

PUBLIC NOTICE

AGENDA

LOCKHART CITY COUNCIL

TUESDAY, FEBRUARY 19, 2019

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

6:30 P.M.

WORK SESSION (No Action)

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

PRESENTATION ONLY

- A. Presentation of a proclamation declaring February 22, 2019 as "President George Washington Day" in honor of his birthday.

DISCUSSION ONLY

- A. Discussion and update regarding the Lockhart Hospital. 5-14
- B. Discuss minutes of the City Council meetings of January 15, 2019, January 22, 2019, February 2, 2019, and February 5, 2019.
- C. Discuss Ordinance 2019-03 amending Lockhart Code of Ordinances, Chapter 2, Administration, Article V, Finance, adding subsection 2-279(c) providing for electronic fund transfers (ACH – automated clearing house) as a form of payment. 32-52
- D. Discuss modifications to the Lockhart Municipal Airport Fixed Based Operator Lease Agreement from Mr. Stanley Martin to Martin & Martin Aviation, LLC comprised of Keith Uhls and Reine Smith and approving the Mayor to sign the Assignment of Lease, if approved. 53-56
- E. Discuss implementation of the Wi-Fi Hotspot Lending Policy at the Library as recommended by the Library Advisory Board. 57-80
- F. Discuss the 2018 Racial Profiling Report. 81-86
- G. Discuss the Lockhart Water Plant as the city's finished water delivery point, as part of the Guadalupe-Blanco River Authority (GBRA) Carrizo Groundwater Supply Project. 87-102
- H. Discuss Ordinance 2019-05 amending Chapter 62, "Vehicles for Hire" of the City's Code of Ordinances by adding Article IV "Horse Drawn Carriages" to regulate the use of such carriages. 103-110
- I. Discuss possible formation of a new ad-hoc committee to complete the branding and wayfinding plan, and consider future appointment of members to the committee. 111-116
- J. Discuss possible regulations to govern the use of the public sidewalks in the central business district for objects associated with abutting businesses such as benches, chairs and tables, clothing racks, portable statues, signs, and other promotional items. 117-122
- K. Discussion regarding open containers during downtown events. 123-126
- L. Discussion regarding request that the Kiwanis Field become the Mark A. Martinez Field, which includes the installation of a new scoreboard at the Lockhart Little League Sports Complex dedicated in honor of the late Mark A. Martinez. 127-128
- 129-136

7:30 P.M. REGULAR MEETING

1. CALL TO ORDER

Mayor Lew White

2. INVOCATION, PLEDGE OF ALLEGIANCE

Invocation.

Pledge of Allegiance to the United States and Texas flags.

3. 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. DISCUSSION ONLY

A. Discussion and update regarding the Lockhart Hospital.

5. PUBLIC HEARING/COUNCIL ACTION

A. Hold a public hearing and discussion and/or action to consider an Appeal by the Lockhart Downtown Business Association, Inc., of the Planning and Zoning Commission's denial of SUP-19-03, an application by Michael Hollifield on behalf of Cynthia Alvarez for a Specific Use Permit to allow a Church on part of Lots 4 and 5, Block 23, Original Town of Lockhart, consisting of 0.18 acre zoned CCB Commercial Central Business District and located at 115 North Commerce Street.

15-27

B. Hold a public hearing and discussion and/or action to consider Ordinance 2019-04 amending Chapter 36, Offenses and Miscellaneous Provisions, Section 36-12, Curfew Imposed and Section 36-14, Parental Responsibility.

28-31

6. CONSENT AGENDA

A. Approve minutes of the City Council meetings of January 15, 2019, January 22, 2019, February 2, 2019, and February 5, 2019.

32-52

B. Approve Ordinance 2019-03 amending Lockhart Code of Ordinances, Chapter 2, Administration, Article V, Finance, adding subsection 2-279(c) providing for electronic fund transfers (ACH – automated clearing house) as a form of payment.

53-56

C. Approve modifications to the Lockhart Municipal Airport Fixed Based Operator Lease Agreement from Mr. Stanley Martin to Martin & Martin Aviation, LLC comprised of Keith Uhls and Reine Smith and approving the Mayor to sign the Assignment of Lease, if approved.

57-80

D. Approve implementation of the Wi-Fi Hotspot Lending Policy at the Library as recommended by the Library Advisory Board.

81-86

E. Approve the 2018 Racial Profiling Report.

87-102

F. Approve the Lockhart Water Plant as the city's finished water delivery point, as part of the Guadalupe-Blanco River Authority (GBRA) Carrizo Groundwater Supply Project.

103-110

7. **DISCUSSION/ACTION ITEMS**

- A. Discussion and/or action to consider Ordinance 2019-05 amending Chapter 62, "Vehicles for Hire" of the City's Code of Ordinances by adding Article IV "Horse Drawn Carriages" to regulate the use of such carriages. 111-116
- B. Discuss possible formation of a new ad-hoc committee to complete the branding and wayfinding plan, and consider future appointment of members to the committee. 117-122
- C. Discuss possible regulations to govern the use of the public sidewalks in the central business district for objects associated with abutting businesses such as benches, chairs and tables, clothing racks, portable statues, signs, and other promotional items. 123-126
- D. Discussion regarding open containers during downtown events. 127-128
- E. Discussion regarding request that the Kiwanis Field become the Mark A. Martinez Field, which includes the installation of a new scoreboard at the Lockhart Little League Sports Complex dedicated in honor of the late Mark A. Martinez. 129-136
- F. Discussion and/or action regarding appointments to various boards, commissions or committees. 137-144

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

- Special meeting regarding Parks Master Plan on Wednesday, February 27 at 6:30 p.m. in the Council Chambers.
- Household Hazardous Waste Collection event will be held on Saturday, March 2 at City Park from 9am until 12(noon). City will also have staff available at the Recycling Center from 8am-1pm to assist with items brought to the event that can be recycled.
- 2019 Residential Citywide Cleanup Program scheduled for April 3, 10, 17 and 24, depending on customer location.
- KidFish and Welcome Spring Day at City Park will be held on March 16 from 9am until 12(noon). Tolbert Chili Cookoff is also scheduled at City Park that weekend, March 15-16.
- Update relative to the Alliance Regional Water Utility (ARWA) and GBRA proposed groundwater treatment plant, groundwater assessments, and project schedule.
- Update received from Texas ProKart Race concerning a Kart Race event in Lockhart tentatively scheduled for March/April of 2020.
- Update on the competitive bidding process for Fire Station No. 2.
- Review of the January 2019 Revenue and Expenditure Report.
- Update from the recent public meeting with a Texas Historical Commission representative concerning historic preservation tax credits.

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

- Meadows at Clearfork Section II- Water and wastewater utilities have passed all required tests. Completion of the subdivision was set for April 2019, weather permitting.
- City's contractor has completed laying 2,585 feet of 18-inch water main that runs alongside the SH130 Frontage north of West San Antonio Street. Plans for the new elevated water storage tank are nearing completion.
- Staff met with GBRA to discuss the Wastewater Plants Discharge Permit renewals. No changes are expected to our parameters; renewal applications will be filed in May 2019 with TCEQ. Our current permits expire in February 2020.
- The bid opening for the City Line Road Realignment Project was held on February 7th. Staff is finalizing the package and plans to bring this item to Council on March 5th.

9. COUNCIL AND STAFF COMMENTS – ITEMS OF COMMUNITY INTEREST

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

10. ADJOURNMENT

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

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 15th day of February 2019 at 1:50 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

City of Lockhart, Texas

Council Agenda Item Briefing Data

COUNCIL MEETING DATE: February 19, 2019

AGENDA ITEM CAPTION:

Discussion and update regarding Lockhart Hospital.

ORIGINATING DEPARTMENT AND CONTACT:

Rob Tobias (512) 376-0856

ACTION REQUESTED:

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

BACKGROUND/SUMMARY/DISCUSSION:

The Lockhart Hospital is set to break ground in early 2019. The facility will be located at 200 City Line Road. This project is proposed to bring in 30+ jobs with an average annual wage of \$60,000 per year. The capital investment proposed is \$7.8 million with \$1.3 million in land already purchased and another \$2 million in furniture, fixtures and equipment totaling \$11 million. This project is tied to finalizing of a United States Department of Agriculture (USDA) loan. Building plans have been approved and a building permit is ready to be issued. Company officials will be in attendance to provide a further update. Lockhart City Council approved the \$466,000 incentives based on the Resolution 2018-10.

PROJECT SCHEDULE (if applicable):

None

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

Funds Required: \$366,000; \$100,000 to City of Lockhart for realignment of City Line Road
Account Number: Eco Dev – Lockhart Emergency Care Center 800-5199-704-8

Funds Available:

Account Name:

FISCAL NOTE (if applicable):

Lockhart Economic Development Corporation does not budget for Economic Development projects. Total project costs are encumbered annually.

COMMITTEE/BOARD/COMMISSION ACTION:

LEDC – Public Hearing held April 23, 2018

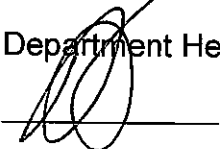
STAFF RECOMMENDATION/REQUESTED MOTION:

Receive update from project representatives.

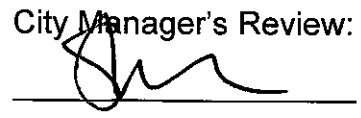
LIST OF SUPPORTING DOCUMENTS:

Resolution 2018-10

Department Head initials:



City Manager's Review:



HISTORY

RESOLUTION NO. 2018-10

A RESOLUTION OF THE CITY COUNCIL OF LOCKHART, TEXAS FOR FUNDING UP TO \$466,000 FOR LOCKHART EMERGENCY CARE CENTER LLC (LECC) UNDER THE TEXAS ECONOMIC DEVELOPMENT CORPORATION ACT OF 1979, AS AMENDED, FOR INFRASTRUCTURE IMPROVEMENTS THAT ARE REQUIRED OR SUITABLE FOR THE DEVELOPMENT, RETENTION, OR EXPANSION OF FACILITIES TO PROMOTE OR DEVELOP NEW OR EXPANDED BUSINESS ENTERPRISES, AND TO CREATE AND MAINTAIN NEW JOBS

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

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

WHEREAS, LEDC approved a project named LECC after proper public notice and a public hearing on April 23, 2018, for an incentive amount not to exceed \$466,000 based on a \$11.3 million investment, (includes \$1.3 million for land), with up to 30 new full-time equivalent (FTE) jobs with an average hourly wage of \$30.00 to be created and retained for a minimum of ten (10) years; and

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

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

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

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

The LEDC shall pay up to \$466,000 for infrastructure and other development costs subject to the conditions as set out in Exhibit A Economic Development Performance Agreement attached hereto and in Chapters 501, 504, and 505 of the Texas Economic Development Corporation Act of 1979.

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HISTORY

PASSED AND ADOPTED at a meeting of the Lockhart City Council held on this 15th
day of May, 2018.

City of Lockhart

Lew White
Lew White, Mayor

ATTEST:

Connie Constancio
Connie Constancio, TRMC
City Secretary

APPROVED AS TO FORM:

Peter Gruning
Peter Gruning, City Attorney



HISTORY

EXHIBIT A

ECONOMIC DEVELOPMENT PERFORMANCE AGREEMENT

This Economic Development Performance Agreement ("Agreement") is made and entered into by and between THE LOCKHART ECONOMIC DEVELOPMENT CORPORATION OF LOCKHART, TEXAS ("LEDC"), a Type B Economic Development Corporation and LOCKHART EMERGENCY CARE CENTER LLC (LECC).

RECITALS

WHEREAS, LECC desires to expand to the City of Lockhart, Texas ("City") and participate in the Economic Development Program established in this Agreement; and

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

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

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

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

AGREEMENTS

Section 1. Recitals

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

Resolution 2018-10

HISTORY

Section 2: Term

The term of this Agreement shall be ten (10) years from the 1st day of the month following the beginning of business operations by LECC. When used hereafter, the phrase "duration of this Agreement" shall mean the term as defined above.

Section 3. LEDC Requirements

In consideration of LOCKHART EMERGENCY CARE CENTER LLC (LECC) agreement to locate its business within the City and to perform the other acts hereinafter described, LEDC agrees it will provide incentives up to \$466,000 (\$100,000 of which is for City Line Road Realignment) for land, building, infrastructure, and other associated development costs in consideration of LECC creating up to 30 FTE jobs with an average hourly wage of \$30.00 which are subject to the conditions set out herein and in Chapter 505 of the Local Government Code (formerly Section 4B, of the Texas Economic Development Corporation Act of 1979). The amount of financial incentive benefits that LECC will retain from the LEDC project funds is subject to the number of jobs created, as described in 4(b) below.

Section 4. LOCKHART EMERGENCY CARE CENTER LLC (LECC) Requirements

In consideration of LEDC agreeing to perform the foregoing, LECC agrees:

- (a) To locate and construct a building and other improvements in City of Lockhart;
- (b) To employ up to 30 Full Time Equivalent ("FTE") employees at an average hourly wage of \$30.00 from the date that LECC opens for business and to continue employing at least that number thereafter until the end of the term of this Agreement. The term "Full Time Equivalent," as used in this Agreement, shall mean employment worked by one or more people during a calendar year that is equal to a total of at least 2,080 hours;
- (c) To keep current in the payment of taxes owed to any taxing jurisdiction in which the Property is located.

Section 5. Recapture/Termination

(a) In the event that LOCKHART EMERGENCY CARE CENTER LLC (LECC) begins operating its business, but subsequently discontinues operating its business in such for any reason (a "Business Interruption"), except as a result of fire, explosion, or other casualty or accident, force majeure or other natural disaster, war or civil unrest, a taking under eminent domain, regulatory restrictions of any applicable governmental entity which makes conduct of the LECC illegal or economically untenable, or other event beyond the reasonable control of LECC: (the "Business Interruption Exceptions") for a period of more than one hundred eighty (180) days during the duration of this Agreement, then in such event LECC shall be required to repay to LEDC any monies

HISTORY

expended by the LEDC under Section 3 of this Agreement within thirty (30) days of written demand therefore following the expiration of such period.

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

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

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

Section 6. Certification of Compliance by LOCKHART EMERGENCY CARE CENTER LLC (LECC)

On or before March 1 of each year that this Agreement is in effect, LECC shall upon request certify in writing to the LEDC that it is in compliance with all provisions of this Agreement. Such certification shall include any and all documentation required by the LEDC establishing that LECC has met the annual employment requirement for the previous year and that all taxes related to the Property have been paid in full as required by law. The LEDC, upon reasonable notice and at any reasonable time, shall have the right to review any and all records of related to the provisions of this Agreement, including but not limited to FTE positions created or retained, capital investments made, and use or distribution of and direct incentives received.

HISTORY

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

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

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

Section 8. Entire Agreement

This Agreement, when executed, contains the entire agreement between the LEDC and LECC with respect to the transactions contemplated herein. This Agreement may be amended, altered, or revoked only by written instrument signed by the LEDC and LECC.

Section 9. Successors and Assigns

This Agreement may not be assigned to any third party by LECC without the written consent of LEDC. In the event of such assignment or in the event of legal succession of LECC interest in this Agreement by operation of law, this Agreement shall be binding on and inure to the benefit of such assign or successor.

Section 10. Notices

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

LOCKHART EMERGENCY CARE CENTER LLC (LECC):
Chief Operations Officer
LOCKHART EMERGENCY CARE CENTER
LLC (LECC)
22100 Bulverde Road
San Antonio, Texas 78259

Resolution 2018-10

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HISTORY

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

Section 11. Interpretation

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

Section 12. Severability

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

Section 13. Mutual Assistance

LEDC and LECC agree to do all things reasonably necessary and appropriate to carry out the terms and provisions of this Agreement and to aid and assist each other in carrying out such terms and provisions.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the 23 day of April, 2018.

THE LOCKHART ECONOMIC DEVELOPMENT CORPORATION:


Vance Rodgers, LEDC President

ATTEST:


Robert Tobias, LEDC Secretary

LOCKHART EMERGENCY CARE CENTER LLC (LECC):


Brian Johnson, Chief Operating Officer

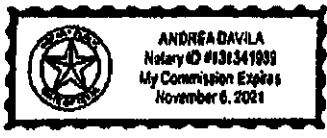
Resolution 2018-10

HISTORY

State of Texas §
County of Caldwell §

The foregoing instrument was acknowledged before me this 23 day of April, 2018, by Vance Rodgers, known to me to be the President of the Lockhart Economic Development Corporation (LEDC) of Lockhart, Texas.

Andrea Davila
Notary Public State of Texas



My Commission expires:
November 6, 2021

State of Texas §
County of Bexar §

The foregoing instrument was acknowledged before me this 24 day of April, 2018, by Brian Johnson, known to me to be the Chief Operations Officer of LOCKHART EMERGENCY CARE CENTER LLC (LECC), acting on behalf of such corporation.



My Commission expires:
9/25/19

Resolution 2018-10

Lockhart Emergency Care Center, LLC
 LEDC New Project Incentives
 April 23, 2018

Exhibit A

<u>Type</u>	<u>Estimate Up To</u>	<u>Reimbursement Notes</u>
Impact Fees	\$ 50,000	Road, Water, Sewer Impact Fees
Bldg Permit Fees	\$ 31,000	Based on \$10.0 million dollar facility
Utility Taps	\$ 5,000	Water, Sewer, Electric
Transformers (primary)	\$ 30,000	Electric Service
Infrastructure (other)	\$ 350,000	*Drainage and other infrastructure

Total Potential Incentives \$ 466,000

* All potential incentives subject to approval by governing entities which will consider the investment amount and the number of new jobs created including their average wage. Required 30 jobs initially and 38 jobs at end of 5th year with average wage of \$30 per hour. Will be reimbursed for fees, taps, and transformers up to the amounts listed. \$100,000 of the Infrastructure (other) amount will be used as developer's share of realignment of City Line Road. Balance of \$250,000 will be paid based on proof of \$10 million investment not including land.

* \$100,000 Toward City Line Road realignment

Resolution 2018-10

HISTORY

City of Lockhart, Texas

Council Agenda Item Briefing Data

COUNCIL MEETING DATE: February 19, 2019

AGENDA ITEM CAPTION:

Hold a PUBLIC HEARING and discussion and/or action to consider an Appeal by the Lockhart Downtown Business Association, Inc., of the Planning and Zoning Commission's denial of SUP-19-03, an application by Michael Hollifield on behalf of Cynthia Alvarez for a Specific Use Permit to allow a Church on part of Lots 4 and 5, Block 23, Original Town of Lockhart, consisting of 0.18 acre zoned CCB Commercial Central Business District and located at 115 North Commerce Street.

ORIGINATING DEPARTMENT AND CONTACT: Planning Department – Dan Gibson, City Planner

ACTION REQUESTED:

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

BACKGROUND/SUMMARY/DISCUSSION:

The CCB district allows a variety of commercial uses by-right such as offices, retail, and restaurants, but churches require approval of a specific use permit. The same applicant previously requested a change in zoning for this property from CHB to CCB, and it was approved by the City Council on December 18, 2018. The proposed church will have a seating capacity of 120 in the sanctuary, and will operate only on Sunday mornings. Off-street parking is not required in the CCB District, but adequate on-street parking is available on Sunday mornings. Concerns have previously been expressed that churches occupying commercial buildings are not the most productive use of space in a district where other uses operating for more days during the week and generating tax revenue should be encouraged. However, the subject building has been vacant for many years so the proposed church would not be subtracting from the number of business locations already in use in the downtown area. Another concern has been that churches automatically create a 300-foot buffer zone within which new establishments cannot serve alcoholic beverages for on-premise consumption. However, the City Council recently amended that ordinance to exempt such businesses located within the CCB Commercial Central Business District. The Council may uphold, modify, or reverse the decision of the Planning and Zoning Commission. More detailed information is contained in the attached staff report to the Planning and Zoning Commission.

PROJECT SCHEDULE (if applicable): Not applicable

AMOUNT & SOURCE OF FUNDING: (to be completed by Finance): Not applicable

FISCAL NOTE (if applicable): Not applicable

COMMITTEE/BOARD/COMMISSION ACTION:

Approved 5-0 by Planning and Zoning Commission on January 9, 2019, subject to posting signs prohibiting vehicles from blocking the alley abutting the south side of the building.

STAFF RECOMMENDATION/REQUESTED MOTION: Uphold the P & Z Commission's approval

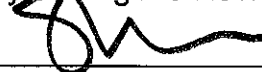
LIST OF SUPPORTING DOCUMENTS:

1) Letter of appeal. 2) Minutes of the January 9, 2019, Planning and Zoning Commission meeting. 3) Location map and aerial photo. 4) Staff report. 5) Site plan/survey. 6) Application form.

Department Head initials:

D. G.

City Manager's Review:



LOCKHART DOWNTOWN BUSINESS ASSOCIATION, Inc.

117 West Market St.
Lockhart, TX 78644

January 16th, 2019

CITY OF LOCKHART

JAN 17 2019

BUILDING INSPECTIONS DEPT.

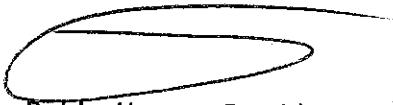
Dan Gibson,
Zoning Administrator
City of Lockhart
P.O. Box 239
Lockhart, TX 78644

Dear Mr. Gibson:

In accordance with Section 64-127(c)(6)(e-f) of the City of Lockhart zoning ordinance, the Lockhart Downtown Business Association, Inc., is requesting with this letter an appeal of the Wednesday, January 9th, approval of SUP-19-03 (Specific Use Permit to allow a Church in 115 N. Commerce Street) by the Planning and Zoning Commission.

Please inform us when the appeal date will be so that we can prepare.

Respectfully,



Bobby Herzog, President



Ronda Reagan, Secretary

City of Lockhart
Planning and Zoning Commission
January 9, 2019

MINUTES

Members Present: Philip Ruiz, Philip McBride, Marcos Villalobos, Paul Rodriguez, Manuel Oliva

Members Absent: Christina Black

Staff Present: Dan Gibson, Christine Banda

Visitors/Citizens Addressing the Commission: Esthela Cisneros, Michael Hollifield Crystal Murdoch, Richard Robles, Angela Robles, Catherine Pierre, Louis Pierre, Yvette Aguado, Laura Chavez, Rene Estrada, Gabriel Gonzales, Daniel Perez, Tom Guyton, Cynthia Alvarez, Parind Vora, William Genn, Gwen Genn, Leslie Castillo, Ron Faulstich, Rhonda Reagan, Perla Morales, Dan Dees, Jennifer Dees, Steve Lucio, Frances Lucio

1. Call meeting to order. Chair McBride called the meeting to order at 7:00 p.m.
2. Citizen comments not related to an agenda item. None
3. Consider the Minutes of December 12, 2018 meeting.

Commissioner Oliva moved to approve the December 12, 2018 minutes. Commissioner Villalobos seconded, and the motion passed by a vote of 5-0.

4. SUP-19-02. Hold a PUBLIC HEARING and consider a request by Esthela Cisneros on behalf of Ibex Leasing Company for a Specific Use Permit to allow Retail Sales of nutritional products on 1.734 acres in the Francis Berry Survey, Abstract 2, zoned CLB Commercial Light Business District and located at 1003 West San Antonio Street (SH 142).

Mr. Gibson explained that a specific use permit is required for the sale of nutritional products, which would fall under retail sales in the CLB Commercial Light Business District. He presented maps and photos of the subject property and surrounding area. He said that staff recommends approval.

Chair McBride opened the public hearing and asked the applicant to come forward.


Esthela Cisneros of 221 Live Oak Drive, Cedar Creek, said she would like to help others lose weight like she had. She will have nutritional items and shakes to offer patrons.

Chair McBride asked if she would utilize the drive-through window.

Ms. Cisneros replied that she had no plans to use it.

There being no one else to speak, Chair McBride closed the public hearing.

Commissioner Oliva moved to approve SUP-19-02 and Commissioner Ruiz seconded. The motion passed by a vote of 5-0.

- 
5. SUP-19-03. Hold a PUBLIC HEARING and consider a request by Michael Hollifield on behalf of Cynthia Alvarez for a Specific Use Permit to allow a Church on part of Lots 4 and 5, Block 23, Original Town of Lockhart, consisting of 0.18-acre zoned CCB Commercial Central Business District and located at 115 North Commerce Street.

Mr. Gibson reminded the Commission that the subject property was previously rezoned from CHB to CCB, and explained that a specific use permit is required for a church in the CCB Commercial Central Business District. The application states that the building will be remodeled to accommodate three classrooms, three bathrooms, and a sanctuary seating 120 people. If needed, they will hold two services on Sunday mornings. The use of the building will primarily be on Sunday mornings. No off-street parking is required, and the adjacent alleyway is not wide enough for two-way access to the few parking spaces in the rear, so all of the parking will be on-street. Mr. Gibson pointed out that the nearby Presbyterian Church has a small parking lot, but their members also park in the street. He noted that the church is within 300 feet of the Lockhart Bistro, which sells alcoholic beverages for on-premise consumption, but since the restaurant was there first there would be no affect on the restaurant operation unless their TABC permit was terminated. However, he also mentioned that there had been discussion regarding changing the local ordinance to eliminate the 300-foot restriction in the central business district. If that happened, then churches would have no impact on the potential location of establishments that sell alcoholic beverages for on-premise consumption. Mr. Gibson closed by pointing out that the building had been vacant for a long time, so a church would not be displacing an existing retail business, and that the church was not the owner of the property and intended only to lease the space until they outgrow it.

Commissioner Rodriguez asked if a fire inspection would be done.

Mr. Gibson replied that fire and other code inspections are part of the process before the building can be occupied for the proposed use.

Commissioner Ruiz asked about the status of the alley.

Mr. Gibson said that the alley is public right of way, and is not part of any private property.

Chair McBride opened the public hearing and asked the applicant to come forward.

Michael Hollifield, of 119 Azolar Drive in San Marcos, said he is the pastor of Promiseland Church, and stated that they already had an inspection to see what would need to be done to the building. He mentioned that at the City Council meeting for the zoning change there was concern about affecting the availability of parking for the Presbyterian Church. He said his members would not use the Presbyterian Church parking lot, and would park only in the street. He explained that his congregation would bring business to downtown area, and that they wish to continue being a part of the Lockhart community. Finding this location had been a blessing because they have been tearing down and setting up at the Lockhart Junior High School every Sunday for the past two years.

Crystal Murdoch, of 1203 Spruce Street, spoke in favor of the specific use permit.

Richard and Angela Robles, of 909 Travis Street, spoke in favor of the specific use permit.

Catherine and Louis Pierre, of 1018 Johnson Street, spoke in favor of the specific use permit.

Yvette Aguado, of 738 Neches Street, spoke in favor of the specific use permit.

Perla Morales, of 1412 West San Antonio Street, spoke in favor of the specific use permit.

Dan and Jennifer Dees, of 1223 West Live Oak Street, spoke in favor of the specific use permit.

Laura Chavez, of 1002 Crockett Street, spoke in favor of specific use permit.

Rene Estrada, of 520 Neches Street, spoke in favor of the specific use permit.

Gabriel Gonzales, of 615 Indian Blanket Street, spoke in favor of the specific use permit.

Steve and Frances Lucio, of 726 Anderson Lane in Martindale, spoke in favor of the specific use permit.

Daniel Perez, of 800 Plum Street, spoke in favor of the specific use permit.

Tom Guyton, of 507 Shelley's Cove, spoke in favor of the specific use permit.

Cynthia Alvarez, of 355 Old Luling Road, said she is the owner of the building and supports approval of the specific use permit. She mentioned that the building has been empty for some time, and believes it would benefit from being used by the church.

Chair McBride asked for any other speakers to come forward.

Parind Vora, of 119 E San Antonio Street, said he is the owner of Lockhart Bistro, which is across the alley from the subject property. He was concerned that if his business had a fire and he would have to rebuild or remodel and reapply for his alcohol license, there would be a problem because a church is within 300 feet of his front door. He said churches don't pay taxes so the city would be missing out on collecting taxes instead of having a retail business at the subject property. He believes it is best for the downtown area to have businesses that add to the city's tax base. His other concern is parking downtown, which is very limited. His restaurant serves Sunday brunches that occur during the church hours and would compete for available parking spaces. In addition, Mr. Vora added that delivery trucks which use the alley in the back to unload could conflict with the church activities.

Mr. Gibson reminded the Commission that staff is considering recommending a change in the ordinance that currently limits the sale of alcoholic beverages for on-premise consumption within 300 feet of churches downtown.

William Genn, of 109 East San Antonio Street, said he resides on the second floor of his building. His tenant on the first floor is the clock museum, which at times holds charitable events where alcohol is consumed. His primary concern is parking in the rear of his building. He wanted the alley to stay accessible. On several occasions large delivery trucks or vehicles owned by customers of the Pearl bar have blocked him in.

Gwen Genn, of 109 East San Antonio Street, said that they would like for their daughter to inherit the building they own and be able to do whatever she likes with it. She would not want a church nearby to restrict any use allowed for the building.

Leslie Castillo, of 800 Clear Fork Street, said she is an elder at the Presbyterian Church. She stated that the church holds various events throughout the year where parking could be an issue. She said a lot of their members are elderly, so her main concern is parking.

Ron Faulstich, of 121 Nueces Street, said he is the owner of 113 East San Antonio Street which is located downtown across from the County Courthouse. He was concerned about congestion, and would like the option of one day turning his building into a nightclub or restaurant. He said he was a member of the downtown business group, and that they have noticed a lot more traffic downtown during the weekends.

Rhonda Reagan, of 412 West San Antonio Street, said she owns two buildings in the area. She is opposed to a church downtown. She argued that more retail downtown would make Lockhart more viable.

Chair McBride asked if the applicant wished to address any issues that were raised by those who opposed the church.

Michael Hollifield said the church planned to have two services on Sunday mornings to reduce the parking impact of everyone attending at once. He stated that his congregation would probably eat at nearby restaurants after services, and he was not aware of loading trucks blocking the alley. The members of the church would not be allowed to park in the rear of the building when attending the morning services. He noted that they do not wish to be a problem, but a solution, and they don't want to create any division within community.

There being no one else to speak, Chair McBride closed the public hearing.

Commissioner Ruiz asked staff if parking in the street right of way is available for anyone to use no matter what business they are going to.

Mr. Gibson replied affirmatively, that anyone can use the on-street parking spaces downtown.

Commissioner Ruiz moved to approve SUP-19-03 with the condition that signage is added to prohibit parking, loading, or blocking of the public alley. Commissioner Rodriguez seconded, and the motion passed by a vote of 5-0.

6. View the 2018 State of the City presentation.

Mr. Gibson presented PowerPoint slides with his commentary, and there was discussion.

7. Discuss the date and agenda of next meeting, including Commission requests for agenda items.

Mr. Gibson stated there was at least one agenda item for the next meeting on January 23.

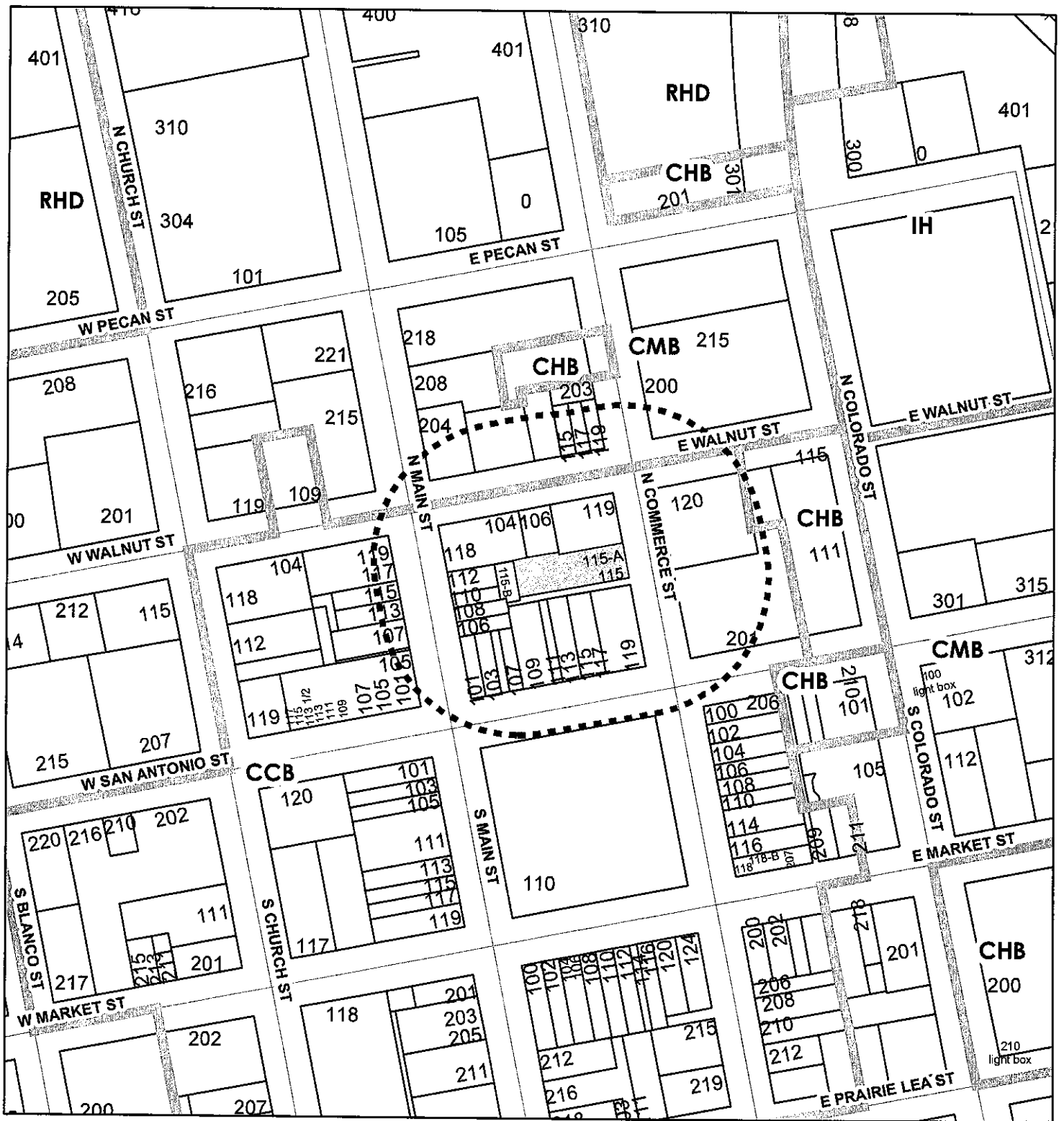
8. Adjourn.

Commissioner Oliva moved to adjourn, and Commissioner Villalobos seconded. The motion passed by a unanimous vote, and the meeting adjourned at 8:32 p.m.

Approved: 1-23-2019
(date)

Christine Banda
Christine Banda, Recording Secretary

Philip McBride
Philip McBride-Chairman



SUP-19-03

115 N COMMERCE ST

CHURCH



Zoning Boundary



Subject Property

scale 1" = 200'

22



CASE SUMMARY

STAFF CONTACT: Dan Gibson, City Planner
REPORT DATE: January 2, 2019
PUBLIC HEARING DATE: January 9, 2019
APPLICANT'S REQUEST: Church
STAFF RECOMMENDATION: *Approval.*
SUGGESTED CONDITIONS: None.

CASE NUMBER: SUP-19-03

BACKGROUND DATA

APPLICANT(S): Michael Hollifield
OWNER(S): Cynthia Alyarez
SITE LOCATION: 115 North Commerce Street
LEGAL DESCRIPTION: Part of Lots 4 & 5, Block 23, Original Town of Lockhart
SIZE OF PROPERTY: 0.18 acre
EXISTING USE OF PROPERTY: Vacant commercial building
ZONING CLASSIFICATION: CCB Commercial Light Business District

ANALYSIS OF ISSUES

CHARACTERISTICS OF PROPOSED USE: The CCB district allows a variety of commercial uses by-right such as offices, retail, and restaurants, but churches require approval of a specific use permit. The same applicant previously requested a change in zoning for this property from CHB to CCB, and it was approved by the City Council on December 18th. That change eliminated several issues regarding the CHB zoning, including that it was an undesirable spot zone surrounded by CCB zoning, the nonconforming front and side setbacks of the existing building, the lack of off-street parking, and the lack of consistency with the future land use plan map. The proposed church will have a seating capacity of 120 in the sanctuary, subject to compliance with building and fire codes, and will operate only on Sunday mornings.

NEIGHBORHOOD COMPATIBILITY: The subject property is in the central business district, where most adjacent or nearby uses are offices, retail stores, and restaurants. The First Presbyterian Church is across Commerce Street, with their remote multipurpose building immediately adjacent to the north of the subject property. That church has a small parking lot, but people attending services also have the option of parking in the street. The subject property, like most in the central business district, does not have a usable off-street parking lot, so all attendees must park in the street. Because the proposed church will be occupied only on Sunday mornings, there will be plenty of on-street parking spaces available throughout the downtown area, and the impact on the surrounding area should be minimal.

