

**PUBLIC NOTICE**

**AGENDA**

**LOCKHART CITY COUNCIL**

**TUESDAY, SEPTEMBER 19, 2017**

**CLARK LIBRARY ANNEX-COUNCIL CHAMBERS  
217 SOUTH MAIN STREET, 3<sup>rd</sup> 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 to the Hays-Caldwell Women's Center declaring October as *National Domestic Violence Awareness Month*.
- B. Presentation to Erin Westmoreland, Municipal Court Administrator, for obtaining her Level III Certification as a Certified Municipal Court Clerk through the Texas Court Clerks Association.
- C. Presentation by Christy Hall, Director of Business Management for the Muscular Dystrophy Association recognizing Lockhart Fire Rescue for the 2017 MDA "Fill the Boot" campaign.

**DISCUSSION ONLY**

- A. Discuss minutes of the City Council meeting of September 5, 2017. 45-56
- B. Presentation and discussion regarding the Caldwell County Appraisal District's Fiscal Year 2018 budget. 57-65
- C. Discuss Resolution 2017-14 to reflect the recovery of 4.1% in Central Texas Refuse contractual rate increases approved during the Council Fiscal Year 2017-2018 budget process for residential solid waste collection, disposal, recycling services, and commercial waste collection/disposal services establishing fees for other solid waste service to be effective with the first billing cycle in October 2017. 66-73
- D. Discuss Resolution 2017-15 approving the Investment Policy for the City of Lockhart, Texas. 74-87
- E. Discuss City Manager's recommended Change Order #1 in the amount of \$26,632.50 amending the current contract to \$793,887.50 with MA Smith Contracting Co., Inc. to add an additional drainage junction box with drainage pipe on Blanco Street and to increase the quantities to concrete headwall work on North Church Street at the outfall structure. 88-90

**WORK SESSION continued...**

- F. Discuss Professional Services Agreement with Bestline Solutions, Inc. of Austin, Texas in the amount of \$5,945.50 per month for internet connection management network design, 24-hour complete system monitoring, programming, training, development, implementation, and consulting services for City of Lockhart, and allowing the City Manager to sign the agreement, if approved. [1295=2017-09-19-29] 91-115
- G. Discuss Resolution 2017-12 naming the City of Lockhart's nominee(s) to the Board of Directors of the Caldwell County Appraisal District for the 2018-2019 term. 116-124
- H. Discuss appointment of Parks Master Plan Steering Committee members made up of Councilmembers, City staff, two Parks Advisory Board members, business and civic organization members, and others as determined by Council to serve as a sounding board for recommendations made by the consultant. 125-126
- I. Discuss naming a temporary ad-hoc committee to explore possible uses of the Saint Paul United Church of Christ building and property at 728 South Main Street and to report back to Council with recommendations by the first Council meeting in November 2017. 127-129
- J. Discuss contributing up to \$5,000 from the Mayor/Council Fiscal Year 2017-2018 budget toward an initial downtown Texas Swing Music and Dance event as another attraction to encourage more visitation to Lockhart. 130
- K. Presentation and/or discussion regarding Fiscal Year 2017-2018 proposed budget, tax rate and related information.
- L. Discussion regarding maintenance, operational and capital budgets and funding possibilities.
- M. Discussion regarding Budget and Tax Rate Adoption Calendar, if necessary.

**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 the second of two public hearings on a proposal to increase total tax revenues from properties on the tax roll in the preceding year by 6.062820 percent. The date of the vote on the tax rate will be September 26, 2017 at 6:30 p.m. at the Clark Library Annex, Council Chambers, 217 South Main Street, 3<sup>rd</sup> Floor, Lockhart, Texas 78644.
- B. Hold a public hearing on application ZC-17-14 by E and T Real Estate on behalf of W.H. Schroeder to consider a Zoning Change from RMD Residential Medium Density District to RHD Residential High Density District for 34.52 acres in the Francis Berry Survey, Abstract No. 2, located at 400 State Park Road (FM 20). <sup>7</sup> 8-44
- C. Discussion and/or action to consider Ordinance 2017-34 amending the Official Zoning Map of the City of Lockhart, Texas, to reclassify the property known as 34.52 acres in the Frances Berry Survey, Abstract No. 2, located at 400 State Park Road (FM 20), from RMD Residential Medium Density District to RHD Residential High Density District.

5. **CONSENT AGENDA**

- A. Approve minutes of the City Council meeting of September 5, 2017. 45-56
- B. Accept the Caldwell County Appraisal District's Fiscal Year 2018 budget. 57-65
- C. Approve Resolution 2017-14 to reflect the recovery of 4.1% in Central Texas Refuse contractual rate increases approved during the Council Fiscal Year 2017-2018 budget process for residential solid waste collection, disposal, recycling services, and commercial waste collection/disposal services establishing fees for other solid waste service to be effective with the first billing cycle in October 2017. <sup>66</sup> 73
- D. Approve Resolution 2017-15 approving the Investment Policy for the City of Lockhart, Texas. 74-87
- E. Approve City Manager's recommended Change Order #1 in the amount of \$26,632.50 amending the current contract to \$793,887.50 with MA Smith Contracting Co., Inc. to add an additional drainage junction box with drainage pipe on Blanco Street and to increase the quantities to concrete headwall work on North Church Street at the outfall structure. 88-90
- F. Approve Professional Services Agreement with Bestline Solutions, Inc. of Austin, Texas in the amount of \$5,945.50 per month for internet connection management network design, 24-hour complete system monitoring, programming, training, development, implementation, and consulting services for City of Lockhart, and allowing the City Manager to sign the agreement, if approved. [1295=2017-09-19-29] 91-115

6. **DISCUSSION/ACTION ITEMS**

- A. Discussion and/or action to consider Resolution 2017-12 naming the City of Lockhart's nominee(s) to the Board of Directors of the Caldwell County Appraisal District for the 2018-2019 term. 116-124
- B. Discussion and/or action to consider appointment of Parks Master Plan Steering Committee members made up of Councilmembers, City staff, two Parks Advisory Board members, business and civic organization members, and others as determined by Council to serve as a sounding board for recommendations made by the consultant. 125-126
- C. Discussion and/or action regarding naming a temporary ad-hoc committee to explore possible uses of the Saint Paul United Church of Christ building and property at 728 South Main Street and to report back to Council with recommendations by the first Council meeting in November 2017. 127-129
- D. Discussion and/or action regarding contributing up to \$5,000 from the Mayor/Council Fiscal Year 2017-2018 budget toward an initial downtown Texas Swing Music and Dance event as another attraction to encourage more visitation to Lockhart. 130
- E. Discussion and/or action regarding appointments to various boards, commissions or committees. 131-137
- F. Presentation, discussion and/or action regarding Fiscal Year 2017-2018 proposed budget, tax rate and related information.
- G. Discussion and/or action regarding maintenance, operational and capital budgets and funding possibilities.
- H. Discussion and/or action regarding Budget and Tax Rate Adoption Calendar, if necessary. 138-139

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

- Update: Work has begun by Smith Contracting on Ash, Comal, Pine Street drainage project putting in storm water system first.
- Update: Work has begun by Evans Constructions installation of the large wastewater main along the north side of the railroad tracks near SH 130, north of SH 142.
- Update: City crew is completing placing a new water main on N. Main Street between Walnut and San Antonio Streets to improve water pressure for firefighting/suppression and for business potable water use.
- Update: Work has begun on replacing the bad 18" raw water transmission main in the well fields.
- Update: Corporal Jason K. LaFleur Sports Complex parking and field lighting work is progressing.
- Update: Staff working with LCRA engineers to development the next 5-year maintenance and capital for the electrical distribution system.
- Update: Major electrical improvements being planned at the Lockhart Water Plant to upgrade many components which have been in place since 1952.
- Update: Staff continues to work with the Guadalupe Blanco River Authority to secure 60-year water resource for the City of Lockhart; presentations to Council are planned in November.
- Report: The Public Works Department continues to pick up and chip brush; patience from our fellow citizens is appreciated.
- Report: Diez Y Seis Celebration downtown Sept 15 and 16.
- Reminder: The first Parks Master Plan Update Steering Committee meeting will be held on Thursday, September 28, at 6 pm in the Glosserman Room at City Hall to listen to and comment on the consultant's presentation and fill out citizen survey form.
- Reminder: The first Public Input Meeting regarding the Parks Master Plan Update will be held on Tuesday, October 10, at 6 pm in the Glosserman Room at City Hall to receive comments after presentation by the consultant and encourage to fill out survey forms.
- Reminder: Final FY 17-18 Budget meeting on Tuesday, September 26, 2017 at 6:30 pm.
- Reminder: No Council meeting on Tuesday, October 3: National Night Out.
- Reminder: Movies in the Park

Sept 23, The Jungle Book (rescheduled from July rainout)

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

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

**9. 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 any time 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 15<sup>th</sup> day of September 2017 at 3:28 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**

<b>CITY SECRETARY'S USE ONLY</b> <input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory	Reviewed by Finance	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable	
	Reviewed by Legal	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> Not Applicable	
<b>Council Meeting Date: September 19, 2017</b>				
Department: Finance		Initials	Date	
Department Head: Jeff Hinson	Asst. City Manager			
Dept. Signature: <i>[Signature]</i>	City Manager	<i>[Signature]</i>	<i>9-14-17</i>	
Agenda Item Coordinator/Contact (include phone #): Jeff Hinson / 398-3461 x232				
<b>ACTION REQUESTED:</b> <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				
<b>CAPTION</b>				
City Council will hold the second of two public hearings on a proposal to increase total tax revenues from properties on the tax roll in the preceding year by 6.062820 percent. The date of the vote on the tax rate will be September 26, 2017 at 6:30 p.m. at the Clark Library Annex – Council Chambers, 217 South Main St., 3 <sup>rd</sup> Floor, Lockhart, TX 78644.				
<b>FINANCIAL SUMMARY</b>				
<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				
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
<b>BALANCE</b>	\$0.00	\$0.00	\$0.00	\$0.00
<b>FUND(S):</b>				
<b>SUMMARY OF ITEM</b>				
This is the second of two public hearings concerning the increase of tax revenues. These public hearings are required by state law if your proposed tax rate exceeds the effective tax rate.				
<b>STAFF RECOMMENDATION</b>				
List of Supporting Documents: Publication Notices		Other Departments, Boards, Commissions or Agencies:		



Work Session Item # \_\_\_\_\_

Reg. Mtg. Item # \_\_\_\_\_

**CITY OF LOCKHART  
COUNCIL AGENDA ITEM**

<b>CITY SECRETARY'S USE ONLY</b> <input type="checkbox"/> Consent <input checked="" 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
<b>Council Meeting Date:</b> September 19, 2017				
Department: Planning			Initials	Date
Department Head: Dan Gibson		Asst. City Manager		
Dept. Signature: <u>Dan Gibson</u>		City Manager	<u>VR</u>	<u>9-15-2017</u>
Agenda Coordinator/Contact (include phone #): Dan Gibson 398-3461, x236				
<b>ACTION REQUESTED:</b> <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				
<b>CAPTION</b>				
Hold a PUBLIC HEARING on application ZC-17-14 by E And T Real Estate on behalf of W. H. Schroeder, and discussion and/or action to consider Ordinance 2017-34, for a Zoning Change from RMD Residential Medium Density District to RHD Residential High Density District for 34.52 acres in the Francis Berry Survey, Abstract No. 2, located at 400 State Park Road (FM 20).				
<b>FINANCIAL SUMMARY</b>				
<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				
<b>SUMMARY OF ITEM</b>				
<p>The applicant's stated plan is to develop a market-rate apartment complex on the site. Multifamily dwellings are allowed only in the requested RHD district. The surrounding zoning, existing land use, and future land use are explained in the attached staff report. In general, those conditions could support the proposed RHD zoning classification for the subject property. It would allow multifamily housing, which is currently in great demand in Lockhart, in an area that can support it with schools and shopping areas close by, and direct access to an arterial street. There is an LCRA primary electric line along the west side of the subject property that will require dedication of a 30-foot wide easement when the property is platted. Because no structures will be allowed in that easement, it will serve somewhat as a buffer between the apartments and the abutting lots in the Hunters Pointe Subdivision. The Lockhart 2020 Future Land Use Plan map envisions the subject property as a mixed use development which would likely require PDD Planned Development District zoning. A mixed use development could contain multi-family dwellings as well as commercial uses. Therefore, the proposed RHD district has at least an element of consistency with the Lockhart 2020 Comprehensive Plan. At the Planning and Zoning Commission meeting, owners of five properties in the area spoke against this application. Twenty-four written protests representing 25 properties have been received (one of the protesters owns two lots). Of those, 18 of the protests are from owners of 17 lots that are wholly or partially within the 200-foot public hearing notification area and which, including abutting street right-of-way, represent 22 percent of the land within the 200-foot public hearing notification area. These are shaded blue on the attached map. The remaining protests are from owner-occupied lots beyond 200 feet, or from tenant-occupied lots either within or outside the 200 feet. Those are shown with red cross-hatching on the map. <b><i>Because written protests have been received from owners of more than 20 percent of the land area within 200-feet, it will require an affirmative vote by at least 3/4 of the City Council members (six votes) in order to approve this rezoning.</i></b></p>				
<b>STAFF RECOMMENDATION</b>				
Staff recommends APPROVAL of Ordinance 2017-34.				
<b>List of Supporting Documents:</b>		<b>Other Board or Commission Recommendation:</b>		
Ordinance, Legal description, Maps, Staff report, Protest forms, Application, Owner's authorization.		At their September 13 <sup>th</sup> meeting, the Planning and Zoning Commission voted 7-0 to recommend APPROVAL. <u>8</u>		



**ORDINANCE 2017-34**

**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 34.52 ACRES IN THE FRANCIS BERRY SURVEY, ABSTRACT NO. 2, LOCATED AT 400 STATE PARK ROAD (FM 20), FROM RMD RESIDENTIAL MEDIUM DENSITY DISTRICT TO RHD RESIDENTIAL HIGH DENSITY DISTRICT.**

WHEREAS, on September 13, 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-17-14 as 34.52 acres in Francis Berry Survey, Abstract No. 2, more particularly described in Exhibit A and located at 400 State Park Road (FM 20), will be reclassified from RMD Residential Medium Density District to RHD Residential High Density 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 19<sup>th</sup> DAY OF SEPTEMBER, 2017.**

CITY OF LOCKHART

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

ATTEST:

APPROVED AS TO FORM:

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

\_\_\_\_\_  
Peter Gruning, City Attorney

9

EXHIBIT "A"

FIELD NOTES

FIELD NOTES OF A 34.52 ACRE TRACT OF LAND OUT OF W. H. MOSES 56 ACRE TRACT RECORDED IN VOLUME 142, PAGE 293 OF THE DEED RECORDS OF CALDWELL COUNTY, TEXAS, OUT OF THE FRANCIS BERRY SURVEY IN CALDWELL COUNTY, TEXAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Beginning at a concrete monument found for the Southwest corner of W. H. Moses 56 acre tract recorded in Volume 142, Page 293 of the Deed Records of Caldwell County, Texas, and also being the Southwest corner of the tract herein described;

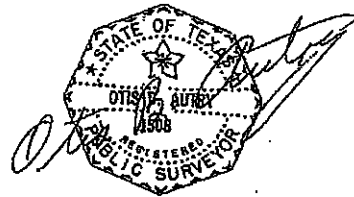
Thence; N 30°-39' W, 1,556.35' with an old fence line to a point in the South R. O. W. Line of State Park Road # 10,

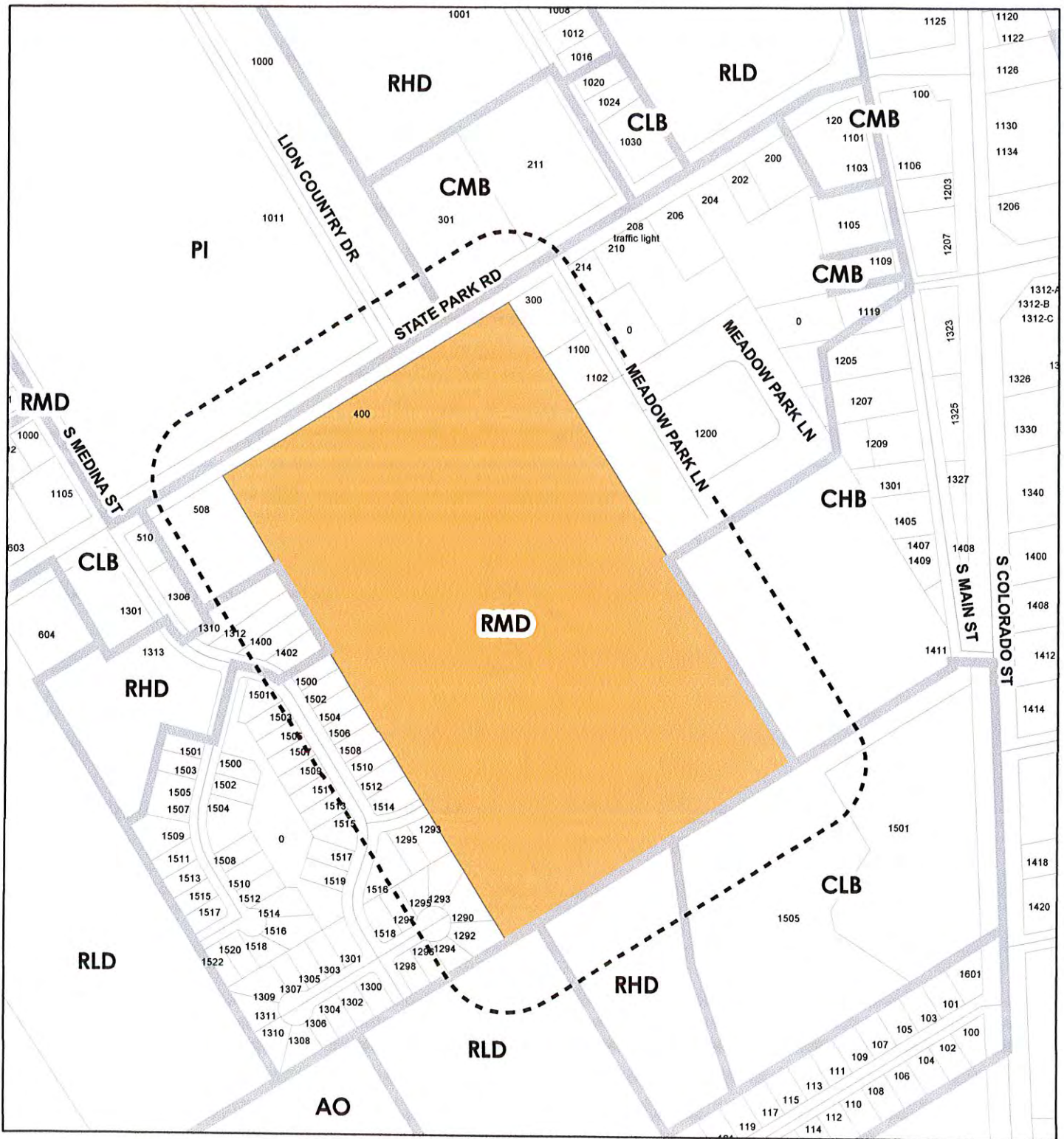
Thence; N 59°-28' E, 45.40' with the South R. O. W. Line of said State Park Road # 10 to an old broken concrete monument found for an angle point,

Thence; N 60°-00' E, 931.59' with the South R. O. W. Line of said State Park Road # 10 to an iron pin set,

Thence; S 30°-00' E, 1,550.12' along the West line of Dan Garner's 20 acre tract recorded in Volume 232, Page 520 of the Deed Records of Caldwell County, Texas, to an iron pin set,

Thence; S 59°-36' W, 959.23' along the North line of a 20 acre tract recorded in Volume 281, Page 27 of the Deed Records of Caldwell County, Texas, to the place of beginning, containing 34.52 acres of land as surveyed March, 1968, by Otis B. Autry, Registered Public Surveyor # 1508.





**ZC-17-14**

RMD TO RHD

400 STATE PARK RD (FM 20)



Subject Property



Zoning Boundary

scale 1" = 200'

11



**ZC-17-14**

RMD TO RHD

400 STATE PARK RD (FM 20)

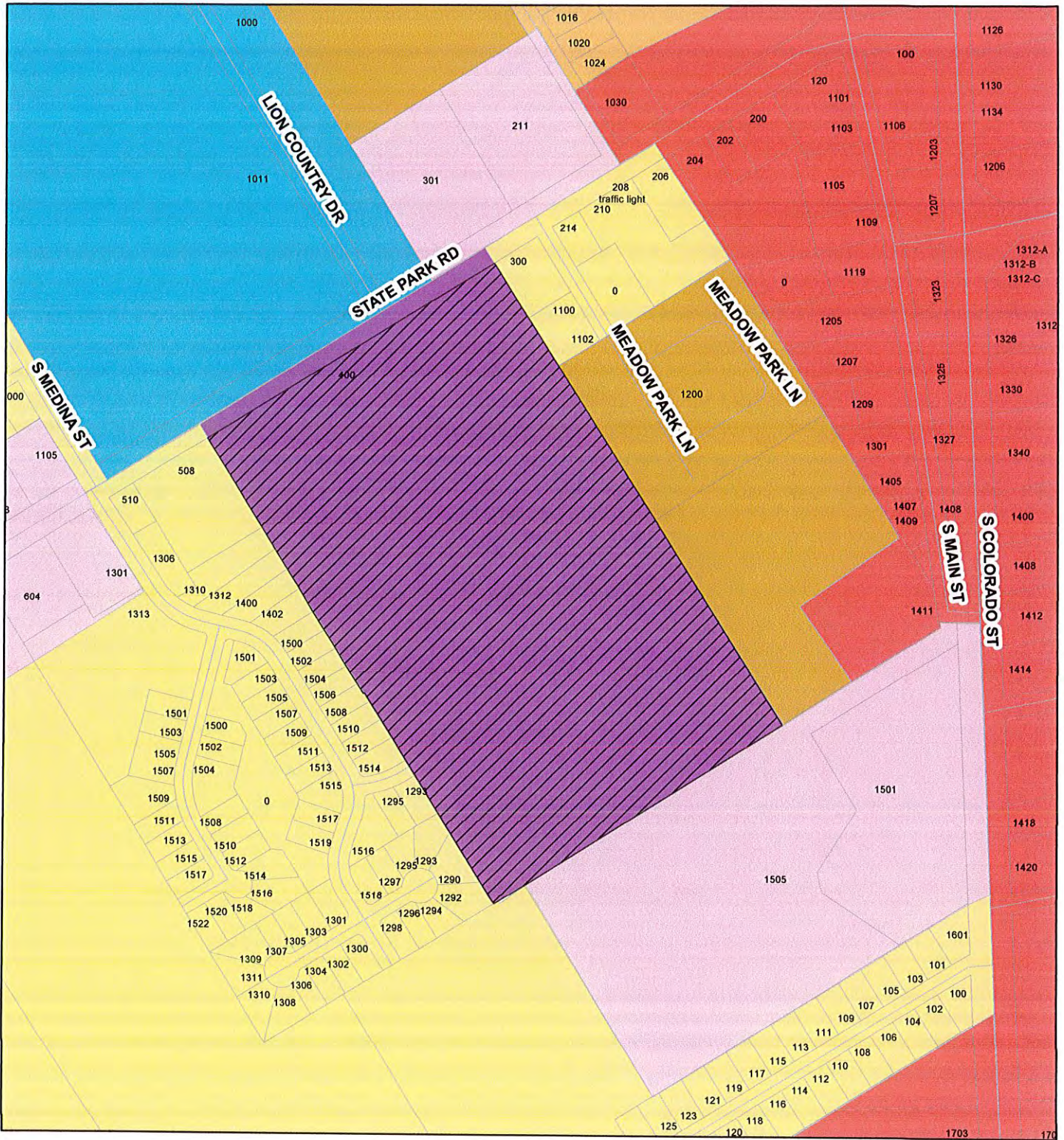


scale 1" = 200'

**ZONING DISTRICTS**

- AGRICULTURAL-OPEN SPACE
- COMMERCIAL HEAVY BUSINESS
- COMMERCIAL LIGHT BUSINESS
- COMMERCIAL MEDIUM BUSINESS
- PUBLIC AND INSTITUTIONAL
- RESIDENTIAL HIGH DENSITY
- RESIDENTIAL LOW DENSITY
- RESIDENTIAL MEDIUM DENSITY

12



# FUTURE LANDUSE

RMD TO RHD

400 STATE PARK RD (FM 20)



scale 1" = 200'

- GENERAL-HEAVY COMMERCIAL
- LIGHT-MEDIUM COMMERCIAL
- MIXED RETAIL, OFFICE, RESIDENTIAL
- PUBLIC AND INSTITUTIONAL
- RESIDENTIAL, HIGH DENSITY
- RESIDENTIAL, LOW DENSITY
- RESIDENTIAL, MEDIUM DENSITY

13



RHD

RLD

RMD

CMB

CLB

CMB

PI

CMB

CHB

RMD

CLB

RLD

RHD

RLD

RHD

CLB

RMD

RLD

0 300 600 Feet

**CASE SUMMARY**

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STAFF: Dan Gibson, City Planner CASE NUMBER: ZC-17-14  
 REPORT DATE: September 1, 2017 [Updated 9-14-17]  
 PLANNING & ZONING COMMISSION HEARING DATE: September 13, 2017  
 CITY COUNCIL HEARING DATE: September 19, 2017  
 REQUESTED CHANGE: RMD Residential Medium Density District to RHD Residential High Density District  
 STAFF RECOMMENDATION: **Approval**  
 PLANNING & ZONING COMMISSION RECOMMENDATION: **Approval**

**BACKGROUND DATA**

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APPLICANT(S): E and T Real Estate LLC  
 OWNER(S): W. H. Schroeder  
 SITE LOCATION: 400 State Park Road (FM 20)  
 LEGAL DESCRIPTION: Metes and bounds  
 SIZE OF PROPERTY: 34.52 acres  
 EXISTING USE OF PROPERTY: Vacant land  
 LAND USE PLAN DESIGNATION: Mixed Retail/Office/Residential

**ANALYSIS OF ISSUES**

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REASON FOR REQUESTED CHANGE: The applicant’s stated plan is to develop a market-rate apartment complex on the site. Multifamily dwellings are allowed only in the requested RHD district.

AREA CHARACTERISTICS:

	Existing Use	Zoning	Land Use Plan
North	high school, vacant land, apartments	PI, CMB, RHD	Public and Institutional, Light-Medium Commercial, High Density Residential
East	multi-family, single-family, vacant land	RMD, CHB	High Density Residential, Low Density Residential, General-Heavy Commercial
South	assisted living and nursing home, vacant land	CLB, RHD, RLD	Light-Medium Commercial, Low Density Residential
West	single-family and duplex residential, multi-family senior housing	RMD, RHD	Low Density Residential

TRANSITION OF ZONING DISTRICTS: The subject property abuts existing RHD zoning only along a relatively short portion of its west boundary. However, the RMD zoning along much of its eastern border contains a multi-family development, and the future land use plan map designates it as high density residential. Because the proper zoning for that area would be RHD, rather than RMD based on the actual use and future land use designation, changing the zoning classification of the subject property from RMD to RHD would be an almost seamless transition.

**ADEQUACY OF INFRASTRUCTURE:** The subject property is served by City of Lockhart water, wastewater, and electric utilities. Vehicular access would likely be from a single entrance at the Lion Country Drive intersection on State Park Road, as well as from the existing stub-out of Harper Trail on the west side. Depending on the density of the proposed multi-family development, a traffic impact study may be needed because the Lion Country Drive intersection at State Park Road is congested during the high school morning and afternoon rush hours. If developed at the maximum density of 12 units per acre allowed by-right, 414 dwelling units could potentially be constructed.

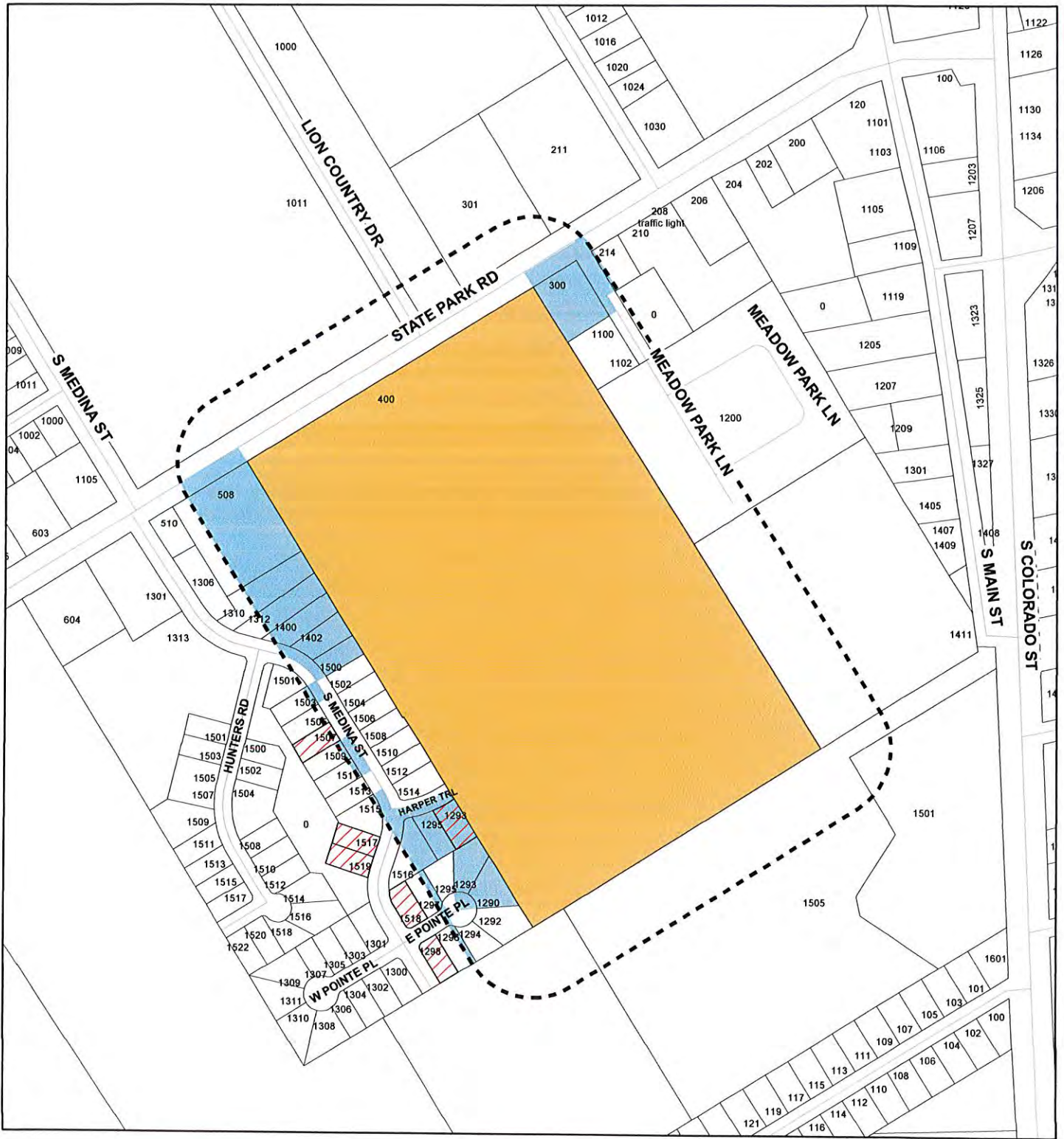
**POTENTIAL NEIGHBORHOOD IMPACT:** Although the adjacent Hunters Pointe Subdivision to the west contains both single-family and duplex dwellings, the predominant use actually bordering the subject property is tenant-occupied duplexes. There is an LCRA primary electric line along the west side of the subject property that will require dedication of a 30-foot wide easement when the property is platted. Because no structures will be allowed in that easement, it will serve somewhat as a buffer between the apartments and the abutting lots in the Hunters Pointe Subdivision. As previously noted, there is already multi-family development adjacent to the east. In addition, staff is aware of a possible proposal to construct apartments on a portion of the mostly vacant tract to the south of the existing multi-family development where Meadow Park Lane currently terminates. In such case, development of an apartment complex or other forms of higher residential density on the subject property would be a compatible use. The proposed development will be required to comply with the City's drainage detention standards, so it will have a storm-water detention pond that will catch excessive run-off before it flows to surrounding properties

**CONSISTENCY WITH COMPREHENSIVE PLAN:** The Lockhart 2020 Future Land Use Plan map envisions the subject property as a mixed use development which, if actually proposed, would likely require PDD Planned Development District zoning. A mixed use development could certainly contain multi-family dwellings, and any type of residential would likely have less neighborhood impact than potential commercial uses in a mixed use development. Therefore, there is at least an element of consistency with the Lockhart 2020 Comprehensive Plan.

