

PUBLIC NOTICE

AGENDA

LOCKHART CITY COUNCIL

THURSDAY, NOVEMBER 5, 2020

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

COUNCILMEMBER VIDEO AND AUDIO CONFERENCE PARTICIPATION

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

CITIZEN AND COUNCILMEMBER VIDEO/AUDIO VOLUNTARY CONFERENCE PARTICIPATION

- *Join virtual meetings via Zoom.*
- *Mayor will call upon each citizen registered to address the Council during the agenda item.*
- *Attendees may also call in to listen only.*
- *Council agenda packets can be reviewed at http://www.lockhart-tx.org/page/gov_agendas_minutes*
- *Individuals may watch the Council meeting online at http://www.lockhart-tx.org/page/gov_meeting_videos*

PUBLIC COMMENT

Persons wishing to "speak" during the public comment period of a public meeting must submit their written comments to cconstancio@lockhart-tx.org no later than 12 p.m. (noon) on the day of the meeting. Timely submitted comments will be read aloud by the Mayor during the public comment portion of the meeting.

PUBLIC HEARINGS

Persons wishing to participate in any public hearing item listed on the agenda may do so as follows:

- Send written comments which will be read aloud; or
- Request a link to join the public hearing portion of the virtual meeting.
Written comments or requests to join a public hearing by virtual meeting must be sent to cconstancio@lockhart-tx.org no later than 12 p.m. (Noon) on the day of the hearing. Comments shall have a time limit of three minutes each. Citizens who join the public hearing virtually will be provided a link and call-in number to participate remotely.

Comments whether during public hearings or public comment periods, shall have a time limit of three minutes each. Any threatening, defamatory or other similar comments are prohibited.

6:30 P.M.

WORK SESSION (No Action)

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

DISCUSSION ONLY

- A. Discuss minutes of the City Council meetings of October 8, 2020 and October 20, 2020.
 - B. Discuss Resolution 2020-25 approving utilization of tree trimming service through the Lower Colorado River Authority (LCRA) and McCoy Tree Surgery, Co. and authorizing the City Manager to execute a customer services contract for that purpose. *5-15*
 - C. Discuss amending and updating Interlocal Agreement between City of Lockhart and the Lower Colorado River Authority (LCRA). *16-20*
 - D. Discuss Resolution 2020-24 approving an Economic Development Performance Agreement between the Lockhart Economic Development Corporation and Iron Ox, Inc. to authorize the Lockhart Economic Development Corporation to provide a grant of \$25,000.00 to Iron Ox, Inc. for construction of a sidewalk. *21-34*
 - E. Discuss the Lockhart Economic Development Corporation Bylaws, providing amendments and clarifications. *35-53*
 - F. Discuss Resolution 2020-26 approving the certified property tax roll for the 2020 tax year. *54-67*
 - G. Discuss Ordinance 2020-26 amending Chapter 58, Division 2, captioned "Electric Rates Computation", Sections 58-71 through 58-74 of the Code of Ordinances, including references to the Electric Rate Mitigation Policy and designating a new acronym for the Rate Mitigation Charge throughout these sections. *68-76*
 - H. Discuss the Mayor's declaration of local disaster regarding requiring face coverings, and addressing other matters related to COVID-19, if necessary. *77-85*
- 86-105*

7:30 P.M. REGULAR MEETING

1. CALL TO ORDER

Mayor Lew White

2. INVOCATION, PLEDGE OF ALLEGIANCE

Invocation.

Pledge of Allegiance to the United States and Texas flags.

3. PUBLIC COMMENT

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

4. **CONSENT AGENDA**

- A. Approve minutes of the City Council meetings of October 8, 2020 and October 20, 2020. 5-15
- B. Approve Resolution 2020-25 approving utilization of tree trimming service through the Lower Colorado River Authority (LCRA) and McCoy Tree Surgery, Co. and authorizing the City Manager to execute a customer services contract for that purpose. 16-20
- C. Approve amending and updating Interlocal Agreement between City of Lockhart and the Lower Colorado River Authority (LCRA). 21-34
- D. Approve Resolution 2020-24 approving an Economic Development Performance Agreement between the Lockhart Economic Development Corporation and Iron Ox, Inc. to authorize the Lockhart Economic Development Corporation to provide a grant of \$25,000.00 to Iron Ox, Inc. for construction of a sidewalk. 35-53
- E. Approve the Lockhart Economic Development Corporation Bylaws, providing amendments and clarifications. 54-67
- F. Approve Resolution 2020-26 approving the certified property tax roll for the 2020 tax year. 68-76

5. **DISCUSSION/ACTION ITEMS**

- A. Discussion and/or action to consider Ordinance 2020-26 amending Chapter 58, Division 2, captioned "Electric Rates Computation", Sections 58-71 through 58-74 of the Code of Ordinances, including references to the Electric Rate Mitigation Policy and designating a new acronym for the Rate Mitigation Charge throughout these sections. 77-85
- B. Discussion and/or action to consider the Mayor's declaration of local disaster regarding requiring face coverings, and addressing other matters related to COVID-19, if necessary. 86-105
- C. Discussion and/or action regarding appointments to various boards, commissions or committees. 106-114

6. CITY MANAGER’S REPORT, PRESENTATION AND POSSIBLE DISCUSSION

- Public Works Updates:
 - Bids for Street Improvements Project, Phase II were received on October 29.
 - Research began on installation of the new aerator at the City Park pond.
- Firefighter entrance exam was held on October 24 and resulted in 12 candidates. (Four vacancies exist)
- Police Department Updates:
 - Two Telecommunicator positions have been filled.
 - Recruitment efforts continue for Police Officers that included a Career Workshop for Law Enforcement that was held on October 17. One Police Officer was recently hired.
 - Police entrance exam was held on October 23 and resulted in nine candidates. (Seven vacancies exist)
- Report on the final results of the 2020 U.S. Census.
- The November 3, 2020 General Election will be canvassed during the November 17, 2020 Council meeting. Elected officials will be sworn-in immediately following the canvass.
- Update on TxDOT drainage project along US 183 near downtown.

7. COUNCIL AND STAFF COMMENTS – ITEMS OF COMMUNITY INTEREST

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

8. ADJOURNMENT

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

City Council shall have the right at anytime to seek legal advice in Executive Session from its Attorney on any agenda item, whether posted for Executive Session or not.

Posted on the bulletin board in the Municipal Building, 308 West San Antonio Street, Lockhart, Texas, on the 30th day of October 2020 at 2:50 p.m.

**REGULAR MEETING
LOCKHART CITY COUNCIL**

OCTOBER 8, 2020

6:30 P.M.

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

Council present:

Mayor Lew White	Mayor Pro-Tem Angie Gonzales-Sanchez (arrived at 7:04 p.m.)
Councilmember Juan Mendoza	Councilmember Kara McGregor
Councilmember Jeffrey Michelson	Councilmember Brad Westmoreland
Councilmember Derrick David Bryant (attended virtual 6:30 p.m. and arrived in-person at 7:30 p.m.)	

Staff present:

Steven Lewis, City Manager	Connie Constancio, City Secretary
Monte Akers, City Attorney	Miles Smith, Public Information Officer
Pam Larison, Finance Director	Mike Kamerlander, Economic Development Dir.
Dan Gibson, City Planner	Ernest Pedraza, Police Chief

Citizens/Visitors Addressing the Council: Madelyn Auld and the Girl Scout Troop 1057; Jay Garner of Garner Economics; Jay Howard of Texas Disposal Systems; Laura Toups of Dunaway Associates; Ramzi and Nicole Al Rashid; Jonathan Smith of Lake Flato Architects; Winn Smith of Countywide Builders; Erik Landrum of Lockhart Hangar Partners; and, Citizen, Fred Wiegand-attending virtually.

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 TO THE LOCKHART CITY COUNCIL BY THE GIRL SCOUT TROOP #1057.

Members of Girl Scout Troop #1057 presented a plaque to the Lockhart City Council thanking them for authorizing the Troop to plant a Live Oak tree at the Lockhart City Park on September 22, 2020. Mayor White and the Councilmembers thanked the Troop for their dedication to the community.

DISCUSSION ONLY

A. PRESENTATION BY GARNER ECONOMICS REGARDING TARGET INDUSTRY STRATEGY TO BE CONSIDERED FOR ADOPTION BY RESOLUTION 2020-23.

Mr. Kamerlander stated that in January 2020, the City of Lockhart and the Lockhart Economic Development Corporation (LEDC) retained Garner Economics, LLC to assist in preparing a "Competitive Realities Report and Target Industry Strategy" in order to assist the City and the LEDC to focus its economic development priorities to help create jobs in the Community by focusing efforts that leverage the community's assets and strengths. It is a best practice for economic development organizations to conduct a study that looks at the industries that it can attract due to workforce size, makeup, skills, and education level in addition to what the community assets and liabilities are regarding real property available. This is the first study of this kind that the LEDC or the City of Lockhart has done and will provide the framework for our work over the next five years. He introduced Jay Garner of Garner Economics.

Jay Garner of Garner Economics provided details about the Target Industry Strategy that explained details as mentioned by Mr. Kamerlander. There was discussion.

B. DISCUSS INTERLOCAL COOPERATION AGREEMENT BETWEEN THE LOCKHART INDEPENDENT SCHOOL DISTRICT AND THE CITY OF LOCKHART FOR A SCHOOL RESOURCE OFFICER DURING THE 2020-2021 SCHOOL YEAR.

Chief Pedraza stated that the Interlocal Agreement between the Lockhart Independent School District (LISD) and the City of Lockhart provides two School Resource Officers (SRO) for the school year 2020-2021. The purpose of the agreement is to set forth guidelines to ensure that the Lockhart Police Department and the LISD have a shared understanding of the role and responsibility of each in maintaining safe schools, improving climate, and supporting educational opportunities for all students. One officer will be assigned to the Junior High School and one officer will be assigned to the High School. Chief Pedraza recommended approval. There was discussion.

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 7:35 p.m.

ITEM 2. INVOCATION, PLEDGE OF ALLEGIANCE.

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

ITEM 3. PUBLIC COMMENT.

Mayor White requested citizens to address the Council on items that are not on the agenda.

Jay Howard of Texas Disposal Systems requested that the City of Lockhart seek bids for solid waste services upon the expiration of the current contract with Central Texas Refuse.

ITEM 4-A. HOLD A PUBLIC HEARING ON APPLICATIONS ZC-20-11 AND PDD-20-02 BY LAURA TOUPS ON BEHALF OF PHX15, LLC FOR A ZONING CHANGE FROM CMB COMMERCIAL MEDIUM BUSINESS DISTRICT TO PDD PLANNED DEVELOPMENT DISTRICT, INCLUDING BY-REFERENCE A REVISED PLANNED DEVELOPMENT DISTRICT DEVELOPMENT PLAN FOR MAIN SPRINGS PLANNED DEVELOPMENT, A PROPOSED MIXED-USE DEVELOPMENT ON 1.778 ACRES IN THE BYRD LOCKHART SURVEY, ABSTRACT NO. 17, LOCATED AT 416 NORTH CHURCH STREET.

Mayor White opened the public hearing at 7:45 p.m.

Mr. Gibson stated that the PDD zoning classification is intended to accommodate developments with characteristics that may deviate from the normal zoning and subdivision standards. In return for such flexibility, the PDD requires an early commitment on the part of the developer in terms of the site layout, land uses, and amenities. Unlike conventional zoning classifications that cannot have conditions attached, the PDD classification is subject to the conditions represented by the development plan, which is adopted by-reference and cannot be changed except through the rezoning process. In this case, the owner is proposing a mixed-use project consisting of eight vacation rental units in a total of four structures, a two-story commercial building, a two-story mixed-used building containing commercial on the first floor, three apartments on the second floor, six townhome condominium units, and an open-air pavilion. Off-street

parking is provided for the townhome condominiums via a private driveway extending between North Church Street and North Main Street. All other parking is proposed to be in the North Church Street right-of-way where the project will include widening the east side of the street to accommodate 90-degree on-street parking. The property is divided by an unnamed tributary of Town Branch Creek within a floodplain area that extends from the east side of the site. Any structures that extend into the floodplain will be raised on columns such that their floors will be at least one-foot above the base flood elevation, as required by the city's floodplain ordinance. One letter of support was submitted. Mr. Gibson stated that the Planning and Zoning Commission and staff recommend approval.

Mayor White requested the following to address the Council:

Laura Toups of Dunaway Associates, Austin, Texas stated that she is the engineer on the project. She offered to answer questions.

Ramzi and Nicole Al Rashid, Austin, Texas, owners of the subject property, provided information about their plan to develop the property. They requested approval.

Jonathon Smith of Lake Flato Architects, San Antonio, Texas provided details about the architectural design of the development. There was discussion regarding the design to control flooding on the development site.

Winn Smith of Countywide Builders provided details about the construction and development of the property. He requested approval.

Mayor White requested citizens in favor of or against the zoning change and the PDD to address the Council. There were none. He closed the public hearing at 8:20 p.m.

ITEM 4-B. DISCUSSION AND/OR ACTION TO CONSIDER ORDINANCE 2020-25 AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF LOCKHART, TEXAS, TO RECLASSIFY THE PROPERTY KNOWN AS 1.778 ACRES IN THE BYRD LOCKHART SURVEY, ABSTRACT NO. 17, LOCATED AT 416 NORTH CHURCH STREET, FROM CMB COMMERCIAL MEDIUM BUSINESS DISTRICT TO PDD PLANNED DEVELOPMENT DISTRICT, INCLUDING BY-REFERENCE A PDD DEVELOPMENT PLAN FOR MAIN SPRINGS PLANNED DEVELOPMENT.

Councilmember McGregor made a motion to approve Ordinance 2020-25, as presented. Mayor Pro-Tem Sanchez seconded. The motion passed by a vote of 7-0.

ITEM 3. PUBLIC COMMENT.

Mayor White announced that Fred Wiegand would be addressing the Council virtually.

Fred Wiegand expressed concern about property tax issues with properties in Caldwell County. He requested assistance from the city with the property tax issues and regarding maintenance to the road along his property.

ITEM 5-D. APPROVE ECONOMIC DEVELOPMENT PERFORMANCE AGREEMENT FOR A BIG GRANT FAÇADE IMPROVEMENT WITH LOCKHART MERCANTILE LOCATED AT 116 S. COMMERCE STREET.

Mr. Kamerlander stated that Lockhart Mercantile is planning a comprehensive renovation of 116 South Commerce Street's façade. The plans include asbestos abatement, replacing rainwater downspouts, new

awning, paint, new stucco, store window display area repairs, and more. The total estimated cost is \$41,336. The owners have met with the City and Lockhart Economic Development Corporation (LEDC) and submitted their BIG grant application which provides a 50% rebate for the façade improvements up to \$20,000. The project has been approved by the Historical Commission and has received permits. The LEDC Board unanimously approved the performance agreement on September 14, 2020 after having held a public hearing. The BIG grant program rebates 50% of actual expenditures that have proof of payment once the project is done and cannot go beyond \$20,000 per project. Mr. Kamerlander recommended approval. There was discussion.

Mayor Pro-Tem Sanchez made a motion to approve the Economic Development Performance Agreement for a BIG grant façade improvement with Lockhart Mercantile located at 116 South Commerce Street. Councilmember Michelson seconded. The motion passed by a vote of 7-0.

ITEM 5-E. APPROVE GROUND LEASE AT THE LOCKHART MUNICIPAL AIRPORT FOR THE DEVELOPMENT OF AVIATION RELATED BUSINESS AND AIRCRAFT STORAGE WITH LOCKHART HANGAR PARTNERS, LLC.

Mr. Kamerlander stated that Lockhart Hangar Partners approached the city in 2019 to lease land at the Lockhart Municipal Airport to develop new T-hangars to address the needed aircraft storage at the airport. These 17-34 new T-hangars will be built to the east of the current T-hangars on the airfield and construction is expected to commence quickly to address the backlog of T-hangar applicants. The expected capital expenditure is a little over \$300,000 per 17 T-hangars. If all 34 are built, it would create over \$600,000 in capital. The lease provides an initial estimated 0.5 acres to be leased at a rate of \$0.07 per square foot annually or \$1,524.60 annually with the exact size of the site being assessed once building permits have been issued. The rent will increase 10% every five years during the 30-year lease term. Lockhart Hangar Partners will have the option to renew the lease for two additional five-year terms. Mr. Kamerlander recommended approval. There was discussion.

Erik Landrum of Lockhart Hangar Partners stated that they are eager to build the T-hangars at the Lockhart Municipal Airport.

Councilmember Michelson made a motion to approve the Ground Lease at the Lockhart Municipal Airport for the development of aviation related business and aircraft storage with Lockhart Hangar Partners, LLC. Councilmember Westmoreland seconded. The motion passed by a vote of 7-0.

ITEM 5. CONSENT AGENDA.

Mayor White stated that consent agenda items 5D and 5E would be pulled for discussion.

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

The following are the consent agenda items that were approved:

- 5A: Approve minutes of the City Council meetings of August 31, 2020 and September 1, 2020.
- 5B: Approve Resolution 2020-23 adopting a Target Industry Strategy Report.
- 5C: Approve Interlocal Cooperation Agreement between the Lockhart Independent School District and the City of Lockhart for a School Resource Officer during the 2020-2021 school year.

ITEM 6-A. DISCUSSION AND/OR ACTION TO CONSIDER REINSTATING UTILITY LATE FEES AND UTILITY DISCONNECTIONS.

Ms. Larison stated that staff seeks direction from the Council about reinstating late utility payment fees and disconnection of services. Because of the effects of the COVID-19 situation, the City was concerned that some customers would be unable to make their utility payments. Consequently, the City made changes to make sure utility customers services were not interrupted. On March 24, 2020, the Finance Director informed the Council about the suggested guidelines from the Public Utility Commission (PUC) concerning waiving late utility payment fees and disconnection of services during the COVID-19 pandemic. The PUC is a state utility regulator which does not have jurisdiction over municipal owned utilities, and although municipalities are not bound by the authority of the PUC, most municipal retail electric providers will follow their guidelines and recommendations. With a recommendation from City administration, the consensus of the Council was to follow the PUC guidelines until such time they were re-evaluated. At that same time, the State of Texas began the Electric Relief Program, which allowed investor owned utilities to receive compensation for non-payments due to COVID-19. This however was not available to municipal owned utilities with outstanding balances. In August, the PUC informed utility providers that they could re-establish their late fees and disconnection of services after August 31, 2020 if customers received a 30-day notice. It was also determined that extensions on re-payment would be decided by individual utility companies but recommended a minimum of six months.

Ms. Larison stated that it is staff's recommendation to have Council allow unpaid balances to be placed on payment plans with an extension plan that lasts no longer than the end of the fiscal year (September 30, 2021). This will allow customers up to 12 months to pay unpaid balances. It is also staff's recommendation to reinstate disconnection of utility services for future billing cycles and re-establish late fees, contingent on any future guidelines from the PUC concerning the COVID-19 situation.

There was discussion regarding possibly amending the Utility Relief Program eligibility criteria to eliminate the income level guidelines to be returned at the next Council meeting.

Mayor Pro-Tem Sanchez made a motion to approve reinstating disconnection of utility services for future billing cycles and re-establishing late fees, and to authorize unpaid balances to be placed on payment plans with an extension plan that lasts no longer than the end of the fiscal year ending September 30, 2021. Councilmember Bryant seconded. The motion passed by a vote of 7-0.

ITEM 6-B. DISCUSSION AND/OR ACTION TO CONSIDER THE MAYOR'S DECLARATION OF LOCAL DISASTER REGARDING REQUIRING FACE COVERINGS, AND ADDRESSING OTHER MATTERS RELATED TO COVID-19, IF NECESSARY.

Mr. Lewis provided information regarding an internal issue pertaining to city employees' unused vacation hours. Due to COVID-19, many employees have not been able to take/use vacation hours due to work obligations or the inability to take vacation because of the pandemic. He stated that he proposes to temporarily remove the cap on the maximum vacation leave to be used by the end of December 2020, and to extend the deadline to use the 2020 excess vacation leave by September 30, 2021. The consensus of the Council was to approve the extension for city employees to use excess vacation hours by September 30, 2021.

Mayor White stated that there are issues in the community with indoor social gatherings involving 10 people or more. There was discussion regarding whether to increase the social gathering limit to be more than 10 people.

After discussion, the consensus of the Council was to leave the Mayor’s Order as currently written. Any social gatherings in excess of 10 people will require the Mayor’s approval.

ITEM 6-C. 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.

- November 3 City Council meeting has been rescheduled to Thursday, November 5 due to the 2020 November General Election.
- Upcoming Civil Service exams: A police officer exam will be conducted on Friday, October 23 and a fire fighter exam will be held Saturday, October 24.
- Update on the 2020 U.S. Census.
- Update on the Union Pacific Railroad track crossing repairs at North Pecos Street.
- National Public Power Week and Fire Prevention Week: October 4-October 10.

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

Councilmember Westmoreland encouraged everyone to stay safe.

Councilmember Mendoza thanked city staff for their work. Early voting begins on October 13.

Mayor Pro-Tem Sanchez expressed condolences to the families of Jesse Baltierra, Richard Martinez, Maria Mendez, Cole Kenney, Hortencia Gonzales, Johnnie Hughes and Abigail Michelson for their loss. She reminded citizens to vote early.

Councilmember McGregor wished all candidates luck during the upcoming election. She encouraged everyone to stay safe.

Councilmember Bryant thanked staff for repairs on the street at the railroad track in District 2. He congratulated the Lockhart Independent School District for recent newsworthy accomplishments.

Mayor White thanked both Chambers of Commerce for sponsoring the candidate forum. He reminded everyone that early voting begins October 13 and ends on October 30. He expressed appreciation to the local businesses for their cooperation with the facial covering requirement. He encouraged everyone to stay safe.

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 9:28 p.m.

PASSED and APPROVED this the 5th day of November 2020.

CITY OF LOCKHART

ATTEST:

Connie Constancio, TRMC, City Secretary

Lew White, Mayor

**REGULAR MEETING
LOCKHART CITY COUNCIL**

OCTOBER 20, 2020

6:30 P.M.

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

Council present:

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

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

Staff present:

Steven Lewis, City Manager
Monte Akers, City Attorney
Pam Larison, Finance Director
Dan Gibson, City Planner

Connie Constancio, City Secretary
Miles Smith, Public Information Officer
Sean Kelley, Public Works Director
Kevin Waller, Assistant City Planner

Citizens/Visitors Addressing the Council: Jenniffer Bauman and Patrick Rawis of the Lockhart Farmers Market; and Citizen, Ronda Reagan.

Work Session 6:30 p.m.

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

DISCUSSION ONLY

A. PRESENTATION BY THE LOCKHART FARMERS MARKET.

Jenniffer Bauman, President of the Lockhart Farmers Market stated that it is the goal of the market to offer fresh fruits, vegetables and agricultural produce to the community. Booths at the market are primarily reserved for local vendors yet vendors outside the Caldwell County area are admitted if space is available. There was discussion.

B. DISCUSS MINUTES OF THE CITY COUNCIL MEETING OF SEPTEMBER 15, 2020.

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

C. DISCUSS BID TO NIGHTHAWK CONSTRUCTION OF LOCKHART, TEXAS IN THE AMOUNT OF \$294,685.50 FOR THE CONSTRUCTION OF AN 18” WATER MAIN AS PART OF COMMUNITY DEVELOPMENT BLOCK GRANT #7219231, AS RECOMMENDED BY THE PROJECT ENGINEER.

Mr. Kelley stated that the City of Lockhart was awarded a grant by the Texas Department of Agriculture in the amount of \$300,000 to extend a treated water transmission line from the Lockhart Water Plant to South Commerce Street. The project will increase the quantity of water pumped into the city, and improves service capacity and fire protection. The Grant requires a minimum of a 20% match (\$60,000). The matching funds will be funded through the 2015 Certificates of Obligation-Water Funds. This scope of work will consist of installing an 18” water main, two road crossings with casings and other water fixtures. Bids were advertised in compliance with State law. Thirteen (13) bids were received ranging from \$294,685.50 to a high of \$488,632.15. The lowest bid was submitted by Nighthawk Construction in the amount of \$294,685.50 for the total bid proposal, plus the total alternative bid items. Nighthawk Construction has a commendable reputation of installing water infrastructure and site work. Mr. Kelley recommended approval.

11

D. DISCUSS EXTENSION OF LEASE AGREEMENT WITH MARTIN & MARTIN AVIATION, LLC AS THE LOCKHART MUNICIPAL AIRPORT FIXED BASED OPERATOR (FBO) COMPRISED OF KEITH UHLS AND REINE SMITH UNTIL DECEMBER 31, 2020 AND AUTHORIZING THE MAYOR TO SIGN THE AGREEMENT IF APPROVED.

Mr. Kelley stated that prior to Martin & Martin Aviation, LLC running the Airport's FBO, Mr. Stanley Martin had been the FBO at the Lockhart Municipal Airport since 1991. On February 19, 2019, Stanley Martin assigned the ground lease to Martin & Martin Aviation, LLC comprised of Keith Uhls and Reine Smith. The current Assignment of Lease expires on October 31, 2020. The City consented to the assignment but was not a party to the assignment agreement, which purported to also amend the original 1991 lease in three ways, one of which was to amend the term of the lease "to include up to a ten (10) year renewal option". The manner of exercising the option and the actual length of the renewal were not specified. Martin & Martin are very experienced and bring extensive aviation knowledge to the airport management team. Martin & Martin currently offers amenities at the Airport such as a visitor's lounge, lease hangars associated with their ground lease, airplane tie-downs, fuel sales and purchasing, a courtesy vehicle to visitors (BBQ Patrol), flight instruction, and an on-site airport mechanic. Staff recommends that the lease be extended to December 31, 2020 in order to give the parties time to determine the effect of the purported amendments from 2019, and to specify the length of renewal and any other issues identified for amendment of the lease. Mr. Kelley recommended approval. There was discussion.

E. DISCUSS CONFIRMATION OF CIVIL SERVICE COMMISSION MEMBER REAPPOINTMENT OF MS. YOLANDA STREY FOR A THREE YEAR TERM AS RECOMMENDED BY THE CITY MANAGER.

Mr. Lewis stated that Ms. Yolanda Strey has served on the commission for the past 6 years, and as the commission vice-chairman since 2017. According to the Civil Service regulations, she can be reappointed for a third term. Ms. Strey has graciously agreed to continue serving on the commission for an additional term expiring January 1, 2024. Both the City Manager and Civil Service Director concur that Ms. Strey has been an asset to the community by serving on the commission. Mr. Lewis recommended approval.

F. PRESENTATION OF 4TH QUARTER FISCAL YEAR 2020 INVESTMENT REPORT.

Ms. Larison stated that the Texas Public Funds Investment Act requires local governments to review and accept Quarterly Investment Reports for each quarterly reporting period of the year. She provided information regarding the 4th quarter for Fiscal Year 2020, ending September 30, 2020 as follows:

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

G. DISCUSS A REQUEST BY RONDA REAGAN FOR A DETERMINATION OF ELIGIBILITY FOR A TAX ABATEMENT (TA-20-01) PURSUANT TO CHAPTER 28 “HISTORIC DISTRICTS AND LANDMARKS”, DIVISION 2 “TAX ABATEMENT”, OF THE LOCKHART CODE OF ORDINANCES, FOR INTERIOR AND EXTERIOR IMPROVEMENTS TO A REGISTERED HISTORICAL LANDMARK SINGLE-FAMILY DWELLING LOCATED AT 412 WEST SAN ANTONIO STREET.

