

PUBLIC NOTICE

AGENDA

LOCKHART CITY COUNCIL

TUESDAY, MAY 2, 2017

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

6:30 P.M.

WORK SESSION (No Action)

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

PRESENTATION ONLY

A. Presentation of a proclamation declaring May 1-5, 2017 as "Air Quality Awareness Week".

DISCUSSION ONLY

- A. Discuss minutes of the City Council meeting of April 18, 2017. 33-37
- B. Discuss funding participation in an amount not to exceed \$75,000 with Lockhart Partners II for drainage improvements on Maple Street east of the Meadows at Clearfork Phase III subdivision development. 38-47
- C. Discussion regarding Resolution 2017-08 of the City Council of the City of Lockhart, Texas, approving funding up to \$212,031 contingent on creating 35 new full-time equivalent (FTE) jobs with an average annual wage of \$50,000 for the Benny Boyd Lockhart, LLC. Project as recommended by the Lockhart Economic Development Corporation under the Texas Economic Development Corporation Act of 1979, for the building, infrastructure and related improvements that are required or suitable for the development, retention, or expansion of facilities to promote or develop new or expanded business enterprises, and to create or maintain new jobs. 48-66
- D. Discussion regarding the Chapter 380 Agreement between the City of Lockhart and Benny Boyd Lockhart, LLC. by which the company agrees to purchase land, construct a building and equipment, and make other improvements totaling an estimated capital investment of \$3.5 million and to create 35 new full-time equivalent (FTE) jobs with an average annual wage of \$50,000. City incentives proposed total up to \$30,794 spread out over 3 years and are contingent upon meeting capital investment and sustaining job creation noted in agreement over the contract period. 67-84
- E. Discussion regarding Council's Fiscal Year 2017-2018 Goals after presentation by the City Manager. 85-89

7:30 P.M. REGULAR MEETING

1. CALL TO ORDER

Mayor Lew White

2. INVOCATION, PLEDGE OF ALLEGIANCE

Invocation - Ministerial Alliance.

Pledge of Allegiance to the United States and Texas flags.

3. CITIZENS/VISITORS COMMENTS

(The purpose of this item is to allow citizens an opportunity to address the City Council on issues that are not on the agenda. No discussion can be carried out on the citizen/visitor comment.)

4. PUBLIC HEARING/COUNCIL ACTION

A. Hold a public hearing on application ZC-17-05 by Pastor Bobby Osborn, on behalf of Calvary Temple Ministries of Fentress, Texas, Inc. for a Zoning Change from AO Agriculture-Open Space District to CHB Commercial Heavy Business District for 3.038 acres in the Esther Berry Survey, Abstract No. 1, located at 2220 South Colorado Street (US 183). 5-13

B. Discussion and/or action to consider Ordinance 2017-10 amending the Official Zoning Map of the City of Lockhart, Texas, to reclassify the property known as 3.038 acres in the Esther Berry Survey, Abstract No. 1, located t 2220 South Colorado Street (US 183), from AO Agriculture-Open Space District to CHB Commercial Heavy Business District.

5. DISCUSSION AND/OR ACTION ITEM

A. Conduct the first of two required readings and discussion regarding Resolution 2017-08 of the City Council of the City of Lockhart, Texas, approving funding up to \$212,031 contingent on creating 35 new full-time equivalent (FTE) jobs with an average annual wage of \$50,000 for the Benny Boyd Lockhart, LLC. Project as recommended by the Lockhart Economic Development Corporation under the Texas Economic Development Corporation Act of 1979, for the building, infrastructure and related improvements that are required or suitable for the development, retention, or expansion of facilities to promote or develop new or expanded business enterprises, and to create or maintain new jobs. 14-32

6. CONSENT AGENDA

A. Approve minutes of the City Council meeting of April 18, 2017. 33-37

B. Approve funding participation in an amount not to exceed \$75,000 with Lockhart Partners II for drainage improvements on Maple Street east of the Meadows at Clearfork Phase III subdivision development. 38-47

7. DISCUSSION/ACTION ITEMS

- A. Conduct the second of two required readings and discussion and/or action regarding Resolution 2017-08 of the City Council of the City of Lockhart, Texas, approving funding up to \$212,031 contingent on creating 35 new full-time equivalent (FTE) jobs with an average annual wage of \$50,000 for the Benny Boyd Lockhart, LLC. Project as recommended by the Lockhart Economic Development Corporation under the Texas Economic Development Corporation Act of 1979, for the building, infrastructure and related improvements that are required or suitable for the development, retention, or expansion of facilities to promote or develop new or expanded business enterprises, and to create or maintain new jobs. 48-66
- B. Discussion and/or action to consider the Chapter 380 Agreement between the City of Lockhart and Benny Boyd Lockhart, LLC. by which the company agrees to purchase land, construct a building and equipment, and make other improvements totaling an estimated capital investment of \$3.5 million and to create 35 new full-time equivalent (FTE) jobs with an average annual wage of \$50,000. City incentives proposed total up to \$30,794 spread out over 3 years and are contingent upon meeting capital investment and sustaining job creation noted in agreement over the contract period. 67-84
- C. Discussion and/or action regarding Council's Fiscal Year 2017-2018 Goals after presentation by the City Manager. 85-89
- D. Discussion and/or action regarding appointments to various boards, commissions or committees. 90-105

8. CITY MANAGER'S REPORT, PRESENTATION AND POSSIBLE DISCUSSION

- Update: US Hwy 183 expansion project, Blackjack to Wal-Mart; the last design puts all drainage waters on the west side until it gets down to the ditch between Smith Supply and Walmart; West side almost complete. Transition to east side set for May 8.
- Update: Drainage work continues on Mesquite, Braden, Wichita, and Vega Street areas; detention ponds and other work complete.
- Update: E. Walnut Street Neighborhood Drainage Project, complete except for cleanup and seeding.
- Update: Bid advertisements for the Ash, Comal, and Pine Street Drainage Project are out with bid openings on May 9. A neighborhood meeting has been set up for Tuesday, May 9, at 6:00 pm at City Hall. All people living on these streets were mailed a letter of invitation last week.
- Update: Wastewater main extension project along railroad is being advertised and bids will open on May 9.
- Reminder: City Wide Residential Spring Clean Up was completed this past Wednesday with great participation.
- Report: Fiesta de Mariachi in the Library, April 29, 2017 from 7 p.m. to 10 pm at Clark Library.
- Report: Dia de los Ninos held on Wednesday, April 26, 2017 in the library.
- Announcement: Taking City Pool Lifeguard Applications.
- Splash Pad opens May 2 - May 30. Splash Pad will be closed May 31- June 12 during CTR events and will reopen June 13. The Splash Pad is closed on all Mondays.
- Councilmember John Castillo is organizing a District 2 Pre-Summer Neighborhood Meeting for Tuesday, May 23 at 6pm in the Glosserman Room, 308 W San Antonio Street - downstairs at City Hall.
- New Employees:
 - Monica Parra, Animal Control Officer
 - John Handley, Water Wastewater System Operator
 - Edwin Mena-Torres, Water Wastewater System Operator
 - Kevin Waller, Assistant City Planner

9. COUNCIL AND STAFF COMMENTS – ITEMS OF COMMUNITY INTEREST

*(**Items of Community Interest defined below)*

10. 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)*

*** Once approved to be on the agenda, staff requests you register to speak prior to the meeting. Deadline for specific items on the agenda is Noon Tuesday prior to the Regular Meeting.**

If, during the course of the meeting, any discussion of any item on the agenda should be held in executive or closed session, the City Council will convene in such executive or closed session, in accordance with the provisions of the Government Code, Title 5, Subchapter D to consider one or more matters pursuant to the following:

Section 551.071. Private consultation with its attorney to seek advice about pending or contemplated litigation; and/or settlement offer; (2) and/or a matter in which the duty of the attorney to the government body under the Texas Disciplinary Rules of Professional Conduct of the State of Texas clearly conflicts with this chapter.

Section 551.072. To deliberate the purchase, exchange, lease or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person.

Section 551.073. To deliberate a negotiated contract for a prospective gift or donation to the state or the governmental body if deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person.

Section 551.074. To deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; or to hear a complaint or charge against an officer or employee.

Section 551.076. To deliberate the deployment, or specific occasions for implementation, of security personnel or devices.

Section 551.086. To deliberate vote or take final action on any competitive matters relating to public power utilities.

Section 551.087. To deliberate or discussion regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations; or to deliberate the offer of a financial or other incentive to a business prospect.

Section 551.088. To deliberate a test item or information related to a test item if the governmental body believes that the test item may be included in a test the governmental body administers to individuals who seek to obtain or renew a license or certificate that is necessary to engage in an activity.

After discussion of any matters in executive session, any final action or vote taken will be in public by the City Council.

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.

I certify that the above notice of meeting was posted on the bulletin board in the Municipal Building, 308 West San Antonio Street, Lockhart, Texas, on the 22nd day of April 2017 at 3:05 pm. I further certify that the following News Media was properly notified of this meeting as stated above: Lockhart Post-Register



Connie Constancio, TRMC
City Secretary



Work Session Item # _____

Reg. Mtg. Item # _____

**CITY OF LOCKHART
COUNCIL AGENDA ITEM**

CITY SECRETARY'S USE ONLY		Reviewed by Finance	<input type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable
<input type="checkbox"/> Consent <input checked="" type="checkbox"/> Regular <input type="checkbox"/> Statutory		Reviewed by Legal	<input type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable
Council Meeting Date: May 2, 2017				
Department: Planning			Initials	Date
Department Head: Dan Gibson		Asst. City Manager		
Dept. Signature: <i>Dan Gibson</i>		City Manager		<i>[Signature]</i> <i>4-28-2017</i>
Agenda Coordinator/Contact (include phone #): Dan Gibson 398-3461, x236				
ACTION REQUESTED: <input checked="" type="checkbox"/> ORDINANCE <input type="checkbox"/> RESOLUTION <input type="checkbox"/> CHANGE ORDER <input type="checkbox"/> AGREEMENT <input type="checkbox"/> APPROVAL OF BID <input type="checkbox"/> AWARD OF CONTRACT <input type="checkbox"/> CONSENSUS <input type="checkbox"/> OTHER				
CAPTION				
Hold a PUBLIC HEARING on application ZC-17-05 by Pastor Bobby Osborn, on behalf of Calvary Temple Ministries of Fentress, Texas, Inc., and discussion and/or action to consider Ordinance 2017-10, for a Zoning Change from AO Agriculture-Open Space District to CHB Commercial Heavy Business District for 3.038 acres in the Esther Berry Survey, Abstract No. 1, located at 2220 South Colorado Street (US 183).				
FINANCIAL SUMMARY				
<input checked="" type="checkbox"/> N/A <input type="checkbox"/> GRANT FUNDS <input type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input type="checkbox"/> CIP <input type="checkbox"/> BUDGETED <input type="checkbox"/> NON-BUDGETED				
SUMMARY OF ITEM				
A specific use permit was previously approved by the Planning and Zoning Commission for use of the subject property as a private school, in addition to the permitted church functions, as provided in the AO district regulations. However, a possible new use as a day care center is now being considered for the property, and it is not listed as allowed by-right or as a specific use in the AO district. The proposed CHB classification would allow the existing uses as already approved if they were to continue, and would also allow a day-care center by-right if the entire building is converted for that use. The subject property is currently flanked on both the north and south sides by CHB zoning, so this zoning change would simply fill an existing gap in the zoning pattern, consistent with the Future Land Use Plan map, which shows a commercial corridor along Colorado Street. No opposition to the zoning change has been expressed. More information is available in the attached staff report.				
STAFF RECOMMENDATION				
Staff recommends APPROVAL of Ordinance 2017-10.				
List of Supporting Documents:		Other Board or Commission Recommendation:		
Ordinance, Legal description, Zoning and Future Land Use maps, Staff report, Application form.		At their April 26 th meeting, the Planning and Zoning Commission voted unanimously to recommend APPROVAL. 5		

ORDINANCE 2017-10

AN ORDINANCE OF THE CITY OF LOCKHART, TEXAS, AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF LOCKHART, TEXAS, TO RECLASSIFY THE PROPERTY KNOWN AS 3.038 ACRES IN THE ESTHER BERRY SURVEY, ABSTRACT NO. 1, LOCATED AT 2220 SOUTH COLORADO STREET (US 183), FROM AO AGRICULTURAL-OPEN SPACE DISTRICT TO CHB COMMERCIAL HEAVY BUSINESS DISTRICT.

WHEREAS, on April 26, 2017, the Planning and Zoning Commission held a public hearing and voted unanimously to recommend approval of said change; and,

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

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

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

I. The above-referenced property described in Zoning Change request ZC-17-05 as 3.038 acres in the Esther Berry Survey, Abstract No. 1, more particularly described in Exhibit A and located at 2220 South Colorado Street (US 183), will be reclassified from AO Agricultural-Open Space District to CHB Commercial Heavy Business District.

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

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

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

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

PASSED, APPROVED, AND ADOPTED AT A REGULAR MEETING OF THE LOCKHART CITY COUNCIL ON THIS THE 2nd DAY OF MAY, 2017.

CITY OF LOCKHART

Lew White, Mayor

ATTEST:

APPROVED AS TO FORM:

Connie Constancio, TRMC, City Secretary

Peter Gruning, City Attorney

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Exhibit "A"
Page 1 of 1

All of a certain tract or parcel of land situated in the City of Lockhart, Caldwell County, Texas, and being a part of the Esther Berry Survey and being also all of a 2.99 acre tract of land conveyed to Pacific Southwest Banc by deed recorded in Volume 38, Page 657 of the Official Records of Caldwell County, Texas, and being more particularly described as follows:

BEGINNING at an angle iron found in concrete in the East line of State Highway #183 at a Southwest corner of a 12.96 acre tract of land conveyed to R. H. Henslee by deed recorded in Volume 269, Page 376 of the Deed Records of Caldwell County, Texas, for the Northwest corner this tract;

THENCE South $87^{\circ} 48' 48''$ East with a South line of the above mentioned 12.96 acre tract 411.37 feet to a 2" iron pipe found in an ell corner of the said 12.96 acre tract for the Northeast corner this tract;

THENCE South $02^{\circ} 02' 44''$ West with a West line of the said 12.96 acre tract 228.28 feet to a 2" iron pipe found in a Southwest corner of the said 12.96 acre and the North line of a 106.74 acre tract of land conveyed to Len Dure by deed recorded in Volume 84, Page 882 of the said Official Records for the Southeast corner this tract;

THENCE South $60^{\circ} 00' 00''$ West with the North line of the above mentioned 106.74 acre tract 347.26 feet to an iron pin found in the Southeast corner of a 0.414 acre tract of land conveyed to Donie Buckner by deed recorded in Volume 463, Page 605 of the said Deed Records for the most Southerly Southwest corner this tract;

THENCE North $04^{\circ} 02' 00''$ West with the East line of the above mentioned 0.414 acre tract 121.17 feet to an iron pin found for an ell corner this tract;

THENCE South $84^{\circ} 21' 26''$ West with the North line of the said 0.414 acre tract 115.92 feet to a 2" iron pipe found in the apparent East line of Old State Highway #29 for a Southwest corner this tract;

THENCE North $00^{\circ} 44' 42''$ West with the apparent East line of Old State Highway #29 37.60 feet to a point in concrete in the curving East line of U.S. Highway #183 for angle point this tract, said curve having a radius of 5789.88 feet and a central angle of $02^{\circ} 41' 05''$,

THENCE with the arc of the said curve 271.32 feet the chord of which bears North $04^{\circ} 41' 25''$ East 271.30 feet to the PLACE OF BEGINNING containing 3.038 acres of land. As surveyed by Claude F. Hinkle, RPLS #1612.



ZC-17-05

AO TO CHB

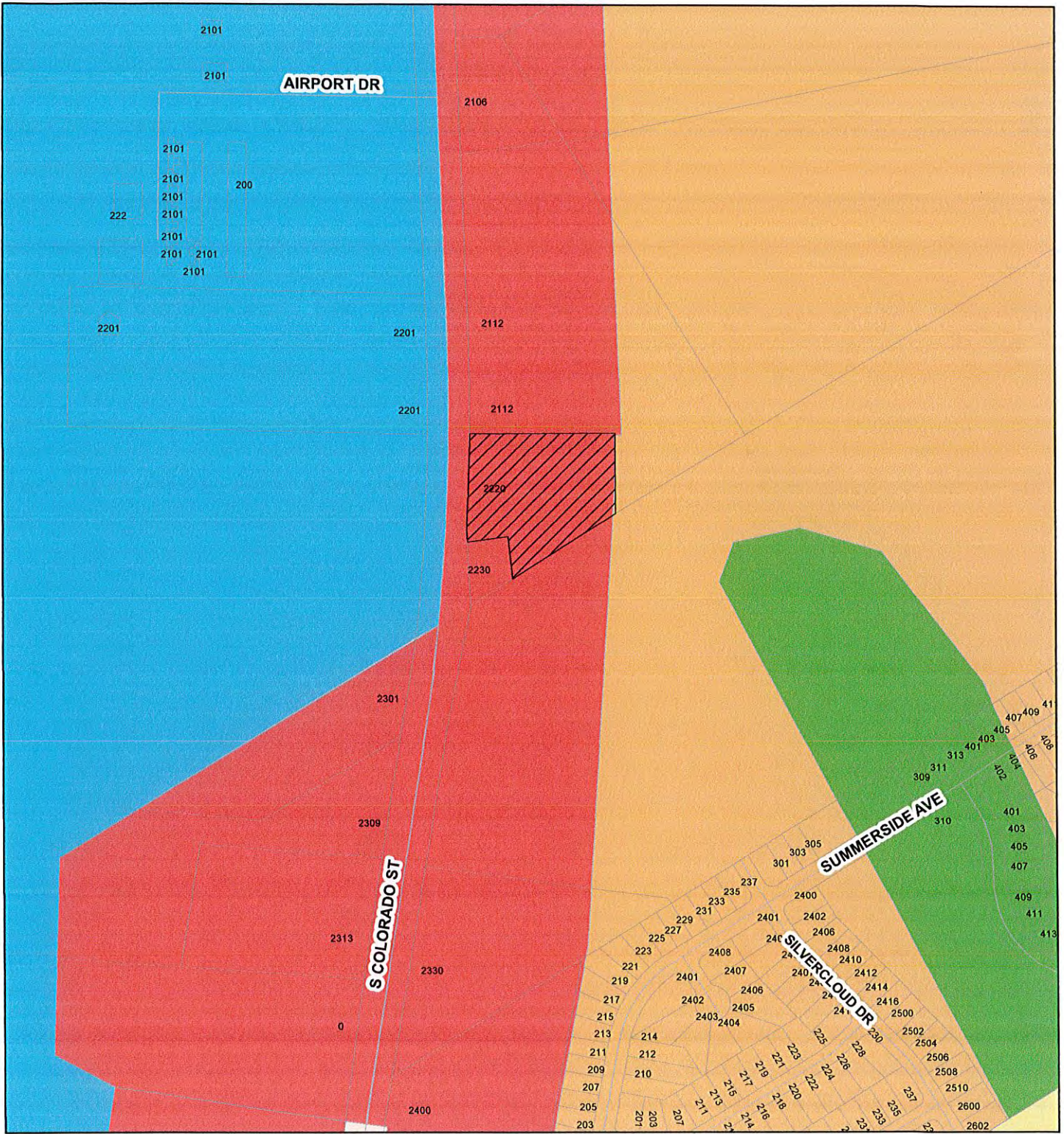
2220 SOUTH COLORADO ST (US 183)



-  LOCKHART CITY LIMITS
- ZONING DISTRICTS**
-  AGRICULTURAL-OPEN SPACE
-  COMMERCIAL HEAVY BUSINESS
-  COMMERCIAL MEDIUM BUSINESS
-  INDUSTRIAL HEAVY
-  RESIDENTIAL MEDIUM DENSITY

scale 1" = 400'

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FUTURE LANDUSE



- AGRICULTURE/RURAL DEVELOPMENT
- GENERAL-HEAVY COMMERCIAL
- PARKS AND OPEN SPACE
- PUBLIC AND INSTITUTIONAL
- RESIDENTIAL, LOW DENSITY
- RESIDENTIAL, MEDIUM DENSITY

2220 SOUTH COLORADO ST (US 183)

scale 1" = 400'

CASE SUMMARY

STAFF: Dan Gibson, City Planner
 REPORT DATE: April 18, 2017
 PLANNING AND ZONING COMMISSION HEARING DATE: April 26, 2017
 CITY COUNCIL HEARING DATE: May 2, 2017
 REQUESTED CHANGE: AO to CHB
 STAFF RECOMMENDATION: *Approval.*
 PLANNING AND ZONING COMMISSION RECOMMENDATION: *Approval*

CASE NUMBER: ZC-17-05

BACKGROUND DATA

APPLICANT(S): Bobby Osborne
 OWNER(S): Calvary Temple Ministries of Fentress, Texas, Inc.
 SITE LOCATION: 2220 S. Colorado Street (US 183)
 LEGAL DESCRIPTION: Metes and bounds
 SIZE OF PROPERTY: 3.038 acre
 EXISTING USE OF PROPERTY: Church/school
 LAND USE PLAN DESIGNATION: General-Heavy Commercial

ANALYSIS OF ISSUES

REASON FOR REQUESTED CHANGE: An SUP was previously approved for use of the subject property as a private school, in addition to the permitted church functions, as provided in the AO district regulations. However, a day care center is one use now being considered for the property, and it is not listed as allowed by-right or as a specific use in the AO district. The proposed CHB classification would allow the existing uses as already approved if they were to continue, and would also allow a day-care center by-right if the entire building is converted for that use.

AREA CHARACTERISTICS:

	Existing Use	Zoning	Land Use Plan
North	Proposed commercial development (former auto salvage yard)	CHB	General-Heavy Commercial
East	Vacant	CHB, AO	Medium Density Residential
South	Commercial, Vacant	CHB, AO	General-Heavy Commercial, Medium Density Residential
West	Vacant, Airport	IH	Public and Institutional

TRANSITION OF ZONING DISTRICTS: The subject property is currently flanked on both the north and south sides by CHB zoning, so this zoning change would simply fill an existing gap in the zoning pattern.

ADEQUACY OF INFRASTRUCTURE: All necessary utilities and vehicle access exist for this site.

POTENTIAL NEIGHBORHOOD IMPACT: The developing zoning pattern is consistent with the Future Land Use Plan map, which shows a commercial corridor along Colorado Street. In this case, the existing and proposed uses are less intensive than existing or potential uses in the nearby vicinity.

CONSISTENCY WITH COMPREHENSIVE PLAN: The requested CHB zoning classification is consistent with the Lockhart 2020 Future Land Use Plan map, which designates the subject tract as General-Heavy Commercial.

ALTERNATIVE CLASSIFICATIONS: The CLB zoning classification would allow a day care center, but the requested CHB classification is also acceptable because it provides more flexibility for other uses and completes a section of the existing CHB corridor. CLB could be unnecessarily restrictive when compared with the zoning of abutting parcels.

RESPONSE TO NOTIFICATION: None.



ZONING CHANGE APPLICATION

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

APPLICANT/OWNER

APPLICANT NAME Calvary Temple Ministries of FENTRESS, TX INC ADDRESS 2220 S. COLORADO
DAY-TIME TELEPHONE (512) 376-2110 LOCKHART TX 78644
E-MAIL the.gospellighthouse@juno.com
OWNER NAME Pastor Bobby Osborn ADDRESS 1502 Sunrise Terrace
DAY-TIME TELEPHONE (512) 304-8191 LOCKHART TX 78644
E-MAIL bosborn@austin.tx.com

PROPERTY

ADDRESS OR GENERAL LOCATION 2220 S. COLORADO
LEGAL DESCRIPTION (IF PLATTED) A001 BERRY, ESTHER, Acres 3.038
SIZE 3.038 ACRE(S) LAND USE PLAN DESIGNATION AGRICULTURAL
EXISTING USE OF LAND AND/OR BUILDING(S) CHURCH/SCHOOL
PROPOSED NEW USE, IF ANY _____

REQUESTED CHANGE

FROM CURRENT ZONING CLASSIFICATION AO AGRICULTURAL
TO PROPOSED ZONING CLASSIFICATION CHS LIGHT COMMERCIAL or COMMERCIAL
REASON FOR REQUEST THIS PROPERTY HAS BEEN ZONED AGRICULTURAL BUT HAS BEEN USED AS A SCHOOL, DAYCARE, CHURCH or FUNERAL HOME SINCE 1984. WE PLAN TO SELL THE PROPERTY BUT ANYONE WISHING TO PURCHASE WANTS PROPER ZONING OF COMMERCIAL or LIGHT COMMERCIAL.