**ALTERNATIVE CLASSIFICATIONS:** The existing RMD zoning classification would allow single-family and duplex dwellings, similar to those in the Hunters Pointe Subdivision adjacent to the west. Other residential uses such as three- or four-plexes (one building per lot), patio homes, condominiums, and townhouses are allowed as a specific use requiring approval by the Commission. In addition, the PDD zoning classification would be a reasonable alternative if a plan for a mixed use development were proposed in accordance with the future land use plan designation.

**RESPONSE TO NOTIFICATION:** Twenty-four written protests representing 25 properties have been received (one of the protesters owns two lots). Of those, 18 of the protests are from owners of 17 lots that are wholly or partially within the 200-foot public hearing notification area and which, including abutting street right-of-way, represent 22 percent of the land within the 200-foot public hearing notification area. These are shaded blue on the attached map. Two of the protests are from owners of property entirely outside the 200-foot notification area, two are from tenants of property within 200 feet, and two are from tenants of property outside the 200-foot notification area. Both the tenant and the owner of one lot within 200 feet submitted protest forms. The owner-occupied lots outside the 200 feet, and the tenant-occupied lots either within or outside the 200 feet, are shown with red cross-hatching. ***Because written protests have been received from owners of more than 20 percent of the land area within 200-feet, it will require an affirmative vote by at least ¾ of the City Council members (six votes) in order to approve this rezoning.***





**ZC-17-14**

RMD TO RHD

400 STATE PARK RD (FM 20)



scale 1" = 200'

-  Subject Property
-  Zoning Boundary
-  Properties within 200 ft protesting
-  Owners beyond 200' buffer and renters nearby

17 22%

# WRITTEN PROTEST OF PROPOSED ZONING CHANGE

City of Lockhart

NAME Patricia Morey  
(PLEASE PRINT)

HOME ADDRESS 214 State Park

I AM OPPOSED TO ZONING CHANGE # ZC BMD-RHD

I AM THE OWNER OF 214 State Park  
(PROPERTY ADDRESS OR LEGAL DESCRIPTION)  
WHICH IS  (OR) IS NOT  LOCATED WHOLLY OR PARTIALLY  
WITHIN 200 FEET OF THE PROPOSED ZONING CHANGE.

REASON FOR OPPOSITION (OPTIONAL)

More traffic & property value

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SIGNATURE Pat C Morey

DATE 9/9/17

# WRITTEN PROTEST OF PROPOSED ZONING CHANGE

## City of Lockhart

NAME Lucy Maler  
(PLEASE PRINT)

HOME ADDRESS 300 State

I AM OPPOSED TO ZONING CHANGE # ZC - RMD - RHD

I AM THE OWNER OF 300 State Park Rd  
(PROPERTY ADDRESS OR LEGAL DESCRIPTION)  
WHICH IS  (OR) IS NOT  LOCATED WHOLLY OR PARTIALLY  
WITHIN 200 FEET OF THE PROPOSED ZONING CHANGE.

REASON FOR OPPOSITION (OPTIONAL)

Flooding

Trespassing

Crime

Property tax increase

Noise

Lighting

SIGNATURE Lucy Maler

DATE 9-1-17

# WRITTEN PROTEST OF PROPOSED ZONING CHANGE

## City of Lockhart

NAME Joan Anchondo Robert Anchondo  
(PLEASE PRINT)

HOME ADDRESS 508 State Park Rd.

I AM OPPOSED TO ZONING CHANGE # ZC 17-14.

I AM THE OWNER OF 508 State Park Rd  
(PROPERTY ADDRESS OR LEGAL DESCRIPTION)  
WHICH IS  (OR) IS NOT  LOCATED WHOLLY OR PARTIALLY  
WITHIN 200 FEET OF THE PROPOSED ZONING CHANGE.

REASON FOR OPPOSITION (OPTIONAL)

Noise, traffic, possibility of crime, increased lights.  
This property is too close to the  
high school, and I am worried about  
the safety of the students at LHS.  
There is too much traffic as it is.

SIGNATURE Joan Anchondo (teacher) DATE 8/31/17  
Robert L. Anchondo (teacher)

# WRITTEN PROTEST OF PROPOSED ZONING CHANGE

City of Lockhart

NAME Mary T. Venable  
(PLEASE PRINT)

HOME ADDRESS 1310 South Medina

I AM OPPOSED TO ZONING CHANGE # ZC RMD-RHD.

I AM THE OWNER OF 1310 A+B South Medina  
(PROPERTY ADDRESS OR LEGAL DESCRIPTION)  
WHICH IS  (OR) IS NOT  LOCATED WHOLLY OR PARTIALLY  
WITHIN 200 FEET OF THE PROPOSED ZONING CHANGE.

REASON FOR OPPOSITION (OPTIONAL)

Noise, Debris + Trash, Property devaluation

SIGNATURE Mary Venable

DATE 8-31-17

# WRITTEN PROTEST OF PROPOSED ZONING CHANGE

City of Lockhart

NAME George M. Venable  
(PLEASE PRINT)

HOME ADDRESS 336 Alamo Dr. Lockhart TX 78644

I AM OPPOSED TO ZONING CHANGE # ZC 17-14.

I AM THE OWNER OF 1312 S. Medina  
(PROPERTY ADDRESS OR LEGAL DESCRIPTION)  
WHICH IS  (OR) IS NOT  LOCATED WHOLLY OR PARTIALLY  
WITHIN 200 FEET OF THE PROPOSED ZONING CHANGE.

REASON FOR OPPOSITION (OPTIONAL)

Noise, Traffic, Pollution, Trespassing

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SIGNATURE George M. Venable

DATE 8-7-17

# WRITTEN PROTEST OF PROPOSED ZONING CHANGE

## City of Lockhart

NAME George M. Venable  
(PLEASE PRINT)

HOME ADDRESS 336 Alamo Dr Lockhart TX 78644

I AM OPPOSED TO ZONING CHANGE # ZC — 12 — 14.

I AM THE OWNER OF 1400 S. Medina  
(PROPERTY ADDRESS OR LEGAL DESCRIPTION)  
WHICH IS  (OR) IS NOT  LOCATED WHOLLY OR PARTIALLY  
WITHIN 200 FEET OF THE PROPOSED ZONING CHANGE.

REASON FOR OPPOSITION (OPTIONAL)

Noise, Traffic, Pollution, Trespassing

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SIGNATURE George M. Venable

DATE 8-7-17

# WRITTEN PROTEST OF PROPOSED ZONING CHANGE

## City of Lockhart

NAME George M. Venable  
(PLEASE PRINT)

HOME ADDRESS 336 Alamo Dr. Lockhart TX 78644

I AM OPPOSED TO ZONING CHANGE # ZC — 17 — 14.

I AM THE OWNER OF 1402 S. Medina  
(PROPERTY ADDRESS OR LEGAL DESCRIPTION)  
WHICH IS  (OR) IS NOT  LOCATED WHOLLY OR PARTIALLY  
WITHIN 200 FEET OF THE PROPOSED ZONING CHANGE.

REASON FOR OPPOSITION (OPTIONAL)

Noise, Traffic, Pollution, Trespassing

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SIGNATURE George M. Venable

DATE 8-7-17



# WRITTEN PROTEST OF PROPOSED ZONING CHANGE

City of Lockhart

NAME J. FREDRIC BELL  
(PLEASE PRINT)

HOME ADDRESS 111 SAN JACINTO

I AM OPPOSED TO ZONING CHANGE # ZC — RMD — RHD.

I AM THE OWNER OF 1500 S. MEDINA  
(PROPERTY ADDRESS OR LEGAL DESCRIPTION)  
WHICH IS  (OR) IS NOT  LOCATED WHOLLY OR PARTIALLY  
WITHIN 200 FEET OF THE PROPOSED ZONING CHANGE.

REASON FOR OPPOSITION (OPTIONAL)

HIGH TRAFFIC, DRAINAGE, NOISE LEVEL,  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

SIGNATURE J. Fredric Bell

DATE 2 SEPT 17

Yes

# WRITTEN PROTEST OF PROPOSED ZONING CHANGE

## City of Lockhart

NAME Milton Heptner  
(PLEASE PRINT)

HOME ADDRESS 1503 S. Medina St

I AM OPPOSED TO ZONING CHANGE # ZC — 17 — 14.

I AM THE OWNER OF 1503 S. Medina St  
(PROPERTY ADDRESS OR LEGAL DESCRIPTION)

WHICH IS  (OR) IS NOT  LOCATED WHOLLY OR PARTIALLY

WITHIN 200 FEET OF THE PROPOSED ZONING CHANGE.

REASON FOR OPPOSITION (OPTIONAL)

Traffic increase

Crime

Property Value

Safety

Drainage Runoff

Flooding

Environmental

Noise pollution - Light restriction

SIGNATURE Milton Heptner

DATE 8-31-17

# WRITTEN PROTEST OF PROPOSED ZONING CHANGE

City of Lockhart

NAME Jack Brotmanke  
(PLEASE PRINT)

HOME ADDRESS 1016 SAN JACINTO - LOCKHART, TX 78644

I AM OPPOSED TO ZONING CHANGE # ZC RMD TO RHO

I AM THE OWNER OF 1509 S. MEDINA, LOCKHART, TX 78644  
(PROPERTY ADDRESS OR LEGAL DESCRIPTION)

WHICH IS  (OR) IS NOT  LOCATED WHOLLY OR PARTIALLY  
WITHIN 200 FEET OF THE PROPOSED ZONING CHANGE.

REASON FOR OPPOSITION (OPTIONAL)

WILL INCREASE TRAFFIC AND NOISE - DRIVE &  
PEOPLE

SIGNATURE Jack Brotmanke  
Efride Brotmanke

DATE 8/31/17  
8/31/17

# WRITTEN PROTEST OF PROPOSED ZONING CHANGE

City of Lockhart

Mr & Mrs  
MARTO

NAME Vel Martinez Sr.  
(PLEASE PRINT)

HOME ADDRESS 1511 So. Medina St.

I AM OPPOSED TO ZONING CHANGE # ZC RMD RHD

I AM THE OWNER OF 1511 So. Medina St.  
(PROPERTY ADDRESS OR LEGAL DESCRIPTION)  
WHICH IS  (OR) IS NOT  LOCATED WHOLLY OR PARTIALLY  
WITHIN 200 FEET OF THE PROPOSED ZONING CHANGE.

REASON FOR OPPOSITION (OPTIONAL)

Traffic, Noise,  
Crime, Drainage,  
Property Value,

SIGNATURE Vel Marto

DATE 8-31-17

# WRITTEN PROTEST OF PROPOSED ZONING CHANGE

## City of Lockhart

NAME Virginia Medina Gonzalez  
(PLEASE PRINT)

HOME ADDRESS 1515 S Medina Lockhart TX 78644

I AM OPPOSED TO ZONING CHANGE # ZC — Am — Rhd

I AM THE OWNER OF 1515 S Medina Lockhart  
(PROPERTY ADDRESS OR LEGAL DESCRIPTION)

WHICH IS  (OR) IS NOT  LOCATED WHOLLY OR PARTIALLY

WITHIN 200 FEET OF THE PROPOSED ZONING CHANGE.

### REASON FOR OPPOSITION (OPTIONAL)

Noise Traffic Crime population  
Safety issues

SIGNATURE Virginia Medina Gonzalez DATE 5/31/17

# WRITTEN PROTEST OF PROPOSED ZONING CHANGE

City of Lockhart

NAME Steven Youngman  
(PLEASE PRINT)

HOME ADDRESS 1516 S Medina

I AM OPPOSED TO ZONING CHANGE # ZC — RMD — RHD.

I AM THE OWNER OF 1516 S Medina  
(PROPERTY ADDRESS OR LEGAL DESCRIPTION)  
WHICH IS  (OR) IS NOT  LOCATED WHOLLY OR PARTIALLY  
WITHIN 200 FEET OF THE PROPOSED ZONING CHANGE.

REASON FOR OPPOSITION (OPTIONAL)

Noise, Traffic, Drainage, Lights

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SIGNATURE Steven Youngman

DATE 8/31/17

# WRITTEN PROTEST OF PROPOSED ZONING CHANGE

## City of Lockhart

NAME Robert W. Lloyd  
(PLEASE PRINT)

HOME ADDRESS 1290 E. Pointe Place

I AM OPPOSED TO ZONING CHANGE # ZC — RMD — RHD.

I AM THE OWNER OF 1290 E. Pointe Pl  
(PROPERTY ADDRESS OR LEGAL DESCRIPTION)  
WHICH IS  (OR) IS NOT  LOCATED WHOLLY OR PARTIALLY  
WITHIN 200 FEET OF THE PROPOSED ZONING CHANGE.

REASON FOR OPPOSITION (OPTIONAL)

I bought this property because it was designated  
single dwelling residential. I want to have it stay  
that way. With an apt complex it will decrease property  
values

SIGNATURE Robert W. Lloyd

DATE 8/31/17

# WRITTEN PROTEST OF PROPOSED ZONING CHANGE

## City of Lockhart

NAME EARL HERMON  
(PLEASE PRINT)

HOME ADDRESS 1293 E. POINTE PL

I AM OPPOSED TO ZONING CHANGE # ZC — — —

I AM THE OWNER OF \_\_\_\_\_  
(PROPERTY ADDRESS OR LEGAL DESCRIPTION)  
WHICH IS  (OR) IS NOT  LOCATED WHOLLY OR PARTIALLY  
WITHIN 200 FEET OF THE PROPOSED ZONING CHANGE.

REASON FOR OPPOSITION (OPTIONAL)

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SIGNATURE Earl Hermon

DATE 31 AUG 2017



# WRITTEN PROTEST OF PROPOSED ZONING CHANGE

City of Lockhart

NAME David & Ester Castillo  
(PLEASE PRINT)

HOME ADDRESS 1297 E Pointe Pl

I AM OPPOSED TO ZONING CHANGE # ZC — ~~RMD~~ RHD

I AM THE OWNER OF 1297 E Pointe  
(PROPERTY ADDRESS OR LEGAL DESCRIPTION)  
WHICH IS  (OR) IS NOT  LOCATED WHOLLY OR PARTIALLY  
WITHIN 200 FEET OF THE PROPOSED ZONING CHANGE.

REASON FOR OPPOSITION (OPTIONAL)

High traffic; noise; increase in  
crime possibility

SIGNATURE

David Castillo  
[Signature]

DATE

8-31-17  
8-31-17  
33

# WRITTEN PROTEST OF PROPOSED ZONING CHANGE

City of Lockhart

NAME Jan Costley  
(PLEASE PRINT)

HOME ADDRESS 129B East Pointe Place

I AM OPPOSED TO ZONING CHANGE # ZC — RMD — RHD.

I AM THE OWNER OF 12916 E. Pointe Place  
(PROPERTY ADDRESS OR LEGAL DESCRIPTION)  
WHICH IS  (OR) IS NOT  LOCATED WHOLLY OR PARTIALLY

WITHIN 200 FEET OF THE PROPOSED ZONING CHANGE.

REASON FOR OPPOSITION (OPTIONAL)

No more traffic - we like our  
quiet neighborhood

SIGNATURE Jan Costley

DATE 9/8/17

# WRITTEN PROTEST OF PROPOSED ZONING CHANGE

## City of Lockhart

NAME Shirley DuBoise  
(PLEASE PRINT)

HOME ADDRESS 1330 Colton Lane

I AM OPPOSED TO ZONING CHANGE # ZC — 17 — 14.

I AM THE OWNER OF 1293 Harper Trail and 1295 Harper Trail  
(PROPERTY ADDRESS OR LEGAL DESCRIPTION)  
WHICH  IS (OR) IS NOT  LOCATED WHOLLY OR PARTIALLY  
WITHIN 200 FEET OF THE PROPOSED ZONING CHANGE.

### REASON FOR OPPOSITION (OPTIONAL)

These are new rental properties that  
I built a couple of years ago. They  
are both nice houses. I fear that  
both the property value and the  
rental value will go down.

SIGNATURE Shirley DuBoise

DATE 8-31-17

# WRITTEN PROTEST OF PROPOSED ZONING CHANGE

City of Lockhart

NAME Alex Eveste  
(PLEASE PRINT)

HOME ADDRESS 1518 S Medina St

I AM OPPOSED TO ZONING CHANGE # ZC — 17 — 14.

I AM THE OWNER OF 1518 S Medina St  
(PROPERTY ADDRESS OR LEGAL DESCRIPTION)  
WHICH IS  (OR) IS NOT  LOCATED WHOLLY OR PARTIALLY  
WITHIN 200 FEET OF THE PROPOSED ZONING CHANGE.

REASON FOR OPPOSITION (OPTIONAL)

More traffic More Noise

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SIGNATURE Alex Eveste

DATE 8-31-17

# WRITTEN PROTEST OF PROPOSED ZONING CHANGE

## City of Lockhart

NAME Jan Costley  
(PLEASE PRINT)

HOME ADDRESS 1298 East Pointe Place

I AM OPPOSED TO ZONING CHANGE # ZC — RMD — RAP.

I AM THE OWNER OF Same as above  
(PROPERTY ADDRESS OR LEGAL DESCRIPTION)  
WHICH IS  (OR) IS NOT  LOCATED WHOLLY OR PARTIALLY  
WITHIN 200 FEET OF THE PROPOSED ZONING CHANGE.

REASON FOR OPPOSITION (OPTIONAL)

no more traffic we like our quiet  
neighborhood

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SIGNATURE Jan Costley

DATE 8/31/17

# WRITTEN PROTEST OF PROPOSED ZONING CHANGE

## City of Lockhart

NAME Zachary Williams / Jem Kay Castillo  
(PLEASE PRINT)

HOME ADDRESS 1507 South Medina, Lockhart

I AM OPPOSED TO ZONING CHANGE # ZC — — —.

I AM THE <sup>Renter</sup> OWNER OF 1507 South Medina St  
(PROPERTY ADDRESS OR LEGAL DESCRIPTION)  
WHICH IS  (OR) IS NOT  LOCATED WHOLLY OR PARTIALLY  
WITHIN 200 FEET OF THE PROPOSED ZONING CHANGE.

REASON FOR OPPOSITION (OPTIONAL)

More traffic, Lots of noise, property values,  
possible increase in crime

SIGNATURE Jem Kay Castillo

DATE 8/31/17

# WRITTEN PROTEST OF PROPOSED ZONING CHANGE

City of Lockhart

NAME Jonathan Kubala  
(PLEASE PRINT)

HOME ADDRESS 1517 S. Medina St. Lockhart, TX 78644

I AM OPPOSED TO ZONING CHANGE # ZC — — —

I AM THE OWNER OF \_\_\_\_\_  
(PROPERTY ADDRESS OR LEGAL DESCRIPTION)

WHICH IS  (OR) IS NOT  LOCATED WHOLLY OR PARTIALLY

WITHIN 200 FEET OF THE PROPOSED ZONING CHANGE.

REASON FOR OPPOSITION (OPTIONAL)

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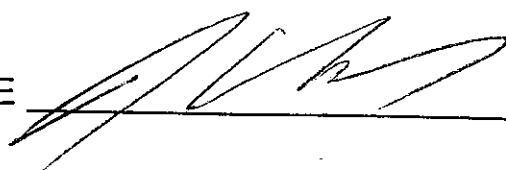
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SIGNATURE 

DATE \_\_\_\_\_

# WRITTEN PROTEST OF PROPOSED ZONING CHANGE

City of Lockhart

NAME JAY Jimenez  
(PLEASE PRINT)

HOME ADDRESS 1519 S. Medina

I AM OPPOSED TO ZONING CHANGE # ZC RMD RHD

I AM THE ~~OWNER~~ OF 1519 S Medina Rent  
(PROPERTY ADDRESS OR LEGAL DESCRIPTION)  
WHICH IS  (OR) IS NOT  LOCATED WHOLLY OR PARTIALLY  
WITHIN 200 FEET OF THE PROPOSED ZONING CHANGE.

REASON FOR OPPOSITION (OPTIONAL)

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SIGNATURE [Signature]

DATE 7-31-2017



# WRITTEN PROTEST OF PROPOSED ZONING CHANGE

## City of Lockhart

NAME Emiliano Magallanes  
(PLEASE PRINT)

HOME ADDRESS 1293 Harper Trail

I AM OPPOSED TO ZONING CHANGE # ZC RMD-RHD.

I AM THE ~~OWNER~~ <sup>Renter</sup> OF 1293 Harper Trail  
(PROPERTY ADDRESS OR LEGAL DESCRIPTION)  
WHICH IS  (OR) IS NOT  LOCATED WHOLLY OR PARTIALLY  
WITHIN 200 FEET OF THE PROPOSED ZONING CHANGE.

REASON FOR OPPOSITION (OPTIONAL)

High Impact on traffic.

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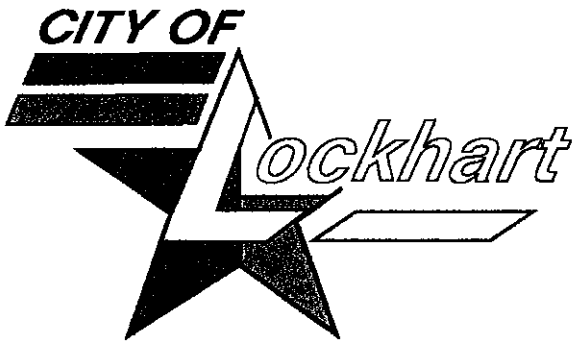
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SIGNATURE 

DATE 8-31-1



**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 E and T Real Estate LLC  
DAY-TIME TELEPHONE 512-618-5870  
E-MAIL TylerWGL@gmail.com

ADDRESS 1645 Main St. #A  
Buda TX 78610

OWNER NAME W.H. Schroeder  
DAY-TIME TELEPHONE 512-618-5870  
E-MAIL \_\_\_\_\_

ADDRESS 1308 Clearfork St  
Lockhart TX 78644

**PROPERTY**

ADDRESS OR GENERAL LOCATION 400 State Park Rd  
LEGAL DESCRIPTION (IF PLATTED) 34.52 acres in Francis Berry Survey  
SIZE 34.52 ACRE(S) LAND USE PLAN DESIGNATION Mixed use  
EXISTING USE OF LAND AND/OR BUILDING(S) Vacant land  
PROPOSED NEW USE, IF ANY RHD

**REQUESTED CHANGE**

FROM CURRENT ZONING CLASSIFICATION RMD  
TO PROPOSED ZONING CLASSIFICATION RHD  
REASON FOR REQUEST To develop and build a market rate apartment complex

**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 \$ 840.00 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 [Signature]

DATE 7/19/17

**OFFICE USE ONLY**

ACCEPTED BY [Signature]

RECEIPT NUMBER 751761

DATE SUBMITTED 8-24-17

CASE NUMBER ZC - 17 - 14

DATE NOTICES MAILED 8-28-17

DATE NOTICE PUBLISHED 8-31-17

PLANNING AND ZONING COMMISSION MEETING DATE 9-13-17

PLANNING AND ZONING COMMISSION RECOMMENDATION \_\_\_\_\_

CITY COUNCIL MEETING DATE 9-19-17

DECISION \_\_\_\_\_

William H. Schroeder  
1308 Clearfork St  
Lockhart TX 78644

To Whom It May Concern at the City of Lockhart Texas,

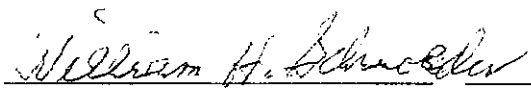
I, William H. Schroeder, am the property owner and authorized agent for the co-owners of this property. Please let this letter serve as notice that I hereby authorize Tyler Williams and Eric Scott Ross to apply for re-zoning of this property described below.

Property Address: 420 State Park Rd. Lockhart TX 78644

Legally described as: A002 BERRY, FRANCIS, ACRES 34.52

R#: 17334

Signed,

 7/10/17

William H. Schroeder

Date:

**LOCKHART CITY COUNCIL  
LOCKHART ECONOMIC**

**DEVELOPMENT CORPORATION      SEPTEMBER 5, 2017**

**6:30 P.M.**

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

**Council present:**

Mayor Lew White	Councilmember John Castillo (arrived at 6:33 p.m.)
Councilmember Juan Mendoza	Councilmember Benny Hilburn
Councilmember Jeffry Michelson	Councilmember Brad Westmoreland
Mayor Pro-Tem Angie Gonzales-Sanchez (arrived at 6:45 p.m.)	

**Lockhart Economic Development Corp. present:**

Fermin Islas, Chairman	Dyral Thomas
Morris Alexander	Alfredo Munoz
Nic Irwin	

**Staff present:**

Vance Rodgers, City Manager	Connie Constancio, City Secretary
Peter Gruning, City Attorney	Jeff Hinson, Finance Director
Rob Tobias, Economic Development Director	Ernest Pedraza, Police Chief

**Citizens/Visitors Addressing the Council:** Anita DeLeon of Connections; and Tim Condon, Citizen.

**Work Session      6:30 p.m.**

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

**DISCUSSION ONLY**

**A.    DISCUSS MINUTES OF THE CITY COUNCIL MEETING OF AUGUST 15, 2017.**

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

**B.    DISCUSS MEMORANDUM OF UNDERSTANDING AGREEMENT BETWEEN THE CITY OF LOCKHART AND CONNECTIONS WHICH IS A NON-PROFIT INDIVIDUAL AND FAMILY COUNSELING AGENCY FUNDED BY THE UNITED WAY AND TEXAS NETWORK OF YOUTH SERVICES AND APPOINTING THE CITY MANAGER TO SIGN THE AGREEMENTS, IF APPROVED.**

Mr. Rodgers stated that this agency has been providing counseling services for the youth at the library, for several years. Anita DeLeon, Specialist, will explain their role in the community. Mr. Rodgers recommended approval.

Ms. DeLeon provided information about how the organization assists children in the community by providing counseling services to the youth. They also assist by funding several field trips and events for children.

Councilmember John Castillo arrived at the meeting at 6:33 p.m.

**C. DISCUSS ORDINANCE 2017-31 AMENDING CHAPTER 20, FIRE PREVENTION AND PROTECTION, TO CHANGE, ADD OR DELETE CERTAIN SECTIONS BETWEEN SECTION 20-01 THROUGH SECTION 20-101 OF THE CODE OF ORDINANCES AND ADOPTING THE INTERNATIONAL FIRE CODE, 2015 EDITION WITH AMENDMENTS.**

Mr. Rodgers stated that the current International Fire Prevention Code is out of date. This ordinance adopts the International Fire Code, 2015 Edition, with local amendments as recommended by the Interim Fire Chief, Jerry Doyle and the City Manager. The adoption of the new code helps with insurance ratings. Mr. Rodgers recommended approval.

**D. DISCUSS, AFTER REPORT BY CITY MANAGER, THE INSURANCE SERVICES OFFICE, INC., (ISO) INITIAL PRELIMINARY FIRE INSURANCE CLASSIFICATION RANKING OF 9/9X IN APRIL 2017, WHICH HAS BEEN UPGRADED TO A MUCH BETTER CLASSIFICATION OF 4/4X BY ADOPTING NEW BUILDING AND FIRE CODES AND APPEALING SOME OF THE INITIAL GRADINGS; THIS BETTER CLASSIFICATION TREMENDOUSLY HELPS RESIDENTS AND BUSINESSES THAT HAVE INSURANCE COMPANIES THAT USE THE ISO SYSTEM TO DETERMINE FIRE INSURANCE RATES.**

Mr. Rodgers stated that Lockhart's Public Protection System Classification (PPC System) was initially ranked by ISO as a Class 9 in April 2017 but it will be changed to a Class 4 beginning April 1, 2018. The Class 9 ranking was appealed by staff which resulted in a much better ranking of Class 4. The passage of new building and fire codes helped a lot. Class 1 is the best ranking. Information from ISO is often used by companies to determine fire insurance rates for residential and commercial policies. Very few cities with less than 20,000 population has an ISO ranking of 4 or better. Mr. Rodgers recommended approval.

There was brief discussion.

**E. DISCUSS ORDINANCE 2017-32 AMENDING CHAPTER 57, TRANSPORTATION INFRASTRUCTURE UTILITY FEES, SECTION 57-1, RATES AND CHARGES OF TRANSPORTATION INFRASTRUCTURE UTILITY FEES, PROVIDING A REPEALER, PROVIDING FOR PUBLICATION, AND ESTABLISHING AN EFFECTIVE DATE.**

Mr. Rodgers stated that during the Fiscal Year 2017-2018 City Council goals process, one of the priorities of the Council was to increase street maintenance and repair funding to help protect the vast investment in City streets. As a result, staff recommended increasing the current Transportation Infrastructure Utility fee by \$2 per month from \$4 to \$6 for each dwelling and business unit. The additional estimated \$130,000 revenue would be used to purchase more repair and maintenance materials. The current fee of \$4 per month has been the same since 2005. Mr. Rodgers recommended approval.

There was discussion about the ordinance becoming in effect during the first billing cycle in October 2017.

Mayor Pro-Tem Sanchez arrived at 6:45 p.m.

**F. DISCUSS ORDINANCE 2017-33 CHANGING CERTAIN CITY ELECTION POLLING PLACES AND CHANGING THE HOURS OF EARLY VOTING FOR THE JOINT ELECTION OF THE CITY OF LOCKHART AND CALDWELL COUNTY TO BE HELD ON NOVEMBER 7, 2017 IN ORDER TO COMPLY WITH THE CONSOLIDATION OF PRECINCTS AND POLLING PLACES BY CALDWELL COUNTY.**

Mr. Gruning stated that on June 20, 2017, the City Council ordered the November 7, 2017 elections that included the election day polling locations and early voting hours at the main early voting location. On August 28, 2017, the Caldwell County Commissioners Court approved a different polling location at City District 4 from the First Lockhart Connection Center to the First Lockhart Baptist Church Hall and they also decreased the early voting hours at the Scott Annex for Saturday, October 28, 2017 from 7am –7pm to 12pm-7pm. The ordinance would amend the election information to coincide with the Caldwell County precincts and early voting hours. There was brief discussion.

**G. DISCUSS INTERLOCAL COOPERATION AGREEMENT BETWEEN THE LOCKHART POLICE DEPARTMENT AND THE LOCKHART INDEPENDENT SCHOOL DISTRICT (ISD) FOR TWO SCHOOL RESOURCE OFFICERS FOR THE 2017-2018 SCHOOL YEAR.**

Chief Pedraza provided information about the agreement and about the fees that the school district will pay for the school resource officers (SRO). The Memorandum of Understanding outlines the role and responsibilities of the Lockhart Police Department and Lockhart ISD with respect to one officer housed at the High School and one officer housed at the Junior High as roving SROs assigned to the school district. There was discussion.