Mr. Waller stated that Division 2 of the Historic Districts and Landmarks ordinance provides for tax abatements to mitigate the cost of eligible improvements to structures that are within a historical district or that are a designated historical landmark. The owner of the home located at 412 West San Antonio Street has applied for a tax abatement for multiple interior and exterior improvements, including gas line replacements, HVAC installation, exterior wall repainting, wood siding replacement, and window restoration. This is the first application submitted to the City for tax abatement on a City-designated Historic Landmark property. A Tax Abatement application must first be considered by the Historical Preservation Commission for a recommendation to City Council, which in turn makes a determination of eligibility for the tax abatement. In addition, approval of a Certificate for Alteration is required for the improvements. The Historical Preservation Commission approved the Certificate for Alteration at their meeting on October 7, 2020. The tax abatement applies only to City property taxes, and it cannot exceed the owner’s total out-of-pocket cost of the improvements. The most recent estimate of the total cost is \$43,058.67. For the first five years of the abatement period, 100 percent of the City taxes are waived. After a reappraisal, 50 percent of the taxes can be waived each year for an additional consecutive five-year period. The City property taxes for the subject property in 2019 were \$1,888.69, so even if the maximum allowed amount is waived each year over the ten-year period, the total abatement will not exceed the owner’s out-of-pocket expenses. Mr. Waller stated that the Historical Preservation Commission and staff recommend that the proposed improvements be eligible for a tax abatement.

Mayor White requested Ronda Reagan to address the Council.

Ronda Reagan, 412 West San Antonio Street, provided an explanation about the types of repairs performed on her home. She requested approval.

H. DISCUSS AMENDING GUIDELINES AND ELIGIBILITY REQUIREMENTS AND TO EXTEND THE EMERGENCY UTILITY BILL RELIEF GRANT PROGRAM TO THE CITY OF LOCKHART’S INSIDE-CITY RESIDENTIAL UTILITY CUSTOMERS WHO ARE EXPERIENCING FINANCIAL HARDSHIPS DUE TO THE COVID-19 PANDEMIC.

On April 22, 2020, the U.S. Department of Treasury issued guidance to State and Local Governments on the Coronavirus Relief Fund (CRF). Under the CARES/CRF, the City of Lockhart is eligible to receive up to \$763,895 and has received 20% upfront funding (\$152,779) to inject cash into the economy and pay for the extraordinary expenses incurred by the COVID-19 pandemic. On August 18, 2020, the City Council declared that the City’s utility services are considered essential services and meet basic public health, sanitation, welfare, and public safety needs of its residents, and established the Emergency Utility Bill Relief Program. The City Council established the program that provides special utility bill assistance and the established program eligibility requirements. The Emergency Utility Bill Relief Program is funded through the CARES/CRF which assists in paying for the customer’s City of Lockhart utility bill for the months of March, April, May, June, and July of 2020 with the option to extend or amend the program guidelines at a later date. On October 8, 2020, the consensus of the Council was to extend the program to include all billing cycles up to cycle 1 for December 2020 due on December 25, 2020 and to eliminate the eligibility requirement of income levels from the original program guidelines and requirements. This will allow more residential

customers to apply to the program for much needed assistance during the COVID-19 pandemic due to loss or reduction in income. There was discussion.

RECESS: Mayor White announced that the Council would recess for a break at 7:35 p.m.

REGULAR MEETING

ITEM 1. CALL TO ORDER.

Mayor Lew White called the meeting to order at 7:52 p.m.

ITEM 2. INVOCATION, PLEDGE OF ALLEGIANCE.

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

ITEM 3. PUBLIC COMMENT.

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

ITEM 4. CONSENT AGENDA.

Councilmember Michelson made a motion to approve consent agenda items 4A, 4B, 4C, 4D and 4E. Mayor Pro-Tem Sanchez seconded. The motion passed by a vote of 7-0.

The following are the consent agenda items that were approved:

4A: Approve minutes of the City Council meeting of September 15, 2020.

4B: Award bid to Nighthawk Construction of Lockhart, Texas in the amount of \$294,685.50 for the construction of an 18" water main as part of Community Development Block Grant #7219231, as recommended by the project Engineer.

4C: Approve Extension of Lease Agreement with Martin & Martin Aviation, LLC as the Lockhart Municipal Airport Fixed Based Operator (FBO) comprised of Keith Uhls and Reine Smith until December 31, 2020 and authorizing the Mayor to sign the agreement if approved.

4D: Approve confirmation of Civil Service Commission member reappointment of Ms. Yolanda Strey for a three year term as recommended by the City Manager.

4E: Accept 4th Quarter Fiscal Year 2020 Investment Report.

ITEM 5-A. DISCUSSION AND/OR ACTION TO CONSIDER A REQUEST BY RONDA REAGAN FOR A DETERMINATION OF ELIGIBILITY FOR A TAX ABATEMENT (TA-20-01) PURSUANT TO CHAPTER 28 "HISTORIC DISTRICTS AND LANDMARKS", DIVISION 2 "TAX ABATEMENT", OF THE LOCKHART CODE OF ORDINANCES, FOR INTERIOR AND EXTERIOR IMPROVEMENTS TO A REGISTERED HISTORICAL LANDMARK SINGLE-FAMILY DWELLING LOCATED AT 412 WEST SAN ANTONIO STREET.

Councilmember McGregor made a motion that the Council finds that the property at 412 West San Antonio Street is eligible for tax abatement under Chapter 28 of the City Code, direct staff and the City Attorney to prepare a tax abatement agreement as required by Section 28-23, and authorizing the Mayor to sign the agreement on behalf of the City. Councilmember Westmoreland seconded. The motion passed by a vote of 7-0.

ITEM 5-B. DISCUSSION AND/OR ACTION TO CONSIDER AMENDING GUIDELINES AND ELIGIBILITY REQUIREMENTS AND TO EXTEND THE EMERGENCY UTILITY BILL RELIEF GRANT PROGRAM TO THE CITY OF LOCKHART'S INSIDE-CITY RESIDENTIAL UTILITY CUSTOMERS WHO ARE EXPERIENCING FINANCIAL HARDSHIPS DUE TO THE COVID-19 PANDEMIC.

There was discussion.

Councilmember Michelson made a motion to extend the Utility Bill Relief Grant Program to include all billing cycles beginning March 2020 up to cycle 1 in December 2020 due on December 25, 2020, to eliminate the eligibility requirement of income levels from the original program guidelines and requirements, and to extend the Program to all utility accounts. Councilmember Bryant seconded. The motion passed by a vote of 7-0.

ITEM 5-C. DISCUSSION AND/OR ACTION TO CONSIDER THE MAYOR'S DECLARATION OF LOCAL DISASTER REGARDING REQUIRING FACE COVERINGS, AND ADDRESSING OTHER MATTERS RELATED TO COVID-19, IF NECESSARY.

There was discussion regarding the cooperation of the local businesses and the community with regards to wearing facial coverings.

After discussion, it was the consensus of the Council to keep the Mayor's Order as currently written.

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

Mayor White requested appointments to boards and commissions.

Councilmember Bryant made a motion to re-appoint members to the boards listed below. Councilmember McGregor seconded. The motion passed by a vote of 7-0.

- Board of Adjustment - Juan Juarez
- Construction Board – Oscar Torres
- Lockhart Economic Development Corporation – Umesh Patel
- Electric Board – James Briceno
- Historical Preservation Commission – Ron Faulstich
- Library Board – Quartermetra Hughes
- Parks and Recreation – James Torres
- Planning & Zoning Commission – Manuel Oliva

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

- Library Updates:
 - 2020 Virtual Evening with the Authors was a success.
 - Library staff will begin preparations for Dickens Christmas decorations.
- Public Works Updates:
 - Update regarding booster pump improvements at the Maple Street elevated water storage tank.
 - The SH 130 elevated water storage tank will be substantially complete by the end of October.
 - The Town Branch Trail Phase II and the South Colorado Street sidewalk projects are expected to begin in November.
 - City staff recently repaved the intersection of Torres Street near Blackjack Street.
 - The bid due date for the 2020 Street Paving projects is October 29th.

- Fire Department Updates:
 - Update regarding renovation analysis for the Lockhart Fire Station No. 1.
 - Firefighter entrance exam and physical agility test is scheduled for October 24, 2020. The fire department currently has 4 open positions.
- A police officer exam will be conducted on Friday, October 23.
- Update regarding citizens Wayfinding Committee.
- Early voting for the November 3, 2020 General Election began on October 13th and continues until October 30th at the Scott Annex, 1403 Blackjack Street.
- 2020 U.S. Census update.
- The Lockhart Police Department participated in Domestic Violence Awareness Month in October and in Purple Thursday on October 15.

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

Councilmember Mendoza thanked the city Street department for paving Torres Street up to FM 20. He reported that approximately 19% of registered voters have voted early.

Mayor Pro-Tem Sanchez expressed condolences the families of Jesse Baltierra, Juanita Reyna Gutierrez, and Beatrice O'balle Rodriguez for their loss. She encouraged everyone to vote and she expressed best wishes to all the candidates. She thanked Benny Boyd for providing dinner to the Lockhart Independent School District staff this evening.

Councilmember McGregor welcomed El Dorado as a new business downtown.

Councilmember Bryant encouraged everyone to vote.

Mayor White thanked the Lockhart Police Department and the Caldwell County Sheriff's Department for keeping the event on the square this past Friday under control.

ITEM 8. 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 8:17 p.m.

PASSED and APPROVED this the 5th day of November 2020.

CITY OF LOCKHART

Lew White, Mayor

ATTEST:

Connie Constancio, TRMC
City Secretary

City of Lockhart, Texas

Council Agenda Item Briefing Data

COUNCIL MEETING DATE: November 5, 2020

AGENDA ITEM CAPTION: Discussion and/or action to consider Resolution 2020-25 approving utilization of tree trimming service through the Lower Colorado River Authority (LCRA) and McCoy Tree Surgery, Co. and authorizing the City Manager to execute a customer services contract for that purpose.

ORIGINATING DEPARTMENT AND CONTACT: Bob Leos, Electric Superintendent

ACTION REQUESTED:

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

BACKGROUND/SUMMARY/DISCUSSION: Staff recommends that the City continue the tree trimming program with McCoy Tree Surgery in an effort to reduce voltage flicker, outages, losses, and improve public safety and satisfaction. Tree and tree limbs falling onto power lines is the most common cause of power outages. Downed power lines caused by falling trees are a public safety hazard. Utilities that fail to maintain a tree trimming program frequently experience higher than normal expenses during severe storm conditions, which include overtime, purchase of additional inventory to replace damaged poles, and wire and electric equipment.

McCoy was first awarded this project in FY 2019. There was no renewal clause in the contract, but the staff was very satisfied with the tree trimming service. McCoy Tree Surgery specializes in vegetation management for the electric utility industry. Their pruning methods comply with industry standards for safety and tree care and are endorsed by the International Society of Arboriculture and Tree Care Industry. There is no charge to the customer for these services.

Prior to trimming, door hangers (in English and Spanish) are left at the residences in the area and provide the name and phone number of the City's contractor.

AMOUNT & SOURCE OF FUNDING:

Funds Required: Contract \$130,258
Account Number: 500-5745-299
Funds Available: \$130,000
Account Name: Other Contracts & Svs.

Finance Review initials _____

FISCAL NOTE (if applicable): N/A

Previous Council Action: Approved March 3, 2019 Council Meeting

COMMITTEE/BOARD/COMMISSION ACTION: N/A

STAFF RECOMMENDATION/REQUESTED MOTION: Staff recommends approval.

LIST OF SUPPORTING DOCUMENTS: Resolution 2020-25, FY 2020 customer service contract between City and LCRA.

Department Head initials:

City Manager's Review:



RESOLUTION 2020-25

A RESOLUTION OF THE CITY OF LOCKHART, TEXAS, APPROVING UTILIZATION OF TREE TRIMMING SERVICES THROUGH THE LOWER COLORADO RIVER AUTHORITY AND McCOY TREE SURGERY, CO. AND AUTHORIZING THE CITY MANAGER TO EXECUTE A CUSTOMER SERVICES CONTRACT FOR THAT PURPOSE

WHEREAS, the City of Lockhart (“City”) owns and operates an electric distribution utility, and requires a tree trimming program in order to reduce outages and improve public safety and effective service for its customers; and

WHEREAS, the Lower Colorado River Authority (“LCRA”) maintains various technical service programs intended to assist cities with electric utilities to obtain services that help ensure the proper operation, maintenance, and expansion of electric service; and

WHEREAS, by agreement dated December 11, 1979, the City and LCRA (and to be succeeded by an Interlocal Agreement adopted by the City Council on November 5, 2020), the City and LCRA agreed that the City may utilize and take advantage of the technical service programs offered by LCRA; and

WHEREAS, LCRA has contracted with McCoy Tree Surgery, Company (“McCoy”) for the provision of tree trimming services; and

WHEREAS, it is the desire of the City Council of the City to utilize the services of McCoy, pursuant to its agreement with LCRA, for tree trimming services for a project with a total estimated amount of services (LCRA and McCoy) of \$130,257.54; and

WHEREAS, LCRA has provided the City with a Customer Services Contract, which is attached hereto as Exhibit “A,” for that purpose;

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

1. The foregoing recitals are adopted and incorporated herein for all purposes.
2. The City Manager is authorized to execute the Customer Services Contract attached hereto as Exhibit “A.”

PASSED AND ADOPTED on this the 5th day of November, 2020.

CITY OF LOCKHART

Lew White, Mayor

ATTEST:

APPROVED AS TO FORM:

Connie Constancio, TRMC, City Secretary

Monte Akers, City Attorney

**CUSTOMER
SERVICES CONTRACT**

CUSTOMER: City of Lockhart
P.O. Box 239
Lockhart, Texas 78644
Attn: Bobby Leos

DATE SUBMITTED: October 1, 2020

SCOPE OF SERVICES:

JOB NUMBER:

The Lower Colorado River Authority ("LCRA") will provide the Customer access to LCRA's tree trimming services contract (the "Agreement") with McCoy Tree Surgery ("McCoy"). The City will specify which lines McCoy is to clear prior to the start of work.

Per hour rates will depend on individual classification of each employee. (See attached rate schedule). McCoy will bill Customer directly, on a weekly basis, and Customer will pay invoices directly to McCoy in accordance with the terms and conditions of the Agreement.

Scope of Tree Trimming:	Estimated at about 10 crew-weeks of trimming
Estimated Services Value:	\$ 124,054.80 per year (direct charge from McCoy)
Total Amount of Services (includes LCRA Fee):	\$ 130,257.54 Estimate

See Attached Terms and Conditions.

SCHEDULE:

Customer and McCoy will determine a mutually acceptable time for the start of services. Services will be scheduled to be agreeable to the city and contractor, TBD.

CONTRACT PRICE:

LCRA Administration Fee: \$ 6,202.74
The Administration Fee will be added to the Customer's monthly power bill upon execution of contract. (or invoiced direct as applicable).

Customer and the Lower Colorado River Authority agree that the work described above shall be performed in accordance with the terms and conditions on the front and reverse (or attached) sides of this form.

City of Lockhart

Lower Colorado River Authority

By: _____

By: _____

Title: _____

Title: Robert C. Mechler

Date: _____

Date: Director, Business Development
Transmission Strategic Services

OFFICE USE ONLY

Accounting: _____ 0

Approved By: _____
Completion Date: _____

TERMS AND CONDITIONS

The Lower Colorado River Authority ("LCRA") will provide the Customer access to LCRA's tree trimming services contract (the "Agreement") with McCoy Tree Surgery ("McCoy").

LCRA will add a fee to Customer's wholesale power bill to cover administration of this program. The fee is noted on the front of the contract.

The services under this Customer Services Contract are provided pursuant to the Technical Services Agreement between LCRA and the City, dated December 11, 1979 and under the authority of Chapter 791 of the Texas Government Code, Chapter 271, Subchapter F of the Texas Local Government Code, and in furtherance of LCRA's statutory and constitutional authority to provide electric utility services. The purpose of this Customer Services Contract is to increase the reliability of electric service within Customer's service territory, and to realize savings and efficiencies by cooperatively procuring services.

Customer will purchase services from McCoy under the same terms and conditions and pricing contained in the Agreement. All orders and payments for such purchases will be issued directly from Customer to McCoy, and McCoy will provide the services and associated invoices directly to Customer. LCRA is not a party to, and will in no way be responsible to either Customer or McCoy for, such orders, including without limitation any payments, performance, costs, expenses, losses or damages arising from such transactions between McCoy and Customer. Customer releases LCRA from any liability associated with Customer's transactions under the Agreement.

Customer represents that (i) all payments made pursuant to this Customer Services Contract will be paid from current revenues and (ii) it has the authority to enter into this Customer Services Contract.



Personnel Level	Rates	1	Rate
Supervisor/General Foreperson	\$50.53	1 \$	50.53
Foreperson	\$40.00	1 \$	40.00
Trimmer	\$34.30	1 \$	34.30

Equipment	Rates		Rate
Chain Saws (each)	0.92	0.9 \$	0.83
Bucket Truck with Chip bed	15.3	15 \$	229.50
Chipper	5.82	5.71 \$	33.23
GF PickUp	10.97	1 \$	10.97

Crew Rate (using Max Rates)

Supervisor/General Foreperson	\$50.53	1 \$	50.53
GF PickUp	\$10.97	1 \$	10.97
Foreperson	\$40.00	2 \$	80.00
Trimmer	\$34.30	4 \$	137.20
Chain Saws (each)	\$ 0.92	6 \$	5.52
Bucket Truck with Chip bed	\$15.30	2 \$	30.60
Chipper	\$ 5.82	2 \$	11.64

Total Hourly Crew Rate		\$	326.46
Total Weekly Crew Rate		\$	13,058.40
Total weeks (estimated)	9.5	\$	124,054.80
Total Trimmers		7	

Includes per diem costs for Lodging and meals

Total (using max rates)	\$	124,054.80	Note: This is the estimated direct
Average/week	\$	13,058.40	charge from McCoy

Actual Charges according to the rate schedule will be billed.

LCRA will bill a fee to cover the cost of scheduling and administering the program
The Administration fee is: \$ 6,202.74

FOR BUDGETING PURPOSES ONLY

Total (LCRA and McCoy)	\$	130,257.54	7 PERSON CREW
Total (LCRA and McCoy) weekly avg.	\$	13,711.32	

City of Lockhart, Texas

Council Agenda Item Briefing Data

COUNCIL MEETING DATE: November 5, 2020

AGENDA ITEM CAPTION: Discussion and/or action to consider amending and updating Interlocal Agreement between City of Lockhart and LCRA.

ORIGINATING DEPARTMENT AND CONTACT: Steve Lewis, City Manager

ACTION REQUESTED:

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

SUMMARY OF ITEM:

LCRA offers and maintains a program whereby it contracts with vendors of goods and services that support municipally-owned electric utilities and under which LCRA provides limited planning, repair, maintenance, testing, and inspection services for the City's electric distribution facilities.

By agreement dated December 11, 1979, the City and LCRA agreed that LCRA would provide such goods and services to the City. Since 1979, the City has utilized the same for construction, tree-trimming and right-of-way clearing, and other projects. The purpose of the Interlocal Agreement is to update and replace the 1979 agreement.

The proposed Interlocal Agreement (ILA) updates the terms and conditions under which LCRA and the City may purchase various goods and services commonly used by each Party through contracts with third party vendors entered into as a result of competitive procurement processes. The ILA provides that the City shall compensate LCRA for its actual cost of performing the Services, which may include all direct costs, indirect costs and other expenses, as applicable.

The ILA shall be for a term of one year from the effective date and it shall automatically renew for up to four additional one-year terms.

AMOUNT & SOURCE OF FUNDING: Finance Review initials _____

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

FISCAL NOTE (if applicable): N/A

Previous Council Action: Original ILA approved on December 11, 1979.

COMMITTEE/BOARD/COMMISSION ACTION: N/A

STAFF RECOMMENDATION/REQUESTED MOTION: Approval of Interlocal Agreement and authorization for the Mayor to execute the same.

LIST OF SUPPORTING DOCUMENTS: Proposed updated Interlocal Agreement between City of Lockhart/LCRA, and City of Lockhart/LCRA Interlocal Agreement dated December 11, 1979.

Department Head initials:

City Manager's Review:


**INTERLOCAL AGREEMENT BETWEEN
THE CITY OF LOCKHART, TEXAS
AND THE LOWER COLORADO RIVER AUTHORITY
CONCERNING ELECTRICAL TRANSMISSION,
CONTROL AND SUBSTATION FACILITIES**

THIS AGREEMENT is made and entered into by and between the City of Lockhart, Texas (hereinafter referred to as the “City”) and the Lower Colorado River Authority (hereinafter referred to as “LCRA”), a conservation and reclamation district of the State of Texas, pursuant to the Texas Interlocal Cooperation Act (Chapter 791, Texas Government Code). LCRA and the City may be referred to individually as a Party, or collectively as the Parties.

WHEREAS, the City owns and operates an electric distribution utility that includes more than seventy miles of low and high voltage electric distribution lines and related facilities that traverse the City; and

WHEREAS, LCRA is authorized by Chapter 8503 of the Texas Special District and Local Laws Code to distribute and sell electric energy; and

WHEREAS, electric transmission service in the area is provided by LCRA TSC high voltage transmission and transformation facilities; and

WHEREAS, the City serves its electric load requirements from two LCRA TSC substations; and

WHEREAS, LCRA provides limited planning, repair, maintenance, testing, and inspection services for the City’s distribution facilities; and

WHEREAS, cooperation between the City and LCRA in planning for and in providing technical services, including testing and inspection for such electric distribution facilities would enable the City and LCRA to avoid redundant expenditures, reduce the costs to their respective rate-payers, improve the responsiveness of each Party to outages and emergencies, and enhance the reliability of the respective Facilities;

WHEREAS, LCRA and City are both governmental entities engaged in the purchase of goods and services, which is a recognized governmental function;

WHEREAS, LCRA and City are entering into this Agreement to set forth the terms and conditions under which LCRA and City may purchase various good and services commonly used by each Party through contracts with third party vendors entered into as a result of competitive procurement processes;

WHEREAS, LCRA is also willing to directly perform Services (as defined below) on the Facilities of the City upon the following terms and conditions;

NOW, THEREFORE for and in consideration of the premises, and the mutual covenants and agreements set forth below, and other good and valuable consideration, the City and LCRA agree as follows:

I. SCOPE OF SERVICES

1.1. a. At the City's request, LCRA may provide the following services, including the personnel, labor, material and equipment necessary to perform the work (the "Services"):

- 1) engineering, design and project management services for substation and distribution facilities;
- 2) substation and distribution construction and maintenance (including tree trimming and ROW clearing);
- 3) relaying and control testing and maintenance;
- 4) material procurement and use of contracts with vendors;
- 5) protective equipment testing services; and
- 6) any other services or offerings mutually agreed upon by the Parties.

b. LCRA may, upon the consent of the City, engage the services of a third party or parties to perform or assist in the performance of the Services.

1. If LCRA engages a third party or parties to provide Services described in this Agreement, LCRA or another entity agreeable to the City shall act as the project manager with respect to such Services.

2. A Party acting as Project Manager shall exercise the same judgment, care and professionalism as used in managing its own contracts.

1.2. Performance of Services under the Agreement shall be initiated by a written work order signed by both the City and LCRA. The work order will include, as appropriate, the subject Facilities and the Services to be performed, a schedule for the performance of Services, an itemized estimate of the costs and expenses for Services to be performed together with a "not to exceed" total cost, and other terms and conditions specific to the Services.

1.3. Nothing in this Agreement shall require the City to have Services performed by LCRA, nor shall LCRA be required to accept any work order submitted by the City.

II. COMPENSATION

2.1. The City shall compensate LCRA for its actual cost of performing the Services, including the costs set forth in Section 2.3 below. Compensation for Services will be estimated in the work orders in accordance with Section 1.2.

2.2. The total value of Services performed hereunder shall not exceed \$ 400,000 per contract year. A contract year shall extend from the Effective Date (as defined below), or the anniversary of the Effective Date, of this Agreement for a period of twelve (12) months.

2.3. Costs may include:

- a. All direct costs, which may include (1) costs for materials, supplies, fuels and lubricants used to perform Services for the City, (2) costs to transport necessary equipment and personnel to the City's Facilities, (3) labor costs, including salary and benefits, paid to employees and contractors, together with (4) travel, meal and lodging expenses reimbursed or paid on behalf of employees and contractors within established LCRA expense guidelines.
- b. Indirect costs that LCRA normally applies to construction projects of this nature, including general and administrative costs and other internal expenses and contributions.
- c. Other expenses specified in the applicable work order or otherwise authorized in advance by both Parties, including the costs of contracts entered into with third parties to perform Services.

2.4. On or before the fifteenth day of the month following a month in which the LCRA performs Services under the Agreement, LCRA shall send the City an itemized invoice, in duplicate, which describes the Services performed, the date(s) of performance, the amount of time, materials and supplies expended, and all authorized expenses. Copies of all relevant timesheets, invoices, bills, and receipts for expenses shall be attached to the invoice.

2.5. The City shall pay LCRA, in accordance with the electronic funds transfer methods provided by LCRA, the amount due within thirty (30) days after receipt. In the event that payment in full is not timely made, interest shall accrue on the unpaid balance at the lesser of the maximum lawful rate or one percent (1.0 %) per month until paid in full.

2.6. The City reserves the right to review LCRA's invoices and to audit and examine at any reasonable time the books and records of LCRA to the extent necessary to verify the accuracy of any statement, charge, computation or invoice made under this Agreement, and to recover any overcharges paid by it.

2.7. The City pledges the revenues of its electric utility system to pay its obligations under this Agreement. In addition, the amounts payable by the City to LCRA under this Agreement are operation and maintenance expenses as contemplated by Section 1502.056 of the Texas Government Code and, as a result, are a first lien against the revenues of the City to secure the City's payment obligations to LCRA hereunder. The City agrees that it shall not request Services for which funds have not been appropriated and are not available.

2.8. City may enter into direct contracts with third party vendors procured through competitive processes by LCRA and City shall be individually responsible for making payments directly to such third-party vendors and for such vendors' compliance with all contract conditions.

III. THE CITY'S RESPONSIBILITIES

- 3.1. To the extent permitted by law, the City shall identify the Facilities and equipment upon which LCRA will be requested to provide Services and shall provide LCRA with all necessary documents and information relevant to the Facilities and equipment.
- 3.2. The City shall review and respond as appropriate to all reports, studies, recommendations and other submissions of LCRA so as not to delay the performance of the Services.

IV. DOCUMENTS, DATA AND PUBLICATIONS

- 4.1. It is agreed and understood that the specifications, drawings, plans, contracts and deliverables developed under this Agreement, or other data, documents or information provided to LCRA by the City pursuant to this Agreement are of a strictly confidential nature and, except as otherwise required by law, no such confidential information shall be disclosed to any third Party without the prior written consent of the City.

V. TERM

- 5.1. This Agreement is contingent upon approval by the City of Lockhart City Council and will become effective upon execution by both Parties (the "Effective Date").
- 5.2. This Agreement shall be for a term of one (1) year from the Effective Date; provided, however, that this Agreement shall automatically renew for up to four additional terms of one (1) year each unless affirmatively terminated by a written notice signed by a Party and delivered prior to the expiration of each term. Services authorized prior to expiration of the then-current term shall be completed, and the Parties' obligations under the Agreement shall remain in effect until such completion.
- 5.3. Either Party may terminate this Agreement for convenience upon thirty (30) days' prior written notice to the other Party. Upon termination of this Agreement for convenience, LCRA shall immediately discontinue the performance of Services and shall from then on perform only those Services expressly requested to be completed by the City, and LCRA shall be compensated for all such Services performed, plus its actual and reasonable costs of demobilization.