SUBMITTAL REQUIREMENTS

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

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

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

APPLICATION FEE OF \$ 210.76 PAYABLE TO THE CITY OF LOCKHART AS FOLLOWS:

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

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

SIGNATURE *Patricia Kelly*

DATE 3-21-17

OFFICE USE ONLY

ACCEPTED BY *Christina Bonds*

RECEIPT NUMBER 725955

DATE SUBMITTED 3/30/2017

CASE NUMBER ZC - 17 - 05

DATE NOTICES MAILED 4-10-17

DATE NOTICE PUBLISHED April 13, 2017

PLANNING AND ZONING COMMISSION MEETING DATE April 26, 2017

PLANNING AND ZONING COMMISSION RECOMMENDATION Approval

CITY COUNCIL MEETING DATE May 2, 2017

DECISION _____



CITY OF LOCKHART COUNCIL AGENDA ITEM

CITY SECRETARY'S USE ONLY <input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory	Reviewed by Finance <input type="checkbox"/> Yes <input type="checkbox"/> Not Applicable			
	Reviewed by Legal <input type="checkbox"/> Yes <input type="checkbox"/> Not Applicable			
Council Meeting Date: May 2, 2017				
Department: LEDC		Initials	Date	
LEDC President: <i>Vance Rodgers</i>	City Manager	<i>[Signature]</i>	<i>4-28-2017</i>	
Dept. Signature: <i>[Signature]</i>	Rob Tobias	<i>[Signature]</i>	<i>4-28-17</i>	
Agenda Item Coordinator/Contact (include phone #): Rob Tobias Cell: 512-376-0856				
ACTION REQUESTED: <input type="checkbox"/> ORDINANCE <input checked="" type="checkbox"/> RESOLUTION <input type="checkbox"/> CHANGE ORDER <input type="checkbox"/> AGREEMENT <input type="checkbox"/> APPROVAL OF BID <input type="checkbox"/> AWARD OF CONTRACT <input type="checkbox"/> CONSENSUS <input type="checkbox"/> OTHER				
CAPTION				
DISCUSSION AND/OR ACTION TO CONSIDER RESOLUTION NO. 2017-08 OF THE CITY COUNCIL OF THE CITY OF LOCKHART, TEXAS APPROVING FUNDING UP TO \$212,031 CONTINGENT ON CREATING 35 NEW FTE JOBS WITH AN AVERAGE ANNUAL WAGE OF \$50,000 FOR THE BENNY BOYD LOCKHART LLC PROJECT AS RECOMMENDED BY THE LOCKHART ECONOMIC DEVELOPMENT CORPORATION UNDER THE TEXAS ECONOMIC DEVELOPMENT CORPORATION ACT OF 1979, FOR THE BUILDING, INFRASTRUCTURE AND RELATED IMPROVEMENTS THAT ARE REQUIRED OR SUITABLE FOR THE DEVELOPMENT, RETENTION, OR EXPANSION OF FACILITIES TO PROMOTE OR DEVELOP NEW OR EXPANDED BUSINESS ENTERPRISES, AND TO CREATE OR MAINTAIN NEW JOBS. (FIRST READING)				
FINANCIAL SUMMARY				
<input type="checkbox"/> N/A <input type="checkbox"/> GRANT FUNDS <input type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input type="checkbox"/> CIP <input type="checkbox"/> BUDGETED <input type="checkbox"/> NON-BUDGETED				
FISCAL YEAR:	PRIOR YEAR (CIP ONLY)	CURRENT YEAR	FUTURE YEARS	TOTALS
Budget				\$0.00
Budget Amendment Amount				\$0.00
Encumbered/Expended Amount				\$0.00
This Item				\$0.00
BALANCE	\$0.00	\$0.00	\$0.00	\$0.00
FUND(S):				
SUMMARY OF ITEM				
The Lockhart Economic Development Corporation (LEDC) unanimously approved LEDC Resolution 2017-05 at its board meeting on April 17, 2017. A 10-day notice of public hearing was published in the newspaper as required and a public hearing was hosted by the LEDC Board, at which Benny Boyd shared his comments on the company's plans for its proposed new auto dealership in Lockhart. There was no opposition voiced by the public. LEDC determined that the funds could be used under its discretion to promote or develop new or expanded business enterprises that create or retain jobs. <i>(A SECOND READING IS REQUIRED BEFORE CITY COUNCIL CAN VOTE ON THIS PROJECT)</i>				
STAFF RECOMMENDATION				
First reading regarding Resolution No. 2017-08 of The City of Lockhart, Texas approving a Project under Section 4B of The Texas Economic Development Corporation Act of 1979, to fund up to \$212,031 for the building, infrastructure and other related improvements related to the Benny Boyd Lockhart project.				
List of Supporting Documents: <ul style="list-style-type: none"> • Resolution 2017-08 • LEDC Public Hearing Notice • LEDC Resolution No. 2017-05 • LEDC Performance Agreement • LEDC Draft Minutes 4/17/17 		Other Departments, Boards, Commissions or Agencies:		

RESOLUTION NO. 2017-08

A RESOLUTION OF THE CITY COUNCIL OF LOCKHART, TEXAS APPROVING FUNDING UP TO \$212,031 CONTINGENT ON CREATING 35 NEW FTE JOBS WITH AN AVERAGE ANNUAL WAGE OF \$50,000 FOR THE BENNY BOYD LOCKHART, LLC PROJECT AS RECOMMENDED BY THE LOCKHART ECONOMIC DEVELOPMENT CORPORATION UNDER THE TEXAS ECONOMIC DEVELOPMENT CORPORATION ACT OF 1979, FOR THE BUILDING, INFRASTRUCTURE, AND RELATED IMPROVEMENTS THAT ARE REQUIRED OR SUITABLE FOR THE DEVELOPMENT, RETENTION, OR EXPANSION OF FACILITIES TO PROMOTE OR DEVELOP NEW OR EXPANDED BUSINESS ENTERPRISES, AND TO CREATE AND MAINTAIN NEW JOBS.

WHEREAS, the Texas Economic Development Act of 1979 (the Act) provides for the funding of certain projects for the development, retention, or expansion, of manufacturing and industrial facilities, including expenditures required or suitable for infrastructure necessary to promote or develop new or expanded business enterprises, and to create or retain primary jobs within state; and

WHEREAS, Lockhart Economic Development Corporation (LEDC) proposes project in an amount not to exceed \$212,031 in funds for building, infrastructure and other costs associated with this development to create 35 new FTE jobs with an average annual wage of \$50,000; and

WHEREAS, the LEDC has determined that Benny Boyd Lockhart, LLC. (BBL), project (a) meets the requirements for a project under the Act; (b) serves as a public purpose by contributing to the development, retention, or expansion facilities, including expenditures required or suitable for building, infrastructure and related improvements necessary to promote or develop new or expanded business enterprises, and to the creation or retention of jobs within the City, County and State; and (c) should be approved and funded.

WHEREAS, the LEDC held a public hearing and discussed and approved this project on April 17, 2017

NOW, THEREFORE, BE IT RESOLVED, by the Lockhart City Council as follows:

SECTION 1. The facts and findings described in the preamble of this resolution are incorporated herein as if fully set out.

SECTION 2. The infrastructure improvements project costs and other associated development costs are HEREBY APPROVED as follows:

The LEDC shall reimburse incentives up to \$212,031 for building, infrastructure and other development costs as set out in attached, and subject to the conditions set out herein and in

Chapter 501, 504, and 505 of the Texas Economic Development Corporation Act of 1979 and subject to conditions stated in LEDC Performance Agreement.

SECTION 3. That the Lockhart Economic Development Corporation proposes the project to the Lockhart City Council for approval of building, infrastructure and related improvements and professional services in an amount not to exceed \$212,031 in consideration of the creation of 35 FTE jobs with an average annual wage of \$50,000 and for the development and retention which may include expenditures required or suitable for infrastructure necessary to promote or develop a new or expanded business enterprise.

PASSED AND ADOPTED at a regular meeting of the Lockhart City Council held on this 2nd day of May 2017.

City of Lockhart

ATTEST:

Lew White, Mayor

Connie Constancio, TRMC
City Secretary

**LOCKHART ECONOMIC DEVELOPMENT CORPORATION
PUBLIC HEARING NOTICE**

The Directors of the Lockhart Economic Development Corporation (LEDC) will conduct a public hearings on Monday, April 17, 2017, at 6:00 p.m. in the Upstairs at Lockhart City Hall, 308 West San Antonio Street, Lockhart, Texas to discuss two projects under Section 4B of the Texas Economic Development Corporation Act of 1979.

Public Hearing #1 is to consider a new project by the Benny Boyd Auto Group which wishes to expand to Lockhart. The company plans to purchase property on which to build an automotive center. The initial capital investment is estimated at \$3,500,000 and the company will create a minimum of 35 new jobs. The LEDC will be considering possible reimbursable incentives to be offered to the company to help facilitate their expansion to and investment in Lockhart.

Public Hearing #2 is to consider a new project by Chunilal Inc. (Schlotzsky's). The initial total investment is estimated at \$1,800,000 and the company will provide a minimum of 15 newly created jobs. The LEDC will be considering possible reimbursable incentives to be offered to the company to help facilitate their expansion to and investment in Lockhart.

All interested parties are encouraged to attend and present their views. Persons with disabilities that plan to attend this meeting should contact the City Secretary's office to arrange for assistance. Individuals who require aids or services for this meeting should contact City Hall at least two days before the meeting.

Lockhart Economic Development Corporation

**LOCKHART ECONOMIC DEVELOPMENT CORPORATION
RESOLUTION NO. 2017-05**

A RESOLUTION OF LOCKHART ECONOMIC DEVELOPMENT CORPORATION (LEDC) FOR FUNDING OF A PROJECT UNDER THE TEXAS ECONOMIC DEVELOPMENT CORPORATION ACT OF 1979, FOR THE BULDING, INFRASTRUCTURE, AND RELATED IMPROVEMENTS THAT ARE REQUIRED OR SUITABLE FOR THE DEVELOPMENT, RETENTION, OR EXPANSION OF FACILITIES TO PROMOTE OR DEVELOP NEW OR EXPANDED BUSINESS ENTERPRISES, AND TO CREATE AND MAINTAIN NEW JOBS.

WHEREAS, the Lockhart Economic Development Corporation (“LEDC”) is a Type B corporation created and operated pursuant to the Texas Economic Development Act of 1979, as amended (“the Act”); and

WHEREAS, the Act provides for the funding of certain projects for the development, retention, or expansion of facilities, including expenditures required or suitable for infrastructure necessary to promote or develop a new or expanded business enterprises, create or retain jobs within the state, promote new or expanded business development, and construct infrastructure for new or expanding businesses; and

WHEREAS, LEDC proposes project in an amount not to exceed \$212,031 in funds for building, infrastructure and other costs associated with this development to create new jobs; and

WHEREAS, the LEDC has determined that Benny Boyd Lockhart, LLC. (BBL), project (a) meets the requirements for a project under the Act; (b) serves as a public purpose by contributing to the development, retention, or expansion facilities, including expenditures required or suitable for building, infrastructure and related improvements necessary to promote or develop new or expanded business enterprises, and to the creation or retention of jobs within the City, County and State; and (c) should be approved and funded.

NOW, THEREFORE, BE IT RESOLVED BY THE LOCKHART ECONOMIC DEVELOPEMNT CORPORATION THAT:

SECTION 1. The facts and findings described in the preamble of this resolution are incorporated herein as if fully set out.

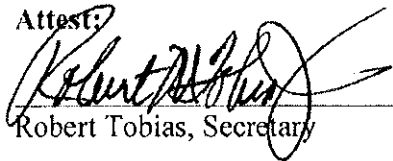
SECTION 2. The infrastructure improvements project costs and other associated development costs are HEREBY APPROVED as follows:

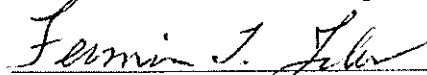
The LEDC shall reimburse incentives up to \$212,031 for building, infrastructure and other development costs as set out in attached and subject to the conditions set out herein and in Chapter 501, 504, and 505 of the Texas Economic Development Corporation Act of 1979.

PASSED AND ADOPTED at a regular meeting of the Lockhart Economic Development Corporation held on this 17th day of April 2017.

Lockhart Economic Development Corp.

Attest:


Robert Tobias, Secretary



Fermin T. Islas, Chairperson



Vance Rodgers, President

**LOCKHART ECONOMIC DEVELOPMENT CORPORATION
 POTENTIAL VALUE OF INCENTIVES PACKAGE
 PROSPECT: BENNY BOYD, S COLORADO CAR DEALERSHIP**

Incentives to locate to Lockhart with an average of 35 FTE jobs with an average annual salary/wage of \$50,000, not including owners, to be maintained over the initial 3 year period

LEDC INCENTIVES PROPOSED	*****INCENTIVE AMOUNT UP TO*****
* 35 new jobs with average annual wage of \$50,000 @\$2,000 per job; pay 1/3 each 12 months of the three year agreement with payroll proof provided.	\$70,000
Will reimburse within 3 yrs on \$3.5 million of investment for improvements/equipment after Certificate of Occupation is issued provided jobs requirements are met	\$87,500
Impact Fees: Water/Sewer/ Road upon proof of payment	\$54,531
LEDC INCENTIVES PROPOSED	\$212,031

* 35 new jobs required at an average annual wage of \$50,000

NOTE: ALL SUBJECT TO APPROVAL OF GOVERNING BODIES

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ECONOMIC DEVELOPMENT PERFORMANCE AGREEMENT

This Economic Development Performance Agreement ("Agreement") is made and entered into by and between THE LOCKHART ECONOMIC DEVELOPMENT CORPORATION OF LOCKHART, TEXAS ("LEDC"), a Type B Economic Development Corporation, and Benny Boyd Lockhart LLC. (BBL), a Texas limited liability corporation referenced as BBL in this document.

RECITALS

WHEREAS, BENNY BOYD LOCKHART LLC (BBL) desires to expand to the City of Lockhart, Texas ("City") and participate in the Economic Development Program established in this Agreement; and

WHEREAS, the LEDC desires to establish the Economic Development Program outlined herein and to offer incentives to BBL to locate such business in the City; and

WHEREAS, LEDC is authorized to promote state and local economic development and to stimulate business and commercial activity within the City, and LEDC has determined that substantial economic benefits, including an increase in the City's tax rolls, an increase in sales tax revenues, and the creation of new opportunities for local employment, will accrue to the City and the surrounding area, if such business is successfully developed on such property; and

WHEREAS, LEDC and BBL desire to enter into this Agreement in order to comply with Sec. 501.158, Texas Local Government Code, which requires an economic development corporation, in order to offer incentives or make expenditures on behalf of a business enterprise under a project, to enter into a performance agreement that addresses a schedule of jobs created or retained, capital investment to be made, direct incentives provided, and the terms under which repayment shall be made in the event a business enterprise does not meet the requirements specified in the Agreement;

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

AGREEMENTS

Section 1. Recitals

The recitals set forth above are incorporated herein by reference as if fully set forth in their entirety.

Section 2: Term

The term of this Agreement shall be three (3) years from the 1st day of the month following the beginning of business operations by BENNY BOYD LOCKHART LLC (BBL). When used hereafter, the phrase "duration of this Agreement" shall mean the term as defined above.

Section 3. LEDC Requirements

In consideration of BENNY BOYD LOCKHART LLC.'s (BBL) agreement to locate its business within the City and to perform the other acts hereinafter described, LEDC agrees it will pay up to \$212,031 for building, infrastructure, and other associated development costs which will create 35 FTE jobs with an average annual wage of \$50,000 per year which are subject to the conditions set out herein and in Chapter 505 of the Local Government Code (formerly Section 4B, of the Texas Economic Development Corporation Act of 1979). The amount of financial benefit that BBL will retain from the LEDC project funds is subject to the number of jobs created, as described in 4(c) below and as stated in Attachment A attached hereto and part of the Agreement.

Section 4. BENNY BOYD LOCKHART LLC. Requirements

In consideration of LEDC agreeing to perform the foregoing, BENNY BOYD LOCKHART LLC. (BBL) agrees:

- (a) To locate, purchase land, and invest a minimum of \$3.5 million to construct a building and other improvements;
- (b) To employ a minimum of thirty-five (35) Full Time Equivalent ("FTE") employees from the date that BBL opens for business and to continue employing at least that number thereafter until the end of the term of this Agreement. The term "Full Time Equivalent," as used in this Agreement, shall mean employment worked by one or more people during a calendar year that is equal to a total of at least 2,080 hours; provisions in Attachment A are applicable.
- (c) Pursuant to Section 3, the yearly proportion of financial benefit that BBL will retain from the LEDC project funds expended will be determined by the number of FTE employees during each year of the agreement divided by thirty-five (35) up to 100%. The minimum number of FTE employees that must be maintained from Year One (1) through Year Three (3) of this Agreement to retain all of the financial benefit is thirty-five (35); provisions in Attachment A are applicable.
- (d) Pursuant to Attachment A requirements for jobs and investment, BBL will submit reimbursement requests with sufficient proof as stated in the attachment within 90 days after being open 1 year, within 90 days after being open 2 years, and within 90 days after being open 3 years. Failure to submit

the reimbursement requests within the day periods will result in no reimbursement.

- (e) To keep current in the payment of taxes owed to any taxing jurisdiction in which the Property is located.

Section 5. Recapture/Termination

(a) In the event that BENNY BOYD LOCKHART LLC. (BBL) begins operating its business, but subsequently discontinues operating its business in such for any reason (a "Business Interruption"), except as a result of fire, explosion, or other casualty or accident, force majeure or other natural disaster, war or civil unrest, a taking under eminent domain, regulatory restrictions of any applicable governmental entity which makes conduct of the BBL illegal or economically untenable, or other event beyond the reasonable control of BB: (the "Business Interruption Exceptions") for a period of more than one hundred eighty (180) days during the duration of this Agreement, then in such event BBL shall be required to repay to LEDC any monies expended by the LEDC under Section 3 of this Agreement within thirty (30) days of written demand therefore following the expiration of such period.

(b) In the event that BENNY BOYD LOCKHART LLC. (BBL) shall fail to repay the LEDC within thirty (30) days of the date such repayment is due, BBL hereby agrees that the LEDC may place a lien on the Properties for full repayment of any monies expended. The burden shall be upon BBL to prove to the satisfaction of the LEDC that the discontinuance of operating its business was a result of one of the Business Interruption Exceptions. In the event BBL meets this burden and the LEDC is satisfied that the discontinuance of the operation of the manufacturing facility was the result of events beyond the control of BBL, the parties shall commemorate such satisfaction in a document signed and dated by the Parties. BBL shall then have a period of one (1) year from the date operations of its business were discontinued in which to resume business operations.

(c) In the event that following a Business Interruption which may reasonably be cured within one year of the cessation of business operations, business operations fail to resume within one (1) year, BENNY BOYD LOCKHART LLC (BBL) shall be required to repay LEDC any monies expended by the LEDC under Section 3 of this Agreement within thirty (30) days of written demand therefore following the expiration of the one year period. In the event that BBL shall fail to timely repay the LEDC, BBL hereby agrees that the LEDC may place a lien on the Properties for full payment of such monies.

(d) In the event that BENNY BOYD LOCKHART LLC. (BBL) allows ad valorem taxes owed to the City of Lockhart, Texas on the Property, or its business personal property or inventory to become delinquent and fails to timely and properly follow the legal procedures for their protest or contest, BBL shall be required to repay LEDC any monies expended by the LEDC under Section 3 of this Agreement within thirty (30) days of written demand therefore following such event. In the event that BBL shall fail to timely

repay the LEDC, BBL hereby agrees that the LEDC may place a lien on BBL assets for full payment of such monies.

Section 6. Certification of Compliance by BENNY BOYD LOCKHART LLC. (BBL)

Each year that this Agreement is in effect, BENNY BOYD LOCKHART LLC. (BBL) shall certify in writing to the LEDC that it is in compliance with all provisions of this Agreement. Such certification shall include any and all documentation required by the LEDC establishing that BBL has met the annual employment and investment requirements as shown in Attachment A for the previous year and that all taxes related to the Property have been paid in full as required by law. The LEDC, upon reasonable notice and at any reasonable time, shall have the right to review any and all records of BBL related to the provisions of this Agreement, including but not limited to FTE positions created or retained, capital investments made, and use or distribution of and direct incentives received.

Section 7. Dispute Resolution, Applicable Law, Venue, and Attorneys Fees

(a) In the event of any controversy or claim arising out of or relating to this Agreement or the breach of this Agreement, the parties shall attempt in good faith to resolve the same by good faith mediation before a mediator agreed to by the parties. LEDC and BENNY BOYD LOCKHART LLC. (BBL) expressly waive any statutory or other legal requirement that may exist for serving notices or engaging in alternative dispute resolution prior to doing so.

(b) In the event that the claim or controversy is not settled by mediation or any other alternative dispute resolution method agreed to by the parties, either party may file suit in a court of competent jurisdiction sitting in the State of Texas. Venue shall lie in Caldwell County, Texas. The prevailing party in any litigation arising out of this Agreement shall be entitled to recover its reasonable and necessary costs and attorney's fees from the non-prevailing party pursuant to applicable law.

Section 8. Entire Agreement

This Agreement, when executed, contains the entire agreement between the LEDC and BENNY BOYD LOCKHART LLC. (BBL) with respect to the transactions contemplated herein. This Agreement may be amended, altered, or revoked only by written instrument signed by the LEDC and BBL.

Section 9. Successors and Assigns

This Agreement may not be assigned to any third party by BENNY BOYD LOCKHART LLC. (BBL) without the written consent of LEDC. In the event of such assignment or in the event of legal succession of BBL's interest in this Agreement by

operation of law, this Agreement shall be binding on and inure to the benefit of such assign or successor.

Section 10. Notices

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

BENNY BOYD LOCKHART LLC (BBL).:

Russell Waters
Chief Operating Officer
BENNY BOYD LOCKHART LLC.
601 N. Key Avenue
Lampasas, Texas 76550

Lockhart Economic Development Corporation:

President
Lockhart Economic Development Corporation
308 W. San Antonio
P.O. Box 239
Lockhart, TX 78644

Section 11. Interpretation

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

Section 12. Severability

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

Section 13. Mutual Assistance

LEDC and BENNY BOYD LOCKHART LLC. (BBL) agree to do all things reasonably necessary and appropriate to carry out the terms and provisions of this Agreement and to aid and assist each other in carrying out such terms and provisions.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the 26th day of April, 2017.

THE LOCKHART ECONOMIC DEVELOPMENT CORPORATION:

Vance Rodgers
Vance Rodgers, LEDC President

ATTEST:

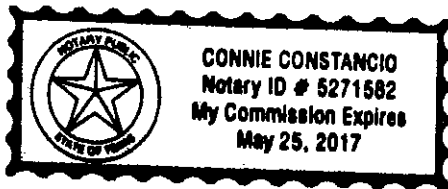
Robert Tobias
Robert Tobias, LEDC Secretary

Benny Boyd Lockhart LLC:

Russell Waters
Russell Waters, Chief Operating Officer

State of Texas)
)
County of Caldwell)

The foregoing instrument was acknowledged before me this 26th day of April, 2017, by Vance Rodgers, known to me to be the President of the Lockhart Economic Development Corporation of Lockhart, Texas.



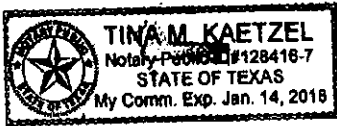
Connie Constancio
Notary Public State of Texas


My Commission expires:
May 25, 2017

State of Texas)
)
County of L. A. M. P. A. S. A.

The foregoing instrument was acknowledged before me this 26 day of

FEBRUARY, 2017, by Russell Waters, known to me to be the Chief Operating Officer of Benny Boyd Lockhart L.L.C. (BBL), a Texas Limited Liability Corporation, acting on behalf of such corporation.




Notary Public State of Texas

My Commission expires:

1-14-18

**LOCKHART ECONOMIC DEVELOPMENT CORPORATION
 POTENTIAL VALUE OF INCENTIVES PACKAGE
 PROSPECT: BENNY BOYD, S COLORADO CAR DEALERSHIP
 Attachment A**

Incentives to locate to Lockhart with an average of 35 FTE jobs with an average annual salary/wage of \$50,000, not including owners, to be maintained over the initial 3 year period

LEDC INCENTIVES PROPOSED	*****INCENTIVE AMOUNT UP TO*****
* 35 new jobs with average annual wage of \$50,000 @\$2,000 per job; pay 1/3 each 12 months of the three year agreement with payroll proof provided in the form of a payroll register showing names and wages	\$ 70,000
Will reimburse within 3 yrs on \$3.5 million of investment for improvements/equipment after Certificate of Occupation is issued provided job requirements and payroll proof is provided as stated above to be submitted every 12 months for 3 years for reimbursement consideration	\$ 87,500
Impact Fees: Water/Sewer/ Road upon proof of payment	\$ 54,531
LEDC INCENTIVES PROPOSED	\$ 212,031

*Incentives contingent on % of jobs and applicable investment amount
achieved during the 3 year period

NOTE: ALL SUBJECT TO APPROVAL OF GOVERNING BODIES

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EXECUTIVE SESSIONS in accordance with the provisions of the Government Code, Title 5, Subchapter D, Section 551.087 to deliberate or discuss regarding commercial or financial information that the governmental body has received from a business prospect that the governmental bodies seeks to have locate, stay, or expand in or near the territory of the governmental bodies and with which the governmental body is conducting economic development negotiations; or to deliberate the offer of a financial or other incentive to a business prospect.