**H. DISCUSS USE OF UP TO \$100,000 OF UNRESTRICTED GENERAL FUND BALANCE FOR WATER AND WIND DAMAGES AT THE CLARK ANNEX, MUNICIPAL COURT, AND POLICE DEPARTMENT BUILDINGS.**

Mr. Rodgers stated that the high wind driven rain caused leaks and damages in three City owned structures including the Clark Annex with some damage on all floors, Municipal Court building, and the Police Department. Major sealing of windows and brick mortar, door replacement/re-settings, replacement of some carpet, wood flooring repairs, shelf restoration, and repainting in several areas will be required in the Clark Annex. Municipal Court windows must be sealed, carpet replaced, ceiling tile removed and replaced, and some painting. The Police Department building roof ridge vent will need repair and several windows need to be removed and sealed properly. The City Manager will keep Council informed about final repair expenses. Any unused funds will stay in the unrestricted funds balance and will not be transferred out for any other uses other than approved by the Council. Staff recommended approval.

Councilmember Castillo expressed concern about the contractor that originally did the work and their being responsible for the leaks. Mr. Rodgers explained that the windows were put in according to specifications but rain driven by 45+ mph horizontal winds revealed other leaks and there were no requirements to seal the outside of the structure in the original scope of work because of insufficient funds. He also explained that previous ceiling leaks were mostly due to faulty air-conditioning condenser collection pan switches which had been replaced. There was discussion.

**I. DISCUSS REQUEST BY LOCKHART PARTNERS II FOR AN EXTENSION OF THE CITY'S FUNDING COMMITMENT IN AN AMOUNT NOT TO EXCEED \$75,000 FOR DRAINAGE IMPROVEMENTS ON MAPLE STREET EAST OF THE MEADOWS AT CLEARFORK PHASE III SUBDIVISION DEVELOPMENT, AND APPOINTING THE CITY MANAGER TO SIGN THE LETTER OF EXTENSION, IF APPROVED.**

Mr. Rodgers stated that Council approved this funding in May of this year. The developer requests an extension until April of 2018 for the funding commitment. They hope to start construction by October 2017. 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 Street is a high priority on the Impact Fee Road project list. The funds would be paid upon completion and acceptance of the Maple Street public improvements and after receiving an invoice from Lockhart Partners II. Mr. Rodgers recommended approval. There was discussion.

**J. DISCUSS PROFESSIONAL SERVICES AGREEMENT WITH SCHNEIDER ENGINEERING TO PREPARE ALL COMPLIANCE DOCUMENTS REQUIRED UNDER RECENTLY PASSED SENATE BILL 1004 WHICH ALLOWS WIRELESS NETWORKS TO PLACE NETWORK NODES IN THE PUBLIC RIGHT-OF-WAY ON CITY-OWNED STRUCTURES, MANDATES THE NECESSITY TO UPDATE POLE ATTACHMENT POLICIES, PREPARATION OF A TECHNICAL DESIGN MANUAL, AND TO IDENTIFY AREAS TO BE EXEMPT FROM SMALL AREA CELL DEPLOYMENT INCLUDING BUT NOT LIMITED TO PARKS, RESIDENTIAL, AND HISTORICAL DISTRICT AREAS, AND APPOINTING THE CITY MANAGER TO SIGN THE AGREEMENT, IF APPROVED.**

Mr. Rodgers stated that because of documents mandated by Senate Bill 1004, it is a necessity to acquire professional services to assemble and create documents for compliance. The City already has an existing professional services agreement with Schneider Engineering whereby the firm assists with third party power purchases, ERCOT, FERC, and NERC compliance issues. Under this proposed agreement, Schneider Engineering would address the technical issues and paperwork for compliance with Senate Bill 1004 as stated in the caption above. The fee would not exceed \$7,500. Mr. Rodgers recommended approval. There was discussion.

**K. DISCUSS RESOLUTION 2017-10 APPROVING A TYPE 4B PROJECT UNDER SECTION 4B OF THE TEXAS ECONOMIC DEVELOPMENT CORPORATION ACT OF 1979, AMENDED, TO FUND UP TO \$393,000 FOR INCENTIVES TO LOCKHART EMERGENCY CARE CENTER, LLC. FOR INFRASTRUCTURE AND OTHER DEVELOPMENT RELATED COSTS WHICH ARE FOUND BY THE LOCKHART ECONOMIC DEVELOPMENT CORPORATION (LEDC) BOARD OF DIRECTORS TO BE ALLOWABLE COSTS AS AN INCENTIVE TO ATTRACT THE BUSINESS WHICH WILL HAVE AN ESTIMATED INITIAL INVESTMENT OF \$5.8 MILLION EXCLUDING LAND AND WILL INITIALLY CREATE AND MAINTAIN THROUGHOUT THE AGREEMENT A MINIMUM OF 30 FULL-TIME EQUIVALENT (FTE) JOBS AVERAGING \$30.00 PER HOUR AND HAVE AT LEAST 39 FTE BY THE 10<sup>TH</sup> YEAR IN BUSINESS.**



Mr. Tobias stated that the Lockhart Economic Development Corporation (LEDC) Board of Directors wish to work with the City of Lockhart in a cooperative effort to use up to \$393,000 of 4B funds for infrastructure and other development related costs to construct a facility that will require an estimated initial investment of \$5.8 million and will create and maintain throughout the five-year agreement a minimum of 30 full-time equivalent (FTE) jobs averaging \$30.00 per hour and have a minimum of 39 FTE by the 10<sup>th</sup> year in business. The LEDC approved the project on January 11, 2017, after a public hearing. There was no opposition voiced by the public. On August 22, 2017, the LEDC amended the project name and reduced the incentives. The LEDC has determined that the funds could be used under its discretion to promote or develop new or expanded business enterprises that create or retain jobs. Two readings of the Resolution will be conducted during the regular meeting portion of the agenda. There was discussion.

Tim Condon, Representative of Lockhart Emergency Care Center, provided information about the project and requested the Council's support and approval.

**L. DISCUSS PROPOSED 380 ECONOMIC DEVELOPMENT PROGRAM AGREEMENT BETWEEN THE CITY OF LOCKHART AND LOCKHART EMERGENCY CARE CENTER, LLC WHEREBY THE COMPANY AGREES TO EXPAND ITS BUSINESS INTO THE CITY OF LOCKHART AND TO INVEST AN ESTIMATED \$5.8 MILLION IN BUILDINGS, EQUIPMENT AND INFRASTRUCTURE, EXCLUDING LAND, AND TO EMPLOY A MINIMUM OF THIRTY (30) NEW FULL-TIME EQUIVALENT (FTE) JOBS WITH AN AVERAGE WAGE OF \$30.00 PER HOUR THROUGHOUT THE TERM OF THE AGREEMENT AND EMPLOY AT LEAST 39 FTE JOBS BY THE 10<sup>TH</sup> YEAR IN EXCHANGE FOR PROPERTY TAX REBATES POTENTIALLY AMOUNTING TO \$264,625 OVER A TEN (10) YEAR PERIOD.**

Mr. Tobias stated that the City is authorized by Section 380.001 of the Texas Government Code, to promote state and local economic development and to stimulate business and commercial activity within the City. The proposed 380 Economic Development Program Agreement states the maximum amount of property tax rebates by year that will be paid to the company over a ten-year period as long as the company complies with creating and maintaining 30 FTE jobs and the average wage of \$30 per hour and to employ at least 39 FTE jobs by the 10<sup>th</sup> year of the agreement. Failure to maintain the FTE jobs and the average wage will result in reduction of property tax rebate on a ratio basis. The tax rebate cannot include property tax paid on the land.

**M. DISCUSS APPOINTMENT OF PARKS MASTER PLAN STEERING COMMITTEE MEMBERS AT THE SEPTEMBER 19 MEETING MADE UP OF COUNCILMEMBERS, CITY STAFF, TWO PARKS ADVISORY BOARD MEMBERS, BUSINESS AND CIVIC ORGANIZATION MEMBERS, AND OTHER AS DETERMINED BY COUNCIL TO SERVE AS A SOUNDING BOARD FOR RECOMMENDATIONS MADE BY THE CONSULTANT.**

Mr. Rodgers stated that the Parks Master Plan Scope of Work includes appointment by Council of a Steering Committee to perform tasks as outlined in the document. The first meeting will be held on Thursday, September 28 and the first public meeting on Tuesday, October 10. Meetings will be held in the Glosserman Room at City Hall at 6:30 p.m. The Parks Advisory Board recommended Albert Villalpando and Dennis Placke as the two Parks Board members to serve on the committee. Mr. Rodgers recommended that 8-10 members serve on the steering committee. The meetings will be held at City Hall in the Glosserman Room at 6:30 p.m. There was discussion.

**N. DISCUSS APPOINTMENT OF A TEMPORARY AD-HOC COMMITTEE TO DETERMINE A PRIORITY LIST FOR POSSIBLE USES OF THE DONATED ST. PAUL UNITED CHURCH OF CHRIST PROPERTY.**

Mr. Rodgers stated that at the last meeting, the Council voted unanimously to accept the donation of the property from the St. Paul United Church. Council discussed several possible uses for the property and decided to appoint a temporary ad-hoc committee. There was discussion.

Councilmember Westmoreland recommended to appoint Amelia Smith and Jackie Westmoreland.

Mayor White recommended to appoint Todd Blomerth.

**O. DISCUSSION AND/OR ACTION TO CONSIDER RESOLUTION 2017-11 NAMING AN INDIVIDUAL AS THE CITY OF LOCKHART'S NOMINEE TO FILL A VACANT POSITION TO THE BOARD OF DIRECTORS OF THE CALDWELL COUNTY APPRAISAL DISTRICT (CCAD).**

Mr. Rodgers stated that a vacancy exists on the CCAD Board of Directors of which each taxing entity can make a nomination. The deadline to submit the Resolution with a name is September 8, 2017. There was discussion.

**P. DISCUSS THE CITY COUNCIL'S SELECTION WITH UP TO 457 VOTES OF A NOMINEE OR NOMINEES TO THE CALDWELL COUNTY APPRAISAL DISTRICT (CCAD) BOARD OF DIRECTORS FOR THE FISCAL YEAR 2018-2019 PERIOD TO BE APPROVED BY A COUNCIL RESOLUTION AT THE SEPTEMBER 19, 2017 MEETING.**

Mr. Rodgers stated that the City of Lockhart received a notice about nominations for the CCAD Board of Directors for the Fiscal Year 2018-2019 period on August 17. The CCAD indicates that they must receive nomination(s) on or before October 15. In October, the City Council will only meet on October 17. If the Council chooses to make a nomination(s), a Resolution providing nominee(s) must be approved by the Council in September. There was discussion.

**Q. DISCUSS RE-APPOINTMENTS OF MAYOR LEW WHITE AND COUNCILMEMBER JOHN CASTILLO TO THE CAPITAL AREA COUNCIL OF GOVERNMENTS GENERAL ASSEMBLY.**

Mayor White stated that the CAPCOG General Assembly makes re-appointments every year. He requested the official re-appointments.

RECESS: Mayor White announced that the Council would recess for a break at 7:12 p.m.

**REGULAR MEETING**

**ITEM 1. CALL TO ORDER.**

Mayor White called the regular meeting of the Lockhart City Council to order on this date at 7:32 p.m.

Fermin Islas, Chair of the Lockhart Economic Development Corporation, called their meeting to order on this date at 7:32 p.m.

**ITEM 2. INVOCATION, PLEDGE OF ALLEGIANCE.**

Invocation – Councilmember John Castillo.

Pledge of Allegiance to the United States and Texas flags.

**ITEM 3. CITIZENS/VISITORS COMMENTS.**

Mayor White requested citizens to address the Council.

Fermin Islas, 1702 Meadow Lane, invited everyone to attend the annual Diez y Seis celebration hosted by the Hispanic Chamber of Chamber that will be held on September 15-16 in downtown Lockhart.

**DISCUSSION AND/OR ACTION - LOCKHART CITY COUNCIL AND LOCKHART ECONOMIC DEVELOPMENT CORPORATION****ITEM 4-A. HOLD PUBLIC HEARINGS ON THE CITY OF LOCKHART AND LOCKHART ECONOMIC DEVELOPMENT CORPORATION FISCAL YEAR 2017-2018 BUDGETS.**

Mayor White opened the public hearing of the City Council at 7:34 p.m.

Chairman Islas opened the public hearing of the Lockhart Economic Development Corporation (LEDC) at 7:34 p.m.

Mr. Hinson provided information about the following regarding the LEDC and City of Lockhart budgets:

- Lockhart Economic Development Corporation’s Multi-Year Financial Plan.
- City of Lockhart General Fund – Revenues and Expenditures.
- City of Lockhart General Funds.
- City of Lockhart Funds; Debt Service, Electric Utility, Water Utility, Wastewater Utility, Solid Waste Utility, Emergency Medical Service, and Airport.
- City of Lockhart Special Revenue, Capital, Miscellaneous Utility, and Trust and Agency Funds.

Mayor White requested citizens to address the Council regarding the City of Lockhart and/or Lockhart Economic Development Corporation budgets. There were none.

Chairman Fermin Islas closed the LEDC public hearing at 7:53 p.m.

**ITEM 4-B. PRESENTATION, DISCUSSION AND/OR ACTION TO CONSIDER APPROVAL OF THE LOCKHART ECONOMIC DEVELOPMENT CORPORATION’S MULTI-YEAR FINANCIAL PLAN.**

Councilmember Michelson made a motion to approve the Lockhart Economic Development Corporation’s Multi-Year Financial Plan. Mayor Pro-Tem Sanchez seconded. The motion passed by a vote of 7-0.

LEDC Member Alfredo Munoz made a motion to approve the Lockhart Economic Development Corporation’s Multi-Year Financial Plan. LEDC Member Frank Estrada seconded. The motion passed by a vote of 5-0.

**LOCKHART ECONOMIC DEVELOPMENT CORPORATION (LEDC) TO ADJOURN**

LEDC Member Alfredo Munoz made a motion to adjourn the meeting. LEDC Member Frank Estrada seconded. The motion passed by a vote of 5-0. The LEDC meeting was adjourned at 7:55 p.m.

Mayor White closed the public hearing regarding the budget at 7:55 p.m.

**LOCKHART CITY COUNCIL TO CONTINUE MEETING****ITEM 4-C. CITY COUNCIL TO HOLD THE FIRST OF TWO PUBLIC HEARINGS ON A PROPOSAL TO INCREASE TOTAL TAX REVENUES FROM PROPERTIES ON THE TAX ROLL IN THE PRECEDING YEAR BY 6.062820 PERCENT. ANNOUNCE THAT THE DATE OF THE SECOND PUBLIC HEARING WILL BE SEPTEMBER 19, 2017 AT 7:30 P.M. AND THE VOTE ON THE TAX RATE WILL BE SEPTEMBER 26, 2017 AT 6:30 P.M. AT THE CLARK LIBRARY ANNEX – COUNCIL CHAMBERS, 217 SOUTH MAIN STREET, 3<sup>RD</sup> FLOOR, LOCKHART, TEXAS 78644.**

Mayor White opened the public hearing at 7:56 p.m. and requested staff to provide information about the proposed tax rate.

Mr. Hinson stated that this is the first of two public hearings concerning the increase of tax revenues. These public hearings are required by State law if the proposed tax rate exceeds the effective tax rate. The City Council took a record vote to set the Fiscal Year 2017-2018 tax rate at 0.7260 cents per \$100 valuation. The average taxable value of a residence homestead in City of Lockhart this year is \$127,370. If the City Council adopts the effective tax rate for this year of \$0.684500 per \$100 of taxable value, the amount of taxes imposed this year on the average home would be \$871.85. If the City Council adopts the proposed tax rate of \$0.726000 per \$100 of taxable value, the amount of taxes imposed this year on the average home would be \$924.71.

Mayor White requested citizens in favor of or against the proposed tax rate to address the Council. There were none.

Mayor White announced that the second public hearing regarding the proposed Fiscal Year 2017-2018 tax rate will be held on September 19, 2017 and the vote on the tax rate will be held on September 26, 2017 at the Clark Library Annex – Council Chambers, 217 S. Main Street, 3<sup>rd</sup> Floor, Lockhart, Texas 78644.

**ITEM 5-A. DISCUSSION REGARDING RESOLUTION 2017-10 APPROVING A TYPE 4B PROJECT UNDER SECTION 4B OF THE TEXAS ECONOMIC DEVELOPMENT CORPORATION ACT OF 1979, AMENDED, TO FUND UP TO \$393,000 FOR INCENTIVES TO LOCKHART EMERGENCY CARE CENTER, LLC. FOR INFRASTRUCTURE AND OTHER DEVELOPMENT RELATED COSTS WHICH ARE FOUND BY THE LOCKHART ECONOMIC DEVELOPMENT CORPORATION (LEDC) BOARD OF DIRECTORS TO BE ALLOWABLE COSTS AS AN INCENTIVE TO ATTRACT THE BUSINESS WHICH WILL HAVE AN ESTIMATED INITIAL INVESTMENT OF \$5.8 MILLION EXCLUDING LAND AND WILL INITIALLY CREATE AND MAINTAIN THROUGHOUT THE AGREEMENT A MINIMUM OF 30 FULL-TIME EQUIVALENT (FTE) JOBS AVERAGING \$30.00 PER HOUR AND HAVE AT LEAST 39 FTE BY THE 10<sup>TH</sup> YEAR IN BUSINESS. (FIRST READING)**

Mr. Tobias conducted the first reading. He read Resolution 2017-10 in its entirety.

Mr. Rodgers pointed out a correction to the Resolution to reference Attachment A instead of Exhibit A.

**ITEM 6. CONSENT AGENDA.**

Councilmember Michelson made a motion to approve consent agenda items 6A, 6B, 6C, 6D, 6E, 6F, 6G, 6H, 6I, and 6J. Councilmember Hilburn seconded. The motion passed by a vote of 7-0.

The following are the consent agenda items that were approved:

- 6A: Approve minutes of the City Council meeting of August 15, 2017.
- 6B: Approve Memorandum of Understanding Agreement between the City of Lockhart and Connections which is a non-profit individual and family counseling agency funded by the United Way and Texas Network of Youth Services and appointing the City Manager to sign the agreements, if approved.
- 6C: Approve Ordinance 2017-31 amending Chapter 20, Fire Prevention and Protection, to change, add or delete certain sections between Section 20-01 through Section 20-101 of the Code of Ordinances and adopting the International Fire Code, 2015 Edition with amendments.
- 6D: Approve, after report by City Manager, the Insurance Services Office, Inc., (ISO) initial preliminary fire insurance classification ranking of 9/9X in April 2017, which has been upgraded to a much better classification of 4/4X by adopting new building and fire codes and appealing some of the initial gradings; this better classification tremendously helps residents and businesses that have insurance companies that use the ISO system to determine fire insurance rates.
- 6E: Approve Ordinance 2017-32 amending Chapter 57, Transportation Infrastructure Utility fees, Section 57-1, Rates and Charges of Transportation Infrastructure Utility fees, providing a repealer, providing for publication, and establishing an effective date.
- 6F: Approve Ordinance 2017-33 changing certain City Election polling places and changing the hours of early voting for the Joint Election of the City of Lockhart and Caldwell County to be held on November 7, 2017 in order to comply with the consolidation of precincts and polling places by Caldwell County.
- 6G: Approve Interlocal Cooperation Agreement between the Lockhart Police Department and the Lockhart Independent School District for two School Resource Officers for the 2017-2018 school year.
- 6H: Approve use of up to \$100,000 of Unrestricted General Fund Balance for water and wind damages at the Clark Annex, Municipal Court, and Police Department buildings.
- 6I: Approve request by Lockhart Partners II for an extension of the City's funding commitment in an amount not to exceed \$75,000 for drainage improvements on Maple Street east of The Meadows at Clearfork Phase III subdivision development, and appointing the City Manager to sign the letter of extension, if approved.
- 6J: Approve Professional Services Agreement with Schneider Engineering to prepare all compliance documents required under recently passed Senate Bill 1004 which allows wireless networks to place network nodes in the public right-of-way on city-owned structures, mandates the necessity to update pole attachment policies, preparation of a technical design manual, and to identify areas to be exempt from small area cell deployment including but not limited to parks, residential, and historical district areas, and appointing the City Manager to sign the agreement, if approved. *[Form 1295=2017-09-05-28]*

**ITEM 7-A. DISCUSSION AND/OR ACTION TO CONSIDER RESOLUTION 2017-10 APPROVING A TYPE 4B PROJECT UNDER SECTION 4B OF THE TEXAS ECONOMIC DEVELOPMENT CORPORATION ACT OF 1979, AMENDED, TO FUND UP TO \$393,000 FOR INCENTIVES TO LOCKHART EMERGENCY CARE CENTER, LLC. FOR INFRASTRUCTURE AND OTHER DEVELOPMENT RELATED COSTS WHICH ARE FOUND BY THE LOCKHART ECONOMIC DEVELOPMENT CORPORATION (LEDC) BOARD OF DIRECTORS TO BE ALLOWABLE COSTS AS AN INCENTIVE TO ATTRACT THE BUSINESS WHICH WILL HAVE AN ESTIMATED INITIAL INVESTMENT OF \$5.8 MILLION EXCLUDING LAND AND WILL INITIALLY CREATE AND MAINTAIN THROUGHOUT THE AGREEMENT A MINIMUM OF 30 FULL-TIME EQUIVALENT (FTE) JOBS AVERAGING \$30.00 PER HOUR AND HAVE AT LEAST 39 FTE BY THE 10<sup>TH</sup> YEAR IN BUSINESS. (Second reading)**

Mr. Tobias conducted the second reading. He read Resolution 2017-10 in its entirety.

Mayor Pro-Tem Sanchez made a motion to approve Resolution 2017-10, as presented. Councilmember Hilburn seconded. The motion passed by a vote of 7-0.

**ITEM 7-B. DISCUSSION AND/OR ACTION REGARDING A PROPOSED 380 ECONOMIC DEVELOPMENT PROGRAM AGREEMENT BETWEEN THE CITY OF LOCKHART AND LOCKHART EMERGENCY CARE CENTER, LLC WHEREBY THE COMPANY AGREES TO EXPAND ITS BUSINESS INTO THE CITY OF LOCKHART AND TO INVEST AN ESTIMATED \$5.8 MILLION IN BUILDINGS, EQUIPMENT AND INFRASTRUCTURE, EXCLUDING LAND, AND TO EMPLOY A MINIMUM OF THIRTY (30) NEW FULL-TIME EQUIVALENT (FTE) JOBS WITH AN AVERAGE WAGE OF \$30.00 PER HOUR THROUGHOUT THE TERM OF THE AGREEMENT AND EMPLOY AT LEAST 39 FTE JOBS BY THE 10<sup>TH</sup> YEAR IN EXCHANGE FOR PROPERTY TAX REBATES POTENTIALLY AMOUNTING TO \$264,625 OVER A TEN (10) YEAR PERIOD.**

Mr. Tobias stated that the 380 Economic Development Program agreement outlines the project as discussed during the work session and as outlined in Resolution 2017-10.

Mayor Pro-Tem Sanchez made a motion to approve the 380 Economic Development Program agreement between the City of Lockhart and Lockhart Emergency Care Center, LLC, as presented. Councilmember Hilburn seconded. The motion passed by a vote of 7-0.

**ITEM 7-C. DISCUSSION AND/OR ACTION TO CONSIDER APPOINTMENT OF PARKS MASTER PLAN STEERING COMMITTEE MEMBERS AT THE SEPTEMBER 19 MEETING MADE UP OF COUNCILMEMBERS, CITY STAFF, TWO PARKS ADVISORY BOARD MEMBERS, BUSINESS AND CIVIC ORGANIZATION MEMBERS, AND OTHER AS DETERMINED BY COUNCIL TO SERVE AS A SOUNDING BOARD FOR RECOMMENDATIONS MADE BY THE CONSULTANT.**

Councilmember Hilburn appointed Nita McBride.

Mr. Rodgers stated that the meetings will begin on September 28, 2017.

Mayor White stated that additional appointments will be made during the next meeting.

**ITEM 7-D. DISCUSSION AND/OR ACTION REGARDING APPOINTMENT OF A TEMPORARY AD-HOC COMMITTEE TO DETERMINE A PRIORITY LIST FOR POSSIBLE USES OF THE DONATED ST. PAUL UNITED CHURCH OF CHRIST PROPERTY.**

Councilmember Westmoreland appointed Amelia Smith and Jackie Westmoreland.

Mayor White appointed Todd Blomerth. There was discussion.

**ITEM 7-E. DISCUSSION AND/OR ACTION TO CONSIDER RESOLUTION 2017-11 NAMING AN INDIVIDUAL AS THE CITY OF LOCKHART'S NOMINEE TO FILL A VACANT POSITION TO THE BOARD OF DIRECTORS OF THE CALDWELL COUNTY APPRAISAL DISTRICT.**

Mayor Pro-Tem Sanchez made a motion to approve Resolution 2017-11 and to add Alfredo Munoz as the City of Lockhart's nominee to fill the vacant position. Councilmember Castillo seconded. The motion passed by a vote of 7-0.

**ITEM 7-F. DISCUSSION AND/OR ACTION REGARDING THE CITY COUNCIL'S SELECTION WITH UP TO 457 VOTES OF A NOMINEE OR NOMINEES TO THE CALDWELL COUNTY APPRAISAL DISTRICT (CCAD) BOARD OF DIRECTORS FOR THE FISCAL YEAR 2018-2019 PERIOD TO BE APPROVED BY A COUNCIL RESOLUTION AT THE SEPTEMBER 19, 2017 MEETING.**

Mayor White stated that the nominees will be presented during the next meeting.

**ITEM 7-G. DISCUSSION AND/OR ACTION REGARDING RE-APPOINTMENTS OF MAYOR LEW WHITE AND COUNCILMEMBER JOHN CASTILLO TO THE CAPITAL AREA COUNCIL OF GOVERNMENTS GENERAL ASSEMBLY.**

Mayor Pro-Tem Sanchez made a motion to re-appoint Mayor Lew White and Councilmember John Castillo to the CAPCOG General Assembly. Councilmember Mendoza seconded. The motion passed by a vote of 7-0.

**ITEM 7-H. DISCUSSION AND/OR ACTION REGARDING APPOINTMENTS TO VARIOUS BOARDS, COMMISSIONS OR COMMITTEES.**

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

**ITEM 7-I. PRESENTATION, DISCUSSION AND/OR ACTION REGARDING FISCAL YEAR 2017-2018 PROPOSED BUDGET, TAX RATE AND RELATED INFORMATION.**

There was no discussion.

**ITEM 7-J. DISCUSSION AND/OR ACTION REGARDING MAINTENANCE, OPERATIONAL AND CAPITAL BUDGETS AND FUNDING POSSIBILITIES.**

There was no discussion.

**ITEM 7-K. DISCUSSION AND/OR ACTION REGARDING BUDGET AND TAX RATE ADOPTION CALENDAR, IF NECESSARY.**

Mr. Hinson announced that September 19, 2017 is the second public hearing regarding the tax rate and the adoption of the budget and tax rate will be held on September 26, 2017 at the Clark Library Annex – Council Chambers, 217 South Main Street, Lockhart, Texas 78644.

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

- Update: Work has begun by Smith Contracting on Ash, Comal, Pine Street drainage project putting in storm water system first.
- Update: Work has begun by Evans Constructions installation of the large wastewater main along the north side of the railroad tracks near SH 130, north of SH 142.
- Update: Work has begun on replacing the bad 18" raw water transmission main in the well fields.
- Update: Design/engineering work for the Jason K. LaFleur Sports Complex parking and field lighting is complete; City crew will do much of the parking lot work.
- Reminder: Diez Y Seis Celebration downtown Sept 15 and 16.
- Reminder: Movies in the Park  
Sept 23, The Jungle Book (rescheduled from July rainout).
- Commend: All City employees that worked during the recent storm events.

**ITEM 9. COUNCIL AND STAFF COMMENTS – ITEMS OF COMMUNITY INTEREST.**

Councilmember Westmoreland recognized the First Christian Church for hosting a taco dinner for those in need during the Harvey hurricane of which proceeds went to assist those affected by the hurricane. He wished all football teams the best this year.

Councilmember Mendoza thanked the first responders and city employees for working during the recent hurricane. He invited Council to the soccer youth kick-off party on Friday evening.

Mayor Pro-Tem Sanchez expressed condolences to the families of Chris DeLeon and Victor Briceno for their loss. She congratulated the Gamez family for the holding their first annual family reunion this past weekend. She expressed well wishes to those affected by the recent hurricane and she thanked the first responders and city staff for working during storm. She invited everyone to the annual Diez y Seis event that will be held on September 15-16 in the downtown square.

Councilmember Hilburn encouraged citizens to contact one of the local churches if they wish to make donations towards those affected by hurricane Harvey.

Councilmember Castillo thanked Council, staff and contractors for the drainage improvements in District 2. The drainage improvements helped tremendously during the recent hurricane. He expressed condolences to the DeLeon family for their loss. He thanked city employees for their hard work and to civic and religious organizations for their assistance during the hurricane.

Councilmember Michelson thanked Mr. Rodgers for keeping Council updated 24/7 during the hurricane. He thanked staff for their work and to Martin Ritchey, Caldwell County Emergency Management Coordinator for his dedication to public safety during an emergency.

Mayor White thanked staff, first responders, and everyone willing to assist those affected in the recent hurricane. Habit for Humanity will have a ground breaking at their third new home on Garcia Street this weekend. He thanked Councilmembers for filling in for him when he is not available to attend a community event. Good luck to Hispanic Chamber for their upcoming Diez y Seis event next weekend.

**ITEM 10. ADJOURNMENT.**

Mayor Pro-Tem Sanchez made a motion to adjourn the meeting. Councilmember Mendoza seconded. The motion passed by a vote of 7-0. The meeting was adjourned at 8:39 p.m.

PASSED and APPROVED this the 19<sup>th</sup> day of September 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**

<b>CITY SECRETARY'S USE ONLY</b> <input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory	Reviewed by Finance	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable	
	Reviewed by Legal	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable	
<b>Council Meeting Date: September 19, 2017</b>				
Department: Finance		Initials	Date	
Department Head: Jeff Hinson	Asst. City Manager			
Dept. Signature: <i>[Signature]</i>	City Manager		<i>[Signature]</i>	
Agenda Item Coordinator/Contact (include phone #): Jeff Hinson 398-3461 x232				
<b>ACTION REQUESTED:</b> <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				
<b>CAPTION</b>				
Discussion and/or Action Regarding Presentation of the Caldwell County Appraisal District's Fiscal Year 2018 Budget.				
<b>FINANCIAL SUMMARY</b>				
<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				
<b>FISCAL YEAR:</b>	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
<b>BALANCE</b>	\$0.00	\$0.00	\$0.00	\$0.00
<b>FUND(S):</b>				
<b>SUMMARY OF ITEM</b>				
A representative from the Caldwell County Appraisal District will present the budget for fiscal year 2018.				
<b>STAFF RECOMMENDATION</b>				
N/A				
List of Supporting Documents:		Other Departments, Boards, Commissions or Agencies:		
Copy of the document.				