VI. STANDARDS AND INSPECTIONS; LIMITATION ON LIABILITY

- 6.1 LCRA shall perform all work under this Agreement in a good and workmanlike manner in accordance with the work order specifications and applicable industry standards and electrical codes in affect at the time the Services are performed. The City shall have the right of inspection at all reasonable times during the performance of the Services and prior to acceptance of the Services. In the event that the inspection reveals that the Services have not been performed in accordance with the above standards, the LCRA shall promptly and diligently re-perform such Services at no additional cost to the City.

6.2 OTHER THAN THE EXPRESS LIMITED WARRANTIES IN SECTION 6.1, LCRA MAKES NO OTHER WARRANTIES, EXPRESS OR IMPLIED, INCLUDING ANY WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE.

6.3 NEITHER PARTY SHALL BE LIABLE TO THE OTHER IN TORT, CONTRACT, WARRANTY, STRICT LIABILITY, STATUTE OR OTHERWISE FOR SPECIAL, INDIRECT, INCIDENTAL, PUNITIVE, EXEMPLARY OR CONSEQUENTIAL DAMAGES (INCLUDING, WITHOUT LIMITATION, LOST PROFITS, LOST USE, BUSINESS INTERRUPTION LOSSES, OR DAMAGES OR LOSSES INCURRED BY A PARTY'S CUSTOMER), REGARDLESS OF WHETHER THE POSSIBILITY OF SUCH DAMAGES HAS BEEN DISCLOSED OR COULD HAVE BEEN REASONABLY FORESEEN.

VII. NOTICES

Correspondence, notices and invoices shall be in writing and mailed or delivered to the other Party as follows, or at such other address as a Party may from time to time designate in writing. All notices, correspondence and invoices shall be effective upon receipt.

TO THE CITY:

City of Lockhart
308 W. San Antonio
Lockhart, TX 78644
Attn: Steven Lewis
Email: slewis@lockhart-tx.org

TO LCRA:

Lower Colorado River Authority
3700 Lake Austin Blvd.
P.O. Box 220
Austin, TX 78767-0220
Attn: Transmission Strategic Services

VII. MISCELLANEOUS

7.1. This Agreement constitutes the entire understanding of the Parties relating to the subject matter of the Agreement, and there shall be no modification or waiver of this Agreement except by writing signed by the Party asserted to be bound thereby. This Agreement supersedes and replaces any Interlocal Agreement or Technical Services Agreement now existing between City and LCRA concerning matters covered by this Agreement.

7.2. This Agreement shall be binding upon and inure to the benefit of the Parties and their respective successors and assigns; provided, however, that neither Party may assign this Agreement or subcontract the performance of Services under this Agreement, in whole or part without the prior written consent of the other Party.

7.3. No failure or delay on the part of a Party to exercise any right or remedy shall operate as a waiver of such right or remedy, nor shall any single or partial exercise of any right or remedy preclude any further or other exercise of any such right or remedy. All rights and remedies under this Agreement are cumulative and shall not be considered exclusive of any other rights or remedies provided by law.

7.4. If any section or part of this Agreement is declared invalid by any court of competent jurisdiction, the court's decree shall not affect the remainder of this Agreement, and the remainder of the Agreement shall remain in full force and effect with the deletion of the part declared invalid.

7.5. The Parties agree and intend that all disputes which may arise from, out of, under or respecting the terms and conditions of this Agreement, or concerning the rights or obligations of the Parties under the Agreement, or respecting any performance or failure of performance by either Party under the Agreement, shall be governed by the laws of the State of Texas. Any legal action or proceeding arising out of this Agreement will be brought exclusively in the courts located in Travis County, Texas.

7.6 The Parties signing this Agreement warrant that they are the representatives of their entities and that they have been duly authorized to enter into this Agreement.

IN WITNESS WHEREOF, the undersigned have executed this Agreement to be effective on the date of the last signature below.

CITY OF LOCKHART, TEXAS

LOWER COLORADO RIVER AUTHORITY

By: _____

By: _____

Name: _____

Name: _____

Date: _____

Date: _____

AGREEMENT FOR TECHNICAL SERVICES
BETWEEN
LOWER COLORADO RIVER AUTHORITY
AND
CITY OF LOCKHART

HISTORY

This agreement made and entered into this 11 day of December, 1979, by and between Lower Colorado River Authority (hereinafter referred to as "Authority") and City of Lockhart hereinafter referred to as "Customer").

W I T N E S S E T H:

WHEREAS, Customer now owns and operates an electric distribution and transmission system and purchases its power and energy requirements wholesale from Authority, and Customer has determined it would be desirable and economical to obtain certain Technical Services for the current operations of, and the future extensions and additions to, its system, and Customer has requested Authority to furnish such Technical Services; and

WHEREAS, Authority maintains a staff of designated personnel to perform the functions necessary in the operation, maintenance, and expansion programs of Authority's system.

NOW, THEREFORE, for and in consideration of the premises and of the mutual covenants and agreements herein contained, the parties agree as follows:

ARTICLE I.

Authority has various programs available to be included in the Technical Services. After the execution of this Agreement and at the request of Customer and with the mutual consent of both parties hereto, any one or more of the available service programs shall become a part of this Agreement on a continuing basis by the execution of a document, referred to as a Program Agreement, to be attached as an Exhibit to this Agreement and incorporated herein for all pertinent purposes, describing the particular obligations of each party relative to that specific program and in addition to the obligations set forth herein.

Any Technical Service can be provided by the Authority on a limited time basis by the mutual consent of both parties hereto by the execution of

HISTORY

a Billing Work Authorization which fully describes the particular covenants thereunder and states that it operates within the purview of this agreement.

ARTICLE II.

TERM OF AGREEMENT

This Agreement shall become effective the date first above written and remain in effect through December 31, 1980, and, unless terminated by either party as provided for under Article III hereof, this Agreement shall remain in effect thereafter from calendar year to calendar year.

ARTICLE III.

RIGHT OF TERMINATION

Customer shall have the right to terminate this Agreement in its entirety or any specific Technical Services Program which has been made a part hereof by an executed Program Agreement, as of December 31 of any year by giving Authority written notice on or before November 1 of such contract year that it desires to terminate said Agreement or specific Technical Service Program. Notwithstanding any other right or remedy provided for hereunder, and as an additional right and remedy, in the event Authority fails or refuses to furnish any or all the Technical Services Programs to Customer in accordance with the terms and provisions of this Agreement, and upon all terms and conditions set out herein, then regardless of whether or not Authority, its officers and agents or employees, shall have used reasonable diligence to furnish Customer with any Technical Services Program as agreed upon, Customer shall have the right upon giving ninety (90) days' written notice to Authority to terminate this Agreement. Any Program Agreement may be terminated at any time with a ninety (90) days' notice without effect to this Agreement or any other Program Agreement, but the termination of this Agreement unilaterally terminates all Program Agreements.

Authority shall have the right to terminate this Agreement as of December 31 of any year by giving Customer written notice on or before November 1 of such contract year that it desires to terminate this Agreement for Technical Services. Notwithstanding any other right or remedy provided hereunder, as an additional right or remedy, in the event Customer fails or refuses to pay any monthly bill in accordance with any provision herein or exhibit attached hereto, Authority shall have

HISTORY

the right upon thirty (30) days' written notice to Customer to refuse to furnish any or all Technical Services Programs involved hereunder until Customer has made such payment.

ARTICLE IV.

TEMPORARY TERMINATION

Authority agrees to maintain said staff to adequately perform the services covered by this Agreement during the time this Agreement is in force and effect; provided, however, that should any services provided hereunder impair the Authority's operations as a system, the services contemplated under this Agreement may be temporarily discontinued by the Authority without any liability to the Authority for said temporary termination pending the elimination of such impairment.

ARTICLE V.

RETAINER SCHEDULES

Each Technical Services Program described in an executed Program Agreement made a part hereof shall have its own Retainer Schedule or charge reimbursement covenants contained therein. The amount indicated by each of such schedules or covenants shall be due and payable to Authority by Customer on the 1st day of each and every month that this Agreement is in force and effect.

ARTICLE VI.

CHANGES IN RETAINER SCHEDULE

Authority may find it desirable and/or necessary to change the Retainer Schedule provided for in any Exhibit attached hereto and made a part of this Agreement. In the event one or more such changes in Retainer Schedules are made, Authority shall notify Customer in writing on or before October 1 of any contract year as to the changed Retainer Schedule that will become effective on January 1 of the year following the notification.

ARTICLE VII.

FISCAL POLICY

agrees .
The Fiscal Policy as determined by the Authority is the policy by which payment will be made by the Customer for the Technical Services

HISTORY

rendered under this Agreement. The Fiscal Policy is attached hereto as Exhibit A and is adopted herein.

The Authority may need to amend the Fiscal Policy from time to time; therefore, as such change is required, Authority shall notify Customer in writing prior to October 1 of any contract year of the change that will become effective on January 1 of the year following the notification.

ARTICLE VIII.

FORCE MAJEURE AND REMEDIES

Neither Authority nor Customer shall be liable in damages to the other for any act, omission or circumstances occasioned by or in consequence of any acts of God, strikes, lockouts, acts of public enemy, war blockades, insurrections, riots, epidemics, landslides, lightning, earthquakes, fires, storms, floods, washouts, arrests and restraints of rulers and people, civil disturbances, explosions, breakage, or accident to machinery or other equipment, or the binding order of any court or governmental authority which has been resisted in good faith by all reasonable legal means. A failure to settle or prevent any strike or other controversy with employees or with anyone purporting or seeking to represent employees shall not be considered a matter within the control of the party claiming force majeure.

In the event of the exercise of force majeure under the foregoing paragraph, the party claiming the difficulty shall promptly notify a responsible representative of the other of the nature of the occurrence and its expected duration so that the other party may minimize the effect of the force majeure condition on its own staff or system.

No such occurrence shall relieve Customer of its obligation to pay for any Technical Services rendered hereunder.

ARTICLE IX.

LIABILITY

Customer shall hold Authority harmless from any and all claims resulting or arising from any action taken by Authority employees hereunder on behalf of Customer.

HISTORY

IN TESTIMONY WHEREOF, the parties hereto have caused this Agreement to be executed and attested by their duly authorized officers, as of this day and year first above written.

ATTEST:

LOWER COLORADO RIVER AUTHORITY

Thomas J. Bennett
TITLE: Assistant Secretary

By: Robert King
General Manager

CA
mu

ATTEST:

CITY OF LOCKHART

Larry Pippin
TITLE: City Secretary

By: W. E. Chesser
TITLE: Mayor

EXHIBIT A
FISCAL POLICY

HISTORY

Agreement for Technical Services
Between
Lower Colorado River Authority
and
CITY OF LOCKHART

The Enabling Act of the Authority, the Trust Indenture, and the policies set forth by the Authority's Board of Directors, as well as the applicable State and Federal laws, shall govern the Fiscal Policy as stated, inferred, implied, or unspecified herein.

Each Technical Service performed shall have a Billing Work Authorization assigned defining the service, the applicable elements of the charges, i.e., labor, material, equipment, transportation, and other..., the estimated amount of each charge and the total estimated amount with the stipulation that it is an estimated charge only and the actual amount due will be the actual charges plus overhead, as may be appropriate and justified. Cost shall include an expendable tool and material charge equivalent to five (5%) percent of labor.

The Billing Work Authorization shall also identify the Terms of Payment required for the service: prepayment, progress payment, lease, retainer schedule or final payment. Such Billing Work Authorization shall be at the written request of the customer, and approved by the Authority before the service is rendered.

Definition of Terms

1. Charge--All charges for Technical Services shall be accounted for on an actual cost basis plus an appropriate charge of fifteen (15%) percent for general and administrative overhead.
2. Prepayment--Advance payment shall be based on estimated cost. A prepayment may be required for any major service or project, at the Authority's option, which involves use of substantial amounts of working capital. The amount of such required prepayment shall be agreed upon between the parties hereto and so stipulated on the approved Billing Work Authorization.

HISTORY

- 3. Progress Payment--Reimbursement of Charges (as defined hereinabove) shall be as they are incurred. Services to be performed which exceed \$10,000 or require more than 30 days to complete, shall be billed on a progress basis, unless other arrangements have been agreed to in writing by the Authority. Progress invoices shall be due and payable upon receipt.
- 4. Final Payment--Payment of total Charges shall be made upon completion of a project or services. Invoices will be submitted by Authority upon completion of a project or services for the total amount due. Invoices will be due and payable upon receipt. (Note: See Progress Payments for services exceeding \$10,000.00 or more than 30 days required for completion.)
- 5. Retainer Schedule--A monthly or annual prepaid fee shall be remitted to Authority by Customer for services to be provided. Such fee shall be defined in an agreement between the parties hereto as to amount, time, method of payment, and services to be covered thereunder.
- 6. Equipment Lease Payment--Payments for leased equipment, contractually agreed to as to amount and terms of Lease, shall be remitted by Customer to Authority.
- 7. Equipment Use Fee--A fee shall be charged to Customer for the use of a particular piece of equipment provided by Authority.

The bills rendered under any schedule or charge described herein are net and will be increased by 1% if not paid within 15 days from the date of the invoice and by an additional 1% for each month thereafter until the total amount due is paid.

Such Fiscal Policy as herein described is to be a part of that certain Agreement for Technical Services, dated the 11th day of December, 1978

LOWER COLORADO RIVER AUTHORITY

By: *Le Ann King*

Title: ^{ASCL} General Manager

cc: [unclear]

Author

> by th

gml

City of Lockhart, Texas

Council Agenda Item Briefing Data

COUNCIL MEETING DATE: November 5, 2020

AGENDA ITEM CAPTION: DISCUSSION AND/OR ACTION REGARDING RESOLUTION 2020-24 OF THE CITY COUNCIL OF LOCKHART, TEXAS APPROVING AN ECONOMIC DEVELOPMENT PERFORMANCE AGREEMENT BETWEEN THE LOCKHART ECONOMIC DEVELOPMENT CORPORATION AND IRON OX, INC. TO AUTHORIZE THE LOCKHART ECONOMIC DEVELOPMENT CORPORATION TO PROVIDE A GRANT OF \$25,000.00 TO IRON OX, INC. FOR CONSTRUCTION OF A SIDEWALK.

ORIGINATING DEPARTMENT AND CONTACT: Mike Kamerlander, Director, Economic Development. mkamerlander@lockhart-tx.org

ACTION REQUESTED:

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

BACKGROUND/SUMMARY/DISCUSSION:

Iron Ox is an operator of autonomous robotic greenhouses used to grow fresh and pesticide-free farm products that are accessible everywhere. It leverages plant science, machine learning, and robotics to increase the availability, quality, and flavor of leafy greens and culinary herbs that enable consumers to access naturally grown and chemical-free farm products. Iron Ox was established in 2015 and is headquartered in San Carlos, California.

Having recently closed its Series B funding of \$20 million in September 2020, Iron Ox is constructing its second facility in Lockhart, TX. This new 100,000 SF or larger facility will be located on approximately 25 acres of land on Blackjack Street across from Lockhart Industrial Park I. The total capital investment is expected to be \$10 million initially and will provide at least 28 jobs.

The performance agreement offers a maximum of \$25,000 to Iron Ox to provide funds for the construction of a sidewalk along Blackjack Street.

This performance agreement and LEDC Resolution 2020-02 was passed unanimously by the LEDC Board on October 19, 2020 at its regular board meeting.

PROJECT SCHEDULE (if applicable): N/A

AMOUNT & SOURCE OF FUNDING:

Funds Required: \$25,000
Account Number: 800-5199-704
Funds Available: \$130,654
Account Name: Economic Development

Finance Review initials



FISCAL NOTE (if applicable): \$25,000 to LEDC Economic Development account.

Previous Council Action: None

COMMITTEE/BOARD/COMMISSION ACTION: LEDC Board unanimously passed LEDC Resolution 2020-02 and the economic development performance agreement with Iron Ox, Inc. at its regular board meeting on October 19, 2020.

STAFF RECOMMENDATION/REQUESTED MOTION: Staff recommends approval of Resolution 2020-24.

LIST OF SUPPORTING DOCUMENTS: Council Resolution 2020-24; LEDC Resolution 2020-02; Economic Development Performance Agreement with Iron Ox, Inc.; Draft Minutes of LEDC October 19, 2020 board meeting.

Department Head initials:

A handwritten signature in blue ink, appearing to be 'JMC', written over a horizontal line.

City Manager's Review:

A handwritten signature in blue ink, appearing to be 'JH', written over a horizontal line.

RESOLUTION 2020-24

A RESOLUTION OF THE CITY COUNCIL OF LOCKHART, TEXAS APPROVING AN ECONOMIC DEVELOPMENT PERFORMANCE AGREEMENT BETWEEN THE LOCKHART ECONOMIC DEVELOPMENT CORPORATION AND IRON OX, INC. TO AUTHORIZE THE LOCKHART ECONOMIC DEVELOPMENT CORPORATION TO PROVIDE A GRANT OF \$25,000.00 TO IRON OX, INC. FOR CONSTRUCTION OF A SIDEWALK

WHEREAS, the Lockhart Economic Development Corporation (“LEDC”) and Iron Ox, Inc. (“Iron Ox”) entered into an Economic Development Performance Agreement (“EDPA”) dated October 19, 2020; and

WHEREAS, pursuant to the EDPA, Iron Ox will engage in a project whereby it will make a capital investment of \$10,000,000 in order to construct a facility in the City of approximately 100,000 square feet, including a sidewalk at the facility, and to bring primary jobs to the City of Lockhart, all as more fully described in the EDPA; and

WHEREAS, pursuant to the EDPA the LEDC will provide Iron Ox with a grant of \$25,000.00 to reimburse Iron Ox for the cost of said sidewalk.

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

Section 1. Recitals: The recitals set forth above are incorporated herein by reference as if fully set forth in their entirety.

Section 2. Approval of EDPA: The City Council of Lockhart, Texas hereby approves the EDPA between the LEDC and IRON OX, a copy of which Amendment is attached hereto as Exhibit “A,” which is incorporated herein for all purposes.

Section 3. Effective date: This Resolution is approved and adopted and shall take effect on this the 5th day of November 2020.

CITY COUNCIL OF LOCKHART, TEXAS

Attest:

Lew White, Mayor
Approved as to Form:

Connie Constancio, City Secretary

Monte Akers, City Attorney

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 IRON OX, INC., a Delaware corporation ("IRON OX").

RECITALS

WHEREAS, IRON OX is the owner of 24.575 acres in the City of Lockhart, located at 1205 Reed Drive, Lockhart, TX 78644 ("the Property") upon which it and/or one or more of its affiliates intends to construct a facility of at least 100,000 sf ("the Facility") for the conduct of its business, which involves advanced robotics, automation, and growing techniques for production of sustainable, local produce; and

WHEREAS, IRON OX, directly or in conjunction with one or more of its affiliates, intends to make a capital expenditure of \$10,000,000.00 to purchase the Property, to construct the Facility, to purchase personal property for the Facility, and to create or re-locate new Primary Jobs to the City of Lockhart ("the Project"); and

WHEREAS, the LEDC desires to establish the Economic Development Program outlined herein and to offer incentives to IRON OX 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 the bringing of new primary jobs to the City, an increase in the City's tax rolls, 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 IRON OX 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 IRON OX agree as follows:

AGREEMENTS

Section I. Recitals

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

Section 2: Definitions

- (a) "Building" or "Facility" shall mean the building to be constructed by Iron Ox on the Property and in which it will operate its business.
- (b) "Effective Date" shall mean the date of execution of this Agreement by the later of IRON OX and LEDC or the date of City Council approval of this Agreement, whichever date is later.
- (c) "Full Time Equivalent Job" ("FTE Job") shall mean a full time equivalent position (whether held by one or more persons and whether accomplished through a direct employee/employer relationship with IRON OX and/or one or more of its affiliates or through an independent contractor relationship) that meets the definition of a "Primary Job" pursuant to Sec. 501.002(12), Texas Local Government Code, at which the person or persons are engaged on the last business day of each calendar year specified below, and at which the person or persons are to work at least 2080 hours per calendar year.

Section 3: Term

The term of this Agreement shall be five (5) years, commencing on the Effective Date of this Agreement, and terminating at midnight on the day immediately preceding the fifth anniversary of the Effective Date.

Section 4. IRON OX Requirements

In consideration of the financial incentives described, offered, and to be paid by LEDC pursuant to this Agreement, IRON OX agrees:

- (a) To, directly and/or through one or more of its affiliates, make a capital investment of \$10,000,000.00 in the Project.
- (b) To cause the Facility to be constructed and to notify LEDC in writing when it has received a Certificate of Occupancy from the City of Lockhart for the Facility, and specifying the date that IRON OX and/or one or more of its affiliates will move into the Facility and begin operation therein.
- (c) To move into the Facility and/or cause one or more of its affiliates to move into the Facility and commence operations by December 31, 2021.
- (d) To construct or cause to be constructed a sidewalk along Blackjack Street by December 31, 2021.
- (e) Other than due to a Business Interruption Exception, to create and fill and/or cause the creation and filling of at least twenty-eight (28) Full Time Equivalent Jobs positions at the Facility at following rate:
 - By Year Ending 2021: a total of 20 FTE jobs positions
 - By Year Ending 2022: a total of 25 FTE jobs positions

By Year Ending 2023: a total of 28 FTE jobs positions.

(Such persons may work in shifts and may not all be at the Facility at the same time)

- (f) To continue business operations at the Facility (or at such other location in the City approved by the LEDC) throughout the term of this Agreement.
- (g) To maintain the number of Full Time Equivalent Jobs created pursuant to Section 4(e) throughout the term of this Agreement.
- (h) To keep current (after notice and thirty (30) days' opportunity to cure) in the payment of taxes owed by IRON OX to any taxing jurisdiction having jurisdiction in connection with its operations in Lockhart.
- (i) To provide payroll records to LEDC annually showing compliance with Section 4(e) as well as Employment and Payroll Certification during the term of this Agreement.
- (j) To meet all requirements of this Agreement and to comply with all applicable City of Lockhart ordinances, state and federal law, and related requirements during the term of this Agreement.

Section 5. LEDC Requirements

In consideration of IRON OX's agreement to locate its business within the City and to perform the other acts described herein, LEDC agrees it will provide IRON OX a grant of Twenty-five thousand dollars (\$25,000.00) for construction of the sidewalk along Blackjack Street, to be paid to IRON OX no later than thirty (30) days following LEDC's receipt of satisfactory written documentation of IRON OX's satisfactory completion of the sidewalk.

Section 6. Recapture/Termination

- (a) In the event that IRON OX and/or one or more of its affiliates begins operating its business, but subsequently discontinues operating its business in Lockhart for any reason 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 IRON OX illegal or economically untenable, or other event beyond the reasonable control of IRON OX (the "Business Interruption Exceptions") for a period of more than one hundred eighty (180) days during the term of this Agreement, then in such event IRON OX shall be required to repay to LEDC any and all monies expended by the LEDC under Section 5 of this Agreement within thirty (30) days of written demand therefore following the expiration of such period. The burden shall be upon IRON OX 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.
- (b) In the event that following the occurrence of a Business Interruption Exception which may reasonably be cured within one year of the cessation of business operations, then should IRON OX fail to resume business operations within one (1) year of the date of discontinuance of operations, IRON OX shall be required to repay LEDC any monies expended by the LEDC under

Section 5 of this Agreement within thirty (30) days of written demand therefore following the expiration of the one year period.

- (c) In the event that IRON OX 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 (after notice and thirty (30) days' opportunity to cure), IRON OX shall be required to repay LEDC any monies expended by the LEDC under Section 5 of this Agreement within thirty (30) days of written demand therefore following such event.

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 IRON OX expressly waive any statutory or other legal requirements 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 IRON OX with respect to the transactions contemplated herein. This Agreement may be amended, altered, or revoked only by written instrument signed by the LEDC and IRON OX

Section 9. Successors and Assigns

Other than to one or more of its affiliates or to a successor, owner or occupant of the Property, this Agreement may not be assigned to any third party by IRON OX without the written consent of LEDC. In the event of such assignment or in the event of legal succession of IRON OX's interest in this Agreement by operation of law, this Agreement shall be binding on and inure to the benefit of such assign or successor.

Section 10. Notices

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

IRON OX, Inc.: 955 Terminal Way
San Carlos, CA 94070 :

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 IRON OX 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 _____ day of _____, 2020.

THE LOCKHART ECONOMIC DEVELOPMENT CORPORATION:

, President

Date:

ATTEST:

, LEDC Secretary

IRON OX, INC.,

a Delaware corporation

By: Brandon Ace Alexander, Chief Executive Officer & President

By: _____

Name: Brandon Alexander

Title: Chief Executive Officer & President

Date: _____

LEDC Action - History

RESOLUTION R-2020-02

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE LOCKHART ECONOMIC DEVELOPMENT CORPORATION APPROVING AN ECONOMIC DEVELOPMENT PERFORMANCE AGREEMENT BETWEEN THE LOCKHART ECONOMIC DEVELOPMENT CORPORATION AND IRON OX, INC. TO AUTHORIZE THE LOCKHART ECONOMIC DEVELOPMENT CORPORATION TO PROVIDE A GRANT OF \$25,000.00 TO IRON OX, INC. FOR CONSTRUCTION OF A SIDEWALK

WHEREAS, the Lockhart Economic Development Corporation ("LEDC") and Iron Ox, Inc. ("Iron Ox") entered into an Economic Development Performance Agreement ("EDPA") dated October 17, 2020; and

WHEREAS, pursuant to the EDPA, Iron Ox will engage in a project whereby it will make a capital investment of \$11,000,000 in order to construct a facility in the City of approximately 160,000 square feet, including a sidewalk at the facility, and to bring primary jobs to the City of Lockhart, all as more fully described in the EDPA; and

WHEREAS, pursuant to the EDPA the LEDC will provide Iron Ox with a grant of \$25,000.00 to reimburse Iron Ox for the cost of said sidewalk.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE LOCKHART ECONOMIC DEVELOPMENT CORPORATION that:

Section 1. Recitals: The recitals set forth above are incorporated herein by reference as if fully set forth in their entirety.

Section 2. Approval of EDPA: The Board of Directors of the LEDC hereby approves the EDPA between the LEDC and IRON OX, a copy of which Amendment is attached hereto as Exhibit "A," which is incorporated herein for all purposes.

Section 3. Effective date: This Resolution is approved and adopted and shall take effect on this the 17 day of October, 2020.

Lockhart Economic Development Corporation


Steven Lewis, President

Attest:


Michael Kamerlander, Economic Development Director

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 IRON OX, INC., a Delaware corporation ("IRON OX").