- A. Discussion regarding Benny Boyd Lockhart LLC. and proposed incentive to expand its business to Lockhart with an estimated initial investment of \$3.5 million investment and creating and maintaining a minimum of 35 new full time equivalent jobs with an average annual wage of \$50,000.
- B. Discussion regarding Chulinal Inc. (Schlotzsky's) and proposed incentive to expand its business to Lockhart with an estimated initial investment of \$1.4 million and creating and maintaining 15 new jobs with an average annual wage of \$16,416.

4. **CLOSE EXECUTIVE SESSIONS** *Close Executive Session at 6:58 PM.*

Motion: Bernie Rangel *Second: Morris Alexander* *Vote: 7 of 7*

Notice of public hearings were published in newspaper as required.

5. **PUBLIC HEARING**

Open Public Hearing at 6:58 PM.

- A. Hold a public hearing regarding the proposed development by the Benny Boyd Lockhart LLC. that includes an initial estimated investment of \$3.5 million and the employment of a minimum of 35 full time equivalent employees with an average annual wage of \$50,000 to be maintained over the three (3) year agreement period with reimbursable incentives worth up to \$212,031.

*Is there anyone present who would like to speak in opposition to the proposed project and incentives?
There was none.*

*Is there anyone present who has not spoken that is in favor of the proposed project and incentives?
There was none.*

Benny Boyd addressed the LEDC Board and stated that they have desired to have a facility in Lockhart for a while now. He stated they have many things to offer the community. It was stated that approximately 30% of their sales is expected to come from residents of Lockhart and Caldwell County. About 60% would come from other communities.

Close Public Hearing at 7:03 PM.

- B. Hold a public hearing regarding the proposed development by Chulinal Inc. that includes an initial estimated investment of \$1.4 million and the employment of a minimum of 15 employees with an average annual wage of \$16,416 to be maintained over the three (3) year agreement period with reimbursable incentives worth up to \$75,146.

Motion to approve proposed Economic Development Performance Agreement and authorize the LEDC President to move forward with any negotiation that might be necessary for the agreement:

Motion: Morris Alexander Second: Alan Fielder Vote: 7 of 7

7. **DISCUSSION ONLY**

A. Discussion regarding the Arete Emergency Health Care Project

Mr. Rodgers stated Arete expects to purchase the property by mid-May which is approximately 16 acres. He stated they have submitted a drawing of where they would like to build. This building will be approximately 10,000 square feet. The proposed location is around Borchert Loop and City Line Road. One of the facilities will be a 24-hour emergency facility with doctors on site. The other side of the facility will be for acute care.

B. Discussion regarding other Economic Development Activity (see report referenced).

Mr. Tobias reviewed the report generated for the LEDC Board as to the ongoing projects and various Economic Development activity.

8. **ADJOURN**

Motion to adjourn:

Motion: Bernie Rangel Second: Morris Alexander Vote: 7 of 7

**LOCKHART CITY COUNCIL
REGULAR MEETING**

APRIL 18, 2017

6:30 P.M.

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

Council present:

Mayor Pro-Tem Angie Gonzales-Sanchez
Councilmember Juan Mendoza
Councilmember Brad Westmoreland

Mayor Lew White
Councilmember John Castillo
Councilmember Jeffry Michelson

Council absent:

Councilmember Benny Hilburn

Staff present:

Vance Rodgers, City Manager
Dan Gibson, City Planner

Connie Constancio, City Secretary
Jeff Hinson, Finance Director

Citizens/Visitors Addressing the Council: Stephen Van Manen of Harrison, Waldrop & Uherek, and, Oscar Fogle and Carrie Kasnicka of the Guadalupe-Blanco River Trust.

Work Session 6:30 p.m.

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

PRESENTATION ONLY

A. Presentation of proclamations declaring April 2017 as *Child Abuse and Sexual Assault Awareness and Prevention Month*.

Mayor White presented the proclamations to Representatives of the Hays-Caldwell Women’s Center.

DISCUSSION ONLY

A. DISCUSS MINUTES OF THE CITY COUNCIL MEETING OF APRIL 4, 2017.

Mayor White requested corrections to the minutes. There were corrections.

B. PRESENTATION AND DISCUSSION REGARDING THE CITY OF LOCKHART’S AND COMPONENT UNIT’S FISCAL YEAR 2015-2016 FINANCIAL AUDIT BY HARRISON, WALDROP & UHEREK, L.L.P.

Stephen Van Manen of Harrison, Waldrop & Uherek presented information and there was discussion regarding the audit. He stated that it is the firms’ opinion, the financial statements referred to in the report fairly, in all material respects, the respective financial position of the governmental activities, the business-type activities, the aggregate discretely presented component unit, each major fund, and the aggregate remaining fund information of the City as of September 30, 2016, and the respective changes in financial position and, where applicable, cash flows thereof for the year then ended in accordance with accounting principles generally accepted in the United States of America.

C. DISCUSS THE 2ND QUARTER FISCAL YEAR 2017 INVESTMENT REPORT.

Mr. Hinson stated that the Texas Public Investment Act requires local governments to review and accept a Quarterly Investment report for each quarterly reporting period of the year. He provided information and there was discussion regarding the following topics in the 2nd Quarter Fiscal Year 2017 report, ending March 31, 2017:

- Quarterly Investment Report.
- Investment Portfolio Summary.
- Cash Accounts.
- Marketable Securities Transaction Summary.
- Investment Pool Transactions Summary.
- Certificates of Deposit Transaction Summary.
- Investment Pools.
- Bank of the Ozarks Collateralization.

D. DISCUSS ORDINANCE 2017-09 AMENDING CHAPTER 31 “IMPACT FEES”, LOCKHART CODE OF ORDINANCES, ARTICLE I “GENERAL PROVISIONS”, SECTION 31-19 “EXCEPTIONS” WITH REGARD TO THE IMPLEMENTATION OF THE NEW COLLECTION RATES FOR WATER, WASTEWATER, AND ROADWAY IMPACT FEES ADOPTED IN ORDINANCE 2017-08 ON APRIL 4, 2017.

Mr. Gibson stated that on April 4, 2017, the Council adopted Ordinance 2017-08 amending Chapter 31 to update the impact fee land use assumptions, the water, wastewater, and roadway capital improvement plans, and the impact fees to be assessed and collected. One part of that ordinance amended Section 31-19, which contains a list of exceptions where the impact fees are either permanently or temporarily adjusted for specific circumstances. As adopted, subsection (b) waived the increase in their impact fee collection rates for new construction on lots shown on a development plat or final plat submitted and accepted before October 1, 2017. Staff later realized that it left it unclear as to the collection rate of impact fees prior to October 1, 2017 on lots that are not required to be platted, and also for permits submitted for building additions. Staff also recommends that instead of vesting lots shown on plats that are “submitted and accepted” by October 1, it should vest lots that are shown on a plat that is “approved” by October 1, 2017. Further, because there is no guarantee how soon after a plat is approved and the subdivision is constructed that building permits will be submitted for lots on the plat, the vesting could be in effect for many years beyond a reasonable time that staff should be expected to keep track of the different amount of impact fees to be charged. Two years from October 1, 2017 should be sufficient time for a subdivision to be constructed and for its lots to be developed. After that, the new impact fees should apply. The amendment is proposed to correct all the deficiencies. Mr. Gibson recommended approval.

There was discussion.

E. DISCUSSION AFTER UPDATE PRESENTATION BY A GUADALUPE-BLANCO RIVER TRUST (GBRT) REPRESENTATIVE REGARDING THE WETLAND MITIGATION SITE LOCATED AT THE NORTHWEST CORNER OF US 183 AT PLUM CREEK.

Oscar Fogle of the Guadalupe-Blanco River Trust provided brief information about wetland mitigation site and introduced Carrie Kasnicka who would give the presentation.

Carrie Kasnicka, Executive Director of the Guadalupe-Blanco River Trust (GBRT) provided an update and information about the wetland mitigation site that the GBRT has accomplished and their plans for the future.

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

REGULAR MEETING

ITEM 1. CALL TO ORDER.

Mayor Lew White called the regular meeting of the Lockhart City Council to order on this date at 7:45 p.m.

ITEM 2. INVOCATION, PLEDGE OF ALLEGIANCE.

Invocation - Ministerial Alliance.

Pledge of Allegiance to the United States and Texas flags.

ITEM 3. CITIZENS/VISITORS COMMENTS.

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

ITEM 4. CONSENT AGENDA.

Mayor Pro-Tem Sanchez requested that consent agenda item 4A is pulled for further discussion.

Councilmember Michelson made a motion to approve consent agenda items 4B, 4C, and 4D. Councilmember Mendoza seconded. The motion passed by a vote of 6-0.

The following are the consent agenda items that were approved:

- 4B: Accept the City of Lockhart's and Component Unit's Fiscal Year 2015-2016 Financial Audit by Harrison, Waldrop & Uherek, L.L.P.
- 4C: Accept the 2nd Quarter Fiscal Year 2017 Investment Report.
- 4D: Approve Ordinance 2017-09 amending Chapter 31 "Impact Fees", Lockhart Code of Ordinances, Article I "General Provisions", Section 31-19 "Exceptions" with regard to the implementation of the new collection rates for water, wastewater, and roadway impact fees adopted in Ordinance 2017-08 on April 4, 2017.

ITEM 4-A. APPROVE MINUTES OF THE CITY COUNCIL MEETING OF APRIL 4, 2017.

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

ITEM 5-A. DISCUSSION AND/OR ACTION AFTER UPDATE PRESENTATION BY A GUADALUPE-BLANCO RIVER TRUST (GBRT) REPRESENTATIVE REGARDING THE WETLAND MITIGATION SITE LOCATED AT THE NORTHWEST CORNER OF US 183 AT PLUM CREEK.

Mayor Pro-Tem Sanchez made a motion to accept the report presented by the Guadalupe-Blanco River Trust. Councilmember Mendoza seconded. The motion passed by a vote of 6-0.

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

Mayor White requested appointments to various boards, commissions or committees. There were none.

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

- Update: US Hwy 183 expansion project, Blackjack to Wal-Mart; the last design puts all drainage waters on the west side until it gets down to the ditch between Smith Supply and Walmart; West side almost complete.
- Update: Drainage work continues on Mesquite, Braden, Wichita, and Vega Street areas; detention ponds and other work complete with some minor clean up left.
- Update: E Walnut Street Neighborhood Drainage Project, utility clearance work completed; contract putting down first course of base soon, most the curb and driveways in place.
- Update: Bid advertisements for the Ash, Comal, and Pine Street Drainage Project are out with bid openings on May 9. A neighborhood meeting has been set up for Tuesday, May 9, at 6:00 pm at City Hall. All people living on these streets will receive a letter of invitation the week before.
- Update: Wastewater y main extension project along railroad is being advertised and bids will open on May 9.
- Reminder: City Wide Residential Spring Clean Up is by area on every Wednesday in April.
- Report: Don't Mess with Texas Trash Off on Saturday, April 8th.
- Report: 11th Annual Lockhart Kiwanis 5K Stampede or 1K Fun Run/Walk, Saturday, April 15th.
- Report: The Texas Mustang Club display at the First Lockhart Baptist Church Parking lots on W. Prairie Street starting at 1 pm Saturday, April 15, after the Kiwanis events.
- Reminder Fiesta de Mariachi in the Library April 29, 2017 from 7 p.m. to 10:00 pm at Clark Library.
- Reminder Celebrating Dia de los Ninos on Wednesday, April 26, 2017 in the Library. Arts and crafts, story time readers that will include Mayor White, Chief of Police, and Mrs. Bohn. Poster and flyer will go out.
- Announcement: Taking City Pool Lifeguard Applications.
- Appreciation: Telecommunicator Week of April 9 -15th including our 911 Dispatchers.
- Reminder: Submit goals to City Manager. A goals workshop will be scheduled soon.
- Reminder: Submit five prioritized goals to City Manager by Wednesday April 26. A goals workshop will be scheduled soon.
- Reminder: Cinco de Mayo-first weekend in May, Friday and Saturday, Downtown.

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

Councilmember Westmoreland thanked Central Texas Refuse and staff for offering the free spring clean pickup. He congratulated the Kiwanis Club on a successful 5K run.

Councilmember Mendoza reminded citizens about the free spring clean pickup that was scheduled for the north part of City District 1 and 2 on April 19. There was brief discussion about summer work hours for Parks and Public Works employees.

Mayor Pro-Tem Sanchez expressed condolences to the family of Edward Rodriguez for their loss. She congratulated the Kiwanis Club for a successful 5K run.

Councilmember Castillo thanked city and street contractor employees for their work on the drainage improvements project currently underway in City District 2. He also reminded citizens about the free spring clean pickup of which part of City District 2 will be picked up on April 19. He congratulated the Kiwanis Club for the successful 5K event. Upcoming events: Mariachi Festival and Gaslight-Baker Theatre Gala will both be held on April 29. He encouraged citizens to attend the Commissioners Court meeting on Monday, April 24 at 7pm in the Courthouse, 2nd floor about the proposed landfill.

Councilmember Michelson congratulated the Lockhart Softball team for their accomplishment in making it to the playoffs.

Mayor White congratulated the Kiwanis Club for a successful 5K run and the Mustang Club for a successful car show on April 15. He announced upcoming events: Relay for Life on April 22, Mariachi Festival and Gaslight-Baker Theatre Gala on April 29. He announced that he will not be able to attend the National Day of Prayer event on May 4 or the Cinco de Mayo event on May 5. He thanked volunteer committee/board members for their service to the community.

ITEM 8. ADJOURNMENT.

Mayor Pro-Tem Sanchez made a motion to adjourn the meeting. Councilmember Mendoza seconded. The motion passed by a vote of 6-0. The meeting was adjourned at 8:10 p.m.

PASSED and APPROVED this the 2nd day of May 2017.

CITY OF LOCKHART

Lew White, Mayor

ATTEST:

Connie Constancio, TRMC
City Secretary



Work Session Item # _____

Reg. Mtg. Item # _____

**CITY OF LOCKHART
COUNCIL AGENDA ITEM**

CITY SECRETARY'S USE ONLY <input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory		Reviewed by Finance	<input type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable
		Reviewed by Legal	<input type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable
Council Meeting Dates: May 2, 2017				
Department: City Manager			Initials	Date
Department Head: Vance Rodgers		Asst. City Manager		
Dept. Signature: <i>Vance Rodgers</i>		City Manager		<i>[Signature]</i> <i>4:28.2017</i>
Agenda Item Coordinator/Contact (include phone #): Vance Rodgers				
ACTION REQUESTED: <input type="checkbox"/> ORDINANCE <input type="checkbox"/> RESOLUTION <input type="checkbox"/> CHANGE ORDER <input type="checkbox"/> AGREEMENT <input type="checkbox"/> APPROVAL OF BID <input type="checkbox"/> AWARD OF CONTRACT <input type="checkbox"/> CONSENSUS <input checked="" type="checkbox"/> OTHER				
CAPTION				
Discussion and/or action regarding funding participation in an amount not to exceed \$75,000 with Lockhart Partners II for drainage improvements on Maple Street east of the Meadows at Clearfork Phase III subdivision development				
FINANCIAL SUMMARY				
<input type="checkbox"/> N/A <input type="checkbox"/> GRANT FUNDS <input type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input type="checkbox"/> CIP <input type="checkbox"/> BUDGETED <input type="checkbox"/> NON-BUDGETED				
FISCAL YEAR:	PRIOR YEAR (CIP ONLY)	CURRENT YEAR	FUTURE YEARS	TOTALS
Budget				\$0.00
Budget Amendment Amount				\$0.00
Encumbered/Expended Amount				\$0.00
This Item				\$0.00
BALANCE	\$0.00	\$0.00	\$0.00	\$0.00
FUND(S): 2009 CO Drainage Funds				
SUMMARY OF ITEM				
The construction plans for Phase III of Meadows at Clearfork Subdivision include extending storm water facilities east outside the scope of the development on Maple Street. They will be retrofitting the existing detention pond on the south side of Maple used for soccer practice to accommodate additional storm water demand for Phase III. Funds from Certificates of Obligation up to \$75,000 are available to assist with this project. Doing this now will help reduce costs when Maple Street is widened and extended further to the east in the future. The developer is spending an estimated \$527,800 on Maple Street of which \$100,000 will be funded from Road Impact Fees since Maple St is a high priority on the Impact Fee Road Project list. The funds would be paid upon completion and acceptance of the public improvements and after receiving an invoice from Lockhart Partners II.				
STAFF RECOMMENDATION				
City Manager respectfully recommends approval.				
List of Supporting Documents: Maple Street: Drawing details, Associated Costs			Other Departments, Boards, Commissions or Agencies:	

Meadows at Clear Fork Section III

Lockhart, Texas

Bid Tabulation

Bid Opening Date:

Maple Street Improvements												
1.	Clearing (R.O.W.)	Acre	1.4	\$ 7,145.00	\$ 10,003.00	\$ 2,800.00	\$ 3,920.00	\$ 11,355.75	\$ 15,898.05			
2.	Street Earthwork	LS	1.0	\$ 14,823.00	\$ 14,823.00	\$ 21,715.72	\$ 21,715.72	4095 \$ 3.00	\$ 12,285.00			
	a) Excavation (±4,240 CY)			\$ -	\$ -	\$ -	\$ -	\$ -	\$ -			
	b) Embankment (±1.10 CY)			\$ -	\$ -	\$ -	\$ -	\$ -	\$ -			
3.	Collector Street Section (40' Pvmnt Width)			\$ -	\$ -	\$ -	\$ -	\$ -	\$ -			
	a.) 8" Lime Stabilized Subgrade	SY	5,980.0	\$ 8.17	\$ 48,856.60	\$ 6.81	\$ 40,723.80	6387 \$ 7.86	\$ 50,201.82			
	b.) 9" Crushed Limestone Base	SY	5,980.0	\$ 10.58	\$ 63,268.40	\$ 12.42	\$ 74,271.60	6387 \$ 11.61	\$ 74,153.07			
	c.) 2" Type D Asphalt 165 lbs./S.Y.	SY	5,489.0	\$ 9.94	\$ 54,560.66	\$ 12.77	\$ 70,094.53	5360 \$ 11.04	\$ 59,174.40			
4.	Concrete Curb and Gutter	LF	2,599.0	\$ 18.61	\$ 48,367.39	\$ 13.20	\$ 34,306.80	2310 \$ 16.58	\$ 38,299.80			
5.	Concrete Sidewalks ⁽¹⁾	SY	487.0	\$ 51.58	\$ 25,119.46	\$ 48.60	\$ 23,668.20	\$ 47.08	\$ 22,927.96			
6.	Sidewalk Pedestrian Ramp	EA	4.0	\$ 1,403.00	\$ 5,612.00	\$ 720.00	\$ 2,880.00	\$ 977.50	\$ 3,910.00			
7.	Signage & Striping	LS	1.0	\$ 1,850.00	\$ 1,850.00	\$ 4,159.35	\$ 4,159.35	\$ 10,706.50	\$ 10,706.50			
8.	Revegetation (Parkway Area)	SY	647.0	\$ 1.00	\$ 647.00	\$ 1.29	\$ 834.63	\$ 1.00	\$ 647.00			
Subtotal Drainage Improvements:					\$ 273,107.51		\$ 276,574.63		\$ 288,203.60			
Maple Drainage Improvements												
1.	Concrete Headwall	EA	1.0	2.0 \$ 6,344.00	\$ 12,688.00	\$ 17,800.00	\$ 17,800.00	\$ 5,692.50	\$ 5,692.50			
2.	Storm Drainage Pipe			\$ -	\$ -	\$ -	\$ -	\$ -	\$ -			
	a) 1 ~ 36"x48" RCP	LF	699.0	\$ 180.35	\$ 126,064.65	\$ 199.00	\$ 139,101.00	\$ 214.00	\$ 149,586.00			
	b) 1 ~ 30" RCP	LF	392.0	\$ 89.19	\$ 34,962.48	\$ 92.00	\$ 36,064.00	\$ 86.56	\$ 33,931.52			
	c) 1 ~ 18" RCP (Drain B)	LF	40.0	\$ 65.36	\$ 2,614.40	\$ 65.00	\$ 2,600.00	\$ 69.85	\$ 2,794.00			
	d) 1 ~ 18" RCP (Drain C)	LF	40.0	\$ 65.36	\$ 2,614.40	\$ 65.00	\$ 2,600.00	\$ 69.85	\$ 2,794.00			
3.	10' Curb Inlet	EA	4.0	\$ 3,124.00	\$ 12,496.00	\$ 3,055.00	\$ 12,220.00	\$ 9,386.97	\$ 37,547.88			
4.	Reinforced Concrete			\$ -	\$ -	\$ -	\$ -	\$ -	\$ -			
	a) Baffle Blocks	CY	3.0	\$ 976.00	\$ 2,928.00	\$ 2,576.00	\$ 7,728.00	\$ 2,300.00	\$ 6,900.00			
5.	Gabion Mattress	SY	4.0	\$ 305.00	\$ 1,220.00	\$ 187.50	\$ 750.00	\$ 88.55	\$ 354.20			
Subtotal Drainage Improvements:					\$ 195,587.93		\$ 218,863.00		\$ 239,600.10			
Total Maple Street and Maple Drainage Improvements:					\$ 468,695.44		\$ 495,437.63		\$ 527,803.70			

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The Meadows at Clear Fork Lockhart, Texas

January 17, 2017

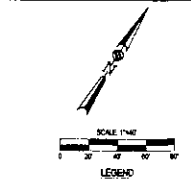
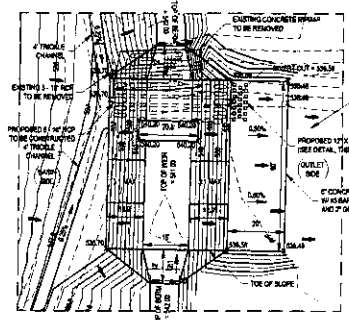
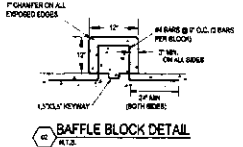
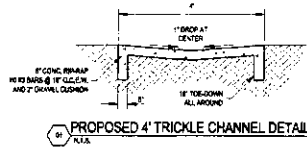


Storm Water Drainage / Detention Study

Project No. 2787.00

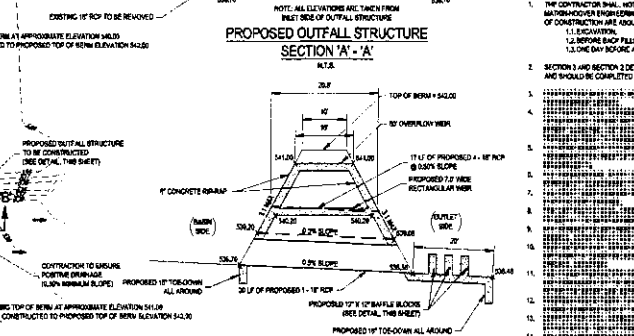
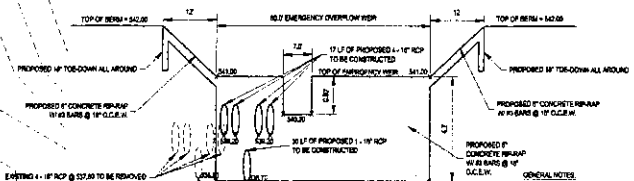
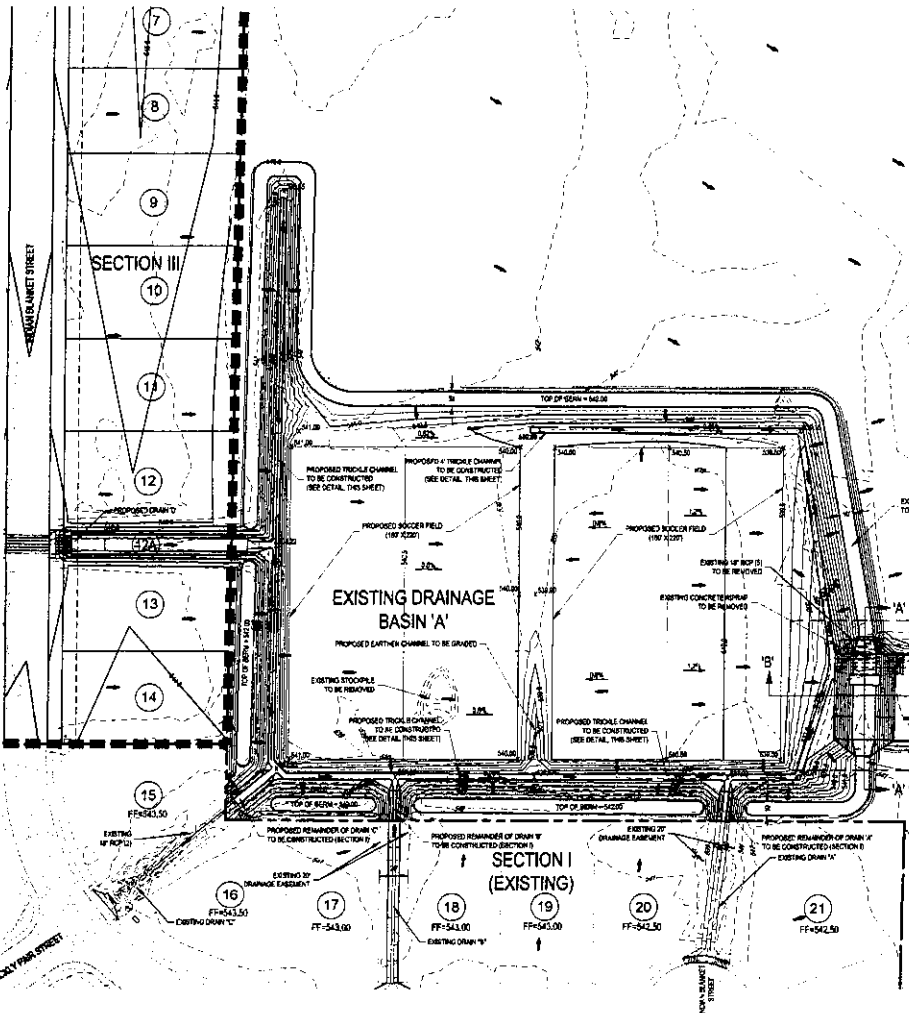
TBPE Firm Registration No. F-4512