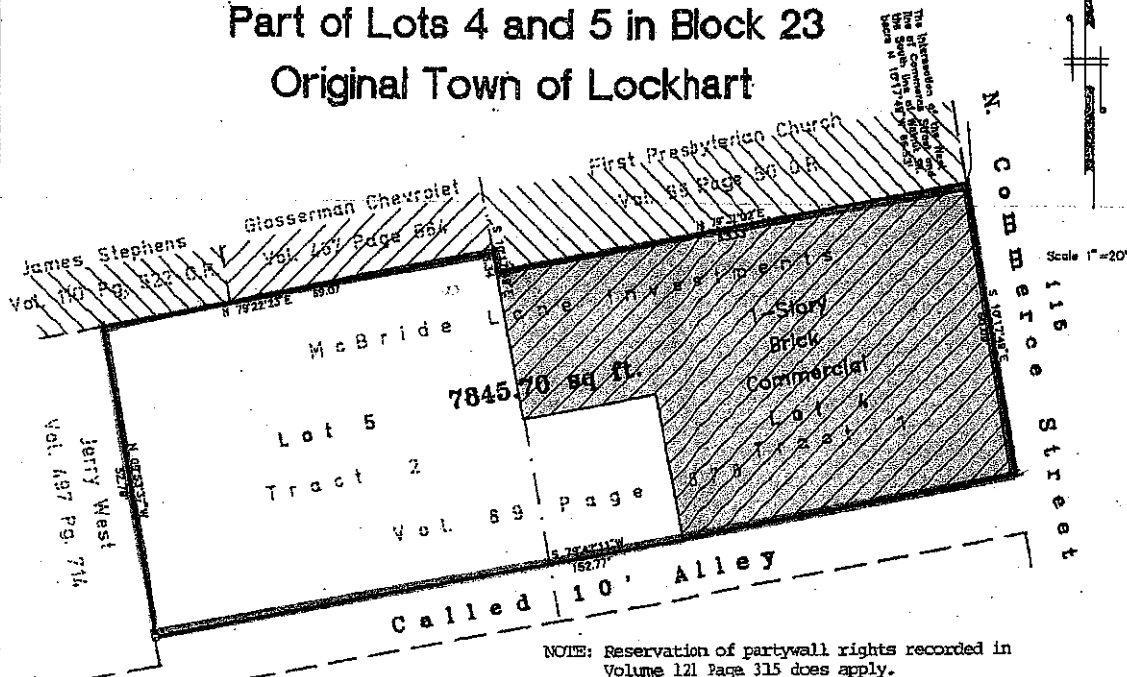
COMPLIANCE WITH STANDARDS: The church will comply with all applicable standards. Although off-street parking is not required in the CCB district, adequate on-street parking is available on Sunday mornings.

ADEQUACY OF INFRASTRUCTURE: Adequate utilities already serve the site.

ALTERNATIVES: The proposed use is allowed by-right only in the PI Public and Institutional District, and requires a specific use permit in all other zoning classifications. Concerns have previously been expressed that churches occupying commercial buildings are not the most productive use of space in a district where other uses operating for more days during the week and generating tax revenue should be encouraged. However, the subject building has been vacant for many years so the proposed church would not be subtracting from the number of business locations already in use in the downtown area.

RESPONSE TO NOTIFICATION: None received as of the date of this report.

**City of Lockhart Caldwell County, Texas
Part of Lots 4 and 5 in Block 23
Original Town of Lockhart**



NOTE: Reservation of partywall rights recorded in Volume 121 Page 315 does apply.


SURVEY PLAT

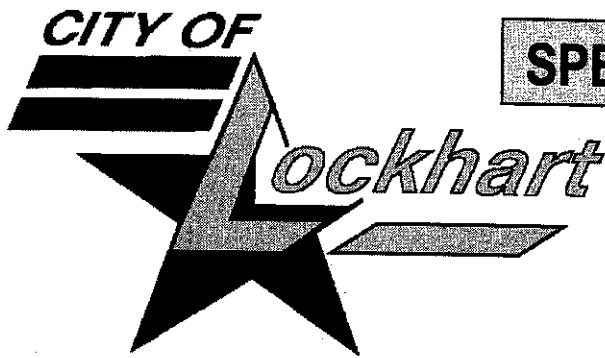
Showing a 7845.70 sq ft tract of land out of Lots 4 and 5 in Block 23 of the ORIGINAL TOWN OF LOCKHART, Caldwell County, Texas and the improvements as found situated thereon. I hereby certify that the foregoing plat is a true and correct representation of a survey made on the ground by me on September 18, 1995. There are no visible easements, encroachments, protrusions, conflicts nor any shortages in area nor boundary other than shown hereon. The property shown lies in Flood Zone "X" according to FEMA Panel #480095-0005-C dated January 17, 1991. This survey is for use with this one transaction only. Only those prints containing the raised Surveyor's seal and an original "LIVE" signature should be considered official and relied upon by the user.

LEGEND
 ○ IRON PIN SET
 ▨ EXISTING BLDG

Field Book: dc.	Drawn By: JLW
Job No. 81895	Drawing: 81895.dwg
Date: September 18, 1995	Word Disk: Begin 90195
Surveyed By: JLW LDR CSH	AutoCAD Disk: Begin 80185




Claude Hinkle Surveyors
 P. O. Box 1027
 Lockhart, Texas 78644



SPECIFIC USE PERMIT APPLICATION

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

APPLICANT/OWNER

APPLICANT NAME MICHAEL D. HOLLIFIELD ADDRESS 119 Azolar Dr.
1650 LIME KILN RD
DAY-TIME TELEPHONE 512 787 3174 SAN MARCOS, TX 78666
E-MAIL mikehollifield@psmchurch.com

OWNER NAME CYNTHIA ALVAREZ ADDRESS 355 OLD LULING RD
DAY-TIME TELEPHONE 512 787 0267 LOCKHART, TX 78644
E-MAIL cjalv@icloud.com

PROPERTY

ADDRESS OR GENERAL LOCATION 115 N. Commerce St Lockhart, TX 78644
LEGAL DESCRIPTION (IF PLATTED) Original town of Lockhart / Block 23 / Part of lots 4 &
SIZE 0.18 ACRE(S) ZONING CLASSIFICATION CCB
EXISTING USE OF LAND AND/OR BUILDING(S) VACANT COMMERCIAL BUILDING

REQUESTED SPECIFIC USE

PROPOSED USE REQUIRING PERMIT CHURCH

CHARACTERISTICS OF PROPOSED USE, INCLUDING INDOOR AND OUTDOOR FACILITIES, ANTICIPATED OCCUPANCY (NUMBER OF DWELLING UNITS, RESIDENTS, EMPLOYEES, SEATS, OR OTHER MEASURE OF CAPACITY, AS APPLICABLE), GROSS FLOOR AREA, HOURS OF OPERATION, AND ANY OTHER RELEVANT INFORMATION. ATTACH ADDITIONAL SHEETS, IF NECESSARY.

FRONT PORTION OF BULLDING WOULD BE THREE CLASSROOMS, FOYER, AND THREE BATHROOMS (1 MALE / IFEMALE / 1 CLASSROOM BATHROOM) THE LARGE ROOM IN BACK WOULD BE THE SANCTUARY WITH 120 CHAIRS.
HOURS OF OPERATIONS: SUNDAYS 8a-12p. COULD POSSIBLY GO TO TWO SERVICES WHEN WE GROW OUR SERVICE STARTS AT 10:30a CURRENTLY.
TOTAL BUILDING SF IS 3200sf. 20

SUBMITTAL REQUIREMENTS

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

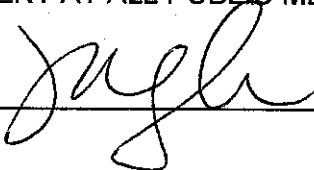
IF NOT PLATTED, A METES AND BOUNDS LEGAL DESCRIPTION OF THE PROPERTY.

SITE PLAN, SUBMITTED ON PAPER NO LARGER THAN 11" X 17", SHOWING: 1) Scale and north arrow; 2) Location of site with respect to streets and adjacent properties; 3) Property lines and dimensions; 4) Location and dimensions of buildings; 5) Building setback distances from property lines; 6) Location, dimensions, and surface type of off-street parking spaces and loading areas; 7) Location, dimensions, and surface type of walks and patios; 8) Location, type, and height of free-standing signs; fences, landscaping, and outdoor lighting; 9) utility line types and locations; and, 10) any other proposed features of the site which are applicable to the requested specific use.

APPLICATION FEE OF \$ 125 PAYABLE TO THE CITY OF LOCKHART AS FOLLOWS:

1/4 acre or less	\$125
Between 1/4 acre 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 

DATE 12/13/2018

OFFICE USE ONLY

ACCEPTED BY Kevin Waller

RECEIPT NUMBER 00840496

DATE SUBMITTED 12/13/18

CASE NUMBER SUP - 19 - 03

DATE NOTICES MAILED 12/21/2018

DATE NOTICE PUBLISHED 12-27-2018

PLANNING AND ZONING COMMISSION MEETING DATE 1/9/19

DECISION Approved

CONDITIONS Post signs prohibiting vehicles from blocking the alley abutting the south side of the building.

City of Lockhart, Texas

Council Agenda Item Briefing Data

COUNCIL MEETING DATE: 02/19/2019

AGENDA ITEM CAPTION: Hold a public hearing and discussion and/or action to consider Ordinance 2019-04 amending Section 36-12, Curfew Imposed and Section 36-14, Parental Responsibility.

ORIGINATING DEPARTMENT AND CONTACT: Police Department, Chief Ernest Pedraza

ACTION REQUESTED:

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

BACKGROUND/SUMMARY/DISCUSSION:

1. State law requires that before the third anniversary of the date of adoption of a juvenile curfew ordinance by a general-law municipality or a home-rule municipality or an order of a county commissioners court, and every third year thereafter, the governing body of the general-law municipality or home-rule municipality or the commissioners court of the county shall:
 - (1) review the ordinance or order's effects on the community and on problems the ordinance or order was intended to remedy;
 - (2) conduct public hearings on the need to continue the ordinance or order; and
 - (3) abolish, continue, or modify the ordinance or order.
- (b) Failure to act in accordance with Subsections (a)(1)-(3) shall cause the ordinance or order to expire.
2. The Lockhart School District changed the school hours on August 2016 to 9 am to 4:30 pm.
3. Our records as compile by Municipal Court shows the following citations issued in 2018:
60 Curfew Violations cited:
 - 38 Daytime Curfew Violations,
 - 16 Female: 1 black, 9 Hispanic, 6 white
 - 22 Male: 6 black, 11 Hispanic, 5 white
 - 22 Nighttime Curfew Violations:
 - 9 female: 2 black, 3 Hispanic, 4 white
 - 13 male: 1 black, 11 Hispanic, 1 white

The proposed Ordinance changes the daytime juvenile curfew from 9am to 2:30 pm to 9am to 4:00 pm

PROJECT SCHEDULE (if applicable): N/A

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

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

FISCAL NOTE (if applicable): N/A

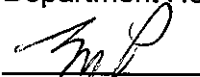
Previous Council Action: Council last reviewed in April 2016 and established both day and nighttime curfews, as indicated in the proposed ordinance.

COMMITTEE/BOARD/COMMISSION ACTION: N/A

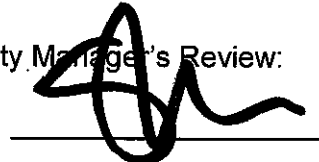
STAFF RECOMMENDATION/REQUESTED MOTION: Approve Ordinance 2019-04 amending and approving Curfew Sec. 36-12 Curfew Imposed, and Sec. 36-14 Parental Responsibility.

LIST OF SUPPORTING DOCUMENTS: Ordinance 2019-04, State Law, Title 11, Public Safety, Subtitle c, Chapter 370, Sec. 370.002 Review of Juvenile Curfew Order or Ordinance.

Department Head initials:



City Manager's Review:



ORDINANCE NO. 2019-04

AN ORDINANCE OF THE COUNCIL OF THE CITY OF LOCKHART, TEXAS, AMENDING CHAPTER 36 OF THE CODE OF ORDINANCE, ENTITLED "OFFENSES AND MISCELLANEOUS PROVISIONS", AMENDING SECTION 36-12, CURFEW IMPOSED, AND AMENDING SECTION 36-14 PARENTAL RESPONSIBILITY; PROVIDING FOR ENFORCEMENT; PROVIDING PENALTY FOR VIOLATIONS; PROVIDING FOR SEVERABILITY; PROVIDING A REPEALER; PROVIDING FOR PUBLICATION; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the Lockhart City Council recognizes the need for curfews for the safety and protection of minors; and

WHEREAS, Texas Local Government Code, Sec. 370.002 addressed curfew ordinances and provides for review of the effects of such ordinance on the community, and review of the problems the ordinance is intended to remedy, at least every third year after adopting a curfew ordinance, and to conduct a public hearing on the need to continue the ordinance; and

WHEREAS, the Lockhart City Council has determined that expanding the City's curfew ordinance will help to curb violence and crimes against or involving minors in the City; and

WHEREAS, when minors are unsupervised, they can be susceptible, by their lack of experience, to participate in activities that might harm themselves, others, or property; and

WHEREAS, curfews help to protect minors, promote parental control, and provide better school and law enforcement supervision of minors; and

WHEREAS, the Lockhart City Council finds that amending the City's current curfew ordinance to provide a more comprehensive curfew ordinance for minors serves a public purpose and is in the interest of public health, safety and general welfare by protecting minors, allowing better supervision of minors by school officials, law enforcement officers, and parents, and reducing injurious or criminal activity by and against minors; and

WHEREAS, the Lockhart School District changed the student's school scheduled hours effective August 2016 to 9:00 a.m. to 4:00 p.m.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Lockhart, Texas, that Chapter 36 of the Code of Ordinances, City of Lockhart Texas is hereby amended as follows:

L.

Article II. Curfew for Minors

Sec. 36-12. Curfew imposed.

(a) Daytime Curfew: It shall be unlawful for any minor to purposefully remain, walk, run, stand, drive or ride about in or upon any public place or establishment in the city between the hours of 9:00 a.m. and ~~2:30~~ 4:00 p.m. on a Monday, Tuesday, Wednesday, Thursday or Friday.

(b) Nighttime Curfew: It shall be unlawful for any minor 16 years of age or younger to be in or upon any public place or establishment within the city between the hours of 11:00 p.m. and 6:00 a.m. of the following day.

Sec. 36-14. Parental responsibility.

(a) It shall be unlawful for a parent knowingly to permit a minor 16 years of age or younger who is in his care to be or remain in any public place or establishment other than for excepted activities, as described in Sec. 36-13, during the curfew hours established by this article.

(b) It shall be unlawful for a parent knowingly to permit a minor to remain, walk, run, stand, drive or ride about in or upon any public place or establishment in the city between the hours of 9:00 a.m. and 2:30 4:00 p.m. on a Monday, Tuesday, Wednesday, Thursday or Friday.

(c) The term "knowingly" includes knowledge which a parent, as defined herein, should reasonably be expected to have concerning the whereabouts of a person 16 years old or younger for purposes of Sec. 36-12(a), and concerning the whereabouts of a minor for purposes of Sec. 36-12(b), in such parent's custody.

(d) It shall be prima facie evidence of a violation of this article if a parent has no knowledge of the whereabouts of a minor as described herein during the hours of curfew established by this article. The purpose of this section is to require neglectful or careless parents to meet the community standard of parental responsibility. A parent in whose care the minor has been placed commits an offense if s/he knowingly permits or by insufficient control allows the minor to remain in any public place or establishment within the city during curfew hours.

[ALL OTHER SECTIONS REMAIN UNCHANGED]

II. Penalty: Any person who violates any provision of this ordinance shall be guilty of a misdemeanor, and upon conviction shall be fined as provided in Section 36-16 of the City Code.

III. Severability: If any provision, section, clause, sentence, or phrase of this ordinance is for any reason held to be unconstitutional, void, invalid, or un-enforced, 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 any reasons of any unconstitutionality or invalidity of any other portion, provision, or regulation.

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

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

VI. Effective Date: This ordinance shall become effective ten days from the date of its passage.

PASSED, APPROVED, AND ADOPTED ON THIS 19th DAY OF FEBRUARY , 2019.

CITY OF LOCKHART, TEXAS

Lew White, Mayor

APPROVED AS TO FORM:

Peter Gruning
City Attorney

ATTEST:

Connie Constancio, TRMC
City Secretary

LOCAL GOVERNMENT CODE

TITLE 11. PUBLIC SAFETY

SUBTITLE C. PUBLIC SAFETY PROVISIONS APPLYING TO MORE THAN ONE
TYPE OF LOCAL GOVERNMENT

CHAPTER 370. MISCELLANEOUS PROVISIONS RELATING TO MUNICIPAL AND
COUNTY HEALTH AND PUBLIC SAFETY

Sec. 370.002. REVIEW OF JUVENILE CURFEW ORDER OR
ORDINANCE. (a) Before the third anniversary of the date of
adoption of a juvenile curfew ordinance by a general-law
municipality or a home-rule municipality or an order of a county
commissioners court, and every third year thereafter, the
governing body of the general-law municipality or home-rule
municipality or the commissioners court of the county shall:

(1) review the ordinance or order's effects on the
community and on problems the ordinance or order was intended to
remedy;

(2) conduct public hearings on the need to continue
the ordinance or order; and

(3) abolish, continue, or modify the ordinance or
order.

(b) Failure to act in accordance with Subsections (a)(1)-
(3) shall cause the ordinance or order to expire.

Added by Acts 1995, 74th Leg., ch. 262, Sec. 96, eff. May 31,
1995.

**REGULAR MEETING
LOCKHART CITY COUNCIL**

JANUARY 15, 2019

6:30 P.M.

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

Council present:

Councilmember John Castillo
Councilmember Juan Mendoza
Councilmember Jeffry Michelson

Mayor Lew White
Councilmember Brad Westmoreland
Councilmember Kara McGregor

Council Absent:

Mayor Pro-Tem Angie Gonzales-Sanchez

Staff present:

Steve Lewis, City Manager
Peter Gruning, City Attorney
Sean Kelley, Public Works Director
Dan Gibson, City Planner

Connie Constancio, City Secretary
Randy Jenkins, Fire Chief
Ryan Bergerson, Assistant Fire Chief

Citizens/Visitors Addressing the Council: Robert Steinbomer of Steinbomer, Bramwell and Vrazel; Dan Tracy of Austin Community College; Christie Pruitt of the Lockhart Chamber of Commerce; Jared Jacovich of Jacovich & Perry Capital Partners; and, Tony Corbett, Attorney.

Work Session 6:30 p.m.

Mayor White stated that Mayor Pro-Tem Sanchez was absent due to a loss in her family. He 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. DISCUSSION AND PRESENTATION OF THE PROPOSED LOCKHART FIRE STATION #2 AT 1916 W. SAN ANTONIO STREET AS DESIGNED BY THE ARCHITECT FIRM OF STEINBOMER, BRAMWELL, AND VRAZEL. (PRINCIPAL IS ROBERT STEINBOMER).

Robert Steinbomer of Steinbomer, Bramwell and Vrazel and Chief Jenkins provided information about the project. There was discussion regarding the project and estimated costs to build the second Fire Station, which could be up to \$600,000. Chief Jenkins stated that after Fire Station No. 2 is built, staff proposes to move all fire personnel and equipment to Station No. 2 to begin renovation at Fire Station No. 1. There was discussion.

B. DISCUSS MINUTES OF THE CITY COUNCIL MEETING OF DECEMBER 11, 2018 AND DECEMBER 18, 2018.

Mayor White requested corrections. There were none.

C. DISCUSS RESOLUTION 2019-01 AMENDING RESOLUTION 2018-18 TO CORRECT THE AMOUNT OF THE DISCOUNT LISTED IN SECTIONS II AND III OF EXHIBIT "A" FOR SENIOR RESIDENTIAL AND RESIDENTIAL DISABLED SOLID WASTE HAND COLLECTION, DISPOSAL, AND RECYCLING SERVICES AND ESTABLISHING AN EFFECTIVE DATE.

Mr. Lewis stated that the Resolution corrects the language regarding the senior citizen discount to reference that a discount is available without listing a dollar figure as established through the contract with Central Texas Refuse. Mr. Lewis recommended approval.

D. DISCUSS THE GRANT AGREEMENT WITH THE ST. DAVID'S FOUNDATION FOR THE GRANT FOR HEALTHIEST PLACES PROJECT AWARDED TO THE CITY OF LOCKHART IN THE AMOUNT OF \$250,000 FOR THE CREATION OF THE TOWN BRANCH TRAIL, AND IF APPROVED APPOINTING THE MAYOR TO SIGN ALL DOCUMENTS AND ACT AS THE AUTHORIZED REPRESENTATIVE IN ALL MATTERS REGARDING THIS GRANT.

Mr. Kelley stated that the grant application for St. David's Healthiest Places was submitted back in September 2018. The grant was formally awarded to the City of Lockhart on December 10, 2018 for the creation of the town Branch Trail within the Lockhart Municipal Park. The Mayor's signature was required before the formal announcement date of December 18, 2018. Mr. Kelley recommended that the agreement be confirmed by the Council. There was discussion.

E. DISCUSS RESOLUTION 2019-03 APPROVING THE TRANSFER OF SPECIAL FUNDS DONATED SOLELY FOR THE SUPPORT OF THE ANNUAL SIP AND STROLL FESTIVAL HELD IN THE CITY TO THE LOCKHART DOWNTOWN BUSINESS ASSOCIATION.

Ms. Larison stated that the City received funds by the Lockhart Downtown Business Association (DBA) specifically to support the annual Sip and Stroll Festival. These funds were placed into a special revenue account for the sole purpose of supporting the Sip and Stroll event. Since the DBA has now received their IRS 501(c)(6), they have requested to be solely responsible for the funds. Since the City finds that the Sip and Stroll event serves a direct and legitimate public purpose by promoting tourism and economic development, this transfer would be considered legal according to Opinion Texas Attorney General No. LO 94-008 (1994). There was discussion.

F. DISCUSS 1ST QUARTER FISCAL YEAR 2019 INVESTMENT REPORT.

Ms. Larison stated that the Texas Public Investment Act requires local governments to review and accept a Quarterly Investment Report for each quarterly reporting period of the year. She provided information and there was brief discussion regarding the following topics of the 1st Quarter for Fiscal Year 2019, ending December 31, 2018:

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

G. DISCUSS UTILITY PAYMENT ASSISTANCE AGREEMENT WITH COMMUNITY ACTION.

Ms. Larison stated that annually, the City's utility department will sign a contract with Community Action to receive payments for assistance to approved citizens' accounts. In the contract for 2019, Community Action has added a new clause that states that any deposits will be returned to Community Action. According to the city's policy, deposits are returned only to account holders; therefore, since Community Action is not listed as an account holder, they would not be eligible to receive deposit refunds unless the policy is changed.

Mayor asked if the City should change the policy regarding the deposit. Ms. Larison replied that Community Action does not pay a deposit on behalf of an account holder. They pay a monthly utility bill that is due; not a deposit for new utility accounts. She did not believe that changing the policy regarding deposits was necessary at this point.

H. DISCUSS RESOLUTION 2019-02 APPROVING A TYPE B PROJECT UNDER SECTION 4B OF THE TEXAS ECONOMIC DEVELOPMENT CORPORATION ACT OF 1979, AS AMENDED, FOR FUNDING OF AUSTIN COMMUNITY COLLEGE IN THE AMOUNT OF \$32,000 TO PURCHASE EQUIPMENT USED TO TEACH HEATING, VENTILATION AND AIR CONDITIONING (HVAC), WELDING, ELECTRICAL, PLUMBING AND OTHER HIGH DEMAND OCCUPATIONS AT THE LOCKHART ISD CISNEROS CAMPUS.

Dan Tracy of Austin Community College stated that they are working with the City of Lockhart, the Lockhart Chamber of Commerce and the Lockhart Independent School District to offer HVAC classes at the Cisneros campus in Lockhart beginning February 2019. The class schedule remains to be set and is dependent upon the number of students that enroll. The first classes are intended to be on Tuesday and Thursday from 6:30-9:30 p.m. and some Saturdays from 8:30 a.m. until 2:00 p.m. for approximately 16-20 weeks. ACC's goal is to have 12-16 students in the class. ACC is also working with the Rural Capital Area Workforce Solutions Board to assist with recruiting students and to assist the students with financial aid. Job placement assistance will also be provided.

There was discussion regarding adding classes for other trades such as welding, electrical, and plumbing in the near future.

I. DISCUSS RESOLUTION 2019-04 GRANTING WRITTEN CONSENT TO THE CREATION OF THE CLEAR FORK RANCH MUNICIPAL UTILITY DISTRICT (M.U.D.) and J. DISCUSS CONSENT AGREEMENT FOR CLEAR FORK RANCH MUNICIPAL UTILITY DISTRICT (M.U.D.).

Mr. Gibson stated that during the October 2, 2018 City Council meeting, the Council was informed about a proposal for the creation of a municipal utility district, a portion of which will be in the City of Lockhart extraterritorial jurisdiction (ETJ). The Clear Fork Ranch M.U.D. will be located along both sides of the north/south portion of Borchert Loop, adjacent to the west city limits of Lockhart. It will consist primarily of single-family homes and an elementary school site, with the possibility of commercial development along the south side of SH 142. The City has the option to consent or object to the creation of the portion within our ETJ. Multiple meetings between the City staff and the developers have resulted in a negotiated consent agreement. The agreement protects the City's interests by: 1) ensuring that the development will meet City standards, comply with our thoroughfare plan and other plans, as applicable; and be subject to review and inspections by the City; and, 2) providing for future annexation of the M.U.D. by the City. There was discussion.

Mr. Gruning clarified that the consent to the creation of the M.U.D. is the City's authorization to initiate the proceedings and it indicates that the City does not oppose the M.U.D. There is a possibility that the City might want to annex a portion of property in the M.U.D., and the consent agreement assures that when the city annexes in the future, both parties understand what is expected during the annexation process. There was discussion.

Jared Jacovich of Jacovich & Perry Capital Partners stated that the discussions held during the Council meeting in October 2018 remain. The developer wants to work with the City and the County to assure that all entities are agreeable with the M.U.D. He stated that, as requested by the city, a future arterial street as shown on the City's thoroughfare plan has been added alongside the proposed Kinder Morgan pipeline that has slightly reduced the residential lots to approximately 1,700. He reminded the Council that they are offering to donate approximately 12 acres of property for a new elementary school. He thanked city staff for working with them regarding the M.U.D. There was discussion.

Tony Corbett provided information regarding how the M.U.D is created, which will begin with filing a notice of intent during this legislative session in addition to all other required steps. If all goes as anticipated, the district should be created during this legislative session. If the legislature does not approve the creation of the district, the alternative would be to file an application with the Texas Commission on Environmental Quality. If the legislature approves the creation of the M.U.D., the creation of any district would be subject to the confirmation at an election held in the district in a uniform election, which is anticipated to be November 5, 2019.

Mr. Jacovich stated that the development of the district would begin shortly after the election.

Mr. Corbett also stated that, upon request by the Council, a Strategic Partnership Agreement would also be entered into between the M.U.D. and the City of Lockhart as a mechanism to allow the city to collect sales tax from the commercial development within the district even though the district is not within the city limits.

There was discussion regarding the residential development.

Councilmember Castillo questioned whether the M.U.D. is in a floodplain and if the City would eventually be responsible for providing utilities. Mr. Gibson clarified that the city would not provide electric, water or wastewater to the MUD because it is outside of the city's utility service area. Other companies would provide electric, water, and wastewater to the new district. Mr. Jacovich stated that they would make sure that no homes are built within the floodplain area as well as following requirements to develop infrastructure to be able to accommodate heavy rain. As mentioned earlier, the district will donate property to allow a new school to be built to accommodate growth.

K. DISCUSS UPDATE ON THE STATUS OF THE NEW CITY BRANDING EFFORT.

Mayor White stated that at the last meeting, the Council agreed to dissolve the Branding Committee and allow citizens to work on a proposed new logo. He stated that the individuals that are working on a proposal regarding a new logo requested additional time. There was discussion.

Mayor White stated that Councilmember Michelson would join him and the other individuals to work on a proposed city logo to present at a future meeting.

RECESS: Mayor White announced that the Council would recess for a break at 7:43 p.m.

REGULAR MEETING

ITEM 1. CALL TO ORDER.

Mayor Lew White called the regular meeting of the Lockhart City Council to order on this date at 8:00 p.m.

ITEM 2. INVOCATION, PLEDGE OF ALLEGIANCE.

Councilmember Castillo gave the Invocation and led the Pledge of Allegiance to the United States and Texas flags.

ITEM 3. CITIZENS/VISITORS COMMENTS.

Mayor White requested citizens to address the Council regarding items that are not on the agenda. There were none.

ITEM 4-A. CONDUCT FIRST READING AND DISCUSSION REGARDING RESOLUTION 2019-02 APPROVING A TYPE B PROJECT UNDER SECTION 4B OF THE TEXAS ECONOMIC DEVELOPMENT CORPORATION ACT OF 1979, AS AMENDED, FOR FUNDING OF AUSTIN COMMUNITY COLLEGE IN THE AMOUNT OF \$32,000 TO PURCHASE EQUIPMENT USED TO TEACH HEATING, VENTILATION AND AIR CONDITIONING (HVAC), WELDING, ELECTRICAL, PLUMBING AND OTHER HIGH DEMAND OCCUPATIONS AT THE LOCKHART ISD CISNEROS CAMPUS.

Mr. Lewis conducted the first reading. He read Resolution 2019-02 in its entirety.

Councilmember Mendoza asked if classes for a Certified Nurse Assistant (CNA) would also be offered in the future. Mr. Tracy responded that ACC would review adding CNA classes.

ITEM 5. CONSENT AGENDA.

Councilmember McGregor made a motion to approve consent agenda items 5A, 5B, 5C, 5D, 5E, and 5F. Councilmember Mendoza seconded. The motion passed by a vote of 6-0.

The following are the consent agenda items that were approved:

- 5A: Approve minutes of the City Council meeting of December 11, 2018 and December 18, 2018.
- 5B: Approve Resolution 2019-01 amending Resolution 2018-18 to correct the amount of the discount listed in Sections II and III of Exhibit "A" for senior residential and residential disabled solid waste hand collection, disposal, and recycling services and establishing an effective date.
- 5C: Approve the Grant Agreement with the St. David's Foundation for the grant for Healthiest Places Project awarded to the City of Lockhart in the amount of \$250,000 for the creation of the Town Branch Trail, and if approved appointing the Mayor to sign all documents and act as the authorized Representative in all matters regarding this grant.
- 5D: Approve Resolution 2019-03 approving the transfer of special funds donated solely for the support of the Annual Sip and Stroll Festival held in the City to the Lockhart Downtown Business Association.
- 5E: Accept 1st Quarter Fiscal Year 2019 Investment Report.
- 5F: Approve Utility Payment Assistance Agreement with Community Action.

ITEM 6-A. CONDUCT SECOND READING AND DISCUSSION AND/OR ACTION TO CONSIDER RESOLUTION 2019-02 APPROVING A TYPE B PROJECT UNDER SECTION 4B OF THE TEXAS ECONOMIC DEVELOPMENT CORPORATION ACT OF 1979, AS AMENDED, FOR FUNDING OF AUSTIN COMMUNITY COLLEGE IN THE AMOUNT OF \$32,000 TO PURCHASE EQUIPMENT USED TO TEACH HEATING, VENTILATION AND AIR CONDITIONING (HVAC), WELDING, ELECTRICAL, PLUMBING AND OTHER HIGH DEMAND OCCUPATIONS AT THE LOCKHART ISD CISNEROS CAMPUS.

Mr. Lewis conducted the second reading. He read Resolution 2019-02 in its entirety.

Councilmember Michelson made a motion to approve Resolution 2019-02, as presented. Councilmember Westmoreland seconded. The motion passed by a vote of 6-0.

ITEM 6-B. DISCUSSION AND/OR ACTION TO CONSIDER RESOLUTION 2019-04 GRANTING WRITTEN CONSENT TO THE CREATION OF THE CLEAR FORK RANCH MUNICIPAL UTILITY DISTRICT (M.U.D.).

Councilmember McGregor made a motion to approve Resolution 2019-04, as presented. Councilmember Michelson seconded. The motion passed by a vote of 5-1, with Councilmember Castillo opposing.

ITEM 6-C. DISCUSSION AND/OR ACTION TO CONSIDER APPROVAL OF CONSENT AGREEMENT FOR CLEAR FORK RANCH MUNICIPAL UTILITY DISTRICT (M.U.D.).

Councilmember Michelson made a motion to approve the consent agreement for Clear Fork Ranch Municipal Utility District, as presented. Councilmember McGregor seconded. The motion passed by a vote of 5-1, with Councilmember Castillo opposing.

ITEM 6-D. DISCUSSION AND/OR ACTION REGARDING AN UPDATE ON THE STATUS OF THE NEW CITY BRANDING EFFORT.

Mayor White stated that the branding effort will be on the first council agenda in February 2019.

ITEM 6-E. DISCUSSION AND/OR ACTION REGARDING APPOINTMENTS TO VARIOUS BOARDS, COMMISSIONS OR COMMITTEES.

Mayor White requested appointments to boards and commissions.

Councilmember Michelson made a motion to appoint Rick Arnic to the Planning and Zoning Commission. Councilmember Westmoreland seconded. The motion passed by a vote of 6-0.

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

- Events:
 - Annual District 1 PRIDE Martin Luther King, Jr. March will be held on January 21. March route will begin at E. Martin Luther King, Jr. Industrial Blvd. to San Antonio Street to West Prairie Lea St. at the Connections Center. Horses and dogs will be in the march.
 - March 2, 2019, Household Hazardous Waste Collection Event (HHW) will be held at City Park from 9am-12(noon).
- Bids for the City Line Road Realignment project are due on February 7 with the Council award scheduled for February 19.
- Update regarding future Fire Station #2.
- City staff developing Horse-Drawn Carriage rules and regulations for future City Council consideration.
- Submission of the 2018 City Annual Report.
- First Quarter Financial Report for Fiscal Year 2019.

- The City has engaged MuniServices to assist the City in maximizing Hotel Occupancy Tax (HOT) funds it is entitled to through an on-site examination of records for two properties over the next 12 months.
- Development Services Department is offering a workshop regarding historic district local, State, and Federal tax credit and incentives available to owners of certified historic structures on February 6 at 5:30 p.m. at City Hall-Glosserman Room.
- Texas Department of State Health Services announced that the City of Lockhart has been awarded a Water Fluoridation Quality Award from the U.S. Centers for Disease Control and Prevention. The award recognizes communities that maintained a consistent level of optimally fluoridated water throughout 2017.
- The Guadalupe-Blanco River Authority (GBRA) submitted a refund to the City of Lockhart in the amount of \$229,279.48 for operational savings in Fiscal Year 2018.
- ProKart Race has expressed interest in a race in Lockhart in 2020.
- Finance Director interviews will be held on Friday, January 18.
- Library:
 - Tax Aid at the Library- Free AARP Tax aid at the library beginning February 4 on Mondays - 9 a.m. to 12:00 a.m. and Thursdays - 4:00 p.m. to 7:00 p.m.
 - Poetry Night at the Library- Thursday, January 24 from 7 to 8 p.m. Light refreshments will be served.
- Economic Development:
 - The Turner Company should begin construction of their precast concrete plant soon as TXDOT has approved their temporary driveway permit allowing access onto the 31-acre tract off of SH 142. The company will be investing \$3 million and employing up to 100 over a 5-year period.
 - Updates and improvements are being planned for the monument signs and landscaping leading into the Lockhart Industrial Park. Should be completed in 1st quarter.
- Reminder - upcoming special Council meetings: Tuesday, January 22 at 6:30 p.m. to discuss steps to implement the adopted Parks Master Plan and Saturday, February 2 at 8:00 am for a Council Goals workshop.

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

Councilmember Westmoreland expressed condolences to the families of Eulalio Sanchez and Jimmy Hernandez for their loss. He reminded everyone about the Lockhart Chamber of Commerce annual banquet that will be held on January 19.

Councilmember Mendoza expressed condolences to the Sanchez family for their loss. He thanked Fiber Technology for the tour of their new facility.

Councilmember McGregor expressed condolences to the Sanchez family for their loss. She invited everyone to the MLK March that will be held on Monday, January 21st.

