programs, hereinafter referred to as "Exhibit B"

_____ Certifications for Grant Agreements, hereinafter referred to as "Exhibit C"

_____ State of Texas Assurances, hereinafter referred to as "Exhibit D"

_____ Environmental Review Certification, hereinafter referred to as "Exhibit E"

_____ Additional Grant Conditions, hereinafter referred to as "Exhibit F"

_____ Additional Grant Certifications, hereinafter referred to as "Exhibit G"

_____ Request for Information and Documentation referred to as "Exhibit H"

Please sign below to acknowledged acceptance of the grant and all exhibits in this agreement, and to abide by all terms and conditions.

Signature of Certifying Official

Date

Printed Name and Title

Instructions:

- The Designation of Subrecipient Agent (DSA) form is divided into two pages, the Primary Contacts page and the optional Alternate Contacts page. The second page is not required if there are no additional contacts to list.
- In the header of the document, list the name of the subrecipient (the organization applying for the grant), as well as the disaster numbers and grant program this DSA applies to (the disaster number is 4 digits long and assigned by FEMA. For example, Hurricane Harvey is 4332. The grant program is either PA for Public Assistance or HMGP for Hazard Mitigation Grant Program.)
- Multiple disasters may be listed on one DSA as long as specific disaster numbers are indicated.
- None of the positions on the primary contact page may be left blank. However, the same person may hold multiple positions. Contacts may be left blank on the additional contact page.
- If a third party consultant/contractor is listed on the DSA, the agency that they are employed by should be listed in the Organization/Employer field.
- All contacts require a unique email address. Additionally, contacts on the DSA cannot share the same email address.
- All contacts must have a phone number listed.
- Granting a contact full Grants Management System (GMS) access will allow them to perform tasks such as submitting quarterly reports and requesting reimbursements, time extensions and scope/cost modifications within the State of Texas Grant Management System on behalf of the subrecipient. Granting a contact Read Only access will allow a contact to view information in GMS, but they will not be able to edit any existing information themselves.
- The Primary, Secondary, and Finance Agents will always be granted full GMS access for all grants within the program selected.
- The subrecipient can request that GMS access be added or revoked from a contact at any time if the need arises.
- The Certifying Official must be an individual who possesses the authority to obligate funds and enter into contracts on behalf of the subrecipient.
- Both pages, if applicable, of the DSA must be signed and dated by the certifying official.
- If a new DSA is submitted with a different person listed for a position on the primary contact sheet, the old contact holding that position will be removed. If a new contact is added on the additional contacts page, no old contacts will be removed unless they are specified in the field provided.

City of Lockhart, Tx

Council Agenda Item Briefing Data

COUNCIL MEETING DATE: April 21, 2020

AGENDA ITEM CAPTION: Consider, Review and Acceptance of 2nd Quarter FY 2020 Investment Report

ORIGINATING DEPARTMENT AND CONTACT: Finance – Pam Larison

ACTION REQUESTED:

- ORDINANCE RESOLUTION CHANGE ORDER AGREEMENT
 APPROVAL OF BID AWARD OF CONTRACT CONSENSUS OTHER

BACKGROUND/SUMMARY/DISCUSSION: The Texas Public Funds Investment Act requires local governments to review and accept Quarterly Investment Reports for each quarterly reporting period of the year. The 2nd quarter for Fiscal Year 2020, ending March 31, 2020 is provided for your review.

PROJECT SCHEDULE (if applicable):

AMOUNT & SOURCE OF FUNDING: (to be completed by Finance)

Funds Required: 0
Account Number: n/a
Funds Available: n/a
Account Name: n/a

FISCAL NOTE (if applicable):

Previous Council Action:

COMMITTEE/BOARD/COMMISSION ACTION:

STAFF RECOMMENDATION/REQUESTED MOTION: Staff respectfully request a motion to accept the 2nd Quarter FY 2020 Investment Report.

LIST OF SUPPORTING DOCUMENTS: 2nd Quarter FY 2020 Investment Report.

Department Head initials:



City Manager's Review:

CITY OF LOCKHART

Quarterly Investment Report
For the Quarter Ended March 31, 2020

April 21, 2020

CITY of LOCKHART
Quarterly Investment Report
For the Quarter Ended March 31, 2020

This report is presented in accordance with the Texas Government Code, Title 10, Chapter 2256, Public Funds Investment; Section 2256.023 known as the "Public Funds Investment Act". Attached is a detailed City of Lockhart investment report for the period January 1, 2020 through March 31, 2020. The Investment Portfolio Summary reports the beginning and ending book values and market values for the quarterly reporting period as follows:

		Investment Portfolio	
		Book Value	Market Value
<u>January 1, 2020</u>			
Cash	2,875,221	2,875,221	
Marketable Securities	0	0	
Investment Pools	28,664,071	28,664,352	
Certificates of Deposits	0	0	
Total:	31,539,293	31,539,574	
<u>March 31, 2020</u>			
Cash	872,493	872,493	
Marketable Securities	0	0	
Investment Pools	30,502,949	30,515,059	
Certificates of Deposits	0	0	
Total:	31,375,442	31,387,552	

		Fund Availability	
<u>January 1, 2020</u>			
Unrestricted Funds	6,668,808	6,668,808	
Restricted Funds	24,870,484	24,870,765	
Total Funds	31,539,293	31,539,574	
<u>March 31, 2020</u>			
Unrestricted Funds	9,679,158	9,679,158	
Restricted Funds	21,696,283	21,708,393	
Total Funds	31,375,442	31,387,552	

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


Pam Larison
Finance Director

4/06/2020
Date

CITY of LOCKHART
Investment Portfolio Summary
For the Quarter Ended March 31, 2020

	Investment Portfolio			
	Book Value	% of Total	Market Value	% of Total
January 1, 2020				
Cash	2,875,221	9.1%	2,875,221	9.1%
Marketable Securities	0	0.0%	0	0.0%
Investment Pools	28,664,071	90.9%	28,664,352	90.9%
Certificates of Deposits	0	0.0%	0	0.0%
Portfolio Total	31,539,293	100.0%	31,539,574	100.0%
March 31, 2020				
Cash	872,493	2.8%	872,493	2.8%
Marketable Securities	0	0.0%	0	0.0%
Investment Pools	30,502,949	97.2%	30,515,059	97.2%
Certificates of Deposits	0	0.0%	0	0.0%
Portfolio Total	31,375,442	100.0%	31,387,552	100.0%
Change in Value				
Cash	(2,002,728)		(2,002,728)	
Marketable Securities	0		0	
Investment Pools	1,838,877		1,850,706	
Certificates of Deposits	0		0	
Portfolio Total	(163,851)		(152,022)	

<u>Maturity Data</u>	Book Value @ 3/31/2020	Weighted Average Maturity	Yield to Maturity
Cash	872,493	0 Days	1.18%
Marketable Securities	0	0 Days	0.00%
Investment Pools - Texas CLASS	11,380,503	43 Days *	1.20%
Investment Pools - TexPool	10,697,085	32 Days *	1.00%
Investment Pools - TexSTAR	8,425,361	26 Days *	0.54%
Certificates of Deposits	0	0 Days	0.00%
	31,375,442	33 Days	0.95%

Benchmark - 4 Week Treasury Bills - Secondary Market @ March 31, 2020 0.04%

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

<u>Total Return On Investment</u>	Interest Earned
Cash	4,559
Marketable Securities	0
Investment Pools - Texas CLASS	47,917
Investment Pools - TexPool	37,564
Investment Pools - TexSTAR	28,353
Certificates of Deposits	0
Total Return on Investment	118,393

CITY OF LOCKHART
Cash Accounts (as reconciled to FLNB)
For the Quarter Ended March 31, 2020

General Operating Account - FLNB		
		<u>Value</u>
January 1, 2020	\$	2,875,134
Deposits		8,710,773
Withdrawals		(10,717,972)
Interest Earned		4,559
March 31, 2020	\$	872,493

General Operating Account - BOTO		
		<u>Value</u>
January 1, 2020	\$	88
Deposits		87
Withdrawals		(175)
Interest Earned		0
March 31, 2020	\$	0

Total Cash Accounts		
		<u>Value</u>
January 1, 2020	\$	2,875,221
Deposits		8,710,860
Withdrawals		(10,718,147)
Interest Earned		4,559
March 31, 2020	\$	872,493

CITY of LOCKHART
Marketable Securities Transaction Summary
For the Quarter Ended March 31, 2020

<u>Holdings During the Quarter</u>														
Type of Security	CUSIP	Purchase Date	Par Value	Coupon Rate	Date of Maturity	Yield to Maturity	Purchase Price	Quarterly Interest Earned	Beginning Value	Beginning Book Value	Beginning Market Value	Ending Value	Ending Book Value	Ending Market Value
									@ Par	Value	Value	@ Par	Value	
									January 1, 2020			March 31, 2020		
													0	
													0	
Totals			<u>\$ -</u>						<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>

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

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

67

CITY OF LOCKHART
Investment Pool Transactions Summary
For the Quarter Ended March 31, 2020

TexPool					
	<u>Book Value</u>	<u>Market Value</u>	<u>Net Asset Value</u>	<u>Weighted Aver. Maturity</u>	<u>Average Monthly Yield</u>
January 1, 2020	8,934,478	8,935,103	1.00007	36 Days	1.6774%
Deposits	4,600,000				
Withdrawals	(2,874,957)				
Interest Earned	37,564				
March 31, 2020	10,697,085	10,704,145	1.00066	32 Days	1.0034%

Texas CLASS					
	<u>Book Value</u>	<u>Market Value</u>	<u>Net Asset Value</u>	<u>Weighted Aver. Maturity</u>	<u>Average Monthly Yield</u>
January 1, 2020	11,332,586	11,332,586	1.00000	52 Days	1.8808%
Deposits	0				
Withdrawals	0				
Interest Earned	47,917				
March 31, 2020	11,380,503	11,379,782	0.99994	43 Days	1.1980%

TexSTAR					
	<u>Book Value</u>	<u>Market Value</u>	<u>Net Asset Value</u>	<u>Weighted Aver. Maturity</u>	<u>Average Monthly Yield</u>
January 1, 2020	8,397,007	8,396,663	0.99996	36 Days	1.5643%
Deposits	0				
Withdrawals	0				
Interest Earned	28,353				
March 31, 2020	8,425,361	8,431,132	1.00069	26 Days	0.5400%

CITY of LOCKHART
Certificates of Deposit Transaction Summary
For the Quarter Ended March 31, 2020

Holdings During the Quarter

<u>CD Number</u>	<u>Holder</u>	<u>Purchase Date</u>	<u>Face Value</u>	<u>Interest Rate</u>	<u>Date of Maturity</u>	<u>Yield to Maturity</u>	<u>Purchase Price</u>	<u>Quarterly Interest Earned</u>	<u>Beginning Face Value</u>	<u>Beginning Market Value</u>	<u>Ending Face Value</u>	<u>Ending Market Value</u>
									<u>January 1, 2020</u>	<u>January 1, 2020</u>	<u>March 31, 2020</u>	<u>March 31, 2020</u>
			<u>\$ -</u>						<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>

Purchases

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

Maturities

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

9

69

City of Lockhart
Investment Pools
Standard and Poor's Ratings

<u>Month</u>	<u>TexPool</u>	<u>TexSTAR</u>	<u>Texas CLASS</u>
April-19	AAAm	AAAm	AAAm
May-19	AAAm	AAAm	AAAm
June-19	AAAm	AAAm	AAAm
July-19	AAAm	AAAm	AAAm
August-19	AAAm	AAAm	AAAm
September-19	AAAm	AAAm	AAAm
October-19	AAAm	AAAm	AAAm
November-19	AAAm	AAAm	AAAm
December-19	AAAm	AAAm	AAAm
January-20	AAAm	AAAm	AAAm
February-20	AAAm	AAAm	AAAm
March-20	AAAm	AAAm	AAAm

City of Lockhart
Bank Collateralization
Standard and Poor's Ratings

<u>Month</u>	<u>FLNB Collateralization *</u>
April-19	-
May-19	-
June-19	-
July-19	-
August-19	-
September-19	-
October-19	AAA
November-19	AAA
December-19	AAA
January-20	AAA
February-20	AAA
March-20	AAA

* Guaranteed by US government (AAA)

City of Lockhart, Tx

Council Agenda Item Briefing Data

COUNCIL MEETING DATE: April 14, 2020

AGENDA ITEM CAPTION: Discussion and/or Action regarding Fiscal Mid-Year Budget review, including COVID-19 impacts and potential responses.

ORIGINATING DEPARTMENT AND CONTACT: Finance – Pam Larison

ACTION REQUESTED:

ORDINANCE RESOLUTION CHANGE ORDER AGREEMENT
 APPROVAL OF BID AWARD OF CONTRACT CONSENSUS OTHER

BACKGROUND/SUMMARY/DISCUSSION: The purpose of this item is to discuss with and receive feedback from Council on financial and economic topics related to the mid-year financial report and its impact on major funds due to the COVID-19 pandemic. On March 18, 2020, Mayor Lew White issued the initial local state of disaster for the City of Lockhart. Since that time, administration and management have worked diligently to monitor economic impacts to the City's current budget in terms of decreased revenues in major funds. This presentation's intent is to provide the initial impact caused from COVID-19.

PROJECT SCHEDULE (if applicable):

AMOUNT & SOURCE OF FUNDING: (to be completed by Finance)

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

FISCAL NOTE (if applicable):

Previous Council Action:

STAFF RECOMMENDATION/REQUESTED MOTION:

LIST OF SUPPORTING DOCUMENTS: Powerpoint presentation - Fiscal Year 2019-2020 – Mid-Year Report: COVID-19 Financial Impact & Planning.