DETENTION ANALYSIS RESULTS					
STORM EVENT	PRE-DEVELOPED CFS(S)	PEAK RFLDN	PEAK DETENTION DEFICIT	PEAK ELEVATION	PEAK STORAGE
2 YEAR STORM	21.27 CFS	52.19 CFS	26.81 CFS	542.0	43,847 CU FT
5 YEAR STORM	27.88 CFS	76.19 CFS	24.82 CFS	542.8	80,543 CU FT
10 YEAR STORM	32.85 CFS	98.11 CFS	28.28 CFS	543.1	172,768 CU FT
25 YEAR STORM	38.81 CFS	129.23 CFS	34.28 CFS	543.3	377,418 CU FT
50 YEAR STORM	44.86 CFS	158.49 CFS	43.63 CFS	543.5	627,073 CU FT
100 YEAR STORM	53.04 CFS	184.22 CFS	52.81 CFS	543.7	1,124,344 CU FT



LEGEND

PROPOSED LOT LINE	---
PROPERTY BOUNDARY	---
EXISTING 1' CONTOUR	---
EXISTING 2' CONTOUR	---
PROPOSED 2' CONTOUR	---
PROPOSED 1' CONTOUR	---
PROPOSED 0' CONTOUR	---
PUBLIC UTILITY EASEMENT	---
PHASE BOUNDARY	---
FLOW ARROW	---



- GENERAL NOTES
1. THE CONTRACTOR SHALL NOTIFY THE CITY OF LOOKHART, AT 2135 AIRMAID, AND MAKE SURE THE ENGINEERS AT 2135 AIRMAID WHEN THE FOLLOWING PHASES OF CONSTRUCTION ARE ABOUT TO BEGIN:
 - a. 1.1. EXCAVATION,
 - a. 1.2. BEFORE EACH FILLING, AND
 - a. 1.3. ONE DAY BEFORE ANY REQUIRED TESTING.
 2. SECTION 1 AND SECTION 2 DETENTION POND TO BE BUILT SHALL TAKEOVERLY AND SHALL BE COMPLETED PRIOR TO ACCEPTANCE OF OTHER.
 3. [REDACTED]
 4. [REDACTED]
 5. [REDACTED]
 6. [REDACTED]
 7. [REDACTED]
 8. [REDACTED]
 9. [REDACTED]
 10. [REDACTED]
 11. [REDACTED]
 12. [REDACTED]
 13. [REDACTED]
 14. [REDACTED]
 15. [REDACTED]
 16. [REDACTED]
 17. [REDACTED]
 18. [REDACTED]

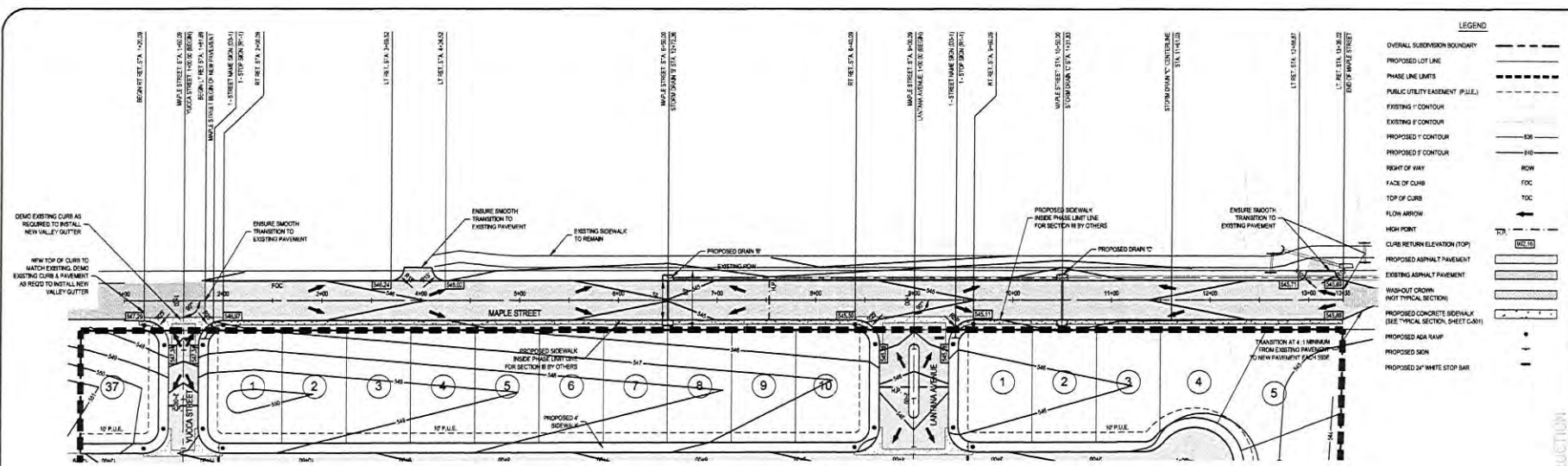
PROJECT: 2287 - Meadows at Clear Fork Section 3 DETENTION BASIN 'A' PLANING
 Date: Apr 11, 2017, 2:37 pm, User: J. Jones



MATKINHOOPER
 ENGINEERING & SURVEYING
 12005 W. STATE ST. SUITE 100
 DALLAS, TEXAS 75244
 P.O. BOX 100000, DALLAS, TEXAS 75210
 CIVIL ENGINEER LICENSE NO. 114392

DETENTION BASIN 'A' PLAN
 FOR
 THE MEADOWS AT CLEAR FORK SECTION 3
 LOOKHART, TEXAS

SHEET NO.	11 OF 37
JOB NO.	2787.03
DATE	JAN 2017
DESIGNED	OWN
CHECKED	JAY
SHEET	CG401

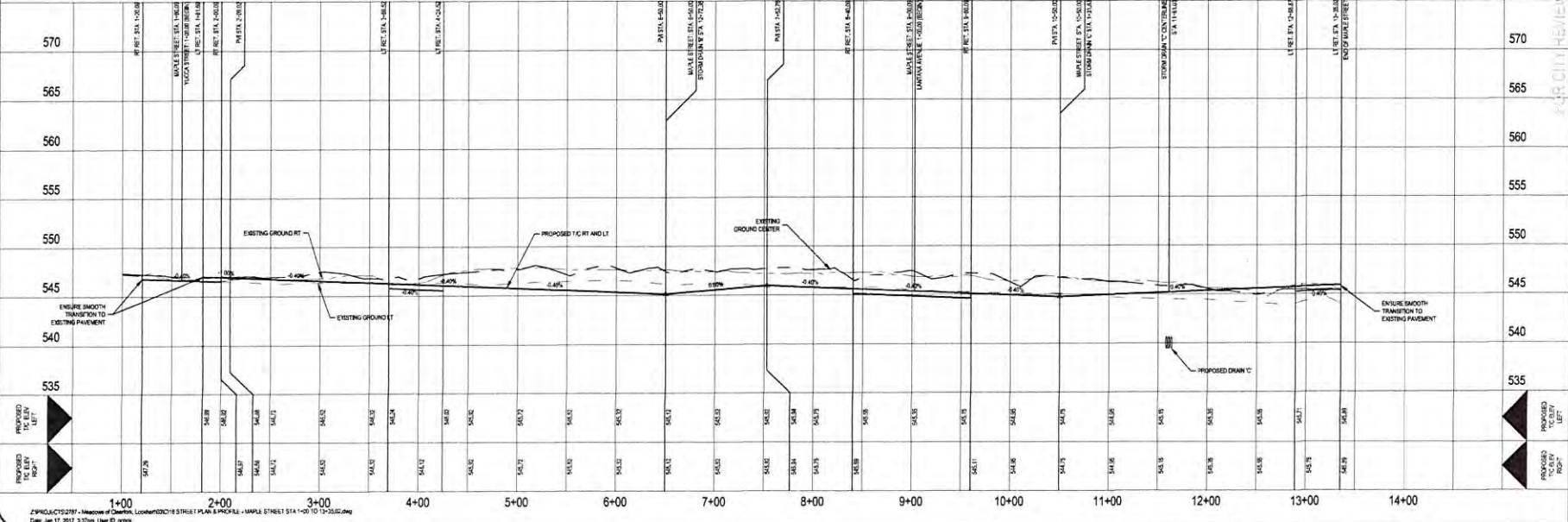
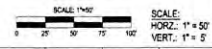


MAPLE STREET STA. 1+00.00 TO STA. 13+35.02

- NOTES**
- SEE STREET & DRAINAGE DETAIL SHEET FOR TYPICAL STREET CROSS SECTIONS.
 - CONTRACTOR SHALL CLEAR AND GRUB THE ENTIRE STREET RIGHT OF WAY AND COORDINATE WITH OWNER AND ENGINEER TO SELECT CLEARING POLICIES, WHERE APPLICABLE FOR SITE UTILITY INSTALLATION.
 - CONTRACTOR TO GRADE OR REGRADE ALL AREAS WITHIN ROAD ROW INCLUDING DITCHES FOR POSITIVE DRAINAGE.
 - CONTRACTOR SHALL COME TO DRAIN AREAS UPSTREAM AND DOWNSTREAM OF ALL PROPOSED CULVERTS.
 - CONTRACTOR SHALL HYDROLOGICALLY OR WOODMULCH ALL DISTURBED AREAS, INCLUDING RIGHT-OF-WAY STEEP SLOPES, DRAINAGE DITCHES WHERE SOIL SUBSURFACE IS ENCOUNTERED.
 - ALL STORM SEWER PIPE FOR THIS PROJECT SHALL BE REINFORCED CONCRETE PIPE (RCP), WITH AN 8" MIN. UNLESS OTHERWISE SPECIFIED.
 - ALL SIGNAGE SHALL BE IN ACCORDANCE WITH THE LATEST EDITION OF THE TEXAS MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES.
 - ALL DIMENSIONS ARE TO FACE OF CURB UNLESS OTHERWISE NOTED.
 - PROPOSED GRADE LINE REPRESENTS ELEVATION ALONG STATIONED STREET ALIGNMENT.

LEGEND

- OVERALL SUBDIVISION BOUNDARY
- PROPOSED LOT LINE
- PHASE LINE LIMITS
- PUBLIC UTILITY EXISTENCE (P.U.E.)
- EXISTING F' CONTOUR
- EXISTING E' CONTOUR
- PROPOSED F' CONTOUR
- PROPOSED E' CONTOUR
- RIGHT OF WAY
- FACE OF CURB
- TOP OF CURB
- FLOW ARROW
- HIGH POINT
- CURB RETURN ELEVATION (TOP)
- PROPOSED ASPHALT PAVEMENT
- EXISTING ASPHALT PAVEMENT
- WIND-OUT CROWN (NOT TYPICAL SECTION)
- PROPOSED CONCRETE SIDEWALK (SEE TYPICAL SECTION SHEET C-001)
- PROPOSED ADA RAMP
- PROPOSED SIGN
- PROPOSED 3" WHITE STOP BAR



Rev.

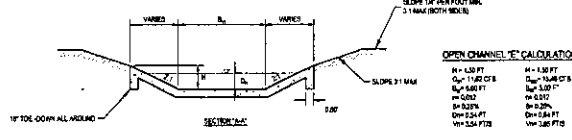
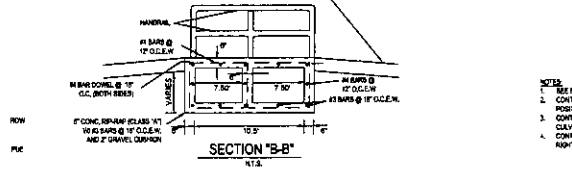
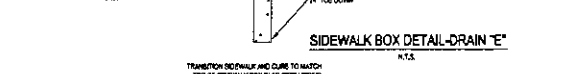
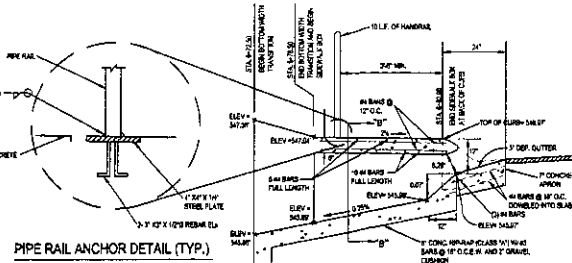
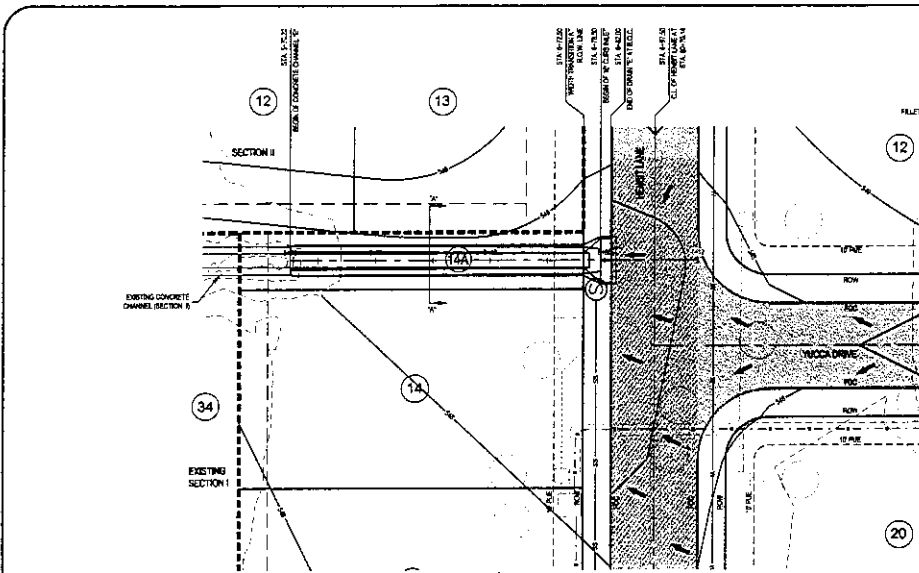
MATKIN HOOPER
ENGINEERING & SURVEYING
CONSULTANTS

FOR CITY REVIEW - NOT FOR CONSTRUCTION

STREET PLAN & PROFILE - MAPLE STREET STA 1+00 TO 13+35.02
FOR
THE MEADOWS AT CLEAR FORK SECTION 3
LOCKHART, TEXAS

SHEET NO. 18 OF 37
JOB NO. 2787.03
DATE JAN 2017
CHECKED JLV
DESIGNED JLV
SHEET CP205

12



LEGEND

OVERALL SUBDIVISION BOUNDARY	---
PROPOSED LOT LINE	---
PAVED IMP. LIMITS	---
PUBLIC UTILITY EMBANKMENT (P.U.E.)	---
EXISTING 1' CONTOUR	---
EXISTING 5' CONTOUR	---
PROPOSED 1' CONTOUR	---
PROPOSED 5' CONTOUR	---
POINT OF CURVE	POC
FACE OF CURVE	FOC
TOP OF CURB	TOC
PUBLIC UTILITY EMBANKMENT	PUE
FLOOR FINISH	---
PROPOSED ASPHALT PAVEMENT	---
WASHOUT DRAIN	---

INDICATED UTILITY CROSSING, SEE UTILITY DETAIL SHEET FOR UTILITY CROSSING DETAIL

- NOTES**
- SEE STREET & DRAINAGE DETAIL SHEET FOR TYPICAL STREET CROSS SECTIONS.
 - CONTRACTOR TO GRADE OR REGRADE ALL AREAS WITHIN ROAD ROW INCLUDING GUTCHES FOR POSTHOLE CHANNELS.
 - CONTRACTOR SHALL GRADE TO DRAIN AREAS UPSTREAM AND DOWNSTREAM OF ALL PROPOSED CULVERTS.
 - CONTRACTOR SHALL MAINTAIN SLOPE OF EXISTING ROAD RIGHT-OF-WAY & STEEP SLOPES.

TRENCH EXCAVATION SAFETY PROTECTION

CONTRACTOR AND/OR CONTRACTORS INDEPENDENTLY RETAINED EMPLOYEE OR STRUCTURAL ENGINEER/GEOTECHNICAL SAFETY EQUIPMENT CONSULTANT, IF ANY, SHALL REVIEW THESE PLANS AND ANY AVAILABLE GEOTECHNICAL INFORMATION AND THE ANTICIPATED INSTALLATION SITE WITHIN THE PROJECT WORK AREA IN ORDER TO EMPLOY SAFETY CONTRACTORS' TRENCH EXCAVATION SAFETY PROTECTION SYSTEMS, PROGRAMS AND PROCEDURES FOR THE PROJECT DESCRIBED IN THE CONTRACT DOCUMENTS. THE CONTRACTORS' IMPLEMENTATION OF THESE SPECIAL PROGRAMS AND PROCEDURES SHALL PROVIDE FOR ADEQUATE TRENCH EXCAVATION SAFETY PROTECTION THAT COMPLY WITH ALL APPLICABLE CODES OF PRACTICE FOR TRENCH EXCAVATIONS. SPECIFICALLY, CONTRACTOR AND/OR CONTRACTORS INDEPENDENTLY RETAINED EMPLOYEE OR SAFETY CONSULTANT SHALL IMPLEMENT A TRENCH SAFETY PROGRAM IN ACCORDANCE WITH CODE STANDARDS CONCERNING THE PRESENCE AND ACTIVITIES OF INDIVIDUALS WORKING IN AND AROUND TRENCH EXCAVATIONS.

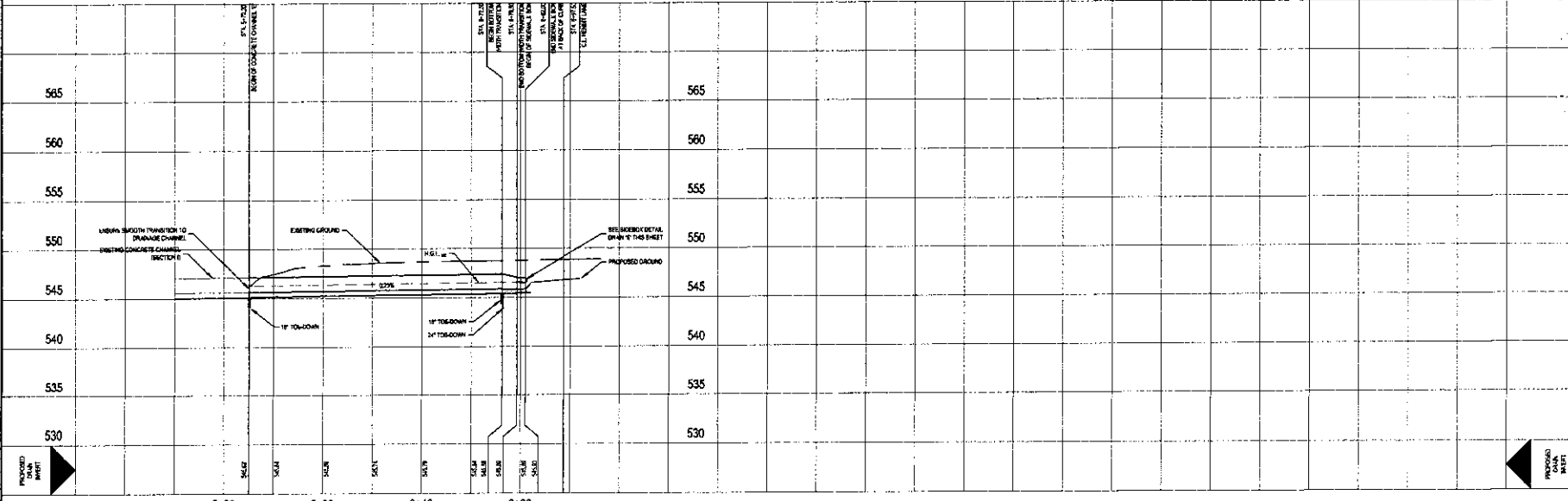
DRAIN 'E' STATION 5+70.20 TO END

CURB INLET BS CALCULATIONS

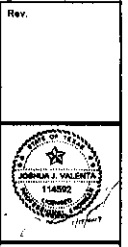
$D_{curb} = 15.00 FT$
 $R_{curb} = 1.00 FT$
 $CURB WIDTH = 1.00 FT$
 $S_{curb} = 0.015 FT/FT$
 $L_{curb} = 1.00 FT$
 $W_{curb} = 15 FT$

OPEN CHANNEL 'E' CALCULATIONS

$R = 1.00 FT$
 $D = 1.00 FT$
 $S = 0.015$
 $V = 5.00 FT/S$
 $Q = 1.00 CFS$
 $W = 1.00 FT$
 $H = 1.00 FT$
 $L = 1.00 FT$
 $V_{min} = 1.00 FT/S$
 $V_{max} = 1.00 FT/S$



27900 & C19 2791 - Amendment of Clearfork, Lockhart/2020 STORM DRAIN 'E' PLAN AND PROFILE.dwg
 Date: Jan 17, 2017 3:40pm User: JG



MATKIN/DOOVER
 ENGINEERING
 & SURVEYING

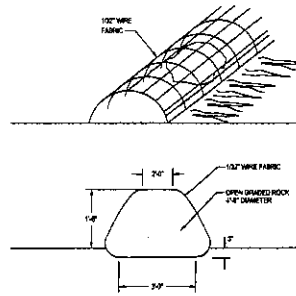
1100 W. UNIVERSITY BLVD., SUITE 100
 LOCKHART, TEXAS 78740
 (512) 251-1100
 WWW.MATKINDOOVER.COM

STORM DRAIN 'E' PLAN AND PROFILE
 FOR
THE MEADOWS AT CLEAR FORK SECTION 3
 LOCKHART, TEXAS

SHEET NO. 28 OF 37

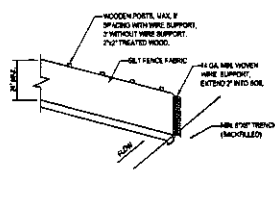
JOB NO.	2787.03
DATE	JAN 2017
CHECKED	JAV
DESIGNED	JAV
SHEET	02285

hh



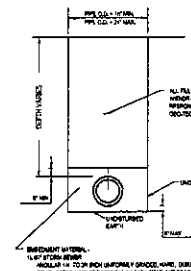
- NOTE:**
- USE ONLY OPEN GRADED ROCK 4-8 INCHES DIAMETER FOR STREAM FLOW CONDITION. USE OPEN GRADED ROCK 3-5 INCHES DIAMETER FOR OTHER CONDITIONS.
 - THE ROCK BERM SHALL BE SECURED WITH A WOVEN WIRE SHEATHING HAVING MINIMUM 1/8" CHORDING AND MINIMUM WIRE DIAMETER OF 1/8" DIA.
 - THE ROCK BERM SHALL BE INSPECTED WEEKLY OR AFTER EACH RAIN, AND THE STEEL AND/OR FABRIC COVER/COVER WIRE SHEATHING SHALL BE REPLACED WHEN THE STRUCTURE FAILS TO FUNCTION AS INTENDED. USE TO BE ACCUMULATION ALONG THE ROCKS. WASHOUT, CONSTRUCTION TRAFFIC DAMAGE, ETC.
 - WHEN 1/2" REACHES A DEPTH EQUAL TO ONE-TWENTY THE HEIGHT OF THE BERM OR 12 INCHES, WHICHEVER IS LESS, THE BERT SHALL BE REACHED AND IMPOSED OF IN AN APPROVED SITE AND IN A MANNER AS TO NOT CREATE A SLUTION PROBLEM.
 - DAILY INSPECTION SHALL BE MADE ON SERVICE ROCK BERM. BERT SHALL BE REMOVED WHEN ACCUMULATION REACHES 6 INCHES.
 - WHEN THE SITE IS COMPLETELY STABILIZED, THE BERM AND ACCUMULATED BERT SHALL BE REMOVED AND IMPOSED OF IN AN APPROVED MANNER.