Councilmember Castillo expressed condolences to the Hernandez and Sanchez families for their loss. He expressed regrets that he will not be able to attend the Lockhart Chamber of Commerce banquet due to a prior commitment. He thanked the City Manager for assisting with several issues and stated that he looked forward to the council meeting scheduled on February 2.

Councilmember Michelson expressed condolences to the Sanchez family for their loss. He stated that he looks forward to a productive 2019.

Mayor White expressed condolences to the Sanchez, Hernandez and Chesser families for their loss. He stated that he attended the Lockhart Downtown Business Association (DBA) meeting; they discussed several events in 2019. The DBA also discussed open containers on the downtown square during events; staff will research regulations for Council's consideration during a meeting in February.

ITEM 9. EXECUTIVE SESSION IN ACCORDANCE WITH THE PROVISIONS OF THE GOVERNMENT CODE, TITLE 5, SUBCHAPTER D, SECTION 551.074 – TO DELIBERATE THE APPOINTMENT, EMPLOYMENT, EVALUATION, REASSIGNMENT, DUTIES, DISCIPLINE, OR DISMISSAL OF A PUBLIC OFFICER OR EMPLOYEE. DISCUSSION REGARDING THE CITY MANAGER'S THREE-MONTH PERFORMANCE REVIEW.

Mayor White announced that the Council would enter Executive Session at 8:40 p.m.

ITEM 10. OPEN SESSION - DISCUSSION AND/OR ACTION REGARDING THE CITY MANAGER'S THREE-MONTH PERFORMANCE REVIEW.

Mayor White announced that the Council would enter Open Session at 9:30 p.m.

He stated that the City Manager received an excellent three-month review. There was no action taken.

ITEM 11. ADJOURNMENT.

Councilmember McGregor made a motion to adjourn the meeting. Councilmember Mendoza seconded. The motion passed by a vote of 6-0. The meeting was adjourned at 9:30 p.m.

PASSED and APPROVED this the 19th day of February 2019.

CITY OF LOCKHART

Lew White, Mayor

ATTEST:

Connie Constancio, TRMC
City Secretary

**LOCKHART CITY COUNCIL
SPECIAL MEETING/
WORKSHOP**

JANUARY 22, 2019

6:30 P.M.

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

Council present:

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

Mayor Lew White
Councilmember John Castillo
Councilmember Kara McGregor
Councilmember Brad Westmoreland

Staff present:

Steve Lewis, City Manager
Sean Kelley, Public Works Director
Pam Larison, Interim Finance Director

Connie Constancio, City Secretary
Chris Sager, Parks Manager
Dan Gibson, City Planner

Parks Board Members present:

Dennis Placke
Chris Schexnayder

Citizens/Visitors Addressing the Council: Tom Dunn and Stella Rojas of the Lockhart Little League; Ronda Reagan, Citizen; and, Christie Pruitt of the Lockhart Chamber of Commerce.

ITEM 1. CALL TO ORDER.

Mayor Lew White called the special meeting to order at 6:30 p.m.

ITEM 2-A. DISCUSSION AND/OR ACTION TO CONSIDER IMPLEMENTING THE PARKS MASTER PLAN.

There was discussion regarding the following implementation topics:

- Review of several sections of the Parks Master Plan.
- Possible grants to fund park improvements.
- Consider using \$200,000 of 2015 Certificates of Obligation funds towards grant matching funds, if required.
- Aquatics to be considered to be added to Parks Master Plan.
- Begin focus on league fields.
- Consider approaching Lockhart Independent School District to assist with road improvements at the City Park because the school buses use the roads as part of their transportation route.
- Consider America with Disabilities Act accessibility requirements.
- Drainage improvements.
- Lockhart Parks improvements and associated costs as listed in "Exhibit A".
- Installation of security cameras to assist in deterring vandalism at various park locations.

CONSENSUS: After discussion, the consensus of the Council was to eliminate the installation of elevators at City Hall and the Fire Station No. 1 and those funds that total approximately \$200,000 from the 2015 Certificates of Obligation funds for required grant matching funds.

After discussion, the Council scheduled a follow-up meeting about implementation of the Parks Master Plan on Wednesday, February 27, 2019 at 6:30 p.m. in the Council Chambers.

ITEM 3. ADJOURNMENT.

Mayor Pro-Tem Sanchez made a motion to adjourn the meeting. Councilmember Mendoza seconded. The motion passed by a vote of 7-0. The meeting was adjourned ta 8:07 p.m.

PASSED and APPROVED this the 19th day of February 2019.

CITY OF LOCKHART

Lew White, Mayor

ATTEST:

Connie Constancio, TRMC
City Secretary

EXHIBIT A

Lockhart Parks Improvements and Associated Costs extracted from the Parks Recreation and Open Space Master Plan.				
Park	Improvements	Quantity	Unit Cost	Estimated Cost
City Park	Playscape	1	\$50,000.00	\$50,000.00
	Wayfinding	5	\$200.00	\$1,000.00
	Picnic Shelters	5	\$5,000.00	\$25,000.00
	Pier Cover	1	\$5,000.00	\$5,000.00
	Roads	1	\$100,000.00	\$100,000.00
Sports Complex	Signs	1	\$500.00	\$500.00
	Batting Cages	1	\$10,000.00	\$10,000.00
Pecos	Pavilion	1	\$10,000.00	\$10,000.00
	Signs	1	\$500.00	\$500.00
	Bridge	1	\$63,500.00	\$63,500.00
LaFleur Complex	Playscape Cover	1	\$25,000.00	\$25,000.00
	Shade Structures	5	\$25,000.00	\$125,000.00
	Pier	1	\$25,000.00	\$25,000.00
	Picnic Tables	5	\$1,850.00	\$9,250.00
	Trees	20	\$450.00	\$9,000.00
Nueces	Picnic Shelters	5	\$25,000.00	\$125,000.00
	New Playscape	1	\$50,000.00	\$50,000.00
	Basketball seating	2	\$500.00	\$1,000.00
	Bridge	1	\$10,000.00	\$10,000.00
	Signs	2	\$500.00	\$1,000.00
Santos Arredondo	Signs/restroom	1	\$500.00	\$500.00
	Playscape Cover	1	\$25,000.00	\$25,000.00
Navarro Springs	Signage	1	\$500.00	\$500.00
	trees	10	\$450.00	\$4,500.00
	Playscape Cover	1	\$25,000.00	\$25,000.00
Lions Park	New Playscape	1	\$50,000.00	\$50,000.00
	Replace Bridges	3	\$10,000.00	\$30,000.00
	Covered Picnic Areas	4	\$25,000.00	\$100,000.00
Braun Park	Replace shade screen	1	\$1,500.00	\$1,500.00
	Playscape Cover	1	\$25,000.00	\$25,000.00
	Trees	15	\$450.00	\$6,750.00
Senior Center	Building Upgrade	1	\$3,000.00	\$3,000.00
Miscellaneous	Splashpad	1	\$100,000.00	\$100,000.00
	Restroom Renovation	5	\$30,000.00	\$150,000.00
	Dog Park	1	\$45,000.00	\$45,000.00
			Total	\$1,212,500.00

**SPECIAL MEETING
WORKSHOP**

LOCKHART CITY COUNCIL

FEBRUARY 2, 2019

8:00 A.M.

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

Council present:

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

Mayor Lew White
Councilmember John Castillo
Councilmember Kara McGregor
Councilmember Brad Westmoreland

Staff present:

Steve Lewis, City Manager

Connie Constancio, City Secretary

Citizens/Visitors Addressing the Council: Alysia Cook of Opportunity Strategies.

ITEM 1. CALL TO ORDER.

Mayor Lew White called the special meeting to order at 8:00 a.m.

**ITEM 2-A. DISCUSSION AND/OR ACTION REGARDING CITY COUNCIL GOALS FOR
FISCAL YEAR 2019-2020.**

Alysia Cook of Opportunity Strategies suggested that the Council provide input regarding new goals to consider for the future. She stated that the Council would also review goals that were expressed by Department Heads during a workshop on Friday, February 1, 2019. The collaboration of goals would assist the City Council to determine the needs of the community.

There was discussion regarding the following:

- 2018 Accomplishments.
- Expectations for 2019-2020.
- Expectations/goals expressed by each Councilmember:
 - Councilmember Westmoreland – clean up unsightly residential properties.
 - Councilmember Castillo – work in unity and serve the community.
 - Councilmember Michelson – focus on Economic Development to recruit businesses that will fill the vacant lots at the Industrial Park.
 - Mayor Pro-Tem Sanchez – Direction towards Economic Development and think bigger-accept change.
 - Mayor White – recruit new businesses, hire a public information officer, and clean up entrances to Lockhart.
 - Councilmember Mendoza – keep an open mind, increase employee wages, promote tourism, offer wi-fi in the downtown district and promote barbecue.
 - Councilmember McGregor – improve technology infrastructure such as using fiber technology and consider creating a walking tour application for mobile phones, and recruit residents that will work and stay in Lockhart, which will encourage them to also shop locally.
- Homeless population; encourage a strong Ministerial Alliance to create a program to address the needs of homeless individuals.

RECESS: Mayor White announced that the Council would recess for a break at 9:30 a.m.

Mayor White reconvened the workshop at 9:45 a.m.

There was discussion regarding the following:

- City of Lockhart's strengths, weaknesses/challenges, threats, and opportunities.
- Update economic development website to allow potential businesses the opportunity to utilize economic development criteria to locate in Lockhart.
- Hotel occupancy. Ms. Cook suggested creating a hotel occupancy tax board that would make decisions about whether hotel occupancy tax recipients are abiding by required tax laws.
- Consider working closer with the school district about growth to enable all entities to be able to accommodate the needs of the citizens.
- Staff's recommended goals:
 - Restrooms downtown.
 - Improve employee wages.
 - Staff development program.
 - Communicate about policies and procedures to assure everyone understands.
 - City/School/County continue to communicate.
 - Replace capital equipment and vehicles.
 - Single stream recycling.
 - Improve in-house technology service.
 - In-house engineer.
 - Revamp purchasing policy.
 - Update office equipment.
 - Determine management and funding of downtown furniture/equipment.
- Additional Council goals:
 - Improve Lockhart Economic Development Corporation funding.
 - Update 2040 Comprehensive land use plan.
 - Consider approaching the Lockhart Independent School District to work cooperatively with the City on providing wi-fi downtown.
 - Economic Development Master Plan.
 - Improve Lockhart Economic Development website.
 - Work on hotel occupancy tax guidelines.
 - Review customer service and experience.

Ms. Cook stated that she will provide the City Manager with a detailed report of the workshops held with Department Heads and City Council.

ITEM 3. ADJOURNMENT.

Mayor Pro-Tem Sanchez made a motion to adjourn the meeting. Councilmember Mendoza seconded. The motion passed by a vote of 7-0. The meeting was adjourned ta 12:05 p.m.

PASSED and APPROVED this the 19th day of February 2019.

CITY OF LOCKHART

Lew White, Mayor

ATTEST:

Connie Constancio, TRMC
City Secretary

REGULAR MEETING

LOCKHART CITY COUNCIL

FEBRUARY 5, 2019

6:30 P.M.

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

Council present:

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

Mayor Lew White
Councilmember John Castillo
Councilmember Kara McGregor
Councilmember Brad Westmoreland

Staff present:

Steve Lewis, City Manager
Sean Kelley, Public Works Director
Pam Larison, Interim Finance Director

Connie Constancio, City Secretary
Dan Gibson, City Planner
John Roescher, Police Captain

Citizens/Visitors Addressing the Council: Representative of Hays-Caldwell Women’s Center; Justin Ivicic General Manager of Maxwell Water Supply; and, Ravi Sahota, 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:

PRESENTATION ONLY

A. PRESENTATION OF A PROCLAMATION DECLARING FEBRUARY AS DOMESTIC VIOLENCE AWARENESS MONTH.

Mayor White presented the proclamation declaring February as “Domestic Violence Awareness and Prevention Month” to a representative of the Hays-Caldwell Women’s Center.

DISCUSSION ONLY

A. DISCUSS SELECTION OF TRC ENGINEERING AS THE BEST QUALIFIED PROFESSIONAL ENGINEERING SERVICES COMPANY TO ASSIST THE CITY IN ITS TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM (CDBG) APPLICATION PREPARATION AND PROJECT IMPLEMENTATION TO THE TEXAS DEPARTMENT OF AGRICULTURE FOR THE COMMUNITY DEVELOPMENT FUND CONTRACT, IF AWARDED, TO SUPPORT THE PUBLIC INFRASTRUCTURE (WATER/WASTEWATER) IMPROVEMENTS ACTIVITIES FOR THE CITY OF LOCKHART, AND APPOINTING THE MAYOR TO SIGN ANY REQUIRED DOCUMENTS FOR THE GRANT.

Mr. Kelley stated that advertisements for qualified engineering services for the CDBG grant preparation and submittal were completed in compliance with State law. Proposals were received from six companies which were ranked by using qualification criteria and scored by the TxCDBG Evaluation Team appointed by the Council. The firm submitting the best proposal was TRC Engineering. Mr. Kelley recommended approval.

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B. DISCUSS RESOLUTION 2019-05 AUTHORIZING THE SUBMISSION OF A TEXAS COMMUNITY BLOCK GRANT PROGRAM APPLICATION TO THE TEXAS DEPARTMENT OF AGRICULTURE FOR THE COMMUNITY DEVELOPMENT FUND; AND AUTHORIZING THE MAYOR TO ACT AS THE CITY'S EXECUTIVE OFFICER AND AUTHORIZED REPRESENTATIVE IN ALL MATTERS PERTAINING TO THE CITY'S PARTICIPATION IN THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM.

Mr. Kelley stated that the grant amount to be awarded is \$300,000. If awarded, the funds would be used to extend a treated water transmission line from the Lockhart Water Plant to South Commerce Street. The extension of this line will provide the City of Lockhart with the ability to pump more water through town, enhancing our service capacity and improving our fire protection. If approved by Council and if awarded the grant, the local match would be 20% or \$60,000, which would be paid out of the 2015 Certificates of Obligation water funds. Mr. Kelley recommended approval. There was discussion.

C. DISCUSS DONATING LOCKHART POLICE DEPARTMENT EQUIPMENT TO THE CALDWELL COUNTY PRECINCT 1 – JUSTICE OF THE PEACE CONSTABLE.

Captain Roescher stated that the Constable for Caldwell County JP 1 requested a prisoner transport cage, which is valued at approximately \$100. He stated that the cage is no longer used by the Lockhart Police department and is currently stored as surplus equipment. Captain Roescher recommended approval.

D. DISCUSS THE CONSULTANT SERVICES AGREEMENT WITH MUNISERVICES, LLC FOR FIELD AUDIT SERVICES FOR HOTEL OCCUPANCY TAX REVENUES.

Ms. Larison stated that at the November 4, 2018 council meeting, staff informed the Council that they were communicating with several local municipalities for recommendations on firms that exclusively conduct audits on hotel occupancy tax (HOT) payors. Since this meeting and upon recommendation from the City of San Marcos and the City of New Braunfels, the City of Lockhart has received a consultant services agreement that will allow audits to be conducted on local hotels within the City. According to the agreement, the City must agree to a minimum of two property audits. Any additional audits would cost \$1,000 per property. The audits will include a 5-year history of revenues from each location. This agreement also includes a discovery service on short-term rental charged on a contingency basis. Ms. Larison recommended approval.

There was discussion regarding how the Air BNB hotel occupancy taxes will be received. Ms. Larison explained that the company would research the location of each Air BNB in Lockhart to report to the City Council, and will report which can be assessed HOT taxes.

E. DISCUSS ORDINANCE 2019-02 AMENDING CHAPTER 6 "ALCOHOLIC BEVERAGES" OF THE CODE OF ORDINANCES, SECTION 6-3 "LOCATION OF SALES RESTRICTED", TO ADD AN EXEMPTION ALLOWING THE SALE OF ALCOHOLIC BEVERAGES WITHIN 300 FEET OF A CHURCH OR SCHOOL IN THE CCB COMMERCIAL CENTRAL BUSINESS DISTRICT.

Mr. Gibson stated that there are several well-established churches in the central business district, and several newer church groups have been granted specific use permits to occupy buildings in the downtown area. While church activities, which occur mostly on Sunday mornings, do not negatively impact the typical commercial and residential elements of the area, there has been a growing concern that each new church automatically creates a buffer area within which the sale of alcoholic beverages for on-premise consumption is prohibited. The buffer applies to schools, as well as churches, but the primary concern is churches. The buffer is 300 feet from the front door of the establishment wishing to serve alcoholic beverages to the front door of the church or school, as measured along property lines and straight across street intersection, so it isn't necessarily a circular radius. It eliminates the possibility of a new restaurant

or bar within the area close to the church or school. This ordinance exempts the CCB zoning district from the buffer requirement, so that there would no longer be a restriction imposed by a church or school on the location of a bar or restaurant downtown. There was discussion.

F. DISCUSS RESOLUTION 2016-06 IN SUPPORT OF AND CONSENTING TO THE CONVERSION OF MAXWELL WATER SUPPLY CORPORATION TO A SPECIAL UTILITY DISTRICT OPERATING UNDER CHAPTER 65, TEXAS WATER CODE.

Justin Ivicic, General Manager of Maxwell Water Supply (MWS) Corporation stated that the current MWS Board held a meeting in October to consider dissolving the corporation to consider creation of the special utility district (SUD). The Board thereafter approved a Resolution to dissolve the corporation and to hold a special membership meeting and to hold an election to dissolve the corporation. The election resulted in approval by 66% to convert to the SUD. The Council reviewed the MWS service area. Because of the expected growth in the area, the Board felt it was the best to convert to the SUD. The State law does not require municipalities to give approval, yet the Board felt it was best to show the Legislator that was carrying the SUD bill to know that surrounding entities were in support. Resolutions of support have been obtained from the City of Kyle and Canyon Regional Water Authority. Resolutions of support are also being considered by the City of San Marcos, Martindale Water Supply Corporation, City of Umland, Caldwell County Commissioners Court, and Countyline Special Utility District.

There was discussion.

Mr. Lewis stated that during previous informal conversations with MWS, it was determined that MWS did not want to relinquish any of their Certificate of Convenience and Necessity (CCN) to provide water service to the area. There was brief discussion.

G. DISCUSS UPDATE ON THE STATUS OF THE NEW CITY BRANDING EFFORT.

Mayor White stated that several individuals met last week to discuss a possible new city logo. He reviewed several options that the individuals agreed upon. He stated that his recommendation was the proposed logo on page 5.

Mayor Pro-Tem Sanchez stated that she is not in favor of using the County Courthouse for a new city logo and suggested that an image not be included. Feedback that she has received from citizens reflect that they do not want the city to use the image of the Courthouse as the City's logo.

Councilmember Westmoreland stated that he was not sure about using the County Courthouse as the image and suggested that the logo remain simple.

Councilmember Mendoza stated that he agreed with page 5 as the logo image. He suggested that the newspaper request citizens to provide their input and to contact the City with questions regarding the proposed new logo. He also suggested hiring a consultant if the Council did not agree on a new logo.

Councilmember Castillo suggested page 6 and suggested that the new logo emphasize that Lockhart is the Barbecue Capital of Texas.

Councilmember Michelson stated that he does not agree with using the County Courthouse for the city logo and that he agreed with emphasizing that Lockhart is the Barbecue Capital of Texas.

Councilmember McGregor stated that she disagrees with hiring a consultant to assist with a new logo. The committee consisted of individuals that are branding consultants, and have performed those services for many companies around the world. She disagreed with using logos from pages 9 and 3.

Mayor White agreed that the Barbecue Capital of Texas theme should be acknowledged through signage, yet he was not sure if it should be reflected on the city logo.

There was discussion.

Mayor White stated that the Council would vote on the issue during the regular meeting.

RECESS: Mayor White announced that the Council would recess for a break at 7:20 p.m.

REGULAR MEETING

ITEM 1. CALL TO ORDER.

Mayor Lew White called the meeting to order at 7:40 p.m.

ITEM 2. INVOCATION, PLEDGE OF ALLEGIANCE.

Mayor White gave the Invocation and led the Pledge of Allegiance to the United States and Texas flags.

ITEM 3. CITIZENS/VISITORS COMMENTS

Mayor White requested citizens to address the Council on issues that are not on the agenda. There were none.

ITEM 4-A. HOLD A PUBLIC HEARING ON APPLICATION ZC-19-01 BY RAVI SAHOTA ON BEHALF OF SATCHARAN HOLDINGS, LLC FOR A ZONING CHANGE FROM AO AGRICULTURAL-OPEN SPACE DISTRICT TO CMB COMMERCIAL MEDIUM BUSINESS DISTRICT ON LOT 1, BLOCK 1, LOCKHART GATEWAY ADDITION, LOCATED AT 2201 WEST SAN ANTONIO STREET.

Mayor White opened the public hearing at 7:42 p.m. and requested the staff report.

Mr. Gibson stated that the owner wishes to develop the subject property for a restaurant and retail center, which are not allowed by the current AO zoning. The subject property abuts existing CMB zoning to the southeast and south. Therefore, the proposed rezoning will essentially be an expansion of the area zoned CMB. A driveway on the adjacent Lot 2 will provide vehicular access through an easement to the subject property. This is necessary due to the Texas Department of Transportation (TxDOT) driveway spacing requirements on State highways. The proposed CMB zoning allows a wide variety of commercial uses including restaurants, offices, and retail. Drive-up windows and the sale of vehicle fuel are allowed, but the CMB district does not allow bars. The CMB district will have the potential for additional noise and night lighting, but the development will be required to provide a visual screen along the east property line adjacent to the Stanton Apartments. The required CMB zoning classification is not consistent with the High Density Residential future land use designation shown on the Lockhart 2020 Comprehensive Plan Land Use Plan map. The property adjacent to the east and northeast was rezoning to RHD to allow the apartments that are currently under construction, and can be considered part of the planned land use allocation for high density residential in this part of the city. The current AO zoning is not any more

consistent with the future land use plan than the required CMB zoning. There has been no opposition expressed concerning the requested zoning. Mr. Gibson stated that staff and the Planning and Zoning Commission recommend approval.

Mayor White requested the applicant to address the Council.

Ravi Sohata, applicant, offered to answer questions. He stated that he would begin construction of the retail center after the gas station is complete.

Mayor White requested citizens in favor of or against the zoning change to address the Council. There were none. He closed the public hearing at 7:47 p.m.

ITEM 4-B. DISCUSSION AND/OR ACTION TO CONSIDER ORDINANCE 2019-01 AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF LOCKHART, TEXAS, TO RECLASSIFY THE PROPERTY KNOWN AS LOT 1, BLOCK 1, LOCKHART GATEWAY ADDITION, LOCATED AT 2201 WEST SAN ANTONIO STREET (SH 142), FROM AO AGRICULTURAL-OPEN SPACE DISTRICT TO CMB COMMERCIAL MEDIUM BUSINESS DISTRICT.

Councilmember Michelson made a motion to approve Ordinance 2019-01, as presented. Mayor Pro-Tem Sanchez seconded. The motion passed by a vote of 7-0.

ITEM 5. CONSENT AGENDA.

Mayor Pro-Tem Sanchez made a motion to approve consent agenda items 5A, 5B, 5C, and 5D. Councilmember Castillo seconded. The motion passed by a vote of 7-0.

The following are the consent agenda items that were approved:

- 5A: Approve selection of TRC Engineering as the best qualified Professional Engineering Services Company to assist the City in its Texas Community Development Block Grant Program (CDBG) application preparation and project implementation to the Texas Department of Agriculture for the Community Development Fund contract, if awarded, to support the public infrastructure (water/wastewater) improvements activities for the City of Lockhart, and appointing the Mayor to sign any required documents for the grant.
- 5B: Approve Resolution 2019-05 authorizing the submission of a Texas Community Block Grant Program application to the Texas Department of Agriculture for the Community Development Fund; and authorizing the Mayor to act as the City's Executive Officer and authorized Representative in all matters pertaining to the City's participation in the Community Development Block Grant Program.
- 5C: Approve donating Lockhart Police Department equipment to the Caldwell County Precinct 1 – Justice of the Peace Constable.
- 5D: Approve the Consultant Services Agreement with MuniServices, LLC for Field Audit Services for Hotel Occupancy Tax Revenues.

ITEM 6-A. DISCUSSION AND/OR ACTION TO CONSIDER ORDINANCE 2019-02 AMENDING CHAPTER 6 "ALCOHOLIC BEVERAGES" OF THE CODE OF ORDINANCES, SECTION 6-3 "LOCATION OF SALES RESTRICTED", TO ADD AN EXEMPTION ALLOWING THE SALE OF ALCOHOLIC BEVERAGES WITHIN 300 FEET OF A CHURCH OR SCHOOL IN THE CCB COMMERCIAL CENTRAL BUSINESS DISTRICT.

Councilmember McGregor made a motion to approve Ordinance 2019-02, as presented. Councilmember Westmoreland seconded. The motion passed by a vote of 7-0.

ITEM 6-B. DISCUSSION AND/OR ACTION TO CONSIDER RESOLUTION 2019-06 IN SUPPORT OF AND CONSENTING TO THE CONVERSION OF MAXWELL WATER SUPPLY CORPORATION TO A SPECIAL UTILITY DISTRICT OPERATING UNDER CHAPTER 65, TEXAS WATER CODE.

Mr. Lewis stated that the City Attorney also reviewed the Resolution with no objections.

Councilmember Michelson made a motion to approve Resolution 2019-06, as presented. Councilmember Mendoza seconded. The motion passed by a vote of 7-0.

ITEM 6-C. DISCUSSION AND/OR ACTION REGARDING AN UPDATE ON THE STATUS OF THE NEW CITY BRANDING EFFORT.

There was discussion.

Mayor White made a motion to use the proposed new logo as shown on page 5 with tagline of “The Barbecue Capital of Texas”. Councilmember McGregor seconded. There was discussion. The motion passed by a vote of 5-2, with Mayor Pro-Tem Sanchez and Councilmember Castillo opposing.

ITEM 6-D. DISCUSSION AND/OR ACTION REGARDING APPOINTMENTS TO VARIOUS BOARDS, COMMISSIONS OR COMMITTEES.

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

ITEM 7. CITY MANAGER’S REPORT, PRESENTATION AND POSSIBLE DISCUSSION.

- Update on a Natural Gas pipeline, proposed by Kinder Morgan, to extend from the Permian Basin to the Gulf Coast and traversing a portion of Caldwell County.
- Texas Department of Transportation (TxDOT) has initiated discussions to update the City and TxDOT Municipal Maintenance Agreement for roadways and regulatory signage in Lockhart.
- Update on TxDOT’s plans for signalized intersection with pedestrian crossing at the Walmart driveway on US 183 and a future traffic signal at Chisholm Trail intersection.
- Household Hazardous Waste Collection Event will be held on Saturday, March 2 at City Park from 9am until 12(noon).
- 2019 Residential Citywide Cleanup Program scheduled for April 3, 10, 17 and 24, depending on customer location.
- Lockhart Fire Department has received delivery of the new “mini-pumper” – a front line response apparatus.
- Lockhart Police Department will be collaborating with the Lockhart ISD concerning their recent School Safety Exchange with parents and staff in order to strengthen safety/security practices.
- Clark Library Hot Spot Lending Policy to be presented to Council on February 19th.
- Development Services Department is offering a workshop regarding historic district local, State, and Federal tax credit and incentives available to owners of certified historic structures on February 6 at 5:30 p.m. at City Hall-Glosserman Room.
- City collaborating with the Guadalupe-Blanco River Authority (GBRA) to complete the renewal process for the discharge permits for both the Larremore Street and FM 20 wastewater treatment plants.
- Texas A&M FAST Program will be sending undergraduate students for the “BIG GIVE” campaign the weekend of February 15th. Students will be volunteering in the Clark Library reorganizing books.
- Update regarding the city’s estimated population estimate as of January 2019.
- Follow up work session regarding the Parks Master Plan will be held on Wednesday, February 27 at 6:30 p.m.
- Bids will be considered to be awarded on February 19 for the City Line Road Realignment Project.

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

Councilmember Westmoreland stated that the softball and baseball fields are busy. He encouraged everyone to be safe.

Councilmember Mendoza thanked staff for their work and the City Manager for the updates. He thanked the downtown area for their successful First Friday event.

Mayor Pro-Tem Sanchez thanked everyone for their condolences during the loss of her father-in-law. She expressed condolences to the families of Eusevio Torres, Ernesto Torres, Hazel Clark and Rosie Oliva for their loss. She congratulated the Lockhart Chamber of Commerce for a successful annual banquet and the downtown businesses for a successful First Friday event.

Councilmember McGregor thanked all involved in the informative goals workshop last week.

Councilmember Castillo thanked all involved with the informative goals workshop last week. He thanked staff for their work, and encouraged citizen input about city issues.

Councilmember Michelson thanked the City Manager and staff for the informative goals workshop.

Mayor White thanked all involved with the goals workshop. Upcoming agenda items would be to receive an update regarding the Lockhart Emergency Care Center, and to discuss the formal use of city sidewalks including drainage improvements.

ITEM 9. 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 8:21 p.m.

PASSED and APPROVED this the 19th day of February 2019.

CITY OF LOCKHART

Lew White, Mayor

ATTEST:

Connie Constancio, TRMC
City Secretary

City of Lockhart, Tx

Council Agenda Item Briefing Data

COUNCIL MEETING DATE: February 19, 2019

AGENDA ITEM CAPTION: Discussion and/or action to consider Ordinance 2019-03 adding a subsection providing for electronic fund transfers (ACH – automated clearing house) as a form of payment; and providing severability.

ORIGINATING DEPARTMENT AND CONTACT: Finance - Utility Billing – Pam Larison

ACTION REQUESTED:

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

BACKGROUND/SUMMARY/DISCUSSION: Currently under Section 2-279; the city will accept payment in the form of cash; checks drawn on personal, business, and organizational accounts; certified checks and money orders; and credit cards. This subsection will add electronic fund transfers as a form of payment accepted by the City of Lockhart. This is for any future clarification and/or dispute on the description of payments accepted by the City.

PROJECT SCHEDULE (if applicable):

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

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

FISCAL NOTE (if applicable):

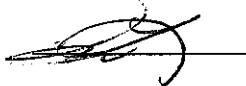
Previous Council Action:

COMMITTEE/BOARD/COMMISSION ACTION:

STAFF RECOMMENDATION/REQUESTED MOTION: Staff recommends Ordinance 2019-03 be approved for clarification of payment methods.

LIST OF SUPPORTING DOCUMENTS: City of Lockhart Code of Ordinance, Section 2-279.

Department Head initials:



City Manager's Review:



ORDINANCE 2019-03

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LOCKHART, TEXAS AMENDING THE LOCKHART CODE OF ORDINANCES, CHAPTER 2-ADMINISTRATION, ARTICLE V—FINANCE, TO ADD SUBSECTION 2-279(c), PROVIDING FOR ELECTRONIC FUNDS TRANSFERS FOR PAYMENTS TO THE CITY; PROVIDING FOR SEVERABILITY; PROVIDING A REPEALER; PROVIDING FOR PUBLICATION; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City of Lockhart accepts payments in various forms for items and services; and

WHEREAS, payment by electronic funds transfers (ACH—automated clearing house) has become a regular payment method by persons and entities that pay the City; and

WHEREAS, Article V—Finance in Chapter 2 of the Lockhart Code of Ordinances should be updated to provide for payments to the City by electronic funds transfers, for the convenience of persons and entities paying the City.

NOW, THEREFORE, be it ordained by the City Council of the City of Lockhart, Texas that the Code of Ordinances, City of Lockhart, Texas, Section 2-279. – Payments to the city; acceptable forms of payment, is hereby amended by adding a subsection to be numbered Sec. 2-279(c), which said subsection reads as follows:

I.

Sec. 2-279. – Payments to the city; acceptable forms of payment.

- (c) For purposes of payments made to the city and for procedures and penalties for dishonored and/or returned checks, the meaning of the term "check" includes an electronic funds transfer (ACH).

[all other subsections remain unchanged]

II. Severability: If any part 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 this ordinance that no portion, provision, or regulation contained herein shall become inoperable.

III. Repealer: All other ordinances, section, 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: The City Secretary is directed to cause the caption of this ordinance to be published in a newspaper of general circulation according to law.

V. Open Meeting: It is hereby officially found and determined that the meeting at which this ordinance was passed was open to the public as required by law.

VI. Effective Date: This ordinance shall become effective and be in full force upon passage.

PASSED, APPROVED, AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF LOCKHART, TEXAS, ON THIS THE _____ DAY OF _____, 2019.

CITY OF LOCKHART

Lew White, Mayor

ATTEST:

APPROVED AS TO FORM:

Connie Constancio, TRMC, City Secretary

Peter Gruning, City Attorney

Sec. 2-279. - Payments to the city; acceptable forms of payment.

- (a) The city will accept payment made in the form of cash; checks drawn on personal, business, and organizational accounts; certified checks and money orders; credit cards, with terms, as set by resolution. The city will not accept post-dated checks. All payments will be in United States currency. Loose coins will be accepted only in amounts that are insufficient to be rolled in bank coin wrappers. Coins in unbroken and sealed bank coin wrappers will be accepted only up to a total of \$50.00. The city will not wrap coins for individuals, but will provide wrappers if available.
- (b) The city will not accept or be responsible for payments left on any floors, steps, streets, parking lots, or grounds including city-owned property. Payments placed in the night deposit box at city hall are placed there at the depositor's risk. The city is not responsible for payments placed in the night deposit box. A receipt will not be given or mailed for payments placed in the night deposit box. Payments received in the night deposit box after 5:00 p.m. will be posted to the next business date. Payments may be mailed to the city; however, postmarks are a deciding factor in determining if payment was received on or by due dates.

(Code 1982, § 2-5; Ord. No. 94-07, pt. 1, 7-19-94; Ord. No. 2010-35, § I, 10-19-10; Ord. No. 2011-11, § I, 7-5-11)

⇒ (c)

City of Lockhart, TX

Council Agenda Item Briefing Data

COUNCIL MEETING DATE: February 19, 2019

AGENDA ITEM CAPTION: Discussion and/or action to consider approving modifications to the Lockhart Municipal Airport Fixed Based Operator Lease Agreement from Mr. Stanley Martin to Martin & Martin Aviation, LLC, comprised of Keith Uhls and Reine Smith and approving the Mayor to sign Assignment of Lease if approved.

ORIGINATING DEPARTMENT AND CONTACT: Public Works (Airport)-Sean Kelley

ACTION REQUESTED:

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

BACKGROUND/SUMMARY/DISCUSSION: Stanley Martin has been the Fixed Based Operator for many years at the Lockhart Municipal Airport. Mr. Martin desires to assign his ground lease to Martin & Martin Aviation, LLC, comprised of Keith Uhls and Reine (Ken) Smith. The current Assignment of Lease expires on October 31, 2020. Previously on September 18, 2018 an Assignment of Lease Agreement was approved by Council with a third member (John Cyrier) of Martin & Martin Aviation, LLC, Mr. Cyrier is no longer a member of Martin & Martin Aviation, LLC. The remaining two member of Martin & Martin Aviation, LLC are still interested in the FBO for the Lockhart Municipal Airport.

SCHEDULE (if applicable):

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

Funds Required:

Account Number:

Funds Available:

Account Name:

FISCAL NOTE (if applicable):

Previous Council Action: September 18, 2018- Initial Approval of transfer of Assignment of Lease to Martin & Martin Aviation, LLC. Effective date to be January 1, 2019.

October 16, 2018- Discussion of Assignment of Lease effective date. Due to extenuating circumstances, no transfer of assignment was to take place until proper documents could be executed.

COMMITTEE/BOARD/COMMISSION ACTION:

STAFF RECOMMENDATION/REQUESTED MOTION: Staff Recommends Approval of Assignment of Lease Agreement

LIST OF SUPPORTING DOCUMENTS:

Assignment of Lease, September 18, 2018 & October 16, 2018 Council Agendas, Original Assignment of Lease, and Lease

Department Head initials:

SK

City Manager's Review:

SK 57

STATE OF TEXAS)

COUNTY OF CALDWELL)

ASSIGNMENT OF LEASE

THIS AGREEMENT is made by and between **Stanley B. Martin**, an individual and former Manager and Director of Martin & Martin Aviation, PLLC ("Assignor"), and **Martin & Martin Aviation, LLC**, a Texas limited liability company ("Assignee") comprised of Members Reine Smith, and Keith Uhls.

1. A lease was executed on or about November 1, 1991, by and between The City of Lockhart, Texas ("Landlord"), a municipal corporation existing by and under the authority of the laws of the State of Texas, and Stanley B. Martin and Palmer R. Martin (now deceased) as Tenant, under which the property described therein was leased to the Tenant for a term of twenty (20) years, beginning on November 1, 1991, a copy of which is attached as **Exhibit A**. On or about October 7, 2000, the parties executed an amendment to the Lease Agreement extending the Lease until October 31, 2020, a copy of which is attached as **Exhibit B**. Exhibits A and B are hereafter collectively referred to as the "Lease".