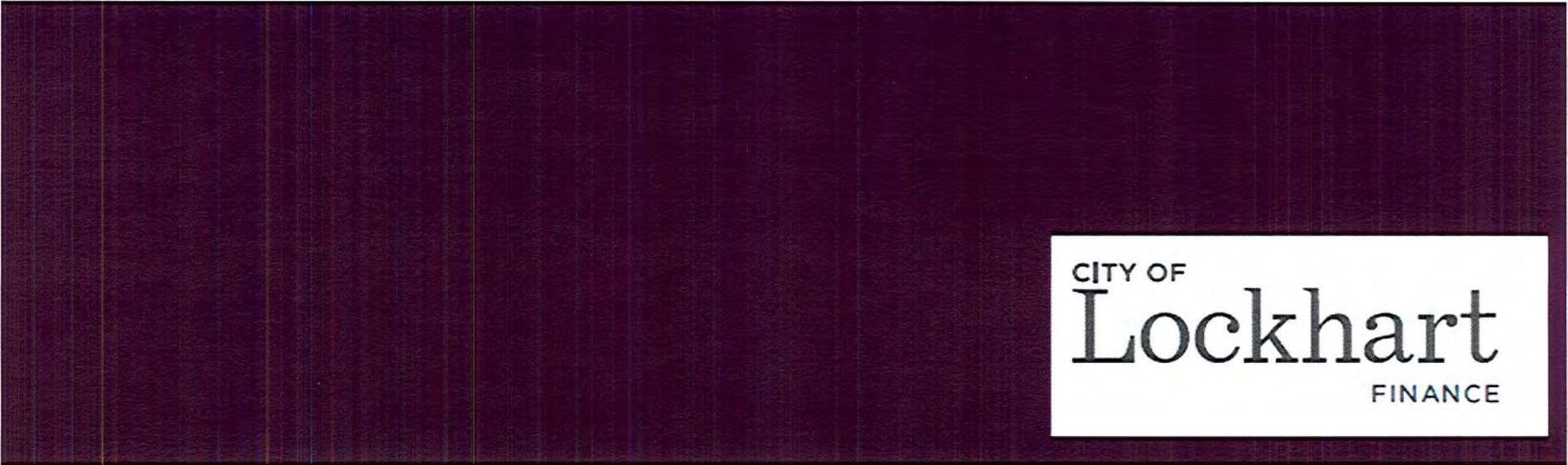
Department Head initials:

City Manager's Review:



FISCAL YEAR 2019-2020 – MID YEAR REPORT

COVID-19 FINANCIAL IMPACT & PLANNING



CITY OF
Lockhart
FINANCE

Management & Council Action

Budget Revenue Charts

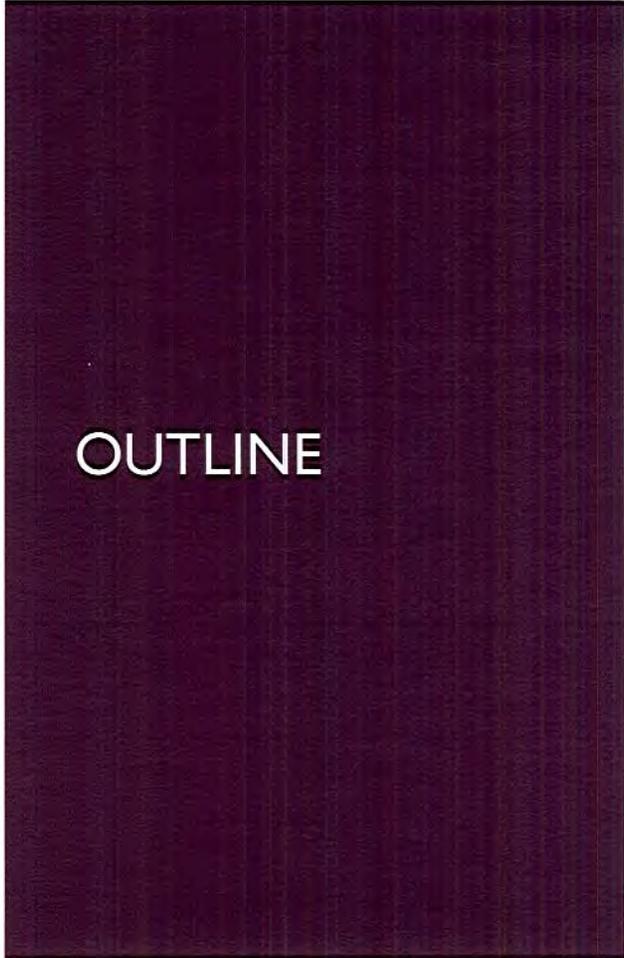
City of Lockhart Budget Contingency Plan & Reserve Policy

Budgeted Reserves – Fund Balance Analysis

Cash Preservation

FYE 2020 Revenue & Expenditure Outlook

Conclusion



OUTLINE

MANAGEMENT & COUNCIL ACTION

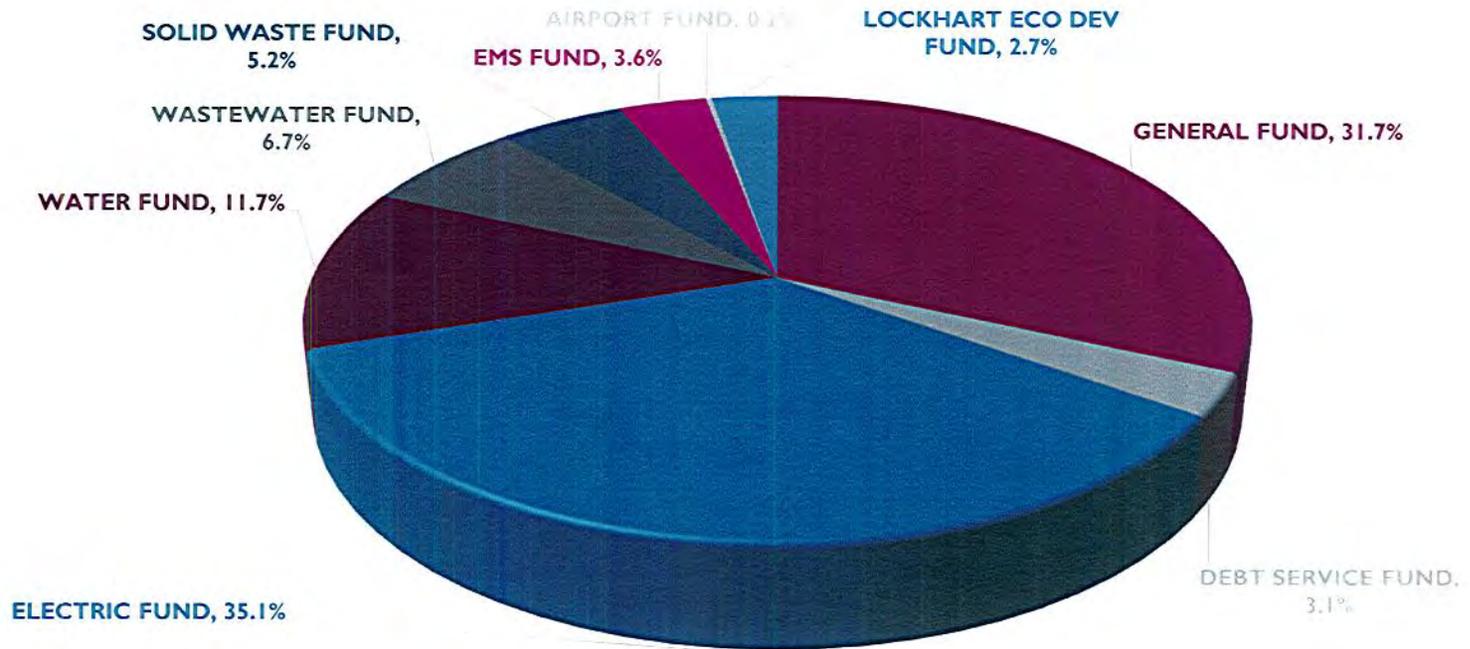
- City Manager actions taken:
 - Freeze all non-public safety vacant positions
 - Review and pause selected planned capital expenditures
 - Finance department review of all single expenditures \$5000 - \$9999; Expenditure approval by City Manager \$10,000+
 - Delay all non-essential spending
 - Report projections and actions to Council monthly

Management & Council Action (cont'd)

- Further Action by Council
 - Authorize use of the Fund Balance – Stabilization and Excess of Reserves Policy
 - To provide sufficient cash flow for daily financial needs
 - To secure and maintain investment grade bond ratings
 - To offset significant economic downturns or revenue shortfalls, and
 - To provide funds for unforeseen expenditures related to emergencies

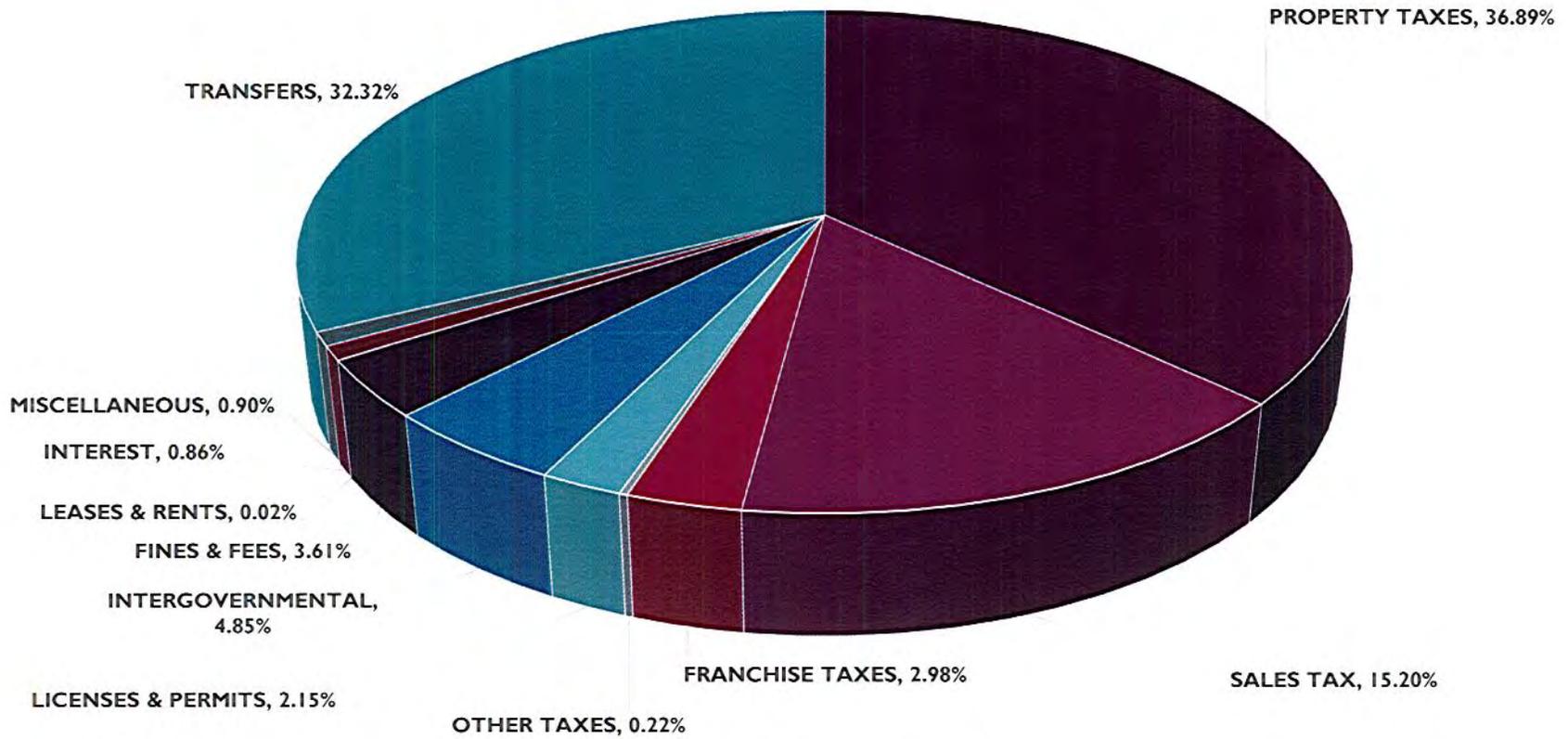
 - Authorize reduction in General Fund balance from 90 days to 75 days (would release ~\$497K to use for one-time expenses, if needed)