**CALDWELL COUNTY APPRAISAL DISTRICT  
2018 APPRAISAL BUDGET (PROPOSED)**

	<b>PERSONNEL</b>	<b>2017</b>	<b>2018</b>
70101	Chief Appraiser	72,880.00	74,702.00
70102	Deputy Chief Appraiser	48,225.00	49,431.00
70103	GIS Mapper/System Mgr/IT	58,972.00	60,447.00
70105	Field Appraiser II	31,465.00	32,252.00
70106	Senior Appraiser I	40,702.00	41,720.00
70107	Senior Appraiser II	38,626.00	39,592.00
70108	Field Appraiser I	36,160.00	32,903.00
70109	Field Appraiser III	30,171.00	30,926.00
70111	Administrative Asst.	46,457.00	47,620.00
70112	Data entry technician	27,964.00	28,663.00
70113	Support data entry	34,140.00	34,995.00
70120	911/GIS	38,393.00	37,820.00
70130	Part time	0.00	0.00
70135	Payroll contingency	0.00	2,000.00
	<b>SUBTOTAL</b>	<b>504,155.00</b>	<b>513,071.00</b>
	<b>DEDUCTIONS/BENEFITS</b>		
71000	Payroll Tax	\$42,000.00	\$42,500.00
71002	Retirement/ employer	\$47,100.00	\$48,600.00
71004	Health benefits	\$89,600.00	\$94,000.00
71005	Worker comp	\$2,600.00	\$2,700.00
71006	Unemployment	\$4,000.00	\$4,000.00
	<b>SUBTOTAL</b>	<b>185,300.00</b>	<b>191,800.00</b>
	<b>SERVICES</b>		
72000	Appr Engineers	\$40,000.00	\$42,000.00
72001	Appr Review Bd	\$11,000.00	\$13,500.00
72002	Audit	\$6,200.00	\$6,200.00
72003	Board of Directors	\$1,700.00	\$1,790.00
72004	Data Processing Services	\$45,050.00	\$46,900.00
72007	Janitorial service	\$6,200.00	\$6,200.00
72008	Legal	\$17,000.00	\$20,000.00
	<b>SUBTOTAL</b>	<b>127,150.00</b>	<b>136,590.00</b>

	<b>GENERAL EXPENSES</b>	<b>2017</b>	<b>2018</b>
72500	Bond- Chief - Notary	\$100.00	\$100.00
72501	Membership / Dues	\$3,675.00	\$3,700.00
72502	Computer supplies - data processing	\$6,300.00	\$6,400.00
72504	Education & fees	\$8,500.00	\$7,800.00
72505	Insurance - liability	\$1,400.00	\$1,400.00
72506	Insurance Building/ Equip - contents	\$3,900.00	\$3,900.00
72507	Legal notices/printing	\$13,700.00	\$14,450.00
72508	Maint - hardware/equip	\$7,700.00	\$8,700.00
72509	Maint -office equip	\$2,000.00	\$1,000.00
72510	Mileage & travel	\$7,500.00	\$6,500.00
72511	Office supplies	\$7,000.00	\$7,000.00
72512	Postage	\$22,000.00	\$23,150.00
72513	Postage meter/Box rental	\$4,422.00	\$4,425.00
72514	Publications Subcrip & books	\$6,960.00	\$7,020.00
72515	Rental - copier	\$3,600.00	\$2,650.00
72516	Electricity	\$9,500.00	\$9,000.00
72517	Telephone	\$12,270.00	\$12,270.00
72518	Water & sewer	\$1,500.00	\$3,250.00
72519	Mortgage	\$54,520.00	\$54,520.00
72520	Building Maint	\$4,600.00	\$4,820.00
72523	Fuel - Vehicle	\$6,300.00	\$6,000.00
72524	Maint - Vehicle	\$4,500.00	\$6,000.00
72525	Ins - vehicle	\$1,700.00	\$1,700.00
	<b>SUBTOTAL</b>	<b>193,647.00</b>	<b>195,755.00</b>
	<b>CAPITAL INVESTMENTS</b>		
79000	Office equipment	\$5,000.00	\$5,000.00
79001	Computer Equipment	\$10,000.00	\$11,000.00
79003	Vehicle	\$0.00	\$20,000.00
	<b>SUBTOTAL</b>	<b>15,000.00</b>	<b>36,000.00</b>
	<b>CONTINGENCY</b>		
79002	Building Expense	\$5,000.00	\$5,000.00
79990	Contingency	\$10,000.00	\$10,000.00
	<b>SUBTOTAL</b>	<b>15,000.00</b>	<b>15,000.00</b>
	<b>TOTAL EXPENSES</b>	<b>1,040,252.00</b>	<b>1,088,216.00</b>
GCA	911 EXPENSES PAID BY COUNTY	25,380.00	26,000.00
		<b>1,014,872.00</b>	<b>1,062,216.00</b>

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**PERSONNEL SALARY & BENEFIT EXPENSE  
2018 APPRAISAL BUDGET (PROPOSED)**

LINE ITEM	POSITION	SALARY	RETIREMENT	HEALTH INS	AD/LTD	TOTAL
70101	Chief Appraiser	74,702.00	7,051.87	7,500.00	500.00	89,753.87
70102	Deputy Chief Appraiser	49,431.00	4,666.29	7,500.00	450.00	62,047.29
70103	GIS Mapper/System Mgr/IT	60,447.00	5,706.20	7,500.00	460.00	74,113.20
70105	Field Appraiser II	32,252.00	3,044.59	7,500.00	245.00	43,041.59
70106	Senior Appraiser I	41,720.00	3,938.37	7,500.00	295.00	53,453.37
70107	Senior Appraiser II	39,592.00	3,737.48	7,500.00	270.00	51,099.48
70108	Field Appraiser I	32,903.00	3,106.04	7,500.00	345.00	43,854.04
70109	Field Appraiser III	30,926.00	2,919.41	7,500.00	250.00	41,595.41
70111	Administrative Asst	47,620.00	4,495.33	7,500.00	420.00	60,035.33
70112	Data entry technician	28,663.00	2,705.79	7,500.00	245.00	39,113.79
70113	Support data entry	34,995.00	3,303.53	7,500.00	260.00	46,058.53
70120	911/GIS	37,820.00	3,570.21	7,500.00	260.00	49,150.21
70135	Payroll contingency	2,000.00	0	0.00	0	2,000.00
		513,071.00	48,245.10	90,000.00	4,000.00	655,316.10

**Note** Payroll contingency to be used for staff certification.  
AKM RPA

## 2018 APPRAISAL BUDGET ALLOCATION

Caldwell County Appraisal District PROPOSED Budget

ENTITIES	2016 TAX LEVY	RATIO %	2018 BUDGET	ASSESSMENT
CITY OF LOCKHART	\$3,896,845.37	8.924%	\$1,062,216.00	\$94,792.26
CITY OF LULING	\$1,070,859.40	2.452%	\$1,062,216.00	\$26,049.07
CITY OF MARTINDALE	\$269,737.50	0.618%	\$1,062,216.00	\$6,561.47
CITY OF MUSTANG RIDGE	\$117,131.05	0.268%	\$1,062,216.00	\$2,849.26
CITY OF NIEDERWALD	\$16,126.88	0.037%	\$1,062,216.00	\$392.29
CITY OF SAN MARCOS	\$79,401.53	0.182%	\$1,062,216.00	\$1,931.47
CITY OF UHLAND	\$22,997.52	0.053%	\$1,062,216.00	\$559.42
CALDWELL COUNTY	\$14,833,403.87	33.969%	\$1,062,216.00	\$360,828.26
LOCKHART ISD	\$14,659,842.44	33.572%	\$1,062,216.00	\$356,606.31
LULING ISD	\$3,841,084.84	8.796%	\$1,062,216.00	\$93,435.87
PRAIRIE LEA ISD	\$1,110,860.88	2.544%	\$1,062,216.00	\$27,022.12
PLUM CREEK CONS. DIST.	\$243,499.50	0.558%	\$1,062,216.00	\$5,923.22
PLUM CREEK UNDERGROUND	\$230,875.81	0.529%	\$1,062,216.00	\$5,616.14
HAYS ISD	\$437,169.51	1.001%	\$1,062,216.00	\$10,634.32
GONZALES ISD	\$292,421.79	0.670%	\$1,062,216.00	\$7,113.27
SAN MARCOS ISD	\$1,709,720.38	3.915%	\$1,062,216.00	\$41,589.61
WAELDER ISD	\$224,540.72	0.514%	\$1,062,216.00	\$5,462.04
CALDWELL-HAYS ESD1	\$299,297.16	0.685%	\$1,062,216.00	\$7,280.52
GONZALES COUNTY UWD	\$7,544.81	0.017%	\$1,062,216.00	\$183.53
CALDWELL ESD #2	\$93,948.80	0.215%	\$1,062,216.00	\$2,285.34
CALDWELL ESD #3	\$103,220.71	0.236%	\$1,062,216.00	\$2,510.88
CALDWELL ESD #4	\$76,557.52	0.175%	\$1,062,216.00	\$1,862.29
AUSTIN COMMUNITY COLLEGE	\$29,887.59	0.068%	\$1,062,216.00	\$727.03
<b>TOTALS</b>	<b>\$43,666,975.58</b>	<b>100.00%</b>	<b>\$1,062,216.00</b>	<b>\$1,062,216.00</b>

**CALDWELL COUNTY APPRAISAL DISTRICT  
2018 COLLECTION BUDGET (PROPOSED)**

	<b>PERSONNEL</b>	<b>2017</b>	<b>2018</b>
90-70120	Deputy Tax Collector	49,235.00	50,466.00
90-70121	Collections Specialist	35,165.00	36,045.00
90-70126	Public Assist	30,360.00	31,120.00
90-70130	Part time	0.00	0.00
90-70135	Payroll contingency	0.00	0.00
	<b>SUBTOTAL</b>	<b>114,760.00</b>	<b>117,631.00</b>

	<b>DEDUCTIONS/BENEFITS</b>		
90-71000	Payroll Tax	9,200.00	9,440.00
90-71002	Retirement/ employer	10,700.00	11,200.00
90-71004	Health benefits	24,200.00	24,100.00
90-71005	Worker comp	775.00	775.00
90-71006	Unemployment	2,375.00	2,375.00
	<b>SUBTOTAL</b>	<b>47,250.00</b>	<b>47,890.00</b>

	<b>SERVICES</b>		
90-72002	Audit	1,850.00	1,800.00
90-72004	Data Processing Services	16,800.00	17,450.00
90-72005	County employee contract	15,500.00	15,500.00
90-72007	Janitorial service	2,500.00	2,500.00
90-72008	Legal	2,300.00	2,300.00
	<b>SUBTOTAL</b>	<b>38,950.00</b>	<b>39,550.00</b>

	<b>GENERAL EXPENSES</b>		
90-72500	Bond- Chief - Notary	200.00	200.00
90-72501	Membership / Dues	650.00	650.00
90-72502	Computer supplies - data processing	2,300.00	2,300.00
90-72504	Education & fees	2,250.00	2,250.00
90-72505	Insurance - liability	800.00	800.00
90-72506	Insurance Building/ Equip - contents	900.00	1,150.00
90-72507	Legal notices/printing	9,900.00	9,900.00
90-72508	Maint - hardware/equip	2,600.00	2,600.00
90-72509	Maint -office equip	1,200.00	1,200.00
90-72510	Mileage & travel	2,800.00	2,800.00
90-72511	Office supplies	2,700.00	2,800.00
90-72512	Postage	13,800.00	13,800.00
90-72513	Postage meter/Box rental	1,400.00	1,400.00
90-72515	Rental - copier	1,800.00	1,800.00
90-72516	Electricity	3,550.00	3,000.00
90-72517	Telephone	3,200.00	3,100.00
90-72518	Water & sewer	460.00	1,000.00
90-72519	Mortgage	16,500.00	16,500.00
90-72520	Building Maint	2,000.00	2,025.00
	<b>SUBTOTAL</b>	<b>69,010.00</b>	<b>69,275.00</b>

	<b>CAPITAL INVESTMENTS</b>		
90-79000	Office equipment	1,700.00	2,000.00
90-79001	Computer Equipment	4,200.00	5,000.00
	<b>SUBTOTAL</b>	<b>5,900.00</b>	<b>7,000.00</b>

	<b>CONTINGENCY</b>		
90-79002	Building Expense	2,000.00	2,200.00
90-79990	Contingency	\$3,000.00	\$3,000.00
	<b>SUBTOTAL</b>	<b>5,000.00</b>	<b>5,200.00</b>
	<b>TOTAL EXPENSES</b>	<b>280,870.00</b>	<b>286,546.00</b>

**PERSONNEL SALARY & BENEFIT EXPENSE  
2018 COLLECTION BUDGET (PROPOSED)**

LINE ITEM	POSITION	SALARY	RETIREMENT	HEALTH INS	AD/LTD	TOTAL
90-70120	Deputy Tax Collector	50,466.00	4,763.99	7,500.00	500.00	63,229.99
90-70121	Collection Specialist	36,045.00	3,402.65	7,500.00	400.00	47,347.65
90-70126	Public Asst. Specialist	31,120.00	2,937.73	7,500.00	400.00	41,957.73
90-70135	Payroll contingency	0.00	0.00	0.00	0.00	0.00
		117,631.00	11,104.37	22,500.00	1,300.00	152,535.37



## 2018 COLLECTION BUDGET ALLOCATION

Caldwell County Appraisal District PROPOSED Budget

ENTITIES	2016 TAX LEVY	RATIO %	2018 BUDGET	ASSESSMENT
CITY OF LOCKHART	\$3,896,845.37	9.297%	\$286,546.00	\$26,640.53
CITY OF LULING	\$1,093,150.75	2.608%	\$286,546.00	\$7,473.25
CITY OF MARTINDALE	\$269,737.50	0.644%	\$286,546.00	\$1,844.04
CITY OF MUSTANG RIDGE	\$117,131.05	0.279%	\$286,546.00	\$800.76
CITY OF NIEDERWALD	\$16,126.88	0.038%	\$286,546.00	\$110.25
CITY OF UHLAND	\$22,997.52	0.055%	\$286,546.00	\$157.22
CALDWELL ESD #2	\$93,948.80	0.224%	\$286,546.00	\$642.27
CALDWELL ESD #3	\$103,220.71	0.246%	\$286,546.00	\$705.66
CALDWELL ESD #4	\$76,557.52	0.183%	\$286,546.00	\$523.38
CALDWELL-HAYS ESD1	\$299,297.16	0.714%	\$286,546.00	\$2,046.13
CALDWELL COUNTY	\$14,833,403.87	35.390%	\$286,546.00	\$101,407.61
LOCKHART ISD	\$14,659,842.44	34.976%	\$286,546.00	\$100,221.06
LULING ISD	\$4,530,130.34	10.808%	\$286,546.00	\$30,969.94
PRAIRIE LEA ISD	\$1,420,224.13	3.388%	\$286,546.00	\$9,709.27
GONZALES COUNTY UWD	\$7,544.81	0.018%	\$286,546.00	\$51.58
PLUM CREEK CONS DIST	\$243,499.50	0.581%	\$286,546.00	\$1,664.67
PLUM CREEK UWD	\$230,875.81	0.551%	\$286,546.00	\$1,578.37
<b>TOTALS</b>	<b>\$41,914,534.16</b>	<b>100.00%</b>	<b>\$286,546.00</b>	<b>\$286,546.00</b>

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Work Session Item # \_\_\_\_\_

Reg. Mtg. Item # \_\_\_\_\_

**CITY OF LOCKHART  
COUNCIL AGENDA ITEM**

<b>CITY SECRETARY'S USE ONLY</b> <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
<b>Council Meeting Dates:</b> September 19, 2017				
Department: City Manager			Initials	Date
Department Head: Vance Rodgers		Asst. City Manager		
Dept. Signature: <i>Vance Rodgers</i>		City Manager		<i>[Signature]</i> 9-14-2017
Agenda Item Coordinator/Contact (include phone #): Vance Rodgers				
<b>ACTION REQUESTED:</b> <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				
<b>CAPTION</b>				
Discussion and/or action regarding Resolution 2017-14 to reflect the recovery of 4.1% in Central Texas Refuse contractual rate increases approved during the Council FY 17-18 Budget process for residential solid waste collection, disposal, recycling services, and commercial waste collection/disposal services establishing fees for other solid waste service to be effective with the first billing cycle in October, 2017				
<b>FINANCIAL SUMMARY</b>				
<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
<b>BALANCE</b>	\$0.00	\$0.00	\$0.00	\$0.00
<b>FUND(S):</b>				
<b>SUMMARY OF ITEM</b>				
This resolution increases sold waste service rates by 4.1% in accordance with the current Central Texas Refuse contract for these services and as presented to Council during the budget process. This rate increase in most cases represents less than 1/2% of the total average utility bill. The rate increase would be effective in the first billing cycle in October, 2017. The contract guarantees a 2.5% increase plus the June Consumer Price Index (CPI) of 1.6%.				
<b>STAFF RECOMMENDATION</b>				
Staff respectfully requests approval of Resolution 2017-14 as presented.				
List of Supporting Documents: Resolution and chart			Other Departments, Boards, Commissions or Agencies:	

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**RESOLUTION 2017-14**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOCKHART, TEXAS, ESTABLISHING FEES TO REFLECT THE RECOVERY OF 4.1 % VENDOR RATE INCREASES APPROVED RECENTLY FOR RESIDENTIAL SOLID WASTE COLLECTION, DISPOSAL, RECYCLING SERVICES, AND COMMERCIAL WASTE COLLECTION/DISPOSAL SERVICES AND ESTABLISHING FEES FOR OTHER SOLID WASTE SERVICES**

**WHEREAS** the Lockhart City Council recognizes the need for providing solid waste collection and disposal services for the citizens of Lockhart in the interest of public health and welfare; and

**WHEREAS** the Lockhart City Council recognizes that fees must be established and collected using City/Contactor supplied trash carts/bins to pay for the services to collect, transport, and dispose of solid waste for Lockhart residents;

**THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LOCKHART, TEXAS, THAT THE FOLLOWING RATES FOR SOLID WASTE COLLECTION, TRANSPORTING AND DISPOSAL ARE HEREBY ADOPTED AND SHALL BE EFFECTIVE THE 1<sup>ST</sup> BILLING CYCLE IN OCTOBER, 2017.**

I.	Residential Hand Collection fee per month with 95 gallon cart (each dwelling unit)	\$ 19.39
II.	Residential Senior Hand Collection fee per month with 95 gallon cart (each dwelling unit) (with \$6.50 discount) 35 gallon cart	\$ 12.63 \$ 12.63
III.	Residential Disabled Hand Collection fee per month with 95 gallon cart (each dwelling unit) (with \$6.50 discount) 35 gallon cart	\$ 12.63 \$ 12.63
IV.	Residential, Senior, Disabled fee per month for <u>extra</u> 95 gallon cart <u>extra</u> 35 gallon cart	\$ 5.65 \$ 5.65
IV.	Commercial Hand Collection fee per month with 95 gallon cart (each commercial unit)	\$ 31.14
V.	Commercial Hand Collection fee per month extra 95 gallon cart (each commercial unit)	\$ 31.14
VI.	Residential Dwelling Unit with Trash Bin Collection-Minimum Charge (each dwelling unit)	\$ 19.39
VII.	Commercial Unit with Trash Bin Collections-Minimum Charge	\$ 31.14
VIII.	Residential solid waste requiring special handling	
	1. Rate for bundle waste:	
	i. Minimum one-fourth hour	\$ 4.00
	ii. One-half hour	\$ 8.00
	iii. Three-fourths hour	\$ 12.00
	iv. Hourly rate	\$ 16.00
	2. Rate for bulky waste:	
	i. Minimum (with refrigerant gases) each item	\$ 20.00
	ii. Minimum (without refrigerant gases) one-fourth hour	\$ 8.00
	iii. One-half hour	\$ 16.00

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iv. Three-fourths hour	\$ 24.00
v. Hourly rate	\$ 32.00

IX. Public Works Site Disposal Fees

(Should the city for whatever reason elect not to collect this material, it is still the responsibility of the owner and/or occupant of the premises to properly collect and dispose of the waste material.)

(1) For residential utility customers per cubic yard	\$ 2.00
a. Maximum of up to three 35-gallon containers, per trip	\$ 2.00
b. Pickup truck, per trip (max. four cubic yards)	\$ 8.00
c. Two-wheel trailers, per trip (max. eight cubic yards)	\$ 16.00
d. Pickup trucks with sideboards, per trip (max. eight cubic yards)	\$ 16.00
e. Four-wheel trailers, per trip (max. 16 cubic yards)	\$ 32.00
f. Single axle dump truck, per trip (max. six cubic yards)	\$ 12.00
g. Tandem dump truck, per trip (max. 12 cubic yards)	\$ 24.00
(2) For nonresidential utility customers, per cubic yard	\$ 3.50
a. Maximum of up to three 35-gallon containers, per trip	\$ 3.50
b. Pickup truck, per trip (max. four cubic yards)	\$ 14.00
c. Two-wheel trailers, per trip (max. eight cubic yards)	\$ 28.00
d. Pickup trucks with sideboards, per trip (max. eight cubic yards)	\$ 28.00
e. Four-wheel trailers, per trip (max. 16 cubic yards)	\$ 56.00
f. Single axle dump truck, each trip (max. six cubic yards)	\$ 21.00
g. Tandem dump truck, per trip (max 12 cubic yards)	\$ 42.00

Note: Debris and waste from demolitions of structures with more than 120 square feet will not be accepted. The contractor or owner must transport or contract for transport the disposal of such material to an approved licensed landfill.

(3) Tires will be accepted from city residents for disposal and will be subject to the following fees per rim size:	
a. 15 inches or less, per tire with rim removed	\$ 2.10
b. 15 inches or less, per tire mounted on rim	\$ 3.10
c. More than 15 inches & less than 20 inches, per tire with rim removed	\$ 6.00
d. More than 15 inches & less than 20 inches, per tire mounted on rim	\$ 7.00
e. 20 inches or more, per tire with rim removed	\$ 10.00
f. 20 inches or more, per tire mounted on rim	\$ 12.50
(4) White goods (stoves, refrigerators and freezers without refrigerant, washers, dryers, etc.), furniture items, and electronic items	\$ 8.00
Refrigerators, freezers, air conditioners with refrigerant	\$ 20.00

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X. Trash Bin Service Fees See Attachment A

XI. Roll Off Trash Container Services See Attachment B

Passed and approved this the \_\_\_\_\_ day of \_\_\_\_\_, 2017.

CITY OF LOCKHART

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

ATTEST:

APPROVED AS TO FORM:

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

\_\_\_\_\_  
Peter Gruning  
City Attorney

ATTACHMENT A  
CITY OF LOCKHART  
CUSTOMER TRASH BIN CHARGES  
EFFECTIVE DATE  
FIRST BILLING IN OCTOBER 2017

CONTAINER SIZE CUBIC YARD	FREQUENCY TIMES PER WK	CUSTOMER BILLINGS AS OF OCT 1 2017
2	EOW	\$ 63.59
2	1	\$ 76.07
2	2	\$ 105.41
2	3	\$ 124.96
<b>EACH EXTRA DUMP</b>		\$ 20.24
3	EOW	\$ 68.24
3	1	\$ 85.88
3	2	\$ 124.96
3	3	\$ 154.31
<b>EACH EXTRA DUMP</b>		\$ 22.94
4	EOW	\$ 74.79
4	1	\$ 95.61
4	2	\$ 134.74
4	3	\$ 183.59
<b>EACH EXTRA DUMP</b>		\$ 30.32
6	EOW	\$ 89.11
6	1	\$ 109.33
6	2	\$ 170.34
6	3	\$ 241.49
<b>EACH EXTRA DUMP</b>		\$ 40.47
8	EOW	\$ 102.41
8	1	\$ 129.66
8	2	\$ 200.81
8	3	\$ 271.97
<b>EACH EXTRA DUMP</b>		\$ 50.58
10	EOW	\$ 119.02
10	1	\$ 150.23
10	2	\$ 231.30
10	3	\$ 312.68
10	4	\$ 433.36
10	5	\$ 517.38
<b>EACH EXTRA DUMP</b>		\$ 60.71
*EOW=Every Other Week		
Trash bins with locks: Additional charge is \$ 10 per bin per month		
Minimum charge for each commercial account is \$ 31.14 for bin use		
Minimum charge for each residential dwelling unit is \$ 19.39 for bin use		
Hand collection: Residential \$ 19.39 Commercial \$ 31.14		
Senior Citizens may apply for discount of \$ 3.50		

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**ATTACHMENT B**

**CTR ROLL-OFF RATES EFFECTIVE FIRST BILLING IN OCT 2017**

<u>Service/Size</u>	<u>Price</u>	<u>Description</u>
Delivery Fee	\$ -	Included in roll-off price
Dailey Rental Fee for All Size	\$ 3.39	Per day if hauled twice monthly
20 CY	\$ 463.30	per haul
30 CY	\$ 509.09	per haul
40 CY	\$ 565.66	per haul
Above rates subject to be multiplied by 1.08 to result in rates charged by the Contractor sufficient to fund City of Lockhart administrative and pay franchise fees. A fuel charge as publish on the FuelGauge.com website or comparable source as approved by the City Manager or designee shall also be applicable to the above rates.		

CHART: RATE COMPARISONS						
CITY OF LOCKHART TRASH SERVICES						
FY 17-18						
Hand Collection						
Type of Customer	95 Gallon Cart-Minimum		35 Gallon Cart-Minimum		Additional Cart	
	Now	New	Now	New	Now	New
Residential Living Unit	\$ 18.63	\$ 19.39			\$ 5.43	\$ 5.65
Qualified Seniors/Disabled-Living Unit	\$ 12.13	\$ 12.63	\$ 12.13	\$ 12.63	\$ 5.43	\$ 5.65
Commercial Business Unit	\$ 29.91	\$ 31.14			\$ 29.91	\$ 31.14
Residential Curbside Recycling	\$ 5.62	\$ 5.85				
Trash Bin Collection Per Unit						
Residential Living Unit (Trash Bin)	\$ 18.63	\$ 19.39				
Commercial Business Unit (Trash Bin)	\$ 29.91	\$ 31.14				
4.1% Increase effective with first billing in October, 2017						



**2015 CONTRACT AMENDMENTS  
BETWEEN  
CITY OF LOCKHART, TEXAS  
and  
CENTRAL TEXAS REFUSE, INC.**

These amendments to the existing solid waste service contract, as previously amended, are made by and between the **City of Lockhart, Texas**, a municipal corporation in Caldwell County, Texas (the "City"), and **Central Texas Refuse, Inc.**, a Texas corporation (the "Contractor"), collectively, the "Parties."

The CPI for June, 2016, shall be added to the above 2.5 % set annual increase; the % of increase shall not exceed 5%  
Each year in October through 2019, the above service rates will be increased by 2.5% plus the June CIP for that same year. The combined % increase shall not be more than 5% in any one year.



Work Session Item # \_\_\_\_\_

Reg. Mtg. Item # \_\_\_\_\_

**CITY OF LOCKHART  
COUNCIL AGENDA ITEM**

<b>CITY SECRETARY'S USE ONLY</b> <input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory	Reviewed by Finance	x Yes	<input type="checkbox"/> Not Applicable
	Reviewed by Legal	x Yes	<input type="checkbox"/> Not Applicable
<b>Council Meeting Date: September 19, 2017</b>			
Department: Finance		Initials	Date
Department Head: Jeff Hinson	Asst. City Manager		
Dept. Signature: <i>Jeff Hinson</i>	City Manager	<i>JH</i>	<i>9-14-17</i>
Agenda Item Coordinator/Contact (include phone #): Jeff Hinson 398-3461 x232			
<b>ACTION REQUESTED:</b> <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			
<b>CAPTION</b>			
<b>Discussion and/or Action to Consider Approval of a Resolution Approving the Investment Policy for the City of Lockhart, Texas</b>			
<b>FINANCIAL SUMMARY</b>			
<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			
FISCAL YEAR:	PRIOR YEAR (CIP ONLY)	CURRENT YEAR	FUTURE YEARS
Budget			\$0.00
Budget Amendment Amount			\$0.00
Encumbered/Expended Amount			\$0.00
This Item			\$0.00
<b>BALANCE</b>	\$0.00	\$0.00	\$0.00
<b>FUND(S):</b>			
<b>SUMMARY OF ITEM</b>			
The Texas Public Funds Investment Act requires governing bodies of an investing entity to adopt and annually review a written investment policy and approve any changes to the policy. There was one change concerning investment training to the investment policy for 2017.			
<b>STAFF RECOMMENDATION</b>			
Staff recommends City Council approve the resolution.			
List of Supporting Documents:		Other Departments, Boards, Commissions or Agencies:	
Copy of the document and resolution.			

**RESOLUTION 2017-15**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOCKHART, TEXAS  
APPROVING THE INVESTMENT POLICY FOR  
THE CITY OF LOCKHART, TEXAS**

WHEREAS, the Texas Government Code, Chapter 2256, Public Funds Investment, known as the Texas Public Funds Investment Act, authorizes investments for governmental entities, and

WHEREAS, Section 2256.005 of the Texas Public Funds Investment Act requires governing bodies of an investing entity to adopt a written investment policy and annually review and approve any changes to the investment policy, and

WHEREAS, the City of Lockhart's existing investment policy requires changes and revisions to maintain compliance with the Texas Public Funds Investment Act.

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

The Investment Policy of the City of Lockhart which is attached hereto and incorporated herein for all intents and purposes is hereby approved.

PASSED, APPROVED and ADOPTED this 19th day of September, 2017.

**CITY OF LOCKHART**

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

ATTEST:

APPROVED AS TO FORM:

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

\_\_\_\_\_  
Peter Gruning  
City Attorney

# CITY OF LOCKHART INVESTMENT POLICY September 2017

## I. POLICY

It is the policy of the City of Lockhart (hereinafter the “City”) that after allowing for the anticipated cash flow requirements of the City and giving due consideration to the safety and risk of investment, all available funds shall be invested in conformance with these legal and administrative guidelines, seeking to optimize interest earnings to the maximum extent possible.

Effective cash management is recognized as essential to good fiscal management. Investment interest is a source of revenue for City funds. The City’s investment portfolio shall be designed and managed in a manner designed to provide safety and security of principal invested, provide for adequate liquidity to meet cash flow needs, utilize diversification to lower risk, be responsive to public trust, and to remain in compliance with legal requirements and limitations.

Investments shall be made with the primary objectives of:

- \* **Safety** and preservation of principal,
- \* Maintenance of sufficient **liquidity** to meet operating needs,
- \* **Diversification** of investments,
- \* **Public trust** in prudent investment activities, and
- \* Optimization of **interest earnings** on the portfolio

## II. PURPOSE

The purpose of this investment policy is to comply with Chapter 2256 of the Government Code (“Public Funds Investment Act”), which requires each governmental entity to adopt a written investment policy regarding the investment of its funds and funds under its control. The Investment Policy addresses the methods, procedures and practices that must be exercised to ensure effective and judicious fiscal management of the City’s funds.

## III. SCOPE

This Investment Policy shall govern the investment of all financial assets of the City. These funds are accounted for in the City’s Comprehensive Annual Financial Report (CAFR) and include:

- General Fund,
- Special Revenue Funds,
- Capital Projects Funds,
- Enterprise Funds,

- Trust and Agency Funds, to the extent not required by law or existing contract to be kept segregated and managed separately,
- Debt Service Funds, including reserves and sinking funds, to the extent not required by law or existing contract to be kept segregated and managed separately, and
- Any new fund created by the City, unless specifically exempted from this Policy by the City or by law.

The City will consolidate cash balances from all funds to maximize investment earnings. Investment income will be allocated to the various funds based on their respective participation and in accordance with generally accepted accounting principles.

This Investment Policy shall apply to all transactions involving the financial assets and related activity for all the foregoing funds. However, this policy does not apply to the assets administered for the benefit of the City by outside agencies under retirement and deferred compensation programs.

#### IV. INVESTMENT OBJECTIVES

The City shall manage and invest its cash with five primary objectives, listed in order of priority: **safety, liquidity, diversification, public trust, and yield, expressed as an optimization of interest earnings.** The safety of the principal invested always remains the primary objective. All investments shall be designed and managed in a manner responsive to the public trust and consistent with state and local law.

The City shall maintain a comprehensive cash management program, which includes collection of account receivables, payments to vendors in accordance with invoice terms, and prudent investment of available cash. Cash management is defined as the process of managing monies to insure maximum cash availability and maximum earnings on short-term investment of idle cash.

##### Safety

Safety of principal is the foremost objective of the investment program. Investments shall be undertaken in a manner that seeks to ensure the preservation of capital in the overall portfolio. The objective will be to mitigate credit and interest rate risk.