2. The Assignor wishes to assign the Lease to the Assignee, and the Assignee wishes to accept the assignment.

IN CONSIDERATION of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration, receipt of which is hereby acknowledged, the Assignor assigns to the Assignee all his right, title, and interest in and to the Lease. The Landlord and Assignee, Martin & Martin Aviation, LLC, agree that Article III. Term of Lease is hereby amended to include up to ten (10) year renewal option, that Article VI. Rental and Fuel Charges is hereby amended to eliminate the 2.5% of fuels sales being paid to the Lessor (City of Lockhart) and that Article IX Fixed Base Operations is hereby amended to eliminate the requirement that the Fixed Base Operator be open on Sundays. The Assignee accepts the assignment and agrees to fulfill, and to be jointly and severally liable for, all of its terms and the Assignor's duties and covenants except as amended herein, including making all payments due to or payable on behalf of the Landlord when due and payable.

This agreement binds and inures to the benefit of the parties to the Lease and this assignment only.

Assignor:

Stanley B. Martin

Date

Assignee:

Martin & Martin Aviation, LLC.

Keith Uhis, Member
1600 Barton Springs Road #2303
Austin, Texas 78704

Date

Reine Smith, Member
5407 Honey Dew Terrace
Austin, Texas 78749

Date

Consent of Landlord

Pursuant to the action of the Lockhart City Council on _____, the Landlord in the Lease, City of Lockhart, Texas, consents to the assignment of the Lease to Martin & Martin Aviation, LLC, comprised of Members Reine Smith, and Keith Uhis, and waives no right under the Lease or this assignment with respect to the Assignees.

City of Lockhart, Texas

By: _____
Lew White
Mayor

Attest:

Connie Constancio, TRMC
City Secretary



**CITY OF LOCKHART
COUNCIL AGENDA ITEM**

HISTORY

CITY SECRETARY'S USE ONLY <input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory	Reviewed by Finance	<input type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable
	Reviewed by Legal	<input type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable
Council Meeting Date: October 16, 2018			
Department: City Manager		Initials	Date
Department Head: Steve Lewis	Asst. City Manager		
Dept. Signature:	City Manager	<i>[Signature]</i>	10/11/18

Agenda Item Coordinator/Contact (include phone #): Steve Lewis (512) 769-8072

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

CAPTION

Discussion and/or action to consider approving the effective date of the Lockhart Airport Fixed Base Operator Lease Agreement from Mr. Stanley Martin to Martin & Martin Aviation, Inc. comprised of John Cyrier, Keith Uhls, and Reine Smith, from October 1, 2018 to January 1, 2019 because of extenuating circumstances.

FINANCIAL SUMMARY

N/A GRANT FUNDS OPERATING EXPENSE REVENUE CIP BUDGETED NON-BUDGETED

FISCAL YEAR:	PRIOR YEAR (CIP ONLY)	CURRENT YEAR	FUTURE YEARS	TOTALS
Budget				\$0.00
Budget Amendment Amount				\$0.00
Encumbered/Expended Amount				\$0.00
This Item				\$0.00
BALANCE	\$0.00	\$0.00	\$0.00	\$0.00

FUND(S):

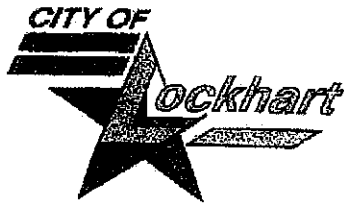
SUMMARY OF ITEM

During the September 18, 2018 meeting, the Council approved Stanley Martin assigning the Fixed Base Operator (FBO) of the Lockhart Municipal Airport to Martin & Martin Aviation, LLC comprised of members John Cyrier, Ken (Reine) Smith and Keith Uhls to be effective October 1, 2018. Shortly thereafter, Martin & Martin Aviation was informed that Stanley Martin's legal counsel was not going to be able to complete the FBO transfer documents due to extenuating circumstances. All parties have agreed to revise the transfer date from October 1, 2018 to January 1, 2019. Cheryl Burrier, Stanley Martin's assistant, confirmed that they will be able to continue to do business and maintain the FBO at the Airport until January 1, 2019.

STAFF RECOMMENDATION

Staff recommends approval.

List of Supporting Documents: <ul style="list-style-type: none"> • Assignment of Lease • September 18, 2018 Council material 	Other Departments, Boards, Commissions or Agencies: <ul style="list-style-type: none"> • Martin & Martin Aviation
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HISTORY

Work Session Item # _____

Reg. Mtg. Item # _____

**CITY OF LOCKHART
COUNCIL AGENDA ITEM**

CITY SECRETARY'S USE ONLY <input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory	Reviewed by Finance	<input type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable
	Reviewed by Legal	<input type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable

Council Meeting Dates: September 18, 2018

Department: City Manager

Department Head: Yance Rodgers Asst. City Manager

Dept. Signature: *[Signature]* City Manager *[Signature]* 9-12-2018

Agenda Item Coordinator/Contact (include phone #): Vance Rodgers

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

CAPTION
 Discussion and/or action to consider in interest of a public purpose an Assignment of Lease with minor adjustments to the existing lease from Stanley B. Martin to Martin & Martin Aviation, LLC, comprised of members John Cyrier, Ken (Reine) Smith, and Keith Uhls, and appointing the Mayor to sign the lease if approved

FINANCIAL SUMMARY
 N/A GRANT FUNDS OPERATING EXPENSE REVENUE CIP BUDGETED NON-BUDGETED

FISCAL YEAR:	PRIOR YEAR (CIP ONLY)	CURRENT YEAR	FUTURE YEARS	TOTALS
Budget				\$0.00
Budget Amendment Amount				\$0.00
Encumbered/Expended Amount				\$0.00
This Item				\$0.00
BALANCE	\$0.00	\$0.00	\$0.00	\$0.00

FUND(S):

SUMMARY OF ITEM
 Mr. Stanley B. Martin has been the Fixed Base Operator (FBO) for many years at the Lockhart Municipal Airport. Mr. Martin desires to assign his ground lease to Martin & Martin Aviation, LLC, comprised of members John Cyrier, Ken Smith, and Keith Uhls. Biographical information about these individuals and their relevant aircraft experience is provided in the Council packet. The current lease expires on October 31, 2020. Martin & Martin Aviation, LLC has requested and the City Manager agrees to three minor changes in the current lease: 1- Up to a 10 year lease extension option at the end of the current lease, 2- that the provision requiring 2.5% of fuel sale be paid to the City annually be removed (\$1,500 annually), and 3- that the FBO does not have to be open on Sundays.

STAFF RECOMMENDATION
 City Manager respectfully requests approval of the Assignment of Lease with amendments

List of Supporting Documents: Letter from Mr. Stanley B. Martin, Martin & Martin Aviation, LLC members bio, Old Assignment of Lease, Assignment of Lease, Lease	Other Departments, Boards, Commissions or Agencies:
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EXHIBIT A

LEASE AGREEMENT

THIS LEASE AGREEMENT, made and entered into this 1st day of November, 1921, by and between the City of Lockhart, Texas, a municipal corporation existing by and under the authority of the laws of the State of Texas, hereinafter referred to as Lessor, and Stanley B. Martin and Palmer K. Martin, hereinafter referred to as Lessee,

WITNESSETH:

WHEREAS, Lessor owns and operates, near the city of Lockhart, an Airport which includes all aeronautical navigation facilities, said Airport being known as Lockhart Municipal Airport, and said Lessor is desirous of leasing to Lessee certain premises hereinafter more fully described, and located on said Airport, together with the right to use and enjoy individually and in common with others the facilities referred to; and

WHEREAS, Lessee has indicated a willingness and ability to properly keep, maintain and improve said premises with standards approved by Lessor; and Lessee will operate a fixed based operation which will engage in the business of aeronautics, engine and aircraft repairs, sales and renting of aircraft, sale of aircraft and engine parts and accessories, sale of fuel, flight instruction, storage of aircraft and equipment, airplane charter trips and local short flights, providing a radio and operator when

necessary, and desires to lease said property and rights from the city of Lockhart, Texas;

NOW THEREFORE, for and in consideration of the rents, covenants, and agreements herein contained, Lessor does hereby lease, demise, grant and let to Lessee, and Lessee does hereby hire, take and lease from Lessor, the following premises, rights and easements in and to the Airport upon the following terms and conditions, to-wit:

ARTICLE I.

LEASED PREMISES

Lessor does hereby grant, demise and lease unto Lessee the following described tract of land at said Airport with respect to which Lessee is to have for the term of this lease the use of said tract described as follows:

THOSE portions of the airport property being approximately 2.49 and 1.66 acres of land situated in the E. Berry Survey A-1, in Caldwell County, Texas, and which are more accurately described in Exhibit "A" attached hereto and incorporated herein for all purposes.

ARTICLE II.

BUILDINGS AND IMPROVEMENTS

Lessee shall have the right to erect office and administration buildings, shops, hangars and other buildings upon the 2.49 acre portion of said described premises, in accordance with the City of Lockhart Airport Master Plan or as mutually agreed upon and with approval of Lessor.

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Lessee agrees to maintain in good condition, order and repair all structures and other improvements upon the damaged premises including but not limited to: hangars; administration buildings; and, any other additional structures or facilities which Lessee may deem necessary to the enjoyment of the rights herein granted. However, Lessee agrees and understands that plans and specifications for any and all proposed improvements to the Lessee's property shall require the prior written approval of the Lessor, and shall conform to the City of Lockheed Airport Master Plan or as mutually agreed upon and with approval of Lessor.

Lessor, acting through its Building Inspector and other inspectors, shall have free access to the property covered hereby and to the improvements thereon for the purpose of determining that any construction conforms to the plans and specifications approved by Lessor, and to determine if the building and other improvements are being maintained in accordance with the requirements in this Lease Agreement. It shall be Lessee's responsibility to take such actions as are necessary to insure that the construction of improvements and any later required maintenance work, is conducted without interference with other Lessees, the F.A.A., or any aviation activities which are the principal purpose of the maintenance of the airport. Any activity which interferes with or endangers aviation activity will be immediately discontinued when so mandated by the Lessor or the F.A.A.

ARTICLE III.

TERM OF LEASE

The term of this lease shall be for a period of twenty (20) years, commencing on the date above first written, unless sooner terminated or extended as hereinafter provided. This lease and any extension thereof shall be subject to review by the appropriate State agency and the Federal Aviation Administration, as required, and acceptance by Lessor and Lessee and the terms of this lease shall be provisional until such time as all appropriate agencies have approved this agreement.

ARTICLE IV.

EXEMPTION TO BE PROVIDED BY LESSEE

Lessee agrees and understands that it will be required to provide sales of aviation fuel and oil; sale of aircraft and accessories or supplies; and, repairs and maintenance of aircraft. Lessee shall have the right to conduct these activities upon the 2.49 acre portion of the area in Exhibit "A".

Lessee may perform the following activities, in its discretion, in addition to those previously required:

Painting of aircraft; flight instruction, both air and ground; aerial photography, survey and pipeline patrol; air charter operations; aircraft rental; operation of coffee shop and/or restaurant; car rental agency. The list in this paragraph is not intended to be all inclusive, and LESSEE has the right to perform any other services normally associated with aircraft operations.

Lessee agrees and understands that any services provided will be in accordance with accepted standards; local, State, and Federal laws; and FAA regulations.

Lessee agrees and understands that no activities will be performed which are not related to, or not normally associated with, aircraft operations.

The Lessee agrees and understands that the right to conduct aeronautical activities for furnishing services to the public is granted by Lessor subject to the Lessee agreeing:

(a) to furnish said services on a fair, equal and nondiscriminatory basis to all users thereof;

(b) to charge fair, reasonable and nondiscriminatory prices for each unit of service provided; that the Lessee may be allowed to make reasonable and nondiscriminatory discounts, rebates, or other similar types of price reductions to volume purchasers; and,

(c) to furnish good, prompt, efficient services adequate to meet all the demands for its services at the airport.

It is clearly understood by the Lessee that no right or privilege has been granted which would operate to prevent any person, firm or corporation operating aircraft on the Airport from performing any services on its own aircraft with its own facilities, regular employees (including, but not limited, to maintenance, repair and fueling) that it may choose to perform, which are in conformance with Federal

Aviation Administration Regulations and/or City Ordinances, provided that any maintenance or repair required to be done by an FAA certified mechanic must be accomplished by or under the direct supervision of FAA licensed mechanic and/or avionics personnel.

**ARTICLE V.
NON-DISCRIMINATION**

The Lessee for himself, his personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree as a condition running with the land that: (1) no person on the grounds of race, color, or national origin shall be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities; (2) that in the construction of any improvements on, over, or under each land and the furnishing of services thereon, no person on the grounds of race, color, or national origin shall be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination; (3) that the Lessee shall use the premises in compliance with all other requirements imposed by, or pursuant to, 49 CFR Part 21, Nondiscrimination in Federally Assisted Programs of the Department of Transportation, and as said Regulations may be amended.

The Lessee agrees that it will undertake any affirmative action program as required by 49 CFR Part 162, Subpart B, to ensure that no person shall on the grounds of

race, creed, color, national origin, or sex be excluded from participating in any employment activities covered in 14 CFR Part 152, Subpart K.

The Lessee assures that no person shall be excluded on these grounds from participating in or receiving the services or benefits of any program or activity covered by this subpart. The Lessee assures that it will require that its covered subcontractors will provide assurances to the Lessee that they similarly will undertake affirmative action programs, and that they will require assurances from their subcontractors, as required by 14 CFR Part 152, Subpart K, to the same effect.

That in the event of breach of any of the preceding nondiscrimination covenants, the City of Lockheed shall have the right to terminate the license, issue, permit, etc., and to re-occupy and repossess said land the facilities thereon, and hold the same as if the said lease had never been made or issued.

ARTICLE VI.

RENTAL AND RENT CHARGES

Lessee agrees to pay an annual rental for the use of the premises, rights and easements herein provided for as follows:

(a) GROUND RENT.

(1) Ground rent to be paid semi-annually in the amount of \$0.03 per square foot per year on each square foot of land on the 2.45 acre (108,454 square feet) portion of

the leased property for a total of \$1,244.00 annually, the first payment of \$1,277.00 which shall be due and payable contemporaneously with the signing of this lease.

(2) Ground rent to be paid semi-annually in the amount of \$0.003 per square foot per year on each square foot of the 1.56 acre (72,309 square feet) portion of the leased property for a total of \$316.93 annually, the first payment of \$108.48 which will be due and payable contemporaneously with the signing of this lease.

(3) 1.56 acre tract of land which is a portion of the leased premises is acknowledged by the parties to be at the present time used as a tie-down area for aircraft. In the event that Lessee chooses, at his option, to charge monthly or otherwise periodic rental for the privilege of outside tie-down space to aircraft owners, then rental fee for the 1.56 acre portion of the leased premises shall be in an amount of \$0.003 per square foot or 50¢ of the monthly tie-down rental fees charged by Lessee, whichever amount is larger. Lessee covenants and agrees to provide to Lessee all appropriate documentation with regard to fees charged for tie-downs, on a monthly or otherwise mutually agreed upon schedule.

(4) The ground rent on the tracts leased shall be subject to Article V, Section C, "Adjustments to Rent."

(5) Should any governmental agency require for any reason any portion of the tract held by Lessee under the this lease, Lessee shall be entitled to reimbursement for

the sum paid to the lessor for the area of property actually utilized by the governmental agency. Nothing herein shall entitle Lessee to reimbursement for any amount greater than the sum actually paid to lessor on the property actually utilized by the governmental agency.

(b) Fuel Charges. Payment for aviation fuel delivered to Lessee shall be paid on a "per load" basis within five (5) days of receipt of the fuel load placed in the fuel storage facility located on the leased premises. Such payments shall be at the rate of two and one-half percent (2.5%) of the average retail price per gallon of aviation fuel delivered to Lessee during the term of this lease. Upon resulting payment Lessee shall also include the delivery ticket or other proof with regard to fuel actually purchased by and delivered to Lessee, and documentation regarding Lessee's average retail gasoline sales price. Lessee shall make available to Lessor for inspection during regular business hours the oil, gasoline and aviation fuel delivery tickets, and any other data reasonably required by the Lessor to verify the number of gallons of fuel delivered to Lessee.

(c) Adjustments to Rent. As promptly as practicable after the end of the 5th year after the beginning date of this lease and each 5th year thereafter, Lessor shall compute the percentage of change (increase or decrease), if any, in the cost of living during the time period between the beginning date of this Lease Agreement and the date of

the 5th year anniversary and each 5th year anniversary thereafter during the term of this lease, based upon the changes in the Consumer Price Index for Urban Wage Earners and Clerical Workers - U.S. Average (1967-100) (herein called "Consumer Price Index"), as determined by the United States Department of Labor, Bureau of Labor Statistics for "All Items". It is agreed that the Consumer Price Index Number at the commencement date of this lease is November 1, 1961 (herein called "Base Index Number"). If the Consumer Price Index Number for the month in which any such anniversary of the beginning date shall occur (such such number being herein called an "Anniversary Index Number") is higher or lower than the Base Index Number, then such Anniversary Index Number shall be divided by the Base Index Number and from the quotient thereof shall be subtracted the integer one (1). The resulting number, multiplied by one hundred, shall be deemed to be the percentage of increase or decrease in the cost of living. Such percentage of change shall be multiplied by the Basic Rental, and the product thereof shall be added to, or subtracted from, the Basic Rental to determine the annual rental payable for the next five year period, commencing on the immediately preceding anniversary of the beginning date (such amount being herein sometimes called "Adjusted Basic Rental"). Such Adjusted Basic Rental shall be calculated in the above manner during the 5th year anniversary and each 5th year thereafter of the lease term. Lessor shall, within a reasonable time after

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obtaining the appropriate data necessary for computing any change in the annual rent, give Lessee notice of any change so determined. Lessee shall notify Lessor of any claimed error therein within thirty (30) days after receipt of such notice. If publication of the Consumer Price Index shall be discontinued, the parties hereto shall thereafter accept comparable statistics on the cost of living for the City of San Antonio, Texas, as they shall be computed and published by an agency of the United States, or by a responsible financial periodical or recognized authority, then to be selected by the parties hereto. As an example, only, of the foregoing adjustment:

- d. Assume Basic Rental is per acre \$100.00 per year.
- e. Assume Basic Index Number is 300.

o. Assume Anniversary Index Number on the anniversary date of the commencement date is 300.
Then based upon the foregoing, the Annual Basic Rental shall be:

Anniversary Index Number 300 divided by Base Index Number 300 =
1.5 - 1 = .5 x 100 = 50 = 50%
50% x 100 = 50.00
50.00 + 100.00 = 150.00 Adjusted Basic Rental.

All payments are to be made to the Office of the City Manager at P. O. Box 219, Lockhart, Texas 78644.

In the event of Lessee's failure to pay any installment of rental when due or any other fee when due, Lessor may declare the lease terminated, or may declare all unpaid rental due, and further will be entitled to judgment for

court costs, reasonable attorney's fees and interest on its unpaid rental and fees at the rate of 12% (12%) PERCENT per annum.

g. Late Payment on Rent. All rental payments shall be due on the first of the month, of the month beginning the semi-annual lease payment period. Payments not received by the 10th shall be deemed late, and there will be an automatic ten percent (10%) penalty assessed and collected by Lessor from Lessee in that event.

ARTICLE VII. INSURANCE

Lessee shall maintain, at its own cost and expense: (a) comprehensive general liability insurance on an occurrence basis, with minimum limits of liability in an amount of \$1,000,000.00 for bodily injury, personal injury or death to any one person, up to \$2,000,000.00 for each occurrence, and \$1,000,000.00 for damage to property, (b) including contractual liability; (b) fire insurance in an amount adequate to cover 80% of the cost of replacement of all fixtures and contents in the leased premises in the event of fire, extended coverage, vandalism or malicious mischief and special extended coverage; and, (c) workers' compensation coverage on all of Lessee's employees. Lessee agrees to carry Lessor as an additional insured party, and such insurance policies shall contain the endorsement that such insurance may not be cancelled or amended with respect to Lessor, without thirty (30) days' written notice by registered mail, to Lessor, by

the insurance company; and that Lessee shall be solely responsible for the payment of premiums; and that Lessor shall not be required to pay any premiums for insurance; and in the event of payment of any loss covered by such policies, Lessor shall be paid first by the insurance company for its loss, and Lessee waives the right of subrogation against Lessor for any reason whatsoever. Any insurance policy herein required or procured by Lessee shall contain an express waiver of any right of subrogation by the insurance company against the Lessor. The original policy of all such insurance shall be delivered by Lessee to Lessor, within ten (10) days of the inception of such policy by the insurance company. The minimum limits of any insurance coverage required herein shall not limit Lessee's liability under the following paragraph.

If the leased premises or any structures or improvements on the leased premises should be damaged or destroyed by fire, tornado, or other casualty, Lessee shall give immediate written notice of the damage or destruction to Lessor, including a description of the damage and, as far as known to Lessee, the cause of the damage.

If the leased premises should be totally destroyed by fire, tornado, or other casualty not the fault of Lessee or any person in or about the leased premises with the express or implied consent of Lessee, or if it should be so damaged by such a cause that rebuilding or repairs cannot reasonably be completed within sixty (60) working days, this lease

shall terminate, and rent shall be abated for the unexpired portion of this lease, effective as of the date of written notification provided for hereinabove.

If the leased premises should be damaged by fire, tornado, or other casualty not the fault of Lessee or any person in or about the leased premises with the express or implied consent of Lessee, but not to such an extent that rebuilding or repairs cannot reasonably be completed within one hundred twenty (120) working days, this lease shall not terminate, and it shall be the responsibility of Lessee to rebuild or repair said damage at Lessee's expense.

Lessee shall, at its own expense, require contractor liability insurance during the construction of all structures on the leased premises.

ARTICLE VIII.

NON-EXCLUSIVITY

Lessee agrees to operate the premises leased for the use and benefit of the public.

NOTWITHSTANDING ANYTHING HEREIN CONTAINED THAT MAY BE OR APPEAR TO BE CONTRARY, IT IS EXPRESSLY UNDERSTOOD AND AGREED THAT THE RIGHTS GRANTED UNDER THIS AGREEMENT ARE NON-EXCLUSIVE AND THE LESSOR HEREBY RESERVES THE RIGHT TO GRANT SIMILAR PRIVILEGES TO ANOTHER OPERATOR OR OTHER OPERATORS ON OTHER PARTS OF THE AIRPORT.

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ARTICLE IX.

RIXED BASE OPERATION

Lessee shall provide a fixed based operation (720) conducted seven (7) days a week during a minimum of nine (9) hours, unless otherwise agreed upon in writing by the City Manager, at Lessee's option, conducted on a 24 hour basis, which operation shall include providing all of the services and facilities to be performed and constructed by Lessee as set forth herein. Lessee shall have the right to close his business on the following days: Christmas Eve, Christmas, and Thanksgiving. Lessee agrees and understands that the Airport will be open to the public at all times.

ARTICLE X.

NON-ASSIGNMENT

Lessee shall not, at any time during the term of this lease, or in any manner, either directly or indirectly, assign, sublease, hypothecate, or transfer this agreement or any interest therein without the prior written consent of Lessor. Lessor shall not unreasonably withhold consent under this provision.

Should a lending institution, in connection with either existing or new improvements require a first lien on the Lessee's leasehold interest and require collateral assignment of said lease to the financial institution, Lessor agrees this will not be violative of the lease agreement. Any assignment, hypothecation, or pledge shall not be effective without the prior written consent of the

City of Lockhart and such consent shall not be unreasonably withheld. Prior to such assignment, sublease, hypothecation, or pledge of this lease as provided for in this paragraph, Lessee shall provide Lessor's City Manager with a copy of said assignment, sublease, hypothecation, or pledge and of any and all agreements collateral thereto. In the event that the City of Lockhart approves the proposed assignment, sublease, hypothecation, or pledge a copy thereof shall be filed with the City Secretary of the City of Lockhart. It is specifically understood and agreed by the parties that any assignment of this lease or hypothecation thereof shall not create any type of lien upon the realty or create any further obligation upon Lessor as a result of such assignment or hypothecation thereof.

ARTICLE XI.

INDEMNITY

(a) Lessee shall indemnify Lessor and save it harmless from suits, actions, damages, liability and legal defense expense in connection with the loss of life, bodily or personal injury or property damage arising from or out of any occurrence in or upon the demised premises, or occasioned wholly or in part by any act or omission of Lessee, its agents, contractors, employees, servants, invitees or licensees, in their use of the demised premises, the runways and taxiways, and any other areas within the City of Lockhart Airport; and

(b) Lessee shall store its property in and shall occupy the damaged premises and all other portions of the city of Lockhart Airport at its own risk, and released Lessee, to the full extent permitted by law, from all claims of every kind resulting in loss of life, personal or bodily injury or property damage; and

(c) Lessor shall not be responsible or liable at any time, for any loss or damage to Lessee's merchandise, equipment, fixtures, machinery, airplanes or airplane parts of any other business personal property of Lessee or to Lessee's business on or upon the damaged premises; and

(d) Lessor shall not be responsible or liable to Lessee or to those claiming by, through or under Lessee, for any loss or damage to either the person or property of Lessee that may be occasioned by or through the acts or omissions of persons occupying adjacent, connecting or adjoining premises; and

(e) Lessor shall not be responsible or liable for any defect, latent or otherwise, on any building in the Airport area, or of any of the equipment, machinery, utilities, appliances or apparatus therein or thereupon, nor shall it be responsible or liable for any injury, loss or damage to any person or to any property of Lessee, or any other person caused by or resulting from any bursting, breakage, or by or from leakage, steam or snow or ice, running, backing up, seepage or the overflow of water or sewage in any part of said premises, or for any injury or damage caused by or

resulting from any defects or negligence in the occupancy, construction, operation or use of any said buildings, equipment, machinery, utilities, appliances or apparatus by any person or by or from the acts of negligence of any occupant of the premises; and,

(f) Lessor shall give prompt notice to Lessor in case of fire or accidents in the damaged premises.

ARTICLE XII.

GENERAL RIGHTS AND DUTIES OF PARTIES

The parties hereto for themselves, their legal representatives, successors and assigns, further covenant and agree as follows:

(a) Lessee agrees to observe and obey during the term of this lease, all laws, ordinances, rules and regulations promulgated and enforced by Lessor, and by any other proper authority having jurisdiction over the conduct of operations at the airport.

(b) So long as Lessee conducts its business in a fair, reasonable and workmanlike manner, Lessee shall peacefully have and enjoy the leased premises, and all the rights and privileges herein granted.

(c) With regard to permanent improvements either in place or to be placed upon the premises by Lessee, Lessor hereby agrees to the following provisions:

(1) Permanent improvements placed upon the premises by Lessee during the term of this lease shall revert to Lessor on termination of this lease.

(ii) Any permanent improvement hereafter placed upon the leased premises under some previous agreement as a sub-lease or otherwise to a previous fixed term operator shall revert to Lessor upon termination of the lease.

(iii) Lessee shall provide proof of timely payment on all notes on improvements at a minimum of once annually by providing all appropriate documents to the City Manager of the City of Lockhart.

(iv) All loans upon existing or subsequent permanent improvements placed upon the premises by Lessee shall be paid in their entirety and any liens placed upon improvements as a result of those construction loans shall be released no later than five (5) years prior to the termination of this lease agreement.

(v) No equity or other type of loan which results in additional lien or liens on existing improvements shall be allowed without the expressed written consent of Lessor.

(d) Lessee agrees that no signs or advertising matter may be erected without the consent of Lessor.

(e) Lessee agrees to install, maintain and operate proper obstruction lights on tops of all buildings in excess of thirty feet in height to be placed on the premises described hereinabove and keep the same lighted from sunset to sunrise.

(f) Lessor hereby designates the City Manager,

City of Lockhart as its official representative with the full power to represent Lessor in all dealings with Lessee in connection with the premises herein leased. Lessor may designate by notice in writing, addressed to Lessee, other representatives from time to time and such notice shall have the same effect as if included in the terms of this agreement.

(g) Notice to Lessor as herein provided shall be sufficient if sent by registered mail, postage prepaid, to the City Manager, of the City of Lockhart at 300 W. San Antonio Street, and notice to Lessee in the same manner, shall likewise be sufficient if addressed to Lessee at P. O. Box 1169, Lockhart, Texas 78444, or such other addresses as may be designated by Lessor to Lessee in writing from time to time.

(h) Lessee shall keep the premises, as described hereinabove, clean and all grass areas within the leased premises properly mowed. He shall dispose of all debris and other waste matter which may accumulate on the leased premises at Lessee's expense, and shall provide metal containers with proper covers for waste within the building or buildings to be erected on said premises. Should Lessee fail to mow grassy areas, or dispose of waste, trash or junked vehicles, Lessor shall have the right to do so, and Lessee shall be billed for this work. Lessee shall forthwith remit payment to Lessor, should this occur.

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(j) Lessee shall pay all taxes and assessments against the buildings placed on the premises by the Lessee during the term of this agreement

(k) Lessee hereby grants a lien to the Lessor upon all property belonging to Lessee in and on the premises as a possessory pledge to secure the timely performance by Lessee of all of its obligations hereunder, including the proper payment of rent. In the event of default by Lessee, Lessor is and shall be empowered and authorized to seize and hold all of the personal property belonging to Lessee on the premises to secure such performance, to sell same at public or private sale and to apply the proceeds thereof first to pay the expenses of the sale, and to pay all amounts due Lessor hereunder, holding the balance remaining, if any, subject to Lessor's order. A copy of this agreement shall be the only warrant necessary. Lessee hereby waives any and all exemptions of such property either now or to be later located upon the leased premises.

(l) Lessee agrees and covenants that in the event that any proceedings in bankruptcy or in solvency shall be instituted against Lessee, whether voluntary or involuntary, Lessor may, at its option, declare this lease forfeited and terminated, and upon such declaration Lessee agrees to give and deliver immediate possession of the premises to Lessor.

(m) Lessor agrees to maintain the fuel tank(s) and pumping facility located upon the leased premises and to comply with all Texas Water Commission and other

governmental authority requirements, as to the storage or violation fuel. Lessee agrees to fully cooperate with Lessor in any and all ways required to assure the proper testing of the fuel facility. Lessor agrees to provide to Lessee ninety (90) days, if Lessee is to completely fill the fuel tank(s) in question. This ninety day requirement shall be waived in the event that the Lessor is required to do anything by any State or Federal Agency requiring Lessee's cooperation in which it does not have ninety (90) days within which to comply with any requirement or perform any test. Lessee hereby covenants and agrees to operate the fuel storage tank(s) and disposal facility in a proper, safe, and workmanlike manner and agrees to indemnify and hold harmless the Lessor for any accidents, damage, fire, or other injury, personal or to property, arising out of Lessee's usage of the fuel facility. In the event that the Texas Water Commission or other governmental entity for whatever reason justified or unjustified chooses to or mandates the fuel facility or tank(s) be removed, altered, or in any other way shutdown for any period of time, this said action shall not release Lessee from his obligations under the terms of this lease. Lessor at its sole discretion, shall have the right to make decisions with regard to the fuel facility and/or tank(s) located under ground upon the leased premises, to include the removal thereof should the maintaining of the fuel facility present

a hazardous waste problem, as determined by any Federal or State agency.

(m) Lessee shall maintain all areas under the lease presently paved, and shall further ensure that those areas under lease presently paved shall be maintained in a proper and safe condition. Lessee's obligation under this sub-paragraph in the 1.66 acre tract shall extend only to the repair of damage caused by the operations of Lessee, its agents, invitees or employees.

(n) Lessee agrees by the terms of this lease contract to provide a list of all persons with addresses and phone numbers, who have or will have in the future T-Hangar spots as owners or tenants on a periodic basis, as mandated time to time by Lessor, but in no event, less than once per year. Lessee shall also provide to Lessor a copy of the agreements made between Lessee and all persons having T-hangar spots.

(o) Lessee agrees to provide an annual report to Lessor on the names of all persons and/or entities owning aircraft or operating aircraft at the Lockhart Airport who are using the tie-down facilities on a monthly or periodic basis, effective the date of this lease. Lessee further acknowledges and agrees that upon the sole discretion of Lessor, these reports may be at some other period of time or less than one year.

(p) Lessee shall have the right to the non-exclusive use, in common with others, of the airport parking areas, apparatuses and improvements thereon;

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(q) Lessee shall have the right to install, operate, maintain, repair and store, subject to approval of Lessor in the interests of the safety and convenience of all concerned, all equipment necessary for the conduct of Lessee's business;

(r) Lessee shall have the right of ingress to and egress from the leased premises, which right shall extend to Lessee's employees, passengers, guests, invitees and patrons;

(s) Lessee shall have the right in and on the leased premises to locate, maintain and operate full aircraft servicing facilities, to sell aircraft, engine, accessories and parts, and to provide storage space for aircraft, a repair shop for the repairing and servicing of aircraft engines, instruments, propellers and accessories in connection with said business; the right to conduct such activities shall apply to aircraft of other persons as well as aircraft belonging to Lessee. Said property is not to be used for any purposes other than those authorized herein without the written consent of Lessor; airport and facilities, particularly hangars, are to be used only for aeronautical purposes;

(t) Lessee shall have the right to give flying instructions to provide pilots for operating planes for others and to carry passengers and freight for hire, subject to all appropriate laws of the Federal Government, the State of Texas, the ordinances of the City of Lockhart and the

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requirements of the FAA or any other duly authorized governmental agency;

(U) Lessee shall have the right in common with others authorized so to do, to use common areas of the airport, including runways, taxiways, aprons, roadways, floodlights, landing lights, signals and other conveniences for the take-off, flying and landing of aircraft of Lessee;

(V) Lessee shall have the right to install, operate and maintain a licensed radio and operator for a fixed based operation.

(W) Lessor reserves the right to further develop or improve the landing area of the airport as it sees fit, regardless of the desires or view of the Lessee, and without interference or hindrance.

ARTICLE XIII.

ARTICLE XIII. AIRPORT CLOSURE

During any period when the Airport shall be closed by any lawful authority restricting the use of the Airport in such a manner as to interfere with the use of same by Lessee for its business operations, the rent shall abate and the period of such closure shall be added to the term of this lease so as to extend and postpone the expiration thereof.

ARTICLE XIV.

ARTICLE XIV. POLICE PROTECTION

Lessor does not guarantee police protection to Lessee and his property, and Lessee shall not be responsible for injury or harm to any person or for any property belonging

to Lessee, his officers, agents, servants, employees, contractors, licensees or invitees which may be stolen, destroyed or in any way damaged, and Lessee hereby indemnifies and holds harmless Lessor, its officers, agents, servants, and employees from and against any and all such claim.

ARTICLE XV.

ARTICLE XV. RIGHT OF ENTRY BY LESSOR

Lessor reserves the right to enter and view the premises at any and all times for the purpose of making any inspection it may deem expedient to the property enforcement of any of the covenants or conditions of this agreement.

ARTICLE XVI.

ARTICLE XVI. AERIAL APPROACHES

Lessor reserves the right to take any action it considers necessary to protect the aerial approaches of the airport against obstructions, together with the right to prevent Lessee from erecting, or permitting to be erected, any building or other structure on the leased or adjacent property which, in the opinion of Lessor, would limit the usefulness of the airport or constitute hazards to air navigation.

ARTICLE XVII.

ARTICLE XVII. NATIONAL EMERGENCY

During time of war or national emergency, Lessor shall have the right to close the landing area or any part thereof to the United States government for military or naval use;

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And, if any such lease is executed, the provisions of this instrument insofar as they are inconsistent with the provisions of the lease to the Government, shall be suspended.

ARTICLE XVIII.
LEASE SURRENDERING

This lease shall be subordinate to the provisions of any existing or future agreement between lessor and the State of Texas and/or the United States, relative to the operation or maintenance of the airport, the execution of which has been, or may be required, as a condition precedent to the expenditure of Federal funds for the development of the Airport.

ARTICLE XIX.
GENERAL PROVISIONS

(a) This Agreement embodies the entire agreement between the parties hereto and no statement, remark, agreement, or understanding, oral or written, not contained herein shall be recognized or enforced. This Agreement may be modified only by written addendum hereto signed by all of the parties.

(b) This agreement shall be binding upon the successors, heirs, assigns and legal representatives of the Lessor and Lessee.

(c) For the purpose of this Agreement, the singular number shall include the plural, and masculine

shall include the feminine and vice versa, whenever the context so admits.

(d) The captions and headings in this Agreement are inserted solely for convenience of reference, and are not a part of nor intended to govern, limit and/or aid in the construction of any provision hereof.