PROJECTED REVENUES - ALL FUNDS - \$35,832,408

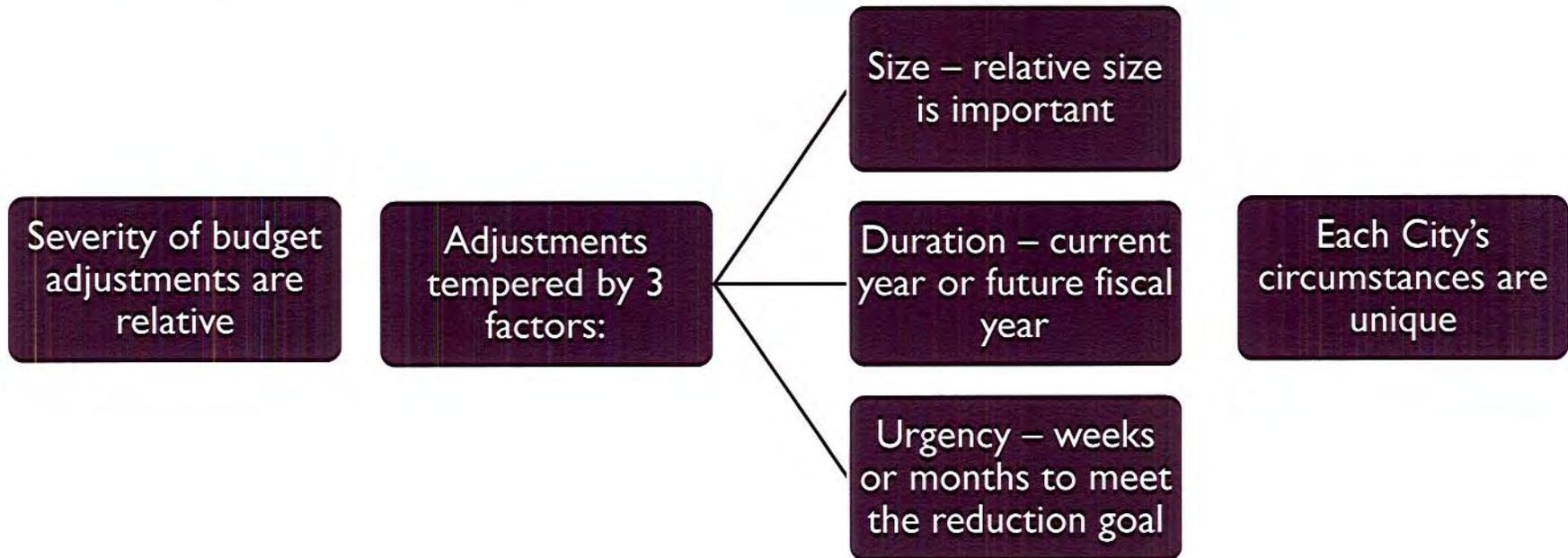


22

GENERAL FUND REVENUES



BUDGET CONTINGENCY PLAN



BUDGETED RESERVES FUND BALANCE ANALYSIS

	General Fund 25%*	Electric Fund 30%*	Water Fund 30%*	Wastewater Fund 30%*	Sanitation Fund 30%*
<u>UNRESTRICTED</u>					
2019 Ending Audited Fund Balance	\$ 5,103,853	\$ 4,100,636	\$ 691,342	\$ 2,099,005	\$ 798,968
% of Operating Expenses	51.33% 188 days	44.47% 162 days	23.76% 87 days	159.00% 365 days	51.43% 188 days
Required Fund Balance by Policy	\$ 2,485,954	\$ 2,766,129	\$ 872,795	\$ 396,044	\$ 466,081
Encumbered for Approved Expenditures		\$ -	\$ -	\$ -	\$ -
Server Upgrade	\$ 100,000	<input checked="" type="checkbox"/>			
Public Safety Handheld/Mobile Radios	\$ 633,466	<input checked="" type="checkbox"/>			
Street Funding	\$ 400,000	<input type="checkbox"/>			
Sidewalk Funding	\$ 75,000	<input type="checkbox"/>			
Compensation Study	\$ 24,000	<input checked="" type="checkbox"/>			
Available Unrestricted Fund Balances	\$ 1,385,433	\$ 1,334,507	\$ (181,453)	\$ 1,702,961	\$ 332,887

* Council approved percentages for fund balances on all major funds

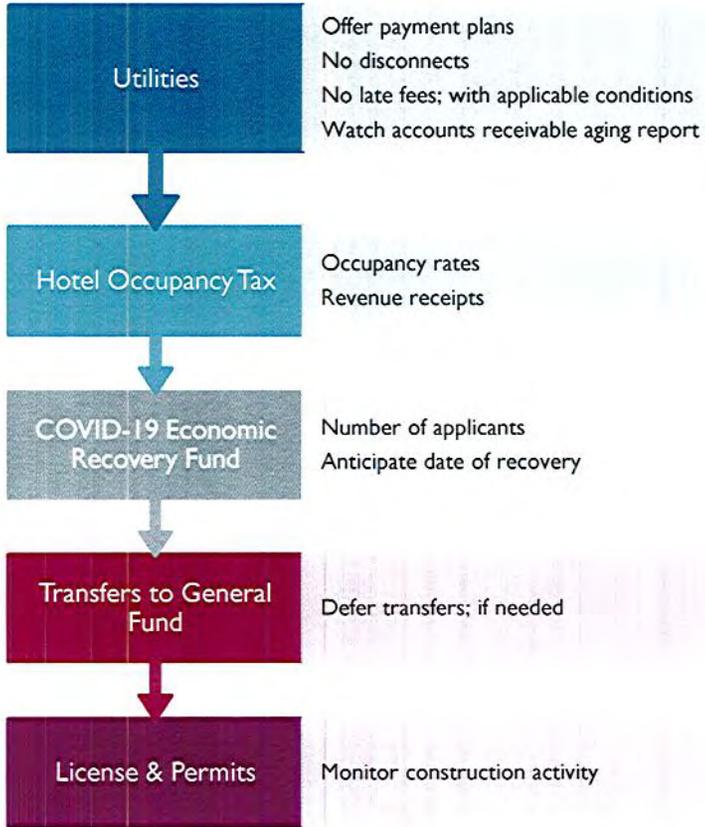
08

CASH PRESERVATION

-
- Funds required for 90-day City operations = \$6,236,828
 - Cash in major funds on 04/01/2020 = \$14,047,493
 - Current days operating = 203
 - Excludes bond proceeds for CIP
 - One month of gross payroll = \$910,669
 - Watch cash balances of major funds and update management and Council

REVENUE UPDATES

- All major revenues in major funds trending well in 2nd Quarter FY19-20
- 3rd Quarter will see biggest impacts
 - Many major revenues sources lag real time by one or two months (sales and franchise tax)
- Sales tax is the most volatile source – early estimate is a 14% decrease expected in June revenues (April sales); 3rd quarter revenues (July-September) will be determined once the actual impact is measurable.
 - General Fund - Expected overall sales tax loss - \$252,000 overall from budgeted revenues of \$1,725,000 for FY 19-20
- Other general fund revenue sources (franchise fees, development/building permits, municipal court, interest income) will all have an impact in the 3rd quarter. These estimates range from 10% in franchise fees to 85% in interest income.
- HOT Funds
 - Current Cash - \$35,340
 - FY 2019-2020 Budget - \$83,858
 - Revenue – remitted quarterly



REVENUE WATCH LIST

EXPENSE REDUCTION ACTIONS

- City-wide reductions reviews:
 - Operational expenses:
 - Hold/justify overtime
 - Hold/justify vacant positions
 - Hold/justify all travel and training
 - Review other operational costs and projects
 - Some equipment or facilities cannot be deferred due to order-before-build.
 - Some projects are already under contract
 - Construction bids may come in lower than original projections, resulting in savings to the City

REVISED PROJECT LIST

DEFER:

City Hall Space Study

Municipal Phone System

Street Maintenance Program - \$400K approved by Council as one-time expenditure

Electric project – replace existing high voltage lines to larger conductor.

EMERGENCY RELATED EXPENSES

- Protective Clothing for Employees
- Disinfection of Public Facilities
- Medical Supplies
- Use of Specialized Equipment
- Disinfecting Sprays and Wipes
- Overtime Directly Related to COVID-19 Response
- Household Pet Sheltering
- Emergency Operation Center Expenses
- Current expenditures - \$5,000

-
- Due to years of adopting conservative budgets and building the fund balance in all major funds, the City of Lockhart has maintained a healthy financial base to address emergencies.
 - Staff will be monitoring revenues and expenditures in all major funds and will present budget amendments to Council in May.
 - The impact from COVID-19 will surely influence the budget for fiscal year 2020-2021. During the Budget Workshops with Council, staff will address this impact by reductions in operating expenses and capital outlay as necessary.

CONCLUSION

City of Lockhart, Texas

Council Agenda Item Briefing Data

COUNCIL MEETING DATE: April 21, 2020

AGENDA ITEM CAPTION: Discussion regarding implementation of additional safety measures at Summerside Subdivision entrance along US 183.

ORIGINATING DEPARTMENT AND CONTACT: Public Works-Sean Kelley

ACTION REQUESTED:

ORDINANCE RESOLUTION CHANGE ORDER AGREEMENT
 APPROVAL OF BID AWARD OF CONTRACT CONSENSUS OTHER

BACKGROUND/SUMMARY/DISCUSSION:

As directed by Council during the April 7 meeting, staff has communicated with the City's local TxDOT Representatives about TxDOT approved traffic safety measures to be utilized near the intersection of Summerside Avenue and South Colorado Street.

- TxDOT confirmed that the intersection has not met the criteria to install a traffic signal. The traffic count ratios are too low and will not meet the criteria even at final buildout.
- During the Traffic Impact Analysis for this subdivision, a left-turn lane would be required upon final build out of the neighborhood. The cost for the turn-lane would be the responsibility of the developer.
- A temporary message board could be installed, however only on a temporary basis (about 2 weeks) to be used to notify the public of traffic conditions. Each time that the message board is used, it would require notification to TxDOT for approval.
- If the City were to install programable digital speed signs similar to the ones used in the City of Elgin, TxDOT would not dictate or manage the message displayed on the sign. They do prefer the default messages (Thank You, Slow Down, and Too Fast). Generally, TxDOT prohibits distracting messages, messages not following the manufacturers recommendations, and messages that are inconsistent with the guidelines set forth in the Texas Manual for Uniform Traffic Control.
- Other improvements discussed with TxDOT included increasing the size of the street name signs at the intersection similar to what is installed in the central part of town and/or a sign indicating an intersection ahead (the sign resembles a "T").
- TxDOT indicated that the speed reduction request to the Commission that was scheduled in March was postponed until the April meeting. The district office has generated the work order for the speed reduction and will install the new sign upon notification of the Commission's approval.

PROJECT SCHEDULE (if applicable):

AMOUNT & SOURCE OF FUNDING:

Funds Required: N/A
Account Number: N/A
Funds Available: N/A
Account Name: N/A

Finance Review initials _____

Previous Council Action: Discussion about the Summerside entrance on April 7, 2020.

COMMITTEE/BOARD/COMMISSION ACTION: None.

STAFF RECOMMENDATION/REQUESTED MOTION:

None. Council discretion.

LIST OF SUPPORTING DOCUMENTS: Memo dated April 7, 2020 regarding Implementation of Safety Measures and information about an electronic sign.

Department Head initials:

City Manager's Review:


_____ 88

April 7, 2020

Re: Implementation of Safety Measures for the intersection of Summerside Ave. and S. Colorado St.

Traffic Study Finding from TxDOT

- During TxDOT's latest traffic study they found that the average speed was 71 mph near the Summerside Subdivision entrance off (S Hwy 183) South Colorado Street. The current speed limit in front of this subdivision is 65 mph. From this study, TxDOT will be able to extend the 55mph speed limit further to the south of the city limits approximately 0.3 miles to CR 213.
- This speed reduction request to reduce the speed from 65mph to 55mph in front of the entrance of Summerside was taken to the TxDOT Commission in the end of March. Our district representatives are getting confirmation of its approval, which would include the issuing of a work order to make the speed limit changes.
- Once the work order is issued for the speed reduction, TxDOT crew will complete the assignment. Due to the recent Covid 19 situation, TxDOT is running at limited capacity which may affect the timing of the placement of the reduced speed signs.

Completed Improvements intersection of Summerside Ave. and S. Colorado St.

- On Thursday, March 12th the Public Works Director and Councilmember Mendoza met with Bluebonnet Electric to discuss improving the street lighting at the intersection. A decision was made to change the 100-watt high pressure sodium light at the intersection to a 400-watt equivalent LED light. Bluebonnet Electric replaced the light with the new LED light fixture on March 16th. The new fixture was a definite improvement to the intersection increasing the visibility of the entrance of the subdivision.

Lighted Message Boards and Digital Speed Signs

- Staff has been working with TxDOT to figure out the logistics of placing some type of message board or digital speed sign to make drivers aware that they are entering a residential community. The State controls the highway and the intersection of Summerside and Colorado. This intersection is also outside of the city limits. Any sign/message board improvements we make will have to be located in the city limits, crashworthy, and be approved by the Traffic Section of TxDOT prior to erection of the improvement.