- Credit Risk – The City will minimize credit risk, the risk of loss due to the failure of the issuer or backer of the investment, by:
  - Limiting investments to the safest types of investments
  - Pre-qualifying the financial institutions and broker/dealers with which the City will do business
- Interest Rate Risk – the City will minimize the risk that interest earnings and the market value of investments in the portfolio will fall due to changes in general interest rates, by:
  - Structuring the investment portfolio so that investments mature to meet cash requirements for ongoing operations, thereby avoiding the need to liquidate investments prior to maturity.

- Investing operating funds primarily in certificates of deposit, shorter-term securities, money market mutual funds, or local government investment pools functioning as money market mutual funds.
- Diversifying maturities and staggering purchase dates to minimize the impact of market movements over time.

### **Liquidity**

The investment portfolio shall remain sufficiently liquid to meet all operating requirements that may be reasonably anticipated. This is accomplished by structuring the portfolio so that investments mature concurrent with cash needs to meet anticipated demands. Because all possible cash demands cannot be anticipated, a portion of the portfolio will be invested in shares of local government investment pools or money market mutual funds that offer same-day liquidity. In addition, a portion of the portfolio will consist of securities with active secondary or resale markets.

### **Diversification**

Diversification of investments within the portfolio by type, maturity and market sector and using a number of broker/dealers so that potential losses from individual issuers will be minimized.

### **Public Trust**

All participants in the City's investment process shall seek to act responsibly as custodians of the public trust. Investment officers shall avoid any transaction that might impair public confidence in the City's ability to govern effectively.

### **Yield (Optimization of Interest Earnings)**

The investment portfolio shall be designed with the objective of attaining a market rate of return throughout budgetary and economic cycles, considering the investment risk constraints and liquidity needs. Return on investment is of secondary importance compared to the safety and liquidity objectives described above.

## **V. RESPONSIBILITY AND CONTROL**

### **Legal Limitations, Responsibilities and Authority**

Direct specific investment parameters for the investment of public funds in Texas are found in the Public Funds Investment Act, Chapter 2256, of the Texas Government Code, (the "Act"). The Act is attached as Exhibit A. All investments will be made in complete accordance with this statute.

### **Delegation of Authority**

In accordance with the Act, the City Council designates the City Manager and the Finance Director as the City's Investment Officers. An Investment Officer is authorized to execute investment transactions

on behalf of the City. No person may engage in an investment transaction or the management of City funds except as provided under the terms of this Investment Policy as approved by the City Council. The investment authority granted to the investing officers is effective until rescinded by the City Council.

### **Quality and Capability of Investment Management**

The City shall provide periodic training in investments for the designated investment officers and other investment personnel through courses and seminars offered by professional organizations, associations, and other independent sources to insure the quality and capability of investment management in compliance with the Act.

### **Training Requirement**

In accordance with the Act, designated Investment Officers shall attend an investment training session not less than once in a two-year period that begins on the first day of the fiscal year and consists of the two consecutive fiscal years after that date and shall receive not less than 8 hours of instruction relating to investment responsibilities. A newly appointed Investment Officer must attend a training session of at least 10 hours of instruction within twelve months of the date the officer took office or assumed the officer's duties. The investment training session shall be provided by an approved independent source. For purposes of this policy, an "independent source" from which investment training shall be obtained shall include specific Public Funds Investment Act training associated with educational programs, workshops, seminars and conference sponsored by, but not limited to, the following entities: the Texas Municipal League (TML), International City Managers Association (ICMA) Government Finance Officers of Texas (GFOAT) and the Government Treasurers Association of Texas (GTOT). The City of Lockhart may not utilize investment training provided by or sponsored by any business organization with whom the City may engage in an investment transaction.

### **Internal Controls**

The Finance Director is responsible for establishing and maintaining an internal control structure designed to ensure that the assets of the City are protected from loss, theft, or misuse. The internal control structure shall be designed to provide reasonable assurance that these objectives are met. The concept of reasonable assurance recognizes that (1) the cost of a control should not exceed the benefits likely to be derived; and (2) the valuation of costs and benefits requires estimates and judgments by management.

Accordingly, the Finance Director shall establish a process for annual independent review by an external auditor to assure compliance with policies and procedures. The internal controls shall address the following areas:

- Control of collusion.
- Separation of transactions authority from accounting and record keeping.
- Custodial safekeeping.
- Avoidance of physical delivery securities.
- Clear delegation of authority to subordinate staff members.

- Written confirmation for telephone (voice) transactions for investments and wire transfers.
- Development of a wire transfer agreement with the depository bank or third-party custodian.

### **Prudence**

The standard of prudence to be applied by the Investment Officers shall be the “prudent investor rule. This rule states that “Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of their capital as well as the probable income to be derived.” In determining whether an Investment Officer has exercised prudence with respect to an investment decision, the determination shall be made taking into consideration:

- The investment of all funds, or funds under the City’s control, over which the officer had responsibility rather than a consideration as to the prudence of a single investment.
- Whether the investment decision was consistent with the written approved investment policy of the City.

### **Indemnification**

The Investment Officers, acting in accordance with written procedures and exercising due diligence, shall not be held personally responsible for a specific investment’s credit risk or market price changes, provided that these deviations are reported immediately and the appropriate action is taken to control adverse developments.

### **Ethics and Conflicts of Interest**

Officers and employees involved in the investment process shall refrain from personal business activity that would conflict with the proper execution and management of the investment program, or that would impair their ability to make impartial decisions. Employees and Investment Officers shall disclose any material interests in financial institutions with which they conduct business. They shall further disclose any personal financial/investment positions that could be related to the performance of the investment portfolio. Employees and officers shall refrain from undertaking personal investment transactions with the same individual with which business is conducted on behalf of the City.

An Investment Officer of the City who has a personal business relationship with an organization seeking to sell an investment to the City shall file a statement disclosing that personal business interest. An Investment Officer who is related within the second degree by affinity or consanguinity to an individual seeking to sell an investment to the City shall file a statement disclosing that relationship. A statement required under this subsection must be filed with the Texas Ethics Commission and the City Council.

## **VI. SUITABLE AND AUTHORIZED INVESTMENTS**

City funds governed by this policy may be invested in the instruments described below, all of which are authorized by the Act. Investment of City funds in any instrument or security not authorized for



investment under the Act is prohibited. The City will not be required to liquidate an investment that becomes unauthorized subsequent to its purchase.

### **Authorized Investments**

1. Obligations of the United States of America, its agencies and instrumentalities.
2. Certificates of Deposit issued by a bank organized under Texas law, the laws of another state, or federal law, that has its main office or a branch office in Texas, or by a savings and loan association or a savings bank organized under Texas law, the laws of another state, or federal law, that has its main office or a branch office in Texas and that is guaranteed or insured by the Federal Deposit Insurance Corporation or its successor or secured by obligations in a manner and amount provided by law for deposits of the City.
3. Fully collateralized direct repurchase agreements and reverse repurchase agreements with a defined termination date, not to exceed 120 days to maturity, secured by obligations of the United States or its agencies and instrumentalities. These shall be pledged to the City, held in the City's name, and deposited at the time the investment is made with the City or with a third party selected and approved by the City. Repurchase agreements must be purchased through a primary government securities dealer, as defined by the Federal Reserve, or a financial institution doing business in Texas. A Bond Market Master Repurchase Agreement must be signed by the bank/dealer prior to investment in a repurchase agreement. All repurchase agreement transactions will be on a delivery vs. payment basis. Securities received for repurchase agreements must have a market value greater than or equal to 102 percent at the time funds are disbursed.
4. Money Market Mutual funds that are 1) no-load, 2) registered and regulated by the Securities and Exchange Commission, 3) have a dollar weighted average stated maturity of 90 days or less, 4) rated AAA by at least one nationally recognized rating service, and 5) seek to maintain a net asset value of \$1.00 per share.
5. Local government investment pools, which 1) meet the requirements of Chapter 2256.016 of the Public Funds Investment Act, 2) are rated no lower than AAA or an equivalent rating by at least one nationally recognized rating service, 3) seek to maintain a \$1.00 net asset value, and 4) are authorized by resolution or ordinance by the City Council.

Investments will be monitored on a monthly basis for any loss of required minimum rating and all prudent measures will be taken to liquidate an investment that is downgraded to less than the required minimum rating.

### **Investments Not Authorized**

Investments including interest-only or principal-only strips of obligations with underlying mortgage-backed security collateral, collateralized mortgage obligations with an inverse floating interest rate or a maturity date of over 10 years are strictly prohibited.

## VII. INVESTMENT PARAMETERS

### Maximum Maturities

The longer the maturity of investments, the greater their price volatility, therefore, it is the City's policy to concentrate its investment portfolio in shorter-term securities to limit principal risk caused by changes in interest rates.

The City attempts to match its investments with anticipated cash flow requirements. The City will not directly invest in securities maturing more than three (3) years from the date of purchase; however, the above described obligations, certificates, or agreements may be collateralized using longer dated investments.

Because no secondary market exists for repurchase agreements, the maximum maturity shall be 120 days except in the case of a flexible repurchase agreement for bond proceeds. The maximum maturity for such an investment shall be determined in accordance with project cash flow projections and the requirements of the governing bond ordinance.

The composite portfolio will have a weighted average maturity of 365 days or less. This dollar-weighted average maturity will be calculated using the stated final maturity dates of each security.

### Diversification

The City recognizes that investment risks can result from issuer defaults, market price changes or various technical complications leading to temporary illiquidity. Risk is controlled through portfolio diversification that shall be achieved by the following general guidelines:

- Limiting investments to avoid overconcentration in investments from a specific issuer or business sector (excluding U.S. Treasury securities and certificates of deposit that are fully insured and collateralized in accordance with state and federal law),
- Limiting investment in investments that have higher credit risks (example: commercial paper),
- Investing in investments with varying maturities, and
- Continuously investing a portion of the portfolio in readily available funds such as local government investment pools (LGIPs), money market funds or overnight repurchase agreements to ensure that appropriate liquidity is maintained to meet ongoing obligations.

The following maximum limits, by instrument, are established for the City's total portfolio:

1. U.S. Treasury Securities.....	100%
2. Agencies and Instrumentalities .....	not to exceed 50%
3. Fully insured or collateralized CD's.....	not exceed 50%
4. Repurchase Agreements* .....	80%
5. Money Market Mutual Funds .....	60%
6. Authorized Local Government Investment Pools .....	100%

\*Excluding flexible repurchase agreements for sweep accounts and/or bond proceeds investments

## VIII. SELECTION OF BANKS AND DEALERS

### Depository

At least every five (5) years a Depository shall be selected through the City's banking services procurement process, which shall include a formal request for proposal (RFP). The selection of a depository will be determined by competitive bid and evaluation of bids will be based on the following selection criteria:

- The ability to qualify as a depository for public funds in accordance with state law.
- The ability to provide requested information or financial statements for the periods specified.
- The ability to meet all requirements in the banking RFP.
- Complete response to all required items on the bid form
- Lowest net banking service cost, consistent with the ability to provide an appropriate level of service.
- The credit worthiness and financial stability of the bank.

### Authorized Brokers/Dealers

The City shall, at least annually, review, revise, and adopt a list of qualified broker/dealers and financial institutions authorized to engage in securities transactions with the City. Those firms that request to become qualified bidders for securities transactions will be required to provide, 1) a completed broker/dealer questionnaire that provides information regarding creditworthiness, experience and reputation, and 2) a certification stating the firm has received, read and understood the City's investment policy and agree to comply with the policy. Authorized firms may include primary dealers or regional dealers that qualify under Securities & Exchange Commission Rule 15C3-1 (Uniform Net Capital Rule), and qualified depositories. All investment providers, including financial institutions, banks, money market mutual funds, and local government investment pools, must sign a certification acknowledging that the organization has received and reviewed the City's investment policy and that reasonable procedures and controls have been implemented to preclude investment transactions that are not authorized by the City's policy.

### Competitive Bids

It is the policy of the City to require competitive bidding for all individual security purchases and sales except for: a) transactions with money market mutual funds and local government investment pools and b) treasury and agency securities purchased at issue through an approved broker/dealer or financial institution. The Finance Director shall develop and maintain procedures for ensuring a competition in the investment of the City's funds.

### Delivery vs. Payment

Securities shall be purchased using the **delivery vs. payment** method, except for, investment pools and mutual funds. Funds will be released after notification that the purchased security has been received.

## **IX. SAFEKEEPING OF SECURITIES AND COLLATERAL**

### **Safekeeping and Custodian Agreements**

The City shall contract with a bank or banks for the safekeeping of securities either owned by the City as part of its investment portfolio or held as collateral to secure demand or time deposits. Securities owned by the City shall be held in the City's name as evidenced by safekeeping receipts of the institution holding the securities.

Collateral for deposits will be held by a third-party custodian designated by the City and pledged to the City as evidenced by safekeeping receipts of the institution with which the collateral is deposited. Original safekeeping receipts shall be obtained. Collateral may be held by the depository bank's trust department, a Federal Reserve Bank or branch of a Federal Reserve Bank, a Federal Home Loan Bank, or a third-party bank approved by the City.

### **Collateral Policy**

Consistent with the requirements of the Public Funds Collateral Act, Chapter 2257, Texas Government Code, it is the policy of the City to require full collateralization of all City funds on deposit with a depository bank, other than investments. In order to anticipate market changes and provide a level of security for all funds, the collateralization level will be 102% of market value of principal and accrued interest on the deposits or investments less an amount insured by the FDIC. At its discretion, the City may require a higher level of collateralization for certain investment securities. Securities pledged as collateral shall be held by an independent third party with whom the City has a current custodial agreement. The Finance Director is responsible for entering into collateralization agreements with third party custodians in compliance with this Policy. The agreements are to specify the acceptable investment securities for collateral, including provisions relating to possession of the collateral, the substitution or release of investment securities, ownership of securities, and the method of valuation of securities. A clearly marked evidence of ownership (safekeeping receipt) must be supplied to the City and retained. Collateral shall be reviewed at least monthly to assure that the market value of the pledged securities is adequate.

### **Collateral Defined**

The City shall accept only the following types of collateral:

- Obligations of the United States or its agencies and instrumentalities,
- Direct obligations of the state of Texas or its agencies and instrumentalities,
- Obligations of states, agencies, counties, cities, and other political subdivisions of any state rated as to investment quality by a nationally recognized rating firm not less than A or its equivalent with a remaining maturity of ten (10) years or less,
- A surety bond issued by an insurance company rated as to investment quality by a nationally recognized rating firm not less than A, and
- A letter of credit issued to the City by the Federal Home Loan Bank

## **Subject to Audit**

All collateral shall be subject to inspection and audit by the Finance Director or the City's independent auditors.

## **X. PERFORMANCE**

### **Performance Standards**

The City's investment portfolio will be managed in accordance with the parameters specified within this policy. The portfolio shall be designed with the objective of obtaining a rate of return through budgetary and economic cycles, commensurate with the investment risk constraints and the cash flow requirements of the City.

### **Performance Benchmark**

It is the policy of the City to purchase investments with maturity dates coinciding with cash flow needs. Through this strategy, the City shall seek to optimize interest earnings utilizing allowable investments available on the market at that time. Market value will be calculated on a quarterly basis on all securities owned and compared to current book value. The City's portfolio shall be designed with the objective of regularly meeting or exceeding the average rate of return on U.S. Treasury Bills at a maturity level comparable to the City's weighted average maturity in days.

## **XI. INVESTMENT STRATEGY**

From an overall basis, the City intends to follow a "buy and hold" portfolio strategy. Maturity dates are matched with cash flow requirements and investments are purchased with the intent to be held until maturity. However, investments may be liquidated prior to maturity for the following reasons:

- An investment with declining credit may be liquidated early to minimize loss of principal, and
- Cash flow needs of the City require that the investment be liquidated.

The City of Lockhart maintains one investment portfolio in which all funds under the City's control are pooled for investment purposes. Within the pooled portfolio are different fund components, each having an investment strategy as described below:

1. Investment strategies for maintenance & operating funds are to assure that anticipated cash flows are matched with adequate investment maturities to maintain sufficient liquidity. The secondary objective is to create a portfolio structure that will experience minimal volatility during economic cycles. This may be accomplished by purchasing quality, short-term securities or certificates of deposit in a ladder structure or utilizing authorized money market mutual funds or investment pools that function as money market mutual funds. The dollar weighted average maturity of 365 days or less will be calculated using the stated final maturity date of each security.

2. Investment strategies for the debt service funds shall have as the primary objective the assurance of investment liquidity to cover the debt service obligation on the required payment date. Securities purchased shall not have a stated maturity date that exceeds the debt service payment date.
3. Investment strategies for general reserve and debt service reserve funds shall have as the primary objective the ability to generate a dependable revenue stream to the appropriate debt service fund from securities with a low degree of volatility. Securities should be of high quality and, except as may be required by the bond ordinance specific to an individual issue, of short to medium term maturities.
4. Investment strategies for capital improvement, construction or special projects funds will have as their primary objective the assurance that anticipated cash flows are matched with adequate investment liquidity. These portfolios should include highly liquid securities and investments to allow for flexibility and unanticipated project outlays. The stated final maturity dates of securities held should not exceed the estimated project completion date.

## **XII. REPORTING**

### **Methods**

The Investment Officer shall prepare an investment report on a quarterly basis that summarizes investment strategies employed in the most recent quarter and describes the portfolio in terms of investment securities, maturities, and shall explain the total investment return for the quarter.

The quarterly investment report shall include a summary statement of investment activity prepared in compliance with generally accepted accounting principals. This summary will be prepared in a manner that will allow the City to ascertain whether investment activities during the reporting period have conformed to the Investment Policy. The report will be provided to the City Council. The report will include the following:

- A listing of individual securities held at the end of the reporting period.
- A listing of the beginning and ending book and market value of securities for the period.
- Additions and changes to the market value during the period.
- Average weighted yield to maturity of portfolio as compared to applicable benchmark.
- Listing of investments by maturity date.
- Fully accrued interest for the reporting period
- The percentage of the total portfolio that each type of investment represents.
- Statement of compliance of the City's investment portfolio with state law and the investment strategy and policy approved by the City Council.

An independent auditor will perform a formal annual review of the quarterly reports with the results reported to the governing body.

### **Monitoring Market Value**

Market value of all securities in the portfolio will be determined on a quarterly basis. These values will be obtained from a reputable and independent source and disclosed to the governing body quarterly in a written report.

### **XIII. INVESTMENT POLICY ADOPTION**

The City's investment policy shall be adopted by resolution of the City Council. It is the City's intent to comply with state laws and regulations. The City's investment policy shall be subject to revisions consistent with changing laws, regulations, and needs of the City. The City Council shall adopt a resolution stating that it has reviewed the policy and investment strategies annually, approving any changes or modifications.



Work Session Item # \_\_\_\_\_

Reg. Mtg. Item # \_\_\_\_\_

**CITY OF LOCKHART  
COUNCIL AGENDA ITEM**

<b>CITY SECRETARY'S USE ONLY</b> <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: September 19, 2017				
Department: City Manager			Initials	Date
Department Head: Vance Rodgers		Asst. City Manager		
Dept. Signature: <i>Vance Rodgers</i>		City Manager		<i>VR</i> 9-14-2017
Agenda Item Coordinator/Contact (include phone #): Vance Rodgers				
<b>ACTION REQUESTED:</b> <input type="checkbox"/> ORDINANCE <input type="checkbox"/> RESOLUTION <input checked="" 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				
<b>CAPTION</b>				
Discussion and/or action regarding City Manager recommended Change Order # 1 in the amount of \$ 26,632.50 amending the current contract to \$793,887.50 with MA Smith Contracting Co., Inc., to add an additional drainage junction box with drainage pipe on Blanco Street and to increase the quantities of concrete headwall work on N Church Street at the outfall structure				
<b>FINANCIAL SUMMARY</b>				
<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
<b>BALANCE</b>	\$0.00	\$0.00	\$0.00	\$0.00
<b>FUND(S): 2015 CO</b>				
<b>SUMMARY OF ITEM</b>				
An additional drainage waters junction box with drainage pipe is required on Blanco Street at Ash, and the concrete headwall quantities at the outfall structure on N Church need to be increased due to a design change to avoid erosions. Sufficient funds are available to cover the change order.				
<b>STAFF RECOMMENDATION</b>				
City Manager respectfully recommends approval of the change order as presented.				
List of Supporting Documents: History: Council approval of contract, Change Order # 1		Other Departments, Boards, Commissions or Agencies:		

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Work Session Item # \_\_\_\_\_

Reg. Mtg. Item # \_\_\_\_\_

**CITY OF LOCKHART  
COUNCIL AGENDA ITEM**

<b>CITY SECRETARY'S USE ONLY</b>		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
<b>Council Meeting Dates:</b> May 16, 2017				
Department: City Manager		Initials	Date	
Department Head: Vance Rodgers		Asst. City Manager		
Dept. Signature:		City Manager	5-9-2017	
Agenda Item Coordinator/Contact (include phone #): Vance Rodgers				
<b>ACTION REQUESTED:</b> <input type="checkbox"/> ORDINANCE <input type="checkbox"/> RESOLUTION <input type="checkbox"/> CHANGE ORDER <input type="checkbox"/> AGREEMENT <input type="checkbox"/> APPROVAL OF BID <input checked="" type="checkbox"/> AWARD OF CONTRACT <input type="checkbox"/> CONSENSUS <input type="checkbox"/> OTHER				
<b>CAPTION</b>				
Discussion and/or action regarding recommendation by City Manager to award bid to MA Smith Contracting Co, Inc., of Austin, Texas, in the amount of \$767,255 for drainage and street improvements on Ash (Pecos to N Blanco), Comal (Ash to Pine), and Pine St (Comal to N Blanco) and authorizing the Mayor to sign the contract if approved.				
<b>FINANCIAL SUMMARY</b>				
<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
<b>FUND(S): 2015 CO and 2009 CO funds</b>				
<b>SUMMARY OF ITEM</b>				
Bids were advertised in compliance with State Law for drainage and street improvements on Ash, Comal, and Pine Streets. Nine (9) bids were received ranging from \$767,255 to \$1,716,101. The lowest bid was submitted by MA Smith Contracting Co, Inc., of Austin, Texas. The company has completed projects for the City of Lockhart in the past and met all requirements and expectations within the required time frames.				
<b>STAFF RECOMMENDATION</b>				
City Manager and City Engineer Charles Scheler respectfully recommend approval of bid award to MA Smith Contracting, Co, Inc., in the amount of \$767,255.				
List of Supporting Documents: Bid tabs, Map of Street Sections included.		Other Departments, Boards, Commissions or Agencies:		

**CONTRACT CHANGE ORDER NO. 1  
2015 DRAINAGE IMPROVEMENTS PROJECT, CONTRACT II  
COMAL, ASH AND PINE STREETS**

OWNER: CITY OF LOCKHART  
CONTRACTOR: MA SMITH CONTRACTING CO., INC.  
ENGINEER: TRC ENGINEERS, INC.  
SEPTEMBER 13, 2017

THE CONTRACTOR IS HEREBY REQUESTED TO COMPLY WITH THE FOLLOWING CHANGES FROM THE CONTRACT PLANS AND SPECIFICATIONS:

Item No.	Item Description	Contract Quantity	Units	Unit Price	Contract Amount	Quantity (+) Increase (-) Decrease	Amount (+) Increase (-) Decrease	Revised Quantity	Units	Revised Amount
<b>BASE BID PROPOSAL</b>										
P.1	Excavation and Subgrade Preparation	5,800	SY	\$10.00	\$58,000.00		\$0.00	5,800	SY	\$58,000.00
P.2	8" Type B HMA	5,800	SY	\$33.00	\$191,400.00		\$0.00	5,800	SY	\$191,400.00
P.3	2" Type C HMA	7,300	SY	\$9.50	\$69,350.00		\$0.00	7,300	SY	\$69,350.00
P.4	Curb and Gutter	3,750	LF	\$26.00	\$97,500.00		\$0.00	3,750	LF	\$97,500.00
P.5	5" Driveways/Sidewalks/Riprap/Valley Gutters	560	SY	\$62.00	\$34,720.00		\$0.00	560	SY	\$34,720.00
P.6	Hydro-Mulch	4,200	SY	\$0.90	\$3,780.00		\$0.00	4,200	SY	\$3,780.00
P.7	Storm Water Pollution Prevention Plan	1	LS	\$25,000.00	\$25,000.00		\$0.00	1	LS	\$25,000.00
P.8	36" RCP	1,260	LF	\$115.00	\$144,900.00		\$0.00	1,260	LF	\$144,900.00
P.9	24" RCP	400	LF	\$65.00	\$26,000.00		\$0.00	400	LF	\$26,000.00
P.10	18" RCP	432	LF	\$55.00	\$23,760.00	31	\$1,705.00	463	LF	\$25,465.00
P.11	10' Precast Curb Inlets	8	EA	\$3,200.00	\$25,600.00	(1)	(\$3,200.00)	7	EA	\$22,400.00
P.12	5' Precast Curb Inlets	2	EA	\$2,400.00	\$4,800.00		\$0.00	2	EA	\$4,800.00
P.13	20' x 3' Drop Inlet	1	EA	\$14,000.00	\$14,000.00		\$0.00	1	EA	\$14,000.00
P.14	18" RCP to 36" RCP	1	EA	\$865.00	\$865.00		\$0.00	1	EA	\$865.00
P.15	18" RCP to 24" RCP	4	EA	\$730.00	\$2,920.00		\$0.00	4	EA	\$2,920.00
P.16	18" RCB to 18" RCP	2	EA	\$540.00	\$1,080.00		\$0.00	2	EA	\$1,080.00
P.17	24" RCB to 18" RCP	1	EA	\$370.00	\$370.00		\$0.00	1	EA	\$370.00
P.18	36" RCP (45° and 60°)	3	EA	\$970.00	\$2,910.00	1	\$970.00	4	EA	\$3,880.00
P.19	5' x 5' Junction Box	3	EA	\$3,000.00	\$9,000.00	1	\$3,000.00	4	EA	\$12,000.00
P.20	6' x 6' Junction Box	1	EA	\$3,500.00	\$3,500.00		\$0.00	1	EA	\$3,500.00
P.21	Concrete Wingwall	1	EA	\$14,000.00	\$14,000.00		\$0.00	1	EA	\$14,000.00
P.22	Adjust Water Valves/Install Encasement	4	EA	\$350.00	\$1,400.00		\$0.00	4	EA	\$1,400.00
P.23	Adjust Manhole Tops/Install Encasement	2	EA	\$750.00	\$1,500.00		\$0.00	2	EA	\$1,500.00
P.24	3/4" Water Service	2	EA	\$1,200.00	\$2,400.00		\$0.00	2	EA	\$2,400.00
P.25	8" PVC Pipe	30	LF	\$65.00	\$1,950.00		\$0.00	30	LF	\$1,950.00
P.26	OSHA Trench Excavation	2,100	LF	\$1.00	\$2,100.00		\$0.00	2,100	LF	\$2,100.00
P.27	Guard Rail	75	LF	\$30.00	\$2,250.00		\$0.00	75	LF	\$2,250.00
P.28	Terminal Anchor Section (TxDOT Item 540)	2	EA	\$1,100.00	\$2,200.00		\$0.00	2	EA	\$2,200.00
<b>TOTAL BASE BID</b>					<b>\$767,255.00</b>		<b>\$2,475.00</b>			<b>\$769,730.00</b>
<b>CHANGE ORDER</b>										
CO1.1	15" RCP		LF	\$53.00		110	\$5,830.00	110	LF	\$5,830.00
CO1.2	48" Manhole		EA	\$7,500.00		1	\$7,500.00	1	EA	\$7,500.00
CO1.3	24" Wingwall		EA	\$3,700.00		1	\$3,700.00	1	EA	\$3,700.00
CO1.4	Additional Wingwall Depth		LS	\$4,375.00		1	\$4,375.00	1	LS	\$4,375.00
CO1.5	Inlet Return		LS	\$752.50		1	\$752.50	1	LS	\$752.50
CO1.6	Remove 36" Pipe		LS	\$2,000.00		1	\$2,000.00	1	EA	\$2,000.00
<b>ORIGINAL CONTRACT AMOUNT</b>					<b>\$767,255.00</b>					
<b>NET CONTRACT INCREASE</b>							<b>\$26,632.50</b>			
<b>TOTAL REVISED CONTRACT AMOUNT</b>										<b>\$793,887.50</b>

THE NET INCREASE IN THE CONTRACT AMOUNTS IS **\$26,632.50**, WHICH MAKES THE NEW ADJUSTED CONTRACT TOTAL **\$793,887.50**. THIS CHANGE ORDER ADDS STORM SEWER ON BLANCO STREET AND MAKES OTHER QUANTITY ADJUSTMENTS. THIS CHANGE ORDER WILL BECOME A SUPPLEMENT TO THE CONTRACT AND ALL PROVISIONS WILL APPLY HERETO.

Charles W. Scheler, P.E.  
TRC Engineers, Inc.

\_\_\_\_\_ Date

Travis Ragland, President  
MA Smith Contracting Co., Inc.

\_\_\_\_\_ Date

Lew White, Mayor  
City of Lockhart

\_\_\_\_\_ Date

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Work Session Item # \_\_\_\_\_

Reg. Mtg. Item # \_\_\_\_\_

**CITY OF LOCKHART  
COUNCIL AGENDA ITEM**

<b>CITY SECRETARY'S USE ONLY</b> <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
<b>Council Meeting Date:</b> September 19, 2017				
Department: City Manager			Initials	Date
Department Head: Vance Rodgers	Asst. City Manager			
Dept. Signature: <i>Vance Rodgers</i>	City Manager	<i>[Signature]</i>	9-15-2017	
Agenda Item Coordinator/Contact (include phone #): Vance Rodgers				
<b>ACTION REQUESTED:</b> <input type="checkbox"/> ORDINANCE <input type="checkbox"/> RESOLUTION <input type="checkbox"/> CHANGE ORDER <input checked="" type="checkbox"/> AGREEMENT <input type="checkbox"/> APPROVAL OF BID <input type="checkbox"/> AWARD OF CONTRACT <input type="checkbox"/> CONSENSUS <input type="checkbox"/> OTHER				
<b>CAPTION</b>				
DISCUSSION AND/OR ACTION REGARDING PROFESSIONAL SERVICES AGREEMENT WITH BESTLINE SOLUTIONS INC., OF AUSTIN, TEXAS IN THE AMOUNT OF \$ 5,945.50 PER MONTH FOR INTERNET CONNECTION MANAGEMENT NETWORK DESIGN, 24 HOUR COMPLETE SYSTEM MONITORING, PROGRAMMING, TRAINING, DEVELOPMENT, IMPLEMENTATION, AND CONSULTING SERVICES FOR CITY OF LOCKHART, AND ALLOWING THE CITY MANAGER TO SIGN THE AGREEMENT IF APPROVED				
<b>FINANCIAL SUMMARY</b>				
<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				
<b>FISCAL YEAR:</b>	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
<b>BALANCE</b>	\$0.00	\$0.00	\$0.00	\$0.00
<b>FUND(S): In the FY 17-18 Budget</b>				
<b>SUMMARY OF ITEM</b>				
<p>The City of Lockhart has had an agreement with Dot Command, Inc., (Rich Finney) since 2001. Mr. Finney has merged his company with Bestline Solutions, Inc., of Austin, Texas. This company has been in business for more than 20 years and has an impressive list of clients. The proposed professional services agreement is for 24 hour system monitoring services and complete computer system maintenance and repairs. The current Dot Command agreement was to be presented for renewal consideration by the Council in December of this year. Mr. Finney and his staff that has serviced the City in the past will continue to do so but with a broader support resource in Bestline. The support services provided by DOT Command Center, Inc., Rich Finney, to the City of Lockhart have been dependable. The proposed agreement mirrors the one originally reviewed by the City Attorney with exception of name changes, changing the termination notice from 30 days to 120 days, and lowering the monthly rate.</p>				
<b>STAFF RECOMMENDATION</b>				
City Manager respectfully recommends approval of agreement as presented.				
List of Supporting Documents: Proposed and Current Professional Services Agreement, Bestline Information			Other Departments, Boards, Commissions or Agencies:	

# Professional Services Agreement

This Agreement (**Agreement**) is made as of September 19<sup>th</sup> 2017, between Bestline Solutions Inc., with its offices located at 500 N Capital of Texas Hwy, Building 8, Suite 200 Austin, TX 78746 (**BESTLINE**), and the City of Lockhart, with its offices located at 308 W. San Antonio Street, Lockhart Texas 78644, (**CLIENT**).