(e) Each of the parties heretofore been represented by the attorneys of their choice in the negotiation and drafting of this Agreement, and the same shall not be construed in favor of either party.

(f) This contract shall be governed by the laws of the State of Texas and construed thereunder, and is enforceable in Caldwell County, Texas.

(g) If any recited, paragraph, sentence or phrase hereof is held to be illegal or unenforceable by a Court of competent jurisdiction, such illegality or unenforceability shall not affect the remainder of this contract.

(h) Lessor agrees, during the term of this lease and any extensions hereunder, to allow reasonable ingress and egress to the property leased thereunder.

(i) Lessee shall pay, or cause to be paid all charges for water, heat, gas, electricity, sewer, commercial refuse pickup, and any and all other utilities used on the leased premises throughout the term of this lease, including any connection fees.

(j) The Lessee and its successor and assigns will complete a Federal Aviation Administration (FAA) Form 7460-

1. "Notice of Proposed Construction or Alteration", and receive a favorable determination from PAA prior to any construction on the property.

(k) The following events shall be deemed to be events of default by Lessee under this lease:

- (1) Lessee fails to pay any installment of rent under this lease and the failure continues for a period of thirty (30) days.
- (2) Lessee fails to comply with any term, provision, or covenant of this lease, other than payment of rent, and does not cure the failure within thirty days after written notice of the failure to Lessee.
- (3) Lessee makes an assignment for the benefit of creditors.
- (4) Lessee defaults any substantial portion of the premises for a period of ten (10) or more days.
- (5) The abandonment of the leased premises or discontinuance of Lessee's business operations. Should this occur, Lessor shall not be responsible for the uncompleted production of merchandise, fixtures or equipment abandoned, even though it is necessary for Lessor to

remove the same from the leased premises for storage or disposal.

Upon default by Lessee of any term hereunder, Lessee shall surrender the premises upon demand by Lessor without notice, protest, or recourse.

(l) Public common areas, public parking lots, public rights-of-ways, public buildings or public roads shall not be considered to be leased property on any tract of land fully leased by Lessee.

(m) It is understood and agreed that by execution of this lease, the City of Lockhart does not waive or surrender its governmental powers.

IN WITNESS WHEREOF, the parties have hereunto set their hands and signatures the day and year first above written.

LESSOR:
CITY OF LOCKHART

BY: [Signature]
H. LOUIS CISHENOS, MAYOR

ATTORNEY:

[Signature]
OWEN BARNHART, CITY SECRETARY

LESSER:

[Handwritten signature]
STANLEY MARTIN (not in list)

[Handwritten signature]
VALERIE MARTIN

THE STATE OF TEXAS *
*
COUNTY OF CALDWELL *

BERGHE ME, the undersigned authority, on this day personally appeared N. LOUIS CIENKOWSKI, Mayor of the CITY OF LOCKHART, TEXAS, a municipal corporation, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed and in the capacity therein stated and as the act and deed of said corporation.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, on this the 22 day of *December*, A.D., 1931.



[Handwritten signature]
GEORGE L. BROWN
NOTARY PUBLIC - STATE OF TEXAS

THE STATE OF TEXAS *
*
COUNTY OF CALDWELL *

BERGHE ME, the undersigned authority, on this day personally appeared STANLEY MARTIN, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, on this the 18th day of *December*, A.D., 1931.



[Handwritten signature]
VALERIE MARTIN - STATE OF TEXAS

THE STATE OF TEXAS *
*
COUNTY OF CALDWELL *

BERGHE ME, the undersigned authority, on this day personally appeared VALERIE MARTIN, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, on this the 18th day of *December*, A.D., 1931.



[Handwritten signature]
GEORGE L. BROWN
NOTARY PUBLIC - STATE OF TEXAS

EXHIBIT B

AMENDMENT TO AIRPORT LEASE

This Lease Amendment is made and entered into this 17th day of October, 2000, by and between the City of Lockhart, hereinafter referred to as "the City" or "Lessor," and Stanley M. Martin and Palmer B. Martin, hereinafter referred to as "Lessee."

I.

Lessor and Lessee have heretofore entered into a ground lease and have operated agreement dated November 1, 1991. This lease was for 4.35 acres of land (more or less) subsequent to date, on April 25, 1996, an Amendment and Correction was made, providing the actual acreage in the "be done" area, to reflect that rather than 2.65 acres, the actual acreage was in fact 2.022 acres. Other sections and corrections were corrected within that document.

II.

Lessor hereby agrees, and by this document hereby does HEREBY and HEREOFORTH as proprietor not committed within EXHIBIT A, being a notice and homestead survey of 1.791 acres of land in the Barber Berry Survey, is being the intent of the parties that Lessee's homestead interest shall consist only of the 1.791 acres therein described. Lessee acknowledges that he will have no further control over any property previously leased, unless by other written agreement between the parties.

III.

In consideration of this release and relinquishment of property under lease, Lessee hereby agrees and by this document does EXTEND the lease term in Paragraph III of the Airport Lease. Therefore, Lessee's homestead interest in the 1.791 acres described in Exhibit A shall expire at 12:00 o'clock midnight, October 31, 2020.

IV.

This amendment is subject to FAA/Texas Department of Transportation approval. Acceptance by Lessor and Lessee of the terms of this document shall be considered null and void unless all appropriate agencies have approved same.

V.

Approval by the parties to this document shall act as further ratification of all contents of the Lease Agreement, and document entitled "Amendment and Correction to Existing Lease Agreement", dated April 25, 1996, unless specifically amended hereto.

IN WITNESS WHEREOF, the parties have hereunto set their hands and signatures the day and year first above written.

LESSOR:

CITY OF LOCKHART

BY: *[Signature]*
RAYMOND SANDERS, MAYOR

ATTEST:

[Signature]
CITY SECRETARY

LESSEE:

[Signature]
STANLEY MARTIN
[Signature]
PALMER MARTIN

THE STATE OF TEXAS
COUNTY OF CALDWELL

BEFORE ME, the undersigned authority, on this day personally appeared RAYMOND SANDERS, Mayor of the CITY OF LOCKHART, TEXAS, a municipal corporation, known to me to be the same for the purposes and consideration therein expressed and to be the duly authorized and legal agent of said corporation.
GIVEN UNDER MY HAND AND SEAL OF OFFICE on this 12th day of *[Month]*, 2000.



[Signature]
NOTARY PUBLIC, STATE OF TEXAS

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BRIDGE 184, the underground utilities on this day personally appeared STANLEY MARTIN and PALMER MARTIN, known to me to be the persons whose names are subscribed to the foregoing affidavit, and acknowledged to me that they executed the same for the purposes and considerations therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE on this 5th day of January, 1928, A.D.



Key Williams
NOTARY PUBLIC, STATE OF TEXAS

O'Malley Engineers

Office: 2027 Columbia
Richard O'Malley
Civil Engineer
Richard O'Malley
617 Adams

EXHIBIT 'A'

State of Texas
County of Casswell
Survey A 1701 2000 acre lease tract situated in the Eastern Sherry Survey, Township 1, City of Lockhart, Casswell County, Texas, said 1701 acre lease tract being more particularly described by means of plat located as follows:

COMMENCED at a 5/8 inch iron nail found at the north westerly end of the corner of a lease tract to contain 2.483 acres as described in a survey performed by Charles P. Hinkle, Sr., on 12/14/1919, and dated March 11, 1920.

THENCE along the most westerly line of said lease tract, North 02° 50' 10" East (the corner corner 220), a distance of 445.37 feet to a 5/8 inch iron nail found at the northeast corner of said lease tract, a distance of 220.00 feet to a 5/8 inch iron nail found at the southwest corner of said lease tract, a distance of 116.22 feet to a 5/8 inch iron nail found at the southwest corner of said lease tract.

THENCE with the most westerly line of the lease tract, North 02° 50' 10" East, for a distance of 116.22 feet to a 5/8 inch iron nail found at the northeast corner of the lease tract, a distance of 220.00 feet to a 5/8 inch iron nail found at the southwest corner of the lease tract, a distance of 116.22 feet to a 5/8 inch iron nail found at the southwest corner of the lease tract.

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THENCE South 87°28'43" East, a distance of 172 feet to an interior corner of the parish
 absolute lease road.

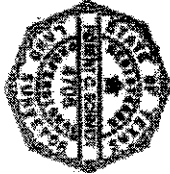
THENCE North 04°27'59" East, a distance of 417.60 feet to the POINT OF BEGINNING and
 continuing 1741 yards of land.

Notes:

1. Bearings are based on the course of a cased 2.483 acre lease tract as identified by a
 survey performed by Charles F. Whelan, Sr., T.X. P.O.L.S. #1412 and dated March 11, 1992.
2. This survey is valid only if it bears the seal and original signature of the surveyor.
4. See EXHIBIT "B" for Part of the above description.

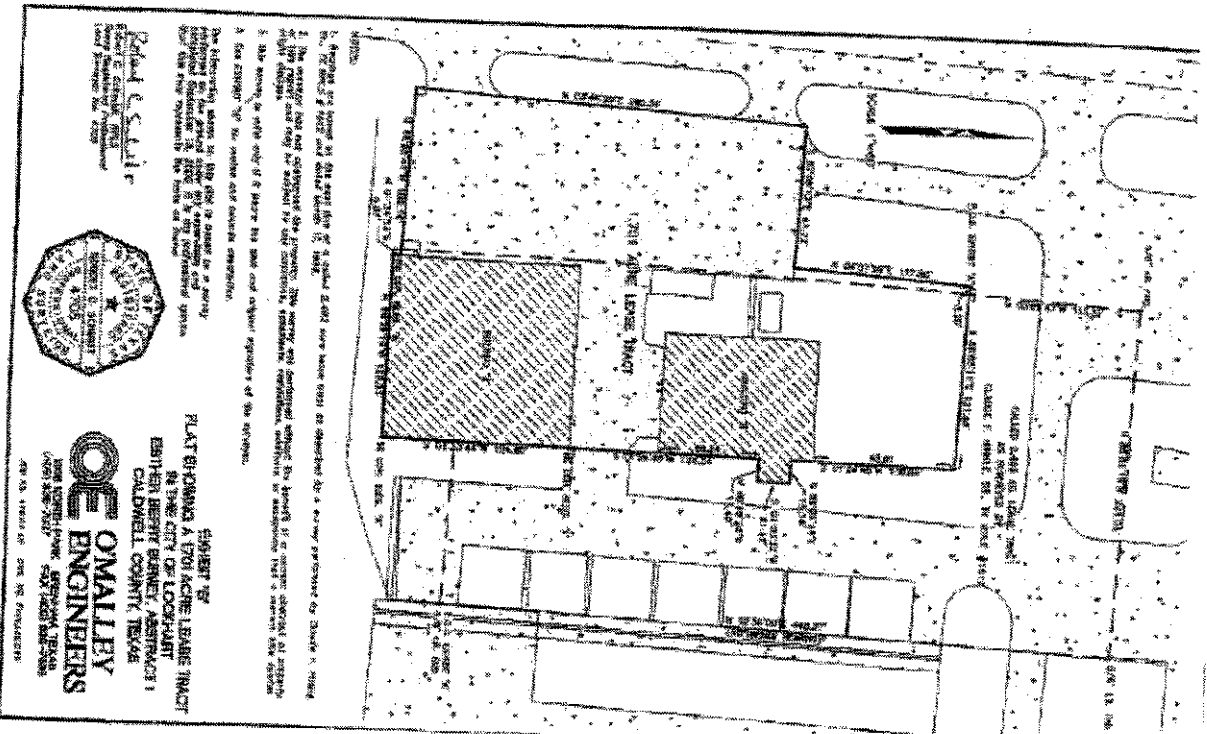
September 18, 2000

Richard C. Scalle
 Richard C. Scalle, T.X. P.O.L.S. #4706



OS 108 (02) 4/16/00
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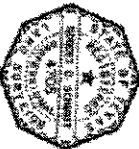
OS Page 2 of 2



1. The surveyor has not and does not intend to survey the property. The survey and plat are intended only as a guide to the location of the property.
2. The surveyor has not and does not intend to survey the property. The survey and plat are intended only as a guide to the location of the property.
3. The surveyor has not and does not intend to survey the property. The survey and plat are intended only as a guide to the location of the property.
4. The surveyor has not and does not intend to survey the property. The survey and plat are intended only as a guide to the location of the property.
5. The surveyor has not and does not intend to survey the property. The survey and plat are intended only as a guide to the location of the property.

Richard C. Scalle
 Richard C. Scalle, T.X. P.O.L.S. #4706
 State of Texas
 Licensed Professional Surveyor
 No. 4706

OSMALLEY
ENGINEERS
 5501 NORTH DAKOTA
 DALLAS, TEXAS 75248
 (214) 343-7000



City of Lockhart, Texas

Council Agenda Item Briefing Data

COUNCIL MEETING DATE: February 19, 2019

AGENDA ITEM CAPTION: Discussion and/or action to consider implementation of the Wi-Fi hotspot lending policy at the library.

ORIGINATING DEPARTMENT AND CONTACT: Dr. Eugene Clark Library-Bertha Martinez

ACTION REQUESTED:

- | | | | |
|--|--|---------------------------------------|---|
| <input type="checkbox"/> ORDINANCE | <input type="checkbox"/> RESOLUTION | <input type="checkbox"/> CHANGE ORDER | <input type="checkbox"/> AGREEMENT |
| <input type="checkbox"/> APPROVAL OF BID | <input type="checkbox"/> AWARD OF CONTRACT | <input type="checkbox"/> CONSENSUS | <input checked="" type="checkbox"/> OTHER |

BACKGROUND/SUMMARY/DISCUSSION:

The Dr. Eugene Clark Library is proposing the implementation of a Wi-Fi Hotspot Lending Policy. This policy will set the rules and conditions to checkout a Wi-Fi mobile hotspot. Library patrons may borrow one of the mobile Wi-Fi hotspots to receive Internet access on the go or at home. Mobile hotspots may be borrowed for up to 7 consecutive days at a time and may be renewed once for an additional 7 days, provided there are no holds. These convenient mobile hotspots allow users to connect 15 devices to the Internet with no limitations on data.

PROJECT SCHEDULE (if applicable) :

March 1, 2019

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

Funds Required: \$7,362

Account Number: 100-5420-304

Funds Available: \$3,853

Account Name: Computers & Software-Library

FISCAL NOTE (if applicable):

\$3,509 will be unbudgeted in Computers and Software GL line item; it will be the responsibility of the Library personnel to monitor the overall budget and to reduce spending in other categories to stay within their annual budget.

COMMITTEE/BOARD/COMMISSION ACTION:

The Library Advisory Board reviewed the Wi-Fi hotspot lending policy and voted to recommend approval of the policy on February 13, 2019.

STAFF RECOMMENDATION/REQUESTED MOTION:

Approve of the Wi-Fi hotspot lending policy as recommended by the Library Advisory Board.

LIST OF SUPPORTING DOCUMENTS:

Wi-Fi Hotspot Lending Policy

Department Head initials:

BEM

City Manager's Review:

[Signature]

DR. EUGENE CLARK LIBRARY
217 South Main Street | PO BOX 209 | Lockhart, TX 78644
512-398-3223 | www.clark-library-lockhart.org

WI-FI HOTSPOT LENDING POLICY

OVERVIEW

The Dr. Eugene Clark Library (DECL) lends mobile Wi-Fi Hotspots to library patrons without internet access. This program enables students to use the internet for homework assistance and projects, job seekers to search and apply for employment, and patrons to have temporary home access to digital resources such as databases, eBooks, eMagazines and audiobooks, as well as general access to the internet. Patrons with a library card in good standing (i.e. library card is not blocked due to unpaid fines or lost material) are eligible to take advantage of this Wi-Fi hotspot lending program.

Internet service relies on cell tower technology and coverage. User experience may vary based on location. Usage outside the continental United States is prohibited; any fees associated with usage outside the continental United States will be the responsibility of the patron and may result in future participation in the program being declined.

The DECL is not responsible for liability, damages or expense resulting from use or misuse of the device, connection of the device to other electronic devices, or data loss resulting from use of the device. Any use of the device for illegal purposes, unauthorized copying of copyright protected material in any format, or transmission of threatening, harassing, defamatory or obscene materials is strictly prohibited.

TERMS & CONDITIONS

To checkout a Wi-Fi Hotspot, you must meet the following criteria:

1. This policy must be read, signed and on file with Library Staff.
2. You must be at least 18 years old. Parents/guardians are responsible for wi-fi hotspots used by underage patrons.
3. You must present your library card and state-issued ID.
4. Your library account must be in good standing, with no outstanding library fines or overdue items.
5. The DECL reserves the right to refuse service to patrons who abuse equipment or who are repeatedly late in returning wi-fi hotspot devices or have previously violated the Lending Policy.
6. Hotspots must be kept in a temperature-controlled environment (e.g. not left in vehicles or in extreme temperatures).
7. You must confirm in the presence of the Library staff, that all items are present in the wi-fi hotspot kit.
8. You are responsible for overdue, lost or damaged wi-fi hotspot devices and or accessories.

Please review the following rules concerning checkout of a Wi-Fi Hotspot:

1. Wi-Fi Hotspots are available at the Technology Center desk, located on the 2nd floor of the Library.
2. Patron may reserve a hotspot kit. You will receive a notification when your device is ready for checkout. Patrons have 48 hours from the time of the notification to check out the hotspot, after such time it will be released to the next patron.
3. Once a Wi-Fi hotspot is checked out to a patron, it becomes the responsibility of that patron.
4. Wi-Fi hotspots may be borrowed for up to 7 consecutive days at a time.
5. Wi-Fi hotspots may be renewed once for an additional 7 consecutive days, provided there are no pending reservations.
6. Wi-Fi hotspots must be returned with the entire hotspot kit. Kits returned with missing parts will incur charges.
7. Only one Wi-Fi hotspot may be checked out or placed on reserve for a single household.
8. The overdue cost for the device is \$5 per day. NOTE, devices are automatically deactivated within one hour prior to closing on the due date and will not work until the items are returned to the library.

FINES AND FEES

- The user will be responsible for the lost or damaged hotspot device and/or accessories.
- The overdue fine is \$5.00 per day.
- Overdue Wi-Fi hotspot devices will be deactivated within one hour prior to closing on the due date. Wi-Fi hotspot devices not returned within 21 days of the checkout date as stamped on the kit will be considered lost and the patron will be charged the full replacement cost of the hotspot kit.

The replacement cost for a Wi-Fi hotspot kit is \$121.00 _____

Patron Initials

- The replacement cost for the Wi-Fi hotspot device is \$74.00
- The replacement cost for a charger is \$25.00
- The replacement cost for a case is \$20.00
- The replacement cost for a quick guide is \$2.00

Returns

1. Wi-Fi Hotspot Kits must be returned in person by borrower (see page 4) to staff in the Technology Center on the 2nd floor of the Library. Do not return hotspot kits at the circulation desk or in any of the library's book drops.
2. All the components of the Wi-Fi hotspot kit must be returned at the same time. The Wi-Fi hotspot will be considered late until all parts of the kit are returned.
3. If damage to the device is discovered by the library staff upon return, the patron is responsible for the replacement cost of the item(s). Failure to pay for the replacement costs will result in patron's library card privileges being blocked and a replacement cost will be added to the patron's account.
4. If the entire Wi-Fi hotspot kit is not returned, the patron will be charged replacement costs. It is the patron's responsibility to pay the replacement cost, for a lost device or damaged equipment.

What's in the kit?

1. one (1) Wi-Fi hotspot device
2. one (1) charging cable
3. Quick Wi-Fi Hot Spot Guide
4. one (1) battery
5. one (1) device case

POLICY ACKNOWLEDGEMENT

I have read and understand the Wi-Fi Hotspot Lending Policy. By signing this policy, I agree to comply with the rules and regulations outlined above.

Borrower's Printed Name _____ Date _____

Borrower's Signature _____ Email _____

Address _____ Phone # _____

Received By: (library staff) _____ Date _____

INDEMNIFICATION

I _____ do hereby agree to hold harmless the Dr. Eugene Clark Library, its employees from any liability for the use of the above described equipment. I also agree to return the unit in as good or better condition than when borrowed.

Signature: _____

Date: _____

ACKNOWLEDGEMENT OF RETURN

Condition of unit when returned: Good _____ damaged/missing items _____
Staff Initials _____

Any malfunction or damage noted: _____
Staff Initials _____

Returned on time: Yes or No

Borrower's Signature: _____ Date: _____

Received by Library Staff: _____ Date: _____

Approved by the Library Board: 00/00/00
Approved by the City of Lockhart Council: 00/00/00

Quick Mobile Hot Spot Guide

- To turn the Hotspot device on, press and hold the power button for 3 seconds until you see the icons illuminate in blue.
- The Wi-Fi network name and password are printed on the label of the hotspot device.
- The hotspot device works on most Wi-Fi enabled devices such as laptops, desktops, smart phones and tablets. To connect your device, find the Wi-Fi network name on your device and connect to it.
- The hotspot battery will last between 8 to 24 hours depending on usage. To shut down or turn off the Wi-Fi hotspot, press and hold the power button until you see the LCD Screen turn off.
- When you are ready to return the Hotspot to the library, place the device and charger in the box. Make sure to return it to the DECL Technology Center on the second floor of the Library.
- Please be gentle and responsible with the Wi-Fi hotspot kit.
- Replacement costs apply to lost or damaged equipment.
 - **Replacement cost for Wi-Fi Hotspot Kit: \$121.00**
 - Replacement cost for Wi-Fi Hotspot Device: \$74.00
 - Replacement cost for Wi-Fi Hotspot Charger: \$25.00
 - Replacement cost for Wi-Fi Hotspot Case: \$20.00
 - Replacement cost for Wi-Fi Hotspot Quick Guide: \$2.00

City of Lockhart, TX

Council Agenda Item Briefing Data

COUNCIL MEETING DATE: 2/19/2019

AGENDA ITEM CAPTION: Discussion and/or action regarding the 2018 Racial Profiling Report.

ORIGINATING DEPARTMENT AND CONTACT: Police Dept., Chief Ernest Pedraza, 512-398-4401

ACTION REQUESTED:

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

BACKGROUND/SUMMARY/DISCUSSION: Present 2018 Racial Profile Report as submitted to Texas Commission on Law Enforcement.

About Law Enforcement Agency Requirements

The state law requires collection of information relating to motor vehicle stops in which a ticket, citation, or warning is issued and to arrests made as a result of those stops, including information relating to:

- (A) the race or ethnicity of the individual detained;
- (B) whether a search was conducted and, if so, whether the individual detained consented to the search;
- (C) whether the peace officer knew the race or ethnicity of the individual detained before detaining that individual;
- (D) whether the peace officer used physical force that resulted in bodily injury, as that term is defined by Section 1.07, Penal Code, during the stop;
- (E) the location of the stop; and
- (F) the reason for the stop; and

PROJECT SCHEDULE (if applicable): N/A

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

Funds Required: N/A

Account Number: N/A

Funds Available: N/A

Account Name: N/A

FISCAL NOTE (if applicable): N/A

Previous Council Action:

COMMITTEE/BOARD/COMMISSION ACTION: N/A

STAFF RECOMMENDATION/REQUESTED MOTION:

Approve the 2018 Racial Profiling Report as submitted to T.C.O.L.E.

LIST OF SUPPORTING DOCUMENTS: 2018 Racial Profile Report, Lockhart Police Department Policy on Racial Profiling, Copy of the Code of Criminal Procedure Title 1, Chapter 2, General Duties of Officers, Art. 2.132, 2.133, 2.134

Department Head initials:

EP

City Manager's Review:

[Signature]

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Racial Profiling Report | Full report

Agency Name: Lockhart Police Department
Reporting Date: 01/10/2019
TCOLE Agency Number: 55201
Chief Administrator: Ernest Pedraza
Agency Contact Information:
Phone: 512-398-4401
Email: police@ps.lockhart-tx.org
Mailing Address: 214 Bufkin Lane
Lockhart TX 78644

This Agency filed a full report

Lockhart Police Department has adopted a detailed written policy on racial profiling. Our policy:

- 1.) clearly defines acts constituting racial profiling;
- 2.) strictly prohibit peace officers employed by the Lockhart Police Department from engaging in racial profiling;
- 3.) implements a process by which an individual may file a complaint with the Lockhart Police Department if the individual believes that a peace officer employed by the Lockhart Police Department has engaged in racial profiling with respect to the individual;
- 4.) provides public education relating to the agency's complaint process;
- 5.) requires appropriate corrective action to be taken against a peace officer employed by the Lockhart Police Department who, after an investigation, is shown to have engaged in racial profiling in violation of the Lockhart Police Department's policy adopted under this article;
- 6.) require collection of information relating to motor vehicle stops in which a citation is issued and to arrests made as a result of those stops, including information relating to:
 - a.) the race or ethnicity of the individual detained;
 - b.) whether a search was conducted and, if so, whether the individual detained consented to the search; and
 - c.) whether the peace officer knew the race or ethnicity of the individual detained before

detaining that individual; and

7.) require the chief administrator of the agency, regardless of whether the administrator is elected, employed, or appointed, to submit an annual report of the information collected under Subdivision(6) to:

a.) the Commission on Law Enforcement; and

b.) the governing body of each county or municipality served by the agency, if the agency is an agency of a county, municipality, or other political subdivision of the state.

Executed by: Ernest Pedraza

Chief Administrator

Lockhart Police Department

Date: 01/10/2019

Total stops: 5435

Gender

Female: 2210

Male: 3225

Race or ethnicity

Black: 500

Asian/Pacific Islander: 32

White: 2420

Hispanic/Latino: 2471

Alaska Native/American Indian: 12

Was race or ethnicity known prior to stop?

Yes: 10

No: 5425

Reason for stop?

Violation of law: 262

Pre existing knowledge: 12

Moving traffic violation: 2557

Vehicle traffic violation: 3604

Street address or approximate location of the stop

City street: 4419

US highway: 896

State highway: 74

County road: 23

Private property or other: 23

Was a search conducted?

Yes: 131

No: 5304

Reason for Search?

Consent: 13

Contraband: 7

Probable cause: 93

Inventory: 5

Incident to arrest: 13

Was Contraband discovered?

Yes: 83

No: 48

Description of contraband

Drugs: 63

Currency: 0

Weapons: 0

Alcohol: 4

Stolen property: 0

Other: 16

Result of the stop

Verbal warning: 0

Written warning: 3641

Citation: 1753

Written warning and arrest: 18

Citation and arrest: 23

Arrest: 0

Arrest Total

Total: 4

Arrest based on

Violation of Penal Code: 18

Violation of Traffic Law: 4

Violation of City Ordinance: 41

Outstanding Warrant: 19

Was physical force resulting in bodily injury used during stop

Yes: 1

No: 5434

Submitted electronically to the



The Texas Commission on Law Enforcement

Lockhart Police Department Racial Profiling Policy

Complaints of Racial/Ethnic Profiling

- Any person may file a complaint with the department if they feel they have been stopped or searched based on racial, ethnic, or gender-based profiling, and no person shall be discouraged, intimidated, or coerced from filing such a complaint, or discriminated against because they have filed such a complaint.
- Any officer contacted by a person who wishes to file such a complaint, shall provide the citizen with a copy of a citizen complaint form which may be mailed or delivered in person to headquarters, and shall record the person's name, address, and telephone number, and report the contact to the officer's supervisor prior to the end of the shift.
- Supervisors receiving such a report shall forward it to the internal affairs section and all such complaints shall be reviewed, the complaint acknowledged to the complainant in writing, and the complainant shall be informed of the results of the department's review within a reasonable period of time. The report and the reviewer's conclusion shall be filed with the Chief of Police and shall contain the findings of the investigation.
- On an annual basis, the department shall make public a statistical summary of all profiling complaints for the year, including the findings as to whether they were sustained, not sustained, or exonerated.
- Supervisors shall review profiling complaints, periodically review a sampling of in-car video tapes of stops, reports filed on stops by officers, and respond at random to back up officers on vehicle stops, and shall take appropriate action whenever it appears that this policy is being violated, being particularly alert to any pattern or practice of possible discriminatory treatment by individual officers or squads.
- The Communications/Technology Lieutenant shall inform the Chief of Police what data is available on the race of persons stopped, and after consultation with the Chief, produce periodic reports on traffic stops by race and gender.

Racial Profiling Data Collection

Article 2.132, Code of Criminal Procedure, requires the collection of racial profiling data on all traffic and pedestrian stops. The Lockhart Police Department has designated the traffic citation as the form for collection of this information on all traffic and pedestrian stops. In addition to the information collected on the front of the citation, additional Violator Profile Information is located on the back of all traffic citations.

As defined by Article 2.133, CCP, "Pedestrian stop" means an interaction between a peace officer and an individual who is being detained for the purpose of a criminal investigation in which the individual is not under arrest.

For purposes of reporting, a passenger in an automobile, that you are detaining or questioning, falls within the definition of a "pedestrian". Therefore, you should collect the racial profiling data on all passengers that you detain. For reporting purposes, if you identify or get a passenger out of a vehicle, you have detained them. However, you will need to check the box marked "Passenger" on the racial profiling form. The "Pedestrian" box is reserved for persons on foot.

Procedure

The following information is provided to assist you in properly collecting this data.

1. Who was detained/stopped?

Driver

Passenger

Pedestrian

You must collect this data on each driver, passenger, or pedestrian, you detain, question, or search. You must use a separate form (citation) to collect racial profiling data on each person detained or stopped.

2. Reason for detention/stop:

Accident Investigation

City Ordinance Violation

Criminal Investigation

Pre-existing Knowledge

(i.e., warrant)

Suspicious Person/Vehicle Call

Traffic - Speeding

Traffic - Seatbelt Violation

Traffic - Other Moving Violation

Traffic - Other Non-moving

Check the box that best describes the reason the person was stopped in the first place. You must be able to articulate a legitimate reason for stopping or detaining the individual.

3. Was Person Searched?

YES

NO

Did you search their person? This includes frisks for weapons.

Authority for Search:

Consent

Frisk for Weapons

Incident to Arrest

Inventory

Probable Cause

Check the box that describes your authority for searching their person. For reporting purposes, a frisk for weapons is a search. Also, if you frisk someone for weapons, you must be able to articulate why you needed to frisk them. Simply stopping someone at night is not a justified reason for frisking someone.

4. Type of Probable Cause, if any?

Furtive Movements

Odor of Alcohol

Odor of Marijuana

Plain View

Other

If your search was pursuant to probable cause, please check the box that describes your probable cause for searching someone. You should not complete this section if your search was not based on probable cause. The use of the "other" category should rarely, if ever, be used. If so, please explain in the margin what the "other" was.

5. Was Vehicle Searched?

YES

NO

Did you search the vehicle? If you searched anywhere inside the vehicle, you conducted a search for reporting purposes. You should not complete this section on pedestrians or passengers.

6. Authority for Search:

Consent

Frisk for Weapons

Incident to Arrest

Inventory

Probable Cause

Check the box that describes your authority for searching the vehicle. For our purpose, a frisk for weapons is a search. Also, if you frisk the vehicle for weapons, you must be able to articulate why you needed to frisk the vehicle. Simply stopping someone at night is not a justified reason for frisking the vehicle.

7. Type of Probable Cause, if any?

Furtive Movements

Odor of Alcohol

Odor of Marijuana

Plain View

Other

If your search was pursuant to probable cause, please check the box that describes your probable cause for searching the vehicle. You should not complete this section if your search was not based on probable cause. The use of the "other" category should rarely, if ever, be used. If so, please explain in the margin what the "other" was.

8. Was Contraband Found?

YES

NO

Did you find contraband on either the person or vehicle that you searched?

9. Type of Contraband

Alcohol

Currency

Drugs

Weapons

Other

Check the box that describes the contraband that you found. The use of the "Other" category should be explained in the margin. Remember, "contraband" means something that is illegal for that person to possess. (Ex: Tobacco or alcohol for minors, fireworks, etc.)

Disposition of Stop

- Arrest
- Citation
- Released
- Warning

What was the final disposition of this contact?

Example:

If you stopped someone for a traffic violation and only wrote them a citation, the disposition would be "**Citation**".

If you stopped someone for a traffic violation and only wrote them a warning, the disposition would be "**Warning**".

If you stopped someone for a traffic violation and wrote them a citation or warning, but also arrested them for some other offense (P.O.M., D.W.I., D.W.L.S., warrants, etc.), the final disposition would be "**Arrest**".

If you stopped someone for investigative purposes and released them without a citation or warning, the final disposition would be "**Released**". This would most often be used for passengers or pedestrians. You should never release a traffic violator without issuing them a citation or warning that documents the reason for the stop.

10. Classification of Offense charged:

- Felony
- Misdemeanor
- Ordinance Violation
- Traffic offense

Please check the box that describes the highest category of the offense charged. You should only check one box. If the person was issued a "warning" or "released", you should not complete this section.

Example:

If you stopped a driver for a traffic violation and arrested them for DWI (misdemeanor), you should check the "**Misdemeanor**" box.

If you stopped a driver for a traffic violation and arrested them for POCS (felony), you should check the "**Felony**" box.

If you stopped a driver for a traffic violation and released them with a citation, you should check the "**Traffic offense**" box.

If you stopped a driver for playing his “boom box” too loud and released him with a citation, you should check the **“Ordinance Violation”** box.

CODE OF CRIMINAL PROCEDURE

TITLE 1. CODE OF CRIMINAL PROCEDURE

CHAPTER 2. GENERAL DUTIES OF OFFICERS

Art. 2.132. LAW ENFORCEMENT POLICY ON RACIAL PROFILING. (a) In this article:

(1) "Law enforcement agency" means an agency of the state, or of a county, municipality, or other political subdivision of the state, that employs peace officers who make motor vehicle stops in the routine performance of the officers' official duties.

(2) "Motor vehicle stop" means an occasion in which a peace officer stops a motor vehicle for an alleged violation of a law or ordinance.

(3) "Race or ethnicity" means the following categories:

- (A) Alaska native or American Indian;
- (B) Asian or Pacific Islander;
- (C) black;
- (D) white; and
- (E) Hispanic or Latino.

(b) Each law enforcement agency in this state shall adopt a detailed written policy on racial profiling. The policy must:

- (1) clearly define acts constituting racial profiling;
- (2) strictly prohibit peace officers employed by the agency from engaging in racial profiling;
- (3) implement a process by which an individual may file a complaint with the agency if the individual believes that a peace officer employed by the agency has engaged in racial profiling with respect to the individual;
- (4) provide public education relating to the agency's compliment and complaint process, including providing the telephone number, mailing address, and e-mail address to make a compliment or complaint with respect to each ticket, citation, or warning issued by a peace officer;
- (5) require appropriate corrective action to be taken against a peace officer employed by the agency who, after an investigation, is shown to have engaged in racial profiling in violation of the agency's policy adopted under this article;

(6) require collection of information relating to motor vehicle stops in which a ticket, citation, or warning is issued and to arrests made as a result of those stops, including information relating to:

(A) the race or ethnicity of the individual detained;

(B) whether a search was conducted and, if so, whether the individual detained consented to the search;

(C) whether the peace officer knew the race or ethnicity of the individual detained before detaining that individual;

(D) whether the peace officer used physical force that resulted in bodily injury, as that term is defined by Section 1.07, Penal Code, during the stop;

(E) the location of the stop; and

(F) the reason for the stop; and

(7) require the chief administrator of the agency, regardless of whether the administrator is elected, employed, or appointed, to submit an annual report of the information collected under Subdivision (6) to:

(A) the Texas Commission on Law Enforcement; and

(B) the governing body of each county or municipality served by the agency, if the agency is an agency of a county, municipality, or other political subdivision of the state.

(c) The data collected as a result of the reporting requirements of this article shall not constitute prima facie evidence of racial profiling.

(d) On adoption of a policy under Subsection (b), a law enforcement agency shall examine the feasibility of installing video camera and transmitter-activated equipment in each agency law enforcement motor vehicle regularly used to make motor vehicle stops and transmitter-activated equipment in each agency law enforcement motorcycle regularly used to make motor vehicle stops. The agency also shall examine the feasibility of equipping each peace officer who regularly detains or stops motor vehicles with a body worn camera, as that term is defined by Section 1701.651, Occupations Code. If a law enforcement agency installs video or audio equipment or equips peace officers with body worn cameras as provided by this subsection, the policy adopted by the agency under Subsection (b) must include standards for reviewing video and audio documentation.

(e) A report required under Subsection (b)(7) may not include identifying information about a peace officer who makes a motor vehicle stop or about an individual who is stopped or arrested by a peace officer. This subsection does not affect the collection of information as required by a policy under Subsection (b)(6).

(f) On the commencement of an investigation by a law enforcement agency of a complaint described by Subsection (b)(3) in which a video or audio recording of the occurrence on which the complaint is based was made, the agency shall promptly provide a copy of the recording to the peace officer who is the subject of the complaint on written request by the officer.