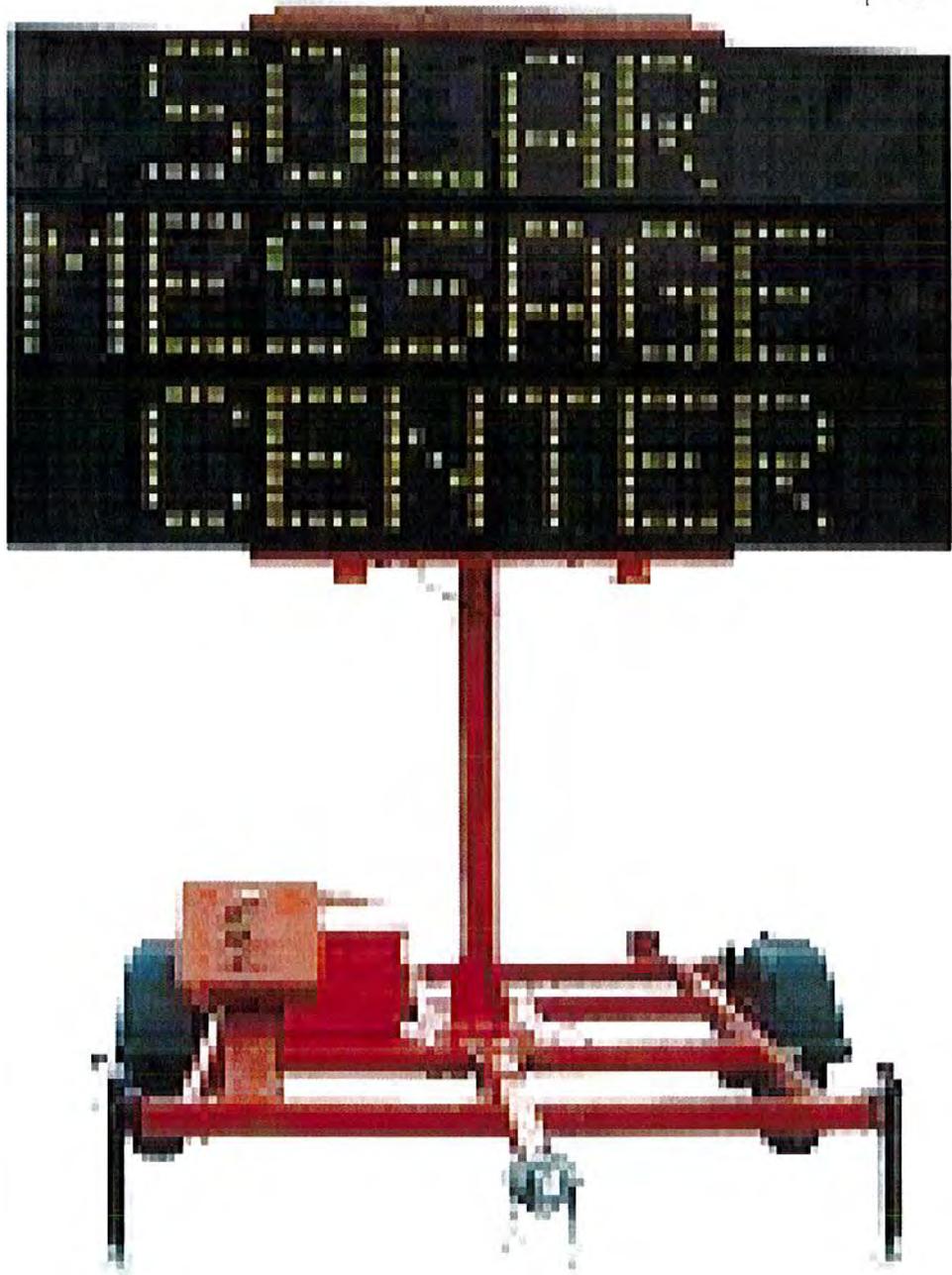
HISTORY

- Recently the City of Elgin placed a digital speed limit sign on their city limit signs on US 290. Specifications were submitted to TxDOT's Traffic Section for approval of these signs. The signs they choose had a programable element where you could personalize messages beneath the speed of the vehicle like; "Thank You" to drive who are within the speed limit, "Slow Down" to driver who are within 10 mph, "Too Fast" to vehicle exceeding 10mph over the speed limit or any customizable message. Programable messages help correct driver behavior with an average decrease of 25% in overall speed. These units have an extended radar range of over 1,000' and can be battery powered or installed with solar panels. These units are \$3,075 each and have been approved by TxDOT for use in State Right-Of-Way.
- Staff also explored the use of digital message boards which are commonly used during construction and for events. They are helpful with delivering specific information to the public and offer solar power with battery backups. The price range for these types of units is \$16,500-\$18,500 per unit. Extended use of these type of signs would require special clearance from TxDOT since they are designed to be mobile units and are not intended to be left for long periods of time.

Future Improvements

- Previously during the Traffic Impact Analysis for Section 3A of the Summerside Subdivision it was determined by TxDOT that it will be necessary to install a "Right Turning Lane" on FM1322 entering the subdivision. This is the section that will connect Summerside Subdivision to FM1322 and will give the residents of the neighborhood an alternative when entering or leaving the subdivision. Construction of Section 3A is yet to be determined.
- The trigger for additional improvements such as a turning lane on US 183 in front of Summerside Avenue is total build out of the subdivision. This includes all phases of the residential sections and the three commercial lots that front US 183. Staff will pursue additional improvements to the intersection of US183 and Summerside Avenue as we continue our discussion with TxDOT to assist us in this matter, as we strive for a safer community.

HISTORY



The EVOLIS Radar Speed Sign

...Portable, Affordable and EXTREMELY Effective



The portable, pole-mounted **EVOLIS Radar Speed Sign** is the ideal traffic-calming tool for any traffic scenario and environment. At only 19lbs, constructed from robust ABS Injection Molded Resin, the Evolis RSS was ingeniously designed for easy portability and product longevity.

The superior Doppler radar technology incorporated within the Evolis Radar Speed Sign offers an extended vehicle detection range of over 1,000 feet. The high visibility of the 14" speed digits, enabled by 3 rows of ultra-bright, tri-color, LEDs combined with the simultaneous display of programmable messages, helps correct driver behavior with an average **decrease of 25% in overall speed!**

The EVOLIS RSS is available as a battery-operated or solar-powered, full-option package, including all the necessary power accessories for immediate functionality. Each pack also includes bi-directional traffic data collection and comprehensive traffic analysis software, elevating the EVOLIS Radar Speed Sign from an effective traffic calming device to **an indispensable ally in speed infraction prevention and enforcement.** This sophisticated service has **NO** subscription fees and the updates are entirely **FREE** for life!

The GLOBAL favorite!

13,000+ EVOLIS Radar Speed Signs installed in
8,000+ communities **WORLDWIDE!**

Each Package Includes:

- ✓ 28" X 28" Evolis Radar Speed Sign (2 power choices)
- ✓ Highly visible 14" speed digits: 3 rows of tri-color LEDs
- ✓ Customizable message display
- ✓ Bi-directional traffic data collection
- ✓ Comprehensive analysis & configuration software
- ✓ FREE updates & NO subscription fees!
- ✓ Bluetooth® + smartphone app
- ✓ Mounting kit & specific accessories for solar or battery-operated packs
- ✓ 2 year warranty



(646) 878-6259



www.elancity.net / sales@elancity.net

SPEED DISPLAY	
SPEED DIGITS	Height: 14", Display: 7 segment
"YOUR SPEED" legend	1.26" Highway-Gothic font
LEDs	Ultra-bright, 3-row thick LEDs. Amber-only mode or tri-color: Amber, Green and Red.
LED ANGLE	30° cone angle, auto-dimming
VISIBILITY	1,000+ feet
POWER CONSUMPTION	Ultra-low power consumption. Average <5W
FLASH RATE	Default setting: 54 cycles/minute. Configurable
TEXT DISPLAY	
LEDs	Ultra-bright, Amber
MESSAGES	Pre-programmed or entirely personalized
SIZE-FONT / GRAPHICS	Choice of size and font, 1 or 2 lines of text
DETECTION	
DOPPLER RADAR	Bidirectional, K-Band, 24.125 GHz (FCC part 15 compliant)
ACCURACY	+/- 1 Mph, 99% accuracy
BEAM WIDTH	12° Horizontal – 25° Vertical
SPEED DETECTION	5 – 160 Mph
DETECTION RANGE	500ft to 1,000ft (configurable)
CASING	
MATERIAL	Robust, anti-corrosive ABS injection molded resin; Curved polycarbonate front face
SIZE / WEIGHT	Dimensions: 28"H x 28"W x 6"D Weight: 19lbs. (without batteries)
WATERPROOF RATING	NEMA 4R / IP 65
COLOR	UV treated light grey (other colors available)
TEMPERATURE RESISTANCE	-40° F to +140° F (operational in extreme weather conditions)
ELECTRICAL SAFETY FEATURES	Two fuses (internal and external), internal pressure safety valve
BATTERY ENCLOSURE	Capacity to hold up to 2 batteries; manual dial for factory setting speed thresholds + SP
CONFIGURATION	
EVOCOM Software	Software for radar configuration + FREE updates
COMMUNICATION	USB, Bluetooth, EVOMOBILE Smartphone application and GPRS (Optional)
THRESHOLDS	Speed (min, limit, max), anti-racing, flashing, color change (if activated)
TIMER MODE (School-zone mode)	Alternative speed threshold: up to 2 settings / 4 time slots per day
STEALTH MODE	Continuous traffic data collection with blank display
TRAFFIC DATA ANALYSIS	
EVOGRAPH Software	Software for traffic data analysis + FREE updates & NO subscription fees ever
SPEED	Average and maximum speed, 85th percentile, distribution per speed group
COUNT	Estimated vehicle count
TYPE	Bi-directional, time-stamped data
MEMORY STORAGE	Up to 1 million vehicles
FORMAT	Charts and graphs in Excel and/or Pdf form, for easy report printing
POWER OPTIONS	
"Solar-Mobile": Solar-powered	Portable, fully autonomous, powered through solar panel and batteries
"Ultra-Mobile": Battery-operated	Portable, fully battery-powered with average 7 day autonomy, includes external charger
"AC": City lighting (available in certain states)	Stationary, powered by battery charged through and dependent on city lighting
ACCESSORIES	
MOUNTING KITS	Curved, ABS-injected resin, universal mounting-bar (pole and pole straps not included)
SOLAR PANEL	32" X 37", 80 watt solar panel w/ aluminum bracket mounting kit
BATTERIES	12V/22AH batteries included: AC X 1, Solar-Mobile X 2, Ultra-Mobile X 4
EXTERNAL CHARGER	12V external battery charger (included in Ultra-Mobile pack)

City of Lockhart, Texas

Council Agenda Item Briefing Data

COUNCIL MEETING DATE: April 21, 2020

AGENDA ITEM CAPTION:

Discussion and/or action regarding the City of Lockhart's Mayoral Declaration of Local State of Disaster due to Public Health Emergency order extended on April 7, 2020, and addressing other matters related to COVID-19, if necessary.

ORIGINATING DEPARTMENT AND CONTACT: Mayor Lew White and Steve Lewis, City Manager

ACTION REQUESTED:

ORDINANCE RESOLUTION CHANGE ORDER AGREEMENT
 APPROVAL OF BID AWARD OF CONTRACT CONSENSUS **OTHER**

BACKGROUND/SUMMARY/DISCUSSION:

On April 7, 2020, the Council adopted a Resolution that provided that the City will indefinitely extend the Local Disaster Declaration to incorporate the provisions of Governor Greg Abbott's Executive Order GA-14 that was issued on March 31, 2020. The Resolution also delegated the City Manager the ability to suspend disconnection and collection of payments for utility bills.

This item is placed on the agenda to allow Council to take further action, if necessary.

PROJECT SCHEDULE (if applicable): N/A

AMOUNT & SOURCE OF FUNDING:

Finance Review initials _____

Funds Required: N/A

Account Number: N/A

Funds Available: N/A

Account Name: N/A

FISCAL NOTE (if applicable):

COMMITTEE/BOARD/COMMISSION ACTION: None.

STAFF RECOMMENDATION/REQUESTED MOTION:

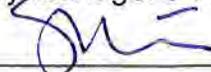
None – Council discretion.

LIST OF SUPPORTING DOCUMENTS:

Resolution 2020-12 and Governor Greg Abbott's Executive Order GA-14 as adopted on April 7, 2020.

Department Head initials:

City Manager's Review:



HISTORY

RESOLUTION NO. 2020-12

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOCKHART EXTENDING THE CITY'S LOCAL DISASTER DECLARATION, INCORPORATING THE GOVERNOR'S EXECUTIVE ORDER GA-14 AND THE CALDWELL COUNTY JUDGE'S ORDER OF MARCH 24, 2020; ADDRESSING OTHER RELATED MATTERS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on March 17, 2020, the Mayor of the City of Lockhart, Texas, issued a Declaration of Local State of Disaster related to Coronavirus pandemic, effective for seven days, which declaration was amended on March 19, 2020; and

WHEREAS, on March 24, 2020 the City Council of Lockhart voted by minute order to extend the Mayor's Declaration (hereafter "the City's Local Disaster Declaration") until April 7, 2020; and

WHEREAS, on March 30, 2020, the County Judge of Caldwell County, Texas issued a "Stay Home/Stay Safe Order ("the County Order") in accordance with an order of a state of local disaster previously issued by the County Judge on March 14, 2020; and

WHEREAS, on March 31, 2020, the Governor of Texas Greg Abbott issued Executive Order GA-14 (the "Order"), a copy of which is attached hereto, ordering and providing guidance on essential services, remote telework from home and other issues and providing that the Order supersedes any local declaration that conflicts with the Order with regard to essential services; and

WHEREAS, the Council wishes to continue its local declaration indefinitely to abate the effects of the spread of the coronavirus and to incorporate both the Order and the County Order therein; and

WHEREAS, under Texas Local Government Code Section 552.001(b), the Council has broad authority to regulate water, sewer, gas, or electricity systems (collective, the "Utility Systems") in a manner that protects the interests of the municipality; and

WHEREAS, during this disaster, the Council wishes to delegate to the City Manager the authority to postpone Utility Systems payments and disconnections; and

WHEREAS, upon conclusion of the disaster, the Council shall rescind this Resolution.

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

SECTION 1: Findings Incorporated. The findings recited above are incorporated as if fully set forth in the body of this Resolution.

HISTORY

SECTION 2: Ratification, Extension, and Incorporation. The City Council hereby ratifies and extends the City's Local Disaster Declaration indefinitely and incorporates into this Resolution the provisions of Governor Greg Abbott's Executive Order GA-14 and the Caldwell County Judge's Stay Home/Stay Safe Order of March 30, 2020. Any conflict that is found to exist between the City's Local Disaster Declaration and either the Order or the County Order shall be resolved in favor of the Order or County Order, as applicable.

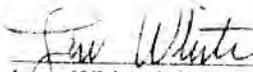
SECTION 3: Utility Systems Disconnections/Payments Suspended. The City Council hereby delegates to the City Manager the ability to suspend disconnection and collection of payments for Utility Systems for the duration of this Resolution.