RECITALS

WHEREAS, IRON OX is the owner of 24.575 acres in the City of Lockhart, located at 1205 Reed Drive, Lockhart, TX 78644 ("the Property") upon which it and/or one or more of its affiliates intends to construct a facility of at least 100,000 sf ("the Facility") for the conduct of its business, which involves advanced robotics, automation, and growing techniques for production of sustainable, local produce; and

WHEREAS, IRON OX, directly or in conjunction with one or more of its affiliates, intends to make a capital expenditure of \$10,000,000.00 to purchase the Property, to construct the Facility, to purchase personal property for the Facility, and to create or re-locate new Primary Jobs to the City of Lockhart ("the Project"); and

WHEREAS, the LEDC desires to establish the Economic Development Program outlined herein and to offer incentives to IRON OX 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 the bringing of new primary jobs to the City, an increase in the City's tax rolls, 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 IRON OX 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 IRON OX agree as follows:

AGREEMENTS

Section 1. Recitals

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

Section 2: Definitions

- (a) "Building" or "Facility" shall mean the building to be constructed by Iron Ox on the Property and in which it will operate its business.
- (b) "Effective Date" shall mean the date of execution of this Agreement by the later of IRON OX and LEDC or the date of City Council approval of this Agreement, whichever date is later.
- (c) "Full Time Equivalent Job" ("FTE Job") shall mean a full time equivalent position (whether held by one or more persons and whether accomplished through a direct employee/employer relationship with IRON OX and/or one or more of its affiliates or through an independent contractor relationship) that meets the definition of a "Primary Job" pursuant to Sec. 501.002(12), Texas Local Government Code, at which the person or persons are engaged on the last business day of each calendar year specified below, and at which the person or persons are to work at least 2080 hours per calendar year.

Section 3: Term

The term of this Agreement shall be five (5) years, commencing on the Effective Date of this Agreement, and terminating at midnight on the day immediately preceding the fifth anniversary of the Effective Date.

Section 4. IRON OX Requirements

In consideration of the financial incentives described, offered, and to be paid by LEDC pursuant to this Agreement, IRON OX agrees:

- (a) To, directly and/or through one or more of its affiliates, make a capital investment of \$10,000,000.00 in the Project.
- (b) To cause the Facility to be constructed and to notify LEDC in writing when it has received a Certificate of Occupancy from the City of Lockhart for the Facility, and specifying the date that IRON OX and/or one or more of its affiliates will move into the Facility and begin operation therein.
- (c) To move into the Facility and/or cause one or more of its affiliates to move into the Facility and commence operations by December 31, 2021.
- (d) To construct or cause to be constructed a sidewalk along Blackjack Street by December 31, 2021.
- (e) Other than due to a Business Interruption Exception, to create and fill and/or cause the creation and filling of at least twenty-eight (28) Full Time Equivalent Jobs positions at the Facility at following rate:
 - By Year Ending 2021: a total of 20 FTE jobs positions
 - By Year Ending 2022: a total of 25 FTE jobs positions

By Year Ending 2023: a total of 28 FTE jobs positions.

(Such persons may work in shifts and may not all be at the Facility at the same time)

- (f) To continue business operations at the Facility (or at such other location in the City approved by the LEDC) throughout the term of this Agreement.
- (g) To maintain the number of Full Time Equivalent Jobs created pursuant to Section 4(e) throughout the term of this Agreement.
- (h) To keep current (after notice and thirty (30) days' opportunity to cure) in the payment of taxes owed by IRON OX to any taxing jurisdiction having jurisdiction in connection with its operations in Lockhart.
- (i) To provide payroll records to LEDC annually showing compliance with Section 4(e) as well as Employment and Payroll Certification during the term of this Agreement.
- (j) To meet all requirements of this Agreement and to comply with all applicable City of Lockhart ordinances, state and federal law, and related requirements during the term of this Agreement.

Section 5. LEDC Requirements

In consideration of IRON OX's agreement to locate its business within the City and to perform the other acts described herein, LEDC agrees it will provide IRON OX a grant of Twenty-five thousand dollars (\$25,000.00) for construction of the sidewalk along Blackjack Street, to be paid to IRON OX no later than thirty (30) days following LEDC's receipt of satisfactory written documentation of IRON OX's satisfactory completion of the sidewalk.

Section 6. Recapture/Termination

- (a) In the event that IRON OX and/or one or more of its affiliates begins operating its business, but subsequently discontinues operating its business in Lockhart for any reason 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 IRON OX illegal or economically untenable, or other event beyond the reasonable control of IRON OX (the "Business Interruption Exceptions") for a period of more than one hundred eighty (180) days during the term of this Agreement, then in such event IRON OX shall be required to repay to LEDC any and all monies expended by the LEDC under Section 5 of this Agreement within thirty (30) days of written demand therefore following the expiration of such period. The burden shall be upon IRON OX 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.
- (b) In the event that following the occurrence of a Business Interruption Exception which may reasonably be cured within one year of the cessation of business operations, then should IRON OX fail to resume business operations within one (1) year of the date of discontinuance of operations, IRON OX shall be required to repay LEDC any monies expended by the LEDC under

Section 5 of this Agreement within thirty (30) days of written demand therefore following the expiration of the one year period.

- (c) In the event that IRON OX 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 (after notice and thirty (30) days' opportunity to cure), IRON OX shall be required to repay LEDC any monies expended by the LEDC under Section 5 of this Agreement within thirty (30) days of written demand therefore following such event.

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 IRON OX expressly waive any statutory or other legal requirements 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 IRON OX with respect to the transactions contemplated herein. This Agreement may be amended, altered, or revoked only by written instrument signed by the LEDC and IRON OX

Section 9. Successors and Assigns

Other than to one or more of its affiliates or to a successor, owner or occupant of the Property, this Agreement may not be assigned to any third party by IRON OX without the written consent of LEDC. In the event of such assignment or in the event of legal succession of IRON OX's interest in this Agreement by operation of law, this Agreement shall be binding on and inure to the benefit of such assign or successor.

Section 10. Notices

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

IRON OX, Inc.: 955 Terminal Way
San Carlos, CA 94070 :

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 IRON OX 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 _____ day of _____, 2020.

THE LOCKHART ECONOMIC DEVELOPMENT CORPORATION:

_____, President

Date:

ATTEST:

_____, LEDC Secretary

IRON OX, INC.,

a Delaware corporation

By: Brandon Ace Alexander, Chief Executive Officer & President

By: _____

Name: Brandon Alexander

Title: Chief Executive Officer & President

Date: _____

DRAFT MINUTES

LOCKHART ECONOMIC DEVELOPMENT CORPORATION

LOCKHART ECONOMIC DEVELOPMENT CORPORATION

MONDAY, OCTOBER 19, 2020
6:00 P.M.

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

Board Members Present: Alan Fielder, Chairman; Sally Daniel; Alfredo Munoz; Umesh Patel; Dyrall Thomas

Board Members Absent: Frank Estrada, Vice-Chairman; Morris Alexander

Staff Present: Mike Kamerlander, Director of Economic Development; Pam Larison, Finance Director; Steve Lewis, President; Marissa Cooney, Economic Development Specialist

1. CALL TO ORDER

The meeting was called to order by Alan Fielder, Chairman at 6:01 pm

2. PUBLIC COMMENTS

No public comments

3. PUBLIC HEARING

3.1 Hold a public hearing regarding Project Steel Cow with Iron Ox, Inc. pursuant to Sec. 505.159, Local Government Code.

Public Hearing was opened at 6:03 PM

Public Hearing was closed at 6:04 PM

No public was in attendance.

4. DISCUSSION AND/OR ACTION

4.1 Discussion and/or action regarding minutes from the September 14, 2020 meeting.

Motion to approve the minutes from the September 14, 2020 meeting.

Motion: Alfredo Munoz

Second: Dyrall Thomas

Vote: 5 of 5

Mr. Kamerlander brought up comments made by Mr. Estrada via email regarding the minutes needing amending. The board discussed Mr. Estrada's concerns and determined the minutes as presented were correct.

4.2 Discussion and/or action regarding sales tax and financial statements for September 2020.

Pam Larison gave an overview of the of the financials as well as the sales tax report. Ms. Larison noted that sales tax collections continue to outpace last year's collections and even after reconciling after the end of the Fiscal Year, she expects it remain above last year's revenue. LEDC expenditures were \$87,000 under budgeted. \$185,000 increase in cash balance at the end of the FY.

LOCKHART ECONOMIC DEVELOPMENT CORPORATION (LEDC)
MINUTES

Monday, October 19, 2020 - 6:00 P.M.

Page 1 of 3

Motion to approve the September sales tax and financial statements as presented

Motion: Alfredo Munoz Second: Sally Daniel Vote: 5 of 5

4.3 Discussion and/or action regarding adopting a Performance Agreement related to Iron Ox, Inc. for Project Steel Cow.

The Economic Development Performance agreement provides up to \$25,000 for the construction of a sidewalk along Blackjack Street as long as Iron Ox, Inc. constructs at least a 100,000 SF building, hires 28 people, and makes an investment of \$10 million within 3 years.

Motion: Sally Daniel Second: Alfredo Munoz Vote: 5 of 5

4.4 Discussion and/or action regarding Resolution 2020-02 for an economic development performance agreement with Iron Ox, Inc.

Resolution 2020-02 adopts the economic development performance agreement for Iron Ox, Inc.

Motion: Alfredo Munoz Second: Sally Daniel Vote: 5 of 5

4.5 Discussion and/or action regarding a contract for services for Specialized Finance, Inc. for financial advisory services to the LEDC.

The LEDC will need to obtain sales tax revenue bonds should Project Future continue to move forward. Specialized Finance would provide the service of obtaining those bonds. Specialized Finance is the financial advisor for the City of Lockhart and Caldwell County.

Motion: Alfredo Munoz Second: Dyrall Thomas Vote: 5 of 5

4.6 Discussion and/or action regarding the Lockhart Economic Development bylaws, providing amendments and clarifications.

The LEDC Bylaws have not been updated since the corporation was established. There are clarifications throughout and the addition of an attendance policy for the board. The LEDC board meets monthly and at these regular meetings, important items are discussed, and quorum is essential to conduct business. In following other boards and commissions of the City, like the historical commission, an attendance policy is being recommended.

Changes to the bylaws:

- Article 1: Adding, "Codified as Chapters 501-505, Texas Local Government Code," and, "Type B Economic Development Corporation," to reflect the current state laws and codes.
- Article 2 Section 1: General clean-up of typos
- Article 2 Section 2: Re-lettered the subsections to (a) and (b). (b) is the new attendance policy: "Any director who is absent from any three consecutive regular meetings, or any four non-consecutive regular meetings of the Board during any twelve-month period, shall forfeit his or her office and the vacancy occurring shall be filled by the City Council."

- Article 2 Section 3: Clarification for notices of special meetings and emergency meetings. Special meetings require the 72-hour posting period while emergency meetings require at least 2 hours' notice. This was unclear in the original bylaws.
- Remaining Articles are simply a clean up of typos and spacing.

Motion: Sally Daniel

Second: Umesh Patel

Vote: 5 of 5

5. EXECUTIVE SESSION

5.1 Close Open Session and Convene Executive Session pursuant to Secs. 551.072 and 551.087 (Economic Development) of the Texas Open Meetings Act. Gov't Code Ch. 551, to discuss the following:

- Incentives related to Project Future
- Project Comrade
- Project Module
- Project Crimson Tide

Motion to extend an offer of incentives to Project Comrade as discussed in Executive Session.

Motion: Alfredo Munoz

Second: Sally Daniel

Vote: 5 of 5

6. DISCUSSION ONLY

6.1 Activity Updates

Mr. Kamerlander gave an update on the LEDC Staff activities for September 2020.

ADJOURN

Minutes approved this the _____ day of _____, 2020.

Alan Fielder, Chairman LEDC

Michael Kamerlander, Secretary LEDC

City of Lockhart, Texas

Council Agenda Item Briefing Data

COUNCIL MEETING DATE: November 5, 2020

AGENDA ITEM CAPTION: Discussion and/or action regarding the Lockhart Economic Development bylaws, providing amendments and clarifications.

ORIGINATING DEPARTMENT AND CONTACT: Mike Kamerlander, Director, Economic Development. mkamerlander@lockhart-tx.org

ACTION REQUESTED:

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

BACKGROUND/SUMMARY/DISCUSSION:

The LEDC Bylaws have not been updated since the corporation was established. There are clarifications throughout and the addition of an attendance policy for the board. The LEDC board meets monthly. In following other boards and commissions of the City an attendance policy is being recommended.

Changes to the bylaws:

- Article 1: Adding, "Codified as Chapters 501-505, Texas Local Government Code," and, "Type B Economic Development Corporation," to reflect the current state laws and codes.
- Article 2 Section 1: General clean-up of typos
- Article 2 Section 2: Re-lettered the subsections to (a) and (b). (b) is the new attendance policy: "Any director who is absent from any three consecutive regular meetings, or any four non-consecutive regular meetings of the Board during any twelve-month period, shall forfeit his or her office and the vacancy occurring shall be filled by the City Council."
- Article 2 Section 3: Clarification for notices of special meetings and emergency meetings. Special meetings require the 72-hour posting period while emergency meetings require at least 2 hours' notice. This was unclear in the original bylaws.
- Remaining Articles are simply a clean-up of typos and spacing.
- City Council approval is required to amend the Bylaws.

PROJECT SCHEDULE (if applicable): N/A

AMOUNT & SOURCE OF FUNDING:
Funds Required:

Finance Review initials _____

Account Number:
Funds Available:
Account Name:

FISCAL NOTE (if applicable):

Previous Council Action: None

COMMITTEE/BOARD/COMMISSION ACTION: LEDC Board unanimously passed the attached bylaw changes at its October 19, 2020 regular board meeting.

STAFF RECOMMENDATION/REQUESTED MOTION: Staff recommends adoption of the bylaws as amended.

LIST OF SUPPORTING DOCUMENTS: Lockhart EDC redline bylaws; Draft Minutes of LEDC October 19, 2020 board meeting.

Department Head initials:



City Manager's Review:



BYLAWS OF
LOCKHART ECONOMIC DEVELOPMENT CORPORATION

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ARTICLE 1
PURPOSE AND POWERS

Section 1. Purpose. The Corporation is incorporated for the purposes set forth in Article Four of its Articles of Incorporation, the same to be accomplished on behalf of the City of Lockhart, Texas (the "City") as its duly constituted authority and instrumentality in accordance with the Development Corporation Act of 1979, as amended, codified as Chapters 501-505, Texas Local Government Code (formerly Article 5190.6, Vernon's Ann. Civ. St., as amended), (the "Act"), and other applicable laws.

Section 2. Powers. In the fulfillment of its corporate purpose, the Corporation shall be governed by Chapters 501 and 505 Section 48 of the Act as a Type B Economic Development Corporation, and shall have all powers set forth and conferred in its Articles of Incorporation, in the Act, and in other applicable law, subject to the limitations prescribed therein and herein and to the provisions thereof and hereof.

ARTICLE II
BOARD OF DIRECTORS

Section 1. Powers, Number and Term of Office.

(a) The property and affairs of the Corporation shall be managed and controlled by a Board of Directors (the "Board") under the guidance and direction of the Lockhart City Council and, subject to the restrictions imposed by law, by the Articles of Incorporation; and by these Bylaws, the Board shall exercise all of the powers of the Corporation.

(b) The Board shall consist of seven (7) directors, each of whom shall be appointed by the Council (the "City Council") of the City. Each director shall occupy a place (individually, the "Place" and collectively, the "Places") as designated herein. Places 1-4 are designated for Council member Directors from Councilmember Districts 1 through 4 respectively. In the event that a particular Councilmember from said District is unable or unwilling to serve in the capacity as a Director, that Councilmember shall have the right to nominate a non-councilmember for approval and appointment. Places 5-7 are designated for Citizen Member Directors.

(c) The directors constituting the first Board shall be those directors named in the Articles of Incorporation. Successor directors shall have the

qualifications, shall be of the classes of directors, and shall be appointed to the terms set forth in the Articles of Incorporation.

(d) Any director may be removed from office by the City Council at will.

Section 2. Meetings of Directors.

(a) The directors may hold their meetings at such place ~~or~~ places in the City as the Board may from time to time determine, provided, however, in the absence of any such determination by the Board, the meetings shall be held at the principal office ~~of~~ of the Corporation as specified in Article V of these Bylaws.

(b) Any director who is absent from any three consecutive regular meetings, or any four non-consecutive regular meetings of the Board during any twelve-month period, shall forfeit his or her office and the vacancy occurring shall be filled by the City Council.

Section 3. Notice of Meetings.

a) Regular meetings of the Board shall be held at such times and places as shall be designated from time to time by the Board. Special meetings of the Board shall be held whenever called the Chairman of the Board, a majority of the directors, or by a majority of the City Council

(b) The secretary shall give seventy-two (72) hours' notice to each director of each regular or special meeting in person or by mail, telephone, email, or by facsimile. The secretary shall give at least two (2) hours' notice to each director of each emergency special meeting in person or by telephone, email, ~~or~~ facsimile. Unless otherwise indicated in the notice thereof, any and all matters pertaining to the purposes of the Corporation may be considered and acted upon at a special meeting.

(c) Whenever any notice is required to be given to the Board, said notice shall be deemed to be sufficient if delivered to their home address in a sealed wrapper addressed to the person entitled thereto or by depositing same in a post office box in a sealed post-paid wrapper addressed to his or her post office address as it appears on the books of the Corporation, and such shall be deemed to have been given on the day of such mailing or delivery. Attendance of a director at a meeting shall constitute a waiver of notice of such meeting, except where director attends a meeting for the express purpose of objecting to the transaction of any business on the grounds that the meeting is not lawfully called or convened. Neither the business to be transacted at, nor the purpose of, any regular or special meeting need be specified in the notice ~~of~~ of such meeting, unless required by the Board. A waiver of notice in writing, signed by the person or person entitled to said notice, whether before or after the time stated therein, shall be deemed equivalent to the giving of such notice.

Section 4. Open Meetings Act. All meetings and deliberations of the Board shall be called, convened, held, and conducted, and notice shall be given to the

public, in accordance ~~with~~ the Texas Open Meetings Act, Government Code, Chapter 551.

Section 5. Quorum. A majority of the directors shall constitute a quorum to conduct official ~~business~~ of the Corporation. The act of a majority of the directors present at a meeting at which ~~a~~ quorum is in attendance shall constitute the act of the Board and of the Corporation, unless ~~the~~ the act of a greater number is required by law.

Section 6. Conduct of Business.

(a) At the meetings of the Board, matters pertaining to the business of the Corporation shall be considered in accordance with rules of procedure as from time to time prescribed by the Board.

(b) At all meetings of the Board, the Chairman of the Board shall preside. In the absence of the Chairman, the Vice Chairman shall preside.

(c) The Chairman will be a voting member of the Board.

(d) The Secretary of the Corporation shall act as secretary of all meetings of the Board, but in the absence of the secretary, the presiding officer may appoint any person to act as secretary of the meeting.

Section 7. Committees of the Board. The Board may designate two (2) or more directors to constitute an official committee of the Board to exercise such authority of the Board. It ~~is provided, e-2d,~~ however, that all final, official actions of the Corporation may be exercised only by a quorum of the Board. Each committee so designated shall keep regular minutes of the transactions of its meeting and shall cause such minutes to be recorded in books kept for that purpose in the principal office of the Corporation.

Section 8. Compensation of Directors. Directors shall not receive any salary or compensation for their services as directors. However, they shall be reimbursed for their actual expenses incurred in the performance of their official duties as directors.

ARTICLE III

OFFICERS

Section 1. Titles and Terms of Office.

(a) The officers of the Corporation shall be a chairman and vice-chairman of the board directors, a president, a vice president, a secretary and a treasurer, and such other officers as the Board may from time to time elect or appoint. Terms of office shall be two (2) years, ~~with the right of re-~~Officers may be reappointed.

(b) A vacancy in the office of chairman or vice-chairman shall be filled by a vote of a majority of the directors.

Section 2. Powers and Duties of the President. The president shall be the chief operating/ executive officer of the Corporation, and, subject to the authority of the Board, the president shall be in general charge of the properties and affairs of the Corporation, and execute ~~all~~ contracts, conveyances, franchises, bonds, deeds, assignments, mortgages, notes and other instruments in the name of the Corporation. The City Manager of the City of Lockhart shall be president.

Section 3. Vice President. The vice president shall have such powers and duties as may be prescribed by the Board and shall exercise the powers of the president during that officer's absence or inability to act, in their respective order. Any action taken by the vice president in the performance of the duties of the president shall be conclusive evidence by the absence or inability to act of the president at the time such action was taken. The City Manager of the City of Lockhart shall designate an appropriate City employee to be vice-president.

Section 4. Treasurer. The treasurer shall have the responsibility to see to the handling, custody, and security of all funds and securities of the Corporation in accordance with these bylaws. When necessary or proper, the treasurer may endorse and sign, on behalf of the Corporation, for collection or issuance, checks, notes, and other obligations in or drawn upon such bank, banks, or depositories as shall be designated by the Board consistent with these Bylaws. The treasurer shall see to the entry in the books of the Corporation full and accurate accounts of all monies received and paid out on account of the Corporation. The treasurer shall, at the expense of the Corporation, give such bond for the faithful discharge of his/her duties in such form and amount as the Board or the City Council may require. The City Manager of the City of Lockhart shall designate an appropriate City employee to be treasurer. All check writing authority will all applicable City policies concerning authorizations, signatures and disbursements.

Section 5. Secretary. The secretary shall keep the minutes of all meetings of the Board in books provided for that purpose, shall give and serve all notices, may sign with the president in the name of the Corporation, and/or attest the signature thereto, all contracts, conveyances, franchises, bonds, deeds, assignments, mortgages, notes and other instruments of the Corporation, shall have charge of the corporate books, records, documents and instruments, except the books of account and financial records and securities, and such other books and papers as the Board may direct, all of which shall at all reasonable times be open to public inspection upon application at the office of the Corporation during business hours, and shall in general perform all duties incident to the office of secretary subject to the control of the Board. The City Manager of the City of Lockhart shall designate an appropriate City employee to be secretary.

Section 6. Legal counsel shall be the attorney for the City and he or she shall recommend designate any other attorney needed by the Corporation.

Section 7. Compensation. Officers who are members of the Board shall not receive any salary or compensation for their services, except that they shall be reimbursed for their actual expenses incurred in the performance of their official duties as officers.

ARTICLE IV

FUNCTIONAL CORPORATE DUTIES AND REQUIREMENTS

Section 1. Lockhart Capital Improvement Plan.

(a) It shall be the duty and obligation of the Board to assist in the financing and maintenance of the Lockhart Capital Improvement Plan as adopted by the City of Lockhart.

(b) In carrying out its obligations under subsection (a), the Corporation shall be authorized to establish an enterprise fund for approved projects pursuant to the Lockhart Capital Improvement Plan. Proceeds in said enterprise fund shall be transferred to the City's appropriate fund or funds for the purposes of debt service under certificates of obligation issued pursuant to the Capital Improvement Plan as adopted by the City Council, on projects not inconsistent with Proposition Ten passed by the voters of the City of Lockhart on May 4, 1996, and not inconsistent with Article 5190.6, Section 4B, Texas Revised Civil Statutes.

(c) The Board shall periodically submit reports to the City Council as to the status of its activities in carrying out its obligations under this Section.

(d) Any and all agreements between the Corporation and other parties shall be authorized, executed, approved, and delivered in accordance with applicable law.

Section 2. Multi-year Financial Plan (the "Plan"). Prior to the beginning of the Fiscal Year, the president will submit a Multi-year Financial Plan to the City Council for approval. The Plan will detail the utilization, investment and expenditure of funds and Debt scheduling for the Corporation. The Plan will serve as the financial guide for the corporation. The Board will approve the plan prior to the adoption of the Corporation's fiscal budget.

Section 3. Annual Corporate Budget. Prior to the commencement of each Fiscal Year of the Corporation, the Board shall adopt a proposed budget of expected revenues from sources set out in Section 6 of this article and proposed expenditures for the next ensuing fiscal year. The budget shall contain such classifications and shall be in such form as may be prescribed from time to time by the City Council. The president shall submit the budget to the City Council approval prior to submittal to the Board for final adoption. The projection of revenues and all expenditures in the annual corporate budget will follow the guidelines outlined in the

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Multi-Year Financial Plan as adopted by the Board and the City Council. The budget will include administrative overhead, expenses and debt service.

Section 4. Books Records Audits.

(a) The Corporation shall keep and properly maintain, in accordance with generally accepted accounting principles, complete books, records, accounts, and financial statements pertaining to its corporate funds, activities, and affairs.

(b) At the direction of the City Council, the books, records, accounts, and financial statements of the Corporation may be maintained for the Corporation by the accountants, staff and personnel of the City.

(c) The Corporation, or the City if the option described in subsection (b) is selected, shall cause its books, records, accounts, and financial statements to be audited at least once each fiscal year by an outside, independent, auditing and accounting firm selected by the City Council and approved by the Board. Such an audit shall be at the expense of the Corporation.

Section 5. Deposit and Investment of Corporation Funds.

(a) All proceeds from loans or from the issuance of bonds, notes, or other debt instruments ("Obligations") issued by the Corporation shall be deposited and invested as provided in the resolution, order, indenture, or other documents authorizing or relating to their execution or issuance.

(b) Subject to the requirements of contracts, loan agreements, indentures or other agreements securing Obligations, all other monies of the Corporation, if any, shall be deposited, secured, and/or invested in the manner provided for the deposit, security, and/or investment of the public funds of the City. The Board, with City Council approval, shall designate the accounts and depositories to be created and designated for such purposes, and the methods of withdrawal of funds therefrom for use by and for the purposes of the corporation upon the signature of its treasurer and such other persons as the Board designates. The accounts, reconciliation, and investment of such funds and accounts shall be performed by the Department of Finance of the City.

Section 6. Expenditures of Corporate Money. The sales and use taxes collected pursuant to Chapter 505 Section 4B of the Act and the proceeds from the investment of funds of the Corporation, the proceeds from the sale of property, and the proceeds derived from the sale of Obligations, may be expended by the Corporation for any of the purposes authorized by the Act, subject to the following limitations:

(i) Expenditures from the proceeds of Obligations shall be identified and described in the orders, resolutions, indentures, or other agreements submitted for the approval by the City Council prior to the execution of loan or financing

agreements or the sale and delivery of the Obligations to the purchasers thereof required by Section 7 of this Article;

(ii) Expenditures that may be made from a fund created with the proceeds of Obligations, and expenditures of monies derived from sources other than the proceeds of Obligations may be used for the purpose of financing or otherwise providing one or more "Projects", as defined in Chapter 505-Section 4B of the act. Expenditures shall be detailed in the Corporation's annual budget as approved by City Council and Board resolutions;

(iii) All proposed expenditures shall be made in accordance with and shall be set forth in the Corporation's annual budget required by Section 3 of this Article or in contracts meeting the requirements of Section 1(d) of this Article.

Section 7. Issuance of Obligations. No obligations, including refunding obligations, shall be authorized or sold and delivered by the Corporation unless the City Council shall approve such Obligations by action taken prior to the date of sale of the obligations.

ARTICLE V

MISCELLANEOUS PROVISIONS

Section 1. Principal Office.

(a) The principal office and the registered office of the Corporation shall be the registered office of the Corporation specified in the Articles of Incorporation.

(b) The Corporation shall have and shall continually designate a registered agent at its office, as required by the Act.

Section ~~1~~ 2. Fiscal Year. The fiscal year of the Corporation shall be the same as the fiscal year of the City.

Section ~~2~~ 3. Seal. The Seal of the corporation shall be determined by the Board of Directors.

Section 4. Resignations. Any director or officer may resign at any time. Such resignation shall be made in writing and shall take effect at the time specified therein, or, if no time is specified, at the time of its receipt by the Secretary. The acceptance of resignation shall not be necessary to make it effective, unless expressly so provided in the resignation.

Section 5. Approval or Advice and Consent of the City Council. To the extent that these Bylaws refer to any approval by the City or refer to advice and consent by the City Council, such advice and consent shall be evidenced by one of the following; resolution, minute order or motion duly approved by the City Council.