01 ROCK BERM DETAIL
N.T.S.

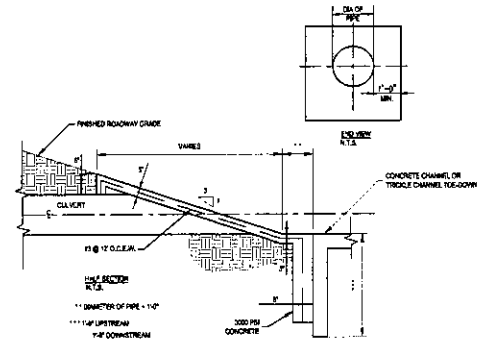


- NOTE:**
- POSTS WHICH SUPPORT THE SILT FENCE SHALL BE INSTALLED ON A SLIGHT ANGLE TOWARD THE UPSTREAM SOURCE.
 - THE TOP OF THE SILT FENCE SHALL BE TRENCHED IN WITH A SPACE OR MECHANICAL TRENCH, SO THAT THE DOWNFLOW FACE OF THE TRENCH IS FLAT AND PERPENDICULAR TO THE LINE OF FLOW.
 - THE TRENCH SHOULD BE A MIN. OF 8" DEEP AND IF WIDE TO ALLOW FOR THE SILT TRENCH TO BE FILLED IN THE DOWNHOLD AND BACKFILL.
 - SILT FENCE SHOULD BE SECURELY FASTENED TO EACH UTILITY SUPPORT POST OR TO WOODEN NAILED WHICH IS TURN ATTACHED TO THE STEEL FENCE POSTS.

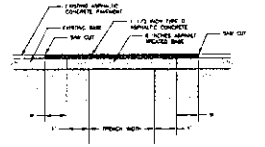
02 SILT FENCE DETAIL
N.T.S.



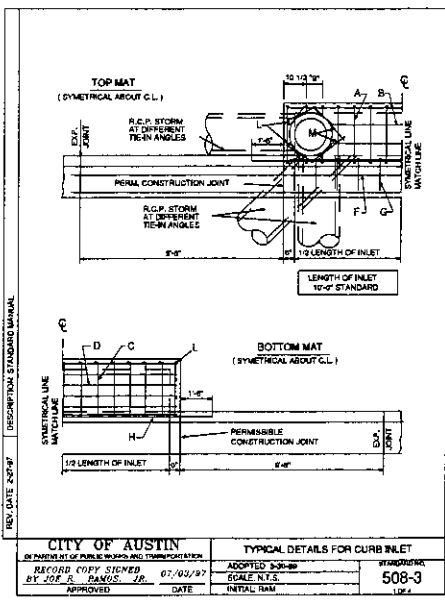
03 CULVERT BEDDING DETAIL
N.T.S.



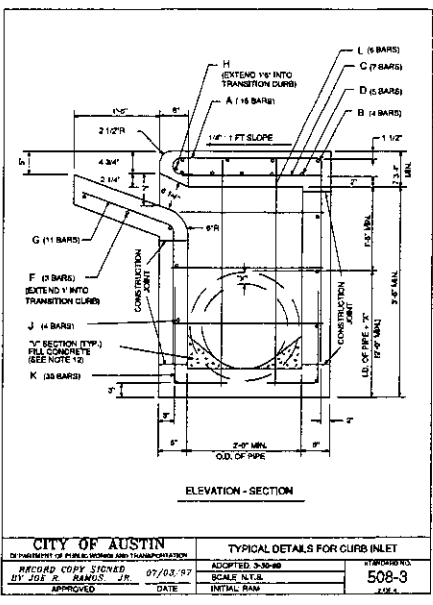
04 CONCRETE PIPE END TREATMENT
N.T.S.



05 ASPHALTIC CONCRETE PAVEMENT REPAIR
N.T.S.



06 TYPICAL DETAILS FOR CURB INLET
N.T.S.



07 TYPICAL DETAILS FOR CURB INLET
N.T.S.

CITY OF AUSTIN
DEPARTMENT OF PUBLIC WORKS AND TRANSPORTATION
RECORD COPY SIGNED 07/03/97
BY: JOE E. RAMOS, JR. SCALE: N.T.S. INITIAL: RAM 508-3

TABLE OF QUANTITIES FOR 18" OUTLET PIPE REINFORCING STEEL QUANTITIES

BAR#	SIZE	SPACING	NUMBER	LENGTH	WEIGHT
A	4	8"	15	7'-0"	73
B	4	16"	4	10'-0"	29
C	4	16"	7	8'-0"	12
D	6	8"	5	10'-0"	86
E	4	12"	8	18'-0"	10
F	4	12"	8	18'-0"	26
G	4	12"	11	18'-0"	31
H	6	-	1	18'-0"	20
J	4	12"	7	18'-0"	59
K	4	8"	30	2'-7 1/2"	52
L	4	12"	6	8'-0"	17
M	4	-	4	15'-0" AVG.	4
TOTAL STEEL LB.					418
TOTAL CONCRETE C.Y.					4.58
* EXCEPT AS SHOWN ON PLAN					

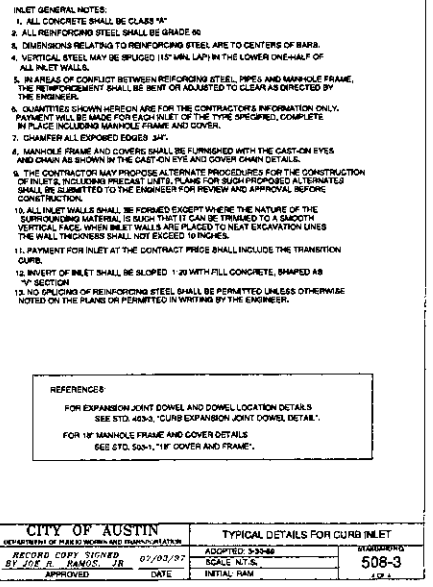
INLET GENERAL NOTES:

- ALL CONCRETE SHALL BE CLASS "A"
- ALL REINFORCING STEEL SHALL BE GRADE 60
- DIMENSIONS RELATING TO REINFORCING STEEL ARE TO CENTERS OF BARS.
- VERTICAL STEEL MAY BE SPLICED 1/2" MIN LAP IN THE LOWER ONE-HALF OF ALL INLET WALLS.
- IN AREAS OF CONFLICT BETWEEN REINFORCING STEEL, PIPES AND MANHOLE FRAME, THE REINFORCEMENT SHALL BE BENT OR ADJUSTED TO CLEAR AS DIRECTED BY THE ENGINEER.
- QUANTITIES SHOWN HEREON ARE FOR THE CONTRACTOR'S INFORMATION ONLY. PAYMENT WILL BE MADE FOR EACH INLET OF THE TYPE SPECIFIED, COMPLETE IN PLACE INCLUDING MANHOLE FRAME AND COVER.
- CHAMFER ALL EXPOSED EDGES 3/4".
- MANHOLE FRAME AND COVER SHALL BE FURNISHED WITH THE CAST-ON EYES AND CHAIN AS SHOWN IN THE CAST-ON EYE AND COVER CHAIN DETAILS.
- THE CONTRACTOR MAY PRIORIZE ALTERNATE PROCEDURES FOR THE CONSTRUCTION OF INLETS, INCLUDING PRECAST LITER PLANS FOR SUCH PROPOSED ALTERNATES SHALL BE SUBMITTED TO THE ENGINEER FOR REVIEW AND APPROVAL BEFORE CONSTRUCTION.
- ALL INLET WALLS SHALL BE FORMED EXCEPT WHERE THE NATURE OF THE SURROUNDING MATERIAL IS SUCH THAT IT CAN BE FINISHED TO A SMOOTH VERTICAL FACE. WHEN INLET WALLS ARE PLACED TO NEAR EXISTING LINES THE WALL THICKNESS SHALL NOT EXCEED 10 INCHES.
- PAYMENT FOR INLET AT THE CONTRACT PRICE SHALL INCLUDE THE TRANSITION CURVE.
- INVERT OF INLET SHALL BE SLOPED 1:30 WITH FILL CONCRETE, SHAPED AS "V" SECTION.
- NO ENLARGING OF REINFORCING STEEL SHALL BE PERMITTED UNLESS OTHERWISE NOTED ON THE PLAN OR PERMITTED IN WRITING BY THE ENGINEER.

REFERENCES:

- FOR EXPANSION JOINT DOWEL AND DOWEL LOCATION DETAILS SEE STD. 408-3, "CURB EXPANSION JOINT DOWEL DETAIL".
- FOR 18" MANHOLE FRAME AND COVER DETAILS SEE STD. 508-1, "18" COVER AND FRAME".

06 TYPICAL DETAILS FOR CURB INLET
N.T.S.



08 TYPICAL DETAILS FOR CURB INLET
N.T.S.

Rev.



MATKIN-HOOVER
ENGINEERING & SURVEYING
REGISTERED PROFESSIONAL ENGINEER
NO. 45856 STATE OF TEXAS
1600 WEST WALKER STREET, SUITE 100
DALLAS, TEXAS 75208
TELEPHONE: (214) 241-1000
FAX: (214) 241-1001
E-MAIL: MATKIN@MATKIN-HOOVER.COM

STREET AND DRAINAGE DETAILS (SHEET 2)
FOR
THE MEADOWS AT CLEAR FORK SECTION 3
LOCKHART, TEXAS

SHEET NO. 30 OF 37
JOB NO. 2781-03
DATE JAN 2017
DESIGNED GWN
CHECKED JLV
SHEET 0552

SH



(512) 398-3461 • FAX (512) 398-5103
P.O. Box 239 • Lockhart, Texas 78644

December 2, 2015

✓ Mr. Bobby Schmidt
Lockhart Partners, LP
3595 Schuelke Rd.
Niederwald, Tx 78640-4100

Mr. Dane Braun, vice President
Lockhart Partners, LP
687 Drifting Wind Run
Dripping Springs, Texas 78620

Re: 12-2-2015 Meeting regarding certain issues for Phase II and III Developments in the Meadows at Clearfork Subdivision.

Dear Bobby and Dane:

Both of you met with Dan Gibson, City Planner, and I on December 2, 2015, regarding constructing the required infrastructure for Phases II and III of the Meadows at Clearfork Subdivision which is now zoned a PDD.

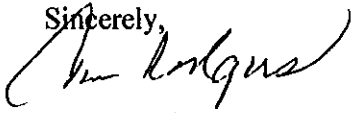
Commitments proposed by me on behalf of the City of Lockhart include:

1. The substandard section of Maple Street adjacent to Phase II and Phase III of the Meadows at Clearfork would have to be constructed to meet current standards. Maple Street between City Line Road and Mockingbird has been identified as an "Impact Fee Street Project". Because of this, I proposed that up to 50% of the verified Maple Street improvement costs adjacent to Phases II and/or III, not to exceed \$100,000, be paid to the developer from available City street impact fees when all the required Maple Street improvements are in place and accepted by the City. Details can be worked out when you decide how and when you want to proceed.
2. Should you obtain the house on City Line Road (Mr. and Mrs. Sweet property now), my proposal was that the City would move without cost to you the water main in an easement that is along your property's west perimeter and east of the Sweet property to a new location that aligns with the easement north and south of the Sweet property. You would have to provide the a new easement for this. Dan pointed out that if this is done a revised PDD would have to be obtained. Again, details can be worked out later.
3. The City has a little less than \$18,000 in a special account for Basin "B" Drainage for the Meadows at Clearfork Subdivision that will be returned to you when all drainage improvements for Phase II are in place and accepted by the City.



We look forward to working with you in your development of Phases II and III of the Meadows at Clearfork Subdivision.

Sincerely,



Vance Rodgers
City Manager

Cc: Dan Gibson, City Planner
Jeff Hinson, Finance Director
Bobby Schmidt
Connie Constancio, City Secretary



CITY OF LOCKHART COUNCIL AGENDA ITEM

CITY SECRETARY'S USE ONLY <input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory	Reviewed by Finance	<input type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable	
	Reviewed by Legal	<input type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable	
Council Meeting Date: May 2, 2017				
Department: LEDC		Initials	Date	
LEDC President: <i>Valerie Rodgers</i>	City Manager	<i>RT</i>	<i>4-28-2017</i>	
Dept. Signature: <i>Rob Tobias</i>	Rob Tobias	<i>RT</i>	<i>4-28-17</i>	
Agenda Item Coordinator/Contact (include phone #): Rob Tobias Cell: 512-376-0856				
ACTION REQUESTED: <input type="checkbox"/> ORDINANCE <input checked="" type="checkbox"/> RESOLUTION <input type="checkbox"/> CHANGE ORDER <input type="checkbox"/> AGREEMENT <input type="checkbox"/> APPROVAL OF BID <input type="checkbox"/> AWARD OF CONTRACT <input type="checkbox"/> CONSENSUS <input type="checkbox"/> OTHER				
CAPTION				
DISCUSSION AND/OR ACTION TO CONSIDER RESOLUTION NO. 2017-08 OF THE CITY COUNCIL OF THE CITY OF LOCKHART, TEXAS APPROVING FUNDING UP TO \$212,031 CONTINGENT ON CREATING 35 NEW FTE JOBS WITH AN AVERAGE ANNUAL WAGE OF \$50,000 FOR THE BENNY BOYD LOCKHART LLC PROJECT AS RECOMMENDED BY THE LOCKHART ECONOMIC DEVELOPMENT CORPORATION UNDER THE TEXAS ECONOMIC DEVELOPMENT CORPORATION ACT OF 1979, FOR THE BUILDING, INFRASTRUCTURE AND RELATED IMPROVEMENTS THAT ARE REQUIRED OR SUITABLE FOR THE DEVELOPMENT, RETENTION, OR EXPANSION OF FACILITIES TO PROMOTE OR DEVELOP NEW OR EXPANDED BUSINESS ENTERPRISES, AND TO CREATE OR MAINTAIN NEW JOBS. <i>2nd Reading</i>				
FINANCIAL SUMMARY				
<input type="checkbox"/> N/A <input type="checkbox"/> GRANT FUNDS <input type="checkbox"/> OPERATING EXPENSE	<input type="checkbox"/> REVENUE	<input type="checkbox"/> CIP	<input type="checkbox"/> BUDGETED <input type="checkbox"/> NON-BUDGETED	
FISCAL YEAR:	PRIOR YEAR (CIP ONLY)	CURRENT YEAR	FUTURE YEARS	TOTALS
Budget				\$0.00
Budget Amendment Amount				\$0.00
Encumbered/Expended Amount				\$0.00
This Item				\$0.00
BALANCE	\$0.00	\$0.00	\$0.00	\$0.00
FUND(S):				
SUMMARY OF ITEM				
The Lockhart Economic Development Corporation (LEDC) unanimously approved LEDC Resolution 2017-05 at its board meeting on April 17, 2017. A 10-day notice of public hearing was published in the newspaper as required and a public hearing was hosted by the LEDC Board, at which Benny Boyd shared his comments on the company's plans for its proposed new auto dealership in Lockhart. There was no opposition voiced by the public. LEDC determined that the funds could be used under its discretion to promote or develop new or expanded business enterprises that create or retain jobs. <i>(A SECOND READING IS REQUIRED BEFORE CITY COUNCIL CAN VOTE ON THIS PROJECT)</i>				
STAFF RECOMMENDATION				
First reading regarding Resolution No. 2017-08 of The City of Lockhart, Texas approving a Project under Section 4B of The Texas Economic Development Corporation Act of 1979, to fund up to \$212,031 for the building, infrastructure and other related improvements related to the Benny Boyd Lockhart project.				
List of Supporting Documents:		Other Departments, Boards, Commissions or Agencies:		
<ul style="list-style-type: none"> • Resolution 2017-08 • LEDC Public Hearing Notice • LEDC Resolution No. 2017-05 • LEDC Performance Agreement • LEDC Draft Minutes 4/17/17 		<i>48</i>		

RESOLUTION NO. 2017-08

A RESOLUTION OF THE CITY COUNCIL OF LOCKHART, TEXAS APPROVING FUNDING UP TO \$212,031 CONTINGENT ON CREATING 35 NEW FTE JOBS WITH AN AVERAGE ANNUAL WAGE OF \$50,000 FOR THE BENNY BOYD LOCKHART, LLC PROJECT AS RECOMMENDED BY THE LOCKHART ECONOMIC DEVELOPMENT CORPORATION UNDER THE TEXAS ECONOMIC DEVELOPMENT CORPORATION ACT OF 1979, FOR THE BUILDING, INFRASTRUCTURE, AND RELATED IMPROVEMENTS THAT ARE REQUIRED OR SUITABLE FOR THE DEVELOPMENT, RETENTION, OR EXPANSION OF FACILITIES TO PROMOTE OR DEVELOP NEW OR EXPANDED BUSINESS ENTERPRISES, AND TO CREATE AND MAINTAIN NEW JOBS.

WHEREAS, the Texas Economic Development Act of 1979 (the Act) provides for the funding of certain projects for the development, retention, or expansion, of manufacturing and industrial facilities, including expenditures required or suitable for infrastructure necessary to promote or develop new or expanded business enterprises, and to create or retain primary jobs within state; and

WHEREAS, Lockhart Economic Development Corporation (LEDC) proposes project in an amount not to exceed \$212,031 in funds for building, infrastructure and other costs associated with this development to create 35 new FTE jobs with an average annual wage of \$50,000; and

WHEREAS, the LEDC has determined that Benny Boyd Lockhart, LLC. (BBL), project (a) meets the requirements for a project under the Act; (b) serves as a public purpose by contributing to the development, retention, or expansion facilities, including expenditures required or suitable for building, infrastructure and related improvements necessary to promote or develop new or expanded business enterprises, and to the creation or retention of jobs within the City, County and State; and (c) should be approved and funded.

WHEREAS, the LEDC held a public hearing and discussed and approved this project on April 17, 2017

NOW, THEREFORE, BE IT RESOLVED, by the Lockhart City Council as follows:

SECTION 1. The facts and findings described in the preamble of this resolution are incorporated herein as if fully set out.

SECTION 2. The infrastructure improvements project costs and other associated development costs are HEREBY APPROVED as follows:

The LEDC shall reimburse incentives up to \$212,031 for building, infrastructure and other development costs as set out in attached, and subject to the conditions set out herein and in

Chapter 501, 504, and 505 of the Texas Economic Development Corporation Act of 1979 and subject to conditions stated in LEDC Performance Agreement.

SECTION 3. That the Lockhart Economic Development Corporation proposes the project to the Lockhart City Council for approval of building, infrastructure and related improvements and professional services in an amount not to exceed \$212,031 in consideration of the creation of 35 FTE jobs with an average annual wage of \$50,000 and for the development and retention which may include expenditures required or suitable for infrastructure necessary to promote or develop a new or expanded business enterprise.

PASSED AND ADOPTED at a regular meeting of the Lockhart City Council held on this 2nd day of May 2017.

City of Lockhart

ATTEST:

Lew White, Mayor

Connie Constancio, TRMC
City Secretary

**LOCKHART ECONOMIC DEVELOPMENT CORPORATION
PUBLIC HEARING NOTICE**

The Directors of the Lockhart Economic Development Corporation (LEDC) will conduct a public hearings on Monday, April 17, 2017, at 6:00 p.m. in the Upstairs at Lockhart City Hall, 308 West San Antonio Street, Lockhart, Texas to discuss two projects under Section 4B of the Texas Economic Development Corporation Act of 1979.

Public Hearing #1 is to consider a new project by the Benny Boyd Auto Group which wishes to expand to Lockhart. The company plans to purchase property on which to build an automotive center. The initial capital investment is estimated at \$3,500,000 and the company will create a minimum of 35 new jobs. The LEDC will be considering possible reimbursable incentives to be offered to the company to help facilitate their expansion to and investment in Lockhart.

Public Hearing #2 is to consider a new project by Chunilal Inc. (Schlotzsky's). The initial total investment is estimated at \$1,800,000 and the company will provide a minimum of 15 newly created jobs. The LEDC will be considering possible reimbursable incentives to be offered to the company to help facilitate their expansion to and investment in Lockhart.

All interested parties are encouraged to attend and present their views. Persons with disabilities that plan to attend this meeting should contact the City Secretary's office to arrange for assistance. Individuals who require aids or services for this meeting should contact City Hall at least two days before the meeting.

Lockhart Economic Development Corporation

**LOCKHART ECONOMIC DEVELOPMENT CORPORATION
RESOLUTION NO. 2017-05**

A RESOLUTION OF LOCKHART ECONOMIC DEVELOPMENT CORPORATION (LEDC) FOR FUNDING OF A PROJECT UNDER THE TEXAS ECONOMIC DEVELOPMENT CORPORATION ACT OF 1979, FOR THE BUILDING, INFRASTRUCTURE, AND RELATED IMPROVEMENTS THAT ARE REQUIRED OR SUITABLE FOR THE DEVELOPMENT, RETENTION, OR EXPANSION OF FACILITIES TO PROMOTE OR DEVELOP NEW OR EXPANDED BUSINESS ENTERPRISES, AND TO CREATE AND MAINTAIN NEW JOBS.

WHEREAS, the Lockhart Economic Development Corporation ("LEDC) is a Type B corporation created and operated pursuant to the Texas Economic Development Act of 1979, as amended ("the Act"); and

WHEREAS, the Act provides for the funding of certain projects for the development, retention, or expansion of facilities, including expenditures required or suitable for infrastructure necessary to promote or develop a new or expanded business enterprises, create or retain jobs within the state, promote new or expanded business development, and construct infrastructure for new or expanding businesses; and

WHEREAS, LEDC proposes project in an amount not to exceed \$212,031 in funds for building, infrastructure and other costs associated with this development to create new jobs; and

WHEREAS, the LEDC has determined that Benny Boyd Lockhart, LLC. (BBL), project (a) meets the requirements for a project under the Act; (b) serves as a public purpose by contributing to the development, retention, or expansion facilities, including expenditures required or suitable for building, infrastructure and related improvements necessary to promote or develop new or expanded business enterprises, and to the creation or retention of jobs within the City, County and State; and (c) should be approved and funded.

NOW, THEREFORE, BE IT RESOLVED BY THE LOCKHART ECONOMIC DEVELOPEMNT CORPORATION THAT:

SECTION 1. The facts and findings described in the preamble of this resolution are incorporated herein as if fully set out.

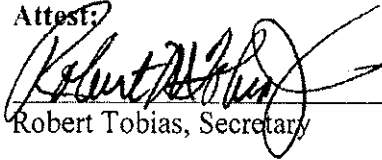
SECTION 2. The infrastructure improvements project costs and other associated development costs are **HEREBY APPROVED** as follows:

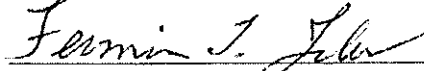
The LEDC shall reimburse incentives up to \$212,031 for building, infrastructure and other development costs as set out in attached and subject to the conditions set out herein and in Chapter 501, 504, and 505 of the Texas Economic Development Corporation Act of 1979.

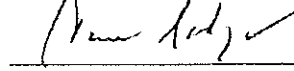
PASSED AND ADOPTED at a regular meeting of the Lockhart Economic Development Corporation held on this 17th day of April 2017.

Lockhart Economic Development Corp.

Attest:


Robert Tobias, Secretary


Fermin T. Islas, Chairperson


Vance Rodgers, President

**LOCKHART ECONOMIC DEVELOPMENT CORPORATION
 POTENTIAL VALUE OF INCENTIVES PACKAGE
 PROSPECT: BENNY BOYD, S COLORADO CAR DEALERSHIP**

Incentives to locate to Lockhart with an average of 35 FTE jobs with an average annual salary/wage of \$50,000, not including owners, to be maintained over the initial 3 year period

LEDC INCENTIVES PROPOSED	*****INCENTIVE AMOUNT UP TO*****
* 35 new jobs with average annual wage of \$50,000 @\$2,000 per job; pay 1/3 each 12 months of the three year agreement with payroll proof provided.	\$70,000
Will reimburse within 3 yrs on \$3.5 million of investment for improvements/equipment after Certificate of Occupation is issued provided jobs requirements are met	\$87,500
Impact Fees: Water/Sewer/ Road upon proof of payment	\$54,531
LEDC INCENTIVES PROPOSED	\$212,031
* 35 new jobs required at an average annual wage of \$50,000	

NOTE: ALL SUBJECT TO APPROVAL OF GOVERNING BODIES

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ECONOMIC DEVELOPMENT PERFORMANCE AGREEMENT

This Economic Development Performance Agreement ("Agreement") is made and entered into by and between THE LOCKHART ECONOMIC DEVELOPMENT CORPORATION OF LOCKHART, TEXAS ("LEDC"), a Type B Economic Development Corporation, and Benny Boyd Lockhart LLC. (BBL), a Texas limited liability corporation referenced as BBL in this document.