SECTION 4: Ending Date. This Resolution shall remain in effect indefinitely, until the disaster has concluded or this Resolution is terminated by the City Council.

SECTION 5: Effective Dates. This Resolution shall be in force and effect immediately upon final passage until the ending date, and it is so resolved.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF LOCKHART, TEXAS on this the 7th day of April 2020.

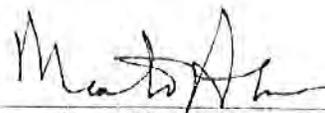
CITY OF LOCKHART


Lew White, Mayor

Attest:


Connie Constancio, TRMC, City Secretary

Approved as to form:


Monte Akers, City Attorney

HISTORY

Executive Order

BY THE
GOVERNOR OF THE STATE OF TEXAS

Executive Department
Austin, Texas
March 31, 2020

EXECUTIVE ORDER
GA 14

*Relating to statewide continuity of essential services and activities
during 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 counties in the State of Texas; and

WHEREAS, the Commissioner of the Texas Department of State Health Services (DSHS), Dr. John Hellerstedt, has determined that COVID-19 represents a public health disaster within the meaning of Chapter 81 of the Texas Health and Safety Code; and

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

WHEREAS, I issued Executive Order GA-08 on March 19, 2020, mandating certain obligations for Texans in accordance with the President's Coronavirus Guidelines for America, as promulgated by President Donald J. Trump and the Centers for Disease Control and Prevention (CDC) on March 16, 2020, which called upon Americans to take actions to slow the spread of COVID-19 for 15 days; and

WHEREAS, Executive Order GA-08 is subject to expiration at 11:59 p.m. on April 3, 2020, absent further action by the governor; and

WHEREAS, on March 29, 2020, to avoid scenarios that could lead to hundreds of thousands of deaths, the President announced that, based on advice from Dr. Anthony Fauci and Dr. Deborah Birx, the restrictive social-distancing Guidelines should extend through April 30, 2020; and

WHEREAS, DSHS Commissioner Dr. Hellerstedt and White House Coronavirus Response Coordinator Dr. Birx say that the spread of COVID-19 can be reduced by minimizing social gatherings; and

WHEREAS, on March 28, 2020, the U.S. Department of Homeland Security issued its Guidance on the Essential Critical Infrastructure Workforce, Version 2.0, which provides an advisory list of critical-infrastructure sectors, workers, and functions that should continue during the COVID-19 response; and

WHEREAS, for state agencies and their employees and agents, the Office of the Attorney General of Texas has advised that local restrictions issued in response to the COVID-19 disaster do not apply to restrict the conduct of state business; and

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

MAR 31 2020

HISTORY

Governor Greg Abbott
March 31, 2020

Executive Order GA-14
Page 2

WHEREAS, all government entities and businesses should be allowed to continue providing essential services during the COVID-19 disaster, and all critical infrastructure should be allowed to remain operational; and

WHEREAS, the "governor is responsible for meeting the dangers to the state and people presented by disasters" under Section 418.011 of the Texas Government Code, and the legislature has given 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 418.017(a), the "governor may use all available resources of state government and of political subdivisions that are reasonably necessary to cope with a disaster;" and

WHEREAS, under Section 418.018(e), the "governor may control ingress and egress to and from a disaster area and the movement of persons and the occupancy of premises in the area;" and

WHEREAS, under Section 418.173, failure to comply with any executive order issued during the COVID-19 disaster is an offense punishable by a fine not to exceed \$1,000, confinement in jail for a term not to exceed 180 days, or both fine and confinement.

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 12:01 a.m. on April 2, 2020, and continuing through April 30, 2020, subject to extension based on the status of COVID-19 in Texas and the recommendations of the CDC and the White House Coronavirus Task Force:

In accordance with guidance from DSHS Commissioner Dr. Hellerstedt, and to achieve the goals established by the President to reduce the spread of COVID-19, every person in Texas shall, except where necessary to provide or obtain essential services, minimize social gatherings and minimize in-person contact with people who are not in the same household.

"Essential services" shall consist of everything listed by the U.S. Department of Homeland Security in its Guidance on the Essential Critical Infrastructure Workforce, Version 2.0, plus religious services conducted in churches, congregations, and houses of worship. Other essential services may be added to this list with the approval of the Texas Division of Emergency Management (TDEM). TDEM shall maintain an online list of essential services, as specified in this executive order and in any approved additions. Requests for additions should be directed to TDEM at EssentialServices@tdem.texas.gov or by visiting www.tdem.texas.gov/essentialservices.

In providing or obtaining essential services, people and businesses should follow the Guidelines from the President and the CDC by practicing good hygiene, environmental cleanliness, and sanitation, implementing social distancing, and working from home if possible. In particular, all services should be provided through remote telework from

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

MAR 31 2020

98

HISTORY

home unless they are essential services that cannot be provided through remote telework. If religious services cannot be conducted from home or through remote services, they should be conducted consistent with the Guidelines from the President and the CDC by practicing good hygiene, environmental cleanliness, and sanitation, and by implementing social distancing to prevent the spread of COVID-19.

In accordance with the Guidelines from the President and the CDC, people shall avoid eating or drinking at bars, restaurants, and food courts, or visiting gyms, massage establishments, tattoo studios, piercing studios, or cosmetology salons; provided, however, that the use of drive-thru, pickup, or delivery options for food and drinks is allowed and highly encouraged throughout the limited duration of this executive order.

This executive order does not prohibit people from accessing essential services or engaging in essential daily activities, such as going to the grocery store or gas station, providing or obtaining other essential services, visiting parks, hunting or fishing, or engaging in physical activity like jogging or bicycling, so long as the necessary precautions are maintained to reduce the transmission of COVID-19 and to minimize in-person contact with people who are not in the same household.

In accordance with the Guidelines from the President and the CDC, people shall not visit nursing homes, state supported living centers, assisted living facilities, or long-term care facilities unless to provide critical assistance as determined through guidance from the Texas Health and Human Services Commission.

In accordance with the Guidelines from the President and the CDC, schools shall remain temporarily closed to in-person classroom attendance and shall not recommence before May 4, 2020.

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 essential services allowed by this executive order or allows gatherings prohibited by this executive order. I hereby suspend Sections 418.1015(b) and 418.108 of the Texas Government Code, Chapter 87, 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 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.

This executive order supersedes Executive Order GA-08, but not Executive Orders GA-09, GA-10, GA-11, GA-12, or GA-13, and shall remain in effect and in full force until April 30, 2020, unless it is modified, amended, rescinded, or superseded by the governor.



Given under my hand this the 31st day of
March, 2020

GREG ABBOTT
Governor

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

MAR 31 2020

HISTORY

Governor Greg Abbott
March 31, 2020

Executive Order GA-14
Page 4

ATTESTED BY:


RUTH R. HUGHES
Secretary of State

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
2 PM O'CLOCK
MAR 31 2020

100

LIST OF BOARD/COMMISSION VACANCIES

Updated February 5, 2020

Board Name	Reappointments/Vacancies	Council member
Board of Adjustment	One Alternate position	Any Councilmember

APPLICATIONS RECEIVED TO BE ON A BOARD/COMMISSION

APPLICANT	BOARD REQUESTED	DATE RECEIVED	RESIDENCE DISTRICT

NO CURRENT APPLICATIONS

<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>NOTES: AIRPORT ADVISORY BOARD</p>	<p>Sec. 4-26. Membership; appointments. The Lockhart Airport Advisory Board shall be composed of seven members to be appointed in accordance with section 2-210. At least five members must currently be or have been flight rated, and two members may be appointed as at-large members. Members shall serve three-year terms, such terms coinciding with the council position making the appointment.</p> <p>Sec. 4-28. Eligibility for board membership. No person having a financial interest in any commercial carrier by air, or in any concession, right or privilege to conduct any business or render any service for compensation upon the premises of the Lockhart Municipal Airport shall be eligible for membership on the Lockhart Airport Advisory Board.</p> <p>Sec. 4-32. Limitations of authority. The Lockhart Municipal Airport Advisory Board shall not have authority to incur or create any debt in connection with airport operations; nor shall the board be empowered to enter into any contract, leases, or other legal obligations binding upon the City of Lockhart; nor shall the board have authority to hire airport personnel or direct airport personnel in the execution of their duties.</p>
<p>NOTES: CONSTRUCTION BOARD APPOINTMENTS</p>	<p><i>Section B101.4, Board Decision, is amended to read as follows:</i> 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, is amended to read as follows:</i> 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>NOTES: ELECTRIC BOARD APPOINTMENTS</p>	<p>Sec. 12-132. Members. (a) Appointments to the examining and supervisory board of electricians and appeals shall conform to section 2-210 except that the board shall consist of five persons with one being appointed by each district council member and one by the mayor. Each member shall serve three-year terms with such terms to coincide with the council position making the appointment. (b) Each board member shall reside within the county and such board shall include one member who shall be a building contractor; one layman; two members shall be master electricians who are currently licensed by the city; and one member shall be either a building contractor or master electrician licensed by the city. There shall be two ex-officio members, one who shall be the city electrical inspector, and one shall be the fire marshal.</p> <p>Sec. 12-133. Officers and quorum. The members of the examining and supervising board of electricians and appeals shall select a chairman and secretary. A quorum shall consist of three members.</p>
<p>NOTES: HISTORIC PRESERVATION COMMISSION</p>	<p>Sec. 28-3. Historical preservation commission. (b) The commission shall consist of seven members, appointed by the city council in accordance with section 2-210, who shall whenever possible meet one or more of the following qualities: (1) A registered architect, planner or representative of a design profession, (2) A registered professional engineer in the State of Texas, (3) A member of a nonprofit historical organization of Caldwell County, (4) A local licensed real estate broker or member of the financial community, (5) An owner of an historic landmark residential building, (6) An owner or tenant of a business property that is an historic landmark or in an historic district, (7) A member of the Caldwell County Historical Commission.</p>
<p>NOTES: PARKS ADVISORY BOARD</p>	<p>Sec. 40-133. Members. (a) The board shall consist of seven members appointed in accordance with section 2-210 to serve three years terms, such terms to coincide with the council position making the appointment and two alternates shall also be appointed by the mayor and mayor pro-tem, one each. The two alternates shall also serve the term coinciding with the council position making the appointments. Vacancies shall be 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>

102

<p>NOTES: Lockhart Economic Dev Corp</p>	<p>LEDC Bylaws – Article II. Board of Directors Section 1. Powers, Number and Term of Office a. The property and affairs of the Corporation shall be managed and controlled by a Board of Directors (The “Board”) under the guidance and direction of the Lockhart City Council and, subject to the restrictions imposed by law, by the Articles of Incorporation, and by these Bylaws the Board shall exercise all of the powers of the Corporation. b. The Board shall consist of seven directors, each of whom shall be appointed by the City Council of the City. Each director shall occupy a place (individually the “Place” and collectively, the “Places”) as designated herein. Places 1-4 are designated for Councilmember Directors from Councilmember Districts 1 through 4 respectively. In the event that a particular Councilmember from said District is unable or unwilling to serve in the capacity as a Director, that Councilmember shall have the right to nominate a non-councilmember for approval and appointment. Places 5-7 are designated for Citizen Member Directors. c. The directors constituting the first Board shall be those directors named in the Articles of Incorporation. Successor directors shall have the qualifications, shall be of the classes of directors, and shall be appointed to the terms set forth in the Articles of Incorporation. d. Any director may be removed from office by the City Council at will.</p>
<p>NOTES: ORDINANCE RE: ALL BOARD, COMMISSION APPOINTMENTS</p>	<p>Sec. 2-209. - Rules for appointment. The city council hereby sets the following rules: (1) Except as may be established by existing city ordinances/resolutions the process for selecting members shall be open to all Lockhart citizens, who must apply for appointment, to include those applying for reappointment. Reappointment shall not be deemed automatic. (2) Council shall seek to appoint the most qualified or best persons available, while also respecting the need for diverse community opinions. (3) No member of any appointed body shall serve on more than one quasi-judicial or advisory board or commission. (4) No appointed body shall deviate from its charge, deliberate items not on its agendas, or speak for the council or City of Lockhart without council authorization. (5) Subject to other qualifications as specifically required for membership on the below boards and commissions, the city council shall have the right (but not the duty) to appoint up to two members who are not Lockhart citizens but who are residents of Caldwell County to the Lockhart Airport Advisory Board, the Eugene Clark Library Board, and the construction board of appeals.</p> <p>Section 2-210. Method of selection; number of members; terms. (a) The mayor and city councilmembers shall nominate individuals to serve on boards and commissions. Each nomination shall then be confirmed by a simple majority of the entire city council. (b) Except as provided herein, there shall be seven members appointed to each board or commission corresponding with the seven members or places of the city council. Each city councilmember, except 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. (c) Beginning with the election in May, 1998, the council shall nominate and confirm four members to serve in places 1, 2, 5, 6 on each board and commission in accordance with subsections (a) and (b) above, and with the standards set in Ordinance Number 97-09, Governance Policies. With the election of May, 1999, the remaining three places shall be filled following the same procedure as above. (d) Terms of service on appointed bodies shall be the same three-year terms as the councilmember who nominates a person to serve. However, a person may be appointed to complete the unexpired term of a vacant position, due to a resignation, for example. (e) When a person has completed a term, or terms, of service and will be vacating a place, that person may continue to serve until a replacement is nominated and confirmed by the city council. (f) At the discretion of the majority of the city council, one Caldwell County resident who is also an owner of real property within any local historic district may be appointed as a full member to the historical preservation commission. (g) Exceptions to the above regulations shall be all volunteer/special purpose/ad hoc committees appointed from time to time by the city council and the zoning board of adjustments, whose members shall serve two-year terms in accordance with V.T.C.A., Local Government Code § 211.008. All other provisions of this section, and ordinance number 97-09 which do not conflict with the chapters establishing these bodies shall be applicable.</p> <p>Sec. 2-212. Removal and resignation of members. (a) All board, commission and committee members serve at the pleasure of the city council and may be removed from office with or without cause at the discretion of the city council. (b) Board, commission and committee members may resign from office at any time by filing a written resignation, dated and signed by the member, with the City Secretary. Such resignation shall take effect upon receipt by the City Secretary without further action by the city council. If the city council appoints a new member to replace the resigned member, the new member shall be appointed to serve out the remainder of the resigned member’s term.</p>

103

<p>NOTES: 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"> • Councilmembers • City staff • Two Parks Advisory Board members • Business owners • Civic Organization members <p>Committee will assist Burditt Consultants to perform tasks outlined in the Parks Master Plan.</p>
<p>NOTES: 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>NOTES: 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>

104

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

Sec. 54-127 MEMBERSHIP AND MEETING FREQUENCY

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

Sec. 54-128 PURPOSE AND RESPONSIBILITY

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

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

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

Sec. 54-130 HOT FUND GRANT PROCESS GUIDELINES.