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Section 6. Services of City Staff and Officers. Subject to the authority of the City Manager under the Charter of the City, the Corporation shall utilize the services and the staff employees of the City. All requests for staff time or inquiries of Staff will be requested through the City Manager's Office. The Corporation shall pay reasonable compensation to the City for such services, and the performance of such services does not materially interfere with the other duties of such personnel of the City.

Section 7. Indemnification of Directors, Officers and Employees.

(a) As provided in the Act and in the Articles of Incorporation, the Corporation is, for the purposes of the Texas Tort Claims Act (Subchapter A, Chapter 101, Texas Civil Practices and Remedies Code), a governmental unit and its actions are governmental functions.

(b) The Corporation shall indemnify each and every member of the Board, its Officers and its employees, and each member of the City Council and each employee of the City, to the fullest extent permitted by law, against any and all liability or expense, including attorneys fees, incurred by any of such persons by reason of any actions or omissions that may arise out of the function; and activities of the Corporation. The attorney for the Corporation is authorized to provide defense for members of the Board, officers, and employees of the Corporation.

ARTICLE VI

EFFECTIVE DATE, AMENDMENTS

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Section 1. Effective Date. These Bylaws shall become effective upon the occurrence of the following events:

- (1) the approval of these Bylaws by the City Council; and
- (2) the adoption of these Bylaws by the Corporation Board.

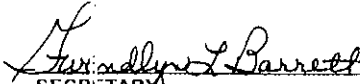
Section 2. Amendments to Articles of Incorporation and Bylaws. The Articles of Incorporation of the Corporation and these Bylaws may be amended only in the manner provided in the Articles of Incorporation and the Act.

These Bylaws were approved this the _____ day of August 1996, by the Board of Directors of the Lockhart Economic Development Corporation.

LOCKHART ECONOMIC DEVELOPMENT CORPORATION


CHAIRMAN

ATTEST:


SECRETARY

DRAFT MINUTES

LOCKHART ECONOMIC DEVELOPMENT CORPORATION

LOCKHART ECONOMIC DEVELOPMENT CORPORATION

MONDAY, OCTOBER 19, 2020
6:00 P.M.

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

Board Members Present: Alan Fielder, Chairman; Sally Daniel; Alfredo Munoz; Umesh Patel; Dyrall Thomas

Board Members Absent: Frank Estrada, Vice-Chairman; Morris Alexander

Staff Present: Mike Kamerlander, Director of Economic Development; Pam Larison, Finance Director; Steve Lewis, President; Marissa Cooney, Economic Development Specialist

1. CALL TO ORDER

The meeting was called to order by Alan Fielder, Chairman at 6:01 pm

2. PUBLIC COMMENTS

No public comments

3. PUBLIC HEARING

3.1 Hold a public hearing regarding Project Steel Cow with Iron Ox, Inc. pursuant to Sec. 505.159, Local Government Code.

Public Hearing was opened at 6:03 PM

Public Hearing was closed at 6:04 PM

No public was in attendance.

4. DISCUSSION AND/OR ACTION

4.1 Discussion and/or action regarding minutes from the September 14, 2020 meeting.

Motion to approve the minutes from the September 14, 2020 meeting.

Motion: Alfredo Munoz

Second: Dyrall Thomas

Vote: 5 of 5

Mr. Kamerlander brought up comments made by Mr. Estrada via email regarding the minutes needing amending. The board discussed Mr. Estrada's concerns and determined the minutes as presented were correct.

4.2 Discussion and/or action regarding sales tax and financial statements for September 2020.

Pam Larison gave an overview of the of the financials as well as the sales tax report. Ms. Larison noted that sales tax collections continue to outpace last year's collections and even after reconciling after the end of the Fiscal Year, she expects it remain above last year's revenue. LEDC expenditures were \$87,000 under budgeted. \$185,000 increase in cash balance at the end of the FY.

LOCKHART ECONOMIC DEVELOPMENT CORPORATION (LEDC)
MINUTES

Monday, October 19, 2020 - 6:00 P.M.

Page 1 of 3

Motion to approve the September sales tax and financial statements as presented

Motion: Alfredo Munoz Second: Sally Daniel Vote: 5 of 5

4.3 Discussion and/or action regarding adopting a Performance Agreement related to Iron Ox, Inc. for Project Steel Cow.

The Economic Development Performance agreement provides up to \$25,000 for the construction of a sidewalk along Blackjack Street as long as Iron Ox, Inc. constructs at least a 100,000 SF building, hires 28 people, and makes an investment of \$10 million within 3 years.

Motion: Sally Daniel Second: Alfredo Munoz Vote: 5 of 5

4.4 Discussion and/or action regarding Resolution 2020-02 for an economic development performance agreement with Iron Ox, Inc.

Resolution 2020-02 adopts the economic development performance agreement for Iron Ox, Inc.

Motion: Alfredo Munoz Second: Sally Daniel Vote: 5 of 5

4.5 Discussion and/or action regarding a contract for services for Specialized Finance, Inc. for financial advisory services to the LEDC.

The LEDC will need to obtain sales tax revenue bonds should Project Future continue to move forward. Specialized Finance would provide the service of obtaining those bonds. Specialized Finance is the financial advisor for the City of Lockhart and Caldwell County.

Motion: Alfredo Munoz Second: Dyrall Thomas Vote: 5 of 5

4.6 Discussion and/or action regarding the Lockhart Economic Development bylaws, providing amendments and clarifications.

The LEDC Bylaws have not been updated since the corporation was established. There are clarifications throughout and the addition of an attendance policy for the board. The LEDC board meets monthly and at these regular meetings, important items are discussed, and quorum is essential to conduct business. In following other boards and commissions of the City, like the historical commission, an attendance policy is being recommended.

Changes to the bylaws:

- Article 1: Adding, "Codified as Chapters 501-505, Texas Local Government Code," and, "Type B Economic Development Corporation," to reflect the current state laws and codes.
- Article 2 Section 1: General clean-up of typos
- Article 2 Section 2: Re-lettered the subsections to (a) and (b). (b) is the new attendance policy: "Any director who is absent from any three consecutive regular meetings, or any four non-consecutive regular meetings of the Board during any twelve-month period, shall forfeit his or her office and the vacancy occurring shall be filled by the City Council."

66

- Article 2 Section 3: Clarification for notices of special meetings and emergency meetings. Special meetings require the 72-hour posting period while emergency meetings require at least 2 hours' notice. This was unclear in the original bylaws.
- Remaining Articles are simply a clean up of typos and spacing.

Motion: Sally Daniel

Second: Umesh Patel

Vote: 5 of 5

5. EXECUTIVE SESSION

5.1 Close Open Session and Convene Executive Session pursuant to Secs. 551.072 and 551.087 (Economic Development) of the Texas Open Meetings Act. Gov't Code Ch. 551, to discuss the following:

- Incentives related to Project Future
- Project Comrade
- Project Module
- Project Crimson Tide

Motion to extend an offer of incentives to Project Comrade as discussed in Executive Session.

Motion: Alfredo Munoz

Second: Sally Daniel

Vote: 5 of 5

6. DISCUSSION ONLY

6.1 Activity Updates

Mr. Kamerlander gave an update on the LEDC Staff activities for September 2020.

ADJOURN

Minutes approved this the _____ day of _____, 2020.

Alan Fielder, Chairman LEDC

Michael Kamerlander, Secretary LEDC

67

City of Lockhart, Tx

Council Agenda Item Briefing Data

COUNCIL MEETING DATE: November 5, 2020

AGENDA ITEM CAPTION: Discussion and/or action to consider Resolution 2020-26 approving the certified property tax roll for the 2020 tax year.

ORIGINATING DEPARTMENT AND CONTACT: Finance – Pam Larison

ACTION REQUESTED:

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

BACKGROUND/SUMMARY/DISCUSSION: Section 26.09 of the Property Tax Code requires approval by the City Council of the City of Lockhart for the Property Tax Roll, with the tax amount presented by the Caldwell County Appraisal District for the 2020 tax year.

The 2020 Property Tax Roll contains final amounts due totaling \$5,196,719.41. This amount is \$618,891 in excess of the budgeted amount of \$4,577,828 (\$867,945 being for debt service).

PROJECT SCHEDULE (if applicable):

AMOUNT & SOURCE OF FUNDING:

Finance Review initials 

FISCAL NOTE (if applicable):

Previous Council Action:

COMMITTEE/BOARD/COMMISSION ACTION:

STAFF RECOMMENDATION/REQUESTED MOTION: Approval of final property tax roll for 2020.

LIST OF SUPPORTING DOCUMENTS: Resolution 2020-26; Letter from CCAD; Copy of Tax Roll Totals from CCAD.

Department Head initials:

City Manager's Review:



RESOLUTION 2020-26

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOCKHART, TEXAS APPROVING THE PROPERTY TAX APPRAISAL ROLL, WITH TAX AMOUNT, PRESENTED BY THE CALDWELL COUNTY APPRAISAL DISTRICT FOR THE 2020 TAX YEAR, PURSUANT TO TEXAS TAX CODE, SECTION 26.09.

WHEREAS, Section 26.09 of the Property Tax Code requires approval by the City Council of the City of Lockhart appraisal roll with tax amounts entered by the assessor, for the tax year 2020; and

WHEREAS, such roll was presented to the City of Lockhart on November 5, 2020 and appears in all things correct under the applicable laws of Texas; and

WHEREAS, said City Council voted in open session to approve said roll.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lockhart that the appraisal roll with amounts due totaling \$5,196,719.41 for the year 2020 is approved and is the tax roll for the City of Lockhart, Texas for the year 2020.

PASSED and APPROVED this the 5th day of November, 2020.

CITY OF LOCKHART

Lew White, Mayor

ATTEST:

APPROVED AS TO FORM:

Connie Constancio, TRMC, City Secretary

Monte Akers, City Attorney

69

Caldwell County Appraisal District

10/15/20


City of Lockhart
City Manager
PO Box 239
Lockhart TX 78644

RE: Resolution for 2020 tax roll

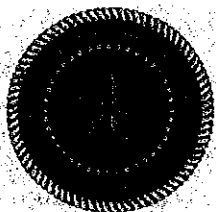
I have enclosed for your use a resolution to be used for approval of the 2020 tax roll, along with a copy of the totals from the tax roll. The resolution should be adopted at the next meeting of your governing body as formal approval of the 2020 tax roll.

If you have any questions, please feel free to contact me at (512) 398-5550 ext #207.

Thank you,


Shanna Ramzinski
Chief Appraiser

Encl: Resolution
Levy Totals



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

PHONE (512) 398-5550
FAX (512) 398-5551
E-MAIL general@caldwellcad.org
WEB SITE www.caldwellcad.org

70

2020 LEVY TOTALS

CLH - City of Lockhart

Property Count: 6,212

10/13/2020

3:06:59PM

Land		Value			
Homesite:		108,048,084			
Non Homesite:		149,896,284			
Ag Market:		43,474,411			
Timber Market:		0	Total Land	(+)	301,418,779
Improvement		Value			
Homesite:		343,862,261			
Non Homesite:		368,053,567	Total Improvements	(+)	711,915,828
Non Real		Count	Value		
Personal Property:	635	57,953,566			
Mineral Property:	13	21,096			
Autos:	0	0	Total Non Real	(+)	57,974,662
			Market Value	=	1,071,309,269
Ag		Non Exempt	Exempt		
Total Productivity Market:	43,474,411	0			
Ag Use:	710,891	0	Productivity Loss	(-)	42,763,520
Timber Use:	0	0	Appraised Value	=	1,028,545,749
Productivity Loss:	42,763,520	0			
			Homestead Cap	(-)	28,173,592
			Assessed Value	=	1,000,372,157
			Total Exemptions Amount	(-)	155,389,504
			(Breakdown on Next Page)		
			Net Taxable	=	844,982,653

Freeze	Assessed	Taxable	Actual Tax	Ceiling	Count		
DP	11,396,040	10,542,839	54,537.22	57,615.27	94		
OV65	143,233,203	130,535,336	642,302.78	651,576.46	905		
Total	154,629,243	141,078,175	696,840.00	709,191.73	999	Freeze Taxable	(-) 141,078,175
Tax Rate	0.635400						
						Freeze Adjusted Taxable	= 703,904,478

Levy Info			
M&O Rate:	0.552100	M&O Tax:	4,515,437.34
I&S Rate:	0.083300	I&S Tax:	681,282.07
Protected I&S Rate:	0.000000	Protected I&S Tax:	0.00
		Ag Penalty:	0.00
		PP Late Penalty:	0.00
		Total Levy	5,196,719.41
Tax Increment Finance Value:			0
Tax Increment Finance Levy:			0.00

71

2020 LEVY TOTALS

CLH - City of Lockhart

Property Count: 6,212

10/13/2020

3:07:10PM

Exemption Breakdown

Exemption	Count	Local	State	Total
DP	101	0	0	0
DV1	26	0	228,000	228,000
DV2	23	0	190,500	190,500
DV3	24	0	240,000	240,000
DV4	68	0	496,930	496,930
DV4S	3	0	36,000	36,000
DVHS	49	0	9,089,806	9,089,806
DVHSS	1	0	158,460	158,460
EX	8	0	2,652,110	2,652,110
EX-XF	2	0	35,350	35,350
EX-XG	2	0	2,474,300	2,474,300
EX-XL	3	0	426,470	426,470
EX-XR	1	0	21,020	21,020
EX-XU	2	0	863,600	863,600
EX-XV	198	0	127,877,670	127,877,670
EX366	29	0	6,470	6,470
FR	2	940,803	0	940,803
OV65	972	9,394,442	0	9,394,442
OV65S	7	70,000	0	70,000
PC	1	0	0	0
SO	12	187,573	0	187,573
Totals		10,592,818	144,796,686	155,389,504

2020 LEVY TOTALS

Property Count: 10

CLH - City of Lockhart
Under ARB Review Totals

10/13/2020

3:06:59PM

Land		Value			
Homesite:		0			
Non Homesite:		1,328,140			
Ag Market:		0			
Timber Market:		0	Total Land	(+) 1,328,140	
Improvement		Value			
Homesite:		0			
Non Homesite:		1,449,170	Total Improvements	(+) 1,449,170	
Non Real		Count	Value		
Personal Property:	6		1,514,490		
Mineral Property:	0		0		
Autos:	0		0	Total Non Real	(+) 1,514,490
				Market Value	= 4,291,800
Ag		Non Exempt	Exempt		
Total Productivity Market:	0		0		
Ag Use:	0		0	Productivity Loss	(-) 0
Timber Use:	0		0	Appraised Value	= 4,291,800
Productivity Loss:	0		0	Homestead Cap	(-) 0
				Assessed Value	= 4,291,800
				Total Exemptions Amount (Breakdown on Next Page)	(-) 0
				Net Taxable	= 4,291,800

Tax Increment Finance Value: 0
 Tax Increment Finance Levy: 0.00

73

2020 LEVY TOTALS

CLH - City of Lockhart

10/13/2020

3:07:10PM

Exemption Breakdown

Exemption	Count	Local	State	Total
	Totals			

2020 LEVY TOTALS

CLH - City of Lockhart
Grand Totals

Property Count: 6,222

10/13/2020

3:06:59PM

Land		Value			
Homesite:		108,048,084			
Non Homesite:		151,224,424			
Ag Market:		43,474,411			
Timber Market:		0	Total Land	(+) 302,746,919	
Improvement		Value			
Homesite:		343,862,261			
Non Homesite:		369,502,737	Total Improvements	(+) 713,364,998	
Non Real		Count	Value		
Personal Property:	641		59,468,056		
Mineral Property:	13		21,096		
Autos:	0		0	Total Non Real	(+) 59,489,152
			Market Value	= 1,075,601,069	
Ag		Non Exempt	Exempt		
Total Productivity Market:	43,474,411		0		
Ag Use:	710,891		0	Productivity Loss	(-) 42,763,520
Timber Use:	0		0	Appraised Value	= 1,032,837,549
Productivity Loss:	42,763,520		0	Homestead Cap	(-) 28,173,592
				Assessed Value	= 1,004,663,957
				Total Exemptions Amount	(-) 155,389,504
				(Breakdown on Next Page)	
				Net Taxable	= 849,274,453

Freeze	Assessed	Taxable	Actual Tax	Ceiling	Count		
DP	11,396,040	10,542,839	54,537.22	57,615.27	94		
OV65	143,233,203	130,535,336	642,302.78	651,576.46	905		
Total	154,629,243	141,078,175	696,840.00	709,191.73	999	Freeze Taxable	(-) 141,078,175
Tax Rate	0.635400						
						Freeze Adjusted Taxable	= 708,196,278

Levy Info				
M&O Rate:	0.552100	M&O Tax:	4,515,437.34	
I&S Rate:	0.083300	I&S Tax:	681,282.07	
Protected I&S Rate:	0.000000	Protected I&S Tax:	0.00	
		Ag Penalty:	0.00	
		PP Late Penalty:	0.00	
			Total Levy	5,196,719.41
Tax Increment Finance Value:	0			
Tax Increment Finance Levy:	0.00			

75

2020 LEVY TOTALS**Exemption Breakdown**

Exemption	Count	Local	State	Total
DP	101	0	0	0
DV1	26	0	228,000	228,000
DV2	23	0	190,500	190,500
DV3	24	0	240,000	240,000
DV4	68	0	496,930	496,930
DV4S	3	0	36,000	36,000
DVHS	49	0	9,089,806	9,089,806
DVHSS	1	0	158,460	158,460
EX	8	0	2,652,110	2,652,110
EX-XF	2	0	35,350	35,350
EX-XG	2	0	2,474,300	2,474,300
EX-XL	3	0	426,470	426,470
EX-XR	1	0	21,020	21,020
EX-XU	2	0	863,600	863,600
EX-XV	198	0	127,877,670	127,877,670
EX366	29	0	6,470	6,470
FR	2	940,803	0	940,803
OV65	972	9,394,442	0	9,394,442
OV65S	7	70,000	0	70,000
PC	1	0	0	0
SO	12	187,573	0	187,573
Totals		10,592,818	144,796,686	155,389,504

City of Lockhart, Tx

Council Agenda Item Briefing Data

COUNCIL MEETING DATE: November 5, 2020

AGENDA ITEM CAPTION: Discussion and/or action to consider approval of Ordinance 2020-26 hereby amending Chapter 58, Division 2, captioned "Electric Rates Computation", Sections 58-71 through 58-74 of the Code of Ordinances, including references to the Electric Rate Mitigation Policy and designating a new acronym for the Rate Mitigation Charge throughout these sections.

ORIGINATING DEPARTMENT AND CONTACT: Finance – Pam Larison

ACTION REQUESTED:

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

BACKGROUND/SUMMARY:

In 2014, staff was instructed to start a Rate Mitigation Fund in which customers would contribute a rate set by Council to lower electric billings during peak months such as, but not restricted to, July through September. During this time a mitigation rate fund use guideline was established and to be used when applying credits to customers' rates.

In 2018 with Ordinance 2018-23, Council defined the Rate Mitigation Charge and set a rate at \$0.0026 per kWh by adding it to Chapter 58, Division 2, Sections 58-71 through 58-74.

With increasing growth in the City of Lockhart and corresponding new utility accounts, it is staff's conclusion that the guidelines need to be amended. The proposed policy would allow for growth and would allow for the rate mitigation credits to be returned to the customer within the same year.

In summary, the responsibility of the Finance department will be to maintain a rolling average of monthly kilowatt usage from LCRA and AEP. For every month that the kWh's are above 6.5% of the rolling average, the Finance Director will credit the wholesale power purchase charge by \$0.0052; no more than six months per fiscal year. (see attached rate mitigation analysis chart)

AMOUNT & SOURCE OF FUNDING:

Finance Review initials _____

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

STAFF RECOMMENDATION/REQUESTED MOTION: Staff respectfully request approval of the ordinance as presented.

LIST OF SUPPORTING DOCUMENTS: Ordinance 2020-26, 2020 Electric Rate Mitigation Fund Policy, rate mitigation analysis chart, copy of Ordinance 2018-23, copy of prior Rate Mitigation Fund Use Guidelines, .

Department Head initials:

City Manager's Review:


ORDINANCE 2020-26

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LOCKHART, TEXAS AMENDING CHAPTER 58, DIVISION 2, CAPTIONED “ELECTRIC RATES COMPUTATION”, SECTIONS 58-71 THROUGH 58-74 OF THE CODE OF ORDINANCES, INCLUDING REFERENCES TO THE ELECTRIC RATE MITIGATION POLICY AND DESIGNATING A NEW ACRONYM FOR THE RATE MITIGATION CHARGE THROUGHOUT THESE SECTIONS; PROVIDING FOR SEVERABILITY; PROVIDING A REPEALER; PROVIDING FOR PUBLICATION; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City of Lockhart desires to adopt an electric rate mitigation fund policy that will allow staff to apply the electric rate mitigation credit to the retailer’s wholesale power purchase cost during times of the year where electric power is more expensive; and

WHEREAS, retail customers will benefit from the application of this policy by seeing a reduction in their electric costs during varying months of peak usage; and

WHEREAS, the electric rate mitigation policy must be incorporated into the existing ordinance for it to have the desired effect; and

WHEREAS, existing acronyms that refer to the rate mitigation charge are inaccurate.

NOW, THEREFORE, be it ordained by the City council of the City of Lockhart, Texas that Sections 58-71 through 58-74 of the Code of Ordinances, City of Lockhart, Texas hereby amended to read as follows:

Sec. 58-71. – Definitions and applications.

(14) The *rate mitigation charge* (RMC) is that rate set to produce funds to lower electric billings during peak use months designated by the Electric Rate Mitigation Policy. The rate funds reduce power costs for all customers.

[all other subsections remain unchanged]

Sec. 58-72. – Computation of purchased power cost and local charges.

- (a) The purchased power cost (PPC) shall be applicable to all classes of customers for each kilowatt hour consumed and shall be computed as follows: the total purchased power cost (PPC) from the LCRA invoice of the previous month which includes all applicable fees and mandated charges shall be divided by the total number of kilowatt hours on the LCRA invoice, multiplied by the local system line loss factor, unbilled kilowatt hour factor (city accounts), and transfers of not more than 1.14816 which may vary by rate class and season, plus any other rates as may be publicly approved by the council as determined during each annual budget preparation and approved by the city council; such charges shall be subject to adjustments for revenues after publication and as approved by the city council. The local charges for all rate classes shall include a fixed charge, a system charge, a demand charge (where applicable), a capital improvement rate (CIR) charge, and a rate mitigation charge (RMC). The fund derived from the CIR charge shall be set aside in a special fund to supplement costs for capital improvements, upgrades, extensions of the electrical distribution system, electrical related emergencies, electrical substation repair or improvements, and other electricity related uses as allowed by state law and approved by the city council in open session. The fund derived from RMC shall be set aside in a special fund to lower electric billings during peak use months as designated by the Electric Rate Mitigation Policy.

[all other subsections remain unchanged]

Sec. 58-73. – Residential rates.

(5) A RMC charge \$0.00260 for all kilowatt hours consumed.

[all other subsections remain unchanged]

Sec. 58-74. – General service non-demand and demand rates.

(a) All general service non-demand customers as defined in this division shall have monthly electric rates as follows:

(5) A RMC of \$0.00260 for all kilowatt hours consumed.

(b) All general service demand customers as defined in this division shall have monthly electric rates set as follows:

(8) A RMC of \$0.00260 for all kilowatt hours consumed.

[all other subsections remain unchanged]

II. 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.

III. 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.

IV. 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.

V. 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 or any other portion, provision or regulation.

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 _____, 2020.

CITY OF LOCKHART

Lew White, Mayor

ATTEST:

APPROVED AS TO FORM:

Connie Constancio, TRMC, City Secretary

Monte Akers, City Attorney

City of Lockhart
Electric Rate Mitigation Fund Policy
November 5, 2020

The purpose of the Electric Rate Mitigation Fund shall be to mitigate rate changes that are directly attributed to wholesale power purchase cost in order to benefit retail customers by averaging retail rates and reducing their volatility. The funds retained will be earmarked for use only in adjusting the monthly bills to customers by mitigating rate changes directly attributed to wholesale power cost. The targeted amount on an annual basis shall be to distribute adjustments to customers that equals that of their annual contribution. These target amounts may be amended or suspended by action of the City Council and shall be reviewed at a minimum annually by the City Council.

Application of Electric Rate Mitigation Credit (ERMC):

A rolling average of total kWh's used by the City of Lockhart will be maintained monthly by the finance department. During the months that the kWh's reaches 6.5% above the rolling average, the ERMC will be applied to the retailer's wholesale power purchase cost in the amount of 0.0052/kWh. This credit will be applied no more than six times during a fiscal year.

The fiduciary responsibility of appropriately accounting for the mitigation of funds shall be borne by the Finance Director. The Finance Director on a monthly basis shall assess the Electric Rate Mitigation fund balance. The Finance Director shall determine the amount of credit to be passed through to customers in the ERMC Credit that would provide for an equal but stable balance. The Finance Director shall then make a recommendation to the City Manager. Upon approval of the recommendation, the Finance Director shall formally codify the assessment and the applicable ERMC Credit in an ordinance to be approved by Council.

Defined Terms:

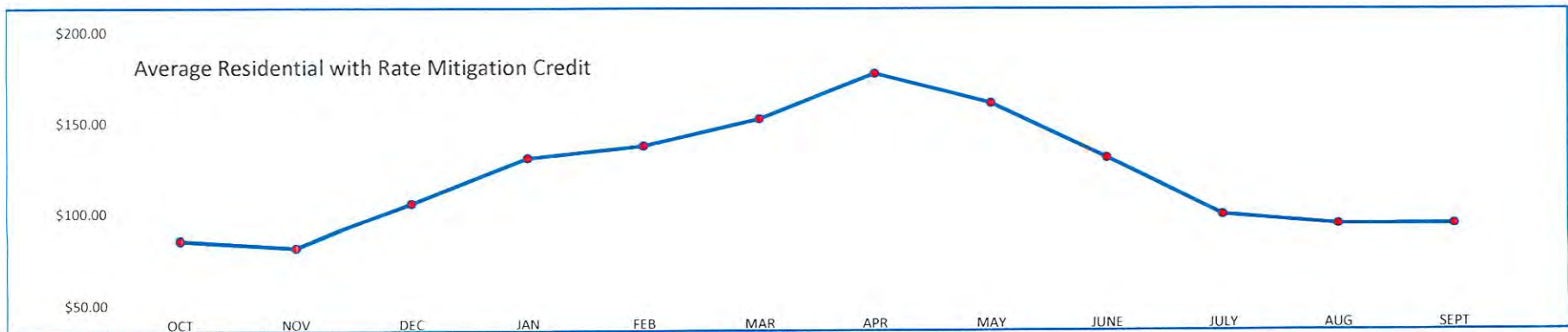
1. Rate Mitigation Charge (RMC): \$0.0026 per kWh.
2. Electric Rate Mitigation Credit (ERMC): amount in \$/kWh credit applied to retailer's power purchase cost no more than six times per fiscal year to reduce rate mitigation fund balance.