(g) On a finding by the Texas Commission on Law Enforcement that the chief administrator of a law enforcement agency intentionally failed to submit a report required under Subsection (b)(7), the commission shall begin disciplinary procedures against the chief administrator.

(h) A law enforcement agency shall review the data collected under Subsection (b)(6) to identify any improvements the agency could make in its practices and policies regarding motor vehicle stops.

Added by Acts 2001, 77th Leg., ch. 947, Sec. 1, eff. Sept. 1, 2001.

Amended by:

Acts 2009, 81st Leg., R.S., Ch. 1172 (H.B. 3389), Sec. 25, eff. September 1, 2009.

Acts 2013, 83rd Leg., R.S., Ch. 93 (S.B. 686), Sec. 2.05, eff. May 18, 2013.

Acts 2017, 85th Leg., R.S., Ch. 173 (H.B. 3051), Sec. 1, eff. September 1, 2017.

Acts 2017, 85th Leg., R.S., Ch. 950 (S.B. 1849), Sec. 5.01, eff. September 1, 2017.

Art. 2.133. REPORTS REQUIRED FOR MOTOR VEHICLE STOPS. (a) In this article, "race or ethnicity" has the meaning assigned by Article 2.132(a).

(b) A peace officer who stops a motor vehicle for an alleged violation of a law or ordinance shall report to the law enforcement agency that employs the officer information relating to the stop, including:

(1) a physical description of any person operating the motor vehicle who is detained as a result of the stop, including:

(A) the person's gender; and

(B) the person's race or ethnicity, as stated by the person or, if the person does not state the person's race or ethnicity, as determined by the officer to the best of the officer's ability;

(2) the initial reason for the stop;

(3) whether the officer conducted a search as a result of the stop and, if so, whether the person detained consented to the search;

(4) whether any contraband or other evidence was discovered in the course of the search and a description of the contraband or evidence;

- (5) the reason for the search, including whether:
- (A) any contraband or other evidence was in plain view;
 - (B) any probable cause or reasonable suspicion existed to perform the search; or
 - (C) the search was performed as a result of the towing of the motor vehicle or the arrest of any person in the motor vehicle;
- (6) whether the officer made an arrest as a result of the stop or the search, including a statement of whether the arrest was based on a violation of the Penal Code, a violation of a traffic law or ordinance, or an outstanding warrant and a statement of the offense charged;
- (7) the street address or approximate location of the stop;
- (8) whether the officer issued a verbal or written warning or a ticket or citation as a result of the stop; and
- (9) whether the officer used physical force that resulted in bodily injury, as that term is defined by Section 1.07, Penal Code, during the stop.

(c) The chief administrator of a law enforcement agency, regardless of whether the administrator is elected, employed, or appointed, is responsible for auditing reports under Subsection (b) to ensure that the race or ethnicity of the person operating the motor vehicle is being reported.

Added by Acts 2001, 77th Leg., ch. 947, Sec. 1, eff. Sept. 1, 2001.

Amended by:

Acts 2009, 81st Leg., R.S., Ch. 1172 (H.B. 3389), Sec. 26, eff. September 1, 2009.

Acts 2017, 85th Leg., R.S., Ch. 950 (S.B. 1849), Sec. 5.02, eff. September 1, 2017.

Art. 2.134. COMPILATION AND ANALYSIS OF INFORMATION COLLECTED.

(a) In this article:

- (1) "Motor vehicle stop" has the meaning assigned by Article 2.132(a).
- (2) "Race or ethnicity" has the meaning assigned by Article 2.132(a).

(b) A law enforcement agency shall compile and analyze the information contained in each report received by the agency under Article 2.133. Not later than March 1 of each year, each law enforcement agency shall submit a report containing the incident-based data compiled during the previous calendar year to the Texas Commission on Law Enforcement and, if the law enforcement agency is a local law enforcement agency, to the governing body of each county or municipality served by the agency.

(c) A report required under Subsection (b) must be submitted by the chief administrator of the law enforcement agency, regardless of whether the administrator is elected, employed, or appointed, and must include:

(1) a comparative analysis of the information compiled under Article 2.133 to:

(A) evaluate and compare the number of motor vehicle stops, within the applicable jurisdiction, of persons who are recognized as racial or ethnic minorities and persons who are not recognized as racial or ethnic minorities;

(B) examine the disposition of motor vehicle stops made by officers employed by the agency, categorized according to the race or ethnicity of the affected persons, as appropriate, including any searches resulting from stops within the applicable jurisdiction; and

(C) evaluate and compare the number of searches resulting from motor vehicle stops within the applicable jurisdiction and whether contraband or other evidence was discovered in the course of those searches; and

(2) information relating to each complaint filed with the agency alleging that a peace officer employed by the agency has engaged in racial profiling.

(d) A report required under Subsection (b) may not include identifying information about a peace officer who makes a motor vehicle stop or about an individual who is stopped or arrested by a peace officer. This subsection does not affect the reporting of information required under Article 2.133(b)(1).

(e) The Texas Commission on Law Enforcement, in accordance with Section 1701.162, Occupations Code, shall develop guidelines for compiling and reporting information as required by this article.

(f) The data collected as a result of the reporting requirements of this article shall not constitute prima facie evidence of racial profiling.

(g) On a finding by the Texas Commission on Law Enforcement that the chief administrator of a law enforcement agency intentionally failed to submit a report required under Subsection (b), the commission shall begin disciplinary procedures against the chief administrator.

Added by Acts 2001, 77th Leg., ch. 947, Sec. 1, eff. Sept. 1, 2001.

Amended by:

Acts 2009, 81st Leg., R.S., Ch. 1172 (H.B. 3389), Sec. 27, eff. September 1, 2009.

Acts 2013, 83rd Leg., R.S., Ch. 93 (S.B. 686), Sec. 2.06, eff. May 18, 2013.

Acts 2017, 85th Leg., R.S., Ch. 950 (S.B. 1849), Sec. 5.03, eff. September 1, 2017.

City of Lockhart, TX

Council Agenda Item Briefing Data

COUNCIL MEETING DATE: February 19, 2019

AGENDA ITEM CAPTION: Discussion and/or action to consider approving the Lockhart Water Plant as our finished water delivery point, as part of the GBRA (Guadalupe-Blanco River Authority) Carrizo Groundwater Supply Project.

ORIGINATING DEPARTMENT AND CONTACT: Water-Sean Kelley

ACTION REQUESTED:

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

BACKGROUND/SUMMARY/DISCUSSION: GBRA/Alliance have requested commitment to one delivery point within our system so that land acquisitions can be kept on schedule and further hydraulic analysis can be made. Staff and GBRA came up with four options for delivery points in our system. Staff compared the advantages and disadvantages of all the options and concluded that delivering the finished water to the Lockhart Water Plant is the best option. All the cost to bring the water supply line to the plant up to the flow meter will be rolled into the complete cost of the Carrizo Groundwater Supply Project. GBRA will also be responsible for the land acquisition to bring the water supply line to the Lockhart Water Plant. The City of Lockhart will be financially responsible for any infrastructure after the flow meter. This option will utilize existing infrastructure and reduce additional O&M (Operation and Maintenance) cost.

PROJECT SCHEDULE (if applicable): Project Completion Date is June 2023

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

Funds Required:

Account Number:

Funds Available:

Account Name:

FISCAL NOTE (if applicable):

Previous Council Action:

COMMITTEE/BOARD/COMMISSION ACTION:

STAFF RECOMMENDATION/REQUESTED MOTION: City Engineer-Charles Scheler and Staff Recommend Approval of Option Number 4 (Lockhart Water Plant) as our Water System Delivery Point.

LIST OF SUPPORTING DOCUMENTS:

Memorandum-TRC Engineering's Recommendations for Delivery Point

Department Head initials: .

SK

City Manager's Review:

 103



505 East Huntland Drive, Suite 250
Austin, Texas 78752

Main 512.454.8716
Fax 512.454.2433

Memorandum

To: Steve Lewis, City of Lockhart
From: Jeff Dahm, PE
Subject: GBRA Carrizo Groundwater Supply Project
Date: February 13, 2019
CC: Charles Scheler, PE; Sean Kelley

With the GBRA Carrizo Groundwater Supply Project (CGSP), the City of Lockhart will be able to supplement their current water supply with an additional 2.68 million gallons per day (MGD). TRC has evaluated four different options for connecting the CGSP supply line to the City's existing water system. For three of the options, TRC estimated a conceptual level construction cost to the City for the connection and evaluated any benefits or drawbacks of the connection point. Based on the agreement the City has with GBRA, all infrastructure costs up to the flow meter at the delivery point will be incorporated into the financing of the regional project and shared with the other customers. The City is responsible for any infrastructure, operations and maintenance (O&M) costs downstream of the flow meter. Refer to the attachment to this memo for a breakdown of the three options and the engineer's opinion of probable construction cost (EOPCC).

Option 1 – Direct Connection to Luling- Lockhart Pipeline

The first option for connection from the CGSP is a direct connection to the Luling-Lockhart pipeline at US 183 and Old Luling Road. The connection point has the lowest conceptual EOPCC at \$60,000, since it utilizes the existing pipeline for delivery and only requires a short run of proposed waterline. GBRA would be responsible for easement acquisition and pay for the connection to the supply line, the bypass piping and the ancillary equipment and infrastructure, such as the access drive, fencing and building. However, with the proposed connection at the existing pipeline, this option would reduce the capacity of the Luling pump station with the increased flow and head loss as described in HDR's Technical Memorandum dated August 16, 2018.

Option 2- Booster Station at Summerside Subdivision

The second option for a delivery point is located at US 183 and Summerside Avenue. The CGSP water line would feed a proposed 0.25 MG ground storage tank. Two proposed 2000 GPM booster pumps would take suction from the tank and pump water through a proposed water line to the existing 12" line on US 183. GBRA would pay for the supply line and water meter. The City would be responsible for the ground storage tank, the two booster pumps, control valves, site work, and the water line from the booster pumps to the existing water line. This option would create a redundancy in the water supply with the separation of the source entry points. With the need to install a ground storage tank, booster pumps and a water line to connect to the City's water system, this option will have a higher EOPCC of \$1,700,000. The added infrastructure would also be more publicly visible and increase the City's O&M costs. The City would also be responsible for land acquisition of the site.

Option #3- Booster Station at Maple Street Elevated Tank

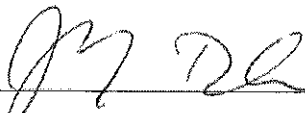
The third delivery point option would route the CGSP water line to the existing elevated water storage tank site on Maple Street. GBRA has stated that in the initial stages of the CGSP, there will be insufficient pressure in the line to feed the elevated tank. Therefore, a temporary 0.25 MG ground storage tank and booster station would be needed. Initially this option appeared to work well by discharging into existing storage infrastructure near the City's growth area. But after performing detailed hydraulic modeling, TRC determined that this option is hydraulically inadequate and therefore unfeasible.

Option #4- Direct Connection at the WTP

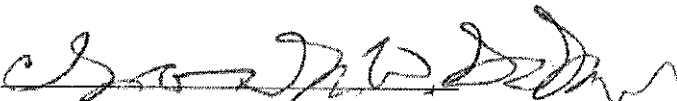
The final delivery point option would route the CGSP water line along the path of the Luling-Lockhart pipeline and connect to the existing 2 million gallon ground storage tank at the City's water treatment plant (WTP). GBRA has stated they will pay for the supply line along the path of the Luling-Lockhart pipeline including the flowmeter. The City would need to construct the line from the meter to the connection point at the top of the existing ground storage tank. The EOPCC for this option is \$85,000. This option would utilize the existing ground storage tank and booster pumps reducing the need for additional infrastructure capital or O&M costs. These costs are not included in the EOPCC. To route the pipeline, a modification to the existing easement or additional easements would need to be acquired by GBRA for the proposed water line.

Recommendations

With the evaluation of the four connection options, TRC recommends connection of the CGSP at the WTP (Option #4). The connection at the WTP provides an economical connection that limits the additional infrastructure needed and the additional O&M that is associated with option #2. While the first connection option has the lowest EOPCC, it would reduce the capacity of the Luling pump station and create a pinch point with a single pipeline for two of the City's water sources. Option #3 was deemed not viable hydraulically.



Jeffrey Dahm, PE



Charles Scheler, PE

**Lockhart/GBRA Gonzales Carrizo Water Supply Project
Evaluation of Delivery Point Alternatives**

	Option 1 LuLo	Option 2 Summerside	Option 3 Maple Street	Option 4 WTP
Description of Delivery Point	Direct connection to the existing Luling to Lockhart transmission system	New delivery point requiring ground storage and pumping improvements	Connection to the existing City Line Rd elevated tank with a ground storage tank and pumps.	Direct connection to Lockhart WTP Ground Storage Tank
Proposed Location	US183 @ FM213 (Old Luling Rd)	US183 @ Summerside Ave	City Line Rd near Maple St	City of Lockhart WTP
TRC's EOPCC to City of Lockhart ⁽¹⁾	\$60,000.00	\$1,700,000.00	Option deemed not hydraulically feasible	\$85,000.00
Advantages	<ol style="list-style-type: none"> Lowest Capital Cost Easy to maintain 	<ol style="list-style-type: none"> Redundancy in supply location Infrastructure could be installed in other locations Offers cross-connection control 	N/A	<ol style="list-style-type: none"> Convenient location Uses existing storage and pumping infrastructure Offers cross-connection control
Disadvantages	<ol style="list-style-type: none"> Reduces capacity of Luling Pump Station Requires control valves to maintain pressure Utilizes Luling-Lockhart pipeline for two separate water supplies 	<ol style="list-style-type: none"> Highest capital cost Higher O&M costs More equipment to maintain Largest area required for equipment More public visibility of infrastructure Land acquisition 	N/A	<ol style="list-style-type: none"> Not located near City growth area

(1) Conceptual level Engineer's Opinion of Probable Construction Costs (EOPCC) are based on the following:

- (a) Bid tabs from recent projects in Lockhart and Seguin.
- (b) Assumes engineering and contingency are approximately 30%.
- (c) Costs for land/easement acquisition, operation and maintenance cost, or other non-capital costs are not included.
- (d) Quantities are preliminary and estimated based on existing information. They are subject to change in detailed design.
- (e) Budgetary costs for storage tank, booster pumps and control valves were obtained from local vendors.

Option 1

Direct connection to the existing Luling to Lockhart transmission system

Description	Qty	Unit	Unit Price	Total
Mob/Demob	1	LS	\$ 3,500.00	\$ 3,500.00
SWPPP	1	LS	\$ 6,000.00	\$ 6,000.00
OSHA Trench Safety	100	LF	\$ 4.00	\$ 400.00
DI Fittings	0.50	TON	\$ 7,000.00	\$ 3,500.00
12" DI (Aboveground)	50	LF	\$ 130.00	\$ 6,500.00
12" PVC (Below Ground)	100	LF	\$ 100.00	\$ 10,000.00
12 Gate Valve	1	EA	\$ 5,000.00	\$ 5,000.00
Water Main Connection	1	LS	\$ 5,000.00	\$ 5,000.00
Site Work	1	LS	\$ 6,000.00	\$ 6,000.00
		Subtotal		\$ 45,900.00
		Contingency and Engineering (30%)		\$ 14,100.00
		Total:		\$ 60,000.00

Option 2

New delivery point at Summerside requiring ground storage and pumping improvement

Description	Qty	Unit	Unit Price	Total
Mob/Demob	1	LS	\$ 60,000.00	\$ 60,000.00
SWPPP	1	LS	\$ 12,000.00	\$ 12,000.00
OSHA Trench Safety	100	LF	\$ 4.00	\$ 400.00
Storage Tank (0.25 MG)	1	LS	\$ 500,000.00	\$ 500,000.00
Booster Pump Station	1	LS	\$ 600,000.00	\$ 600,000.00
DI Fittings	3	TON	\$ 7,000.00	\$ 21,000.00
12" DI (Aboveground)	100	LF	\$ 130.00	\$ 13,000.00
12" PVC (Below Ground)	100	LF	\$ 100.00	\$ 10,000.00
Water Main Connection	1	LS	\$ 5,000.00	\$ 5,000.00
Site Work	1	LS	\$ 60,000.00	\$ 60,000.00
		Subtotal		\$ 1,281,400.00
		Contingency and Engineering (30%)		\$ 418,600.00
		Total:		\$ 1,700,000.00

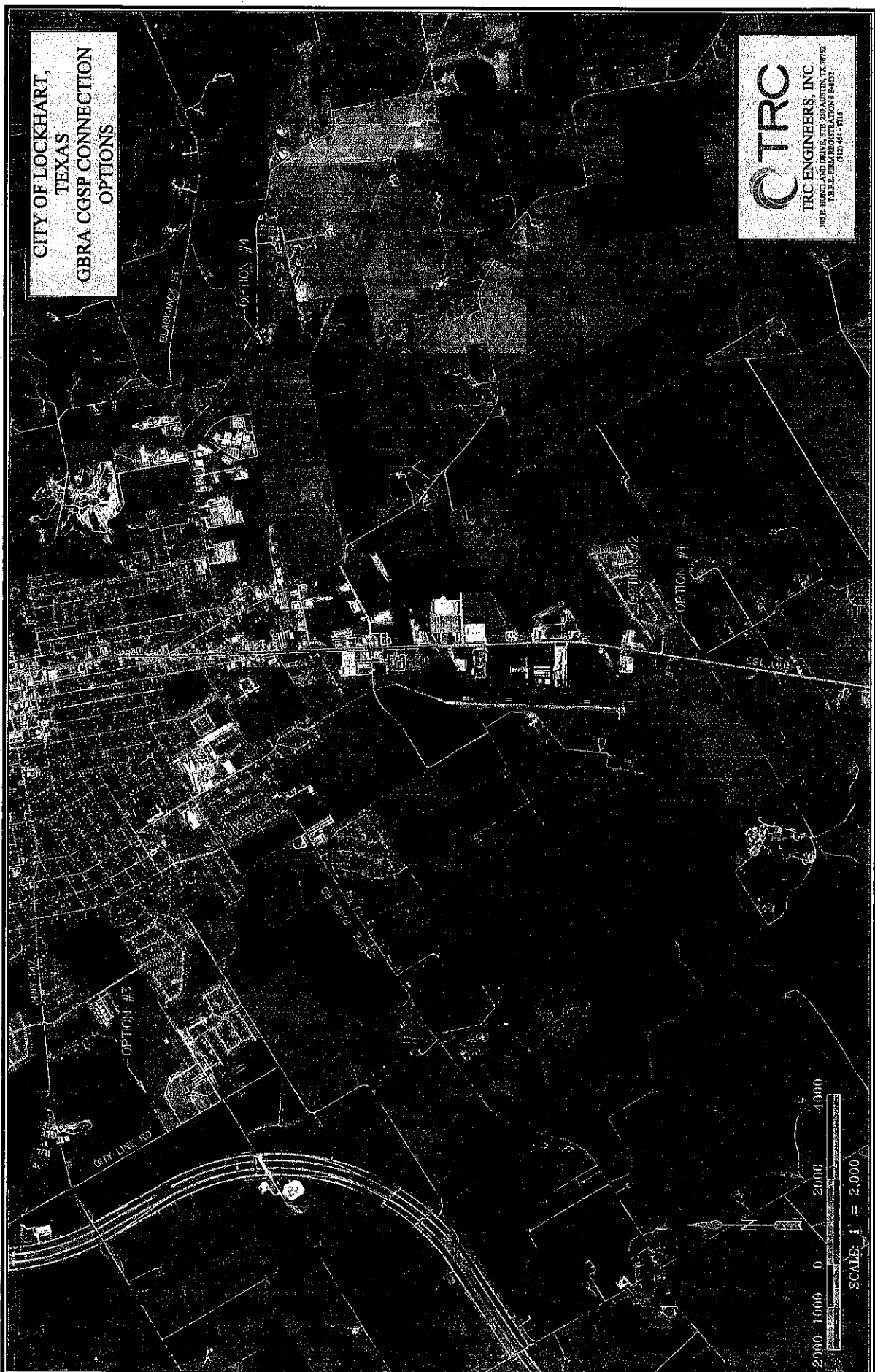
Option 4

Direct connection to Lockhart WTP Ground Storage Tank

Description	Qty	Unit	Unit Price	Total
Mob/Demob	1	LS	\$ 4,000.00	\$ 4,000.00
SWPPP	1	LS	\$ 6,000.00	\$ 6,000.00
OSHA Trench Safety	50	LF	\$ 4.00	\$ 200.00
DI Fittings	0.5	TON	\$ 7,000.00	\$ 3,500.00
12" DI (Aboveground)	50	LF	\$ 130.00	\$ 6,500.00
12" PVC (Below Ground)	50	LF	\$ 100.00	\$ 5,000.00
12 Gate Valve	1	EA	\$ 4,000.00	\$ 4,000.00
Ground Storage Tank Connection	1	LS	\$ 30,000.00	\$ 30,000.00
Site Work	1	LS	\$ 6,000.00	\$ 6,000.00
		Subtotal		\$ 65,200.00
		Contingency and Engineering (30%)		\$ 19,800.00
		Total:		\$ 85,000.00

CITY OF LOCKHART,
TEXAS
GBRA CGSP CONNECTION
OPTIONS

CTRC
TRC ENGINEERS, INC.
902 HONTLAND DRIVE, STE. 300 AUSTIN, TX 78702
1.800.778.8888
TX REGISTRATION # 14487
CID: 84-816



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City of Lockhart, TX

Council Agenda Item Briefing Data

COUNCIL MEETING DATE: February 19, 2019

AGENDA ITEM CAPTION:

Discussion and/or action to consider Ordinance 2019-05 amending Chapter 62, "Vehicles for Hire" of the City's Code of Ordinances by adding Article IV, "Horse Drawn Carriages" to regulate the use of such carriages.

ORIGINATING DEPARTMENT AND CONTACT: City Manager, Steve Lewis, 512.398.3461

ACTION REQUESTED:

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

BACKGROUND/SUMMARY/DISCUSSION:

The city has been approached regarding horse drawn carriage services during Christmas events. Because there were no regulations, the carriage services have not been offered to the public during previous events. Staff prepared the proposed ordinance to allow those services through a permitting process.

Key points of the ordinance include:

- Permit shall be applied with and issued by the City Secretary, if all permit requirements are followed.
- Proof of liability insurance must be delivered to the City Secretary before a permit is issued.
- Nonrefundable permit fee is \$50 per carriage.
- Permits end at each calendar year, unless the application is for a new one and is filed after September 30th, in which case it is valid through the end of the following calendar year.
- A driver of a horse drawn carriage must be at least 16 years of age and possess a valid driver's license for motor vehicles.
- Chief of Police is authorized to revoke or suspend any permit upon written notice. The permit holder may also appeal the suspension to the City Manager upon written notice.
- Applicant will post fares for each ride or trip that are visible to the public.
- Applicant agrees to protect the health and well-being of each horse, as indicated in the ordinance.
- Applicant agrees to only use the schedule and route as approved by the Chief of Police.
- Background checks will be conducted by the Lockhart Police Department.

PROJECT SCHEDULE (if applicable): None.

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

Anticipated revenues for December events will occur in next fiscal year 2019-2020. These revenues will not be budgeted until a history of permit fees is established.

FISCAL NOTE (if applicable):

Previous Council Action: None.

COMMITTEE/BOARD/COMMISSION ACTION: None.

STAFF RECOMMENDATION/REQUESTED MOTION:

Approve of Ordinance 2019-05 amending Chapter 62, "Vehicles for Hire" of the City's Code of Ordinances by adding Article IV, "Horse Drawn Carriages" to regulate the use of such carriages.

LIST OF SUPPORTING DOCUMENTS: Ordinance 2019-05 and Sec. 62-65 about background checks.

Department Head initials:

CC

City Manager's Review:



ORDINANCE NO. 2019-05

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LOCKHART, TEXAS, AMENDING CHAPTER 62, "VEHICLES FOR HIRE" OF THE CITY'S CODE OF ORDINANCES BY ADDING ARTICLE IV, "HORSE-DRAWN CARRIAGES" TO REGULATE THE USE OF SUCH CARRIAGES; PROVIDING FOR SEVERABILITY; PROVIDING A REPEALER; PROVIDING FOR PENALTY; PROVIDING FOR PUBLICATION; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City of Lockhart is granted control over the highways, streets and alleys of the municipality pursuant to Texas Transportation Code § 311.001; and

WHEREAS, the Lockhart City Council finds that it is in the best interest of its citizens to regulate the use of Horse-Drawn carriages within the city limits; and

WHEREAS, the City Council has determined that this ordinance will promote the general health, safety, welfare, and morals of its citizens; and

WHEREAS, the City Council determined that this ordinance serves a public purpose by maintaining safe streets and safe transportation within the city.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LOCKHART, TEXAS, THAT Chapter 62 of the Code of Ordinances, City of Lockhart, Texas, is hereby amended by adding an article to be numbered Article IV, which said article reads as follows:

**I.
ARTICLE IV. – HORSE-DRAWN CARRIAGES**

Sec. 62-131. Definitions.

For the purpose of this article, the following words and phrases shall have the following meanings:

Horse means any member of the equine family including, but not limited to, a horse, mule, or donkey.

Horse-Drawn Carriage means a non-motorized vehicle designed to carry passengers while being pulled by one or more horses.

Sec. 62-132. Permit.

(a) It shall be unlawful to operate a horse-drawn carriage without first being issued a City Horse-Drawn Carriage permit. The City Secretary shall issue a carriage permit only if the following requirements have been satisfied:

- (1) The proposed route of the service does not operate on any hike-and-bike trail, footpath or sidewalk within the City.
- (2) The carriages and equipment proposed to be used in the service are in safe and presentable condition.
- (3) The applicant has agreed to operate only on a schedule and route and over the designated traffic lanes approved by the Chief of Police and to park said carriages or vehicles only at locations approved by the Chief of Police.

- (4) The carriage wheels shall have all steel or iron outer rims adequately sheathed in rubber or other synthetic material to prevent damages to the street pavement.
- (5) Documentation of current rabies vaccination for any horse used to pull a carriage shall be on file with the City Secretary at all times.
- (6) All horseshoes for a carriage horse shall be of a type approved by the Chief of Police.
- (7) The applicant has agreed to maintain all barns, stables, or other housing for horses and carriages in a safe and sanitary condition, and has agreed to permit the City to inspect such facilities at any time.
- (8) The applicant has agreed to keep all carriage routes clear and free of horse void and excrement and to maintain all permitted stands in a clean and sanitary matter. Each horse shall wear a bag capable of holding horse feces or in the alternative, the carriage shall be equipped with a shovel and receptacle and the carriage driver shall promptly remove all feces from the ground.
- (9) The applicant has agreed to post the fares for each ride or trip so that they are visible to the public. This section shall not apply to the exclusive, one-time rental of the carriage by a party by separate agreement, entered into more than twenty-four (24) hours prior to such trip.
- (10) Lanterns shall be affixed to either side of the carriage and must be illuminated at dusk.
- (11) The applicant has agreed that in order to protect the health and well-being of each horse employed in this service, the applicant shall specifically covenant and agree that:
 - (a) Each horse shall be inspected and certified as to its good health annually by a permitted veterinarian. The applicant will provide the City with Coggins paperwork, showing a negative result, upon request.
 - (b) No horse shall be worked longer than four (4) continuous hours without feeding and rest.
 - (c) Each horse shall be provided water at each carriage stand.
 - (d) Horses shall not be whipped unless necessary for the safety of the horse or carriage passengers.
 - (e) Horses shall not be overworked.
 - (f) Each horse shall be provided with its own custom fit harness.
 - (g) No horse with an open sore or wound, or which is lame or has any other ailment, shall be worked without specific written authorization from a veterinarian that such work will not endanger the health or well-being of the horse.
 - (h) Each horse shall be groomed daily.
 - (i) No horse shall be allowed to pull more than seven (7) people, including the driver.
 - (j) No horse shall be worked during time when the combined temperature and humidity index exceeds a numerical value of 150.

(12) The applicant has paid a nonrefundable permit fee of \$50.00 per carriage to defray the expense of carrying out the provisions of this article.

(13) The application shall include a sworn statement by the applicant that all information provided in the application is true and correct and shall further state that the applicant has conducted the annual background check required by this Chapter for each Driver authorized to operate a horse-drawn carriage on their behalf. The application shall also include a sworn statement that the applicant has not been convicted of an offense listed under Section 62-65.

(b) Upon finding that the applicant meets the qualifications stated herein, the City Secretary shall issue the carriage permit. The permit expires at the end of the calendar year, unless the application is for a new permit and is filed after September 30, in which case it is valid through the end of the following calendar year.

(c) A Driver of a horse-drawn carriage must be at least sixteen (16) years of age and possess a valid driver's license for motor vehicles.

Sec. 62-133. Liability Insurance.

(a) Any applicant for a carriage permit under this article shall, before the permit can be issued, deliver to the City Secretary a certificate of insurance reflecting insurance coverage as herein prescribed. Said applicant shall keep in full force and effect during the term of the carriage permit a policy of public liability insurance, issued by an insurance company fully authorized to do business in this state and performable in this county, ensuring the public against any injury, loss or damage that may result to any person or property from the operation of each of applicant's Horse-Drawn carriages.

(b) General liability insurance shall be maintained in the amount of combined single limit of not less than \$500,000.00 per occurrence, with an aggregate amount of not less than \$1,000,000.00, covering property damage, bodily injury and personal injury (including death); to secure payment of all lawful and proper claims arising out of the operations of the carriage(s) for hire service authorized hereunder. The permit holder shall continually maintain insurance coverage during the term of the permit and shall immediately notify the City Secretary if the insurance lapses, is cancelled, or is non-renewed. If evidence of new insurance is not provided before the cancellation date of the previous policy, the permit shall be automatically revoked.

Sec. 62-134. Revocation or suspension of permit.

(a) The validity of a carriage permit shall be conditioned upon continued compliance by the permittee with each of the requirements of this article. The Chief of Police is hereby authorized and empowered to revoke or suspend any permit issued hereunder upon his or her finding that any carriage permit holder has violated any of the provisions of this article. Such revocation or suspension shall take effect upon delivery of written notice thereof to the carriage permit holder, with such delivery being made in person or by certified mail through the United States Postal Service; provided, however, that the carriage permit holder shall have the right to appeal to the City Manager, or his or her designee, from any such action of the Chief of Police by delivering a written notice of appeal, to the City Secretary, with a copy delivered to the Chief of Police, not more than five (5) business days after receiving notice of revocation or suspension. In the event the carriage permit holder shall fail to deliver such notice to the City Secretary within the time prescribed, the action of the Chief of Police in revoking or suspending the permit shall be final. If the carriage permit holder timely delivers the notice to the City Secretary, the City Manager or his or her designee shall hear the appeal not more than twenty (20) business days after the filing of the notice of appeal with the City Secretary. The decision of the City Manager or his or her designee regarding the appeal is final.

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Secs. 62-135 – 62-145. Reserved.

II. Findings of Fact: The matters and facts set forth in the preamble are found to be true.

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

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

V. Open Meeting: It is found and determined that the meeting at which this ordinance was passed was open to the public as required by law.

VI. Penalty: Any person who violates any provision of this Ordinance shall be guilty of a misdemeanor, and upon conviction shall be fined as provided in Section 1-8 of the City Code.

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

VIII. Effective Date: This ordinance shall become effective and be in full force ten days from the date of its passage.

PASSED, APPROVED, AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF LOCKHART, TEXAS, ON THIS THE 19th DAY OF FEBRUARY, 2019.

CITY OF LOCKHART, TEXAS

Lew White, Mayor

ATTEST:

APPROVED AS TO FORM:

Connie Constancio, TRMC
City Secretary

Peter Gruning
City Attorney

Sec. 62-65. - Requirement of vehicle operators; identification; duty to notify.

- (a) All persons who operate taxicabs for a business described in section 62-56, shall submit to a background check to determine the following:
- (1) Validity and appropriateness of state operator's license (chauffeur/commercial);
 - (2) Driver's license history check; and
 - (3) Criminal history check.
- (b) No permit under this section shall be issued unless it is first shown that the individual applicant:
- (1) Has no felony convictions (to include probated sentences and deferred adjudications);
 - (2) Has a valid and appropriate state operator's license;
 - (3) Has no convictions, probated or otherwise for driving while intoxicated or reckless driving; and
 - (4) Has not had his/her license revoked or suspended within the last three years for any reason.
- (c) The city police department shall conduct the background check and the applicant shall cooperate in all regards with this investigation. If the background check reveals no reason for denial, the applicant shall be issued a permit, identifying him as a taxicab operator, with photograph of the operator affixed thereon. The operator shall at all times when operating a taxicab, have affixed to his person this identification. Failure to do so shall be just cause for immediate cancellation of the operator's right under this chapter, to transport persons as a taxi driver.

(Ord. No. 00-38, § VII, 12-19-00)

Background
Check
information

City of Lockhart, Texas

Council Agenda Item Briefing Data

COUNCIL MEETING DATE: February 19, 2019

AGENDA ITEM CAPTION:

Discuss possible formation of a new ad-hoc committee to complete the branding and wayfinding plan, and consider future appointment of members to the committee.

ORIGINATING DEPARTMENT AND CONTACT: Planning Department – Dan Gibson, City Planner

ACTION REQUESTED:

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

BACKGROUND/SUMMARY/DISCUSSION:

The Council has made a decision regarding the new City logo, except for the colors to be used. That, along with one or more tag lines, is essentially the “Brand”. The next step in the Branding and Wayfinding Plan process is to focus on the wayfinding part, which is the creation and location of signage throughout the community that provides directions to various destinations. Since the original committee was disbanded, the Council may wish to consider appointment of a new committee complete the plan. Staff has prepared attached drafts of a possible committee meeting schedule for the wayfinding element, and a tentative outline for the entire Branding and Wayfinding Plan. This information could be shared with potential members under consideration for appointment to the new committee so that they will know what to expect.

PROJECT SCHEDULE (if applicable): Tentative meeting schedule attached.

AMOUNT & SOURCE OF FUNDING: (to be completed by Finance): Not applicable.

FISCAL NOTE (if applicable): Not applicable.

COMMITTEE/BOARD/COMMISSION ACTION: None.

STAFF RECOMMENDATION/REQUESTED MOTION: None required.

LIST OF SUPPORTING DOCUMENTS:

1. Branding and Wayfinding Plan Meeting Schedule.
2. Branding and Wayfinding Plan Outline.

Department Head initials:



City Manager's Review:



Branding and Wayfinding Plan
Meeting Schedule
2019

First Committee Meeting

- Brief orientation on Branding and Wayfinding concepts.
- Review efforts of previous Committees (design brief, conceptual logos, etc.).
- Review new logo selected by City Council.
- Discuss structure and timeline for future meetings.

Second Committee Meeting

Review and discuss previous draft Branding and Wayfinding Plan and survey results.

Third Committee Meeting

- Review types of wayfinding signs.
- Identify potential sign locations in the city.

Fourth Committee Meeting

- Continue discussion of wayfinding signs.
- Complete wayfinding elements of Plan document.
- Discuss cost estimates of wayfinding signs.

Fifth Committee Meeting

- Finalize Branding and Wayfinding Plan document.
- Vote on a recommendation to City Council.