In considering the grant of HOT Funds, the Board and City Council shall:

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

105

COUNCILMEMBER BOARD/COMMISSION APPOINTMENTS

Councilmember	Board/Commission	Appointee	Date Appointed
Mayor – Lew White	Airport Board	John Hinnekamp	12/19/17
	Board of Adjustment	Mike Annas	12/19/17
	Construction Board	Raymond DeLeon	06/04/19
	Ec Dev. Revolving Loan	Barbara Gilmer	12/19/17
	Ec Dev. Corp. ½ Cent Sales Tax	Alan Fielder, Vice-Chair	12/19/17
	Electric Board	Joe Colley, Chair	12/19/17
	Historical Preservation	John Lairsen	12/19/17
	Library Board	Stephanie Riggins	12/19/17
	Parks and Recreation	Albert Villalpando, Chair	12/19/17
	Planning & Zoning	Paul Rodriguez	12/19/17
	ETJ Rep-Impact Fee Adv Comm	Larry Metzler	12/19/17
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. Revolving Loan	Ryan Lozano	03/07/17
	Eco Dev. Corp. ½ Cent Sales Tax	Dyral Thomas	12/17/19
	Electric Board	Frank Gomillion	12/17/19
	Historical Preservation	Victor Corpus	03/07/17
	Library Board	Shirley Williams	12/17/19
	Parks and Recreation	Linda Thompson-Bennett	03/07/17
	Planning & Zoning	Chris St. Leger	12/17/19 CM McGregor on behalf of Councilman Mendoza
District 2– David Bryant (Members appointed prior to Nov 14, 2019 were made by John Castillo)	Airport Board	VACANT- Coats moved outside County	
	Board of Adjustment	Juan Juarez	03/07/17
	Construction Board	Oscar Torres	05/15/18
	EcoDev. Revolving Loan	Rudy Ruiz	03/07/17
	Eco Dev. Corp. ½ Cent Sales Tax	Umesh Patel	08/09/18
	Electric Board	James Briceno	03/07/17
	Historical Preservation	Ron Faulstich	03/07/17
	Library Board	Quartermetra Hughes	06/04/19
	Parks and Recreation	James Torres	03/07/17
	Planning & Zoning	Rob Ortiz, Alternate Manuel Oliva	03/07/17 03/07/17

106

COUNCILMEMBER BOARD/COMMISSION APPOINTMENTS

District 3 – Kara McGregor	Airport Board Board of Adjustment Construction Board Eco Dev. Revolving Loan 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 Lew White, Chair Sally Daniel John Voigt Ronda Reagan Jean Clark Fox, Chair Warren Burnett Philip McBride, Chair	02/06/18 12/19/17 12/05/17 01/02/18 12/19/17 06/18/19 09/03/19 12/19/17 12/19/17 12/05/17 12/19/17
District 4 - Jeffrey Michelson	Airport Board Board of Adjustment Construction Board Eco Dev. Revolving Loan 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 Frank Coggins Morris Alexander Ian Stowe Kathy McCormick Donaly Brice Russell Wheeler Rick Arnic	03/07/17 12/05/17 12/05/17 12/05/17 12/05/17 03/06/18 12/05/17 12/05/17 12/05/17 12/05/17 01/15/19
Mayor Pro-Tem (At-Large) – Angie Gonzales-Sanchez	Airport Board Board of Adjustment Construction Board Eco Dev. Revolving Loan Eco Dev. Corp. ½ Cent Sales Tax Historical Preservation Library Board Parks and Recreation Planning & Zoning	Andrew Reyes Laura Cline, Chair Paul Martinez Irene Yanez Alfredo Munoz Juan Alvarez, Jr. Jodi King Chris Schexnayder Philip Ruiz, Vice-Chair	01/07/20 01/07/20 01/07/20 01/07/20 01/07/20 03/07/17 01/07/20 03/07/17 01/07/20

107

COUNCILMEMBER BOARD/COMMISSION APPOINTMENTS

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

108

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>THIS COMMITTEE WAS - RE-ESTABLISHED ON MARCH 5, 2019</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>

109



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&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	N/A Brand new/created in 2020	
8. Sell church property	N/A Brand new/created in 2020	
9. Create a Youth Advisory Board to explore options around youth programs/activities	N/A Brand new/created in 2020	
10. Implement downtown drainage improvements	N/A Brand new/created in 2020	

Strategies	2019-2020 Progress	2020-2021 Progress
11. Consider submitting a multi-year street bond program to voters	<i>N/A Brand new/created in 2020</i>	
12. Promote beautification projects through teamwork	<i>N/A Brand new/created in 2020</i>	
13. Clean up trash/enforcement citywide	<i>N/A Brand new/created in 2020</i>	
14. Enhance lower income districts with beautification efforts	<i>N/A Brand new/created in 2020</i>	

Goal #2 KPIs / Metrics:

\$ amount invested in streets in 2019? \$ _____

\$ amount invested in parks in 2019? \$ _____

\$ amount invested in gateway entry signs in 2019? \$ _____

\$ amount invested in streets in 2020? \$ _____

\$ amount invested in parks in 2020? \$ _____

\$ amount invested in gateway entry signs in 2020? \$ _____

Which facilities did we improve the image of? _____

- Did we implement elements of the Parks Master Plan?
- Did we secure quotes on a Space Study of City buildings including City Hall?
- # of City-owned buildings we renovated or retrofitted? _____
- Did we conduct a citywide quality of life citizen survey?
- Did we address levels of service based on the citizen responses we received?
- Did we address levels of satisfaction based on the citizen responses we received?
- Did we address areas for improvement based on the citizen responses we received?
- Did we court hospital providers?
- Did we sell the church property?
- Did we create a Youth Advisory Board?
- Did we implement downtown drainage improvements?
- Did we fully investigate issuing a street bond?
- Did we fully enforce trash clean up around town?
- Did we specifically target lower income neighborhoods for new beautification projects?

Goal 3: Staffing / Personnel

Strategies	2019-2020 Progress	2020-2021 Progress
1. Consider hiring additional personnel (engineer, IT, etc.)	 In FY 20, staffing levels were increased by 2 full-time and 1 part-time positions.	
2. Conduct a staffing study that includes evaluating efficiencies and compensation	 Classification and Compensation Study underway.	
3. Right size staffing levels city-wide based on study results	 No funding was allocated for such a study; discuss need/timing of study during FY 20-21 budget process.	
4. Consider starting salaries that compete with surrounding communities	 Classification and Compensation Study underway.	
5. Be consistent with staff development / policies / purchasing procedures	 Comprehensive Purchasing Policy under development (anticipated to be complete 1 st quarter of 2020). Revision of City Personnel Policy underway.	
6. Implement a staff development program (be consistent)	 House Bill 3834 mandated cybersecurity training for all employees with computer access and elected officials – cybersecurity training program underway.	

Strategies	2019-2020 Progress	2020-2021 Progress
7. Start developing / preparing current staff to take on leadership roles within the organization in the future. Work on succession planning: add Fire, add Electric, add Streets, and add Animal Control.	 Emphasis on leadership training for police personnel, cross training of job duties underway in Finance Department.	
8. Recruit and attract more bi-lingual staff	 No funding was allocated to recruit bi-lingual staff; explore possible options during FY 20-21 budget process and the classification and compensation study.	
9. Customer service / experience excellence training for the Utility and Planning Development teams	 Training budgeted item in FY 20 for Utility Customer Services staff.	

Goal #3 KPIs / Metrics:

of new positions in 2019? _____

of new positions in 2020 and 2021? _____

Did we perform a staffing efficiency/compensation study?

Did we right-size our salaries based on that study by the end of 2020?

Did we develop new consistent policies and procedures regarding professional development of staff?

Did we develop new consistent policies and procedures regarding purchasing/procurement?

Did we create and implement a new staff development program to ensure everyone has training opportunities?

Did we begin grooming current staff for future leadership roles?

How many staff do we have on a leadership track by the end of 2020?

of new employees added in 2019 through 2021 who are bilingual? _____

Did we deliver Customer Experience Excellence training to every City employee?

Goal 4: Procedures / IT Management and Services

Strategies	2019-2020 Progress	2020-2021 Progress
1. Improve technology / create specific strategies to have better IT support based on Assessment results	 New outside IT management team hired; Strategic plan for current and emerging issues (cyber) near completion.	
2. Upgrade all technology-related issues as recommended – desktops, servers, software, equipment, and peripherals. \$100K will pay for equipment, \$20K is licensing agreement costs.	 City-wide replacement of desktops with current operating systems complete; new servers in current fiscal year.	
3. Create a 5-year rolling IT equipment replacement plan	 See above notes 1 and 2.	
4. Provide superior service by keeping technology up to date and being able to communicate with the public (keep an open line of communication through website.) Purchase next modules: INCODE	 New PIO hired. Increased social media updates. INCODE permits and inspections software module implemented to track permit and inspections progress; online access to permit applications and tracking underway.	
5. Upgrade the server system	 Desktop operating systems upgrade 100% complete. Server upgrades in progress.	
6. Streamline technology hardware, software processes within the City, based on Assessment recommendations	 Ongoing and FY 20-21.	

Strategies	2019-2020 Progress	2020-2021 Progress
7. Upgrade all equipment and software and be trained on specific software to be used to maximum potential and determine which staff will require which trainings.	 Current year 2020 departmental goal.	
8. Explore implementing downtown Wi-Fi	 To be addressed in 2020 or 2021. Explore options with the Downtown Business Association and both Chambers of Commerce.	

Goal #4 KPIs / Metrics:

- Did we secure top quality technology support across all departments by the end of 2020?
- Did we upgrade our desktop computers?
- % of employees who received upgraded computers by the end of 2020 (from 2018 numbers)? _____
- Did we upgrade our servers?
- Did we upgrade our computer software, subscriptions, and licenses?
- Did we upgrade our peripherals?
- Did we upgrade our other technology equipment?
- Did we establish an IT policy for updates and replacements that will keep us up-to-date from now through the future?
- Did we upgrade our City server system?
- Did we streamline our City technology processes?
- Did we secure training for staff to use all new equipment properly and efficiently?
- Did we investigate implementing WiFi throughout Downtown Lockhart?

Goal 5: Public Safety

Strategies	2019-2020 Progress	2020-2021 Progress
1. Provide quality public safety to all citizens of Lockhart		
a. Develop a specific Retention Strategy first	 City-wide classification and compensation study underway. Fire: Council approved 7% salary adjustment in FY 19-20. Police: all officers to attend leadership training, host ceremonial recognition events, retention strategy under development.	
b. Continue to implement hiring strategies we developed such as Fire and Police.	 Fire: Use of recruitment video; developing recruitment flyer for use with LISD and the public; career day with Lockhart High School students; Fire Chief to serve on LISD Career and Technical Education Advisory Committee. Police: In 2019, Lockhart Police Officers visited with police cadets attending the AACOG Academy and made presentations to 2 classes of prospective candidates. In 1 st quarter of 2020, LPD will make presentations to the CAPCOG Academy currently in progress.	

Strategies	2019-2020 Progress	2020-2021 Progress
c. Long-term public safety facility planning for Station #1.	 Completed Fire Station No. 2. Analysis and cost estimate to remodel and upgrade Fire Station No. 1 underway.	
d. Develop an equipment replacement schedule. Seek funding for existing equipment (fire apparatus and patrol cars) replacements.	 Developed an ambulance replacement schedule with Caldwell County and Seton. Upgrades to two-way radios (portables and mobiles) underway.	
e. Continue to ensure use of best practices / standards (research best practices, then implement)	 Fire: Fire Department is preparing an emergency management tabletop exercise for City staff. Police: Upgraded Police Officer body-worn cameras to 3 rd generation models.	
f. Evaluate Accreditation opportunities	 Fire: Reviewing the Texas Fire Chief’s Association (TFCA) accreditation process before formal enrollment. Police: Currently reviewing the 166 Texas Law Enforcement Best Practices. Will submit for recognition in the 3 rd quarter of 2020.	