Rate Mitigation Analysis

	JAN	FEB	MAR	APR	MAY	JUNE	JULY	AUG	SEPT	OCT	NOV	DEC
2020	8,323,532	8,520,734	7,913,983	7,865,667	9,886,109	11,293,115	13,464,957	13,752,404	9,977,284			
2019	9,692,250	8,161,970	8,571,077	7,827,329	9,985,886	10,789,055	12,996,980	14,500,171	12,743,046	9,719,613	8,545,161	8,817,720
2018	10,659,322	8,224,874	7,513,477	7,551,952	10,886,481	12,586,366	13,561,889	14,057,430	10,732,922	9,188,568	8,688,864	9,292,174

CURRENT ROLLING	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUNE	JULY	AUG	SEPT
	9,719,613	8,545,161	8,817,720	8,323,532	8,520,734	7,913,983	7,865,667	9,886,109	11,293,115	13,464,957	13,752,404	9,977,284

DEBIT ACCTS	0.0026	0.0026	0.0026	0.0026	0.0026	0.0026	0.0026	0.0026	0.0026	0.0026	0.0026	0.0026
CREDIT ACCTS							0.0052	0.0052	0.0052	0.0052	0.0052	0.0052



ORDINANCE 2018-23

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LOCKHART, TEXAS AMENDING CHAPTER 58, DIVISION 2, CAPTIONED "ELECTRIC RATES COMPUTATION", SECTIONS 58-71 THROUGH 58-74 OF THE CODE OF ORDINANCES, DEFINING THE MITIGATION RATE CHARGE AND DESCRIBING ITS USE IN ALL SECTIONS, AND RESULTING IN NO ELECTRIC RATE INCREASE; PROVIDING FOR SEVERABILITY; PROVIDING A REPEALER; PROVIDING FOR PUBLICATION; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the Lockhart City Council instructed staff in July, 2014, to start a Rate Mitigation Fund to lower electric rates during peak electric use periods; and

WHEREAS, a Mitigation Rate Charge (MRC) is included in the current ordinance as: "and other rates as may be publicly approved by Council," which does not clearly define the rate and describe what the funds are to be used for; and

WHEREAS, the City Council desires to define the MRC and to appropriately describe what its funds can be used for; and

WHEREAS, the City Council finds that the Mitigation Rate Charge serves the public purpose of providing for lower electric rates during peak electric use periods.

NOW, THEREFORE, be it ordained by the City Council of the City of Lockhart, Texas that Sections 58-71 through 58-74 of the Code of Ordinances, City of Lockhart, Texas are hereby amended to read as follows:

I.

Sec. 58-71. - Definitions and applications.

(14) *The rate mitigation charge (RMC)* is that rate set to produce funds to lower electric billings during peak use months such as, but not restricted to, July through September. The rate funds reduce power costs for all customers.

[all other subsections remain unchanged]

Sec. 58-72. - Computation of purchased power cost and local charges.

(a) The purchased power cost (PPC) shall be applicable to all classes of customers for each kilowatt hour consumed and shall be computed as follows: the total purchased power cost (PPC) from the LCRA invoice of the previous month which includes all applicable fees and mandated charges shall be divided by the total number of kilowatt hours on the LCRA invoice, multiplied by the local system line loss factor, unbilled kilowatt hour factor (City Accounts), and transfers of not more than 1.14816 which may vary by rate class and season, plus any other rates as may be publicly approved by the council as determined during each annual budget preparation and approved by the city council; such charges shall be subject to adjustments for revenues after publication and as approved by the city council. The local charges for all rate classes shall include a fixed charge, a system charge, a demand charge (where applicable), a capital improvement rate (CIR) charge, and a Mitigation Rate Charge (RMC). The fund derived from the

CIR charge shall be set aside in a special fund to supplement costs for capital improvements, upgrades, extensions of the electrical distribution system, electrical related emergencies, electrical substation repair or improvements, and other electricity related uses as allowed by state law and approved by the city council in open session. The fund derived from MRC shall be set aside in a special fund to lower electric billings during peak use months such as, but not restricted to, July through September.

[all other subsections remain unchanged]

Sec. 58-73. - Residential rates.

(5) A MRC charge \$0.00260 for all kilowatt hours consumed.

[all other subsections remain unchanged]

Sec. 58-74. - General service non-demand and demand rates.

(a) All general service non-demand customers as defined in this division shall have monthly electric rates as follows:

(5) A MRC of \$0.00260 for all kilowatt hours consumed. .

(b) All general service demand customers as defined in this division shall have monthly electric rates set as follows:

(8) A MRC of \$0.00260 for all kilowatt hours consumed. .

[all other subsections remain unchanged]

II. 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.

III. 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.

IV. 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.

V. 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 or any other portion, provision or regulation.

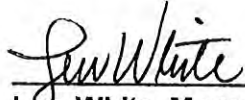
VI. Effective Date: This ordinance shall become effective and be in full force upon passage.

20f3
Ord 2018-23

83

PASSED, APPROVED, AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF LOCKHART, TEXAS, ON THIS THE 25th DAY OF September, 2018.

CITY OF LOCKHART



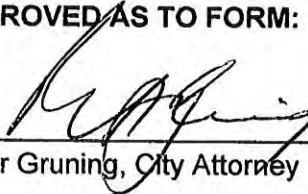
Lew White, Mayor

ATTEST:



Connie Constancio, TRMC, City Secretary

APPROVED AS TO FORM:



Peter Gruning, City Attorney



3063
Ord 2018-23

84

MITIGATION RATE FUND USE GUIDELINE

TOTAL KWH on Bills	RATE MITIGATION AMOUNT (Mills)
Less than 6 million	\$0.0000
6 million to 6.999 million	\$0.0020
7 million to 7.999 million	\$0.0025
8 million to 8.999 million	\$0.0030
9 million to 9.999 million	\$0.0035
10 million plus	\$0.0040

NOTE: Always monitor the balance in the Rate Mitigation Fund BEFORE applying the credit. Watch for credits on the LCRA bill; if an LCRA credit lowers the rate lower than if the appropriate mitigation rate were applied, don't apply the Mitigation Rate Credit.

City of Lockhart, Texas

Council Agenda Item Briefing Data

COUNCIL MEETING DATE: November 5, 2020

AGENDA ITEM CAPTION:

Discussion and/or action to consider the Mayor's declaration of local disaster regarding requiring face coverings, and addressing other matters related to COVID-19, if necessary.

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

ACTION REQUESTED:

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

BACKGROUND/SUMMARY/DISCUSSION:

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

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

Effective October 14, 2020 and pursuant to GA-32, Caldwell County Judge Hoppy Haden elected to allow bars or similar establishments to operate with in-person service up to 50% of the total listed occupancy, provided that the businesses follow the recommended minimum standard health protocols. Consistent with protocols for restaurants, all patrons must be seated while eating or drinking and must wear masks when they are not seated at a table. Additionally, tables must be limited to six individuals or less and all establishments must follow specific curfew guidelines. The COVID-19 safety protocols will be enforced through spot-checks by law enforcement and County officials. If an establishment is not following the protocols established by DSHS and Governor Abbot, it will be closed by the County Judge until further notice.

During the October 20, 2020 meeting, the consensus of the City Council was to leave the social gathering limit at 10 individuals and to continue the requirement to post notice of the facial covering requirement.

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

COMMITTEE/BOARD/COMMISSION ACTION: None.

STAFF RECOMMENDATION/REQUESTED MOTION: None.

LIST OF SUPPORTING DOCUMENTS:

Resolution 2020-20, GA-29, GA-32 and Press Release by Judge Hoppy Haden regarding Opening Bars that includes the Texas Department of State Health's Minimum Standard Health Protocols.

Department Head initials:

City Manager's Review:



RESOLUTION NO. 2020-20

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOCKHART, TEXAS, RENEWING AND ADOPTING A REQUIREMENT THAT COMMERCIAL ESTABLISHMENTS IN THE CITY POST A NOTICE THAT FACIAL COVERINGS ARE REQUIRED OF PERSONS ENTERING SUCH ESTABLISHMENTS

WHEREAS, by amended Declaration of State Declaration of Local State of Disaster related to the Coronavirus pandemic, effective on June 25, 2020 at 11:59 p.m., the Mayor or Lockhart required all commercial entities in the City providing goods or services directly to the public to require, at a minimum, that all employees and visitors wear facial covering of the nose and mouth while on the commercial entity's business premises or other facilities except in certain circumstances; and

WHEREAS, the amended Declaration provided an attached notice of the requirement for facial coverings and ordered that it be posted at the entrances to each commercial establishment or other conspicuous location sufficient to provide notice to employees and visitors of all health and safety requirements; and

WHEREAS, by Executive Order GA-29 issued by the Governor of Texas, effective statewide July 3, 2020, every person in Texas was required to wear a face covering over the nose and mouth when inside a commercial entity or other building or space open to the public, or when in an outdoor public space, wherever it is not feasible to maintain six feet of social distancing from another person not in the same household, except in certain enumerated circumstances listed in the order; and

WHEREAS, the City Council of Lockhart desires to renew and adopt the requirement that the notice that was attached to the amended Declaration be posted at the entrances to each commercial establishment or other conspicuous location sufficient to provide notice to employees and visitors of the requirement for facial covering and other health-related rules, which notice was not required under GA-29;

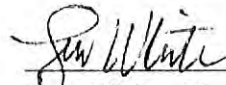
NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LOCKHART, that:

1. The foregoing recitals are adopted and incorporated herein for all purposes.

2. Effective immediately, a notice of the requirement for facial coverings, in the form attached, shall be posted in the City of Lockhart at the entrances to each commercial establishment or other conspicuous location sufficient to provide notice to employees and visitors of the requirement for facial coverings and other health and safety requirements.
3. The requirement that such notice be posted shall remain in effect until terminated or amended by the City Council of Lockhart.

APPROVED AND ADOPTED on this the 1st day of September 2020.

CITY OF LOCKHART



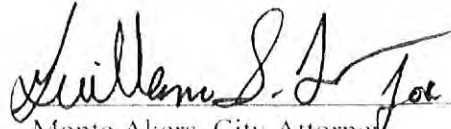
Lew White, Mayor

ATTEST:



Connie Constancio, City Secretary

Approved as to form:



Monte Akers, City Attorney

NOTICE

FACIAL COVERING REQUIRED

BY ORDER OF THE MAYOR OF LOCKHART UNDER THE TEXAS DISASTER ACT OF 1975:

All persons over the age of 10 entering, working, or visiting this establishment are required to wear covering over the nose and mouth for the purpose of slowing the spread of the COVID-19 virus and promoting the re-opening of the Lockhart economy.

Your cooperation is both critical and appreciated to protect public health and safety. We look forward to serving you with your mask.



AVISO

SE REQUIERE MASCARILLA

POR ORDEN DEL ALCALDE DE LOCKHART BAJO LA LEY DE DESASTRES DE TEXAS DE 1975:

Todas las personas mayores de 10 años que entren, trabajen o visiten este establecimiento están requeridos a cubrirse la nariz y la boca para el propósito de lentar el sparcimiento del virus de COVID-19 y promoviendo la reapertura de la economía de Lockhart.

Su cooperación es ambos críticos y apreciados para proteger la salud y la seguridad publica. Esperamos servirle con máscara.



Executive Order

BY THE
GOVERNOR OF THE STATE OF TEXAS

Executive Department
Austin, Texas
July 2, 2020

EXECUTIVE ORDER
GA 29

Relating to the use of face coverings during the COVID-19 disaster.

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

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

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

WHEREAS, I have issued executive orders and suspensions of Texas laws in response to COVID-19, aimed at using the least restrictive means available to protect the health and safety of Texans and ensure an effective response to this disaster; and

WHEREAS, as Texas reopens in the midst of COVID-19, increased spread is to be expected, and the key to controlling the spread and keeping Texans safe is for all people to consistently follow good hygiene and social-distancing practices; and

WHEREAS, due to recent substantial increases in COVID-19 positive cases, and increases in the COVID-19 positivity rate and hospitalizations resulting from COVID-19, further measures are needed to achieve the least restrictive means for reducing the growing spread of COVID-19, and to avoid a need for more extreme measures; and

WHEREAS, I have joined the medical experts in consistently encouraging people to use face coverings, and health authorities have repeatedly emphasized that wearing face coverings is one of the most important and effective tools for reducing the spread of COVID-19; and

WHEREAS, given the current status of COVID-19 in Texas, requiring the use of face coverings is a targeted response that can combat the threat to public health using the least restrictive means, and if people follow this requirement, more extreme measures may be avoided; and

WHEREAS, wearing a face covering is important not only to protect oneself, but also to avoid unknowingly harming fellow Texans, especially given that many people who go into public may have COVID-19 without knowing it because they have no symptoms; and

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SECRETARY OF STATE
2:30pm O'CLOCK

JUL 02 2020

WHEREAS, the "governor is responsible for meeting the dangers to the state and people presented by disasters" under Section 418.011 of the Texas Government Code and the legislature has given the governor broad authority to fulfill that responsibility; and

WHEREAS, failure to comply with any executive order issued during the COVID-19 disaster is an offense punishable under Section 418.173 by fine;

NOW, THEREFORE, I, Greg Abbott, Governor of Texas, by virtue of the power and authority vested in me by the Constitution and laws of the State of Texas, do hereby order the following on a statewide basis effective at 12:01 p.m. on July 3, 2020:

Every person in Texas shall wear a face covering over the nose and mouth when inside a commercial entity or other building or space open to the public, or when in an outdoor public space, wherever it is not feasible to maintain six feet of social distancing from another person not in the same household; provided, however, that this face-covering requirement does not apply to the following:

1. any person younger than 10 years of age;
2. any person with a medical condition or disability that prevents wearing a face covering;
3. any person while the person is consuming food or drink, or is seated at a restaurant to eat or drink;
4. any person while the person is (a) exercising outdoors or engaging in physical activity outdoors, and (b) maintaining a safe distance from other people not in the same household;
5. any person while the person is driving alone or with passengers who are part of the same household as the driver;
6. any person obtaining a service that requires temporary removal of the face covering for security surveillance, screening, or a need for specific access to the face, such as while visiting a bank or while obtaining a personal-care service involving the face, but only to the extent necessary for the temporary removal;
7. any person while the person is in a swimming pool, lake, or similar body of water;
8. any person who is voting, assisting a voter, serving as a poll watcher, or actively administering an election, but wearing a face covering is strongly encouraged;
9. any person who is actively providing or obtaining access to religious worship, but wearing a face covering is strongly encouraged;
10. any person while the person is giving a speech for a broadcast or to an audience; or
11. any person in a county (a) that meets the requisite criteria promulgated by

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SECRETARY OF STATE
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JUL 02 2020

92

(the Texas Division of Emergency Management (TDEM) regarding minimal cases of COVID-19, and (b) whose county judge has affirmatively opted-out of this face-covering requirement by filing with TDEM the required face-covering attestation form—provided, however, that wearing a face covering is highly recommended, and every county is strongly encouraged to follow these face-covering standards.

Not excepted from this face-covering requirement is any person attending a protest or demonstration involving more than 10 people and who is not practicing safe social distancing of six feet from other people not in the same household.

TDEM shall maintain on its website a list of counties that are not subject to this face-covering requirement pursuant to paragraph number 11. The list can be found at: www.tdem.texas.gov/ga29.

Following a verbal or written warning for a first-time violator of this face-covering requirement, a person's second violation shall be punishable by a fine not to exceed \$250. Each subsequent violation shall be punishable by a fine not to exceed \$250 per violation.

Local law enforcement and other local officials, as appropriate, can and should enforce this executive order, Executive Order GA-28, and other effective executive orders, as well as local restrictions that are consistent with this executive order and other effective executive orders. But no law enforcement or other official may detain, arrest, or confine in jail any person for a violation of this executive order or for related non-violent, non-felony offenses that are predicated on a violation of this executive order; provided, however, that any official with authority to enforce this executive order may act to enforce trespassing laws and remove violators at the request of a business establishment or other property owner.

This executive order hereby prohibits confinement in jail as a penalty for the violation of any face-covering order by any jurisdiction.

Executive Order GA-28 is hereby amended to delete from paragraph number 15 the phrase: “, but no jurisdiction can impose a civil or criminal penalty for failure to wear a face covering.”

The governor may by proclamation amend this executive order or add to the list of people to whom this face-covering requirement does not apply.

This executive order does not supersede Executive Orders GA-10, GA-13, GA-17, GA-19, GA-24, GA-25, GA-27, or GA-28 as amended. This executive order shall remain in effect and in full force until modified, amended, rescinded, or superseded by the governor.

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SECRETARY OF STATE
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JUL 02 2020



Given under my hand this the 2nd
day of July, 2020.

A handwritten signature in cursive script that reads "Greg Abbott".

GREG ABBOTT
Governor

ATTESTED BY:

A handwritten signature in cursive script that reads "Ruth R. Hughs".

RUTH R. HUGHS
Secretary of State

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SECRETARY OF STATE
2:30 PM 0106004

JUL 02 2020

94

Executive Order

BY THE
GOVERNOR OF THE STATE OF TEXAS

Executive Department
Austin, Texas
October 7, 2020

EXECUTIVE ORDER
GA 32

Relating to the continued response to the COVID-19 disaster as Texas reopens.

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

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

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

WHEREAS, I issued Executive Order GA-08 on March 19, 2020, mandating certain social-distancing restrictions for Texans in accordance with guidelines promulgated by President Donald J. Trump and the Centers for Disease Control and Prevention (CDC); and

WHEREAS, I issued Executive Order GA-14 on March 31, 2020, expanding the social-distancing restrictions for Texans based on guidance from health experts and the President; and

WHEREAS, I subsequently issued Executive Orders GA-16, GA-18, GA-21, GA-23, and GA-26 from April through early June 2020, aiming to achieve the least restrictive means of combatting the threat to public health by continuing certain social-distancing restrictions, while implementing a safe, strategic plan to reopen Texas; and

WHEREAS, as Texas reopens in the midst of COVID-19, increased spread is to be expected, and the key to controlling the spread and keeping Texas residents safe is for all Texans to consistently follow good hygiene and social-distancing practices, especially those set forth in the minimum standard health protocols from the Texas Department of State Health Services (DSHS); and

WHEREAS, in June 2020, Texas experienced substantial increases in COVID-19 cases and hospitalizations, necessitating targeted and temporary adjustments to the reopening plan to achieve the least restrictive means for reducing the growing spread of COVID-19 and the resulting imminent threat to public health, and to avoid a need for more extreme measures; and

WHEREAS, I therefore issued Executive Orders GA-28 and GA-29 in late June and early

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SECRETARY OF STATE
3PM O'CLOCK

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July 2020, respectively, and amended Executive Order GA-28 by proclamation on July 2, 2020; and

WHEREAS, due to improved medical treatments for COVID-19 patients, substantial increases in testing, abundant supplies of personal protective equipment, and Texans' adherence to safe practices like social distancing, hand sanitizing, and use of face coverings, the spread of COVID-19 and the number of new COVID-19 cases and hospitalizations have steadily and significantly declined since late July; and

WHEREAS, I therefore issued Executive Orders GA-30 and GA-31 on September 17, 2020, allowing additional reopening and non-essential medical surgeries and procedures in Texas, except in some areas with high hospitalizations as defined in those orders; and

WHEREAS, as Texas continues to reopen, everyone must act safely, and to that end, this executive order and prior executive orders provide that all persons should follow the health protocols from DSHS, which whenever achieved will mean compliance with the minimum standards for safely reopening, but which should not be used to fault those who act in good faith but can only substantially comply with the standards in light of scarce resources and other extenuating COVID-19 circumstances; and

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

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

WHEREAS, failure to comply with any executive order issued during the COVID-19 disaster is an offense punishable under Section 418.173 by a fine not to exceed \$1,000, and may be subject to regulatory enforcement;

NOW, THEREFORE, I, Greg Abbott, Governor of Texas, by virtue of the power and authority vested in me by the Constitution and laws of the State of Texas, and in accordance with guidance from the Commissioner of the Texas Department of State Health Services, Dr. John Hellerstedt, other medical advisors, the White House, and the CDC, do hereby order the following on a statewide basis effective at 12:01 a.m. on October 14, 2020:

Every business establishment in Texas shall operate at no more than 75 percent of the total listed occupancy of the establishment, provided, however, that:

1. There is no occupancy limit for the following:
 - a. any services listed by the U.S. Department of Homeland Security's Cybersecurity and Infrastructure Security Agency (CISA) in its Guidance on the Essential Critical Infrastructure Workforce, Version 4.0 or any subsequent version;
 - b. religious services, including those conducted in churches, congregations, and houses of worship;
 - c. local government operations, including county and municipal governmental operations relating to licensing (including marriage licenses), permitting, recordation, and document-filing services, as determined by the local government.

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96

- d. child-care services;
 - e. youth camps, including but not limited to those defined as such under Chapter 141 of the Texas Health and Safety Code, and including all summer camps and other daytime and overnight camps for youths;
 - f. recreational sports programs for youths and adults;
 - g. any public or private schools, and any public or private institutions of higher education, not already covered above;
 - h. drive-in concerts, movies, or similar events, under guidelines that facilitate appropriate social distancing, that generally require spectators to remain in their vehicles, and that minimize in-person contact between people who are not in the same household or vehicle; and
 - i. the following establishments that operate with at least six feet of social distancing between work stations: cosmetology salons, hair salons, barber shops, nail salons/shops, and other establishments where licensed cosmetologists or barbers practice their trade; massage establishments and other facilities where licensed massage therapists or other persons licensed or otherwise authorized to practice under Chapter 455 of the Texas Occupations Code practice their trade; and other personal-care and beauty services such as tanning salons, tattoo studios, piercing studios, hair removal services, and hair loss treatment and growth services.
2. In areas with high hospitalizations as defined below, any business establishment that otherwise would have a 75 percent occupancy or operating limit may operate at up to only 50 percent. This paragraph does not apply, however, to business establishments located in a county that has filed with DSHS, and is in compliance with, the requisite attestation form promulgated by DSHS regarding minimal cases of COVID-19.
- "Areas with high hospitalizations" means any Trauma Service Area that has had seven consecutive days in which the number of COVID-19 hospitalized patients as a percentage of total hospital capacity exceeds 15 percent, until such time as the Trauma Service Area has seven consecutive days in which the number of COVID-19 hospitalized patients as a percentage of total hospital capacity is 15 percent or less. A current list of areas with high hospitalizations will be maintained at www.dshs.texas.gov/ga3031.
3. Except as provided below by paragraph No. 5, there is no occupancy limit for outdoor areas, events, and establishments, with the exception of the following outdoor areas, events, or establishments that may operate at no more than 75 or 50 percent, as applicable, of the normal operating limits as determined by the owner:
- a. amusement parks;
 - b. water parks;
 - c. swimming pools;
 - d. museums and libraries; and
 - e. zoos, aquariums, natural caverns, and similar facilities.
4. All indoor and outdoor professional, collegiate, and similar sporting events, including rodeos and equestrian events, shall remain limited to 50 percent of the normal operating limits as determined by the owner.
5. For any outdoor gathering in excess of 10 people, including rafting, tubing, and related services, other than those set forth above in paragraph Nos. 1, 3, or 4, the gathering is prohibited unless the mayor of the city in which the gathering is held, or the county judge in the case of a gathering in an unincorporated area, approves of the gathering, and such approval can be made subject to certain conditions or restrictions not inconsistent with this executive order.

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SECRETARY OF STATE
3PM O'CLOCK

OCT 07 2020

97

6. Restaurants that have less than 51 percent of their gross receipts from the sale of alcoholic beverages, and whose customers eat or drink only while seated, may offer dine-in services.
7. Bars or similar establishments that hold a permit from the Texas Alcoholic Beverage Commission (TABC), and are not restaurants as defined above in paragraph No. 6, may offer on-premises services only as described by this paragraph. A bar or similar establishment may offer on-premises services at up to 50 percent of the total listed occupancy of the establishment *if*:
 - a. the bar or similar establishment is not in an area with high hospitalizations as defined above, and the county judge of the county in which the bar or similar establishment is located files the requisite form with TABC; or
 - b. the bar or similar establishment is in an area with high hospitalizations as defined above, but is located in a county that has filed with DSHS, and is in compliance with, the requisite attestation form promulgated by DSHS regarding minimal cases of COVID-19, and the county judge of the county in which the bar or similar establishment is located also files the requisite form with TABC.

Patrons at bars or similar establishments operating under this paragraph may eat or drink only while seated, except that in an establishment that holds a permit from TABC as a brewer, distiller/rectifier, or winery, customers may sample beverages while standing so long as they are in a group of six people or fewer and there is at least six feet of social distancing or engineering controls, such as partitions, between groups.

Where applicable, this 50 percent occupancy limit applies only indoors; the limit does not apply to outdoor areas, events, or establishments, although social distancing and other protocols must be followed.

People shall not visit bars or similar establishments that are located in counties not included in parts (a) or (b) above. A current list of all counties reopening under this paragraph will be maintained on TABC's website.

The use by bars or similar establishments of drive-thru, pickup, or delivery options for food and drinks remains allowed to the extent authorized by TABC.

8. For purposes of this executive order, facilities with retractable roofs are considered indoor facilities, whether the roof is opened or closed.
9. Staff members are not included in determining operating levels, except for manufacturing services and office workers.
10. Except as provided in this executive order or in the minimum standard health protocols recommended by DSHS, found at www.dshs.texas.gov/coronavirus, people shall not be in groups larger than 10 and shall maintain six feet of social distancing from those not in their group.
11. People over the age of 65 are strongly encouraged to stay at home as much as possible, to maintain appropriate distance from any member of the household who has been out of the residence in the previous 14 days, and, if leaving the home, to implement social distancing and to practice good hygiene, environmental cleanliness, and sanitation.
12. In providing or obtaining services, every person (including individuals, businesses, and other legal entities) should use good-faith efforts and available resources to follow the minimum standard health protocols recommended by DSHS.
13. Nothing in this executive order or the DSHS minimum standards precludes requiring a customer to follow additional hygiene measures when obtaining

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SECRETARY OF STATE
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services.

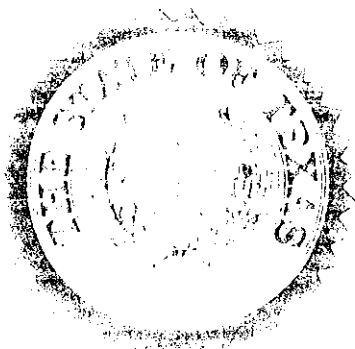
14. People may visit nursing homes, state-supported living centers, assisted living facilities, or long-term care facilities as determined through guidance from the Texas Health and Human Services Commission (HHSC). Nursing homes, state-supported living centers, assisted living facilities, and long-term care facilities should follow infection control policies and practices set forth by HHSC, including minimizing the movement of staff between facilities whenever possible.
15. Public schools may operate as provided by, and under the minimum standard health protocols found in, guidance issued by the Texas Education Agency (TEA). Private schools and institutions of higher education are encouraged to establish similar standards.

Notwithstanding anything herein to the contrary, the governor may by proclamation add to the list of establishments or venues that people shall not visit.

This executive order shall supersede any conflicting order issued by local officials in response to the COVID-19 disaster, but only to the extent that such a local order restricts services allowed by this executive order, allows gatherings prohibited by this executive order, or expands the list or scope of services as set forth in this executive order. Pursuant to Section 418.016(a) of the Texas Government Code, I hereby suspend Sections 418.1015(b) and 418.108 of the Texas Government Code, Chapter 81, Subchapter E of the Texas Health and Safety Code, and any other relevant statutes, to the extent necessary to ensure that local officials do not impose restrictions in response to the COVID-19 disaster that are inconsistent with this executive order, provided that local officials may enforce this executive order as well as local restrictions that are consistent with this executive order.