WHEREAS, CLIENT desires to enter into an Agreement on a non-exclusive basis to govern the purchase of professional services including but not limited to Internet connection, web services, network design and support, programming, training, development, implementation and consulting services (**Services**) from BESTLINE, and BESTLINE agrees to provide such professional services in a good and workmanlike manner, meeting or exceeding industry standards for such services;

NOW, THEREFORE, for and in consideration of the terms and conditions and mutual obligations contained herein, the parties agree as follows:

**TERMS OF AGREEMENT.** This Agreement shall commence upon execution by an authorized representative of CLIENT and its acceptance by BESTLINE for a period of three (3) years and shall remain in force for that period unless terminated as otherwise provided herein.

**CHARGES AND PAYMENTS.** The rates and charges are listed in the attached Exhibits. Payment terms are net 30 from receipt of invoices unless otherwise documented in the Exhibit. CLIENT agrees to pay a late payment charge at a rate of one and one-half percent (1-1/2%) per month for any outstanding charges or portions thereof not paid by CLIENT to BESTLINE as provided herein. In addition to the charges invoiced by BESTLINE, CLIENT agrees to pay amounts equal to any taxes resulting from Services provided under this Agreement including, without limitation, all sales and use tax. Notwithstanding any language in this agreement to the contrary, the obligation of the City to pay hereunder shall constitute a current expense of the City, and does not constitute a mandatory payment obligation of the City in any fiscal year beyond the City's current fiscal year.

**TERMINATION.** This Agreement and/or any individual project order hereunder may be terminated under the following conditions and in the manner specified:

- (i) immediately upon material breach by written notice from the injured party
- (ii) immediately upon written notice, in the event that either party files for bankruptcy or for some similar process of protection against creditors
- (iii) at the completion of the Services as shown in the individual project plan unless the parties mutually agree that these terms and conditions shall remain open for succeeding individual project plans.
- (iv) as may be mutually agreed.
- (v) after 120 days written notice by either party.

In the event of termination as specified above, obligations which by their nature survive termination such as obligations to pay for Services rendered, protection of confidential information, ownership of proprietary information and similar items shall all survive termination of any nature.

**CONFIDENTIAL INFORMATION.** Any information from either party which is designated by stamp, label or similar method, by state or federal law, or by general description provided by Client to BESTLINE as confidential or proprietary shall be treated as such by the other party. Such treatment shall include the recipient insuring that such documents are not divulged to third parties without prior written consent by the issuing party, or as otherwise required by law. BESTLINE acknowledges that Client is a Texas governmental entity and subject to the Texas Public Information Act. Otherwise, each party's obligation under this Article shall be deemed accomplished so long as it provides the same safeguards and procedures that it customarily provides its own confidential and proprietary information.

**LIMITATION OF LIABILITY.** TO THE EXTENT ALLOWED BY LAW, BESTLINE, ITS OFFICERS, DIRECTORS, EMPLOYEES AND AGENTS WILL NOT BE LIABLE TO CLIENT OR ANY OTHER PARTY FOR ANY SPECIAL, INCIDENTAL, INDIRECT, GENERAL OR CONSEQUENTIAL DAMAGES, INCLUDING, BUT NOT LIMITED TO, DAMAGES OR COSTS INCURRED AS A RESULT OF LOSS OF TIME, LOSS OF SAVINGS, LOSS OF PROPERTY, LOSS OF DATA OR LOSS OF PROFITS, WHICH MAY ARISE IN CONNECTION WITH THE SERVICES, REGARDLESS OF WHETHER BESTLINE HAS BEEN APPRISED OF THE POSSIBILITY OR LIKELIHOOD OF SUCH DAMAGES OCCURRING OR WHETHER CLAIMS ARE BASED OR REMEDIES ARE SOUGHT IN CONTRACT, NEGLIGENCE, STRICT LIABILITY, TORT, PRODUCTS LIABILITY OR OTHERWISE.

IN NO EVENT WILL BESTLINE'S LIABILITY FOR ANY DAMAGES TO CLIENT OR ANY OTHER PARTY EVER EXCEED THE FEES PAID BY CLIENT FOR THE SERVICES, REGARDLESS OF THE FORM OF ACTION. WHETHER IN CONTRACT, NEGLIGENCE, STRICT LIABILITY, TORT, PRODUCTS LIABILITY OR OTHERWISE.

**INDEPENDENT CONTRACTOR.** In following their respective obligations under this Agreement, the parties act and shall act at all times as independent contractors and at no time shall either party make any commitments or incur any charges or expenses for or in the name of the other party.

**NON-SOLICITATION OF EMPLOYEES.** BESTLINE and CLIENT agree not to solicit for employment the employees of the other party, without the prior written consent of the other party, for a period of twelve (12) months following termination of this Agreement.

**NON-ASSIGNMENT.** Neither party shall assign this Agreement or any of its respective rights or obligations under this Agreement without the prior written consent of the other party. No such approval of assignment shall relieve or release the assigning party from any of its obligations under this Agreement to the non-assigning party.

**WAIVER AND SEVERABILITY.** Failure by either party to enforce at any time any of the provisions of this Agreement shall in no way be construed to be a waiver of such provision nor in any way affect the validity of this Agreement or any right thereof or the

right of the other party thereafter to enforce each and every provision. The provisions of this Agreement are declared to be severable and any provision of this Agreement that is determined to be void or unenforceable by a court of competent jurisdiction shall not affect the enforceability of the remaining provisions herein, and the remaining provisions shall be enforced as if this Agreement was originally written without the invalid provision.

**FORCE MAJEURE.** BESTLINE shall not be declared in default by reason of any failure to comply with the terms of this Agreement, if such failure is due to acts of God, acts of government, fires, floods, epidemics, freight embargoes, unavailability of materials, or any cause or condition beyond BESTLINE's control, whether foreseeable or not.

**NOTICES.** All notices required by or relating to this Agreement shall be in writing and shall be sent via courier or certified mail to the parties to this Agreement at the following addresses or to such other address as either party may substitute by written notice to the other:

BESTLINE: Bestline Solutions Inc.  
500 N Capital of Texas Hwy, Austin, TX 78746  
Building 8, Suite 200

CLIENT: City of Lockhart  
308 West San Antonio Street  
Lockhart Texas 78644

**GOVERNING LAW.** This Agreement shall be governed, construed and interpreted in accordance with the laws of the State of Texas. Venue and jurisdiction for any litigation to enforce or interpret this Agreement shall be in Caldwell County, Texas. If any legal action is brought by either party relating to this Agreement, the prevailing party will be entitled to reimbursement by the other party of its reasonable attorneys' fees and related expenses.

**ENTIRE AGREEMENT.** This Agreement constitutes the entire understanding of the parties hereto with respect to the subject matter hereof and shall supersede all proposals or prior agreements, oral or written, and any other communication between the parties relating to the subject matter of this Agreement.

IN WITNESS THEREOF, the parties have caused this Agreement to be executed by their duly authorized representatives.

*City of Lockhart.*

*Bestline Solutions Inc.*

By: \_\_\_\_\_

By: \_\_\_\_\_

Vance Rodgers \_\_\_\_\_

Grant Reimer \_\_\_\_\_

City Manager \_\_\_\_\_

CEO \_\_\_\_\_

Date: \_\_\_\_\_

Date: \_\_\_\_\_

# Exhibit A

## Statement of Work

EFFECTIVE: September 19<sup>th</sup> 2017

CONSULTING  
SERVICES:

Service Level 1 technician Monthly block of 30 hours @  
\$125.00 per hour - \$4,350.00  
Service Level 2 technician Monthly block of 5 hours @ \$85.00  
per hou - \$425.00

MISC. SERVICES

Anti-spam for 64 email accounts @ 1.50 per account and \$5.00  
domain charge monthly for all departments except Police  
Department - \$101.00  
Anti-spam for 45 email accounts @ 1.50 per account and \$5.00  
domain charge monthly for Police Department - \$72.50  
FTP monthly service charge for upload\download of large  
council packets - \$35.00  
Network monitoring monthly charge - \$75.00  
66 Office 365 business plus licenses @ \$9.50 per license -  
\$627.00  
Asigra cloud backup - .80 per GB per month – currently 325 GB,  
varies per month – 260.00

Note: There will be no additional charge for any additional hours over  
the stated block of hours.

TOTAL CHARGES: \$5,945.50 Monthly

PAYMENT TERMS: Services will be billed in advance with net 30 day terms

*Accepted by:*

*Vance Rodgers*

By: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Date: \_\_\_\_\_



Work Session Item # \_\_\_\_\_

Reg. Mtg. Item # \_\_\_\_\_

**CITY OF LOCKHART  
COUNCIL AGENDA ITEM**

*History*

<b>CITY SECRETARY'S USE ONLY</b>	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
<b>Council Meeting Date:</b> December 16, 2014			
Department: City Manager		Initials	Date
Department Head: Vance Rodgers	Asst. City Manager		
Dept. Signature:	City Manager		
Agenda Item Coordinator/Contact (include phone #): Vance Rodgers			
<b>ACTION REQUESTED:</b> <input type="checkbox"/> ORDINANCE <input type="checkbox"/> RESOLUTION <input type="checkbox"/> CHANGE ORDER <input checked="" type="checkbox"/> AGREEMENT <input type="checkbox"/> APPROVAL OF BID <input type="checkbox"/> AWARD OF CONTRACT <input type="checkbox"/> CONSENSUS <input type="checkbox"/> OTHER			
<b>CAPTION</b>			
DISCUSSION AND/OR ACTION REGARDING RENEWAL OF PROFESSIONAL SERVICES AGREEMENT WITH DOT COMMAND CENTER, INC, OF AUSTIN, TEXAS, IN THE AMOUNT OF \$ 4,491.75 PER MONTH FOR INTERNET CONNECTION MANAGEMENT, WEB SERVICES, NETWORK DESIGN, 24 HOUR COMPLETE SYSTEM MONITORING, PROGRAMMING, TRAINING, DEVELOPMENT, IMPLEMENTATION, AND CONSULTING SERVICES FOR CITY OF LOCKHART, AND ALLOWING THE CITY MANAGER TO SIGN THE AGREEMENT IF APPROVED			
<b>FINANCIAL SUMMARY</b>			
<input type="checkbox"/> N/A <input type="checkbox"/> GRANT FUNDS <input type="checkbox"/> OPERATING EXPENSE <input checked="" 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
<b>FUND(S): In the FY 14-15 Budget</b>			
<b>SUMMARY OF ITEM</b>			
The City of Lockhart has had an agreement with this company for several years. This professional services agreement is for 24 hour system monitoring services and complete computer system maintenance and repairs. The services provided by DOT Command Center, Inc., Rich Finney, to the City of Lockhart has been dependable. The agreement contains a 30 day advance termination notice. The City Attorney has reviewed the original agreement and additional language was added to protect the City of Lockhart; these additions are included in the attached agreement document.			
<b>STAFF RECOMMENDATION</b>			
City Manager respectfully recommends approval of agreement as presented.			
List of Supporting Documents: Professional Services Agreement Proposed		Other Departments, Boards, Commissions or Agencies:	



# Professional Services Agreement

History

This Agreement (**Agreement**) is made as of December 17, 2014, between Dot Command Center Inc., with its offices located at 104 Crest View, Lakeway Texas 78734 (**DCC**), and the City of Lockhart, with its offices located at 308 W. San Antonio Street, Lockhart Texas 78644, (**CLIENT**).

WHEREAS, **CLIENT** desires to enter into an Agreement on a non-exclusive basis to govern the purchase of professional services including but not limited to Internet connection, web services, network design and support, programming, training, development, implementation and consulting services (**Services**) from **DCC**, and **DCC** agrees to provide such professional services in a good and workmanlike manner, meeting or exceeding industry standards for such services;

NOW, THEREFORE, for and in consideration of the terms and conditions and mutual obligations contained herein, the parties agree as follows:

**TERMS OF AGREEMENT.** This Agreement shall commence upon execution by an authorized representative of **CLIENT** and its acceptance by **DCC** for a period of three (3) years and shall remain in force for that period unless terminated as otherwise provided herein.

**CHARGES AND PAYMENTS.** The rates and charges are listed in the attached Exhibits. Payment terms are net 30 from receipt of invoices unless otherwise documented in the Exhibit. **CLIENT** agrees to pay a late payment charge at a rate of one and one-half percent (1-1/2%) per month for any outstanding charges or portions thereof not paid by **CLIENT** to **DCC** as provided herein. In addition to the charges invoiced by **DCC**, **CLIENT** agrees to pay amounts equal to any taxes resulting from Services provided under this Agreement including, without limitation, all sales and use tax. Notwithstanding any language in this agreement to the contrary, the obligation of the City to pay hereunder shall constitute a current expense of the City, and does not constitute a mandatory payment obligation of the City in any fiscal year beyond the City's current fiscal year.

**TERMINATION.** This Agreement and/or any individual project order hereunder may be terminated under the following conditions and in the manner specified:

- (i) immediately upon material breach by written notice from the injured party
- (ii) immediately upon written notice, in the event that either party files for bankruptcy or for some similar process of protection against creditors
- (iii) at the completion of the Services as shown in the individual project plan unless the parties mutually agree that these terms and conditions shall remain open for succeeding individual project plans.
- (iv) as may be mutually agreed.
- (v) after 30 day written notice by either party.

In the event of termination as specified above, obligations which by their nature survive termination such as obligations to pay for Services rendered, protection of confidential

information, ownership of proprietary information and similar items shall all survive termination of any nature.

**CONFIDENTIAL INFORMATION.** Any information from either party which is designated by stamp, label or similar method, by state or federal law, or by general description provided by Client to DCC as confidential or proprietary shall be treated as such by the other party. Such treatment shall include the recipient insuring that such documents are not divulged to third parties without prior written consent by the issuing party, or as otherwise required by law. DCC acknowledges that Client is a Texas governmental entity and subject to the Texas Public Information Act. Otherwise, each party's obligation under this Article shall be deemed accomplished so long as it provides the same safeguards and procedures that it customarily provides its own confidential and proprietary information.

**LIMITATION OF LIABILITY.** TO THE EXTENT ALLOWED BY LAW, DCC, ITS OFFICERS, DIRECTORS, EMPLOYEES AND AGENTS WILL NOT BE LIABLE TO CLIENT OR ANY OTHER PARTY FOR ANY SPECIAL, INCIDENTAL, INDIRECT, GENERAL OR CONSEQUENTIAL DAMAGES, INCLUDING, BUT NOT LIMITED TO, DAMAGES OR COSTS INCURRED AS A RESULT OF LOSS OF TIME, LOSS OF SAVINGS, LOSS OF PROPERTY, LOSS OF DATA OR LOSS OF PROFITS, WHICH MAY ARISE IN CONNECTION WITH THE SERVICES, REGARDLESS OF WHETHER DCC HAS BEEN APPRISED OF THE POSSIBILITY OR LIKELIHOOD OF SUCH DAMAGES OCCURRING OR WHETHER CLAIMS ARE BASED OR REMEDIES ARE SOUGHT IN CONTRACT, NEGLIGENCE, STRICT LIABILITY, TORT, PRODUCTS LIABILITY OR OTHERWISE.

IN NO EVENT WILL DCC'S LIABILITY FOR ANY DAMAGES TO CLIENT OR ANY OTHER PARTY EVER EXCEED THE FEES PAID BY CLIENT FOR THE SERVICES, REGARDLESS OF THE FORM OF ACTION. WHETHER IN CONTRACT, NEGLIGENCE, STRICT LIABILITY, TORT, PRODUCTS LIABILITY OR OTHERWISE.

**INDEPENDENT CONTRACTOR.** In following their respective obligations under this Agreement, the parties act and shall act at all times as independent contractors and at no time shall either party make any commitments or incur any charges or expenses for or in the name of the other party.

**NON-SOLICITATION OF EMPLOYEES.** DCC and CLIENT agree not to solicit for employment the employees of the other party, without the prior written consent of the other party, for a period of twelve (12) months following termination of this Agreement.

**NON-ASSIGNMENT.** Neither party shall assign this Agreement or any of its respective rights or obligations under this Agreement without the prior written consent of the other party. No such approval of assignment shall relieve or release the assigning party from any of its obligations under this Agreement to the non-assigning party.

**WAIVER AND SEVERABILITY.** Failure by either party to enforce at any time any of the provisions of this Agreement shall in no way be construed to be a waiver of such provision nor in any way affect the validity of this Agreement or any right thereof or the right of the other party thereafter to enforce each and every provision. The provisions of this Agreement are declared to be severable and any provision of this Agreement that is determined to be void or unenforceable by a court of competent jurisdiction shall not affect the enforceability of the remaining provisions herein, and the remaining provisions

shall be enforced as if this Agreement was originally written without the invalid provision.

**FORCE MAJEURE.** DCC shall not be declared in default by reason of any failure to comply with the terms of this Agreement, if such failure is due to acts of God, acts of government, fires, floods, epidemics, freight embargoes, unavailability of materials, or any cause or condition beyond DCC's control, whether foreseeable or not.

**NOTICES.** All notices required by or relating to this Agreement shall be in writing and shall be sent via courier or certified mail to the parties to this Agreement at the following addresses or to such other address as either party may substitute by written notice to the other:

DCC: Dot Command Center Inc.  
104 Crest View  
Austin, TX 78734

CLIENT: City of Lockhart  
308 West San Antonio Street  
Lockhart Texas 78644

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**ENTIRE AGREEMENT.** This Agreement constitutes the entire understanding of the parties hereto with respect to the subject matter hereof and shall supersede all proposals or prior agreements, oral or written, and any other communication between the parties relating to the subject matter of this Agreement.

IN WITNESS THEREOF, the parties have caused this Agreement to be executed by their duly authorized representatives.

*City of Lockhart.*

*Dot Command Center Inc.*

By: *Vance Rodgers*

By: *Rich Finney*

Vance Rodgers

Rich Finney

City Manager

CEO

Date: 12-17-2014

Date: 12-17-2014

# Exhibit A

## Statement of Work

EFFECTIVE: December 17, 2014

CONSULTING  
SERVICES:

Service Level 1 technician Monthly block of 30 hours @  
\$125.00 per hour - \$3,750.00  
Service Level 2 technician Monthly block of 5 hours @ \$85.00  
per hou - \$425.00

MISC. SERVICES

Anti-spam for 64 email accounts @ 1.50 per account and \$5.00  
domain charge monthly for all departments except Police  
Department - \$101.00  
Anti-spam for 45 email accounts @ 1.50 per account and \$5.00  
domain charge monthly for Police Department - \$72.50  
FTP monthly service charge for upload/download of large  
council packets - \$35.00  
Web site hosting monthly charge - \$33.25  
Network monitoring monthly charge - \$75.00

Note:

There will be no additional charge for any additional hours over  
the stated block of hours.

TOTAL CHARGES: \$4,491.75 Monthly

PAYMENT TERMS: Services will be billed in advance with net 30 day terms

Accepted by:

Vance Rodgers

By:   
\_\_\_\_\_

Date: 12.17.2014

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City of Lockhart.

Dot Command Center Inc.

By: *Vance Rodgers*

By: *Rich Finney*

Vance Rodgers

Rich Finney

City Manager

CEO

Date: 12-17-2014

Date: 12-17-2014

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domain charge monthly for all departments except Police  
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Anti-spam for 45 email accounts @ 1.50 per account and \$5.00  
domain charge monthly for Police Department - \$72.50  
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Note:

There will be no additional charge for any additional hours over  
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TOTAL CHARGES: \$4,491.75 Monthly

PAYMENT TERMS: Services will be billed in advance with net 30 day terms

Accepted by:

Vance Rodgers

By:   
\_\_\_\_\_

Date: 12-17-2014





[800-365-6030](tel:800-365-6030) / [www.bestline.net](http://www.bestline.net) / [info@bestline.net](mailto:info@bestline.net) / [support@bestline.net](mailto:support@bestline.net)

August X, 2017

Dear (Client):

Bestline Communications, LP is pleased to announce our acquisition of Dot Command Center's information technologies managed services. Effective September 1, 2017 our combined team will begin conducting business and services as Bestline Solutions.

Bestline Communications, LP based in Austin, TX is a leading provider of facilities-based unified communications, focused on the small to large business market servicing thousands of customers within key verticals of Business Telecommunications, Hosted/Cloud/Premise-Based Phone Systems, Internet, Managed Service Provider (MSP) Phone System Support, Cyber Security, and Business Process Outsourced (BPO) Contact Center services. Since 1983, we have been building customer solutions for dynamic emerging and enterprise market leaders requiring seamless and cost-effective business connectivity and support solutions.

For some of you Bestline is already a partner in your business operations while for others we may be a new name, although we have been providing solutions to companies like yours for almost 35 years. Bestline, like Dot Command Center, develops specialized solutions for each business client partner with a high-touch, low stress customized approach as compared to traditional solution providers. We support our client partners at all costs. We provide expert, personalized service and support to help manage the solution and support services that will continue to meet our client partners needs for the long term.

Although you may be introduced to some new names and faces in our partnership over time, Rich and Jon Finney will remain your primary contacts and support team. Please note, if you are also a customer of Dot Command Center's Web Services, these services will continue to be provided and supported by Dot Command Center and will not join the Bestline team.

Welcome to Bestline Solutions! If you have any questions please feel free to contact us.

Best Regards,

Best Regards,

Grant Riemer - CEO



Rich Finney - CEO



*Client  
List*

Bestline Partners

---



AVAYA



ShoreTel™  
Enterprise IP Phone Systems

S  
Skype  
for Business

at&t

www.bestline.net  
info@bestline.net  
512.328.9095  
800.365.6030

Time  
Warner  
Cable®

Level(3)™  
COMMUNICATIONS

Texas Association of School Boards	1995
Sandalwood Management	1991
Kucera Companies	2007
Course Trends Inc	2013
Workers Assistance Program	2000
Texas County & District Retirement System	2001
Calendar Club	2004
Covert Chevrolet	1992
San Marcos Toyota	2014
St. Edwards University	1994
Watkins Insurance	2004
Mcmullen County	2013
Williamson County	1997

**Bestline Timeline of Voice and Data Services in the Lockhart Texas Local Calling Scope.**

NPA-NXX Effective Date	05/16/2014 The ability to assign Lockhart numbers out of our number blocks
- 911 trunks activated	11/06/2014 Public Safety Access to PSAP servicing Lockhart
Local trunks activated	01/28/2015 Trunking with ATT for Exchange of Local Lockhart voice calls.

# B Bestline

CARRIER TO CLOUD EXPERTISE

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*Serving Texas Since 1983*

Contact

info@bestline.net  
www.bestline.net  
512.328.9095  
800.365.6030

Headquartered in Austin, Texas

Bestline Communications  
500 N. Capital of Texas Hwy.  
Building 8, Suite 200  
Austin, Texas 78746

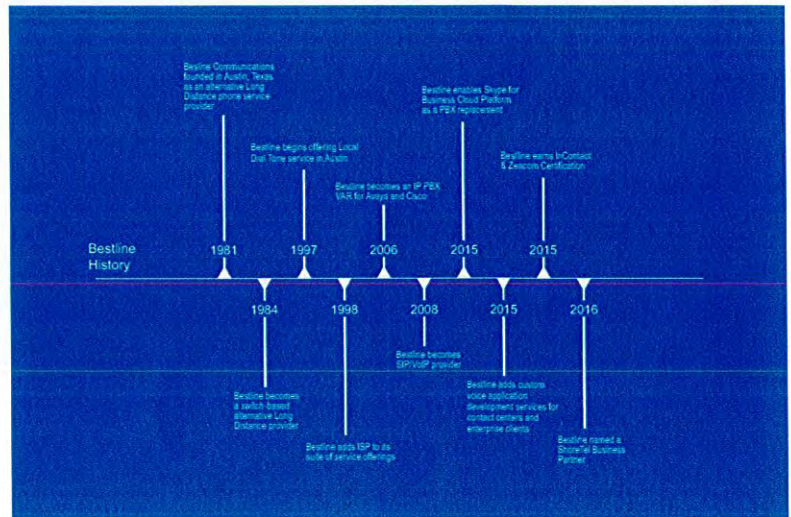
# CARRIER TO CLOUD EXPERTISE

## What Bestline Does

Bestline evolved from a switch-based long distance provider in 1983 into the most dynamic CLEC in Texas, providing a robust portfolio of cloud offerings. And, we truly are locally based with our hardware infrastructure, cloud servers, and customer service team all located right here in Austin. Most of our employees have worked through the transition from TDM to VoIP, from premise to cloud, bringing decades of experience to every customer project. Our clients stick with Bestline because we're experts who create timely, thorough solutions at a competitive price. Most importantly, we make customer service and support our top priority. It's what makes us better.

With deep knowledge of services from telephony to cloud security, we're well-suited to resolve critical business communications issues and remove pain points:

- Quality of Service - What causes choppy Voice?
- Can we get enterprise performance with small business customer care?
- How do we manage cloud migration?
- We need to deploy advanced Voice Applications like:
  - › Contact Center
  - › Unified Communications
  - › IM
  - › Presence
  - › Recording
  - › Video

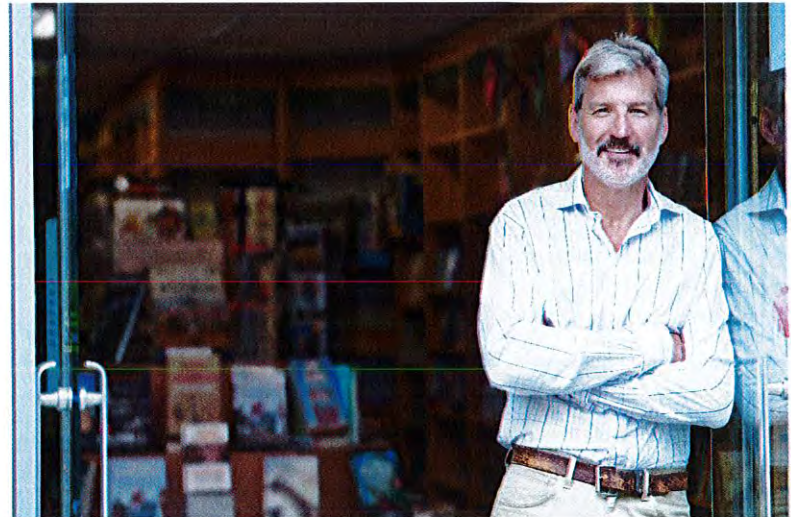


## Small Business Solutions

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We offer Small Business traditional Carrier Services and On-premise Systems from ShoreTel and Avaya. We also offer Small Business assistance in moving to our cloud systems powered by Microsoft, ShoreTel, and our own Bestline Cloud solution. Hosted offerings convey several advantages to Small Business:

- **Improve Resource Allocation** - Convert capital expenditures on phone and IT hardware into lower operational expenses, freeing you to retarget them to core business functions.
- **Future Proofing** - Hosted solutions give Small Business the flexibility to adapt both to growth and to new technology.
- **Mobility** - Hosted phone systems make remote work seamless. Free up your employees to manage and make calls from home, an off-site meeting or a hotel just like dialing from their desk, while improving customer service and efficiency.
- **White Glove Technical Support** - Receive Bestline supported redundancy and disaster recovery, routine maintenance, and updates for Voice and Data Applications.



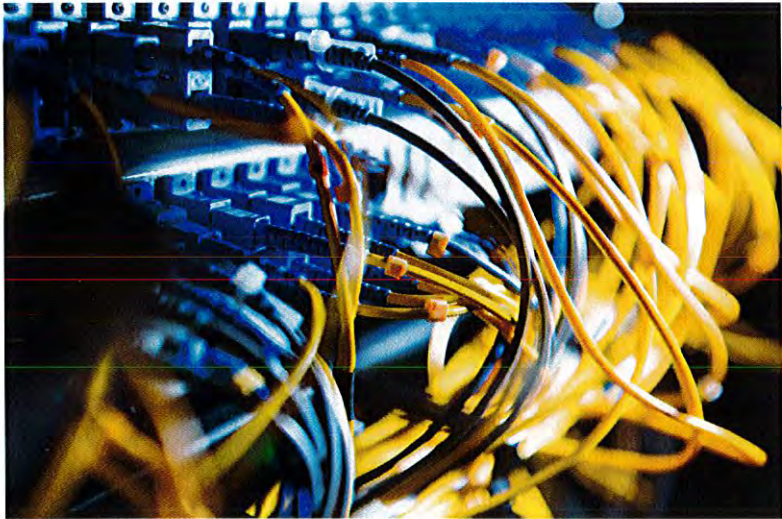


## Enterprise Solutions

From extending the life of your PBX system to launching an on-premises communications platform, to implementing a full cloud migration, Bestline has the expertise for success. Our capabilities include carrier-grade voice connectivity, a variety of bandwidth delivery options, and an array of communication technologies from industry-leaders such as Microsoft, ShoreTel, and Avaya. Our offerings include:

- Voice network connectivity
- Traditional on-site systems or moving your enterprise to the cloud (hosted applications)
- Identifying and overcoming primary challenges to cloud migration
- Market-leading Microsoft, ShoreTel, and our own Carrier Grade Bestline cloud applications
- Navigating Microsoft 365, Data Back Up, Security, and other common concerns
- Building a disaster recovery plan





## Network Infrastructure

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### Network Services

Our customers often demand single-source service provider responsibility. Bestline prides itself on customer service and the value add of our decades of expertise. We're happy to take on that responsibility and directly link their businesses to the Bestline datacenter in Austin, Texas. We're also able to help our customers stuck in an existing ISP contract. Assuming network integrity and adequate bandwidth, we can deliver our entire suite of voice and data applications over an existing Internet connection. We can also employ it to provide voice redundancy, disaster recovery, and business continuity solutions. We audit all existing connections and consult with our clients to develop a strategy that addresses their business priorities at the lowest possible cost.

### Installation and Testing

The most cutting edge voice/data software and applications will do very little to help your business if your infrastructure can't handle the load. That's why we handle cabling and infrastructure testing in addition to applications. Whether it's relocating wall jacks to better accommodate office teams or cabling an entire office, we're happy to do it. Moving into a new office? We'll test cable drops to ensure they support up to 1 Gigabit and VoIP connections. Need more drops? We'll install them.

## Bandwidth

---

### Internet Access

Bestline offers clients a variety of bandwidth connection options. We work with each customer to determine the best bandwidth option in terms of both speed and cost based on type of business and specific online activity needs. We also help them determine whether bundling voice and data is the most cost-effective solution to their overall connectivity needs.