RECITALS

WHEREAS, BENNY BOYD LOCKHART LLC (BBL) desires to expand to the City of Lockhart, Texas ("City") and participate in the Economic Development Program established in this Agreement; and

WHEREAS, the LEDC desires to establish the Economic Development Program outlined herein and to offer incentives to BBL to locate such business in the City; and

WHEREAS, LEDC is authorized to promote state and local economic development and to stimulate business and commercial activity within the City, and LEDC has determined that substantial economic benefits, including an increase in the City's tax rolls, an increase in sales tax revenues, and the creation of new opportunities for local employment, will accrue to the City and the surrounding area, if such business is successfully developed on such property; and

WHEREAS, LEDC and BBL desire to enter into this Agreement in order to comply with Sec. 501.158, Texas Local Government Code, which requires an economic development corporation, in order to offer incentives or make expenditures on behalf of a business enterprise under a project, to enter into a performance agreement that addresses a schedule of jobs created or retained, capital investment to be made, direct incentives provided, and the terms under which repayment shall be made in the event a business enterprise does not meet the requirements specified in the Agreement;

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

AGREEMENTS

Section 1. Recitals

The recitals set forth above are incorporated herein by reference as if fully set forth in their entirety.

Section 2: Term

The term of this Agreement shall be three (3) years from the 1st day of the month following the beginning of business operations by BENNY BOYD LOCKHART LLC (BBL). When used hereafter, the phrase "duration of this Agreement" shall mean the term as defined above.

Section 3. LEDC Requirements

In consideration of BENNY BOYD LOCKHART LLC.'s (BBL) agreement to locate its business within the City and to perform the other acts hereinafter described, LEDC agrees it will pay up to \$212,031 for building, infrastructure, and other associated development costs which will create 35 FTE jobs with an average annual wage of \$50,000 per year which are subject to the conditions set out herein and in Chapter 505 of the Local Government Code (formerly Section 4B, of the Texas Economic Development Corporation Act of 1979). The amount of financial benefit that BBL will retain from the LEDC project funds is subject to the number of jobs created, as described in 4(c) below and as stated in Attachment A attached hereto and part of the Agreement.

Section 4. BENNY BOYD LOCKHART LLC. Requirements

In consideration of LEDC agreeing to perform the foregoing, BENNY BOYD LOCKHART LLC. (BBL) agrees:

- (a) To locate, purchase land, and invest a minimum of \$3.5 million to construct a building and other improvements;
- (b) To employ a minimum of thirty-five (35) Full Time Equivalent ("FTE") employees from the date that BBL opens for business and to continue employing at least that number thereafter until the end of the term of this Agreement. The term "Full Time Equivalent," as used in this Agreement, shall mean employment worked by one or more people during a calendar year that is equal to a total of at least 2,080 hours; provisions in Attachment A are applicable.
- (c) Pursuant to Section 3, the yearly proportion of financial benefit that BBL will retain from the LEDC project funds expended will be determined by the number of FTE employees during each year of the agreement divided by thirty-five (35) up to 100%. The minimum number of FTE employees that must be maintained from Year One (1) through Year Three (3) of this Agreement to retain all of the financial benefit is thirty-five (35); provisions in Attachment A are applicable.
- (d) Pursuant to Attachment A requirements for jobs and investment, BBL will submit reimbursement requests with sufficient proof as stated in the attachment within 90 days after being open 1 year, within 90 days after being open 2 years, and within 90 days after being open 3 years. Failure to submit

the reimbursement requests within the day periods will result in no reimbursement.

- (e) To keep current in the payment of taxes owed to any taxing jurisdiction in which the Property is located.

Section 5. Recapture/Termination

(a) In the event that BENNY BOYD LOCKHART LLC. (BBL) begins operating its business, but subsequently discontinues operating its business in such for any reason (a "Business Interruption"), except as a result of fire, explosion, or other casualty or accident, force majeure or other natural disaster, war or civil unrest, a taking under eminent domain, regulatory restrictions of any applicable governmental entity which makes conduct of the BBL illegal or economically untenable, or other event beyond the reasonable control of BB: (the "Business Interruption Exceptions") for a period of more than one hundred eighty (180) days during the duration of this Agreement, then in such event BBL shall be required to repay to LEDC any monies expended by the LEDC under Section 3 of this Agreement within thirty (30) days of written demand therefore following the expiration of such period.

(b) In the event that BENNY BOYD LOCKHART LLC. (BBL) shall fail to repay the LEDC within thirty (30) days of the date such repayment is due, BBL hereby agrees that the LEDC may place a lien on the Properties for full repayment of any monies expended. The burden shall be upon BBL to prove to the satisfaction of the LEDC that the discontinuance of operating its business was a result of one of the Business Interruption Exceptions. In the event BBL meets this burden and the LEDC is satisfied that the discontinuance of the operation of the manufacturing facility was the result of events beyond the control of BBL, the parties shall commemorate such satisfaction in a document signed and dated by the Parties. BBL shall then have a period of one (1) year from the date operations of its business were discontinued in which to resume business operations.

(c) In the event that following a Business Interruption which may reasonably be cured within one year of the cessation of business operations, business operations fail to resume within one (1) year, BENNY BOYD LOCKHART LLC (BBL) shall be required to repay LEDC any monies expended by the LEDC under Section 3 of this Agreement within thirty (30) days of written demand therefore following the expiration of the one year period. In the event that BBL shall fail to timely repay the LEDC, BBL hereby agrees that the LEDC may place a lien on the Properties for full payment of such monies.

(d) In the event that BENNY BOYD LOCKHART LLC. (BBL) allows ad valorem taxes owed to the City of Lockhart, Texas on the Property, or its business personal property or inventory to become delinquent and fails to timely and properly follow the legal procedures for their protest or contest, BBL shall be required to repay LEDC any monies expended by the LEDC under Section 3 of this Agreement within thirty (30) days of written demand therefore following such event. In the event that BBL shall fail to timely

repay the LEDC, BBL hereby agrees that the LEDC may place a lien on BBL assets for full payment of such monies.

Section 6. Certification of Compliance by BENNY BOYD LOCKHART LLC. (BBL)

Each year that this Agreement is in effect, BENNY BOYD LOCKHART LLC. (BBL) shall certify in writing to the LEDC that it is in compliance with all provisions of this Agreement. Such certification shall include any and all documentation required by the LEDC establishing that BBL has met the annual employment and investment requirements as shown in Attachment A for the previous year and that all taxes related to the Property have been paid in full as required by law. The LEDC, upon reasonable notice and at any reasonable time, shall have the right to review any and all records of BBL related to the provisions of this Agreement, including but not limited to FTE positions created or retained, capital investments made, and use or distribution of and direct incentives received.

Section 7. Dispute Resolution, Applicable Law, Venue, and Attorneys Fees

(a) In the event of any controversy or claim arising out of or relating to this Agreement or the breach of this Agreement, the parties shall attempt in good faith to resolve the same by good faith mediation before a mediator agreed to by the parties. LEDC and BENNY BOYD LOCKHART LLC. (BBL) expressly waive any statutory or other legal requirement that may exist for serving notices or engaging in alternative dispute resolution prior to doing so.

(b) In the event that the claim or controversy is not settled by mediation or any other alternative dispute resolution method agreed to by the parties, either party may file suit in a court of competent jurisdiction sitting in the State of Texas. Venue shall lie in Caldwell County, Texas. The prevailing party in any litigation arising out of this Agreement shall be entitled to recover its reasonable and necessary costs and attorney's fees from the non-prevailing party pursuant to applicable law.

Section 8. Entire Agreement

This Agreement, when executed, contains the entire agreement between the LEDC and BENNY BOYD LOCKHART LLC. (BBL) with respect to the transactions contemplated herein. This Agreement may be amended, altered, or revoked only by written instrument signed by the LEDC and BBL.

Section 9. Successors and Assigns

This Agreement may not be assigned to any third party by BENNY BOYD LOCKHART LLC. (BBL) without the written consent of LEDC. In the event of such assignment or in the event of legal succession of BBL's interest in this Agreement by

operation of law, this Agreement shall be binding on and inure to the benefit of such assign or successor.

Section 10. Notices

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

BENNY BOYD LOCKHART LLC (BBL):	Russell Waters Chief Operating Officer BENNY BOYD LOCKHART LLC. 601 N. Key Avenue Lampasas, Texas 76550
--------------------------------	---

Lockhart Economic Development Corporation:
President
Lockhart Economic Development Corporation
308 W. San Antonio
P.O. Box 239
Lockhart, TX 78644

Section 11. Interpretation

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

Section 12. Severability

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

Section 13. Mutual Assistance

LEDC and BENNY BOYD LOCKHART LLC. (BBL) agree to do all things reasonably necessary and appropriate to carry out the terms and provisions of this Agreement and to aid and assist each other in carrying out such terms and provisions.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the 26th day of April, 2017.

THE LOCKHART ECONOMIC DEVELOPMENT CORPORATION:

Vance Rodgers

Vance Rodgers, LEDC President

ATTEST:

Robert Tobias

Robert Tobias, LEDC Secretary

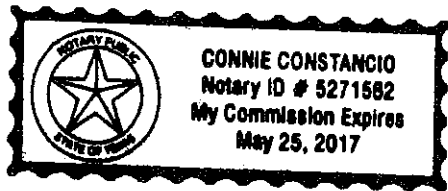
Benny Boyd Lockhart LLC:

Russell Waters

Russell Waters, Chief Operating Officer

State of Texas)
)
County of Caldwell)

The foregoing instrument was acknowledged before me this 26th day of April, 2017, by Vance Rodgers, known to me to be the President of the Lockhart Economic Development Corporation of Lockhart, Texas.



Connie Constancio

Notary Public State of Texas

My Commission expires:


May 25, 2017

State of Texas)
)
County of LAMAR)

The foregoing instrument was acknowledged before me this 26 day of

FEBRUARY, 2017, by Russell Waters, known to me to be the Chief Operating Officer of Benny Boyd Lockhart LLC. (BBL), a Texas Limited Liability Corporation, acting on behalf of such corporation.




Notary Public State of Texas

My Commission expires:

1-14-18

**LOCKHART ECONOMIC DEVELOPMENT CORPORATION
 POTENTIAL VALUE OF INCENTIVES PACKAGE
 PROSPECT: BENNY BOYD, S COLORADO CAR DEALERSHIP
 Attachment A**

Incentives to locate to Lockhart with an average of 35 FTE jobs with an average annual salary/wage of \$50,000, not including owners, to be maintained over the initial 3 year period

LEDC INCENTIVES PROPOSED	*****INCENTIVE AMOUNT UP TO*****	
* 35 new jobs with average annual wage of \$50,000 @\$2,000 per job; pay 1/3 each 12 months of the three year agreement with payroll proof provided in the form of a payroll register showing names and wages	\$	70,000
Will reimburse within 3 yrs on \$3.5 million of investment for improvements/equipment after Certificate of Occupation is issued provided job requirements and payroll proof is provided as stated above to be submitted every 12 months for 3 years for reimbursement consideration	\$	87,500
Impact Fees: Water/Sewer/ Road upon proof of payment	\$	54,531
LEDC INCENTIVES PROPOSED	\$	212,031

*Incentives contingent on % of jobs and applicable investment amount achieved during the 3 year period

NOTE: ALL SUBJECT TO APPROVAL OF GOVERNING BODIES

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LOCKHART ECONOMIC DEVELOPMENT CORPORATION (LEDC)

MINUTES

Monday – April 17, 2017 - 6:00 P.M.
CITY HALL UPSTAIRS MEETING AREA
308 WEST SAN ANTONIO STREET

Board Members Present: Fermin T. Islas, Chairperson; Alan Fielder, Vice-Chair;
Morris Alexander; Ken Doran; Frank Estrada; Bernie Rangel; Dyral Thomas,

Board Members Absent: None

7 of seven members present creating a quorum of 7 at the time the meeting was called to order.

Staff Present: Vance Rodgers, President, Jeff Hinson, Vice President and Rob Tobias, Director Economic Development

1. CALL TO ORDER

The Lockhart Economic Development Corporation meeting was called to order at 6:00 p.m. by Fermin T. Islas, Chairman. The members are marked present creating a quorum of 7 at the time the meeting was called to order.

2. DISCUSSION AND/OR ACTION

A. Discussion and/or action to consider approval of the minutes of March 13, 2017.

Motion to approve the minutes from the March 13, 2017 meeting as presented:

Motion: Ken Doran _____ *Second: Morris Alexander* _____ *Vote: 7 of 7*

B. Discussion and/or action to consider acceptance of financials and sales tax report.

Motion to approve the financials and sales tax report

Motion: Frank Estrada _____ *Second: Ken Doran* _____ *Vote: 7 of 7*

3. OPEN EXECUTIVE SESSIONS

We will now enter into Executive Session under Section 551.087 of the Texas Local Government Code at 6:05 PM to deliberate or discuss commercial or financial information that the governmental body has received from a business prospect that seeks to locate, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations; or to deliberate the offer of a financial or other incentive to a business prospect. PLEASE RETURN FINANCIALS AFTER EXECUTIVE SESSION.

Note: LEDC will consider items discussed in Executive Session after holding the public hearings.

EXECUTIVE SESSIONS in accordance with the provisions of the Government Code, Title 5, Subchapter D. Section 551.087 to deliberate or discuss regarding commercial or financial information that the governmental body has received from a business prospect that the governmental bodies seeks to have locate, stay, or expand in or near the territory of the governmental bodies and with which the governmental body is conducting economic development negotiations; or to deliberate the offer of a financial or other incentive to a business prospect.

- A. Discussion regarding Benny Boyd Lockhart LLC. and proposed incentive to expand its business to Lockhart with an estimated initial investment of \$3.5 million investment and creating and maintaining a minimum of 35 new full time equivalent jobs with an average annual wage of \$50,000.
- B. Discussion regarding Chulinal Inc. (Schlotzsky's) and proposed incentive to expand its business to Lockhart with an estimated initial investment of \$1.4 million and creating and maintaining 15 new jobs with an average annual wage of \$16,416.

4. **CLOSE EXECUTIVE SESSIONS** *Close Executive Session at 6:58 PM.*

Motion: Bernie Rangel Second: Morris Alexander Vote: 7 of 7

Notice of public hearings were published in newspaper as required.

5. **PUBLIC HEARING**

Open Public Hearing at 6:58 PM.

- A. Hold a public hearing regarding the proposed development by the Benny Boyd Lockhart LLC. that includes an initial estimated investment of \$3.5 million and the employment of a minimum of 35 full time equivalent employees with an average annual wage of \$50,000 to be maintained over the three (3) year agreement period with reimbursable incentives worth up to \$212,031.

*Is there anyone present who would like to speak in opposition to the proposed project and incentives?
There was none.*

*Is there anyone present who has not spoken that is in favor of the proposed project and incentives?
There was none.*

Benny Boyd addressed the LEDC Board and stated that they have desired to have a facility in Lockhart for a while now. He stated they have many things to offer the community. It was stated that approximately 30% of their sales is expected to come from residents of Lockhart and Caldwell County. About 60% would come from other communities.

Close Public Hearing at 7:03 PM.

- B. Hold a public hearing regarding the proposed development by Chulinal Inc. that includes an initial estimated investment of \$1.4 million and the employment of a minimum of 15 employees with an average annual wage of \$16,416 to be maintained over the three (3) year agreement period with reimbursable incentives worth up to \$75,146.

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Open Public Hearing at 7:04 PM.

Is there anyone present who would like to speak in opposition to the proposed project and incentives?
There was none.

Is there anyone present who has not spoken that is in favor of the proposed project and incentives?
There was none.

Close Public Hearing at 7:04 PM.

6. DISCUSSION AND/OR ACTION

- A. Discussion and/or action to consider Resolution 2017-05 approving Benny Boyd Lockhart LLC. as a Type B project and to recommend approval to the Lockhart City Council.

Motion to approve Resolution 2017-05 as presented.

Motion: Alan Fielder Second: Morris Alexander Vote: 7 of 7

- B. Discussion and/or action to consider the Economic Development Performance Agreement with Benny Boyd Lockhart LLC. by which the company agrees to purchase land, construct a building and equipment, and make other improvements totaling an estimated initial investment of \$3.5 million and to employ and maintain a minimum of 35 full time equivalent employees with an average annual wage of \$50,000 for the three (3) year agreement period with LEDC providing up to \$212,031 in reimbursable incentives.

Motion to approve proposed Economic Development Performance Agreement and authorize the LEDC President to move forward with any negotiation that might be necessary for the agreement:

Motion: Bernie Rangel Second: Alan Fielder Vote: 7 of 7

- C. Discussion and/or action to consider Resolution 2017-06 approving Chulinal, Inc. as a Type B project and to recommend approval to the Lockhart City Council.

Motion to approve Resolution 2017-06 as presented.

Motion: Ken Doran Second: Dyral Thomas Vote: 7 of 7

- D. Discussion and/or action to consider the Economic Development Performance Agreement with Chulinal, Inc. by which the company agrees to construct a building and equipment and make other improvements totaling an estimated initial investment of \$1.4 million, and to employ and maintain a minimum of 15 employees with an average annual wage of \$16,416 for the three (3) year agreement period with LEDC providing up to \$75,146 in reimbursable incentives.

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Motion to approve proposed Economic Development Performance Agreement and authorize the LEDC President to move forward with any negotiation that might be necessary for the agreement:

Motion: Morris Alexander Second: Alan Fielder Vote: 7 of 7

7. **DISCUSSION ONLY**

A. Discussion regarding the Arete Emergency Health Care Project

Mr. Rodgers stated Arete expects to purchase the property by mid-May which is approximately 16 acres. He stated they have submitted a drawing of where they would like to build. This building will be approximately 10,000 square feet. The proposed location is around Borchert Loop and City Line Road. One of the facilities will be a 24-hour emergency facility with doctors on site. The other side of the facility will be for acute care.

B. Discussion regarding other Economic Development Activity (see report referenced).

Mr. Tobias reviewed the report generated for the LEDC Board as to the ongoing projects and various Economic Development activity.

8. **ADJOURN**

Motion to adjourn:

Motion: Bernie Rangel Second: Morris Alexander Vote: 7 of 7



CITY OF LOCKHART COUNCIL AGENDA ITEM

CITY SECRETARY'S USE ONLY	Reviewed by Finance	<input type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable
<input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory	Reviewed by Legal	<input type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable
Council Meeting Date: May 2, 2017			
Department: Economic Development		Initials	Date
LEDC President: <i>Vapor Rodgers</i>	City Manager		<i>4-28-2017</i>
Dept. Signature: <i>V. Rodgers</i>	Rob Tobias	<i>[Signature]</i>	<i>4-28-17</i>
Agenda Item Coordinator/Contact (include phone #): Rob Tobias Cell: 512-376-0856			
ACTION REQUESTED: <input type="checkbox"/> ORDINANCE <input type="checkbox"/> RESOLUTION <input type="checkbox"/> CHANGE ORDER <input type="checkbox"/> AGREEMENT <input type="checkbox"/> APPROVAL OF BID <input type="checkbox"/> AWARD OF CONTRACT <input type="checkbox"/> CONSENSUS <input checked="" type="checkbox"/> OTHER			
CAPTION			
DISCUSSION AND/OR ACTION TO CONSIDER THE CHAPTER 380 AGREEMENT BETWEEN THE CITY OF LOCKHART AND BENNY BOYD LOCKHART LLC BY WHICH THE COMPANY AGREES TO PURCHASE LAND, CONSTRUCT A BUILDING AND EQUIPMENT, AND MAKE OTHER IMPROVEMENTS TOTALLING AN ESTIMATED CAPITAL INVESTMENT OF \$3.5 MILLION AND CREATE 35 NEW FTE JOBS WITH AN AVERAGE ANNUAL WAGE OF \$50,000. CITY INCENTIVES PROPOSED TOTAL UP TO \$30,794 SPREAD OUT OVER 3 YEARS AND ARE CONTINGENT UPON MEETING CAPITAL INVESTMENT AND SUSTAINING JOB CREATION NOTED IN AGREEMENT OVER THE CONTRACT PERIOD.			
FINANCIAL SUMMARY			
<input type="checkbox"/> N/A <input type="checkbox"/> GRANT FUNDS <input type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input type="checkbox"/> CIP <input type="checkbox"/> BUDGETED <input type="checkbox"/> NON-BUDGETED			
FISCAL YEAR:	PRIOR YEAR (CIP ONLY)	CURRENT YEAR	FUTURE YEARS
Budget			TOTALS
Budget Amendment Amount			\$0.00
Encumbered/Expended Amount			\$0.00
This Item			\$0.00
BALANCE	\$0.00	\$0.00	\$0.00
FUND(S):			
SUMMARY OF ITEM			
As this is a competitive location, a combination of LEDC and City incentives were proposed. This investment by Benny Boyd Lockhart would make the company one of the top taxpayers and employers in the city, put the company in the top tier for employee compensation, reduce retail leakage by offering other local new car purchase options, and bring in a large number of potential customers from outside the City and Caldwell County, contributing to increased traffic counts which are important in attracting larger commercial developments, and will continue to anchor commercial development in the US-183 South corridor.			
STAFF RECOMMENDATION			
Approval of the Chapter 380 agreement with the Benny Boyd Lockhart LLC.			
List of Supporting Documents: <ul style="list-style-type: none"> • Resolution 2017-08 • Proposed 380 Incentives • Chapter 380 Agreement • Project Assessment 	Other Departments, Boards, Commissions or Agencies:		

The information on this project was provided during the work session. Two readings of the Resolution No. 2017-08 are required if the Type 4B project is approved.

CITY OF LOCKHART
PROPOSED 380 INCENTIVES: BENNY BOYD, S COLORADO CAR DEALERSHIP
Attachment A

*** Cannot rebate property taxes on existing building and property

Year	Land- No Incentive	New Buildings Additions and Improvements	Furniture, Fixtures and Equipment	Total	Existing Blds Not Inc. Accumulative Total
1		\$3,000,000	\$500,000	\$3,500,000	\$ 3,500,000
2					\$ 3,500,000
3					\$ 3,500,000

	Est Rate	Total	Total			Total 3 Yrs
			Yr 1 60%	Yr 2 40%	Yr 3 20%	
City Tax	\$ 0.73320		\$ 15,397.20	\$ 10,264.80	\$ 5,132.40	\$ 30,794
		Total By Year	\$ 15,397.20	\$ 10,264.80	\$ 5,132.40	\$ 30,794

NOTE: ALL SUBJECT TO APPROVAL OF GOVERNING BODIES

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CHAPTER 380 ECONOMIC DEVELOPMENT INCENTIVE AGREEMENT

As of _____ (the "*Effective Date*") this agreement (the "*Agreement*") is entered into between the City of Lockhart (the "*CITY*"), a Texas Home Rule City and Benny Boyd Lockhart, L.L.C., a Texas Limited Liability Company, duly authorized to conduct business in the State of Texas ("*Company*"). The City and Company may also be referred to collectively as the "*Parties*" or individually as a "*Party*".

PART 1. RECITALS

Section 1.01. Company is a leader in the auto dealership industry having been in business for over 20 years.

Section 1.02. Company has informed the CITY that financial incentives would induce the company to locate a full-service automobile dealership in the CITY.

Section 1.03. By locating these operations in the CITY, the Company will create new jobs, generate new sales tax revenues, and add improvements to real property, personal property and inventory, all subject to ad valorem tax assessment.

Section 1.04. The CITY is authorized under Chapter 380 of the Texas Local Government Code to offer certain economic development incentives for public purposes, including the promotion of local economic development and the stimulation of business and commercial activity in the City.

Section 1.05. The CITY has determined that providing an economic development rebate to Company to locate in the CITY will promote local economic development and stimulate business and commercial activity in the City.

Section 1.06. For reasons stated in these Recitals and in consideration of the mutual benefits to and promises of the Parties set forth below, the Parties want to enter into this Agreement and agree to the terms and conditions set forth in this Agreement.

**ARTICLE II
DEFINITIONS**

Section 2.01. “Business” means the business activities of Company conducted in the CITY, on the Land (as defined below) to include and related to the manufacturing and distribution of glass and mirrors.

Section 2.02. “Rebate Payments” means CITY’s annual payments over 3 years of an amount equal to a percentage of the Company’s Property Taxes on improvements to the property as defined below:

<u>Year</u>	<u>Percentage of Rebate</u>	<u>Not to Exceed</u>
Year 1	60%	\$15,397.20
Year 2	40%	\$10,264.80
Year 3	20%	\$ 5,132.40

* All above rebates contingent upon proof of payment of applicable City property tax and sufficient proof of 35 full time new jobs with an annual average wage of \$50,000 or \$1.75 million in wages per year. Rebates will be based on meeting the job requirements or pro-rated if all requirements are not met.

Section 2.03. “Job” means a permanent, full time equivalent employment position (30 hours per week) resulting from the Project, and meeting the criteria in section 3.01 and in accordance with the schedule set forth in Exhibit “A,” attached hereto and made part of hereof for all purposes. Any other position does not qualify as a “Job” for purposes of this Agreement.