Branding and Wayfinding Plan Outline

1. Introduction

- Why plan is needed
- “The easier it is for visitors to find attractions, the longer they will stay and the more they will spend.” - Roger Brooks
- Goals of plan:
 - Establish a sense of place and community identity
 - Make Lockhart more tourist-friendly
 - Encourage tourism, spending
 - Encourage traffic to destinations that visitors might not otherwise know about
 - Attract new businesses and investment
- Scope of work:
 - Branding
 - New slogan
 - Color scheme
 - Logo
 - Marketing materials (letterhead, business cards, website)
 - Wayfinding
 - Identify key destinations
 - Signage locations (pedestrian and gateway)
 - Signage aesthetics
 - Determine what signs work best in what locations
 - Estimate cost of implementation

2. What is Branding?

- A good brand:
 - Is Consistent, Original, Simple, Believable
 - Is based on the perception people already have, something the city is already known for (not invented)
- Types:
 - Logo
 - Slogan
 - Examples:
 - Austin, TX: “Keep Austin Weird”
 - Denver, CO: “The Mile High City”
 - Eastland, TX: “Where the Wild meets the West”
 - Hershey, PA: “The Sweetest Place on Earth”
 - Color scheme

3. What is Wayfinding?

- Coined by Kevin Lynch (1960)
 - “A consistent use and organization of definite sensory cues from the external environment”
- Complete communication system:
 - Where am I, where am I going, how do I get there?
- A good wayfinding system:
 - Is cohesive/ consistent
 - Avoids visual clutter (minimal number of signs)
 - Provides only useful information
 - Is expandable
 - Creates memorable experiences for visitors
- Types of wayfinding:
 - Signage:
 - On poles
 - Banners and flags
 - Monument signs
 - On buildings
 - On brick pavers
 - Scale:
 - Automobile (high speed)
 - Bicycle (medium speed)
 - Pedestrian (slow speed)
 - Printed Material
 - Maps
 - Brochures
 - Technology
 - Websites
 - Mobile Apps, QR codes
 - Facebook presence

4. Existing Conditions

- Lockhart is strategically located between Austin and San Antonio
- Courthouse Square is a “place”/destination
 - A “place” is a location that provides an experience that is memorable and worth repeating.
 - Authentic, memorable, unique
 - Advantage over other cities that don’t have “places”
 - Organized street grid
- Existing wayfinding is not cohesive/ consistent
- Downtown is difficult for visitors to navigate

5. Public Outreach

- Survey
- Stakeholder group

6. Branding Recommendations

- “The Brand”
 - New slogan
 - Based on something that’s true, real
 - Builds on Lockhart’s location near larger cities
 - Attracts visitors
 - New logo
 - Should be based on something that is recognizable and iconic
 - Based upon public perception
 - New color scheme
 - City business materials/equipment
 - New letterhead, business cards, etc., uniforms, vehicle decals, water towers

7. Wayfinding Recommendations

- Signage Locations:
 - Gateway Signage:
 - Cesar Chavez Parkway (SH 130)
 - Colorado Street (SH 183)
 - San Antonio Street (SH 142)
 - Directional signs
 - Along arterial streets
 - Location maps
 - Courthouse square
 - Near library
 - City Park, State Park
 - Informational markers/ destinations to be identified
 - Courthouse Square Historic District
 - Lockhart State Park
 - Eugene Clark Library
 - Barbeque Restaurants
 - Municipal Airport
 - Gaslight-Baker Theater
 - Caldwell County Museum
 - Brock Log Cabin
 - Emanuel Episcopal Church
 - First Christian Church
 - Lockhart Municipal Burial Park
 - Post Office
 - Southwest Museum of Clocks and Watches

8. Implementation

- Funding:
 - Grants
 - City funding for signage, as well as for logo applications on City vehicles and water towers
 - No additional charge to change logo on City stationary

- Phases:
 - Branding first, then wayfinding:
 - Gateway signs
 - Directional signs
 - Maps
 - Interpretive signs

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City of Lockhart, Texas

Council Agenda Item Briefing Data

COUNCIL MEETING DATE: February 19, 2019

AGENDA ITEM CAPTION:

Discuss possible regulations to govern the use of the public sidewalks in the central business district for objects associated with abutting businesses such as benches, chairs and tables, clothing racks, portable statues, signs, and other promotional items.

ORIGINATING DEPARTMENT AND CONTACT: Planning Department – Dan Gibson, City Planner

ACTION REQUESTED:

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

BACKGROUND/SUMMARY/DISCUSSION:

The City has very few regulations concerning the use of the public sidewalks downtown. Chapter 50 "Streets, sidewalks, and other places", Section 50-6 "Landscaping and intrusions and obstructions in public sidewalks and streets", Subsection (b), prohibits the placement of obstacles of any type upon any public sidewalk leaving less than 36 inches of travel area for pedestrians. In addition to safety, there are questions of fairness when some businesses take advantage of the adjacent public sidewalk by promoting or conducting their business for profit. Another consideration is not only the need for uniform standards, but how such standards can relate to the desired over-all appearance of the central business district. Staff has prepared the attached documents to use as a basis for the Council's discussion.

PROJECT SCHEDULE (if applicable): Not applicable

AMOUNT & SOURCE OF FUNDING: (to be completed by Finance): Not applicable

FISCAL NOTE (if applicable): Not applicable

COMMITTEE/BOARD/COMMISSION ACTION: None

STAFF RECOMMENDATION/REQUESTED MOTION: None required

LIST OF SUPPORTING DOCUMENTS:

1. Statement of Purpose and Need.
2. Table comparing current sidewalk obstruction regulations in Lockhart with other cities.

Department Head initials:

D.G.

City Manager's Review:

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Statement of Purpose and Need

Streetscape Element Regulations

Increasing numbers of businesses, both new and established, are beginning to realize that Lockhart's Central Business District is an attractive place to locate, due to the hometown feel, pedestrian-friendly environment, and proximity to several major thoroughfares. Due to these factors, the temptation is high for new businesses to augment their presence by placing obstructions into the public right-of-way just outside the business entrance, thereby encroaching into the sidewalk area. Examples of such obstructions include promotional items such as signs and sandwich boards, clothing racks, private bike racks, tables and chairs, portable statues, flower pots, and dog bowls. In addition, there is the potential for mobile businesses to operate on the public sidewalks, further impeding the flow of pedestrian traffic. Such obstructions do not include public street furniture, such as benches, trash cans, planters, and street lights that are already controlled by the City.

Left unrestricted, these obstructions create a public safety hazard, in addition to a lack of uniformity, that can become a blight on the downtown streetscape. Other nearby businesses may be encouraged to follow suit, further compounding the issue. Section 50-6(b), Lockhart Code of Ordinances, states: "No person shall park or place obstacles of any type upon any public sidewalk leaving less than 36 inches of diagonal travel area for pedestrians." According to research, other cities in Texas have adopted more comprehensive regulations (see "Downtown Sidewalk Obstruction Rules by City", attached), which can serve as a guide for the development of similar restrictions in Lockhart.

Primary issues to consider are:

- 1) Public safety.
- 2) Fairness and uniform standards for all business/property owners.
- 3) Private use of the public sidewalk to promote or conduct business for profit.
- 4) General appearance of the Central Business District streetscape.

DOWNTOWN SIDEWALK OBSTRUCTION RULES BY CITY

CITY	REGULATIONS	PERMIT REQUIRED?
Denton	Unlawful to sell any wares, goods, or merchandise from the sidewalk without a permit (Section 25-6(a)). Such businesses would be separate from adjacent brick-and-mortar shops. No provisions for sidewalk displays from adjacent stores, nor general obstruction of sidewalks, are given.	Yes, for mobile businesses (Permits issued by City Secretary, \$10 Application fee, valid for 14 days if remaining in one location, and 30 days if traveling to more than one location)
Georgetown	Placement of portable signage, tables, and seating on the sidewalk is prohibited without City approval. Items cannot be placed in City planters or other sidewalk elements and must be removed from the sidewalk after hours (Section 12.03.050). Promotional items for sale cannot block ADA access (Section 8.6, Design Guidelines for Site Design).	Yes, for signage, tables, and seating (Sign Permits issued by the Planning Department if within a Historic Overlay District, fees range from \$31 to \$265, valid in perpetuity. All other permits are issued by the Building Department.)
Granbury	Unlawful to place any object greater than three feet in height above the centerline of the nearest abutting street on the sidewalk abutting any corner lot. Objects must not obstruct free passage and use of the sidewalk by the public. Trees must be trimmed to maintain a clearance of at least 8 feet above the sidewalk (Section 3.11.130).	No
Lockhart	Unlawful to park or place obstacles of any type on the sidewalk leaving less than 36 inches of diagonal travel area for pedestrians (Section 50-6(b)).	No
McKinney	Sidewalk sales shall be limited to 16 hours per day, with all items brought indoors at least 8 hours per day. Displays shall not restrict pedestrian nor vehicular access (Section 146-138(b)(2,6)).	No
New Braunfels	Unlawful to place goods, wares, merchandise, etc. on the sidewalk without a permit (Section 114-5(a)). In the downtown business corridor, a permit may be obtained to place items on the sidewalk for a period of one year (Sec. 114-5(c)(2)(a)). In the downtown area (which includes the downtown business corridor), a permit may be obtained for a sidewalk café, which may be operated for one year, after which time the applicant can apply for an additional one-year period (Sec. 114-10(b)(2)(a)).	Yes, for areas both inside and outside the downtown business corridor (Permits approved by City Council outside the business corridor, and the Main Street manager inside the corridor (\$10 App. fee, valid for one year inside corridor)). Sidewalk café permits are approved by the downtown development coordinator (\$100 App. fee + \$3 technology fee, annual permit fee ranges from \$250 to \$750 based upon café square footage).

<p>San Marcos</p>	<p>Unlawful to obstruct the free passage of pedestrians on the sidewalk, or to allow tall weeds or tall grass to grow within sidewalk areas (Section 74.122). Newsracks require a City permit (Section 74.249(b)), as well as public parklets and sidewalk cafes (Sec. 74.200(a)(2 and 3, respectively)).</p>	<p>Yes, for newsracks, parklets, and sidewalk cafes (Permits issued by the Planning Department, except for a parklet that utilizes an existing parking space(s), which is approved by City Council). \$200 App. fee for parklets and sidewalk cafes, \$100 annual parklet fee, annual sidewalk café fee ranges from \$50 to \$500, based upon café square footage. \$50 App. fee for newsracks, and \$50 permit renewal fee (every three years).</p>
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City of Lockhart, Texas

Council Agenda Item Briefing Data

COUNCIL MEETING DATE: February 19, 2019

AGENDA ITEM CAPTION:

Discussion regarding open containers during downtown events.

ORIGINATING DEPARTMENT AND CONTACT: Mayor Lew White

ACTION REQUESTED:

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

BACKGROUND/SUMMARY/DISCUSSION:

As previously mentioned by Mayor White, he requested that the Council discuss whether open containers should be allowed on sidewalks during downtown events.

CURRENT ORDINANCE NOTES:

Section 36-2 reflects that no person shall possess any alcoholic beverage while on any street, sidewalk or other public place unless the seal is not broken.

Section 36-3 reflects that it is unlawful for any person to consume any alcoholic beverage while on any street, sidewalk or other public way within the city.

TABC NOTES:

On Aug 28, 2018, staff spoke with TABC in Austin. TABC does not regulate open containers/beer on public streets/sidewalks.

BEER: TABC indicates that the City would be responsible for adopting an ordinance to allow individuals to open carry a beer container on sidewalks, etc. An example would be Georgetown; they do not have an ordinance prohibiting open carry on public sidewalks, therefore it is allowed.

MIXED BEVERAGES (MB): TABC indicates that MB are NOT allowed to go in or out of a business of where it was served.

PROJECT SCHEDULE (if applicable): None.

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

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

FISCAL NOTE (if applicable): Previous Council Action: None.

COMMITTEE/BOARD/COMMISSION ACTION: None.

STAFF RECOMMENDATION/REQUESTED MOTION:

None. Staff seeks direction from the Council.

LIST OF SUPPORTING DOCUMENTS:

Sections 36-2 and 36-3 of the Lockhart Code of Ordinances.

Department Head initials:

City Manager's Review:


Sec. 36-2. - Possession of alcoholic beverage in public.

- (a) No person shall possess any alcoholic beverage while he is located upon any street, sidewalk or other public place unless it is in the original package and the seal on such package is unbroken.
- (b) The provisions of subsection (a) shall not apply to:
 - (1) The possession of an alcoholic beverage in a motor vehicle; or
 - (2) Possession of an alcoholic beverage in accordance with the provisions of section 36-3 of this Code.
- (c) As used in this section the term "alcoholic beverage" shall have the meaning assigned to it by the Texas Alcoholic Beverage Code.

(Code 1982, § 18-2)

Cross reference— Alcoholic beverages generally, ch. 6.

State Law reference— "Alcoholic beverage" defined, V.T.C.A., Alcoholic Beverage Code § 1.04.

Sec. 36-3. - Consumption of alcoholic beverages in public.

- (a) It shall be unlawful for any person to consume any alcoholic beverage while on any street, sidewalk or other public way within the city.
- (b) It shall be unlawful for any person to consume any alcoholic beverage in any city park without first obtaining from the chief of police or his duly appointed representative written permission. Alcoholic beverages shall be at all times prohibited in playground areas; provided, however, that alcoholic beverages shall not be possessed in a park except at a picnic table and no person shall possess alcoholic beverages while in a park unless he also possesses food at the same time.
- (c) As used in this section the term "alcoholic beverage" shall have the meaning ascribed to it by the Texas Alcoholic Beverage Code.

(Code 1966, § 3-11; Code 1982, § 18-3)

Cross reference— Alcoholic beverages, ch. 6.

State Law reference— "Alcoholic beverage" defined, V.T.C.A., Alcoholic Beverage Code § 1.04.

City of Lockhart, Texas

Council Agenda Item Briefing Data

COUNCIL MEETING DATE: February 19, 2019

AGENDA ITEM CAPTION:

Discussion regarding request that the Kiwanis Field become the Mark A. Martinez Field, which includes the installation of a new scoreboard at the Lockhart Little League Sports Complex dedicated in honor of the late Mark A. Martinez.

ORIGINATING DEPARTMENT AND CONTACT: Steve Lewis, City Manager

ACTION REQUESTED:

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

BACKGROUND/SUMMARY/DISCUSSION:

James Morales, on behalf of the Lockhart Class of '89, requests that the Council consider approving their donation of a new scoreboard at the Lockhart Little League (LLL) Sports Complex in honor of and remembrance of the late Mark A. Martinez. As indicated in correspondence received from members of the Class of '89, they request that the Kiwanis Field become the Mark A. Martinez Field. Three of the other fields in the LLL Sports Complex are: Johnny Hazelett, Citizens Merchants, and the American Legion.

PROJECT SCHEDULE (if applicable):

The Class of '89 proposes that dedication ceremony be held on March 30.

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

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

FISCAL NOTE (if applicable):

Previous Council Action: None.

COMMITTEE/BOARD/COMMISSION ACTION: None.

STAFF RECOMMENDATION/REQUESTED MOTION:

None. Staff seeking direction from the Council.

LIST OF SUPPORTING DOCUMENTS:

Correspondence from the Class of '89.

Department Head initials:

City Manager's Review:

Connie Constancio

From: James Morales <jmorales@me.com>
Sent: Friday, February 15, 2019 10:29 AM
To: Steven Lewis
Cc: Connie Constancio
Subject: Re: Agenda items 2/19
Attachments: Mark A. Martinez 2.pdf; Mark A. Martinez 1.pdf

Hello Mr. Lewis,

Attached are docs + image for our proposal to re-name a field at the sports complex for Mark. A. Martinez. The image is a mock up that we are not ready to share publicly and with respect the family, as they have not been privy to the image just yet.

If you have any further questions feel free to contact me.

James Morales
jmorales@me.com
(512) 422-4841

MARK A. MARTINEZ FIELD
CLASS OF 1989

HOME INN VISITOR
14 3 17
BALL STRIKE OUT

LIFESTYLES
Radio Shack

BLACK'S BARBECUE

SPECTRUM

Preliminary
Drawing

On Feb 14, 2019, at 04:36 PM, Steven Lewis <slewis@lockhart-tx.org> wrote:

Mr. Morales: I write to confirm receipt of your request and advise that it will be placed on the 2/19/19 Council agenda for discussion. The City Council customarily receives back up material in their agenda packets from a requestor which describes the desired action , pertinent background, and the bases for the request. Pictures and exhibits can be used to explain the request and are helpful. If you would like us to include any information in the packet, please have it to me or Connie Constancio, City Secretary, by noon on Friday, February 15. Please let me know if you have additional questions...Thanks James...SL

-----Original Message-----

From: James Morales <jmorales@me.com>
Sent: Thursday, February 14, 2019 10:13 AM
To: Steven Lewis <slewis@lockhart-tx.org>
Subject: Agenda items 2/19

Hello Mr. Lewis,

After further consideration, myself and the Class of '89 would like to be placed on the agenda for the next city council meeting on Feb. 19, 2019. We would like to discuss one of the scoreboards at the Lockhart Sports Complex + field(s) / field name change.

If you need a written proposal prior to 2/19 please feel free to contact me as soon as possible.

Regards,

James Morales
Class of '89
jmorales@me.com
(512) 422-4841

To the Honorable Mayor Lew White and all City of Lockhart Council members.

Mark A. Martinez would have been 48 this past January 2019. As opening day approaches for the Lockhart Little League organization, you would have found Mark involved in one way or another helping to get this inaugural season ready. Whether on or off the field since I've known Mark, baseball was his life.

Back when we were younger we used to play baseball at the old fields located off of Silent Valley Road. Mark participated in: Minor league, Little League, Babe Ruth, and was selected for the Lockhart High School Baseball team 88' and 89' seasons. Baseball was his passion and you could ask him anything and everything about statistics from college ball to professional ball as the years went on after his playing years. He was just that knowledgeable and just that dedicated to the sport as he began his involvement with the Little League Association and service as a board member for many years.

As you will hear from many of us his classmates to former board members, coaches, parents, and past players of the Lockhart Little League; all will have many words of Mark and that is he was dedicated and devoted and mentoring and building life skills of what is called America's sport baseball for the city of Lockhart. His years of service will reflect countless hours and selfless dedication to the kids, to the fields, to the city, and to the sport of baseball.

We lost Mark too early and it was indeed unfortunate and tragic. We the Class of 1989 come before you and hope that you will grant us the opportunity to have Mark's remembrance displayed by granting approval for or donation of a scoreboard, scoreboard addition reflecting Mark A. Martinez a renaming the field of play in his honor.

We started dialogue with the Parks manager the Little League Association and also a few individual board members for guidance

on policy of such a request. To our knowledge no protocol has been set in stone and we would very much like to move forward with our generous donation and or agreeable modification to honor Mark A. Martinez.

Many could argue that there were many people along with Mark they could be deserving or recognized; I beg to differ that Mark stood alone among all and showed desire and unselfishness in all that he contributed to the sport of baseball for the city and the development of young players. Mark is no longer with us and I believe had he been alive as I stated earlier you would have found him on the field, in meetings, prepping and planning and evaluating young players as he did for over 10 years to service the Little League Association. He is truly missed and we'd like him remembered always as he was baseball for the city of Lockhart.

Respectfully Submitted,

Pete Mireles Jr.
USMC (RET.) SgtMaj
Sr Class Class President of "THE" Class of 1989.

To the Honorable Mayor Lew White and all City of Lockhart Council members:

Mark was born and raised in Lockhart, Texas. He attended Lockhart ISD schools and graduated from Lockhart High School in 1989. Since then he demonstrated selfless acts, whether on the little league field at the Lockhart Sports Complex or as a personal motivator.

Mark was not only just a classmate but a friend, a great father, coach, and Lockhart Little League Board member for over a decade. He was a funny guy who liked to make people smile. Mark was an all around community leader who was dedicated to coaching his little league players to be the best ball players they could be.

Mark took the love of the game and spent over a decade on the Lockhart Little League Board. There's no doubting Mark's dedication as a board member. The game, the community and the kids were most important to him. The time was well spent dedicated to the community, to the kids that played Little League and to the coaches. When Mark's daughters were no longer playing in Little League, Mark remained a driving force as a Little League Board member, coach and mentor. As Paul Ancira, one of our Class of '89 Alumni said, "Mark invited me to coach. He believed in me when I didn't believe in myself." Mark had that way about him and spent countless hours being a selfless person.

"Mark was truly an amazing young man and a true supporter to many of our children during their Lockhart Little League years. His dedication to the Lockhart Little League organization was true loyalty, not only to the sport but his involvement on the Lockhart Little League Board. So many gifts that we can offer to

one another are free, no charge. One of these gifts Mark always shared with me...was always getting a hug and a smile from him. Mark was definitely a great Dad and a very proud Dad. He loved his beautiful children with all his heart. A wonderful son, brother, uncle, cousin, coach and an awesome friend."

The Class of '89 is requesting to honor Mark's contributions to the Lockhart Little League program. It is an effort made by the Class of '89 wishing to express gratitude for an individual who taught dozens of our children the importance of discipline, teamwork and confidence. In his honor, we propose the Kiwanis Field become the Mark A. Martinez Field.

If the Lockhart City Council is willing to honor the memory of Mark A. Martinez with this proposed change, the Class of '89 will donate a new scoreboard to enhance the Lockhart Sports Complex.

James Morales

LIST OF BOARD/COMMISSION VACANCIES

Updated: January 17, 2019

Board Name	Reappointments/Vacancies	Council member
Board of Adjustment	Nic Irwin moved to Lockhart Economic Development Corp.	Any Councilmember

APPLICATIONS RECEIVED TO BE ON A BOARD/COMMISSION

APPLICANT	BOARD REQUESTED	DATE RECEIVED	RESIDENCE DISTRICT
Suzy Falgout	Construction Board Historic Preservation Commission Parks & Recreation Any other Board where needed	08/20/2018	Currently resides outside city limits. Is renovating future residence on Commerce St.

<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>Sec. 4-26. Membership; appointments. The Lockhart Airport Advisory Board shall be composed of seven members to be appointed in accordance with section 2-210. At least five members must currently be or have been flight rated, and two members may be appointed as at-large members. Members shall serve three-year terms, such terms coinciding with the council position making the appointment.</p> <p>Sec. 4-28. Eligibility for board membership. No person having a financial interest in any commercial carrier by air, or in any concession, right or privilege to conduct any business or render any service for compensation upon the premises of the Lockhart Municipal Airport shall be eligible for membership on the Lockhart Airport Advisory Board.</p> <p>Sec. 4-32. Limitations of authority. The Lockhart Municipal Airport Advisory Board shall not have authority to incur or create any debt in connection with airport operations; nor shall the board be empowered to enter into any contract, leases, or other legal obligations binding upon the City of Lockhart; nor shall the board have authority to hire airport personnel or direct airport personnel in the execution of their duties.</p> <p><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>Sec. 12-132. Members. (a) Appointments to the examining and supervisory board of electricians and appeals shall conform to section 2-210 except that the board shall consist of five persons with one being appointed by each district council member and one by the mayor. Each member shall serve three-year terms with such terms to coincide with the council position making the appointment. (b) Each board member shall reside within the county and such board shall include one member who shall be a building contractor; one layman; two members shall be master electricians who are currently licensed by the city; and one member shall be either a building contractor or master electrician licensed by the city. There shall be two ex-officio members, one who shall be the city electrical inspector, and one shall be the fire marshal.</p> <p>Sec. 12-133. Officers and quorum. The members of the examining and supervising board of electricians and appeals shall select a chairman and secretary. A quorum shall consist of three members.</p> <p>Sec. 28-3. Historical preservation commission. (b) The commission shall consist of seven members, appointed by the city council in accordance with section 2-210, who shall whenever possible meet one or more of the following qualities: (1) A registered architect, planner or representative of a design profession, (2) A registered professional engineer in the State of Texas, (3) A member of a nonprofit historical organization of Caldwell County, (4) A local licensed real estate broker or member of the financial community, (5) An owner of an historic landmark residential building (6) An owner or tenant of a business property that is an historic landmark or in an historic district, (7) A member of the Caldwell County Historical Commission.</p>
<p>NOTES: AIRPORT ADVISORY BOARD</p>	<p>NOTES: CONSTRUCTIO N BOARD APPOINTMENTS</p>
<p>NOTES: ELECTRIC BOARD APPOINTMENTS</p>	<p>NOTES: HISTORIC PRESERVATION COMMISSION</p>
<p>NOTES: PARKS ADVISORY BOARD</p>	<p>Sec. 40-133. Members. (a) The board shall consist of seven members appointed in accordance with section 2-210 to serve three years terms, such terms to coincide with the council position making the appointment and two alternates shall also be appointed by the mayor and mayor pro-tem, one each. The two alternates shall also serve the term coinciding with the council position making the appointments. Vacancies shall be filled for an unexpired term in the manner in which the original appointments are required to be made. (Ordinance 06-08, adopted February 7, 2006)</p>

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 at provided herein, shall nominate a qualified person to serve in a place on an appointed body corresponding to their place on the council. At-large councilmembers shall be designated as places 5 and 6, and the mayor's position as place 7, for the purpose of this section. Nominations shall be made to fill vacant positions and/or positions whose terms have expired within 90 days of the event, such as a resignation or an election. Should any city councilmember fail to name an appointee to one of his/her corresponding places on any body within the above described 90 days, another councilmember shall then have the privilege to nominate a person to fill that same position, as described in subsection (a). However, once that position becomes vacant again for any reason, the appointment shall revert to the place corresponding with the original city council seat/place number for nominations.
- (c) Beginning with the election in May, 1998, the council shall nominate and confirm four members to serve in places 1, 2, 5, 6 on each board and commission in accordance with subsections (a) and (b) above, and with the standards set in Ordinance Number 97-09, Governance Policies. With the election of May, 1999, the remaining three places shall be filled following the same procedure as above.
- (d) Terms of service on appointed bodies shall be the same three-year terms as the councilmember who nominates a person to serve. However, a person may be appointed to complete the unexpired term of a vacant position, due to a resignation, for example.
- (e) When a person has completed a term, or terms, of service and will be vacating a place, that person may continue to serve until a replacement is nominated and confirmed by the city council.
- (f) At the discretion of the majority of the city council, one Caldwell County resident who is also an owner of real property within any local historic district may be appointed as a full member to the historical preservation commission.
- (g) Exceptions to the above regulations shall be all volunteer/special purpose/ad hoc committees appointed from time to time by the city council and the zoning board of adjustments, whose members shall serve two-year terms in accordance with V.T.C.A., Local Government Code § 211.008. All other provisions of this section, and ordinance number 97-09 which do not conflict with the chapters establishing these bodies shall be applicable.

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

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

NOTES:
ORDINANCE
RE: ALL
BOARD,
COMMISSION
APPOINTMENTS

COUNCILMEMBER BOARD/COMMISSION APPOINTMENTS

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

COUNCILMEMBER BOARD/COMMISSION APPOINTMENTS

Councilmember	Board/Commission	Appointee	Date Appointed
Mayor – Lew White	Airport Board Board of Adjustment Construction Board Ec Dev. Revolving Loan Ec Dev. Corp. ½ Cent Sales Tax Electric Board Historical Preservation Library Board Parks and Recreation Planning & Zoning ETJ Rep-Impact Fee Adv Comm	John Hinnekamp Mike Annas Ralph Gerald Barbara Gilmer Alan Fielder, Vice-Chair Joe Colley, Chair John Lairsen Stephanie Riggins Albert Villalpando, Chair Paul Rodriguez Larry Metzler	12/19/17 12/19/17 12/19/17 12/19/17 12/19/17 12/19/17 12/19/17 12/19/17 12/19/17 12/19/17 12/19/17
District 1 – Juan Mendoza	Airport Board Board of Adjustment Construction Board Eco Dev. Revolving Loan Eco Dev. Corp. ½ Cent Sales Tax Electric Board Historical Preservation Library Board Parks and Recreation Planning & Zoning	Larry Burrier Lori Rangel Mike Votee Ryan Lozano Dyrall Thomas Thomas Herrera Victor Corpus Shirley Williams Linda Thompson-Bennett Marcos Villalobos	03/07/17 03/07/17 03/07/17 03/07/17 03/07/17 03/07/17 03/07/17 03/07/17 03/07/17 03/07/17
District 2– John Castillo	Airport Board Board of Adjustment Construction Board EcoDev. Revolving Loan Eco Dev. Corp. ½ Cent Sales Tax Electric Board Historical Preservation Library Board Parks and Recreation Planning & Zoning	Reed Coats Juan Juarez Oscar Torres Rudy Ruiz Umesh Patel James Briceno Ron Faulstich Donnie Wilson James Torres Rob Ortiz, Alternate Manuel Oliva	03/07/17 03/07/17 05/15/18 03/07/17 08/09/18 03/07/17 03/07/17 03/07/17 03/07/17 03/07/17 03/07/17

COUNCILMEMBER BOARD/COMMISSION APPOINTMENTS

<p>District 3 – Kara McGregor</p>	<p>Airport Board Board of Adjustment Construction Board Eco Dev. Revolving Loan Eco Dev. Corp. ½ Cent Sales Tax Electric Board Historical Preservation Library Board Parks and Recreation Planning & Zoning</p>	<p>Ray Chandler Anne Clark, Vice-Chair Kirk Smith (Alternate) Jerry West, Vice-Chair Lew White, Chair Nic Irwin Thomas Stephens Ronda Reagan Jean Clark Fox, Chair Warren Burnett Philip McBride, Chair</p>	<p>02/06/18 12/19/17 12/05/17 01/02/18 12/19/17 12/05/17 12/19/17 12/19/17 12/19/17 12/05/17 12/19/17</p>
<p>District 4 - Jeffrey Michelson</p>	<p>Airport Board Board of Adjustment Construction Board Eco Dev. Revolving Loan Eco Dev. Corp. ½ Cent Sales Tax Electric Board Historical Preservation Library Board Parks and Recreation Planning & Zoning</p>	<p>Mark Brown, Vice-Chair Wayne Reeder Rick Winnett Frank Coggins Morris Alexander Ian Stowe Kathy McCormick Donaly Brice Russell Wheeler Rick Arnic</p>	<p>03/07/17 12/05/17 12/05/17 12/05/17 12/05/17 03/06/18 12/05/17 12/05/17 12/05/17 12/05/17 01/15/19</p>
<p>Mayor Pro-Tem (At-Large) – Angie Gonzales-Sanchez</p>	<p>Airport Board Board of Adjustment Construction Board Eco Dev. Revolving Loan Eco Dev. Corp. ½ Cent Sales Tax Historical Preservation Library Board Parks and Recreation Planning & Zoning</p>	<p>Andrew Reyes Laura Cline, Chair Paul Martinez Irene Yanez Alfredo Munoz Juan Alvarez, Jr. Jodi King Chris Schexnayder Philip Ruiz, Vice-Chair</p>	<p>03/07/17 03/07/17 03/07/17 03/07/17 06/06/17 03/07/17 03/07/17 03/07/17 03/07/17 03/07/17</p>

COUNCILMEMBER BOARD/COMMISSION APPOINTMENTS

At-Large - Brad Westmoreland	Airport Board Board of Adjustment Construction Board (Alternate) Eco Dev. Revolving Loan Eco Dev. Corp. 1/2 Cent Sales Tax Historical Preservation Library Board Parks and Recreation Planning & Zoning	Jayson "Tex" Cordova Severo Castillo Gary Shafer Edward Strayer Frank Estrada Richard Thomson Rebecca Lockhart Dennis Placke Christina Black	03/07/17 03/07/17 03/07/17 03/07/17 03/07/17 11/21/17 03/07/17 03/07/17 03/07/17
	Charter Review Commission (Five member commission) Term - 24 months after appointment	Ray Sanders Bill Hernandez Roland Velvin Elizabeth Raxter Alan Fielder	03/01/16 - Michelson 03/01/16 - Michelson 03/01/16 - Michelson 03/01/16 - Hilburn 03/15/16 - Hilburn
	Sign Review Committee (no longer meeting)	Gabe Medina Neto Madrigal Terry Black Kenneth Sneed Johnny Barron, Jr. Tim Clark	03/17/15 - Mayor Pro-Tem Sanchez 04/21/15 - Councilmember Mendoza 12/19/17 - Councilmember McGregor 03/17/15 - Mayor White 03/17/15 - Councilmember Castillo 03/17/15 - Councilmember Michelson
	Parks Master Plan Steering Committee (8-10 members)	Albert Villalapando Dennis Placke Nita McBride Rebecca Pulliam Bernie Rangel Derrick David Bryant Beverly Anderson Carl Ohlendorf Beverly Hill	09/05/17 - Parks Bd appointee 09/05/17 - Parks Bd appointee 12/05/17 - McGregor 09/19/17 - Michelson 09/19/17 - Castillo 09/19/17 - Sanchez 09/19/17 - Mendoza 09/19/17 - Westmoreland 09/19/17 - Mayor White

COUNCILMEMBER BOARD/COMMISSION APPOINTMENTS

	<p>Church Property Ad-hoc Committee (7 members)</p>	<p>Amelia Smith Jackie Westmoreland Todd Blommerth Andy Govea Terry Black Jane Brown Raymond DeLeon Dyral Thomas</p>	<p>09/05/17 – Westmoreland 09/05/17 – Westmoreland 09/05/17 – Mayor White 09/19/17 – Sanchez 12/19/17 – McGregor 09/19/17 – Michelson 09/20/17 – Castillo 09/22/17 – Mendoza</p>
	<p>Wayfinding Signage and Community Branding Ad-Hoc Committee (5 members)</p>	<p>Kara McGregor Roy Watson Chris St. Leger Taylor Burge Christie Pruitt–Lockhart Chamber Laura Rivera-Hispanic Chamber Vanessa Fischer Kate Collins Katie Westmoreland Mills</p>	<p>01/02/2018 01/02/2018 01/02/2018 02/06/2018 02/08/2018 02/09/2018 02/09/2018 (ex-officio) 02/06/2018 (ex-officio) 02/06/2018 (ex-officio)</p>

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**CITY COUNCIL FY 18-19 GOALS (FINAL COMBINED)
PRIORITY ORDER**

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

U:\Vance Files\1A Public Works\City Council\Goals and Objectives\FY 18-19\FINAL GROUP\COMBINED GROUP SUBMITTED

**CITY COUNCIL FY 18-19 GOALS (FINAL COMBINED)
PRIORITY ORDER**

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



CITY COUNCIL FY 18-19 GOALS

Category Order and Comments by City Manager

Council agreed at February 13 meeting that each Councilmember will submit at least 5 category goals in priority order to the City Manager to be considered by Council at first meeting in March, 2018

CM INITIALS	PRIORITY #	GOALS IDENTIFIED BY COUNCIL FOR FY 18-19: SORTED BY CATEGORY FINAL LIST BY COUNCIL PRIORITIZED BY CATEGORY: SUBMIT TO CITY MGR BY MARCH 1 PLEASE	SUGGESTED FUNDING SOURCE BY COUNCILMEMBER	SORTED BY CATEGORY
		Improve communication between City and Chamber of Commerce	In-House	Chamber
		City Facilities	GF	City Bldgs
		Refurbish City Hall (inside) (making it more inviting)	Gen Fund	City Bldgs
		Prepare Fire Station 3 (so we can have main station remodeled)	Gen Fund	City Bldgs
		Hire A City Manager. Hire a City Manager that is Well Rounded and Experienced and Will Help our City to Continue to Grow for the right and positive reasons. To hire a City Manager that will allow our Department Heads to Grow and Improve Our Departments with their recommended suggestions not only from our department heads but from our employees. Working Smarter not Harder.	GF	City Manager
		More code enforcement of codes directed at unsightly properties	In-House	Code Enforc
		Continue demo of unsafe structures and pursue liens aggressively	GF	Code Enforc
		Convention Center. Our city is growing and there are too many events, programs and conferences that are going to other surrounding areas to have these events and those surrounding area businesses are benefitting and money is being spent in those areas instead on money being spent in our city. Granted, we do have meeting facilities in our city but these meeting facilities do not accommodate the number of people for the above events that have been mentioned.	GF	Convention Center
		Downtown improvements-lighting, pedestrian safety, south plaza idea? Sculpture? Sidewalk mosaics?	GF	Downtown
		Economic development, creating and retaining jobs, grocery campaign	general fund, LEDC	Econo Devl
		Economic Development	GF	Econo Devl
		Expand economic development (by helping to spread the word & being more involved)	Gen Fund	Econo Devl
		Economic Development: Recruit more businesses especially retail and continue efforts: contact existing and vacant building owners to see if they are willing to work with the City of Lockhart to bring retail businesses and speciality shops, as well as industrial. Purchase buildings and land when on the market for possible new businesses for the city. Art Galleries and Music Venues have increased within our downtown area and though many many not appreciate these type of business and or venues. It is good for our downtown and its livelihood. Let's work on getting more of the speciality shops and boutiques in or around the square.	GF	Econo Devl
		Pay raise across the board	GF	Employees
		All Department Heads to Budget Salary Increases for all City Employees.	GF	Employees
		Wellness for employees	GF	Employees
		Employee: Possible additional Employee Holiday Time Off-Alternating System. Even though this has been discussed and the reasons for why it cannot be done, I would like to see a time off alternating system, especially during the holidays. I did appreciate that the city employees were allowed to stay home during our icy, sleet and snow days. The safety of our employees is very important.	GF	Employees
		Subdivision development to attract more businesses to Lockhart. Increase the number of homes, apartments, housing. Our city is growing with new citizens wanting to make Lockhart their home but due to the number of housing available, they wait and or possibly lose interest.	GF	Housing
		Infrastructure	GF	Infrastructure
		Infrastructure improvement- uncurbed streets, street rehab	GF	Infrastructure
		Improve Streets (repairs)	In-House	Infrastructure