### Bandwidth Options

- T-1 - T1.5
- Up to 12 Mbps connections through Bonded T-1
- High Speed connectivity via Ethernet over Copper (up to 120 Mbps)
- High Speed connectivity via Fiber (up to 1 Gig)
- 1 Mbps to 1 Gig Fiber connections







**CITY OF LOCKHART  
COUNCIL AGENDA ITEM**

<b>CITY SECRETARY'S USE ONLY</b> <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
<b>Council Meeting Date: September 19, 2017</b>			
Department: City Manager		Initials	Date
Department Head: Vance Rodgers	Asst. City Manager		
Dept. Signature: <i>[Signature]</i>	City Manager	<i>[Signature]</i>	9-15-2017
Agenda Item Coordinator/Contact (include phone #): Vance Rodgers, 512/376-8149			
<b>ACTION REQUESTED:</b> <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			
<b>CAPTION</b>			
Discussion and/or action to consider Resolution 2017-12 naming the City of Lockhart's nominee to the Board of Directors of the Caldwell County Appraisal District for the 2018-2019 term.			
<b>FINANCIAL SUMMARY</b>			
<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			
<b>FISCAL YEAR:</b>	<b>PRIOR YEAR (CIP ONLY)</b>	<b>CURRENT YEAR</b>	<b>FUTURE YEARS</b>
Budget			\$0.00
Budget Amendment Amount			\$0.00
Encumbered/Expended Amount			\$0.00
This Item			\$0.00
<b>BALANCE</b>	\$0.00	\$0.00	\$0.00
<b>FUND(S):</b>			
<b>SUMMARY OF ITEM</b>			
During the September 5 meeting, the Council discussed naming an individual(s) as the City of Lockhart's nominee to be placed on the ballot that each taxing entity would receive to cast votes between October 15, 2017 and October 30, 2017. The taxing entities would thereafter cast their vote(s) on the ballot to elect the five individuals to serve on the Caldwell County Appraisal District Board of Directors for the 2018-2019 term. The City of Lockhart has a voting entitlement of 457 votes. A name or names will be added to Resolution 2017-12 as directed by Council and it will be submitted to the CCAD on September 20 to include the name/names on the ballot.			
<b>STAFF RECOMMENDATION</b>			
None. Council decision.			
List of Supporting Documents: <ul style="list-style-type: none"> <li>• Resolution 2017-12</li> <li>• History</li> <li>• CCAD letter and procedure</li> </ul>		Other Departments, Boards, Commissions or Agencies:  Caldwell County Appraisal District	

**RESOLUTION 2017-12**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOCKHART, TEXAS NAMING THE CITY OF LOCKHART'S NOMINEE(S) TO THE BOARD OF DIRECTORS OF THE CALDWELL COUNTY APPRAISAL DISTRICT FOR THE 2018-2019 TERM**

**WHEREAS**, the City of Lockhart is entitled to cast 457 votes to serve on the Caldwell County Appraisal District Board of Directors; and,

**WHEREAS**, the City of Lockhart City Council has been notified and requested to make up to five nominations to the Caldwell County Appraisal District Board of Directors; and,

**WHEREAS**, the City Council has duly considered the nominations and taken a vote in a public setting at a regular meeting of the City Council.

**NOW, THEREFORE, BE IT RESOLVED THAT:**

The Lockhart City Council hereby nominates the following to serve on the Caldwell County Appraisal District Board of Directors:

*Name(s) inserted here*

This Resolution shall be in full force and effect immediately upon its passage, approval and adoption on this the 19<sup>th</sup> day of September 2017.

**CITY OF LOCKHART**

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

APPROVED AS TO FORM:

ATTEST:

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

\_\_\_\_\_  
Peter Gruning  
City Attorney



# HISTORY

## CITY OF LOCKHART COUNCIL AGENDA ITEM

<b>CITY SECRETARY'S USE ONLY</b>		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
<b>Council Meeting Date: September 5, 2017</b>				
Department: City Manager		Initials	Date	
Department Head: Vance Rodgers		Asst. City Manager		
Dept. Signature: <i>V. Rodgers</i>		City Manager	<i>[Signature]</i>	8.30.17
Agenda Item Coordinator/Contact (include phone #): Vance Rodgers, 512-376-8149				
<b>ACTION REQUESTED:</b> <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				
<b>CAPTION</b>				
Discussion and/or action regarding the City Council's selection with up to 457 votes of a nominee or nominees to the Caldwell County Appraisal District (CCAD) Board of Directors for the FY 2018-2019 period to be approved by a Council Resolution at the September 19, 2017 meeting.				
<b>FINANCIAL SUMMARY</b>				
<input type="checkbox"/> N/A <input type="checkbox"/> GRANT FUNDS <input type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input type="checkbox"/> CIP <input checked="" type="checkbox"/> BUDGETED <input type="checkbox"/> NON-BUDGETED				
<b>FISCAL YEAR:</b>	<b>PRIOR YEAR (CIP ONLY)</b>	<b>CURRENT YEAR</b>	<b>FUTURE YEARS</b>	<b>TOTALS</b>
Budget				\$0.00
Budget Amendment Amount				\$0.00
Encumbered/Expended Amount				\$0.00
This Item				\$0.00
<b>BALANCE</b>	\$0.00	\$0.00	\$0.00	\$0.00
<b>FUND(S):</b>				
<b>SUMMARY OF ITEM</b>				
The City of Lockhart received a notice about nominations for the CCAD Board of Directors FY 2018-2019 period on August 17, 2017. The CCAD indicates that they must receive the nomination(s) on or before October 15, 2017. The City Council only has one meeting in October (Oct 17), therefore if the Council chooses to make a nomination(s), a Resolution will be presented to Council on September 19 or September 26 for consideration. (Sept 26 is a meeting scheduled for budget and tax rate adoptions)				
<b>STAFF RECOMMENDATION</b>				
None.				
List of Supporting Documents:		Other Departments, Boards, Commissions or Agencies:		
<ul style="list-style-type: none"> <li>Correspondence from CCAD</li> <li>List of current CCAD Board of Directors</li> </ul>		Caldwell County Appraisal District		

# Caldwell County Appraisal District

DATE: August 16, 2017  
TO: Taxing Unit Presiding Officers  
FROM: Mary LaPoint, Chief Appraiser  
RE: Nomination of Appraisal District Directors

Dear Members:

Nominations for directors of the Caldwell County Appraisal District for the 2018-2019 term are to be submitted to the chief appraiser on or before **October 15, 2017**. Each taxing unit may nominate one candidate for each position to be filled. All five positions are available for selection, therefore, each unit may nominate up to five candidates.

A director must reside in the appraisal district for at least two years immediately preceding the date he or she takes office, and must not have delinquent property taxes. An employee of a taxing unit is not eligible to serve as a director unless the employee is also an elected official.

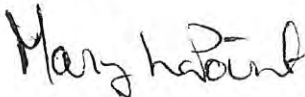
The presiding officer of the taxing unit submits the names and addresses of the nominees ***by written resolution*** to the chief appraiser by October 15, 2017. Names submitted after this date will not be listed on the ballot. The resolution must be adopted by majority vote of your taxing unit's governing body. Each unit will then receive a ballot before October 30, 2017.

Enclosed you will find the voting entitlement for each of the voting taxing units. Please submit nominees only at this time.

I have enclosed a document outlining the steps in the selection process and a copy of the Property Tax Code regarding eligibility

Please call on me if you have any questions about the selection process.

Sincerely,



Mary LaPoint  
Chief Appraiser

Encl; Vote allocation  
Process letter  
Tax Code §6.03

RECEIVED  
CITY OF LOCKHART

AUG 17 2017

RCVD. BY: \_\_\_\_\_  
TIME RECVD: \_\_\_\_\_



211 Bufkin Ln  
P.O. Box 900  
Lockhart, Texas 78644  
United States

PHONE (512) 398-5550  
FAX (512) 398-5551  
E-MAIL [general@caldwellcad.org](mailto:general@caldwellcad.org)  
WEB SITE [www.caldwellcad.org](http://www.caldwellcad.org)

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**CALDWELL COUNTY APPRAISAL DISTRICT  
VOTE ALLOCATION FOR BOARD OF DIRECTORS SELECTION 2018-2019 TERM**

TAXING UNIT	2016 TAX LEVY	/	ALL LEVIES	=	Quotient	X	1000	=	Product	X	# Members	=	VOTES	ROUNDED VOTES
CALDWELL COUNTY	\$14,833,403.87	/	\$42,612,031.27	=	0.34810366	X	1000	=	348.1	X	5	=	1740.5	1741
CITY LOCKHART	\$3,896,845.37	/	\$42,612,031.27	=	0.09144942	X	1000	=	91.4	X	5	=	457.2	457
CITY LULING	\$1,070,859.40	/	\$42,612,031.27	=	0.02513045	X	1000	=	25.1	X	5	=	125.7	126
CITY MARTINDALE	\$269,737.50	/	\$42,612,031.27	=	0.00633008	X	1000	=	6.3	X	5	=	31.7	30
CITY MUSTANG RIDGE	\$117,131.05	/	\$42,612,031.27	=	0.00274878	X	1000	=	2.7	X	5	=	13.7	14
CITY NIEDERWALD	\$16,126.88	/	\$42,612,031.27	=	0.00037846	X	1000	=	0.4	X	5	=	1.9	2
CITY OF SAN MARCOS	\$79,401.53		\$42,612,031.27		0.00186336	X	1000	=	1.9	X	5	=	9.3	9
CITY OF UHLAND	\$22,997.52		\$42,612,031.27		0.0005397	X	1000	=	0.5	X	5	=	2.7	3
LOCKHART ISD	\$14,659,842.44	/	\$42,612,031.27	=	0.34403059	X	1000	=	344.0	X	5	=	1720.2	1720
LULING ISD	\$3,841,084.84	/	\$42,612,031.27	=	0.09014085	X	1000	=	90.1	X	5	=	450.7	451
PRAIRIE LEA ISD	\$1,110,860.88	/	\$42,612,031.27	=	0.02606918	X	1000	=	26.1	X	5	=	130.3	131
HAYS ISD	\$437,169.51	/	\$42,612,031.27	=	0.0102593	X	1000	=	10.3	X	5	=	51.3	51
GONZALES ISD	\$292,421.79	/	\$42,612,031.27	=	0.00686242	X	1000	=	6.9	X	5	=	34.3	34
SAN MARCOS ISD	\$1,709,720.38	/	\$42,612,031.27	=	0.04012295	X	1000	=	40.1	X	5	=	200.6	201
WEALDER ISD	\$224,540.72	/	\$42,612,031.27	=	0.00526942	X	1000	=	5.3	X	5	=	26.3	26
AUSTIN COM COLLEGE	\$29,887.59		\$42,612,031.27	=	0.00070139	X	1000	=	0.7	X	5	=	3.5	4
TOTAL	\$42,612,031.27		\$42,612,031.27										5000	5000

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\* = Not including Plumcreek Conservation and Plumcreek Underground  
Caldwell-Hays ESD1, Gonzales UWD, Caldwell ESD2, Caldwell ESD3, Caldwell ESD4

\* = Only Levy within Caldwell County PTC 6.03d



## STEPS IN THE VOTING PROCESS TO ELECT DIRECTORS OF THE CALDWELL COUNTY APPRAISAL DISTRICT

- 1 Chief appraiser delivers written notice of nominations process and voting entitlement before October 1<sup>st</sup> to:
  - County Judge
  - County Commissioners
  - Mayors
  - City Managers
  - City Secretaries (if no city manager)
  - School Board Presidents
  - School Superintendents
- 2 Governing body adopts resolution nominating from one to five candidates for directors.
- 3 Presiding officer of governing body submits the resolution naming the unit's nominees to the chief appraiser not later than October 15, 2017.
- 4 Chief Appraiser delivers ballot to the presiding officer of each governing body before October 30, 2017.
- 5 Governing body determines its vote by resolution and submits it to the chief appraiser not later than December 15, 2017.
- 6 Chief appraiser counts the votes, declares the five candidates who receive the most votes elected, and submits the results to the governing bodies and the candidates before December 31, 2017.

## CASE NOTES

**ENERGY & UTILITIES LAW****•Oil, Gas & Mineral Interests**

••**General Overview.** — Where a mineral lease crossed county lines, a county appraisal district incorrectly valued the minerals for purposes of ad valorem taxation by calculating the percentage of surface acres in the county and applying that percentage to the mineral interest; its burden under Tex. Tax Code Ann. § 21.01 to prove the situs of the taxable property allowed it to tax only minerals actually in the county, in accordance with the provisions of Tex. Const. art. VIII, § 11 and Tex. Const. art. VIII, § 20 for property to be assessed at fair market value in the county where situated, and of Tex. Tax Code Ann. § 6.01(a), (b) and Tex. Tax Code Ann. § 6.02(a) for an appraisal district in each county. *Devon Energy Prod., L.P. v. Hockley County Appraisal Dist.*, 178 S.W.3d 879, 2005 Tex. App. LEXIS 9177 (Tex. App. Amarillo 2005).

**EVIDENCE****•Procedural Considerations****••Burdens of Proof**

•••**General Overview.** — Where a mineral lease crossed county lines, a county appraisal district incorrectly valued the minerals for purposes of ad valorem taxation by calculating the percentage of surface acres in the county and applying that percentage to the mineral interest; its burden under Tex. Tax Code Ann. § 21.01 to prove the situs of the taxable property

allowed it to tax only minerals actually in the county, in accordance with the provisions of Tex. Const. art. VIII, § 11 and Tex. Const. art. VIII, § 20 for property to be assessed at fair market value in the county where situated, and of Tex. Tax Code Ann. § 6.01(a), (b) and Tex. Tax Code Ann. § 6.02(a) for an appraisal district in each county. *Devon Energy Prod., L.P. v. Hockley County Appraisal Dist.*, 178 S.W.3d 879, 2005 Tex. App. LEXIS 9177 (Tex. App. Amarillo 2005).

**TAX LAW****•State & Local Taxes****••Real Property Tax**

Where a mineral lease crossed county lines, a county appraisal district incorrectly valued the minerals for purposes of ad valorem taxation by calculating the percentage of surface acres in the county and applying that percentage to the mineral interest; its burden under Tex. Tax Code Ann. § 21.01 to prove the situs of the taxable property allowed it to tax only minerals actually in the county, in accordance with the provisions of Tex. Const. art. VIII, § 11 and Tex. Const. art. VIII, § 20 for property to be assessed at fair market value in the county where situated, and of Tex. Tax Code Ann. § 6.01(a), (b) and Tex. Tax Code Ann. § 6.02(a) for an appraisal district in each county. *Devon Energy Prod., L.P. v. Hockley County Appraisal Dist.*, 178 S.W.3d 879, 2005 Tex. App. LEXIS 9177 (Tex. App. Amarillo 2005).

## OPINIONS OF ATTORNEY GENERAL

**JURISDICTION****SAVINGS CLAUSE****JURISDICTION. —**

Despite the enactment of House Bill 1010 by the Eightieth Legislature, an appraisal district operating in overlapping territory by operation of Tex. Tax Code Ann. § 6.02(b) retains authority to hear and determine pending corrective motions and taxpayer protests concerning property in that territory that relate to the 2007, or prior, tax year. Tex. Op. Att'y Gen. GA-0631 (2008).

**SAVINGS CLAUSE. —**

After the 2007 legislation that altered the legal framework for

appraising property for ad valorem taxation in taxing units located in more than one county, an appraisal district is still responsible for litigation filed against it prior to January 1, 2008, and involving property that is no longer in its appraisal district; the general savings clause continues in effect relevant portions of Tex. Tax Code Ann. § 6.02, such that a taxing district has continuing authority to defend itself in the pending litigation, and a taxing unit has a continuing obligation to pay the related costs. Tex. Op. Att'y Gen. GA-0590 (2008).

**Sec. 6.025. Overlapping Appraisal Districts; Joint Procedures [Repealed].**

Repealed by Acts 2007, 80th Leg., ch. 648 (H.B. 1010), § 5(3), effective January 1, 2008. (Enacted by Acts 1995, 74th Leg., ch. 186 (H.B. 623), § 1, effective January 1, 1996; am. Acts 1997, 75th Leg., ch. 1357 (H.B. 670), § 1, effective January 1, 1998; am. Acts 1999, 76th Leg., ch. 250 (H.B. 1037), § 1, 2, effective January 1, 2000; am. Acts 2003, 78th Leg., ch. 455 (H.B. 703), § 1, effective January 1, 2004; am. Acts 2003, 78th Leg., ch. 1041 (H.B. 1082), § 1, effective January 1, 2004.)

## OPINIONS OF ATTORNEY GENERAL

**OVERLAPPING DISTRICTS. —**

With respect to property lying in overlapping appraisal districts, section 6.025(d) of the Tax Code requires the chief appraiser of each of the overlapping districts to enter in the

appraisal records the lowest values, appraised and market, listed by any of the overlapping districts. Tex. Op. Att'y Gen. GA-0283 (2004).

**Sec. 6.03. Board of Directors.**

(a) The appraisal district is governed by a board of directors. Five directors are appointed by the taxing units that participate in the district as provided by this section. If the county assessor-collector is not appointed to the board, the county assessor-collector serves as a nonvoting director. The county assessor-collector is ineligible to serve if the board enters into a contract under Section 6.05(b) or if the commissioners court of the county enters into a contract under Section 6.24(b). To be eligible to serve on the board of directors, an individual other than a county assessor-collector serving as a nonvoting director must be a resident of the district and must have resided in the district for at least two years immediately preceding the date the individual takes office. An individual who is otherwise eligible to serve on the

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board is not ineligible because of membership on the governing body of a taxing unit. An employee of a taxing unit that participates in the district is not eligible to serve on the board unless the individual is also a member of the governing body or an elected official of a taxing unit that participates in the district.

(b) Members of the board of directors other than a county assessor-collector serving as a nonvoting director serve two-year terms beginning on January 1 of even-numbered years.

(c) Members of the board of directors other than a county assessor-collector serving as a nonvoting director are appointed by vote of the governing bodies of the incorporated cities and towns, the school districts, the junior college districts, and, if entitled to vote, the conservation and reclamation districts that participate in the district and of the county. A governing body may cast all its votes for one candidate or distribute them among candidates for any number of directorships. Conservation and reclamation districts are not entitled to vote unless at least one conservation and reclamation district in the district delivers to the chief appraiser a written request to nominate and vote on the board of directors by June 1 of each odd-numbered year. On receipt of a request, the chief appraiser shall certify a list by June 15 of all eligible conservation and reclamation districts that are imposing taxes and that participate in the district.

(d) The voting entitlement of a taxing unit that is entitled to vote for directors is determined by dividing the total dollar amount of property taxes imposed in the district by the taxing unit for the preceding tax year by the sum of the total dollar amount of property taxes imposed in the district for that year by each taxing unit that is entitled to vote, by multiplying the quotient by 1,000, and by rounding the product to the nearest whole number. That number is multiplied by the number of directorships to be filled. A taxing unit participating in two or more districts is entitled to vote in each district in which it participates, but only the taxes imposed in a district are used to calculate voting entitlement in that district.

(e) The chief appraiser shall calculate the number of votes to which each taxing unit other than a conservation and reclamation district is entitled and shall deliver written notice to each of those units of its voting entitlement before October 1 of each odd-numbered year. The chief appraiser shall deliver the notice:

(1) to the county judge and each commissioner of the county served by the appraisal district;

(2) to the presiding officer of the governing body of each city or town participating in the appraisal district, to the city manager of each city or town having a city manager, and to the city secretary or clerk, if there is one, of each city or town that does not have a city manager;

(3) to the presiding officer of the governing body of each school district participating in the district and to the superintendent of those school districts; and

(4) to the presiding officer of the governing body of each junior college district participating in the district and to the president, chancellor, or other chief executive officer of those junior college districts.

(f) The chief appraiser shall calculate the number of votes to which each conservation and reclamation district entitled to vote for district directors is entitled and shall deliver written notice to the presiding officer of each conservation and reclamation district of its voting entitlement and right to nominate a person to serve as a director of the district before July 1 of each odd-numbered year.

(g) Each taxing unit other than a conservation and reclamation district that is entitled to vote may nominate by resolution adopted by its governing body one candidate for each position to be filled on the board of directors. The presiding officer of the governing body of the unit shall submit the names of the unit's nominees to the chief appraiser before October 15.

(h) Each conservation and reclamation district entitled to vote may nominate by resolution adopted by its governing body one candidate for the district's board of directors. The presiding officer of the conservation and reclamation district's governing body shall submit the name of the district's nominee to the chief appraiser before July 15 of each odd-numbered year. Before August 1, the chief appraiser shall prepare a nominating ballot, listing all the nominees of conservation and reclamation districts alphabetically by surname, and shall deliver a copy of the nominating ballot to the presiding officer of the board of directors of each district. The board of directors of each district shall determine its vote by resolution and submit it to the chief appraiser before August 15. The nominee on the ballot with the most votes is the nominee of the conservation and reclamation districts in the appraisal district if the nominee received more than 10 percent of the votes entitled to be cast by all of the conservation and reclamation districts in the appraisal district, and shall be named on the ballot with the candidates nominated by the other taxing units. The chief appraiser shall resolve a tie vote by any method of chance.

(i) If no nominee of the conservation and reclamation districts receives more than 10 percent of the votes entitled to be cast under Subsection (h), the chief appraiser, before September 1, shall notify the presiding officer of the board of directors of each conservation and reclamation district of the failure to select a nominee. Each conservation and reclamation district may submit a nominee by September 15 to the chief appraiser as provided by Subsection (h). The chief appraiser shall submit a second nominating ballot by October 1 to the conservation and reclamation districts as provided by Subsection (h). The conservation and reclamation districts shall submit their votes for nomination before October 15 as provided by Subsection (h). The nominee on the second nominating ballot with the most votes is the nominee of the conservation and reclamation districts in the appraisal district and shall be named on the ballot with the candidates nominated by the other taxing units. The chief appraiser shall resolve a tie vote by any method of chance.

(j) Before October 30, the chief appraiser shall prepare a ballot, listing the candidates whose names were timely submitted under Subsections (g) and, if applicable, (h) or (i) alphabetically according to the first letter in each candidate's surname, and shall deliver a copy of the ballot to the presiding officer of the governing body of each taxing unit that is entitled to vote.

(k) The governing body of each taxing unit entitled to vote shall determine its vote by resolution and submit it to the chief appraiser before December 15. The chief appraiser shall count the votes, declare the five candidates who receive the largest cumulative vote totals elected, and submit the results before December 31 to the governing body of each taxing unit in the district and to the candidates. For purposes of determining the number of votes received by the candidates, the candidate receiving the most votes of the conservation and reclamation districts is considered to have received all of the votes cast by conservation and reclamation districts and the other candidates are considered not to have received any votes of the conservation and reclamation districts. The chief appraiser shall resolve a tie vote by any method of chance.

(l) If a vacancy occurs on the board of directors other than a vacancy in the position held by a county assessor-collector serving as a nonvoting director, each taxing unit that is entitled to vote by this section may nominate by resolution adopted by its governing body a candidate to fill the vacancy. The unit shall submit the name of its nominee to the chief appraiser within 45 days after notification from the board of directors of the existence of the vacancy, and the chief appraiser shall prepare and deliver to the board of directors within the next five days a list of the nominees. The board of directors shall elect by majority vote of its members one of the nominees to fill the vacancy.

(m) [Repealed by Acts 2007, 80th Leg., ch. 648 (H.B. 1010), § 5(4), effective January 1, 2008.]  
(Enacted by Acts 1979, 66th Leg., ch. 841 (S.B. 621), § 1; am. Acts 1981, 67th Leg., 1st C.S., ch. 13 (H.B. 30), §§ 15, 167(a), effective January 1, 1982; am. Acts 1987, 70th Leg., ch. 59 (S.B. 469), § 1, effective September 1, 1987; am. Acts 1987, 70th Leg., ch. 270 (H.B. 268), § 1, effective August 31, 1987; am. Acts 1989, 71st Leg., ch. 1123 (H.B. 2301), § 2, effective January 1, 1990; am. Acts 1991, 72nd Leg., ch. 20 (S.B. 351), § 15, effective August 26, 1991; am. Acts 1991, 72nd Leg., ch. 371 (H.B. 864), § 1, effective September 1, 1991; am. Acts 1993, 73rd Leg., ch. 347 (S.B. 7), § 4.06, effective May 31, 1993; am. Acts 1997, 75th Leg., ch. 165 (S.B. 898), § 6.73, effective September 1, 1997; am. Acts 1997, 75th Leg., ch. 1039, § 2, effective January 1, 1998; am. Acts 1999, 76th Leg., ch. 705 (H.B. 834), § 1, effective January 1, 2000; am. Acts 2003, 78th Leg., ch. 629 (H.B. 2043), effective June 20, 2003; am. Acts 2007, 80th Leg., ch. 648 (H.B. 1010), § 5(4), effective January 1, 2008; am. Acts 2013, 83rd Leg., ch. 1161 (S.B. 359), § 1, effective June 14, 2013.)

## CASE NOTES

## CONSTITUTIONAL LAW

## • Equal Protection

•• **Scope of Protection.** — Judgment that denied a municipal utility district's request to declare Tex. Tax Code Ann. § 6.03(c), (d), (f), (h), (i) unconstitutional was affirmed because a political subdivision did not have any equal protection rights; equal protection rights were vested in persons. *Colony Mun. Util. Dist. v. Appraisal Dist. of Denton County*, 626 S.W.2d 930, 1982 Tex. App. LEXIS 3784 (Tex. App. Fort Worth 1982).

## GOVERNMENTS

## • Local Governments

•• **Finance.** — Appraisal districts were created by statute and constituted political subdivisions of the State and constituted entities independent from the cities and counties within their borders; the McLennan County Appraisal District was neither a city nor a county for purposes of the constitutional provision. *Hoppenstein Props. v. McLennan County Appraisal Dist.*, — S.W.3d —, 2014 Tex. App. LEXIS 5413 (Tex. App. Amarillo May 20, 2014, no pet. h.).

## TAX LAW

## • State &amp; Local Taxes

## •• Personal Property Tax

••• **General Overview.** — Court affirmed judgment dismissing the appeal of a property valuation protest for want of jurisdiction because under Tex. Tax Code Ann. §§ 6.01 and 6.03, taxpayer gave notice of appeal to the wrong entity. *Ganassi v. Fort Bend County Appraisal Dist.*, 1987 Tex. App. LEXIS 6792 (Tex. App. Houston 1st Dist. Mar. 26 1987).

Three-fourths of county taxing units was not authorized by Tex. Tax Code Ann. § 6.03 to change method of selecting board of

director members for local tax appraisal district because state legislature provided a clear formula concerning voting entitlement. *Huffman v. Arlington*, 619 S.W.2d 425, 1981 Tex. App. LEXIS 3815 (Tex. Civ. App. Fort Worth 1981).

## •• Real Property Tax

## ••• Assessment &amp; Valuation

•••• **General Overview.** — Appraisal districts were created by statute and constituted political subdivisions of the State and constituted entities independent from the cities and counties within their borders; the McLennan County Appraisal District was neither a city nor a county for purposes of the constitutional provision. *Hoppenstein Props. v. McLennan County Appraisal Dist.*, — S.W.3d —, 2014 Tex. App. LEXIS 5413 (Tex. App. Amarillo May 20, 2014, no pet. h.).

Provisions of Tex. Tax Code Ann. §§ 6.01, 6.03, 23.01, 25.21 expressly provide the necessary authority for an appraisal review board to ensure that the mineral interests of a county are appraised based on market value, unreduced by fraud, and for local taxing units to bring a challenge, if necessary, to insist that the appraisal review board do so. Therefore, the court issued a writ of mandamus directing a district court to vacate its order denying pleas to jurisdiction and to dismiss an action brought by local taxing units alleging that certain companies owning oil properties in the county committed fraud and conspiracy with respect to the valuation of the oil properties for ad valorem tax purposes. Under Tex. Const. art. V, § 8, the district court did not have subject matter jurisdiction because the legislature had provided that the claim had to be heard before the appraisal review board. *In re ExxonMobil Corp.*, 153 S.W.3d 605, 2004 Tex. App. LEXIS 7811 (Tex. App. Amarillo 2004).