All existing state executive orders relating to COVID-19 are amended to eliminate confinement in jail as an available penalty for violating the executive orders. To the extent any order issued by local officials in response to the COVID-19 disaster would allow confinement in jail as an available penalty for violating a COVID-19-related order, that order allowing confinement in jail is superseded, and I hereby suspend all relevant laws to the extent necessary to ensure that local officials do not confine people in jail for violating any executive order or local order issued in response to the COVID-19 disaster.

This executive order supersedes Executive Order GA-30, but does not supersede Executive Orders GA-10, GA-13, GA-17, GA-24, GA-25, GA-29, or GA-31. This executive order shall remain in effect and in full force unless it is modified, amended, rescinded, or superseded by the governor. This executive order may also be amended by proclamation of the governor.



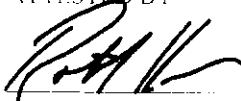
Given under my hand this 7th
day of October, 2020.



GREG ABBOTT
Governor

RECEIVED
OCT 10 2020
10:00 AM
OFFICE OF THE GOVERNOR
STATE OF TEXAS

ATTESTED BY



RUTH R. HUGHES
Secretary of State

100

10/10/2020
10:00 AM

Caldwell County Commission
10 South Adams Street
Lockport, TX 75844
Tel: 361.984.8181

10/10/2020
10:00 AM

10/10/2020
10:00 AM

Barbara Smith
Commissioner Precinct 2

10/10/2020
10:00 AM

Edward "Bud" Brown
Commissioner Precinct 3



J. L. Brown
Commissioner Precinct 4

Edge Hopper Haden to Open Bars In Caldwell County
Oct. 9, 2020 - Caldwell County, Texas - Press Release

Edge Hopper Haden, Caldwell County Commissioner Precinct 1, announced today that he will be opening bars in Caldwell County on October 15, 2020. Haden said that he believes that opening bars is the best way to help the local economy and that he will be working with the local business community to ensure that the bars are safe and compliant with all health and safety regulations. Haden also said that he will be working with the local law enforcement agencies to ensure that the bars are properly monitored and that there is no illegal activity taking place.

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10/10/2020
10:00 AM

MINIMUM STANDARD HEALTH PROTOCOLS

CHECKLIST FOR BARS OR SIMILAR ESTABLISHMENTS

Effective October 14, 2020, the County Judge of each county may choose to opt in with the Texas Alcoholic Beverage Commission (TABC) to allow bars or similar establishments to operate with in-person service. Bars or similar establishments located in counties that have opted in may operate for in-person service up to 50% of the total listed occupancy inside the bar or similar establishment, but all customers must be seated while eating or drinking at the bar or similar establishment. There is no occupancy limit outdoors at a bar or similar establishment. Bar or similar establishment employees are not counted toward the occupancy limitation. For these purposes, bars or similar establishments are establishments with a permit from TABC that are not otherwise considered restaurants. All employees and customers must wear a face covering (over the nose and mouth) wherever it is not feasible to maintain 6 feet of social distancing from another individual not in the same household, except when seated at the bar or similar establishment to eat or drink.

The following are the minimum recommended health protocols for all bars or similar establishments choosing to operate in Texas. Bars or similar establishments may adopt additional protocols consistent with their specific needs and circumstances to help protect the health and safety of all employees, contractors, and customers.

The virus that causes COVID-19 can be spread to others by infected persons who have no symptoms, even if an infected person is only mildly ill. The virus is then usually spread to other persons through respiratory droplets that they are 6 feet or closer to and are breathing, coughing, or sneezing. The virus is also spread through the contact nature of the infected person's hands touching surfaces that other persons touch. The virus can also be spread through contact with contaminated surfaces and medical equipment in Texas. The virus can also be spread through contact with contaminated water. We will continue to follow the CDC's guidance that prohibits eating, drinking, and smoking in public places.

Please note, public health guidance cannot anticipate or address every unique situation. Bars or similar establishments should stay informed and take actions based on common sense and wise judgment that will protect health and support economic revitalization. Bars or similar establishments should also be mindful of federal and state employment and disability laws, workplace safety standards, and accessibility standards to address the needs of both workers and customers.

Health protocols for serving your customers:

- Customers may not loiter at the bar or in commonly trafficked areas, and should remain seated at tables at the bar or similar establishment.
 - Only provide service to seated individuals, except as provided below.
 - Breweries, wineries, and distilleries may serve customers standing at a counter if the customers are sampling products from the establishment. Groups at the counter may not exceed 6 individuals, and must be separated from other groups by either 6 feet of separation or an engineering control such as a partition.
- Groups must maintain at least 6 feet of distance from other groups at all times, including while waiting to be seated in the bar or similar establishment. The 6 feet of distance between groups seated at different tables is not required if the bar or similar establishment provides engineering controls, such as a partition, between the tables.
 - A booth may be next to another booth as long as a partition is constructed between the booths, and that partition is at least 6 feet tall above ground level.
 - Tables should generally be at least 6 feet apart from any part of another table. However, a bar or similar establishment may have tables at least 4 feet apart from any part of another table, provided the bar or similar establishment uses a partition between the tables that is at least 6 feet tall and 6 feet wide.

MINIMUM STANDARD HEALTH PROTOCOLS

BARS OR SIMILAR ESTABLISHMENTS: Page 2 of 4

- As recommended by the bar and nightclub industry, keep dance floors closed. Activities that enable close human contact are discouraged.
- Pathways for patrons' ingress and egress should be clear and unobstructed.
- Designate staff to ensure customers maintain a 6-foot distance between groups if customers are waiting to enter the bar or similar establishment.
- A hand sanitizing station should be available upon entry to the establishment.
- No tables of more than 6 people.
- Dining:
 - Do not leave condiments, silverware, flatware, glassware, or other traditional table top items on an unoccupied table.
 - Provide condiments only upon request, and in single use (non-reusable) portions or in reusable containers that are cleaned and disinfected after each use.
 - Use disposable menus (new for each patron), or clean and disinfect reusable menus after each use.
 - If a buffet is offered, employees should serve the food to customers.
- Ensure spacing of individuals within the establishment to keep a 6-foot distance between individuals in different groups.**
 - Tables or chairs must be installed to seat all customers to maintain social distancing, and may not be moved.
 - Consider positioning an unoccupied table or other object adjacent to each occupied table, creating space to permanently maintain a 6-foot distance between groups.
 - Take orders from customers seated at a table or by web/phone application.
- Contactless payment is encouraged. Where not available, contact should be minimized. Both parties should wash or sanitize hands after the payment process.

Health protocols for your employees and contractors:

- Train all employees and contractors on appropriate cleaning and disinfection, hand hygiene, and respiratory etiquette.
- Screen employees and contractors before coming into the bar or similar establishment:
 - Send home any employee or contractor who has any of the following new or worsening signs or symptoms of possible COVID-19:

<ul style="list-style-type: none"> - Cough - Shortness of breath or difficulty breathing - Chills - Repeated shaking with chills - Muscle pain - Headache 	<ul style="list-style-type: none"> - Sore throat - Loss of taste or smell - Diarrhea - Feeling feverish or a measured temperature greater than or equal to 100.0 degrees Fahrenheit - Known close contact with a person who is lab confirmed to have COVID-19
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MINIMUM STANDARD HEALTH PROTOCOLS



BARS OR SIMILAR ESTABLISHMENTS: Page 3 of 4

- Do not allow employees or contractors with the new or worsening signs or symptoms listed above to return to work until:
 - In the case of an employee or contractor who was diagnosed with COVID-19, the individual meets all three of the following criteria: at least three days (72 hours) have passed *since recovery* (resolution of fever without the use of fever-reducing medications); and the individual has *improvement* in symptoms (*e.g.*, cough, shortness of breath); and at least ten days have passed *since symptoms first appeared*; or
 - In the case of an employee or contractor who has symptoms that could be COVID-19 and does not get evaluated by a medical professional or tested for COVID-19, the individual should be assumed to have COVID-19, and the individual may not return to work until the individual has completed the same three-step criteria listed above; or
 - If the employee or contractor has symptoms that could be COVID-19 and wants to return to work before completing the above self-isolation period, the individual must obtain a medical professional's note clearing the individual for return based on an alternative diagnosis.
- Do not allow an employee or contractor with known close contact to a person who is lab-confirmed to have COVID-19 to return to work until the end of the 14-day self-quarantine period from the last date of exposure (with an exception granted for healthcare workers and critical infrastructure workers).

Have employees and contractors wash or sanitize their hands upon entering the bar or similar establishment, and between interactions with customers.

Have employees and contractors maintain at least 6 feet of separation from other individuals. If this distancing is not feasible, measures such as face covering, hand hygiene, cough etiquette, cleanliness, and sanitation should be rigorously practiced.

Health protocols for your facilities:

- Consider having an employee or contractor manage and control access to the bar or similar establishment, including opening doors to prevent attendees from touching door handles.
- Take steps to ensure 6 feet of social distancing is maintained at the bar or similar establishment between individual patrons, between patrons and waitstaff, and between patrons and bar items such as clean glassware and ice. Such separation may be obtained by ensuring bartenders remain at least 6 feet from customers at the bar, such as by taping off or otherwise blocking bartenders from being within 6 feet of a seated customer, or the use of engineering controls, such as dividers, to keep individuals and/or the bar separate from other individuals.**
- Regularly and frequently clean and disinfect any regularly touched surfaces, such as doorknobs, tables, and chairs.
- Regularly and frequently clean restrooms, and document the cleanings.
- Disinfect any items that customers contact.
- Make hand sanitizer, disinfecting wipes, soap and water, or similar disinfectant readily available to employees and customers.
- Consider placing _____ at the bar or similar establishment to remind everyone of best hygiene practices.
- Clean and disinfect the area used by customers (*e.g.*, tables, chairs, etc.) after each group of customers depart, including the disinfecting of tables, chairs, stalls, and countertops.

MINIMUM STANDARD HEALTH PROTOCOLS

BARS OR SIMILAR ESTABLISHMENTS: Page 4 of 4

- Clean and sanitize the bar daily.
- For bars or similar establishments with more than 10 employees and/or contractors present at one time, consider having an individual wholly or partially dedicated to ensuring the health protocols adopted by the establishment are being successfully implemented and followed.
- TABC staff should monitor bars throughout the state of Texas to ensure compliance with these protocols. TABC has the authority to suspend any license that poses an immediate threat or danger to public safety. Failure to follow these protocols may result in a 30-day license suspension for the first infraction, and a 60-day suspension for a second infraction.

If you have video game equipment or other interactive amusements:

- Assign at least one employee or contractor full time to disinfect the video games and other interactive amusements. **Continuous disinfecting is needed to protect customers.**
- Disinfect all gaming equipment before and after customer use.
- Provide equipment disinfecting products throughout facility for use on equipment.
- Ensure only one player can play a game at a time.
- Provide for at least 6 feet of separation between games.

Health protocols for valet parking services:

- Take the temperature of each employee or contractor at the beginning of each shift.
- Utilize the following personal protective equipment for employees and contractors:
 - Cloth face coverings over the nose and mouth, or, if available, non-medical grade face masks over the nose and mouth
 - Single-use disposable gloves that are changed between every interaction with customers and/or vehicles
- Vehicle door handles, ignition switch, steering wheel, and shift knob should be wiped with disinfectant as the valet employee enters and exits the vehicle.
- All workstations and work equipment should be cleaned at the start and the end of each shift, as well as every hour during the shift. These workstations should include the valet podium, key storage locker, tablets, fee computers, receipt printers, etc.
- Valet parking operators should employ contactless payment whenever possible.
- For high-volume operations, appropriate physical distancing indicators should be established to ensure customers maintain at least 6 feet of distance as they wait for their vehicle.
- Where possible, alternative parking options should be provided for customers who are uncomfortable with valet parking.
- Wash or disinfect hands upon entering a business and after any interaction with employees, other customers, or items in the business.
- Make hand sanitizer, disinfecting wipes, soap and water, or similar disinfectant readily available to employees, contractors, and customers.
- Have employees and contractors maintain at least 6 feet of separation from other individuals.

LIST OF BOARD/COMMISSION VACANCIES

Updated: August 13, 2020

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

APPLICATIONS RECEIVED TO BE ON A BOARD/COMMISSION

APPLICANT	BOARD REQUESTED	DATE RECEIVED	RESIDENCE DISTRICT
Dennis McCown	LHPC	August 10, 2020	District 2
Anna Lowe	1 st pick - Planning & Zoning 2 nd pick – LHPC	August 13, 2020	Caldwell County Resident

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

107

<p>NOTES: Lockhart Economic Dev Corp</p>	<p>LEDC Bylaws – Article II. Board of Directors Section 1. Powers, Number and Term of Office a. The property and affairs of the Corporation shall be managed and controlled by a Board of Directors (The “Board”) under the guidance and direction of the Lockhart City Council and, subject to the restrictions imposed by law, by the Articles of Incorporation, and by these Bylaws the Board shall exercise all of the powers of the Corporation. b. The Board shall consist of seven directors, each of whom shall be appointed by the City Council of the City. Each director shall occupy a place (individually the “Place” and collectively, the “Places”) as designated herein. Places 1-4 are designated for Councilmember Directors from Councilmember Districts 1 through 4 respectively. In the event that a particular Councilmember from said District is unable or unwilling to serve in the capacity as a Director, that Councilmember shall have the right to nominate a non-councilmember for approval and appointment. Places 5-7 are designated for Citizen Member Directors. c. The directors constituting the first Board shall be those directors named in the Articles of Incorporation. Successor directors shall have the qualifications, shall be of the classes of directors, and shall be appointed to the terms set forth in the Articles of Incorporation. d. Any director may be removed from office by the City Council at will.</p>
<p>NOTES: ORDINANCE RE: ALL BOARD, COMMISSION APPOINTMENTS</p>	<p>Sec. 2-209. - Rules for appointment. The city council hereby sets the following rules: (1) Except as may be established by existing city ordinances/resolutions the process for selecting members shall be open to all Lockhart citizens, who must apply for appointment, to include those applying for reappointment. Reappointment shall not be deemed automatic. (2) Council shall seek to appoint the most qualified or best persons available, while also respecting the need for diverse community opinions. (3) No member of any appointed body shall serve on more than one quasi-judicial or advisory board or commission. (4) No appointed body shall deviate from its charge, deliberate items not on its agendas, or speak for the council or City of Lockhart without council authorization. (5) Subject to other qualifications as specifically required for membership on the below boards and commissions, the city council shall have the right (but not the duty) to appoint up to two members who are not Lockhart citizens but who are residents of Caldwell County to the Lockhart Airport Advisory Board, the Eugene Clark Library Board, and the construction board of appeals.</p> <p>Section 2-210. Method of selection; number of members; terms. (a) The mayor and city councilmembers shall nominate individuals to serve on boards and commissions. Each nomination shall then be confirmed by a simple majority of the entire city council. (b) Except as provided herein, there shall be seven members appointed to each board or commission corresponding with the seven members or places of the city council. Each city councilmember, except as provided herein, shall nominate a qualified person to serve in a place on an appointed body corresponding to their place on the council. At-large councilmembers shall be designated as places 5 and 6, and the mayor's position as place 7, for the purpose of this section. Nominations shall be made to fill vacant positions and/or positions whose terms have expired within 90 days of the event, such as a resignation or an election. Should any city councilmember fail to name an appointee to one of his/her corresponding places on any body within the above described 90 days, another councilmember shall then have the privilege to nominate a person to fill that same position, as described in subsection (a). However, once that position becomes vacant again for any reason, the appointment shall revert to the place corresponding with the original city council seat/place number for nominations. (c) Beginning with the election in May, 1998, the council shall nominate and confirm four members to serve in places 1, 2, 5, 6 on each board and commission in accordance with subsections (a) and (b) above, and with the standards set in Ordinance Number 97-09, Governance Policies. With the election of May, 1999, the remaining three places shall be filled following the same procedure as above. (d) Terms of service on appointed bodies shall be the same three-year terms as the councilmember who nominates a person to serve. However, a person may be appointed to complete the unexpired term of a vacant position, due to a resignation, for example. (e) When a person has completed a term, or terms, of service and will be vacating a place, that person may continue to serve until a replacement is nominated and confirmed by the city council. (f) At the discretion of the majority of the city council, one Caldwell County resident who is also an owner of real property within any local historic district may be appointed as a full member to the historical preservation commission. (g) Exceptions to the above regulations shall be all volunteer/special purpose/ad hoc committees appointed from time to time by the city council and the zoning board of adjustments, whose members shall serve two-year terms in accordance with V.T.C.A., Local Government Code § 211.008. All other provisions of this section, and ordinance number 97-09 which do not conflict with the chapters establishing these bodies shall be applicable.</p> <p>Sec. 2-212. Removal and resignation of members. (a) All board, commission and committee members serve at the pleasure of the city council and may be removed from office with or without cause at the discretion of the city council. (b) Board, commission and committee members may resign from office at any time by filing a written resignation, dated and signed by the member, with the City Secretary. Such resignation shall take effect upon receipt by the City Secretary without further action by the city council. If the city council appoints a new member to replace the resigned member, the new member shall be appointed to serve out the remainder of the resigned member's term.</p>

108

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

109

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

Sec. 54-127 MEMBERSHIP AND MEETING FREQUENCY

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

Sec. 54-128 PURPOSE AND RESPONSIBILITY

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

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

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

Sec. 54-130 HOT FUND GRANT PROCESS GUIDELINES.

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

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

11

COUNCILMEMBER BOARD/COMMISSION APPOINTMENTS

Councilmember	Board/Commission	Appointee	Date Appointed
Mayor – Lew White	Airport Board Board of Adjustment Construction Board 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 Raymond DeLeon Alan Fielder, Vice-Chair Joe Colley, Chair John Lairsen Stephanie Riggins Albert Villalpando, Chair Paul Rodriguez Larry Metzler	12/19/17 12/19/17 06/04/19 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. Corp. ½ Cent Sales Tax Electric Board Historical Preservation Library Board Parks and Recreation Planning & Zoning	Larry Burrier Lori Rangel Mike Votee Dyral Thomas Frank Gomillion Christine Ohlendorf Shirley Williams Linda Thompson-Bennett Chris St. Leger	03/07/17 03/07/17 12/17/19 12/17/19 12/17/19 06/02/20 12/17/19 03/07/17 12/17/19 CM McGregor on behalf of Councilman Mendoza
District 2– David Bryant	Airport Board Board of Adjustment Construction Board Eco Dev. Corp. ½ Cent Sales Tax Electric Board Historical Preservation Library Board Parks and Recreation Planning & Zoning	Todd Blomerth Juan Juarez Oscar Torres Umesh Patel James Briceno Ron Faulstich Quartermetra Hughes James Torres Manuel Oliva	05/05/20 10/20/20 10/20/20 10/20/20 10/20/20 10/20/20 10/20/20 10/20/20 10/20/20

COUNCILMEMBER BOARD/COMMISSION APPOINTMENTS

District 3 – Kara McGregor	Airport Board Board of Adjustment Construction Board Eco Dev. Corp. ½ Cent Sales Tax Electric Board Historical Preservation Library Board Parks and Recreation Planning & Zoning	Ray Chandler Anne Clark, Vice-Chair Kirk Smith (Alternate) Jerry West, Vice-Chair Sally Daniel John Voigt Ronda Reagan Jean Clark Fox, Chair Warren Burnett Philip McBride, Chair	02/06/18 12/19/17 12/05/17 01/02/18 06/18/19 09/03/19 12/19/17 12/19/17 12/05/17 12/19/17
District 4 - Jeffry Michelson	Airport Board Board of Adjustment Construction Board Eco Dev. Corp. ½ Cent Sales Tax Electric Board Historical Preservation Library Board Parks and Recreation Planning & Zoning	Mark Brown, Vice-Chair Wayne Reeder Rick Winnett Morris Alexander Ian Stowe Michel Royal Donaly Brice Russell Wheeler Rick Arnic	03/07/17 12/05/17 12/05/17 12/05/17 03/06/18 07/07/20 12/05/17 12/05/17 01/15/19
Mayor Pro-Tem (At-Large) – Angie Gonzales-Sanchez	Airport Board Board of Adjustment Construction Board Eco Dev. Corp. ½ Cent Sales Tax Historical Preservation Library Board Parks and Recreation Planning & Zoning	Andrew Reyes Laura Cline, Chair Paul Martinez Alfredo Munoz Ray Ramsey Jodi King Chris Schexnayder Philip Ruiz, Vice-Chair	01/07/20 01/07/20 01/07/20 01/07/20 07/07/20 01/07/20 03/07/17 01/07/20

COUNCILMEMBER BOARD/COMMISSION APPOINTMENTS

At-Large - Brad Westmoreland	Airport Board Board of Adjustment Construction Board (Alternate) Eco Dev. Corp. ½ Cent Sales Tax Historical Preservation Library Board Parks and Recreation Planning & Zoning	Jayson “Tex” Cordova Severo Castillo Gary Shafer Frank Estrada Richard Thomson Rebecca Lockhart Dennis Placke Brad Lingvai	02/04/20 02/04/20 02/04/20 02/04/20 02/04/20 02/04/20 02/04/20 02/04/20
	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

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

114



City of Lockhart

2020-2021 Strategic Priorities

Prepared by:



City of Lockhart

Summary

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

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

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

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

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

The following are the results.

Management Team Expectations for the Day's Discussion Topics

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

City Council Expectations for the Day's Discussion Topics

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

Start/Stop/Continue

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

Start

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

Stop

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

Continue

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

Recommendations from Staff:

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

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




Goal Development from City Council:

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




- Establish a Hospital with an Emergency Room in town
- Sell church property
- Create resources via Lockhart EDC for proactive outreach to quality builders for additional housing
- Create a Youth Advisory Board to explore options around youth programs/activities
- Adopt a TIF (tax increment financing) policy prior to project being submitted
- Implement downtown drainage improvements
- Develop fiber down 142, 183, and the Central Business District
- Traffic safety improvements: turn lanes and traffic lights
- Consider submitting a multi-year street bond program to voters
- Begin TXDOT safety projects
- Promote a Neighborhood Watch Program
- Promote beautification projects through teamwork
- Clean up trash/enforcement
- Enhance lower income districts/beautification efforts









Progress Reporting

The following icons are used to document progress of the following goals and strategies:

 = Completed
 = On Target or In Progress
 = Not on Target

Goal 1: Economic Development / Planning

Strategies	2019-2020 Progress	2020-2021 Progress
1. Continue to partner with LISD and local youth organizations to encourage careers in local emergency services (Fire and Police)	 Partner with Boy Scouts to develop Police Explorer Program. Fire personnel attend and participate in LISD career days.	
2. Better collaborate with downtown stakeholders and both Chambers of Commerce		
3. Complete updating our development ordinances	 Revised Engineering Standards – presented to Council January 2020. Subdivision Regulations to follow.	







<p>4. Consider development tools to facilitate attraction / recruitment to SH 130 corridor</p>	 IEDC business park development study completed. Future consideration by LEDC.	
<p>5. Bring utilities, assist assembling parcels, rezoning tracts along SH 130/142 and become shovel-ready</p>	 Mostly done. Site development will facilitate the remainder.	
<p>6. Pursue prospects and developers and create a BRE (business retention and expansion) program</p>	 Hiring a second Economic Development practitioner.	
<p>7. Start investing in more property for growth</p>	 IEDC study.	
<p>8. Explore next industrial park</p>	 IEDC study.	
<p>9. HOT (Hotel Occupancy Tax) Funds – board to develop and adopt new process to collect payments from B&Bs</p>	 HOT Advisory Board created. Board training and funding processes under review.	
<p>10. Adopt and implement the Economic Development Strategic Plan (currently underway by Garner Economics) by Q4 2020</p>	 LEDC Board hired Garner Economics January 2020	
<p>11. Robust LEDC website</p>	 Underway with EDsuite contract.	
<p>12. Create resources via Lockhart EDC for proactive outreach to quality builders for additional housing</p>	<p><i>N/A Brand new/created in 2020</i></p>	

Strategies	2019-2020 Progress	2020-2021 Progress
13. Adopt a TIF (tax increment financing) policy prior to project being submitted	<i>N/A Brand new/created in 2020</i>	
14. Develop fiber down 142, 183, and the Central Business District	<i>N/A Brand new/created in 2020</i>	

Goal #1 KPIs / Metrics:

- Did we partner with LISD & other youth organizations to encourage emergency services careers?
- Did we collaborate with downtown stakeholders and both Chambers of Commerce?
- Did we completely update our development ordinances?
- Did we brainstorm development tools for SH-130 development?
- Did we bring utilities and assemble parcels along SH-130?
- Did we develop shovel-ready development sites?
- Did we market those sites to prospective investors?
- Did we develop plans for our next industrial park?
- Did we revamp the way HOT funds are structured?
- Did we develop and implement an Economic Development Strategic Plan?
- Did the Lockhart EDC revamp their website to better attract investment?
- # of quality home builders the Lockhart EDC proactively reached out to in 2020-2021? _____
- Did we adopt a new TIF policy?
- # of miles of new fiber optics laid in Lockhart in 2020-2021? _____

Goal 2: Quality of Life / Quality of Facilities

Strategies	2019-2020 Progress	2020-2021 Progress
1. Invest money to improve the appearance of our town (streets, parks, entry signs)	 Doubled street resurfacing funds in FY 20; Parks Master Plan projects.	
2. Conduct and implement a Space Study of City Buildings and facilities including City Hall	 Budget established for FY 20 Space Study. RFP under development.	
3. Improve the image of City facilities as needed and conduct cosmetic improvements in the meantime	 See No. 2 above.	
4. Update, renovate, and construct City facilities as needed, based on the space study. Realize that remodel of Central Fire Station is likely next.	 Electrical panel upgrade at the Water Treatment Plant; Budget established for FY 20 Space Study; Fire Station No. 2 completed.	
5. Implement the Parks Master Plan, improving the quality of life for the community. What is in Phase 2: splash pad, restroom renovations, dog park, picnic shelter upgrades, and tree planting initiatives	 Multiple Phase I projects underway.	
6. Conduct a citywide quality of life citizen survey and ask council to fund.	 Allocate funds in FY 20-21; assign project to PIO.	
7. Establish a Hospital with an Emergency Room in town	<i>N/A Brand new/created in 2020</i>	
8. Sell church property	<i>N/A Brand new/created in 2020</i>	
9. Create a Youth Advisory Board to explore options around youth programs/activities	<i>N/A Brand new/created in 2020</i>	
10. Implement downtown drainage improvements	<i>N/A Brand new/created in 2020</i>	

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

Goal #2 KPIs / Metrics:

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

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

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

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







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




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

Which facilities did we improve the image of? _____

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

Goal 3: Staffing / Personnel

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

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

Goal #3 KPIs / Metrics:

of new positions in 2019? _____

of new positions in 2020 and 2021? _____

Did we perform a staffing efficiency/compensation study?

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

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

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

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







Did we begin grooming current staff for future leadership roles?



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

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

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

Goal 4: Procedures / IT Management and Services



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





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

Goal #4 KPIs / Metrics:

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

Goal 5: Public Safety

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

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

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

Goal #5 KPIs / Metrics:

of new law enforcement officers hired in 2019? _____

of new law enforcement officers hired in 2020? _____

of new law enforcement officers hired in 2021? _____

% law enforcement officers retained? _____%

of new firefighters hired in 2019? _____

of new firefighters hired in 2020? _____

of new firefighters hired in 2021? _____

% firefighters retained? _____%

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

Conclusion

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

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



City of Lockhart

2019-2020 Strategic Priorities

Prepared by:



City of Lockhart

Summary

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

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

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

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

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

The following are the results.