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CM INITIALS	PRIORITY #	GOALS IDENTIFIED BY COUNCIL FOR FY 18-19: SORTED BY CATEGORY FINAL LIST BY COUNCIL PRIORITIZED BY CATEGORY: SUBMIT TO CITY MGR BY MARCH 1 PLEASE	SUGGESTED FUNDING SOURCE BY COUNCILMEMBER	SORTED BY CATEGORY
		Infrastructure: Continue City Infrastructure: Drainage, Street Repairs, Completion of Curbing, Brighter Lighting in Neighborhoods	GF	Infrastructure
		Angled parking for N Main and N Commerce Streets (change during downtown project)	In-House	Parking Downtown
		Parking around and surrounding the square. Issues with larger vehicles parked in areas that are narrow and that make it hard to see oncoming traffic. Our city is growing and we have been very fortunate with our parking however, it is a concern especially when you have the bigger and wider trucks that are parked in an area that is for a moderate size car. It becomes a hazard and a blind spot when trying to reverse out of the parking space and a blind spot for any and all pedestrians.	GF	Parking Downtown
		Continue to work on City Park Improvements	Gen Fund	Parks
		Revive all City parks	Grants	Parks
		Work with USD to establish a community recreation center at Adams Gym, perhaps under Parks (PUBLIC HEALTH/PARKS)	General Fund/Parks & Rec	Parks
		Add 3 positions to the Parks Department to help facilitate other improvements (PARKS)	General Fund/Parks & Rec	Parks
		Park improvements - consider medium to long range Town branch development	GF	Parks
		Develop a dog park as part of the Steve Lane Monte Vista Tract (PARKS/ANIMAL SHELTER/PUBLIC HEALTH)	General Fund/Parks & Rec	Parks
		Parks Improvements: Purchase and update the park equipment to provide safe and fun filled parks for all to use.	GF	Parks
		Start Planning for 2040 plan	GF	Planning
		Police	GF	Police
		Continued Police Community committee involvement, neighborhood watch, gang awareness	GF	Police
		Work with Police Department to bring back drug enforcement program	Gen Fund	Police
		Get back to Neighborhood Townhall Meetings	GF	Police
		Police Task Force: Budget extra funds for a Police Task Force, a Narcotics Officer and a Mental Health Officer to address any drug and gang related problems and mental issues our city is being faced not only on the East side of our city but citywide. Budget for updated training for our police officers. There is a lot of training that is free but a lot of additional money for registration fees and course material. I am grateful that the Police Department did invest in our Drug Dog and is being utilized by the school as well.	GF	Police
		High School cadet programs for police, fire, EMS	GF	Police/Fire
		Public relations position to deal with social media	GF	Public Relations
		Get the word out about Lockhart (promoting, hiring a Public Relations person)	Gen Fund	Public Relations
		Sidewalk repair and expansion	GF	Sidewalks
		Signage in Lockhart (highway, downtown, and toll road)	Gen Fund	Signage
		Wayfinding, branding - develop new entry sign and city property markers	GF	Signage
		Move Forward with St Paul property project	In-House	St Paul Gift
		Develop an oral history project to support a future "Walking Tour" app for Lockhart (ECONOMIC DEV/DOWNTOWN)	General Fund/Fundraising	Tourism
		More Events to Attract Tourism in Lockhart and include Way Finding Signage (Hotels and Restaurants). Added events, especially the events that are free to the public do very well for the city as well as for the businesses and tourism. I welcome new events to the city but need to be selective in the events that we do host.	GF	Tourism
		Create a Good Neighbor program (Lockhart Utility Customers can add an additional amount to utility bill to help others)	GF	Utility Customers

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CM INITIALS	PRIORITY #	GOALS IDENTIFIED BY COUNCIL FOR FY 18-19: SORTED BY CATEGORY FINAL LIST BY COUNCIL PRIORITIZED BY CATEGORY: SUBMIT TO CITY MGR BY MARCH 1, PLEASE	SUGGESTED FUNDING SOURCE BY COUNCILMEMBER	SORTED BY CATEGORY
		Access to Municipal Court for Utility Payments	In-House	Utility Customers
		Free public wifi on the square as part of the redevelopment on the North side (ECONOMIC DEV/DOWNTOWN)	CAPCOG Grant?	Wifi
		Free public wifi on the square as part of the redevelopment on the North side	GF	Wifi

CM INITIALS	PRIORITY #	GOALS IDENTIFIED BY COUNCIL FOR FY 18-19: SORTED BY CATEGORY	SUGGESTED FUNDING SOURCE BY COUNCILMEMBER	SORTED BY CATEGORY	CITY MANAGER COMMENTS
BW	7	Improve communication between City and Chamber of Commerce	In-House	Chamber	City Staff works together with Chambers on all their events by being a co-sponsor with many in-kind services. Robert Tobias attends their meetings and periodically makes presentations about Economic Development issues.
IC	4	City Facilities	GF	City Bldgs	Budget for roofs and major repairs
JEFF M	5	Refurnish City Hall inside (making it more inviting)	Gen Fund	City Bldgs	Working on it; repairs to ceiling in progress, restrooms to be refurnished and replace signage with more informative directions.
JEFF M	7	Prepare Fire Station 2 (so we can have main station remodeled)	Gen Fund	City Bldgs	New plans will be prepared working with new Chief who has different ideas than the previous Chief
AGS	1	Hire A City Manager. Hire a City Manager that is Well Rounded and Experienced and Will Help our City to Continue to Grow for the right and positive reasons. To hire a City Manager that will allow our Department Heads to Grow and Improve Our Departments with their recommended suggestions not only from our department heads but from our employees. Working Smarter not Harder.	GF	City Manager	Concur. The current City Mgr has rode back of garbage trucks, climbed electrical poles, worked water/sewer/asphalt/concrete projects, and has been a utility collections clerk, and during those experiences learned the value of suggestions for change that comes from employees in such positions. All department heads/supervisors are encouraged to listen to employees who have constructive ideas that would benefit in performing assigned tasks. City Mgr has also learned there are employees who keep there hands in their pockets and talk while everyone else is working and these are the same ones who are often found to be dishonest in their paperwork, sleep on the job, and have a poor attendance record.
BW	1	More code enforcement of codes directed at unsightly properties	In-House	Code Enforc	Will continue to address as complaints come in and as found during investigation outings.
LW	B	Continue demo of unsafe structures and pursue liens aggressively	GF	Code Enforc	Will continue to address and City Attorney exploring process to recover demolition costs
AGS	11	Convention Center Our city is growing and there are too many events, programs and conferences that are going to other surrounding areas to have these events and those surrounding area businesses are benefitting and money is being spent in those areas instead of money being spent in our city. Granted, we do have meeting facilities in our city but these meeting facilities do not accommodate the number of people for the above events that have been mentioned.	GF	Convention Center	HOT funds and/or Bond Issue. Maintenance funds will be a minimum of \$150,000 annually not including director's salary, utilities, and insurance.
LW	9	Downtown improvements: lighting, pedestrian safety, south plaza idea? Sculpture? Sidewalk mosaics?	GF	Downtown	CAPCOG/CO project will address
LW	1	Economic development, creating and retaining jobs, grocery campaign	General Fund, LEDC	Econo Devl	Robert Tobias working with several companies now
IC	2	Economic Development	GF	Econo Devl	See above

CM INITIALS	PRIORITY #	GOALS IDENTIFIED BY COUNCIL FOR FY 18-19: SORTED BY CATEGORY	SUGGESTED FUNDING SOURCE BY COUNCILMEMBER	SORTED BY CATEGORY	CITY MANAGER COMMENTS
JEFF M	3	Expand economic development (by helping to spread the word & being more involved)	Gen Fund	Econo Devi	Robert Tobias is involved with the San Marcos Partnership, local chambers, and with downtown businesses on a regular basis. Leads from the Governor's office and the Austin Chamber are also pursued as applicable.
AGS	4	Economic Development: Recruit more businesses especially retail and continue efforts; contact existing and vacant building owners to see if they are willing to work with the City of Lockhart to bring retail businesses and specialty shops, as well as industrial. Purchase buildings and land when on the market for possible new businesses for the city. Art Galleries and Music Venues have increased within our downtown area and though many not appreciate these type of business and or venues, it is good for our downtown and its livelihood. Let's work on getting more of the specialty shops and boutiques in or around the square.	GF	Econo Devi	The problem is that many of the property owners downtown do not have the funds to customize their buildings to support specialty shops which most the time are not willing to spend money on a building. Rob Tobias is exploring ways to address this issue.
JUAN M	1	Pay raise across the board	GF	Employees	Estimated Costs Including Benefits: For each 1% for non-civil service = \$52,000 For each 1% for civil service = \$28,000
AGS	2	All Department Heads to Budget Salary Increases for all City Employees.	GF	Employees	See above
IC	5	Wellness for employees	GF	Employees	City provides good health insurance (\$386 per month each) with wellness plans for employees; many Cities have stopped this benefit and only provide a spend for insurance.
AGS	9	Employee: Possible additional Employee Holiday Time Off-Alternating System. Even though this has been discussed and the reasons for why it cannot be done, I would like to see a time off alternating system, especially during the holidays. I did appreciate that the city employees were allowed to stay home during our icy, sleet and snow days. The safety of our employees is very important.	GF	Employees	City employees with vacation leave and holiday time are off 23 days a year with pay which is more than a month of work days. The only holidays not given that we found are Columbus Day and Texas Independence Day. Employee safety is very important, however, some employees must come in to make conditions safe for residents and to respond in emergency conditions and that responsibility belongs to each department head who determines based on staff levels and skills those off during holiday times.
AGS	6	Subdivision development to attract more businesses to Lockhart. Increase the number of homes, apartments, housing. Our city is growing with new citizens wanting to make Lockhart their home but due to the number of housing available, they wait and/or possibly lose interest.	GF	Housing	6 housing projects in place at different phases. City Manager recommended incentives to builders three years ago which Council approved and during the time it was in place it produced more housing. As a result, more engineering or subdivisions has begun.
IC	1	Infrastructure	GF	Infrastructure	\$400,000 or more yearly needed for streets
LW	2	Infrastructure improvement- uncurbed streets, street rehab	GF	Infrastructure	See above. It will take a major bond issue to address all streets that do not have curbs.
BW	3	Improve Streets (repairs)	In-House	Infrastructure	See above.

CM INITIALS	PRIORITY #	GOALS IDENTIFIED BY COUNCIL FOR FY 18-19: SORTED BY CATEGORY	SUGGESTED FUNDING SOURCE BY COUNCILMEMBER	SORTED BY CATEGORY	CITY MANAGER COMMENTS
AGS	3	Infrastructure. Continue City Infrastructure. Drainage, Street Repairs. Completion of Curbing, Brighter Lighting in Neighborhoods	GF	Infrastructure	For streets please see above. Brighter lighting is always a challenge in a city with so many trees. Lockhart still must comply with Senate Bill 5 which regulates power usage. Several cities have passed an ordinance that does not allow for the planting of trees within 15' of the right of way to improve lighting of streets and reduce tree trimming around power lines.
BW	4	Angled parking for N Main and N Commerce Streets (change during downtown project)	In-House	Parking Downtown	Scheduled with downtown improvements. Should also consider making 100 Blocks of N Main and N Commerce one-way and possibly consider other blocks downtown especially north/south streets.
AGS	10	Parking around and surrounding the square. Issues with larger vehicles parked in areas that are narrow and that make it hard to see oncoming traffic. Our city is growing and we have been very fortunate with our parking however, it is a concern especially when you have the bigger and wider trucks that are parked in an area that is for a moderate size car. It becomes a hazard and a blind spot when trying to reverse out of the parking space and a blind spot for any and all pedestrians.	GF	Parking Downtown	Scheduled with downtown improvements
JEFF M	2	Continue to work on City Park improvements	Gen Fund	Parks	Master Plan near complete
BW	2	Revive all City parks	Grants	Parks	Master Plan near complete
KM	2	Work with LISD to establish a community recreation center at Adams Gvm, perhaps under Parks (PUBLIC HEALTH/PARKS)	General Fund/Parks & Rec	Parks	Mayor is visiting with LISD about this
KM	3	Add 3 positions to the Parks Department to help facilitate other improvements (PARKS)	General Fund/Parks & Rec	Parks	Approx. \$100,000 to budget not including equipment and vehicles
LW	3	Park improvements - consider medium to long range Town branch development	GF	Parks	Bond issue needed
KM	4	Develop a dog park as part of the Stueve Lane Monte Vista Tract (PARKS/ANIMAL SHELTER/PUBLIC HEALTH)	General Fund/Parks & Rec	Parks	Estimate on this property is \$ 25000 using used fencing. Maintenance and insurance are also cost factors
AGS	8	Parks Improvements: Purchase and update the park equipment to provide safe and fun filled parks for all to use.	GF	Parks	Master Plan near complete
JUAN M	3	Start Planning for 2040 plan	GF	Planning	Needs to be done
IC	3	Police	GF	Police	Chief Pedraza is working on these issues. Recently issued update that was sent to Council.
LW	4	Continued Police Community committee involvement, neighborhood watch, gang awareness	GF	Police	See above
JEFF M	4	Work with Police Department to bring back drug enforcement program	Gen Fund	Police	See above
JUAN M	5	Get back to Neighborhood Townhall Meetings	GF	Police	Will get with Chief about this

CM INITIALS	PRIORITY #	GOALS IDENTIFIED BY COUNCIL FOR FY 18-19; SORTED BY CATEGORY	SUGGESTED FUNDING SOURCE BY COUNCILMEMBER	SORTED BY CATEGORY	CITY MANAGER COMMENTS
AGS	5	Police Task Force: Budget extra funds for a Police Task Force, a Narcotics Officer and a Mental Health Officer to address any drug and gang related problems and mental issues our city is being faced not only on the East side of our city but citywide. Budget for updated training for our police officers. There is a lot of training that is free but a lot additional money for registration fees and course material. I am grateful that the Police Department did invest in our Drug Dog and is being utilized by the school as well.	GF	Police	Chief Pedraza reports that Lockhart has two certified mental health officers, and he feels there is sufficient funding for training. He also reports that a new Narcotics Officer would cost about \$90,000 for salary/benefits, training, a vehicle, and all required equipment.
LW	10	High School cadet programs for police, fire, EMS	GF	Police/Fire	Will visit with department heads again about this
LW	6	Public relations position to deal with social media	GF	Public Relations	Position would cost with benefits about \$45,000 annually and would need more tasks to perform.
JEFF M	5	Public relations position to deal with social media	GF	Public Relations	See above
LW	7	Sidewalk repair and expansion	GF	Sidewalks	Costs average about \$25 per linear foot
JEFF M	1	Signage in Lockhart (highway, downtown, and toll road)	Gen Fund	Signage	Wayfinding and Branding Committee in place
LW	3	Wayfinding, branding - develop new entry sign and city property markers	GF	Signage	See above
BW	5	Move Forward with St Paul property project	In-House	St Paul Gift	Working on costs associated with this projects which involve asbestos/lead paint survey and possible abatement, ADA restrooms, ADA entry ramp, kitchen changes, and other repairs.
KM	5	Develop an oral history project to support a future "Walking Tour" app for Lockhart. More Events to Attract Tourism in Lockhart and include Way Finding Signage (Hotels and Restaurants). Added events, especially the events that are free to the public do very well for the city as well as for the businesses and tourism. I welcome new events to the city but need to be selective in the events that we do host.	General Fund/Fundraising	Tourism	Could be part of the Wayfinding and Branding Committee tasks
AGS	7		GF	Tourism	Chambers receive HOT funds for tourism and City co-sponsors events that contribute to tourism
JUAN M	4	Create a Good Neighbor program (Lockhart Utility Customers can add an additional amount to utility bill to help others)	GF	Utility Customers	Have pursued this in the past. Requires a Board or Committee that is willing to take on the tasks of selecting who and how much help can be provided to customers. Some Cities allocate the funds to existing organization that is willing to take on the project.
BW	6	Access to Municipal Court for Utility Payments	In-House	Utility Customers	Working to this, advertisements and office training needed.
KM	1	Free public Wi-Fi on the square as part of the redevelopment on the North side (ECONOMIC DEV/DOWNTOWN)	CAPCOG Grant?	Wi-Fi	County Judge had indicated to Mayor that the County could do this.
JUAN M	2	Free public wifi on the square as part of the redevelopment on the North side.	GF	WiFi	See Above

LOCKHART CITY COUNCIL FY 17-18 GOALS

Category and Priority Order

COUNCIL MEMBER	PRIORITY	GOALS IDENTIFIED BY COUNCIL FOR FY 17-18 (as submitted by Councilmembers)	SUGGESTED FUNDING SOURCE BY COUNCILMEMBER	CATEGORY
BH	3	Continue Improving City Cemetery	with GF Expiring debt saving and/or Cemetery Tax	CEMETERY
Jeff M	2	Refurbish City Hall in the inside (to make more inviting to the public) as well as doing some landscaping outside		CITY BLDGS
BW	3	Spruce up and clean up City properties		CITY BLDGS
BH	4	Improve City Facilities Appearance	General Fund	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	ECONOMIC DEV
AGS	3	Economic Development: Recruit more businesses especially retail and continue efforts; contact existing and vacant building owners to see if they are willing to work with the City of Lockhart to bring retail businesses and speciality shops, as well as industrial. Purchase buildings and land when on the market for possible new businesses for the city.		ECONOMIC DEV
JC	3	Economic Development		ECONOMIC DEV
AGS	5	Subdivision development to attract more businesses to Lockhart.		ECONOMIC DEV
JM	5	Set up meetings with developers for more retail space shopping centers along US 183		ECONOMIC DEV

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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)		ECCONOMIC 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, especially 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 identify 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 Improvements: 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	general fund bond	SIDEWALKS
LW	6	sidewalk repair and expansion		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			SR CITIZENS CTR
JC	1	Pursue opportunity to move Senior Citizens' Center to St Paul United Church of Christ Property		
AGS	2	Roads Infrastructure: Continue City Infrastructure: Drainage, Street Repairs, Completion of Curbing, Brighter Lighting in Neighborhoods	Grants or impact fees	STREETS/INFRAS
BH	2	Continue Improving City Streets		STREETS/INFRAS
Jeff M	5	Continue to make improvements and redoing our city streets	Increase Transportation Fund	STREETS/INFRAS

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

Priority	Council Person	Goals Submitted	City Manager Comments
		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	Castillo	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) \$ 28,000; Gen Fund Civil Serv \$ 24,000; Other/Utilities: \$ 15,000- Add!!
1	Gonzales-Sanchez	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	Hilburn	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	Mendoza	Continue to improve infrastructure (drainage, street repairs) throughout the city	Complete 2015 CO and budget \$250,000 per year for street materials
1	Michelson	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 aesthetics ordinance currently. The term "unsightly" is subjective and is difficult to prove in court.
1	Westmoreland	Economic Development-expanding budget to get staff qualified to help Sandra with recruitment, working with LEDC to either build Spec building or invest in more property, Main St program to relieve Sandra of a lot of those duties	Main Street Program would require another person and funding to work with local businesses while Economic Development would concentrate on new businesses and new jobs
1	White	Economic Development	Need 12-15,000 sf of retail spaces with reasonable lease per sf and buildings that are 20 to 50,000 sf for industrial and manufacturing
2	Castillo	Infrastructure: Continue City Infrastructure: Drainage, Street Repairs, Completion of Curbing, Brighter Lighting in Neighborhoods Implement City Signage	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. Initial required funds up to \$40,000 if City Crew does the work; total cost could be more than \$70,000
2	Hilburn	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	Mendoza	Continue to improve ways to attract businesses to Lockhart	Need more 12-15,000 sf of retail spaces with reasonable lease per sf and buildings that are 20 to 50,000 sf for industrial and manufacturing
2	Michelson	Create a policy for the residency of future administrative positions to live within the Lockhart city limits. If an administrator wants to be employed by the City of Lockhart, they need to reside here. Sharing in the daily lives of our citizens seems crucial to making decisions about Lockhart. They are paid by city taxes.	It is not legal to require all department heads to live in the City limits; only the City Manager is required to do so. All non-24 emergency response employees must live within 25 minutes of City Limits
2	Westmoreland	Continue street rehab	Need \$ 250,000 annually minimum for street work materials
2	White	City Facilities	Not sure what this includes; can assess all departments for physical needs
3	Castillo	Economic Development: Recruit more businesses especially retail and continue efforts to contact existing and vacant bldg owners to see if they are willing to work with City to bring these small retail businesses, as well as industrial; possibly purchasing two downtown county buildings when on the market for possible new businesses in the downtown area. Stronger platform with LEDC with methods to sell Lockhart and attract businesses.	LEDC could fund another report but the company says our numbers still should be good. Costs estimated \$22,500 for updating data and recruitment. Prime softgood companies constantly want to be on Highway 183 in 12-15,000 sf and at a reasonable cost per sf plus higher traffic counts.
3	Gonzales-Sanchez		

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

Priority	Council Person	Goals Submitted	City Manager Comments
			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 \$260,000 for materials is needed annually.
3	Hilburn	Continue improving city streets: Increase Transportation Fund	
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
		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	Westmoreland	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
3	White	Employees Wages	Est Cost Per % Increase Annually: Gen Fund (Not Civil Serv) \$ 28,000; 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	Castillo	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
		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	Westmoreland	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
4	White	Parks	Estimate: \$ 400,000 annually over next 4 years based on input from Parks Board Advisory Board
5	Castillo	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	Gonzales-Sanchez	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	Hilburn	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.
5	Mendoza		

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

Priority	Council Person	Goals Submitted	City Manager Comments
		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	Michelson	Sidewalks to include lighting	Funding required; for example San Jacinto to Jr High estimate is \$130,000 just for materials along Maple walkway
5	White	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	Gonzales-Sanchez	Continue to work on City Park Improvements	Estimate: \$ 400,000 annually over next 4 years based on input from Parks Board Advisory Board
6	Michelson	Pursue possible ESD-EMS district	Legal issue with participation by County and City of Luling preferable
6	White	Parks Improvements: Purchase more park equipment to provide safe and fun filled parks for all to use.	Estimate: \$ 400,000 annually over next 4 years based on input from Parks Board Advisory Board
7	Gonzales-Sanchez	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	Mendoza	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	Michelson	Cemetery maintenance	Cemetery Tax up to 5 cents allowed by State Law
7	White	Elevator and improvements to restrooms planned; better offices for Connie and Sandra planned also.	Elevator and improvements to restrooms planned; better offices for Connie and Sandra planned also.
8	Gonzales-Sanchez	City Hall: Refurbish with Improvements and/or Upgrades	\$ 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.
9	Gonzales-Sanchez	Convention Center	
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.

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

Description	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	TOTAL DEBT	
General Government																						
Hotel Tax Fund	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	40,000								520,000
2019 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	40,000								520,000
LEDC																						
2009 GO Refunding	316,000																					316,000
2015 Tax & Revenue	37,357	48,083	48,044	48,103	48,103	48,182	63,645	63,670	63,513	63,543	63,555	63,643	63,687	65,647	65,544	65,575	65,482	65,578	65,538	65,576	65,576	1,182,138
Total LEDC Fund P & I	316,000	48,083	48,044	48,103	48,103	48,182	63,645	63,670	63,513	63,543	63,555	63,643	63,687	65,647	65,544	65,575	65,482	65,578	65,538	65,576	65,576	1,498,138
2016 Capital Projects Fund																						
2015 Tax & Revenue	122,620																					122,620
Total 2016 Capital Projects Fund	122,620																					122,620
Debt Service																						
2008 GO Refunding	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	100,000	2,016,289
Total Drainage Fund P & I	200,000	116,289	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	2,116,289
General Fund																						
2008 GO Refunding	81,210																					81,210
2015 Tax & Revenue																						
Total General Fund P & I	81,210																					81,210
Debt Service Fund																						
2009 Tax & Rev CO's	333,210	331,060	328,972	327,883	336,575	338,615	737,655	742,642	741,325	743,820	750,210	749,978	753,440									7,208,465
2006 Tax & Rev CO's	50,455	48,815	47,175	50,535	48,690	46,845																282,515
2006-A Tax & Rev CO's	266,816	267,594	267,890	267,803	267,332	271,128																1,808,664
2015 Tax & Revenue	81,487	117,779	117,778	117,659	117,803	117,923	155,867	155,927	155,543	155,615	155,945	155,861	155,969	160,769	160,517	160,592	160,365	160,602	160,502	160,831	160,831	2,885,035
Total Debt Service Fund P & I	742,088	765,248	761,816	763,680	770,400	765,511	883,522	896,569	896,848	896,535	905,855	905,839	909,409	960,769	960,517	960,592	960,365	960,602	960,502	960,831	960,831	12,002,689
Total General Government	1,655,285	949,830	947,824	949,809	949,503	949,853	1,097,167	1,102,239	1,100,381	1,103,076	1,109,470	1,109,482	1,113,096	1,119,476	1,128,061	1,128,167	1,128,167	1,128,167	1,128,167	1,128,167	1,128,167	19,324,667

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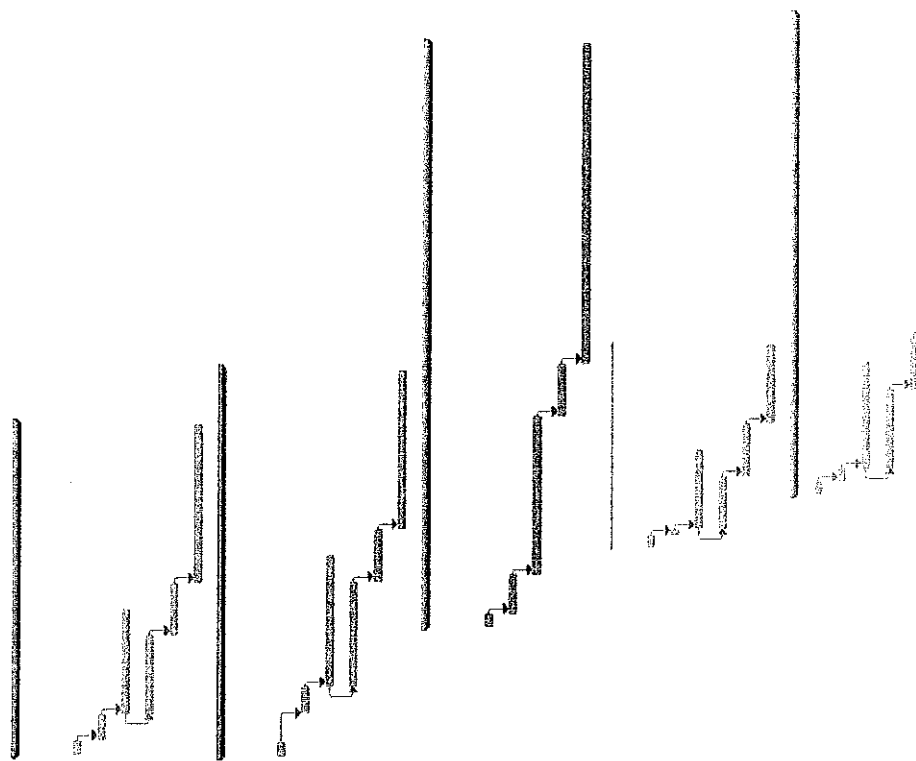
City of Lockhart		Future Debt Payments as of 9/30/15																				
Description	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	TOTAL DEBT	
Proprietary																						
Electric Fund																						
2008 GO Refunding 3.98%	40,379																					
2013 SIB Loan 30.41%	71,151	71,151	71,152	71,152	71,151	71,151	71,151	71,151	71,151	71,151	71,152	71,151	71,151	71,151	71,151	71,151	71,151	71,152				40,379
Total Electric Fund P & I	111,530	71,151	71,152	71,152	71,151	71,151	71,151	71,151	71,151	71,151	71,152	71,151	71,151	71,151	71,151	71,151	71,151	71,152				1,280,721
Water Fund																						
2006A Tax & Rev CO's 7.00%	20,090	20,142	20,184	20,157	20,122	20,408																121,082
2008 GO Refunding 35.39%	408,192																					408,192
2009 GO Refunding 85.89%	165,829	165,775	165,555	165,477	163,357	163,525	167,769	170,852	169,384	171,537	174,032	171,534	177,194									2,203,410
2015 Tax & Revenue 49.80%	378,148	488,818	488,818	486,322	486,817	487,413	644,248	644,496	642,969	643,207	643,331	644,223	644,570	664,510	663,822	663,778	662,842	663,822	663,408	664,800	664,800	11,956,146
2013 SIB Loan 35.80%	82,576	82,576	82,576	82,576	82,576	82,576	82,576	82,576	82,576	82,576	82,576	82,576	82,576	82,576	82,576	82,576	82,576	82,576				1,488,169
Total Water Fund P & I	1,055,935	755,411	755,314	754,832	753,071	753,122	894,633	899,024	894,589	897,820	900,066	898,433	904,540	747,186	746,144	746,454	745,518	746,498	683,408	684,800	684,800	16,187,939
Sewer Fund																						
2008 GO Refunding 19.34%	185,890																					
2009 GO Refunding 13.31%	25,461	25,462	25,434	25,407	26,002	25,890	26,749	26,232	26,006	26,398	26,728	26,336	27,206									183,890
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	55,888	57,608	57,518	57,545	57,464	57,548	57,513	57,643	57,643	1,037,388
2015 Tax & Revenue TRNSF		170,305	186,594	186,302	186,853	186,945	278,275	278,421	278,457	278,662	278,735	278,261	278,523	291,203	290,590	290,773	280,222	290,788	280,564	281,374	281,374	4,805,677
2013 SIB Loan 33.39%	77,102	77,102	77,102	77,103	77,102	77,102	77,103	77,102	77,102	77,102	77,102	77,102	77,103	77,102	77,102	77,102	77,102	77,102				1,357,844
Total Sewer Fund P & I	319,338	315,064	331,334	330,973	331,971	332,193	437,978	438,629	437,331	437,915	438,338	438,421	439,721	425,814	425,210	425,421	424,788	425,449	348,067	349,017	349,017	7,853,201
Airport Fund																						
2000 Airport 100.00%																						
Total Airport Fund P & I																						
Total Proprietary Fund P & I	1,492,801	1,141,826	1,157,759	1,156,757	1,162,193	1,163,468	1,403,764	1,407,804	1,403,451	1,406,887	1,409,579	1,409,133	1,415,412	1,244,352	1,242,565	1,243,026	1,241,456	1,245,099	1,071,473	1,071,473	1,071,473	25,582,500
Grand Total	3,020,065	2,111,285	2,107,708	2,108,691	2,120,385	2,116,129	2,500,531	2,510,043	2,503,632	2,506,965	2,510,588	2,517,676	2,522,608	1,870,668	1,869,588	1,869,193	1,867,205	1,869,280	1,337,913	1,337,913	1,337,913	41,597,257

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City of Lockhart
2015 BOND PROGRAM

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

Cost	Notes	Task Name	Duration	Start	Finish
\$10,124,890.00	TOTAL PROJECT COST				
\$2,665,024.00	1	DRAINAGE IMPROVEMENTS CONTRACT 4 - Madison & US183 Project			
		Surveying Proposal	17 days	Fri 3/6/15	Sun 3/22/15
		Survey	30 days	Mon 9/23/15	Tue 4/21/15
		Acquisition	120 days	Wed 4/22/15	Wed 8/19/15
		Engineering Design	90 days	Wed 4/22/15	Mon 7/20/15
		Bid Ad/NTP	60 days	Tue 7/21/15	Fri 9/18/15
		Construction	180 days	Sat 9/19/15	Wed 3/16/16
\$1,989,200.00	2	DRAINAGE IMPROVEMENTS CONTRACT 4 - Madison & US183 Project			
		Surveying Proposal	17 days	Fri 3/6/15	Sun 3/22/15
		Survey	30 days	Sat 4/25/15	Sun 5/24/15
		Acquisition	150 days	Mon 5/25/15	Wed 10/21/15
		Engineering Design	120 days	Mon 5/25/15	Mon 9/23/15
		Bid Ad/NTP	60 days	Tue 9/22/15	Fri 11/20/15
		Construction	180 days	Sat 11/21/15	Wed 5/19/16
\$333,000.00	4	DRAINAGE IMPROVEMENTS CONTRACT 4 - Madison & US183 Project			
		Surveying Proposal	15 days	Sun 8/2/15	Sun 8/16/15
		Survey	45 days	Mon 8/17/15	Wed 9/30/15
		Engineering Design	180 days	Thu 10/1/15	Mon 3/28/16
		Bid Ad/NTP	60 days	Tue 3/29/16	Fri 5/27/16
		Construction	365 days	Sat 5/28/16	Sat 5/27/17
\$1,764,000.00	5	FM 2002 ELEVATED TANK PROJECT			
		Surveying Proposal	15 days	Sun 11/1/15	Sun 11/15/15
		Survey	7 days	Mon 11/16/15	Sun 11/22/15
		Acquisition	90 days	Mon 11/23/15	Sat 2/20/16
		Engineering Design	60 days	Mon 11/23/15	Thu 1/21/16
		Bid Ad/NTP	60 days	Fri 1/22/16	Mon 3/23/16
		Construction	90 days	Tue 3/22/16	Sun 6/19/16
		Surveying Proposal	15 days	Sat 1/2/16	Sat 1/16/16
		Survey	15 days	Sun 1/17/16	Sun 1/31/16
		Acquisition	120 days	Mon 2/1/16	Mon 5/30/16
		Engineering Design	90 days	Mon 2/1/16	Sat 4/30/16
		Bid Ad/NTP	60 days	Sun 5/1/16	Wed 6/29/16

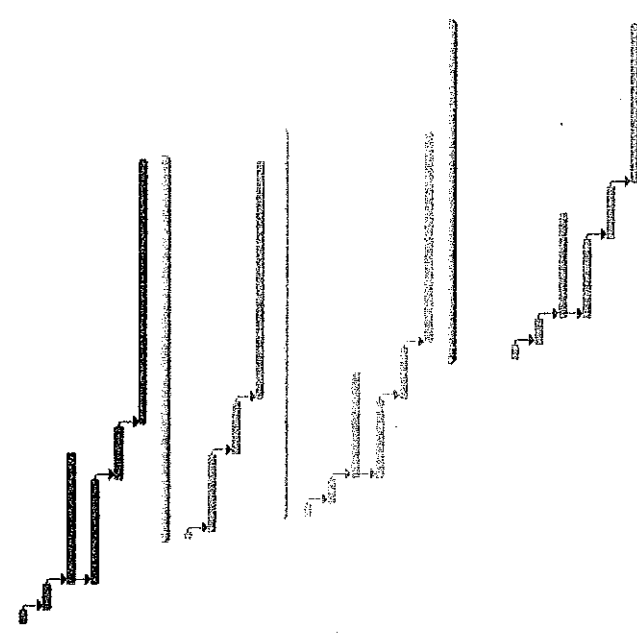


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City of Lockhart
2015 BOND PROGRAM

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

Cost	Notes Task Name	Duration	Start	Finish
\$1,355,516.00	Construction SHIRAZ WATER MAIN PROJECT - City Line 100% Bid/Design/Construct/Manage/Operate/Control Value: \$1,355,516.00	365 days	Thu 6/30/16	Thu 6/29/17
\$470,400.00	SHIRAZ PUMP STATION PROJECT			
	Surveying Proposal	15 days	Mon 1/18/16	Mon 2/1/16
	Survey	30 days	Tue 2/2/16	Wed 3/2/16
	Acquisition	150 days	Thu 3/3/16	Sat 7/30/16
	Engineering Design	120 days	Thu 3/3/16	Thu 6/30/16
	Bid Ad/NTP	60 days	Fri 7/2/16	Mon 8/29/16
	Construction	300 days	Fri 9/2/16	Wed 6/28/17
	Survey	7 days	Mon 4/25/16	Sun 5/1/16
	Engineering Design	90 days	Mon 5/2/16	Sat 7/30/16
	Bid Ad/NTP	60 days	Sun 7/3/16	Wed 9/28/16
	Construction	270 days	Sun 10/2/16	Wed 6/28/17
\$850,186.00	SHIRAZ TOWN BRANCH SEWER PROJECT			
	Surveying Proposal	15 days	Fri 5/20/16	Fri 6/3/16
	Survey	30 days	Sat 6/4/16	Sun 7/3/16
	Acquisition	120 days	Mon 7/14/16	Mon 10/31/16
	Engineering Design	90 days	Mon 7/14/16	Sat 10/2/16
	Bid Ad/NTP	60 days	Sun 10/2/16	Wed 11/30/16
	Construction	240 days	Mon 12/5/16	Tue 8/1/17
\$1,355,516.00	SHIRAZ WATER MAIN PROJECT - City Line 100% Bid/Design/Construct/Manage/Operate/Control Value: \$1,355,516.00			
	Surveying Proposal	17 days	Wed 11/16/16	Fri 12/2/16
	Survey	30 days	Sat 12/3/16	Sun 1/1/17
	Acquisition	120 days	Mon 1/2/17	Mon 5/1/17
	Engineering Design	90 days	Mon 1/2/17	Sat 4/1/17
	Bid Ad/NTP	60 days	Sun 4/2/17	Wed 5/31/17
	Construction	180 days	Mon 6/5/17	Fri 12/1/17



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