Section 2.04. “Land” means the real property within the city limits of the CITY upon which the Project shall be executed in Lockhart, Caldwell County, Texas, described as 6.0 acres near the intersection of US-183 South and Chisholm Trail.

Section 2.07. “Project” means the operation of the Business on Land and the addition of Real Property Improvements (as defined below) and the creation and maintenance of new Jobs.

Section 2.08. “Real Property Improvements” means a facility constructed on the Land for the operation of the Business.

Section 2.09. Left blank on purpose.

Section 2.10. The “Term” of this agreement shall commence on the Effective Date and continue until all parties’ obligations in this agreement have been met.

ARTICLE III COMPANY’S OBLIGATIONS

Section 3.01. Company hereby agrees that it will pay lawful City property taxes on or before January 31 of each year of this three (3) year agreement and the Company will submit within 90 days of January 31 a rebate request for applicable City taxes paid and provide sufficient proof in the form of payroll registers that all job requirements have been satisfied. Failure to submit the rebate request with all required paperwork within the 90 days will result in no City rebate payment for the period of time under consideration.

Section 3.02. Job Creation. After the Effective Date, Company shall create Jobs in accordance with the schedule in Exhibit “A” and keep such Jobs filled during the Term of this Agreement. While the titles or classification of Jobs may change, the total number of Jobs created shall be maintained through the end of the Term. The Parties recognize that it may be necessary for Company to vary the sequence and/or levels of hiring for Jobs from the schedule included in Exhibit “A” due to changes in market conditions or assumptions. Company,

therefore, may hire and employ more personnel in Jobs during any year than is stated in Exhibit "A", in which event such excess number of Jobs will be credited or applied to the Job levels projected in Exhibit "A" for any subsequent year. However, the cumulative total for all jobs shall not be less than as stated in Exhibit "A."

(a) Nondiscrimination. Company agrees to ensure that no discrimination will occur in the Creation of Jobs on the basis of race, creed, color, national origin, sex or disability.

(b) Minimum Job Requirements. All Jobs must be full-time equivalent positions with an average annual wage of \$50,000.00 equaling an annual payroll of \$1.75 million or more.

Section 3.02. Addition of Real Property Improvements. Company shall complete the construction of the Real Property Improvements on or before December 31, 2017 or later upon written agreement. Completion of the Real Property Improvements shall be evidenced by a certificate of occupancy issued by the CITY.

Section 3.03. Operation of Business. Company shall begin operation of the Business on or before January 1, 2018 or as agreed in writing and shall continuously operate, maintain and manage the Business for the duration of the Term.

Section 3.04. Compliance with Laws. In performing its obligations under this Article, Company shall comply with all applicable laws, regulations, and ordinances.

**ARTICLE IV
REBATE PAYMENTS FROM THE CITY**

Section 4.01. Rebate Payments. Subject to the requirements and limitations of this Article, other terms, and conditions of this Agreement and Company's compliance with this Agreement, the CITY will make Rebate Payments to Company in the manner set forth in this Article.

Section 4.02. Three-Year Payment Period. Provided Company has timely completed construction of the Real Property Improvements and created at least the number of Jobs each year as indicated in the schedule in Exhibit "A," the City shall make Rebate Payments to Company once per year for a period of 3 years according to Section 2.02 of this document.

Section 4.03. Time for Payment. Rebate Payments will be made by the CITY within 90 days after the company provides sufficient and acceptable proof of payment of City taxes paid on or before January 31 and provides sufficient proof of compliance with all job requirements during the term of this agreement and as defined in Section 7.02 of this document.

**ARTICLE V
REPRESENTATIONS AND WARRANTIES OF COMPANY**

As Effective Date, Company represents and warrants to the CITY, as follows:

Section 5.01. Organization. Company is a limited liability company duly organized, validly existing and in good standing under the laws of the State of Texas and authorized to conduct business in the State of Texas. The activities that company proposes to carry on at the Land may lawfully be conducted by Company.

Section 5.02. Authority. The execution, delivery, and performance by Company of this Agreement are within Company's powers and have been duly authorized.

Section 5.03. Valid and Binding Obligation. This Agreement is the legal, valid and binding obligation of Company, enforceable against Company in accordance with its terms except as limited by applicable relief, liquidation, conservatorship, bankruptcy, moratorium, rearrangement, insolvency, reorganization or similar laws affecting the rights or remedies of creditors generally, as in effect from time to time.

Section 5.04. No Defaults. Company is not in default in the performance, observance or fulfillment of any of the obligations, covenants or conditions contained in any agreement or instrument to which Company is a party or by which company or any of its property is bound that would have any material adverse effect on Company's ability to perform under this Agreement.

Section 5.05 Full Disclosure. Neither this Agreement nor any schedule or exhibit attached hereto in connection with the negotiations of this Agreement contains any untrue statement of a material fact or omits to state any material fact necessary to keep the statements contained herein or therein, in the light of the circumstances in which they were made, from being misleading.

ARTICLE VI PERSONAL LIABILITY OF PUBLIC OFFICIALS AND LIMITATIONS ON CITY OBLIGATIONS

Section 6.01. Personal Liability of Public Officials. No employee or elected official of the CITY shall be personally responsible for any liability arising under or growing out of this Agreement.

Section 6.02. Limitations on CITY Obligations. The Rebate Payments made and any other financial obligation of the CITY hereunder shall be paid solely from available funds that have been appropriated each year during the Term by the CITY as provided in this Agreement.

Under no circumstances shall the CITY's obligations hereunder be deemed to create any debt within the meaning of any constitutional or statutory provision. Consequently, notwithstanding any other provision of this Agreement, the CITY shall have no obligation or liability to pay any Rebate Payments or other payments unless the CITY budgets and appropriates funds to make such payments during the CITY's fiscal year in which such Rebate Payment(s) or other payments are payable under this Agreement. If the CITY fails to appropriate funds for a Rebate Payment, Company may at its option terminate this Agreement effective upon written notice to the CITY.

Section 6.03. No Recourse. Company shall have no recourse against the CITY for the CITY's failure to appropriate funds during the fiscal year to meet the purposes and satisfy its obligations under this agreement.

ARTICLE VII INFORMATION

Section 7.01. Information. Company shall, at such times and in such form as the CITY may reasonably request from Company, provide information concerning the performance of Company's obligations under this Agreement.

Section 7.02. Annual Certification Related to Jobs and Compliance with Agreement. Beginning in the year 2018 and continuing each year thereafter during the term, Company shall submit to the CITY within 90 days after January 31, a certified statement acceptable to the CITY, signed by an authorized officer or employee of Company, providing the following information:

- (a) the total number of Jobs created in the preceding calendar year and cumulatively since the effective date, together with the annual average salary for such

Jobs, the residency of the person holding such Jobs and the benefits provided (personal information regarding individual employees will not be required); and

(b) a statement it is in full compliance with its obligations under this Agreement or, if not in full compliance including payment of all City property taxes, a statement disclosing the nature of any noncompliance and any reasons therefore.

After receiving a submitted certified statement and required backup paperwork, the CITY shall have 60 calendar days to notify Company in writing of any questions that the CITY may have concerning any of the information provided by Company, and Company shall diligently work in good faith to respond to such questions to the CITY's reasonable satisfaction.

Section 7.03. Review of Company Records. Company agrees that the CITY will have the right to review the business records of company that relate to the Project and Company's compliance with the terms of this Agreement at any reasonable time and upon at least seven days' prior notice to Company in order to determine compliance with this Agreement. To the extent reasonably possible, Company shall make all such records available in electronic form or otherwise available to be accessed through the internet.

ARTICLE VIII DEFAULT, TERMINATION AND REMEDIES

Section 8.01. Remedies for Noncompliance with Jobs Obligations. If, at the end of any applicable year during the Term, Company is not in compliance with the obligations to create Jobs as provided in this Agreement, the CITY may, at its option, terminate the Agreement by sending written notice of termination to Company or withhold Rebate Payments that would otherwise be due to Company for that year. If the CITY elects to withhold Rebate Payments, the CITY will resume Rebate Payments for any subsequent years during the Term in which

Company is in compliance; however, any Rebate Payments withheld by the CITY for any years during which Company is not in compliance shall be deemed forfeited by Company and the CITY shall not be liable for later payment of such Rebate Payments.

Section 8.02. Notice of Default. At any time during the Term of this Agreement that Company is not in compliance with its obligations under this Agreement other than its obligations to create Jobs, the CITY may send Company notice of such non-compliance. If such non-compliance is not cured within 60 days after Company's receipt of such notice or, if non-compliance is not reasonably susceptible to cure within 60 days, a cure is not begun within such 60-day period and thereafter continuously and diligently pursued to completion (in either event, a "Cure"), then the CITY may, at its option, terminate this Agreement or withhold Rebate Payments until such a Cure occurs. Except as provided under section 8.01, upon a Cure by Company, the Rebate Payments shall automatically and immediately resume except any Rebate Payments withheld by the CITY for any years during which Company is not in compliance shall be deemed forfeited by Company and the CITY shall not be liable for later payment of such Rebate Payments. Except as to circumstances arising from an Event of *force majeure*, the Term shall not be extended as a result of any cure period under this section.

Section 8.03. Remedies. Upon breach of any obligation under this agreement, in addition to any other remedies expressly set forth in this Agreement with respect to such breach, the aggrieved party shall have such remedies as are available in law or equity for breach of contract; provided, however, that no party shall be liable to any other party for incidental or consequential damages. Notwithstanding, the foregoing, the CITY, in entering into this Agreement does not waive its immunity from suit or any other limitations on its liability,

contractual or otherwise, as granted by the Texas Constitution or applicable laws of the State of Texas.

Section 8.05. Force Majeure. *Force majeure* means an event beyond the reasonable control of a party obligated to perform an act or take some action under this Agreement including, but not limited to, acts of God, earthquake, fire, explosion, war, civil insurrection, acts of public enemy, act of civil or military authority, sabotage, terrorism, floods, lightning, hurricanes, tornadoes, severe snow storms or utility disruption, strikes, lockouts, major equipment failure or the failure of any major supplier to perform its obligations.

Section 8.06. Indemnification. The CITY shall not be obligated to pay any indebtedness or obligations of Company. Company hereby agrees to indemnify and hold the CITY, and the CITY's elected officials and employees, harmless from and against (i) any indebtedness or obligations of Company, Business, the Project and any improvements to the Land, or any other obligation of Company as provided herein, and (ii) breach of any representation, warranty, covenant or agreement of company contained in this Agreement, without regard to any notice or cure provisions. Company's indemnification obligation hereunder shall include payment of the CITY's reasonable attorneys' fees, costs and expenses with respect thereto.

ARTICLE IX MISCELLANEOUS

Section 9.01. Entire Agreement. This agreement, including any exhibits hereto, contains the entire agreement between the parties with respect to the transactions contemplated herein.

Section 9.02. Amendments. This Agreement may only be amended, altered, or terminated by written instrument signed by all parties.

Section 9.03. Assignment. Company may not assign any of its rights or delegate or subcontract any of its duties under this Agreement, in whole or in part, without prior written consent of the CITY.

Section 9.04. Waiver. No term or condition of this Agreement shall be deemed to have been waived, nor shall there be any estoppel to enforce any provision of this Agreement, except by written instrument of the party charged with such waiver or estoppel.

Section 9.05. Notices. Any notice, statement and/or communication required and/or permitted to be delivered hereunder shall be in writing and shall be mailed by first-class mail, postage prepaid, or delivered by hand, messenger, telecopy, or reputable overnight carrier, and shall be deemed delivered when received at the addresses of the parties set forth below, or at such other address furnished in writing to the other parties thereto:

Company: Benny Boyd Lockhart, L.L.C.
585 South Interstate 35 East
De Soto, TX 75115-6402
Telephone: (972) 223-8936
Facsimile: (972) 223-8945

City: CITY OF LOCKHART
308 W. San Antonio St.
Lockhart, Texas 78644
Telephone: (512) 398-3461
Facsimile: (512) 398-5103

Either Party may change the address and contact information for notices under this section by providing written notice of such change to the other Party.

Section 9.06. Applicable Law and Venue. This Agreement is made, and shall be construed and interpreted under the laws of the State of Texas. Venue for any legal proceedings shall lie in State courts located in Caldwell County, Texas. Venue for any matters in federal court will be in the United States District Court for the Western District of Texas.

Section 9.07. Severability. In the event any provision of this Agreement is illegal, invalid, or unenforceable under the applicable present or future laws, then, and in that event, it is the intention of the Parties that the remainder of this Agreement shall not be affected thereby, and it is also the intention of the parties to this Agreement that in lieu of each clause or provision that is found to be illegal, invalid, or unenforceable a provision be added to this Agreement which is legal, valid and enforceable and is a similar in terms as possible to the provision found to be illegal, invalid or unenforceable.

Section 9.08. Third Parties. The CITY and Company intend that this Agreement shall not benefit or create any right or cause of action in and on behalf of any third-party beneficiary, or any individual or entity other than the CITY and Company or permitted assignees of the CITY and Company, except that the indemnification and hold harmless obligations by Company provided for in this Agreement shall inure to the benefit of the indemnitees named therein.

Section 9.09. No Joint Venture. Nothing contained in this Agreement is intended by the parties to create a partnership or joint venture between the Parties, and any implication to the contrary is hereby expressly disavowed. It is understood and agreed that this Agreement does not create a joint enterprise, nor does it appoint either Party as an agent of the other for any purpose whatsoever. Except as otherwise specifically provided herein, neither party shall in any way assume any of the liability of the other for acts of the other or obligations of the other.

Section 9.10. Counterparts. This Agreement may be executed in multiple counterparts, each of which shall be considered an original, but all of which constitute one instrument.

EXECUTED in duplicate originals to be effective as of the Effective Date.

CITY

By: _____

Name: Lew White

Title: Mayor

BENNY BOYD LOCKHART, L.L.C.

By: _____

Name: _____

Title: _____

Benny Boyd Lockhart LLC

EXHIBIT "A"

Job Creation by Year Requirement

Job Schedule:	# of Jobs/Total
New/Cumulative Jobs on or before December 31, 2018:	35
New/Cumulative Jobs on or before December 31, 2019:	35
New/Cumulative Jobs on or before December 31, 2020:	35

35 jobs @ \$50,000 = \$1,750,000 in annual wages

Penalty Examples: If company only creates and maintains 25 jobs with an average annual wage of \$50,000, the Rebate Payment will be reduced by 10/35 or 28.6 percent. If company only pays out \$1,000,000 in payroll, the Rebate Payment will be reduced by \$750,000/\$1,750,000 or 42.9 percent.

Robert Tobias

From: Robert Tobias
Sent: Thursday, April 27, 2017 2:06 PM
To: Robert Tobias
Subject: Project Assessments - Benny Boyd Lockhart

Below are some bullet points based upon feedback from LEDC:

Benny Boyd Lockhart LLC

- Estimated total investment including land of \$4.675 million should put company in top 10 taxpayers
- Estimated employment of 35 FTE puts company in top 15 employers
- Estimated average annual wages of \$50,000 puts company in top tier in city for compensation
- Attracting another brand auto dealership reduces the retail leakage in "New and Used Car Dealers"; according to retail study Lockhart has over \$16 million in retail leakage in this category
- Attracting another car dealership will also offer more purchasing options
- According to Economic Impact Data Sheet, BBL will be spending marketing dollars to attract customers from throughout the Austin region, bringing an estimated 1,500 customers from outside the region
- Project will contribute to increasing traffic counts for US-183
- Company is purchasing 20 acres and will only be using 6 acres for dealership and will be working to sell the balance of 14 acres to complementary retail to anchor this site

Please advise if any questions.

Rob Tobias
Director of Economic Development
City of Lockhart
308 W San Antonio
Lockhart, TX 78644
(512) 398-3461 Office
(512) 376-0856 Cell
rtobias@lockhart-tx.org
www.lockhartedc.com



Work Session Item # _____

Reg. Mtg. Item # _____

**CITY OF LOCKHART
COUNCIL AGENDA ITEM**

CITY SECRETARY'S USE ONLY <input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory		Reviewed by Finance	<input type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable
		Reviewed by Legal	<input type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable
Council Meeting Dates: May 2, 2017				
Department: City Manager			Initials	Date
Department Head: Vance Rodgers		Asst. City Manager		
Dept. Signature: <i>Vance Rodgers</i>		City Manager		<i>VR</i> 4-28-2017
Agenda Item Coordinator/Contact (include phone #): Vance Rodgers				
ACTION REQUESTED: <input type="checkbox"/> ORDINANCE <input type="checkbox"/> RESOLUTION <input type="checkbox"/> CHANGE ORDER <input type="checkbox"/> AGREEMENT <input type="checkbox"/> APPROVAL OF BID <input type="checkbox"/> AWARD OF CONTRACT <input type="checkbox"/> CONSENSUS <input checked="" type="checkbox"/> OTHER				
CAPTION				
Discussion and/or action regarding Council's FY 17-18 Goals after presentation by City Manager				
FINANCIAL SUMMARY				
<input type="checkbox"/> N/A <input type="checkbox"/> GRANT FUNDS <input type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input type="checkbox"/> CIP <input type="checkbox"/> BUDGETED <input type="checkbox"/> NON-BUDGETED				
FISCAL YEAR:	PRIOR YEAR (CIP ONLY)	CURRENT YEAR	FUTURE YEARS	TOTALS
Budget				\$0.00
Budget Amendment Amount				\$0.00
Encumbered/Expended Amount				\$0.00
This Item				\$0.00
BALANCE	\$0.00	\$0.00	\$0.00	\$0.00
FUND(S):				
SUMMARY OF ITEM				
Goals as provided by Councilmembers have been arranged in priority order for discussion and/or action by Council				
STAFF RECOMMENDATION				
None at this point				
List of Supporting Documents: FY 16-17 Goals, FY 17-18 Goals		Other Departments, Boards, Commissions or Agencies:		

LOCKHART CITY COUNCIL FY 17-18 GOALS

Priority Order

MEMBER	PRIOR	GOALS IDENTIFIED BY COUNCIL FOR FY 17-18	SUGGESTED FUNDING SOURCE
BH	1	IMPLEMENT SIGNAGE IN LOCKHART	General Fund (LEDC) and/or Hotel Tax
BW	1	ENFORCE ordinances that pertain to unsightly properties all over town	
JC	1	Roads	Grants or impact fees
Jeff M	1	Enforce city ordinance regarding residential property	
JM	1	City Employee Raises	
LW	1	Expanding economic development department, budget, office, staff?, marketing	general fund, LEDC
BH	2	Continue improving City Streets	Increase Transportation Fund
BW	2	Contiinue to change angle parking downtown: 200 Blk S Main, 100 Blk N Main, 100 Blk N Commerce, 200 Blk E Market	
JC	2	Crime	
Jeff M	2	Refurbish City Hall in the inside (to make more inviting to the public) as well as doing some landscaping outside	
JM	2	House or fund gym membership/space (weight rm) in Senior Center area (cardio machine) for City employees	
LW	2	Downtown improvements,bathrooms, electric, pedestrian safety, beautification, wifi, lighting	??
BH	3	Continue Improving City Cemetery	with GF Expiring debt saving and/or Cemetery Tax
BW	3	Spruce up and clean up City properies	
JC	3	Economic Development	
Jeff M	3	Continue to work on City Park improvements	
JM	3	Do inventory of City properties to idenify areas for pocket parks	LEDC funds
LW	3	Park improvements	general fund
BH	4	Improve City Facilities Appearance	General Fund
BW	4	Pursue opportunity to move Senior Citizens' Center to St Paul United Church of Christ Property	
JC	4	City Facilities	
Jeff M	4	Work with Police Department to bring back drug enforcement program	
JM	4	Start process of Funding Sidewalks east of 183 connecting to the US 183 sidewalks	
LW	4	wayfinding, branding	general fund
BH	5	Parks Improvements	General Fund
JC	5	Parks	
Jeff M	5	Continue to make improvements and redoing our city streets	
JM	5	Set up meetings with developers for more retail space shopping centers along US 183	
LW	5	Entry signs	general fund
Jeff M	6	Signage on Highway 183 and SH130 = directing people to Lockhart	
LW	6	sidewalk repair and expansion	general fund bond
LW	7	Town branch cleanup and beautification	???
LW	8	Fund for helping utility customers in need	???

Lockhart City Council
 FY 16-17 Goals
 Revised 3-10-2016, 8:30 pm
 Update Mar 21 2017

Priority	Council Person	Goals Submitted	City Manager Comments	FY 16-17 6 Months Update
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.	Richland Dr 100% complete, Mesquite/Braden 98% complete, E Walnut/Market St 40% complete, paved Bois D Arc-Median to Hwy 142, Plum between Frio and Rio Grande, scheduled Cedar from 183 to N Blanco, 18" Water Main Installed on N side of SH 142, Ash/Comal/Pine Project to be bid soon, Part of electric primary system put on the new substation; replaced bad water main on Walnut downtown to provide better pressure and fire fighting capabilities, ; paved all gravel streets with exception portions of Shady and Lovers Lane; Sewer extended on S Colorado near Airport; cracked sealed streets in 4 subdivisions. Working on required easements for utility projects.
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 Cost FY 16-17 due to Civil Serv Pay Plan Expansions already approved: \$ 132,000	3% recommended by CM and granted by Council: New step pay plans for Police and Fire approved
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)	Not supported by a majority of Council; working with volunteer groups to improve conditions; have own paving equipment now, need funding for water line replacement and paving materials.
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	No comment
1	Michelson	Continue to improve infrastructure (drainage, street repairs) throughout the city	Complete 2015 CO and budget \$250,000 per year for street materials	See 1 above please
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.	Ordinance amendment passed in March 2016 by Council and being enforced on a complaint basis.
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	Sandra retired in August 2016- new Economic Development Director Mr. Robert Tobias hired starting Jan 1, 2017 and he concentrating on this
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	Mr. Tobias actively pursuing these; price of land and lack of infrastructure in some areas a challenge'
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 initial required funds up to \$40,000 if City Crew does the work; total cost could be more than \$70,000	See 1 above; LED lighting is much more expensive but experimenting with it in intersections for now like along City Line Road; City must comply with Senate Bill 5 requiring reduction of electric power use. We perform light candle watt readings and install brighter lights as needed.
2	Hilburn	Implement City Signage		
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	Special Funding Required; Master Parks Plan in process now
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	See above
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	See previous comment please
2	White	Continue street rehab	Need \$ 250,000 annually minimum for street work materials	\$100,000 budgeted for FY 16-17
3	Castillo	City Facilities	Not sure what this includes; can asses all departments for physical needs	We keep a priority list from Department Heads of equipment, vehicles, personnel, and special items during the budget process

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Lockhart City Council
 FY 16-17 Goals
 Revised 3-10-2016, 8:30 pm
 Update Mar 21 2017

Priority	Council Person	Goals Submitted	City Manager Comments	FY 16-17 6 Months Update
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 soft good companies constantly want to be on Highway 183 in 12-15,000 sf and at a reasonable cost per sf plus higher traffic counts.	Price of land on US 183 and US 142 near SH 130 is still a challenge; Lack of traffic count above 20,000 per day average is also detrimental factor
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.	\$100,000 budgeted for FY 16-17
3	Mendoza	Wi-Fi Free Zones Downtown Square. Funding source City Budget, School District, Downtown sponsors	Rough estimate is about \$12,000	Funding needed
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	Funding approved by Council for inside; more landscaping has been done and more planned.
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.	See previous comment please; CM continues to talk with potential businesses
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	Master plan RFP will go out in next 90 days
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	3% recommended by CM and granted by Council: New step pay plans for Police and Fire approved
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 per Chief Lummus	New Police Chief Pedraza is working on addressing these issues and we provide a plan of action
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	LEDC fund balance is increasing and will help when commercial developments are looking at Lockhart.
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.	Residents wanting start one can contact the Police Department and talk with Officer Parra
4	Michelson	Improve signage on HWY 183 as well as SH 130 = directing people to Lockhart	Possibly use of some of the KIB grant money	Pending
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 care 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	200 Block of S Commerce remarked which was the tightest one
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	Pending new assistant planner hire to assist or handle the project
5	Castillo	Parks	Estimate: \$ 400,000 annually over next 4 years based on input from Parks Board Advisory Board	Master plan RFP will go out in next 90 days
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.	Three subdivisions are about ready to start building
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	See previous comment please
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.	Current market study will be reviewed by new economic development director and come back with recommendation
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 soft good retailers want 12-15,000 on Hwy 183 at a reasonable price and increased traffic volumes	LEDC fund balance is increasing and will help when commercial developments are looking at Lockhart.