## OPINIONS OF ATTORNEY GENERAL

ANTI-NEPOTISM RULE  
DATES ARE DIRECTORY  
DEFINITION OF "EMPLOYEE"  
QUORUM

## ANTI-NEPOTISM RULE. —

Texas Tax Code section 6.035(a) does not apply when an

appraisal district board member is married to an employee of the appraisal district. The words in section 6.035(a), "is engaged in the business of appraising property for compensation for use in proceedings under this title," refer to an individual who appraises property for commercial profit. Consequently, a tax assessor-collector is eligible to serve as a nonvoting member of the

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Work Session Item # \_\_\_\_\_

Reg. Mtg. Item # \_\_\_\_\_

**CITY OF LOCKHART  
COUNCIL AGENDA ITEM**

<b>CITY SECRETARY'S USE ONLY</b> <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: September 19, 2017				
Department: City Manager			Initials	Date
Department Head: Vance Rodgers		Asst. City Manager		
Dept. Signature: <i>Vance Rodgers</i>		City Manager		<i>VR</i> 9-12-2017
Agenda Item Coordinator/Contact (include phone #): Vance Rodgers				
<b>ACTION REQUESTED:</b> <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				
<b>CAPTION</b>				
Discussion and/or action to consider appointment of Parks Master Plan Steering Committee members made up of Councilmembers, City staff, two Parks Advisory Board members, business and civic organization members, and others as determined by Council to serve as a sounding board for recommendations made by the consultant				
<b>FINANCIAL SUMMARY</b>				
<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
<b>FUND(S):</b>				
<b>SUMMARY OF ITEM</b>				
The Parks Master Plan Scope of Work includes appointment by Council of a Steering Committee to perform tasks as outlined in document. The first meeting would be on Thursday, September 28, and the first Public Meeting on Tuesday, October 10; meetings will be held in the Glosserman Room at City Hall and starting a 6 pm. The Parks Board has recommended appointment of Mr. Albert Villalpando and Mr. Dennis Placke. It is proposed that Council appoint at least one community committee member each and collectively appoint one or two City Staff members.				
<b>STAFF RECOMMENDATION</b>				
N/A				
List of Supporting Documents: Council History		Other Departments, Boards, Commissions or Agencies: Parks Advisory Board		



Work Session Item # \_\_\_\_\_

Reg. Mtg. Item # \_\_\_\_\_

**CITY OF LOCKHART  
COUNCIL AGENDA ITEM**

<b>CITY SECRETARY'S USE ONLY</b> <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
<b>Council Meeting Dates:</b> September 5, 2017				
Department: City Manager			Initials	Date
Department Head: Vance Rodgers		Asst. City Manager		
Dept. Signature:		City Manager		
Agenda Item Coordinator/Contact (include phone #): Vance Rodgers				
<b>ACTION REQUESTED:</b> <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				
<b>CAPTION</b>				
Discussion and/or action to consider appointment of Parks Master Plan Steering Committee members at the September 19 meeting made up of Councilmembers, City staff, two Parks Advisory Board members, business and civic organization members, and others as determined by Council to serve as a sounding board for recommendations made by the consultant				
<b>FINANCIAL SUMMARY</b>				
<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				
<b>FISCAL YEAR:</b>	<b>PRIOR YEAR (CIP ONLY)</b>	<b>CURRENT YEAR</b>	<b>FUTURE YEARS</b>	<b>TOTALS</b>
Budget				\$0.00
Budget Amendment Amount				\$0.00
Encumbered/Expended Amount				\$0.00
This Item				\$0.00
<b>BALANCE</b>	\$0.00	\$0.00	\$0.00	\$0.00
<b>FUND(S):</b>				
<b>SUMMARY OF ITEM</b>				
The Parks Master Plan Scope of Work includes appointment by Council of a Steering Committee to perform tasks as outlined in document. The first meeting would be on Thursday, September 28, and the first Public Meeting on Tuesday, October 10; meetings will be held in the Glosserman Room at City Hall and starting a 6 pm.				
<b>STAFF RECOMMENDATION</b>				
N/A				
List of Supporting Documents: Parks Master Plan Scope of Work		Other Departments, Boards, Commissions or Agencies:		



Work Session Item # \_\_\_\_\_

Reg. Mtg. Item # \_\_\_\_\_

**CITY OF LOCKHART  
COUNCIL AGENDA ITEM**

<b>CITY SECRETARY'S USE ONLY</b>		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
<b>Council Meeting Dates:</b> September 19, 2017				
Department: City Manager			Initials	Date
Department Head: Vance Rodgers		Asst. City Manager		
Dept. Signature: <i>Vance Rodgers</i>		City Manager		<i>VR</i>
Agenda Item Coordinator/Contact (include phone #): Vance Rodgers				
<b>ACTION REQUESTED:</b> <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				
<b>CAPTION</b>				
DISCUSSION AND/OR ACTION REGARDING NAMING A TEMPORARY AD-HOC COMMITTEE TO EXPLORE POSSIBLE USES OF THE SAINT PAUL UNITED CHURCH OF CHRIST BUILDING AND PROPERTY AT 728 S MAIN STREET AND TO REPORT BACK TO COUNCIL WITH RECOMMENDATIONS BY FIRST COUNCIL MEETING IN NOVEMBER, 2017				
<b>FINANCIAL SUMMARY</b>				
<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
<b>FUND(S):</b>				
<b>SUMMARY OF ITEM</b>				
Council voted at its last meeting to appoint a temporary ad-hoc committee to explore possible uses of the structure and facilities. A report with recommendations would be considered at the first Council meeting in November if Council agrees. The property is about 1/3 of an acre. The sanctuary is about 3,000 sf and the other adjacent building to the south has 4,300 sf according to appraisal district records. There is also another unattached 560 sf storage building at the southeast corner of the property. The parking lot has about 20 parking spaces if street right of way behind the curb is considered.				
<b>STAFF RECOMMENDATION</b>				
City Council decision				
List of Supporting Documents: Council History Documents			Other Departments, Boards, Commission	



Work Session Item # \_\_\_\_\_

Reg. Mtg. Item # \_\_\_\_\_

**CITY OF LOCKHART  
COUNCIL AGENDA ITEM**

<b>CITY SECRETARY'S USE ONLY</b>		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
<b>Council Meeting Dates:</b> September 5, 2017				
Department: City Manager		Initials	Date	
Department Head: Vance Rodgers		Asst. City Manager		
Dept. Signature:		City Manager		
Agenda Item Coordinator/Contact (include phone #): Vance Rodgers				
<b>ACTION REQUESTED:</b> <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				
<b>CAPTION</b>				
Discussion and/or action regarding appointment of a temporary ad-hoc committee to determine a priority list for possible uses of the donated St. Paul United Church of Christ property				
<b>FINANCIAL SUMMARY</b>				
<input type="checkbox"/> N/A <input type="checkbox"/> GRANT FUNDS <input type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input type="checkbox"/> BUDGETED <input type="checkbox"/> NON-BUDGETED				
<b>FISCAL YEAR:</b>	<b>PRIOR YEAR (C/O ONLY)</b>	<b>CURRENT YEAR</b>	<b>FUTURE YEARS</b>	<b>TOTALS</b>
Budget				\$0.00
Budget Amendment Amount				\$0.00
Encumbered/Expended Amount				\$0.00
This Item				\$0.00
<b>BALANCE</b>	\$0.00	\$0.00	\$0.00	\$0.00
<b>FUND(S):</b>				
<b>SUMMARY OF ITEM</b>				
At the last meeting, Council voted unanimously to accept the donation of property from the St. Paul United Church. Council discussed several possible uses for the property and decided to appoint a temporary ad-hoc committee at the next meeting in September.				
<b>STAFF RECOMMENDATION</b>				
N/A				
List of Supporting Documents: History		Other Departments, Boards, Commissions or Agencies:		





Work Session Item # \_\_\_\_\_

Reg. Mtg. Item # \_\_\_\_\_

**CITY OF LOCKHART  
COUNCIL AGENDA ITEM**

<b>CITY SECRETARY'S USE ONLY</b> <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
<b>Council Meeting Dates:</b> August 15, 2017				
Department: City Manager		Initials	Date	
Department Head: Vance Rodgers	Asst. City Manager			
Dept. Signature:	City Manager			8-9-2017
Agenda Item Coordinator/Contact (include phone #): Vance Rodgers				
<b>ACTION REQUESTED:</b> <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				
<b>CAPTION</b>				
DISCUSSION AND/OR ACTION REGARDING POSSIBLE USE OF THE SAINT PAUL UNITED CHURCH OF CHRIST BUILDING AND PROPERTY AT 728 S MAIN STREET IF DONATED TO THE CITY OF LOCKHART				
<b>FINANCIAL SUMMARY</b>				
<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
<b>FUND(S):</b>				
<b>SUMMARY OF ITEM</b>				
It has been indicated that Church is being considered for donation to the City of Lockhart. Council asked this item be placed on the agenda for consideration and possible action. The property is about 1/3 of an acre. The sanctuary is about 3,000 sf and the other adjacent building to the south has 4,300 sf according to appraisal district records. There is also another unattached 560 sf storage building at the southeast corner of the property. The parking lot has about 20 parking spaces if street right of way behind the curb is considered. Council is to discuss possible uses of the property and possibly provide direction to the City Manager regarding the building and property.				
<b>STAFF RECOMMENDATION</b>				
City Council decision				
List of Supporting Documents: Picture, CCAD Information		Other Departments, Boards, Commissions or Agencies:		



Work Session Item # \_\_\_\_\_

Reg. Mtg. Item # \_\_\_\_\_

**CITY OF LOCKHART  
COUNCIL AGENDA ITEM**

<b>CITY SECRETARY'S USE ONLY</b> <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
<b>Council Meeting Dates:</b> September 19, 2017				
Department: City Manager			Initials	Date
Department Head: Vance Rodgers		Asst. City Manager		
Dept. Signature: <i>Vance Rodgers</i>		City Manager		<i>[Signature]</i> 9-10-2017
Agenda Item Coordinator/Contact (include phone #): Vance Rodgers				
<b>ACTION REQUESTED:</b> <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				
<b>CAPTION</b>				
Discussion and/or action regarding contributing up to \$5,000 from the Mayor/Council FY 17-18 Budget toward an initial downtown Texas Swing Music and Dance event as another attraction to encourage more visitation to Lockhart				
<b>FINANCIAL SUMMARY</b>				
<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				
<b>FISCAL YEAR:</b>	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
<b>BALANCE</b>	\$0.00	\$0.00	\$0.00	\$0.00
<b>FUND(S):</b>				
<b>SUMMARY OF ITEM</b>				
Mayor White asked that this item be placed on the agenda for consideration by the Council.				
<b>STAFF RECOMMENDATION</b>				
N/A				
List of Supporting Documents:			Other Departments, Boards, Commissions or Agencies:	

**LIST OF BOARD/COMMISSION VACANCIES**

Updated: July 27, 2017

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<b>Board Name</b>	<b>Reappointments/Vacancies</b>	<b>Council member</b>
Board of Adjustment	Nic Irwin moved to Lockhart Economic Development Corp.	Any Councilmember
Electric Board	James Paul Denny – moved to Kyle – 05/04/2017	Michelson
Lockhart Historical Preservation Comm	Terence Gahan resigned 07/26/2017	Westmoreland

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

<b>APPLICANT</b>	<b>BOARD REQUESTED</b>	<b>DATE RECEIVED</b>	<b>RESIDENCE DISTRICT</b>
Kobe Hurt	Airport Advisory Board	February 3, 2017	County resident

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<p>The following are NOTES regarding appointments to several boards that have certain criteria that should be met, such as qualifications or number to serve on the board. Boards that are not listed below have a seven member board and are open to any citizen without qualifications.</p>	
<p><b>NOTES: AIRPORT ADVISORY BOARD</b></p>	<p><b>Sec. 4-26. Membership; appointments.</b> The Lockhart Airport Advisory Board shall be composed of seven members to be appointed in accordance with section 2-210. At least five members must currently be or have been flight rated, and two members may be appointed as at-large members. Members shall serve three-year terms, such terms coinciding with the council position making the appointment.</p> <p><b>Sec. 4-28. Eligibility for board membership.</b> No person having a financial interest in any commercial carrier by air, or in any concession, right or privilege to conduct any business or render any service for compensation upon the premises of the Lockhart Municipal Airport shall be eligible for membership on the Lockhart Airport Advisory Board.</p> <p><b>Sec. 4-32. Limitations of authority.</b> The Lockhart Municipal Airport Advisory Board shall not have authority to incur or create any debt in connection with airport operations; nor shall the board be empowered to enter into any contract, leases, or other legal obligations binding upon the City of Lockhart; nor shall the board have authority to hire airport personnel or direct airport personnel in the execution of their duties.</p>
<p><b>NOTES: CONSTRUCTION BOARD APPOINTMENTS</b></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><b>NOTES: ELECTRIC BOARD APPOINTMENTS</b></p>	<p><b>Sec. 12-132. Members.</b> (a) Appointments to the examining and supervisory board of electricians and appeals shall conform to section 2-210 except that the board shall consist of five persons with one being appointed by each district council member and one by the mayor. Each member shall serve three-year terms with such terms to coincide with the council position making the appointment. (b) Each board member shall reside within the county and such board shall include one member who shall be a building contractor; one layman; two members shall be master electricians who are currently licensed by the city; and one member shall be either a building contractor or master electrician licensed by the city. There shall be two ex-officio members, one who shall be the city electrical inspector, and one shall be the fire marshal.</p> <p><b>Sec. 12-133. Officers and quorum.</b> The members of the examining and supervising board of electricians and appeals shall select a chairman and secretary. A quorum shall consist of three members.</p>
<p><b>NOTES: HISTORIC PRESERVATION COMMISSION</b></p>	<p><b>Sec. 28-3. Historical preservation commission.</b> (b) The commission shall consist of seven members, appointed by the city council in accordance with section 2-210, who shall whenever possible meet one or more of the following qualities: (1) A registered architect, planner or representative of a design profession, (2) A registered professional engineer in the State of Texas, (3) A member of a nonprofit historical organization of Caldwell County, (4) A local licensed real estate broker or member of the financial community, (5) An owner of an historic landmark residential building, (6) An owner or tenant of a business property that is an historic landmark or in an historic district, (7) A member of the Caldwell County Historical Commission.</p>
<p><b>NOTES: PARKS ADVISORY BOARD</b></p>	<p><b>Sec. 40-133. Members.</b> (a) The board shall consist of seven members appointed in accordance with section 2-210 to serve three years terms, such terms to coincide with the council position making the appointment and two alternates shall also be appointed by the mayor and mayor pro-tem, one each. The two alternates shall also serve the term coinciding with the council position making the appointments. Vacancies shall be 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>

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NOTES:  
ORDINANCE  
RE: ALL  
BOARD,  
COMMISSION  
APPOINTMENTS

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.

<p><b>NOTES: PARKS MASTER PLAN STEERING COMMITTEE</b> (Est. 09/05/2017)</p>	<p>Committee to have 8-10 members as follows:</p> <ul style="list-style-type: none"><li>• Councilmembers</li><li>• City staff</li><li>• Two Parks Advisory Board members</li><li>• Business owners</li><li>• Civic Organization members</li></ul> <p>Committee will assist Burditt Consultants to perform tasks outlined in the Parks Master Plan.</p>
<p><b>NOTES: AD-HOC COMMITTEE - ST. PAUL UNITED CHURCH OF CHRIST PROPERTY</b> (Est. 09/05/2017)</p>	<p>Committee will consist of at least one appointment from Mayor and each Councilmember.</p> <p>The Committee will make recommendations to the Council about the use of the property at 728 S. Main.</p>

**COUNCILMEMBER BOARD/COMMISSION APPOINTMENTS**

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<b>Councilmember</b>	<b>Board/Commission</b>	<b>Appointee</b>	<b>Date Appointed</b>
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	Paul Rodriguez	06/06/17
	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
		Rob Ortiz, Alternate	03/07/17
	Planning & Zoning	Manuel Oliva	03/07/17

**COUNCILMEMBER BOARD/COMMISSION APPOINTMENTS**

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District 3 – Benny Hilburn	Airport Board	Ray Chandler	03/07/17
	Board of Adjustment	Anne Clark, Vice-Chair	03/07/17
		VACANT - (Alternate)	
		Kirk Smith (Alternate)	03/07/17
	Construction Board	Jerry West, Vice-Chair	03/07/17
	Eco Dev. Revolving Loan	Lew White, Chair	03/07/17
	Eco Dev. Corp. ½ Cent Sales Tax	Nic Irwin	07/06/17
	Electric Board	Thomas Stephens	03/07/17
	Historical Preservation	Ronda Reagan	03/07/17
	Library Board	Jean Clark Fox, Chair	03/07/17
Parks and Recreation	William Burnett	03/07/17	
Planning & Zoning	Philip McBride, Chair	03/07/17	
District 4 - Jeffry Michelson	Airport Board	Mark Brown, Vice-Chair	03/07/17
	Board of Adjustment	Wayne Reeder	03/07/17
	Construction Board	Rick Winnett	03/07/17
	Eco Dev. Revolving Loan	Frank Coggins	03/07/17
	Eco Dev. Corp. ½ Cent Sales Tax	Morris Alexander	03/07/17
	Electric Board	VACANT-Denny resigned 5/4/17	
	Historical Preservation	Kathy McCormick	03/07/17
	Library Board	Donaly Brice	03/07/17
	Parks and Recreation	Russell Wheeler	03/07/17
	Planning & Zoning	Mary Beth Nickel	03/07/17
Mayor Pro-Tem (At-Large) – Angie Gonzales-Sanchez	Airport Board	Andrew Reyes	03/07/17
	Board of Adjustment	Laura Cline, Chair	03/07/17
	Construction Board	Paul Martinez	03/07/17
	Eco Dev. Revolving Loan	Irene Yanez	03/07/17
	Eco Dev. Corp. ½ Cent Sales Tax	Alfredo Munoz	06/06/17
	Historical Preservation	Juan Alvarez, Jr.	03/07/17
	Library Board	Jodi King	03/07/17
	Parks and Recreation	Chris Schexnayder	03/07/17
	Planning & Zoning	Philip Ruiz, Vice-Chair	03/07/17



**COUNCILMEMBER BOARD/COMMISSION APPOINTMENTS**

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<p>At-Large - Brad Westmoreland</p>	<p>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 &amp; Zoning</p>	<p>Jayson "Tex" Cordova Severo Castillo Gary Shafer Edward Strayer Frank Estrada VACANT- Gahan resigned 7/26/17 Rebecca Lockhart Dennis Placke Christina Black</p>	<p>03/07/17 03/07/17 03/07/17 03/07/17 03/07/17 03/07/17 03/07/17 03/07/17</p>
	<p>Charter Review Commission (Five member commission) Term - 24 months after appointment</p>	<p>Ray Sanders Bill Hernandez Roland Velvin Elizabeth Raxter Alan Fielder</p>	<p>03/01/16 – Michelson 03/01/16 – Michelson 03/01/16 – Michelson 03/01/16 – Hilburn 03/15/16 – Hilburn</p>
	<p>Sign Review Committee (no longer meeting)</p>	<p>Gabe Medina Neto Madrigal Terry Black Kenneth Sneed Johnny Barron, Jr. Tim Clark</p>	<p>03/17/15 - Mayor Pro-Tem Sanchez 04/21/15 – Councilmember Mendoza 03/17/15 – Councilmember Hilburn 03/17/15 – Mayor White 03/17/15 – Councilmember Castillo 03/17/15 – Councilmember Michelson</p>
	<p>Parks Master Plan Steering Committee (8-10 members)</p>	<p>Albert Villalapando Dennis Placke Nita McBride</p>	<p>08/24/17 – Parks Bd appointee 08/24/17 – Parks Bd appointee 09/05/17 – Councilmember Hilburn</p>
	<p>Church Property Ad-hoc Committee (7 members)</p>	<p>Amelia Smith Jackie Westmoreland Todd Blomerth</p>	<p>09/05/17 – Westmoreland 09/05/17 – Westmoreland 09/05/17 – Mayor White</p>

**City of Lockhart  
FY 2017-2018 Budget  
Preliminary Budget & Tax Rate Adoption Calendar**

**Thursday, July 6, 2017**  
*Regular Council Meeting*

**Council Budget Workshop/Meeting 6:30 PM**

1. Present and Discuss Budget
2. Set Public Hearing Date for Budget - Sept. 5, 2017

**Thursday, July 13, 2017**

**Council Budget Workshop 6:30 PM**

1. Discuss Budget
2. Non-Profit Presentations

**Tuesday, July 18, 2017**  
*Regular Council Meeting*

**Council Budget Workshop/Meeting 6:30 PM**

1. Discuss Budget

**Thursday, July 27, 2017**

**Council Budget Workshop 6:30 PM**

1. Discuss Budget
2. GBRA & CCAD Budgets

**Tuesday, August 1, 2017**  
*Regular Council Meeting*

**Council Budget Workshop/Meeting 6:30 PM**

1. Discuss Budget

**Thursday, August 10, 2017**

*Publication of effective and rollback tax rate calculation in local newspaper and posted on website.*

**Thursday, August 10, 2017**

**Council Budget Workshop/Meeting 6:30 PM**

1. Adopt certified tax property roles for the City of Lockhart
2. Discuss Budget
3. Announce Public Hearing Date - Sept. 5, 2017

**Monday, August 14, 2017**

*Send "Notice of Public Hearing" information to newspaper.*

**Tuesday, August 15, 2017**  
*Regular Council Meeting*

**Council Budget Workshop/Meeting 6:30 PM**

1. Discuss Tax Rate
2. Take record vote, if motion passes schedule and announce date & time of public hearings on proposed tax rate.
3. Discuss Budget

**Thursday, August 17, 2017**

**Council Budget Workshop 6:30 PM**

1. Discuss Budget

**Thursday, August 17, 2017**

*"Notice of Public Hearings on Tax Increase," if necessary and "Notice of Public Hearing" on budget appears in newspaper.  
(At least ten days prior to public hearing.)*

**City of Lockhart  
FY 2017-2018 Budget  
Preliminary Budget & Tax Rate Adoption Calendar**

**Friday, August 25, 2017**

*Send "Notice of Public Hearing" information to newspaper.*

**Tuesday, September 5, 2017**  
*Regular Council Meeting*

**1<sup>st</sup> Public Hearing on Tax Rate/ Public Hearing on Budget (7:30 PM) and Council Meeting 6:30 PM**

1. Hold Public Hearing on Tax Rate and Budget.
2. Budget Workshop - Discuss Budget
3. Budget Workshop - Discuss Tax Rate

**Thursday, September 7, 2017**

*"Notice of Public Hearings on Tax Increase," if necessary appears in newspaper.  
(At least seven days prior to public hearing.)*

**Monday, September 18, 2017**

*Send "Notice of Vote on Tax Rate" information to newspaper.*

**Tuesday, September 19, 2017**  
*Regular Council Meeting*

**2<sup>nd</sup> Public Hearing on Tax Rate (7:30) / Budget Workshop and Council Meeting 6:30 PM**

1. Public Hearing on Tax Rate. Schedule and announce date & time of meeting to adopt tax rate and budget, 3-14 days from this date.
2. Budget Workshop - Discuss Budget
3. Budget Workshop - Discuss Tax Rate

**Thursday, September 21, 2017**

*"Notice of Vote on Tax Rate", appears in newspaper.*

**Tuesday, September 26, 2017**

**Special Council Meeting to Adopt Budget and Tax Rate 6:30 PM**

1. Discuss and take appropriate action on Budget Adoption Resolution.
2. Discuss and take appropriate action on Tax Rate Adoption Resolution

LOCKHART CITY COUNCIL FY 17-18 GOALS				
Category and Priority Order				
COUNCIL MEMBER	PRIORITY	GOALS IDENTIFIED BY COUNCIL FOR FY 17-18 (as submitted by Councilmembers)	SUGGESTED FUNDING SOURCE BY COUNCILMEMBER	CATEGORY
BH	3	Continue Improving City Cemetery	with GF Expiring debt saving and/or Cemetery Tax	CEMETERY
Jeff M	2	Refurbish City Hall in the inside (to make more inviting to the public) as well as doing some landscaping outside	General Fund	CITY BLDGS
BW	3	Spruce up and clean up City properties		CITY BLDGS
BH	4	Improve City Facilities Appearance		CITY BLDGS
JC	4	City Facilities		CITY BLDGS
AGS	10	Convention Center		CONVENTION CTR
JC	2	Crime		CRIME
AGS	4	Police Task Force: Budget extra funds for a Police Task Force, a Narcotics Officer and a Mental Health Officer to address any drug and gang related problems and mental issues our city is being faced not only on the East side of our city but citywide. Budget for updated training for our police officers. There is alot of training that is free but alot additional money for registration fees and course material.		CRIME
Jeff M	4	Work with Police Department to bring back drug enforcement program		CRIME
LW	8	Fund for helping utility customers in need	???	CUSTOMER SERV
BW	2	Continue to change angle parking downtown: 200 Blk S Main, 100 Blk N Main, 100 Blk N Commerce, 200 Blk E Market; little time and expense invovled	??	DOWNTOWN
LW	2	Downtown improvements,bathrooms, electric, pedestrian safety, beautification, wifi, lighting		DOWNTOWN
AGS	9	Parking around and surrounding the square. Issues with larger vehicles parked in areas that are narrow and that make it hard to see oncoming traffic		DOWNTOWN
LW	1	Expanding economic development department, budget, office, staff?, marketing	General fund, LEDC	ECCONOMIC DEV
AGS	3	Economic Development: Recurit more businesses especailly retail and continue efforts; contact existing and vacant building owners to see if they are willing to work with the City of Lockhart to bring retail businesses and speciality shops, as well as industrial. Purchase buildings and land when on the market for possible new businesses for the city.		ECCONOMIC DEV
JC	3	Economic Development		ECCONOMIC DEV
AGS	5	Subdivision development to attract more businesses to Lockhart.		ECCONOMIC DEV
JM	5	Set up meetings with developers for more retail space shopping centers along US 183		ECCONOMIC DEV

LOCKHART CITY COUNCIL FY 17-18 GOALS				
Category and Priority Order				
COUNCIL MEMBER	PRIORITY	GOALS IDENTIFIED BY COUNCIL FOR FY 17-18 (as submitted by Councilmembers)	SUGGESTED FUNDING SOURCE BY COUNCILMEMBER	CATEGORY
AGS	6	More Events to Attract Tourism in Lockhart and Include Way Finding Signage (Hotels and Restaurants)		ECONOMIC DEV
AGS	1	All Department Heads to Budget Salary Increases for all City Employees.		EMPLOYEES
JM	1	City Employee Raises		EMPLOYEES
JM	2	House or fund gym membership/space (weight rm) in Senior Center area (cardio machine) for City employees		EMPLOYEES
AGS	8	Employee: Possible additional Employee Holiday Time Off-Alternating System. Even though this has been discussed and the reasons for why it cannot be done, I would like to see a time off alternating system, especailly during the holidays.		EMPLOYEES
BW	1	ENFORCE ordinances that pertain to unsightly properties all over town		ENFORCEMENT
Jeff M	1	Enforce city ordinance regarding residential property		ENFORCEMENT
Jeff M	3	Continue to work on City Park improvements		PARKS
JM	3	Do inventory of City properties to idenify areas for pocket parks	LEDC funds	PARKS
LW	3	Park improvements	General fund	PARKS
BH	5	Parks Improvements	General Fund	PARKS
JC	5	Parks		PARKS
AGS	7	Parks Improvemens: Purchase and update the park equipment to provide safe and fun filled parks for all to use.		PARKS
LW	7	Town branch cleanup and beautification	???	PARKS
JM	4	Start process of Funding Sidewalks east of 183 connecting to the US 183 sidewalks		SIDEWALKS
LW	6	sidewalk repair and expansion	general fund bond	SIDEWALKS
BH	1	IMPLEMENT SIGNAGE IN LOCKHART	General Fund (LEDC) and/or Hotel Tax	SIGNAGE
LW	4	wayfinding, branding	general fund	SIGNAGE
LW	5	Entry signs	general fund	SIGNAGE
Jeff M	6	Signage on Highway 183 and SH130 = directing people to Lockhart		SIGNAGE
BW	4	Pursue oppportunity to move Senior Citizens' Center to St Paul United Church of Christ Property		SR CITIZENS CTR
JC	1	Roads	Grants or impact fees	STREETS/INFRAS
AGS	2	Infrastructure: Continue City Infrastructure: Drainage, Street Repairs, Completion of Curbing, Brighter Lighting in Neighborhoods		STREETS/INFRAS
BH	2	Continue improving City Streets	Increase Transportation Fund	STREETS/INFRAS
Jeff M	5	Continue to make improvements and redoing our city streets		STREETS/INFRAS

**Lockhart City Council**  
**FY 16-17 Goals**  
**Revised 3-10-2016, 8:30 pm**

Priority	Council Person	Goals Submitted	City Manager Comments
1	Castillo	Infrastructure	Complete 2015 CO projects and need budget of \$250,000 per year for streets, continue water and sewer main replacements; continue electric distribution maintenance plan-get new substation on line. Replace bad water raw water mains and find additional water for the future.
1	Gonzales-Sanchez	Department Heads to Budget Salary Increases for city employees so that we can keep our current city employees.	Est Cost Per % Increase Annually: Gen Fund (Not Civil Serv) \$ 29,000; Gen Fund Civil Serv \$ 24,000; Other/Utilities: \$ 15,000- Add'l
1	Hilburn	Improve City Cemetery with GF Expiring debt saving and/or Cemetery Tax	Cemetery Tax up to 5 cents allowed by State Law. Expiring GF debt committed to Police and Fire increased pay rates. (\$132,000)
1	Mendoza	Find ways to use activity center for multi-purpose use. (basketball, volleyball). Funding source: Different companies in town	If approved by Council staff would approach local businesses
1	Michelson	Continue to improve infrastructure (drainage, street repairs) throughout the city	Complete 2015 CO and budget \$250,000 per year for street materials
1	Westmoreland	Enforce ordinances that pertain to unsightly properties all over town. Make homeowners/residents (because some may be renters) take pride in their environment. It is an eyesore to drive around town and see overgrown properties, junked cars, and stacks of trash on porches, in yards and driveways. All levels of socio-economic residents in this town have shown evidence of being disrespectful to their environment.	City has no esthetics ordinance currently. The term "unsightly" is subjective and is difficult to prove in court.
1	White	Economic Development-expanding budget to get staff qualified to help Sandra with recruitment, working with LEDC to either build Spec building or invest in more property, Main St program to relieve Sandra of a lot of those duties	Main Street Program would require another person and funding to work with local businesses while Economic Development would conscentrate 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 maunufacturing
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 maunufacturing
2	Westmoreland	Create a policy for the residency of future admininstrative 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 mintues of City Limis
2	White	Continue street rehab	Need \$ 250,000 annually minimum for street work materials
3	Castillo	City Facilites	Not sure what this includes; can asses all departments for physical needs
3	Gonzales-Sanchez	Economic Development: Recurit more businesses especailly 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 reasonalbe 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
<b>General Government</b>																						
<b>Hotel Tax Fund</b>																						
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
<b>Total Hotel Tax Fund P &amp; I</b>		40,000	40,000	40,000	40,000	40,000	40,000	40,000	40,000	40,000	40,000	40,000	40,000	40,000								520,000
<b>LEDC</b>																						
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
<b>Total LEDC Fund P &amp; I</b>		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
<b>2015 Capital Projects Fund</b>																						
2015 Tax & Revenue		122,620																				122,620
<b>Total 2015 Capital Projects Fund</b>		122,620	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	122,620
<b>Drainage</b>																						
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
<b>Total Drainage Fund P &amp; I</b>		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
<b>General Fund</b>																						
2008 GO Refunding		91,210																				91,210
2015 Tax & Revenue		-																				-
<b>Total General Fund P &amp; I</b>		91,210	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	91,210
<b>Debt Service Fund</b>																						
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
<b>Total Debt Service Fund P &amp; I</b>		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
<b>Total General Government</b>		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	
<b>Proprietary</b>																							
<b>Electric Fund</b>																							
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
<b>Total Electric Fund P &amp; I</b>		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
<b>Water Fund</b>																							
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
<b>Total Water Fund P &amp; I</b>		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
<b>Sewer Fund</b>																							
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
<b>Total Sewer Fund P &amp; I</b>		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
<b>Airport Fund</b>																							
2000 Airport	100.00%																						-
<b>Total Airport Fund P &amp; I</b>		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-		-
<b>Total Proprietary Fund P &amp; I</b>		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
<b>Grand Total</b>		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		<b>TOTAL PROJECT COST</b>				[Gantt chart showing total project duration from Feb 2015 to Jan 2017]																																			
\$2,068,024.00	1	<b>DRAINING IMPROVEMENTS CONTRACT</b> 1 - Mesquite/Wichita Street & Richland Drive				[Gantt chart for Contract 1: Feb 2015 to Mar 2016]																																			
		Surveying Proposal	17 days	Fri 3/6/15	Sun 3/22/15	[Task bar]																																			
		Survey	30 days	Mon 3/23/15	Tue 4/21/15	[Task bar]																																			
		Acquisition	120 days	Wed 4/22/15	Wed 8/19/15	[Task bar]																																			
		Engineering Design	90 days	Wed 4/22/15	Mon 7/20/15	[Task bar]																																			
		Bid Ad/NTP	60 days	Tue 7/21/15	Fri 9/18/15	[Task bar]																																			
		Construction	180 days	Sat 9/19/15	Wed 3/16/16	[Task bar]																																			
\$1,999,200.00	2	<b>DRAINAGE IMPROVEMENTS CONTRACT</b> 2 - Century Oaks/Market Street, & Ash/Comal Streets				[Gantt chart for Contract 2: Mar 2015 to May 2016]																																			
		Surveying Proposal	17 days	Fri 3/6/15	Sun 3/22/15	[Task bar]																																			
		Survey	30 days	Sat 4/25/15	Sun 5/24/15	[Task bar]																																			
		Acquisition	150 days	Mon 5/25/15	Wed 10/21/15	[Task bar]																																			
		Engineering Design	120 days	Mon 5/25/15	Mon 9/21/15	[Task bar]																																			
		Bid Ad/NTP	60 days	Tue 9/22/15	Fri 11/20/15	[Task bar]																																			
		Construction	180 days	Sat 11/21/15	Wed 5/18/16	[Task bar]																																			
\$3,394,038.00	3	<b>DRAINAGE IMPROVEMENTS CONTRACT</b> 3 - Downtown Improvements Project				[Gantt chart for Contract 3: Aug 2015 to May 2017]																																			
		Surveying Proposal	15 days	Sun 8/2/15	Sun 8/16/15	[Task bar]																																			
		Survey	45 days	Mon 8/17/15	Wed 9/30/15	[Task bar]																																			
		Engineering Design	180 days	Thu 10/1/15	Mon 3/28/16	[Task bar]																																			
		Bid Ad/NTP	60 days	Tue 3/29/16	Fri 5/27/16	[Task bar]																																			
		Construction	365 days	Sat 5/28/16	Sat 5/27/17	[Task bar]																																			
\$323,400.00	4	<b>DRAINAGE IMPROVEMENTS CONTRACT</b> 4 - Medina & US183 Project				[Gantt chart for Contract 4: Nov 2015 to Jun 2016]																																			
		Surveying Proposal	15 days	Sun 11/1/15	Sun 11/15/15	[Task bar]																																			
		Survey	7 days	Mon 11/16/15	Sun 11/22/15	[Task bar]																																			
		Acquisition	90 days	Mon 11/23/15	Sat 2/20/16	[Task bar]																																			
		Engineering Design	60 days	Mon 11/23/15	Thu 1/21/16	[Task bar]																																			
		Bid Ad/NTP	60 days	Fri 1/22/16	Mon 3/21/16	[Task bar]																																			
		Construction	90 days	Tue 3/22/16	Sun 6/19/16	[Task bar]																																			
\$1,764,000.00	5	<b>FM 2001 ELEVATED TANK PROJECT</b>				[Gantt chart for Contract 5: Jan 2016 to Jun 2016]																																			
		Surveying Proposal	15 days	Sat 1/2/16	Sat 1/16/16	[Task bar]																																			
		Survey	15 days	Sun 1/17/16	Sun 1/31/16	[Task bar]																																			
		Acquisition	120 days	Mon 2/1/16	Mon 5/30/16	[Task bar]																																			
		Engineering Design	90 days	Mon 2/1/16	Sat 4/30/16	[Task bar]																																			
		Bid Ad/NTP	60 days	Sun 5/1/16	Wed 6/29/16	[Task bar]																																			