Strategies	2019-2020 Progress	2020-2021 Progress
g. Traffic safety improvements: turn lanes and traffic lights	<i>N/A Brand new/created in 2020</i>	
h. Begin TXDOT safety projects	<i>N/A Brand new/created in 2020</i>	
i. Promote a Neighborhood Watch Program	<i>N/A Brand new/created in 2020</i>	

Goal #5 KPIs / Metrics:

of new law enforcement officers hired in 2019? _____

of new law enforcement officers hired in 2020? _____

of new law enforcement officers hired in 2021? _____

% law enforcement officers retained? _____%

of new firefighters hired in 2019? _____

of new firefighters hired in 2020? _____

of new firefighters hired in 2021? _____

% firefighters retained? _____%

- Did we develop a long-term public safety facilities plan?
- Did we develop a public safety equipment replacement schedule?
- Did we implement that new replacement schedule?
- Did we research and record best practices across the country regarding public safety policy?
- Did we make any modifications to our public safety policies based on that research?
- Did we explore and evaluate Accreditation opportunities?
- Did we implement new turn lane and traffic light improvements in 2020-2021?
- Did we begin the TXDOT safety projects?
- Did we proactively promote a Neighborhood Watch Program for Lockhart?

Conclusion

At the end of the planning retreat, the facilitator reminded all the participants that these goals would only be achieved if they held true to their commitments today to implement these specific strategies and tactics.

She reminded them that they are one team working toward one vision. The city council and management team agreed to use this document regularly throughout 2020 and 2021 to track progress and measure accomplishments.



City of Lockhart

2019-2020 Strategic Priorities

Prepared by:



City of Lockhart

Summary

On February 1 & 2, 2019 the City of Lockhart hosted two half-day planning sessions to develop goals and strategies for the next 2 years. Some of these goal areas were internal, whereas others were external. The following is the process used to reach the conclusions for the plan.

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

The first portion of the strategic planning process began on Friday, February 1, 2019 with the City Manager and the City of Lockhart Management Team. The facilitator began by asking the Management Team participants what their expectations for discussion for the day were. She then took the team through a SWOT (Strengths, Weaknesses, Opportunities, & Threats) Analysis. The next group exercise was a brainstorm called Start/Stop/Continue that lists the things that need to begin happening, stop happening, and are mission-critical and must continue regardless of circumstances.

The facilitator then guided the Management Team through 2019-2020 goal and strategy development to recommend to the City Council the following day.

On Saturday, February 2, 2019, the City Council and City Manager convened to review, revise, and establish priorities related to the recommendations generated the day before by the Management Team. Prior to the review, the facilitator asked the City Council to list their expectations for discussion for the day.

The following are the results.

Management Team Expectations for the Day's Discussion Topics

- That City Council will take what we say seriously
- Consider all staff in decisions
- Hear each other's goals
- Live by the plans we create / develop
- That Council develop goals / priorities based on sound data / research
- Focus
- Consider quality of life as over-arching goal
- Discuss business attraction vs. recruitment
- Being prepared for growth
- Facilities improvements
- Facilities maintenance
- How do we give back to those who need extra help?
- Smart land use practices
- Discuss Tourists/Tourism – what is there for kids to do while in town visiting family?

City Council Expectations for the Day's Discussion Topics

- Capitalize on Tourism
- Discuss Wi-Fi
- Capitalize on BBQ Capital of Texas
- Cleaning up of unsightly properties (residential)
- Work in unity today
- Serve our community
- Focus
- To discuss Economic Development targeting technology jobs
- Industrial Park is full – now what?
- Cleaning up of City properties / facilities
- Actually implement our goals
- Discuss the direction of Economic Development
- Think bigger / think change / embrace change
- Develop our identity
- Attractive gateway signage
- Employee wages
- Technology infrastructure

SWOT Analysis

The facilitator guided the participants through an analysis of their current Strengths, the current Weaknesses or Challenges they are facing, Opportunities that may come their way in the future, and Threats that are possible to occur in the future. Note that there are no right or wrong answers here and no implication of likelihood. This is simply a brainstorm of the opinions of the participants to get them thinking about goals in the next portion. The Management Team listed their responses first, then the City Council added additional items the following day.

Strengths

- Historic district
- County seat
- BBQ Capital of Texas
- Location to highways
- Tourism
- Small town (family-oriented)
- Growing – room for more
- Desire to manage growth
- Good development process
- Proximity to Austin
- Comparable housing prices
- Existing capacity of utilities
- Easy mobility
- Economic Development Sales tax
- Clark Library
- Baker Theatre
- Ease of developing land (flat)
- Employees who experience long tenure
- Volunteers
- CTR (Chisholm Trail Roundup) & other local events
- Community support
- Recognizable court house
- Movies / film production (TFC)
- Long-term water planning
- High-level financial planning
- Competitive building / development fees
- “Real” city with well-managed growth
- New energy
- Proximity to large cities / airport
- New residents – new ideas – changing priorities
- Diversity
- First Friday Downtown Event

Weaknesses / Challenges

- Incentives – Economic Development lack of use
- Technology – aging equipment and software
- Infrastructure
- Facilities – condition / maintenance
- Competitive salaries within region
- Training opportunities
 - Professional development
 - Budget
- Closed minds – have always done it this way
- Tourism
- Managing growth
- Need for succession planning
- Public perception influencing job applicant pool
- Weak tax base
- Limited in-town post-secondary educational opportunities
- Lack of retail
- Lack of entertainment (kids)
- Limited grocery options
- City-owned property
- College
- Venue / convention center
- Lack of hotels
- Entryways to community
- Not using TIF financing
- Emerging downtown organization
- How to effectively support increasing, ever-growing number of festivals
 - Create packages for vendors and festivals
- No city recreation programs
- In-kind services
- Very limited public transportation services
- Outdated web information
- Poor communication with citizens

Opportunities

- Expand airport (hangars)
 - Install AWOS (Automated Weather Observing System)
- Improve working conditions of employees
- Proximity to Austin
- Implement first phase of parks master plan
- SH-130 has great properties but not city-owned property
- Undeveloped lots on Square and north / northwest of Square
- Long-tenured elected leadership
- Increase community involvement
- To develop positive relationship with County, School, and organizations
- Quality economic growth
- Franchise recreational or entertainment venues (theaters, bowling, outlets, concerts, water parks)
- Community college campus
- Increased communication needed with ISD for school planning, infrastructure, etc.
- Expand walking / biking opportunities for exercise and community involvement
- Lockhart Springs (natural spring)
- Lockhart State Park transfer to City
- Potential residential development around golf course
- Development within historic district
- School district growth
- Housing growth
- Business growth
- St. Paul Church and other redevelopment opportunities
- Hospital / medical facilities
- Public bathrooms downtown
- Develop Industrial Park
- More involvement with San Marcos Greater Partnership
- Partnership with Austin Chamber
- EDC \$ will go further today than in 2 years (spec buildings, parking)

Threats

- Economic recession
- Voter turnout
- Government shutdown
- Citizen input
- Natural disaster
- Leadership in government
- Lack of economic development direction
- Competition from other cities
- Lack of resources
- Building maintenance
- Technology – cyber security
- Surging population
- Infrastructure improvement
- Maintaining reputation
- Planning without follow through
- Lack of educated workforce – skilled labor
- Crime
- Lack of workforce – people
- Retention and hiring
- Youth retention
- School quality
- Lack of industry
- Lack of racial unity
- Micro-managing
- Other utilities providers
- Homeless services – transportation
- Types of future growth

Start/Stop/Continue

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

Start

- Space allocation study
- Renovate City buildings – construct
- Downtown bathrooms
- Improve salaries – salary survey
- Staff development program / policies / procedures
- Consistency in purchasing
 - Revamp purchasing policy
- Replacing capital equipment / vehicles – vehicle fund
- Mandatory single stream recycling
- IT department, in-house City Engineer
- New technology in terms of equipment, network, server, software
- Re-assess who is in charge of downtown redevelopment
 - Name which entity (or entities) funds downtown redevelopment initiatives
 - Name which entity (or entities) manages downtown redevelopment initiatives
- 2020 Comprehensive Master Plan Update that includes a future land use plan and map

Stop

- In-house utility billing (consider outsourcing)
- Outsourcing IT (consider bringing in-house)
- Repetitive useless paperwork (paperwork/policies must be updated and streamlined)
- Increasing overtime in fire and police (hire more to fix this issue)
- Using outdated equipment
- Hand -picking collections of recycled goods (business pick up)
- Laying asphalt driveway approaches for “free”
- Demolition of condemned houses – stop doing in-house (needs to be outsourced)

Continue

- Meeting with County, City, School, Chamber, EDC
- Implementing 2020 Plan and Updates
- Attracting businesses – growth
- Providing superior service
- Redeveloping Downtown
- Implement Parks Master Plan
- Being a great place to work
- Public investments along SH-130
- Supporting festivals / movie projects
- Financial planning
- Embracing tourism

Goal 1: Economic Development / Planning

Strategies
1. Partner with LISD and local youth organizations to encourage careers in local emergency services (Fire and Police)
2. Reassess who is in charge of managing and funding downtown development and tourism
3. Attract a post-secondary education campus / facility
4. Complete updating our development ordinances
5. Consider development tools to facilitate attraction / recruitment to SH 130 corridor
6. Bring utilities, assist assembling parcels, rezoning tracts along SH 130
a) Shovel ready
b) Pursue prospects
7. Start investing in more property for growth
8. Explore next industrial park
9. HOT (Hotel Occupancy Tax) Funds – revamp structure
10. Economic Development Strategic Plan
11. Robust LEDC website

Goal #1 KPIs / Metrics:

- Did we partner with LISD & other youth organizations to encourage emergency services careers?
- Did we reassess downtown development and tourism initiatives and who leads each?
- Did we initiate efforts to attract a post-secondary educational institution or facility to Lockhart?
- Did we completely update our development ordinances?
- Did we brainstorm development tools for SH-130 development?
- Did we bring utilities and assemble parcels along SH-130?
- Did we develop shovel-ready development sites?
- Did we market those sites to prospective investors?
- Did we develop plans for our next industrial park?
- Did we revamp the way HOT funds are structured?
- Did we develop and implement an Economic Development Strategic Plan?
- Did the Lockhart EDC revamp their website to better attract investment?

Goal 2: Quality of Life / Quality of Facilities

Strategies
1. Invest money to improve the appearance of our town (streets, parks, entry signs)
2. Conduct a Space Study of City Buildings and facilities including City Hall
3. Improve the image of City facilities as needed
4. Update, renovate, and construct City facilities as needed
5. Implement the Parks Master Plan, improving the quality of life for community
6. Conduct a citywide quality of life citizen survey

Goal #2 KPIs / Metrics:

\$ amount invested in streets in 2019 and 2020? \$ _____

\$ amount invested in parks in 2019 and 2020? \$ _____

\$ amount invested in gateway entry signs in 2019 and 2020? \$ _____

of City facilities we improved the appearance of? _____

- Which facilities did we improve the image of?
- Did we implement elements of the Parks Master Plan?
- Did we secure quotes on a Space Study of City buildings including City Hall?
- How many City-owned buildings did we renovate or retrofit?
- Did we conduct a citywide quality of life citizen survey?
- Did we address levels of service based on the citizen responses we received?
- Did we address levels of satisfaction based on the citizen responses we received?
- Did we address areas for improvement based on the citizen responses we received?

Goal 3: Staffing / Personnel

Strategies
1. Consider hiring additional personnel (engineer, IT, etc.)
2. Conduct a staffing study that includes evaluating efficiencies and compensations
3. Right size staffing levels city-wide based on study results
3. Consider starting salaries that compete with surrounding communities
4. Be consistent with staff development / policies / purchasing procedures
5. Implement a staff development program (be consistent)
6. Start developing / preparing current staff to take on leadership roles within the organization in the future
7. Bi-lingual staff
8. Customer service / experience excellence training

Goal #3 KPIs / Metrics:

of new positions in 2019 and 2020? _____

- Did we perform a staffing efficiency/compensation study?
- Did we right-size our salaries based on that study by the end of 2020?
- Did we develop new consistent policies and procedures regarding professional development of staff?
- Did we develop new consistent policies and procedures regarding purchasing/procurement?
- Did we create and implement a new staff development program to ensure everyone has training opportunities?
- Did we begin grooming current staff for future leadership roles?
- How many staff do we have on a leadership track by the end of 2020?

of new employees added in 2019 and 2020 who are bilingual? _____

- Did we deliver Customer Experience Excellence training to every City employee?

Goal 4: Procedures / IT / Software and Hardware

Strategies
1. Conduct a Technology Assessment that yields specific recommendations
2. Improve technology / create specific strategies to have better IT support based on Assessment results
3. Upgrade all technology-related issues as recommended – desktops, servers, software, equipment, and peripherals
4. Start replacing old equipment
5. Provide superior service by keeping technology up to date and being able to communicate with the public (keep an open line of communication through website)
6. Carefully weigh all the pros and cons of considering bringing IT in-house
7. Upgrade the operating system
8. Streamline technology hardware, software processes within the City, based on Assessment recommendations
9. Upgrade all equipment and software and be trained on specific software to be used to maximum potential
10. Explore implementing downtown Wi-Fi

Goal #4 KPIs / Metrics:

- Did we conduct a Technology Assessment?
- Did we secure top quality technology support across all departments by the end of 2020?
- Did we upgrade our desktop computers?
% of employees who received upgraded computers by the end of 2020 (from 2018 numbers)? _____
- Did we upgrade our servers?
- Did we upgrade our computer software, subscriptions, and licenses?
- Did we upgrade our peripherals?
- Did we upgrade our other technology equipment?
- Did we establish an IT policy for updates and replacements that will keep us up-to-date from now through the future?
- Did we carefully weigh all the pros and cons of keeping IT outsourced vs. bringing it in-house?
- Did we upgrade our City operating system?
- Did we streamline our City technology processes?
- Did we secure training for staff to use all new equipment properly and efficiently?
- Did we investigate implementing WiFi throughout Downtown Lockhart?