Lockhart City Council
 FY 16-17 Goals
 Revised 3-10-2016, 8:30 pm
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Priority	Council Person	Goals Submitted	City Manager Comments	FY 16-17 6 Months Update
5	White	Sidewalks to include lighting along Maple Street walkway	Funding required; for example San Jacinto to Jr High estimate is \$130,000 just for materials along Maple walkway	Funding still an issue plus if developer on north side starts building the lights would be taken out.
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.	Pending new assistant planner hire to assist or handle the project; direction from Council about funding required
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	Master plan RFP will go out in next 90 days
6	White	Pursue possible ESD-EMS district		Not recommended at this time
7	Gonzales-Sanchez	Parks Improvements: 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	Master plan RFP will go out in next 90 days
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	See previous comment please
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.	Council decision about funding; maintenance and operations funds will also be needed.
7	White	Cemetery maintenance	Cemetery Tax up to 5 cents allowed by State Law	Not supported by a majority of Council; working with volunteer groups to improve conditions; have own paving equipment now, need funding for water line replacement and paving materials.
8	Gonzales-Sanchez	City Hall: Refurbish with Improvements and/or Upgrades	Elevator and improvements to restrooms planned; better offices for Connie and Sandra areas	Should be completed by Oct 2017
9	Gonzales-Sanchez	Convention Center	\$ 9 million plus land \$ 2.5 million for about 20,000 sf plus about \$240,000 minimum 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.	Council decision about funding; maintenance and operations funds will also be needed.
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.	See previous comment please.

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LIST OF BOARD/COMMISSION VACANCIES

Updated: March 8, 2017

Board Name	Reappointments/Vacancies	Council member
NO VACANCIES		

APPLICATIONS RECEIVED TO BE ON A BOARD/COMMISSION

APPLICANT	BOARD REQUESTED	DATE RECEIVED	RESIDENCE DISTRICT
Paul Buckner	Parks & Recreation Advisory Board	April 1, 2016	District 2
Kobe Hurt	Airport Advisory Board	February 3, 2017	County resident

<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 filed for an unexpired term in the manner in which the original appointments are required to be made. (Ordinance 06-08, adopted February 7, 2006)</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.
- (6) Subject to other qualifications as specifically required for membership on the below boards and commissions, the city council shall have the right (but not the duty) to appoint up to two members who are not Lockhart citizens but who are residents of Caldwell County, to the Lockhart Airport Advisory Board, the Eugene Clark Library Board, and the construction board of appeals.

Section 2-210. Method of selection; number of members; terms.

- (a) The mayor and city councilmembers shall nominate individuals to serve on boards and commissions. Each nomination shall then be confirmed by a simple majority of the entire city council.
- (b) Except as provided herein, there shall be seven members appointed to each board or commission corresponding with the seven members or places of the city council. Each city councilmember, except 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.

Sec. 2-212. Removal and resignation of members.

- (a) All board, commission and committee members serve at the pleasure of the city council and may be removed from office with or without cause at the discretion of the city council.
- (b) Board, commission and committee members may resign from office at any time by filing a written resignation, dated and signed by the member, with the City Secretary. Such resignation shall take effect upon receipt by the City Secretary without further action by the city council. If the city council appoints a new member to replace the resigned member, the new member shall be appointed to serve out the remainder of the resigned member's term.

NOTES:
ORDINANCE
RE: ALL
BOARD,
COMMISSION
APPOINTMENTS

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COUNCILMEMBER BOARD/COMMISSION APPOINTMENTS

Councilmember	Board/Commission	Appointee	Date Appointed
Mayor – Lew White	Airport Board	John Hinnekamp	03/07/17
	Board of Adjustment	Mike Annas	03/07/17
	Construction Board	Ralph Gerald	03/07/17
	Ec Dev. Revolving Loan	Barbara Gilmer	03/07/17
	Ec Dev. Corp. ½ Cent Sales Tax	Alan Fielder, Vice-Chair	03/07/17
	Electric Board	Joe Colley, Chair	03/07/17
	Historical Preservation	John Lairsen	03/07/17
	Library Board	Stephanie Riggins	03/07/17
	Parks and Recreation	Albert Villalpando, Chair	03/07/17
	Planning & Zoning	Bill Faust	03/07/17
	ETJ Rep-Impact Fee Adv Comm	Larry Metzler	03/07/17
District 1 – Juan Mendoza	Airport Board	Larry Burrier	03/07/17
	Board of Adjustment	Lori Rangel	03/07/17
	Construction Board	Mike Votee	03/07/17
	Eco Dev. Revolving Loan	Ryan Lozano	03/07/17
	Eco Dev. Corp, ½ Cent Sales Tax	Dyral Thomas	03/07/17
	Electric Board	Thomas Herrera	03/07/17
	Historical Preservation	Victor Corpus	03/07/17
	Library Board	Shirley Williams	03/07/17
	Parks and Recreation	Linda Thompson-Bennett	03/07/17
	Planning & Zoning	Marcos Villalobos	03/07/17
District 2– John Castillo	Airport Board	Reed Coats	03/07/17
	Board of Adjustment	Juan Juarez	03/07/17
	Construction Board	Israel Zapien	03/07/17
	EcoDev. Revolving Loan	Rudy Ruiz	03/07/17
	Eco Dev. Corp. ½ Cent Sales Tax	Fermin Islas, Chair	03/07/17
	Electric Board	James Briceno	03/07/17
	Historical Preservation	Ron Faulstich	03/07/17
	Library Board	Donnie Wilson	03/07/17
	Parks and Recreation	James Torres	03/07/17
	Planning & Zoning	Rob Ortiz, Alternate Manuel Oliva	03/07/17 03/07/17

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COUNCILMEMBER BOARD/COMMISSION APPOINTMENTS

District 3 – Benny Hilburn	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 Nic Irwin (Alternate) Kirk Smith (Alternate) Jerry West, Vice-Chair Lew White, Chair Ken Doran Thomas Stephens Ronda Reagan Jean Clark Fox, Chair William Burnett Philip McBride, Chair	03/07/17 03/07/17 03/07/17 03/07/17 03/07/17 03/07/17 03/07/17 03/07/17 03/07/17 03/07/17 03/07/17
District 4 - Jeffry 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 James Paul Denny, Vice-Chair Kathy McCormick Donaly Brice Russell Wheeler Mary Beth Nickel	03/07/17 03/07/17 03/07/17 03/07/17 03/07/17 03/07/17 03/07/17 03/07/17 03/07/17 03/07/17
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 Bernie Rangel Juan Alvarez, Jr. Jodi King Chris Schexnayder Philip Ruiz, Vice-Chair	03/07/17 03/07/17 03/07/17 03/07/17 03/07/17 03/07/17 03/07/17 03/07/17 03/07/17

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 Terrance Gahan Rebecca Lockhart Dennis Placke Christina Black	03/07/17 03/07/17 03/07/17 03/07/17 03/07/17 03/07/17 03/07/17 03/07/17 03/07/17
	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 03/17/15 – Councilmember Hilburn 03/17/15 – Mayor White 03/17/15 – Councilmember Castillo 03/17/15– Councilmember Michelson

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**City of Lockhart 2017 Board of Adjustment
Attendance for a 12-Month Period**

Meeting Date:	Chair Cline	Vice-Chair Clark	Annas	Castillo	Reeder	Rangel	Juarez	Irwin Alternate	Smith Alternate
January 9, 2017 - No Meeting									
February 6, 2017	<i>Present</i>	<i>Present</i>	<i>Present</i>	<i>Absent</i>	<i>Present</i>	<i>Absent</i>	<i>Present</i>	<i>Present</i>	<i>Present</i>
March 6, 2017	<i>Present</i>	<i>Present</i>	<i>Present</i>	<i>Present</i>	<i>Present</i>	<i>Absent</i>	<i>Present</i>	<i>Present</i>	<i>Present</i>
April 3, 2017	<i>Absent</i>	<i>Present</i>	<i>Present</i>	<i>Present</i>	<i>Present</i>	<i>Present</i>	<i>Present</i>	<i>Present</i>	<i>Absent</i>
May 1, 2017									

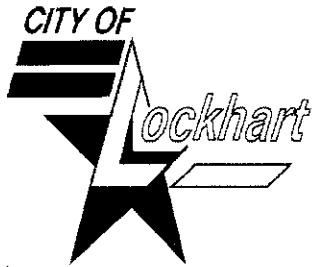
Number of meetings:	3	3	3	3	3	3	3	3	3
Present:	2	3	3	2	3	1	3	3	2
% Absent:	67%	100%	100%	67%	100%	33%	100%	100%	67%

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**CHARTER REVIEW COMMISSION
2016 - 2017**

	RAY SANDERS	ALAN FIELDER	ROLAND VELVIN	ELIZABETH RAXTER	BILL HERNANDEZ
Meeting Date:					
May 10, 2016	P	P	P	P	P
June 14, 2016	P	A	P	P	P
July 11, 2016	P	P	A	P	P
August 8, 2016	P	P	P	P	P
September 12, 2016	P	P	P	P	P
October 11, 2016	P	P	A	P	A
November 2016			NO MEETING		
December 2016			NO MEETING		
January 2017			NO MEETING		
February 2017			NO MEETING		
March 2017			NO MEETING		
April 2017			NO MEETING		
May 23, 2017					
P=Present A=Absent					



CITY OF LOCKHART							
CONSTRUCTION BOARD OF APPEALS							
BOARD ATTENDANCE REPORT - 2017							
APPOINTING COUNCIL MEMBER							
	JERRY WEST (12/03/13) CHAIR (01/05/2017)	RALPH GERALD (01/17/12)	RICK WINNETT, JR. (04/19/2016) VICE CHAIR (01/05/2017)	GARY SHAFER (08/18/15)	MICHAEL VOETEE 10/04/2016	PAUL MARTINEZ (03/07/17)	ISRAEL ZAPIEN (01/17/12)
Member Title:	County Resident			Alternate			
Meeting Date:							
January 5, 2017	P	P	P	P	P	N/A	P
January 19, 2017	NO MTG	NO MTG	NO MTG	NO MTG	NO MTG	N/A	NO MTG
February 02., 2017	NO MTG	NO MTG	NO MTG	NO MTG	NO MTG	N/A	NO MTG
February 16, 2017	P	P	P	P	P	N/A	P
March 1, 2017	NO MTG	NO MTG	NO MTG	NO MTG	NO MTG	N/A	NO MTG
April 25, 2017	P	P	P	P	P	A	A
May 1, 2017							
June 1, 2017							
July 1, 2017							
August 1, 2017							
September 1, 2017							
October 1, 2017							
November 1, 2017							
December 1, 2017							
Total # Meetings:	3	3	3	3	3	1	3
Present:	3	3	3	3	3	0	2
Absent:	0	0	0	0	0	1	1
Absenteeism %:	0%	0%	0%	0%	0%	100%	33%
LEGEND:	PRESENT: P UNEXCUSED ABSENCE: U					EXCUSED ABSENCE: EA NO MEETING HELD: NO MTG	
COMMENTS:							



CITY OF LOCKHART
LOCKHART ECONOMIC DEVELOPMENT CORPORATION
ATTENDANCE REPORT - 2017
APPOINTING COUNCIL MEMBER

ANGIE GONZALES-SANCHEZ	BRAD WESTMORELAND	BENNY HILBURN	JUAN MENDOZA	JOHN CASTILLO	MAYOR WHITE	JEFFRY MICHELSON
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Bernie Rangel	Frank Estrada	Ken Doran	Dyral Thomas	Fermin Islas	Alan Fielder	Morris Alexander
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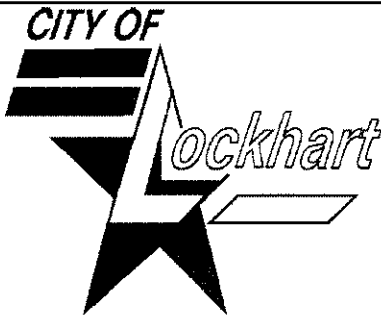
Appt. - March 2017	Appt. - March 2017	Appt. - March 2017	Appt. - March 2017	Appt. - March 2017	Appt. - March 2017	Appt. - March 2017
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Meeting Date:

January 11, 2017	P	P	A	P	P	P	P
February - No Meeting							
March 13, 2017	P	P	P	P	P	A	P
April 17, 2017	P	P	P	P	P	P	P

LEGEND:	PRESENT:	P	UNEXCUSED ABSENCE:	U
	EXCUSED ABSENCE:	A	NO MEETING HELD:	No Meeting
			APPOINTMENT MODIFICATION:	

COMMENTS:



**CITY OF LOCKHART
ELECTRIC BOARD OF REVIEW
BOARD ATTENDANCE REPORT - 2017
APPOINTING COUNCIL MEMBER**

	Joe Colley (6/17/08)	James Paul Denny (01/20/15)	Thomas Herrera (07/17/12)	Tom Stephens (12/03/13)	James Briceno (05/03/11)
	Chair	Vice-Chair			
Meeting Date:					
January 5, 2017	NO MTG	NO MTG	NO MTG	NO MTG	NO MTG
January 19, 2017	NO MTG	NO MTG	NO MTG	NO MTG	NO MTG
February 2, 2017	NO MTG	NO MTG	NO MTG	NO MTG	NO MTG
February 16, 2017	NO MTG	NO MTG	NO MTG	NO MTG	NO MTG
March 2, 2017	NO MTG	NO MTG	NO MTG	NO MTG	NO MTG
March 16, 2017	NO MTG	NO MTG	NO MTG	NO MTG	NO MTG
April 6, 2017	NO MTG	NO MTG	NO MTG	NO MTG	NO MTG
April 20, 2017	NO MTG	NO MTG	NO MTG	NO MTG	NO MTG
May 4, 2017					
May 18, 2017					
June 1, 2017					
June 15, 2017					
July 6, 2017					
July 20, 2017					
August 3, 2017					
August 17, 2017					
September 7, 2017					
September 21, 2017					
October 5, 2017					
October 19, 2017					
November 2, 2017					
November 16, 2017					
December 7, 2017					
December 21, 2017					
Total # Meetings:	0	0	0	0	0



**City of Lockhart 2017 -LHPC
Attendance for a 12-Month Period**

Meeting Date:	CORPUS	LAIRSEN	ALVAREZ	FAULSTICH	REAGAN	GAHAN	McCORMICK
		CHAIR			VICE-CHAIR		
January 4, 2017	NO MTG	NO MTG	NO MTG	NO MTG	NO MTG	NO MTG	NO MTG
January 18, 2017	NO MTG	NO MTG	NO MTG	NO MTG	NO MTG	NO MTG	NO MTG
February 1, 2017	A	P	A	P	P	P	P
February 15, 2017	NO MTG	NO MTG	NO MTG	NO MTG	NO MTG	NO MTG	NO MTG
March 1, 2017	A	P	P	P	P	A	A
March 15, 2017	P	P	A	A	P	P	P
April 5, 2017	NO MTG	NO MTG	NO MTG	NO MTG	NO MTG	NO MTG	NO MTG
April 19, 2017	NO MTG	NO MTG	NO MTG	NO MTG	NO MTG	NO MTG	NO MTG
May 3, 2017							
May 17, 2017							
June 7, 2017							
June 21, 2017							
July 5, 2017							
July 19, 2017							
August 2, 2017							
August 16, 2017							
September 6, 2017							
September 20, 2017							
October 4, 2017							
October 18, 2017							
November 1, 2017							
November 15, 2017							
December 6, 2017							
December 20, 2017							
Number of meetings:	3	3	3	3	3	3	3
Present:	1	3	1	2	3	2	2
Absent:	2	0	2	1	0	1	1
% Absent:	67%	0%	67%	33%	0%	33%	33%



CITY OF LOCKHART
Library Advisory Board
ATTENDANCE REPORT - 2017
APPOINTING COUNCIL MEMBER

Angie Gonzales Sanchez	Brad Westmoreland	MAYOR WHITE	Juan Mendoza	John Castillo	Benny Hilburn	Jeffrey Michelson
Jody King (01/04/13)	Rebecca Lockhart (11/19/13)	Stephanie Wilson Riffin (06-17-2011)	Shirley Williams (06-15-2007)	Donnie Wilson (10-02-2010)	Jeannie Fox (12-03-2013)	Donaly Brice (7-05-2008)

January	NO MEETING					
February	NO MEETING					
March	NO MEETING					
April	NO MEETING					
May						
June						
July						
August						
September						
October						
November						
December						

LEGEND:

COMMENTS:	PRESENT:	P	UNEXCUSED ABSENCE:	U
	EXCUSED ABSENCE:	E	NO MEETING HELD:	

To revise library policy and procedures.

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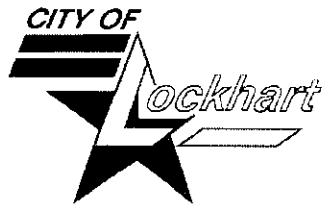


**CITY OF LOCKHART
PARKS & RECREATION ADVISORY BOARD**

APPOINTING COUNCIL MEMBER

	ANGIE SANCHEZ	KENNY ROLAND	BENNY HILBURN	JUAN MENDOZA	JOHN CASTILLO	LEW WHITE	Jeffry Michelson	ALTERNATE (Mayor Pro-Tem)
	Chris Schexnayder	Denise Placke	Warren Burnett (12/04/12)	Linda Thompson-Bennett (12/07/04)	James Torres (12/18/07)	Albert Villalpando (09/05/06)	Russell Wheeler	Rob Ortiz (05/06/08)
Meeting Date:								
January 26, 2017	P	U	P	P	P	P	P	
February 23, 2017	U	P	P	P	E	P	E	
March 23, 2017					No Meeting			
April 27, 2017	P	P	E	P	P	E	P	
LEGEND:	PRESENT:		P	UNEXCUSED ABSENCE:		U		
	EXCUSED ABSENCE:		E	NO MEETING HELD:				
COMMENTS:	* Ordinance 06-08 adopted February 7, 2006 allow two alternate position to be appointed by Mayor and Mayor Pro-Tem * Board meets on the 4th Thursday of each month							

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**CITY OF LOCKHART
REVOLVING LOAN FUND COMMITTEE
ATTENDANCE REPORT - 2017**

APPOINTING COUNCIL MEMBER

	ANGIE GONZALES-SANCHEZ	BRAD WESTMORELAND	BENNY HILBURN	JUAN MENDOZA, JR.	JOHN CASTILLO	MAYOR WHITE	JEFFRY MICHELSON
	Irene Yanez	Ed Strayer	Mayor Lew White - Chairperson	Ryan Lozano	Rudy Ruiz	Barbara Gilmer	Frank Coggins
Meeting Date:	Appt - March 2017	Appt - March 2017	Appt - March 2017	Appt - March 2017	Appt - March 2017	Appt - March 2017	Appt - March 2017
January - No Meeting							
February - No Meeting							
March 14, 2017	A	P	P	P		WR Cline resigned 2/2016	
April - No Meeting					P	A	P
LEGEND:	PRESENT:		P	UNEXCUSED ABSENCE:			U
	EXCUSED ABSENCE:		E	NO MEETING HELD:			
COMMENTS:							
Total Meetings:							
% Present:							
% Excused:							
% Unexcused:							
Absenteeism %:							

501

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 9/30/15

Description		2016	2017	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																						
2009 Tax & Revenue		40,000	40,000	40,000	40,000	40,000	40,000	40,000	40,000	40,000	40,000	40,000	40,000	40,000								520,000
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	40,000	40,000	40,000								520,000
LEDC																						
2008 GO Refunding		300,000																				300,000
2015 Tax & Revenue		37,357	48,093	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	1,182,139
Total LEDC Fund P & I		337,357	48,093	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	1,482,139
2015 Capital Projects Fund																						
2015 Tax & Revenue		122,620																				122,620
Total 2015 Capital Projects Fund		122,620	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	122,620
Drainage																						
2008 GO Refunding	31.00%	100,000																				100,000
2015 Tax & Revenue		100,000	116,289	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	2,016,289
Total Drainage Fund P & I		200,000	116,289	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	2,116,289
General Fund																						
2008 GO Refunding		91,210																				91,210
2015 Tax & Revenue		-																				-
Total General Fund P & I		91,210	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	91,210
Debt Service Fund																						
2009 Tax & Rev CO's	100.00%	333,210	331,060	328,972	327,883	336,575	329,615	737,655	742,642	741,325	743,920	750,210	749,978	753,440								7,206,485
2006 Tax & Rev CO's	100.00%	50,455	48,815	47,175	50,535	48,690	46,845															292,515
2006-A Tax & Rev CO's	93.00%	266,916	267,594	267,890	267,803	267,332	271,128															1,608,664
2015 Tax & Revenue	12.00%	91,487	117,779	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	2,895,035
Total Debt Service Fund P & I		742,068	765,248	761,816	763,880	770,400	765,511	893,522	898,569	896,868	899,535	905,855	905,839	909,409	160,769	160,517	160,592	160,365	160,602	160,502	160,831	12,002,699
Total General Government		1,533,255	969,630	949,909	951,924	958,503	953,663	1,097,167	1,102,239	1,100,381	1,103,078	1,109,410	1,109,482	1,113,096	326,416	326,061	326,167	325,847	326,181	326,040	326,507	16,334,957

City of Lockhart
Future Debt Payments as of 9/30/15

Description		2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	TOTAL DEBT	
Proprietary																							
Electric Fund																							
2008 GO Refunding	3.59%	40,379																				40,379	
2013 SIB Loan	30.81%	71,151	71,151	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				1,280,721
Total Electric Fund P & I		111,530	71,151	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	-	-		1,321,100
Water Fund																							
2006A Tax & Rev CO's	7.00%	20,090	20,142	20,164	20,157	20,122	20,408																121,082
2008 GO Refunding	36.38%	409,192																					409,192
2009 GO Refunding	86.69%	165,829	165,775	165,656	165,477	169,357	168,625	167,709	170,852	169,384	171,937	174,082	171,534	177,194									2,203,410
2015 Tax & Revenue	49.60%	378,148	486,818	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		11,966,146
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				1,488,169
Total Water Fund P & I		1,055,935	755,411	755,314	754,632	759,071	759,122	894,633	898,024	894,969	897,820	900,089	898,433	904,540	747,186	746,144	746,454	745,518	746,498	663,406	664,800		16,187,999
Sewer Fund																							
2008 GO Refunding	16.36%	183,990																					183,990
2009 GO Refunding	13.31%	25,461	25,452	25,434	25,407	26,002	25,890	25,749	26,232	26,006	26,398	26,728	26,336	27,206									338,302
2015 Tax & Revenue	4.30%	32,783	42,204	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		1,037,388
2015 Tax & Revenue	TRNSF		170,305	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		4,905,677
2013 SIB Loan	33.39%	77,102	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	77,103	77,102	77,102				1,387,844
Total Sewer Fund P & I		319,336	315,064	331,334	330,973	331,971	332,193	437,979	438,629	437,331	437,915	438,338	438,549	439,721	425,914	425,210	425,421	424,788	425,449	348,067	349,017		7,853,201
Airport Fund																							
2000 Airport	100.00%																						-
Total Airport Fund P & I		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-		-
Total Proprietary Fund P & I		1,486,801	1,141,626	1,157,799	1,156,757	1,162,193	1,162,466	1,403,764	1,407,804	1,403,451	1,406,887	1,409,579	1,408,133	1,415,412	1,244,252	1,242,505	1,243,026	1,241,458	1,243,099	1,011,473	1,013,817		25,362,300
Grand Total		3,020,056	2,111,256	2,107,708	2,108,681	2,120,696	2,116,129	2,500,931	2,510,043	2,503,832	2,509,965	2,518,989	2,517,615	2,528,508	1,570,668	1,568,566	1,569,193	1,567,305	1,569,280	1,337,513	1,340,324		41,697,257

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				[Gantt chart showing total project cost from Feb 2015 to Jan 2017]																																			
\$2,068,024.00	1	DRAINING IMPROVEMENTS CONTRACT 1 - Mesquite/Wichita Street & Richland Drive				[Gantt chart for Contract 1: Surveying Proposal (17 days), Survey (30 days), Acquisition (120 days), Engineering Design (90 days), Bid Ad/NTP (60 days), Construction (180 days)]																																			
\$1,999,200.00	2	DRAINAGE IMPROVEMENTS CONTRACT 2 - Century Oaks/Market Street, & Ash/Comal Streets				[Gantt chart for Contract 2: Surveying Proposal (17 days), Survey (30 days), Acquisition (150 days), Engineering Design (120 days), Bid Ad/NTP (60 days), Construction (180 days)]																																			
\$3,394,038.00	3	DRAINAGE IMPROVEMENTS CONTRACT 3 - Downtown Improvements Project				[Gantt chart for Contract 3: Surveying Proposal (15 days), Survey (45 days), Engineering Design (180 days), Bid Ad/NTP (60 days), Construction (365 days)]																																			
\$323,400.00	4	DRAINAGE IMPROVEMENTS CONTRACT 4 - Medina & US183 Project				[Gantt chart for Contract 4: Surveying Proposal (15 days), Survey (7 days), Acquisition (90 days), Engineering Design (60 days), Bid Ad/NTP (60 days), Construction (90 days)]																																			
\$1,764,000.00	5	FM 2001 ELEVATED TANK PROJECT				[Gantt chart for Contract 5: Surveying Proposal (15 days), Survey (15 days), Acquisition (120 days), Engineering Design (90 days), Bid Ad/NTP (60 days)]																																			