Goal 5: Public Safety

Strategies
1. Provide quality public safety to all citizens of Lockhart
a) Develop a specific Retention Strategy first
b) Develop a specific Hiring Strategy
c) Long-term public safety facility planning
d) Develop an equipment replacement schedule
e) Ensure use of best practices / standards (research best practices, then implement)
f) Evaluate Accreditation opportunities

Goal #5 KPIs / Metrics:

of new law enforcement officers hired in 2019?

of new law enforcement officers hired in 2020?

% law enforcement officers retained?

of new firefighters hired in 2019?

of new firefighters hired in 2020?

% firefighters retained?

Did we develop a long-term public safety facilities plan?

Did we develop a public safety equipment replacement schedule?

Did we implement that new replacement schedule?

Did we research and record best practices across the country regarding public safety policy?

Did we make any modifications to our public safety policies based on that research?

Did we explore and evaluate Accreditation opportunities?

Conclusion

At the end of the planning retreat, the facilitator reminded all the participants that these goals would only be achieved if they held true to their commitments today to implement these specific strategies and tactics.

She reminded them that they are one team working toward one vision. The participants agreed to use this document regularly throughout 2019 and 2020 to track progress and measure accomplishments.

CITY COUNCIL FY 18-19 GOALS (FINAL COMBINED)

PRIORITY ORDER

COUNCILMEMBER	PRIORITY	FY 18-19 GOALS
CASTILLO	1	Infrastructure Improvements: streets
GONZALES-SANCHEZ	1	Hire A City Manager
MCGREGOR	1	Economic development, creating and retaining jobs, grocery campaign.
MENDOZA	1	Pay Raise City Employees.
MICHELSON	1	Public relations position/ get the word out about Lockhart (promoting)
WESTMORELAND	1	Infrastructure Improvements: streets
WHITE	1	Economic development, creating and retaining jobs, grocery campaign.
CASTILLO	2	Economic development, creating and retaining jobs, grocery campaign.
GONZALES-SANCHEZ	2	All Department Heads to Budget Salary Increases for all City Employees.
MCGREGOR	2	Work with LISD to establish a community recreation center at the Adams Gym, per under Parks
MENDOZA	2	Economic development, creating and retaining jobs, grocery campaign.
MICHELSON	2	Signage in Lockhart (highway, downtown, and toll) / Wayfinding, branding,...)
WESTMORELAND	2	Signage in Lockhart (highway, downtown, and toll) / Wayfinding, branding,...)
WHITE	2	Public relations position
CASTILLO	3	Continued police community committee involvement, neighborhood watch, gang awareness
GONZALES-SANCHEZ	3	Infrastructure: Continue City Infrastructure: Drainage, Street Repairs, Completion of Curbing, Brighter Lighting in Neighborhoods
MCGREGOR	3	Prepare Fire Station #3 (so we can have existing station remodeled)
MENDOZA	3	Continued police community committee involvement, neighborhood watch, gang awareness
MICHELSON	3	Prepare Fire Station #3 (so we can have existing station remodeled)
WESTMORELAND	3	More enforcement of codes directed at unsightly properties
WHITE	3	Wayfinding, branding, develop new entry sign and city markers
CASTILLO	4	City Facilities: Maintenance and repairs Economic Development: Recruit more businesses especially retail and continue efforts; contact existing and vacant building owners to see if they are willing to work with the City of Lockhart to bring retail businesses and specialty shops, as well as industrial. Purchase buildings and land when on the market for possible new businesses for the city.
GONZALES-SANCHEZ	4	Public relations position work with social media/ get the word out about Lockhart
MCGREGOR	4	Public relations position work with social media/ get the word out about Lockhart
MENDOZA	4	City Facilities: Maintenance and repairs

CITY COUNCIL FY 18-19 GOALS (FINAL COMBINED)

PRIORITY ORDER

COUNCILMEMBER	PRIORITY	FY 18-19 GOALS
MICHELSON	4	Refurbish City Hall inside (making it more inviting)
WESTMORELAND	4	Move forward with St Paul property project
WHITE	4	Park improvements- consider medium to long range plan for Town Branch development
CASTILLO	5	Affordable housing Police Task Force: Budget extra funds for a Police Task Force, a Narcotics Officer and a Mental Health Officer to address any drug and gang related problems and mental issues our city is being faced not only on the East side of our city but citywide. Budget for updated training for our police officers. There is a lot of training that is free
GONZALES-SANCHEZ	5	but a lot additional money for registration fees and course material.
MCGREGOR	5	Free public wifi on the square
MENDOZA	5	Parks improvements
MICHELSON	5	Continued police community committee involvement, neighborhood watch, gang awareness
WESTMORELAND	5	Angled parking downtown: N Main and N Commerce Sts(change during downtown drainage project)
WHITE	5	Continued police community committee involvement, neighborhood watch, gang awareness
CASTILLO	6	Wellness for employees



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 accommodate 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		Econo Devl
		Expand economic development (by helping to spread the word & being more involved)	Gen Fund	Econo Devl
		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 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 square.	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 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
		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)	Ja-House	Parking Downtown	Scheduled with downtown improvements. Should also consider making 100 Blocks of N Main and N Commerce one-way and possibly consider other blocks downtown especially north/south streets.
AGS	10	Parking around and surrounding the square. Issues with larger vehicles parked in areas that are narrow and that make it hard to see oncoming traffic. Our city is growing and we have been very fortunate with our parking however, it is a concern especially when you have the bigger and wider trucks that are parked in an area that is for a moderate size car. It becomes a hazard and a blind spot when trying to reverse out of the parking space and a blind spot for any and all pedestrians.	GF	Parking Downtown	Scheduled with downtown improvements
JEFF M	2	Continue to work on City Park improvements	Gen Fund	Parks	Master Plan near complete
BW	2	Revive all City parks	Grants	Parks	Master Plan near complete
KM	2	Work with LISD to establish a community recreation center at Adams Gym, perhaps under Parks (PUBLIC HEALTH/PARKS)	General Fund/Parks & Rec	Parks	Mayor is visiting with LISD about this
KM	3	Add 3 positions to the Parks Department, to help facilitate other improvements (PARKS)	General Fund/Parks & Rec	Parks	Approx. \$100,000 to budget not including equipment and vehicles
LW	3	Park improvements - consider medium to long range Town branch development	GF	Parks	Bond issue needed
KM	4	Develop a dog park as part of the Stueve Lane Monte Vista Tract (PARKS/ANIMAL SHELTER/PUBLIC HEALTH)	General Fund/Parks & Rec	Parks	Estimate on this property is \$ 25000 using used fencing. Maintenance and insurance are also cost factors
AGS	8	Parks Improvements: Purchase and update the park equipment to provide safe and fun filled parks for all to use.	GF	Parks	Master Plan near complete
JUAN M	3	Start Planning for 2040 plan	GF	Planning	Needs to be done
JC	3	Police	GF	Police	Chief Pedraza is working on these issues. Recently issued update that was sent to Council.
LW	4	Continued Police Community committee involvement, neighborhood watch, gang awareness	GF	Police	See above
JEFF M	4	Work with Police Department to bring back drug enforcement program	Gen Fund	Police	See above
JUAN M	5	Get back to Neighborhood Townhall Meetings	GF	Police	Will get with Chief about this

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
General Government																					
Hotel Tax Fund																					
2016 GO Refunding			40,000	40,000	40,000	40,000	40,000	40,000	40,000	40,000	40,000	40,000	40,000								400,000
Total Hotel Tax Fund P & I			-	40,000	40,000	40,000	40,000	40,000	40,000	40,000	40,000	40,000	40,000	-	-	-	-	-	-	-	400,000
LEDC																					
2015 Tax & Revenue	100.00%		48,093	48,044	48,103	48,152	63,645	63,670	63,513	63,543	63,555	63,643	63,687	65,647	65,544	65,575	65,482	65,579	65,538	65,676	1,048,596
Total LEDC Fund P & I			48,093	48,044	48,103	48,152	63,645	63,670	63,513	63,543	63,555	63,643	63,687	65,647	65,544	65,575	65,482	65,579	65,538	65,676	1,048,596
2015 Capital Projects Fund																					
2015 Tax & Revenue																					-
Total 2015 Capital Projects Fund Fund P & I			-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Drainage																					
2015 Tax & Revenue			100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	1,700,000
Total Drainage Fund P & I			100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	1,700,000
General Fund																					
2015 Tax & Revenue																					-
Total General Fund P & I			-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Debt Service Fund																					
2006 Tax & Rev CO's	100.00%		47,175	50,535	48,690	46,845															146,070
2006-A Tax & Rev CO's	93.00%		267,890	267,803	267,332	271,128															806,264
2015 Tax & Revenue	TRNSF		186,594	186,302	186,653	186,945	279,275	279,421	278,487	278,662	278,735	279,261	279,523	291,203	290,590	290,773	290,222	290,798	290,554	291,374	4,548,778
2015 Tax & Revenue	12.00%		117,779	117,659	117,803	117,923	155,867	155,927	155,543	155,615	155,645	155,861	155,969	160,769	160,517	160,592	160,365	160,602	160,502	160,831	2,567,990
2016 GO Refunding	74.84%		171,056	346,930	361,150	353,161	656,899	666,927	661,698	666,974	673,111	670,566	678,350	-	-	-	-	-	-	-	5,735,766
Total Debt Service Fund P & I			790,494	969,229	981,628	976,002	1,092,041	1,102,275	1,095,728	1,101,251	1,107,491	1,105,688	1,113,842	451,972	451,107	451,365	450,587	451,400	451,056	452,205	13,804,868
Total General Government			938,587	1,157,273	1,169,731	1,164,154	1,295,686	1,305,945	1,299,241	1,304,794	1,311,046	1,309,331	1,317,529	617,619	616,651	616,940	616,069	616,979	616,594	617,881	16,953,464

Future Debt Payments as of 9/30/18

Description	Paid Debt	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	TOTAL DEBT
Proprietary																				
Electric Fund																				
2013 SIB Loan	30.81%	71,151	71,152	71,151	71,151	71,151	71,151	71,151	71,152	71,151	71,151	71,151	71,151	71,151	71,151	71,151	71,152	-	-	1,067,268
Total Electric Fund P & I	-	71,151	71,152	71,151	71,151	71,151	71,151	71,151	71,152	71,151	71,151	71,151	71,151	71,151	71,151	71,151	71,152	-	-	1,067,268
Water Fund																				
2006A Tax & Rev CO's	7.00%	20,164	20,157	20,122	20,408															60,687
2015 Tax & Revenue	49.60%	486,818	486,322	486,917	487,413	644,248	644,496	642,909	643,207	643,331	644,223	644,670	664,510	663,468	663,778	662,842	663,822	663,406	664,800	10,614,362
2016 GO Refunding	21.81%	49,849	101,103	105,247	102,919	191,435	194,357	192,833	194,371	196,159	195,418	197,686	-	-	-	-	-	-	-	1,671,528
2013 SIB Loan	35.80%	82,676	82,676	82,676	82,676	82,676	82,676	82,676	82,676	82,676	82,676	82,676	82,676	82,676	82,676	82,676	82,676	82,676	82,676	1,240,140
Total Water Fund P & I	-	639,507	690,258	694,962	693,416	918,359	921,529	918,418	920,254	922,166	922,317	925,032	747,186	746,144	746,454	745,518	746,498	663,406	664,800	13,586,717
Sewer Fund																				
2015 Tax & Revenue	4.30%	42,204	42,161	42,213	42,256	55,852	55,874	55,736	55,752	55,773	55,850	55,889	57,609	57,518	57,545	57,464	57,549	57,513	57,643	920,197
2016 GO Refunding	3.35%	7,657	15,529	16,166	15,808	29,404	29,853	29,619	29,855	30,130	30,016	30,364	-	-	-	-	-	-	-	256,744
2013 SIB Loan	33.39%	77,102	77,103	77,102	77,102	77,103	77,102	77,102	77,103	77,102	77,102	77,103	77,102	77,102	77,103	77,102	77,102	77,102	77,102	1,156,537
Total Sewer Fund P & I		126,963	134,793	135,481	135,166	162,359	162,829	162,457	162,710	163,005	162,968	163,356	134,711	134,620	134,648	134,566	134,651	57,513	57,643	2,333,478
Total Proprietary Fund P & I	-	837,621	896,203	901,594	899,733	1,151,869	1,155,510	1,152,026	1,154,116	1,156,323	1,156,436	1,159,539	953,049	951,915	952,253	951,236	952,301	720,919	722,443	16,987,463
Grand Total		1,776,208	2,053,476	2,071,326	2,063,887	2,447,555	2,461,455	2,451,267	2,458,910	2,467,369	2,465,767	2,477,068	1,570,668	1,568,566	1,569,193	1,567,305	1,569,280	1,337,513	1,340,324	33,940,927

City of Lockhart
2015 BOND PROGRAM

Cost	Notes	Task Name	Duration	Start	Finish	2015												2016												2017											
						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
\$14,124,890.00		TOTAL PROJECT COST																																							
\$2,068,024.00	1	DRAINING IMPROVEMENTS CONTRACT 1 - Mesquite/Wichita Street & Richland Drive																																							
\$1,999,200.00	2	DRAINAGE IMPROVEMENTS CONTRACT 2 - Century Oaks/Market Street, & Ash/Comal Streets																																							
\$3,394,038.00	3	DRAINAGE IMPROVEMENTS CONTRACT 3 - Downtown Improvements Project																																							
\$323,400.00	4	DRAINAGE IMPROVEMENTS CONTRACT 4 - Medina & US183 Project																																							
\$1,764,000.00	5	FM 2001 ELEVATED TANK PROJECT																																							