Management Team Expectations for the Day's Discussion Topics

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

City Council Expectations for the Day's Discussion Topics

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

SWOT Analysis

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

Strengths

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

Weaknesses / Challenges

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

Opportunities

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

Threats

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

Start/Stop/Continue

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

Start

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

Stop

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

Continue

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

Goal 1: Economic Development / Planning

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

Goal #1 KPIs / Metrics:

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

Goal 2: Quality of Life / Quality of Facilities

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

Goal #2 KPIs / Metrics:

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

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

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

of City facilities we improved the appearance of? _____

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

Goal 3: Staffing / Personnel

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

Goal #3 KPIs / Metrics:

of new positions in 2019 and 2020? _____

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

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

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

Goal 4: Procedures / IT / Software and Hardware

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

Goal #4 KPIs / Metrics:

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

Goal 5: Public Safety

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

Goal #5 KPIs / Metrics:

of new law enforcement officers hired in 2019?

of new law enforcement officers hired in 2020?

% law enforcement officers retained?

of new firefighters hired in 2019?

of new firefighters hired in 2020?

% firefighters retained?

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

Did we develop a public safety equipment replacement schedule?

Did we implement that new replacement schedule?

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

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

Did we explore and evaluate Accreditation opportunities?

Conclusion

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

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

CITY COUNCIL FY 18-19 GOALS (FINAL COMBINED)

PRIORITY ORDER

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

CITY COUNCIL FY 18-19 GOALS (FINAL COMBINED)

PRIORITY ORDER

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



CITY COUNCIL FY 18-19 GOALS

Category Order and Comments by City Manager

Council agreed at February 13 meeting that each Councilmember will submit at least 5 category goals in priority order to the City Manager to be considered by Council at first meeting in March, 2018

CM INITIALS	PRIORITY #	GOALS IDENTIFIED BY COUNCIL FOR FY 18-19: SORTED BY CATEGORY FINAL LIST BY COUNCIL PRIORITIZED BY CATEGORY: SUBMIT TO CITY MGR BY MARCH 1 PLEASE	SUGGESTED FUNDING SOURCE BY COUNCILMEMBER	SORTED BY CATEGORY
		Improve communication between City and Chamber of Commerce	In-House	Chamber
		City Facilities	GF	City Bldgs
		Refurbish City Hall inside (making it more inviting)	Gen Fund	City Bldgs
		Prepare Fire Station 3 (so we can have main station remodeled)	Gen Fund	City Bldgs
		Hire A City Manager, Hire a City Manager that is Well Rounded and Experienced and Will Help our City to Continue to Grow for the right and positive reasons. To hire a City Manager that will allow our Department Heads to Grow and Improve Our Departments with their recommended suggestions not only from our department heads but from our employees. Working Smarter not Harder.	GF	City Manager
		More code enforcement of codes directed at unsightly properties	In-House	Code Enforc
		Continue demo of unsafe structures and pursue liens aggressively	GF	Code Enforc
		Convention Center. Our city is growing and there are too many events, programs and conferences that are going to other surrounding areas to have these events and those surrounding area businesses are benefitting and money is being spent in those areas instead on money being spent in our city. Granted, we do have meeting facilities in our city but these meeting facilities do not accomodate the number of people for the above events that have been mentioned.	GF	Convention Center
		Downtown improvements-lighting, pedestrian safety, south plaza idea? Sculpture? Sidewalk mosaics?	GF	Downtown
		Economic development, creating and retaining jobs, grocery campaign	general fund, LEDC	Econo Devl
		Economic Development		Econo Devl
		Expand economic development (by helping to spread the word & being more involved)	Gen Fund	Econo Devl
		Economic Development: Recruit more businesses especailly retail and continue efforts; contact existing and vacant building owners to see if they are willing to work with the City of Lockhart to bring retail businesses and speciality shops, as well as industrial. Purchase buildings and land when on the market for possible new businesses for the city. Art Galleries and Music Venues have increased within our downtown area and though many many not appreciate these type of business and or venues, it is good for our downtown and its livelihood. Let's work on getting more of the speciality shops and boutiques in or around the sqaure.	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, especailly during the holidays. I did appreciate that the city employees were allowed to stay home during our icy, sleet and snow days. The safety of our employees is very important.	GF	Employees
		Subdivision developemnt to attract more businesses to Lockhart. Increase the number of homes, apartments, housing. Our city is growing with new citizens wanting to make Lockhart their home but due to the number of housing available, they wait and or possibly lose interest.	GF	Housing
		Infrastructure	GF	Infrastructure
		Infrastructure improvement- uncurbed streets, street rehab	GF	Infrastructure
		Improve Streets (repairs)	In-House	Infrastructure

CM INITIALS	PRIORITY #	GOALS IDENTIFIED BY COUNCIL FOR FY 18-19: SORTED BY CATEGORY FINAL LIST BY COUNCIL PRIORITIZED BY CATEGORY: SUBMIT TO CITY MGR BY MARCH 1 PLEASE	SUGGESTED FUNDING SOURCE BY COUNCILMEMBER	SORTED BY CATEGORY
		Infrastructure: Continue City Infrastructure: Drainage, Street Repairs, Completion of Curbing, Brighter Lighting in Neighborhoods	GF	Infrastructure
		Angled parking for N Main and N Commerce Streets (change during downtown project)	In-House	Parking Downtown
		Parking around and surrounding the square. Issues with larger vehicles parked in areas that are narrow and that make it hard to see oncoming traffic. Our city is growing and we have been very fortunate with our parking however, it is a concern especially when you have the bigger and wider trucks that are parked in an area that is for a moderate size car. It becomes a hazard and a blind spot when trying to reverse out of the parking space and a blind spot for any and all pedestrians.	GF	Parking Downtown
		Continue to work on City Park improvements	Gen Fund	Parks
		Revive all City parks	Grants	Parks
		Work with LISD to establish a community recreation center at Adams Gym, perhaps under Parks (PUBLIC HEALTH/PARKS)	General Fund/Parks & Rec	Parks
		Add 3 positions to the Parks Department, to help facilitate other improvements (PARKS)	General Fund/Parks & Rec	Parks
		Park improvements - consider medium to long range Town branch development	GF	Parks
		Develop a dog park as part of the Stueve Lane Monte Vista Tract (PARKS/ANIMAL SHELTER/PUBLIC HEALTH)	General Fund/Parks & Rec	Parks
		Parks Improvemens: Purchase and update the park equipment to provide safe and fun filled parks for all to use.	GF	Parks
		Start Planning for 2040 plan	GF	Planning
		Police	GF	Police
		Continued Police Community committee involvement, neighborhood watch, gang awareness	GF	Police
		Work with Police Department to bring back drug enforcement program	Gen Fund	Police
		Get back to Neighborhood Townhall Meetings	GF	Police
		Police Task Force: Budget extra funds for a Police Task Force, a Narcotics Officer and a Mental Health Officer to address any drug and gang related problems and mental issues our city is being faced not only on the East side of our city but citywide. Budget for updated training for our police officers. There is alot of training that is free but alot additional money for registration fees and course material. I am grateful that the Police Department did invest in our Drug Dog and is being utilized by the school as well.	GF	Police
		High School cadet programs for police, fire, EMS	GF	Police/Fire
		Public relations position to deal with social media	GF	Public Relations
		Get the word out about Lockhart (promoting, hiring a Public Relations person)	Gen Fund	Public Relations
		Sidewalk repair and expansion	GF	Sidewalks
		Signage in Lockhart (highway, downtown, and toll road)	Gen Fund	Signage
		Wayfinding, branding - develop new entry sign and city property markers	GF	Signage
		Move Forward with St Paul property project	In-House	St Paul Gift
		Develop an oral history project to support a future "Walking Tour" app for Lockhart (ECONOMIC DEV/DOWNTOWN)	General Fund/Fundraising	Tourism
		More Events to Attract Tourism in Lockhart and Include Way Finding Signage (Hotels and Restaurants). Added events, especially the events that are free to the public do very well for the city as well as for the businesses and tourism. I welcome new events to the city but need to be selective in the events that we do host.	GF	Tourism
		Create a Good Neighbor program (Lockhart Utility Customers can add an additional amount to utility bill to help others)	GF	Utility Customers

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		Access to Municipal Court for Utility Payments	In-House	Utility Customers
		Free public wifi on the square as part of the redevelopment on the North side (ECONOMIC DEV/DOWNTOWN)	CAPCOG Grant?	Wifi
		Free public wifi on the square as part of the redevelopment on the North side	GF	Wifi

CM INITIALS	PRIORITY #	GOALS IDENTIFIED BY COUNCIL FOR FY 18-19: SORTED BY CATEGORY	SUGGESTED FUNDING SOURCE BY COUNCILMEMBER	SORTED BY CATEGORY	CITY MANAGER COMMENTS
BW	7	Improve communication between City and Chamber of Commerce	In-House	Chamber	City Staff works together with Chambers on all their events by being a co-sponsor with many in-kind services. Robert Tobias attends their meetings and periodically makes presentations about Economic Development issues.
JC	4	City Facilities	GF	City Bldgs	Budget for roofs and major repairs
JEFF M	5	Refurbish City Hall inside (making it more inviting)	Gen Fund	City Bldgs	Working on it; repairs to ceiling in progress, restrooms to be refurbished and replace signage with more informative directions.
JEFF M	7	Prepare Fire Station 3 (so we can have main station remodeled)	Gen Fund	City Bldgs	New plans will be prepared working with new Chief who has different ideas than the previous Chief
AGS	1	Hire A City Manager. Hire a City Manager that is Well Rounded and Experienced and Will Help our City to Continue to Grow for the right and positive reasons. To hire a City Manager that will allow our Department Heads to Grow and Improve Our Departments with their recommended suggestions not only from our department heads but from our employees. Working Smarter not Harder.	GF	City Manager	I concur. The current City Mgr has rode back of garbage trucks, climbed electrical poles, worked water/sewer/asphalt/concrete projects, and has been a utility collections clerk, and during these experiences learned the value of suggestions for charge that comes from employees in such positions. All department heads/supervisors are encouraged to listen to employees who have constructive ideas that would benefit in performing assigned tasks. City Mgr has also learned there are employees who keep there hands in their pockets and talk while everyone else is working and these are the same ones who are often found to be dishonest in their paperwork, sleep on the job, and have a poor attendance record.
BW	1	More code enforcement of codes directed at unsightly properties	In-House	Code Enforc	Will continue to address as complaints come in and as found during investigation outings.
LW	8	Continue demo of unsafe structures and pursue liens aggressively	GF	Code Enforc	Will continue to address and City Attorney exploring process to recover demolition costs
AGS	11	Convention Center. Our city is growing and there are too many events, programs and conferences that are going to other surrounding areas to have these events and those surrounding area businesses are benefitting and money is being spent in those areas instead on money being spent in our city. Granted, we do have meeting facilities in our city but these meeting facilities do not accommodate the number of people for the above events that have been mentioned.	GF	Convention Center	HOT funds and/or Bond Issue. Maintenance funds will be a minimum of \$150,000 annually not including director's salary, utilities, and insurance.
LW	9	Downtown improvements-lighting, pedestrian safety, south plaza idea? Sculpture? Sidewalk mosaics?	GF	Downtown	CAPCOG/CO project will address
LW	1	Economic development, creating and retaining jobs, grocery campaign	general fund, LEDC	Econo Devl	Robert Tobias working with several companies now
JC	2	Economic Development	GF	Econo Devl	See above

CM INITIALS	PRIORITY #	GOALS IDENTIFIED BY COUNCIL FOR FY 18-19: SORTED BY CATEGORY	SUGGESTED FUNDING SOURCE BY COUNCILMEMBER	SORTED BY CATEGORY	CITY MANAGER COMMENTS
JEFF M	3	Expand economic development (by helping to spread the word & being more involved)	Gen Fund	Econo Devl	Robert Tobias is involved with the San Marcos Partnership, local chambers, and with downtown businesses on a regular basis. Leads from the Governor's office and the Austin Chamber are also pursued as applicable.
AGS	4	Economic Development: Recruit more businesses especially retail and continue efforts; contact existing and vacant building owners to see if they are willing to work with the City of Lockhart to bring retail businesses and specialty shops, as well as industrial. Purchase buildings and land when on the market for possible new businesses for the city. Art Galleries and Music Venues have increased within our downtown area and though many not appreciate these type of business and or venues, it is good for our downtown and its livelihood. Let's work on getting more of the specialty shops and boutiques in or around the square.	GF	Econo Devl	The problem is that many of the property owners downtown do not have the funds to customize their buildings to support specialty shops which most the time are not willing to spend money on a building. Rob Tobias is exploring ways to address this issue.
JUAN M	1	Pay raise across the board	GF	Employees	Estimated Costs Including Benefits: For each 1% for non-civil service= \$52,000 For each 1% for civil service = \$28,000
AGS	2	All Department Heads to Budget Salary Increases for all City Employees.	GF	Employees	See above
IC	5	Wellness for employees	GF	Employees	City provides good health insurance (\$586 per month each) with wellness plans for employees; many Cities have stopped this benefit and only provide a stipend for insurance.
AGS	9	Employee: Possible additional Employee Holiday Time Off-Alternating System. Even though this has been discussed and the reasons for why it cannot be done, I would like to see a time off alternating system, especially during the holidays. I did appreciate that the city employees were allowed to stay home during our icy, sleet and snow days. The safety of our employees is very important.	GF	Employees	City employees with vacation leave and holiday time are off 23 days a year with pay which is more than a month of work days. The only holidays not given that we found are Columbus Day and Texas Independence Day. Employee safety is very important, however, some employees must come in to make conditions safe for residents and to respond to emergency conditions and that responsibility belongs to each department head who determines based on staff levels and skills time off during holiday times.
AGS	6	Subdivision development to attract more businesses to Lockhart. Increase the number of homes, apartments, housing. Our city is growing with new citizens wanting to make Lockhart their home but due to the number of housing available, they wait and or possibly lose interest.	GF	Housing	6 housing projects in place at different phases. City Manager recommended incentives to builders three years ago which Council approved and during the time it was in place it produced more housing. As a result, more engineering of subdivisions has begun.
IC	1	Infrastructure	GF	Infrastructure	\$400,000 or more yearly needed for streets
LW	2	Infrastructure improvement- uncurbed streets, street rehab	GF	Infrastructure	See above. It will take a major bond issue to address all streets that do not have curbs.
BW	3	Improve Streets (repairs)	In-House	Infrastructure	See above.

CM INITIALS	PRIORITY #	GOALS IDENTIFIED BY COUNCIL FOR FY 18-19: SORTED BY CATEGORY	SUGGESTED FUNDING SOURCE BY COUNCILMEMBER	SORTED BY CATEGORY	CITY MANAGER COMMENTS
AGS	3	Infrastructure: Continue City Infrastructure: Drainage, Street Repairs, Completion of Curbing, Brighter Lighting in Neighborhoods	GF	Infrastructure	For streets please see above. Brighter lighting is always a challenge in a city with so many trees. Lockhart still must comply with Senate Bill 5 which regulates power usage. Several cities have passed an ordinance that does not allow for the planting of trees within 15' of the right of way to improve lighting of streets and reduce tree trimming around power lines.
BW	4	Angled parking for N Main and N Commerce Streets (change during downtown project)	Ja-House	Parking Downtown	Scheduled with downtown improvements. Should also consider making 100 Blocks of N Main and N Commerce one-way and possibly consider other blocks downtown especially north/south streets.
AGS	10	Parking around and surrounding the square. Issues with larger vehicles parked in areas that are narrow and that make it hard to see oncoming traffic. Our city is growing and we have been very fortunate with our parking however, it is a concern especially when you have the bigger and wider trucks that are parked in an area that is for a moderate size car. It becomes a hazard and a blind spot when trying to reverse out of the parking space and a blind spot for any and all pedestrians.	GF	Parking Downtown	Scheduled with downtown improvements
JEFF M	2	Continue to work on City Park improvements	Gen Fund	Parks	Master Plan near complete
BW	2	Revive all City parks	Grants	Parks	Master Plan near complete
KM	2	Work with LISD to establish a community recreation center at Adams Gym, perhaps under Parks (PUBLIC HEALTH/PARKS)	General Fund/Parks & Rec	Parks	Mayor is visiting with LISD about this
KM	3	Add 3 positions to the Parks Department, to help facilitate other improvements (PARKS)	General Fund/Parks & Rec	Parks	Approx. \$100,000 to budget not including equipment and vehicles
LW	3	Park improvements - consider medium to long range Town branch development	GF	Parks	Bond issue needed
KM	4	Develop a dog park as part of the Stueve Lane Monte Vista Tract (PARKS/ANIMAL SHELTER/PUBLIC HEALTH)	General Fund/Parks & Rec	Parks	Estimate on this property is \$ 25000 using used fencing. Maintenance and insurance are also cost factors
AGS	8	Parks Improvements: Purchase and update the park equipment to provide safe and fun filled parks for all to use.	GF	Parks	Master Plan near complete
JUAN M	3	Start Planning for 2040 plan	GF	Planning	Needs to be done
JC	3	Police	GF	Police	Chief Pedraza is working on these issues. Recently issued update that was sent to Council.
LW	4	Continued Police Community committee involvement, neighborhood watch, gang awareness	GF	Police	See above
JEFF M	4	Work with Police Department to bring back drug enforcement program	Gen Fund	Police	See above
JUAN M	5	Get back to Neighborhood Townhall Meetings	GF	Police	Will get with Chief about this

CM INITIALS	PRIORITY #	GOALS IDENTIFIED BY COUNCIL FOR FY 18-19: SORTED BY CATEGORY	SUGGESTED FUNDING SOURCE BY COUNCILMEMBER	SORTED BY CATEGORY	CITY MANAGER COMMENTS
AGS	5	Police Task Force: Budget extra funds for a Police Task Force, a Narcotics Officer and a Mental Health Officer to address any drug and gang related problems and mental issues our city is being faced not only on the East side of our city but citywide. Budget for updated training for our police officers. There is a lot of training that is free but a lot additional money for registration fees and course material. I am grateful that the Police Department did invest in our Drug Dog and is being utilized by the school as well.	GF	Police	Chief Pedraza reports that Lockhart has two certified mental health officers, and he feels there is sufficient funding for training. He also reports that a new Narcotics Officer would cost about \$90,000 for salary/benefits, training, a vehicle, and all required equipment.
LW	10	High School cadet programs for police, fire, EMS	GF	Police/Fire	Will visit with department heads again about this
LW	6	Public relations position to deal with social media	GF	Public Relations	Position would cost with benefits about \$45,000 annually and would need more tasks to perform.
JEFF M	6	Public relations position to deal with social media	GF	Public Relations	See above
LW	7	Sidewalk repair and expansion	GF	Sidewalks	Costs average about \$25 per linear foot
JEFF M	1	Signage in Lockhart (highway, downtown, and toll road)	Gen Fund	Signage	Wayfinding and Branding Committee in place
LW	5	Wayfinding, branding - develop new entry sign and city property markers	GF	Signage	See above
BW	5	Move Forward with St Paul property project	In-House General	St Paul Gift	Working on costs associated with this projects which involve asbestos/lead paint survey and possible abatement, ADA restrooms, ADA entry ramp, kitchen changes, and other repairs.
KM	5	Develop an oral history project to support a future "Walking Tour" app for Lockhart	Fund/Fundraising	Tourism	Could be part of the Wayfinding and Branding Committee tasks
AGS	7	More Events to Attract Tourism in Lockhart and Include Way Finding Signage (Hotels and Restaurants). Added events, especially the events that are free to the public do very well for the city as well as for the businesses and tourism. I welcome new events to the city but need to be selective in the events that we do host.	GF	Tourism	Chambers receive HOT funds for tourism and City co-sponsors events that contribute to tourism.
JUAN M	4	Create a Good Neighbor program (Lockhart Utility Customers can add an additional amount to utility bill to help others)	GF	Utility Customers	Have pursued this in the past. Requires a Board or Committee that is willing to take on the tasks of selecting who and how much help can be provided to customers. Some Cities allocate the funds to existing organization that is willing to take on the project.
BW	6	Access to Municipal Court for Utility Payments	In-House	Utility Customers	Working to this; advertisements and office training needed.
KM	1	Free public Wi-Fi on the square as part of the redevelopment on the North side (ECONOMIC DEV/DOWNTOWN)	CAPCOG Grant?	Wi-Fi	County judge had indicated to Mayor that the County could do this.
JUAN M	2	Free public wifi on the square as part of the redevelopment on the North side	GF	Wifi	See Above

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

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

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

Priority	Council Person	Goals Submitted	City Manager Comments
1	Castillo	Infrastructure	Complete 2015 CO projects and need budget of \$250,000 per year for streets, continue water and sewer main replacements; continue electric distribution maintenance plan-get new substation on line. Replace bad water raw water mains and find additional water for the future.
1	Gonzales-Sanchez	Department Heads to Budget Salary Increases for city employees so that we can keep our current city employees.	Est Cost Per % Increase Annually: Gen Fund (Not Civil Serv) \$ 29,000; Gen Fund Civil Serv \$ 24,000; Other/Utilities: \$ 15,000- Add'l
1	Hilburn	Improve City Cemetery with GF Expiring debt saving and/or Cemetery Tax	Cemetery Tax up to 5 cents allowed by State Law. Expiring GF debt committed to Police and Fire increased pay rates. (\$132,000)
1	Mendoza	Find ways to use activity center for multi-purpose use. (basketball, volleyball). Funding source: Different companies in town	If approved by Council staff would approach local businesses
1	Michelson	Continue to improve infrastructure (drainage, street repairs) throughout the city	Complete 2015 CO and budget \$250,000 per year for street materials
1	Westmoreland	Enforce ordinances that pertain to unsightly properties all over town. Make homeowners/residents (because some may be renters) take pride in their environment. It is an eyesore to drive around town and see overgrown properties, junked cars, and stacks of trash on porches, in yards and driveways. All levels of socio-economic residents in this town have shown evidence of being disrespectful to their environment.	City has no esthetics ordinance currently. The term "unsightly" is subjective and is difficult to prove in court.
1	White	Economic Development-expanding budget to get staff qualified to help Sandra with recruitment, working with LEDC to either build Spec building or invest in more property, Main St program to relieve Sandra of a lot of those duties	Main Street Program would require another person and funding to work with local businesses while Economic Development would concentrate on new businesses and new jobs
2	Castillo	Economic Development	Need 12-15,000 sf of retail spaces with reasonable lease per sf and buildings that are 20 to 50,000 sf for industrial and manufacturing
2	Gonzales-Sanchez	Infrastructure: Continue City Infrastructure: Drainage, Street Repairs, Completion of Curbing, Brighter Lighting in Neighborhoods	Complete 2015 CO projects and need budget of \$250,000 per year for streets, continue water and sewer main replacements; continue electric distribution maintenance plan-get new substation on line. Replace bad water raw water mains and find additional water for the future. Most streets that lack curbing will need to be totally reconstructed. Brighter LED lights being experimented with since costs have come down.
2	Hilburn	Implement City Signage	Initial required funds up to \$40,000 if City Crew does the work; total cost could be more than \$70,000
2	Mendoza	New Park equipment. Funding Source: Each Councilmember responsible for a park and finding funding sources	Estimate: \$ 400,000 annually over next 4 years based on input from Parks Board Advisory Board
2	Michelson	Continue to improve ways to attract businesses to Lockhart	Need more 12-15,000 sf of retail spaces with reasonable lease per sf and buildings that are 20 to 50,000 sf for industrial and manufacturing
2	Westmoreland	Create a policy for the residency of future administrative positions to live within the Lockhart city limits. If an administrator wants to be employed by the City of Lockhart, they need to reside here. Sharing in the daily lives of our citizens seems crucial to making decisions about Lockhart. They are paid by city taxes.	It is not legal to require all department heads to live in the City limits; only the City Manager is required to do so. All non-24 emergency response employees must live within 25 minutes of City Limits
2	White	Continue street rehab	Need \$ 250,000 annually minimum for street work materials
3	Castillo	City Facilities	Not sure what this includes; can assess all departments for physical needs
3	Gonzales-Sanchez	Economic Development: Recruit more businesses especially retail and continue efforts ; contact existing and vacant bldg owners to see if they are willing to work with City to bring these small retail businesses, as well as industrial; possibly purchasing two downtown county buildings when on the market for possible new businesses in the downtown area. Stronger platform with LEDC with methods to sell Lockhart and attract businesses.	LEDC could fund another report but the company says our numbers still should be good. Costs estimated \$22,500 for updating data and recruitment. Prime softgood companies constantly want to be on Highway 183 in 12-15,000 sf and at a reasonable cost per sf plus higher traffic counts.

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

Priority	Council Person	Goals Submitted	City Manager Comments
3	Hilburn	Continue improving city streets: Increase Transportation Fund	Current transportation monthly rate is \$ 4 for residential and others; \$260,000 annual which helps fund labor and equipment, but is not sufficient for materials. Another \$250,000 for materials is needed annually.
3	Mendoza	Wi-Fi Free Zones Downtown Square. Funding source City Budget, School District, Downtown sponsors	Rough estimate is about \$12,000
3	Michelson	Refurbish City Hall	If atrium removed, add more offices estimated at \$45,000 and more outside landscaping estimated at \$ 5,000; elevator going in with improvements to restrooms and offices
3	Westmoreland	Approach interested and future businesses cordially. Stringent ordinances (and the way they are approached), scare off some businesses. Let's be friendly in a positive way.	City Mgr respectfully requests names of such businesses. He has met with 18 business representatives over past 15 months that were looking at Lockhart but did not come. Except for the non-residential exterior building esthetics ordinance, none of them indicated a problem with the current ordinances or with staff. The main problems were high land prices and the lack of "ready built retail and industrial buildings", and traffic counts were not high enough. Most thought the impact fee schedules were very reasonable compared to other cities. Will continue to work toward friendlier customer service with simplified ordinances.
3	White	Park master plan to consider park bond issue, recreation dept and staff issues	Master Plan estimate: \$ 45,000, recreation dept est at least \$ 60,000 for a recreational professional with another \$30,000 for equipment and materials
4	Castillo	Employees Wages	Est Cost Per % Increase Annually: Gen Fund (Not Civil Serv) \$ 29,000; Gen Fund Civil Serv \$ 24,000; Other/Utilities: \$ 15,000- Add'l Cost FY 16-17 due to Civil Serv Pay Plan Expansions already approved: \$ 132,000
4	Gonzales-Sanchez	Police Task Force: Budget extra funds to bring back a much needed Police Task Force to address any drug and gang related problems this city is being faced with especially on the East side of our city. Possibly ask the County to assist with funding.	Initial required funds up to \$40,000 if City Crew does the work; total cost could be more than \$70,000
4	Hilburn	Continue working on bringing industry to Lockhart: Continue supporting Ms. Mauldin	LEDC is will have sufficient funding to be more aggressive starting FY 16-17
4	Mendoza	Training Start up: Neighborhood Watch Training and Program: Police Budget	Have tried Neighborhood Watch Program in past but was not sustained because of lack of participation. Willing to try again.
4	Michelson	Improve signage on HWY 183 as well as SH130 = directing people to Lockhart	Possibly use of some of the KTB grant money
4	Westmoreland	Evaluate and/or change the degree of the angled parking along the 4 blocks off of the square. This would be: Main Street from Market to Prairie Lea Street; Main Street from San Antonio Street to Walnut Street; Commerce Street from Market Street to Prairie Lea Street, and Commerce Street from San Antonio Street to Walnut Street. These parking spaces were made before long vehicles were made! If there are cars parked on both sides of the streets, only one car can pass through at a time. Then it becomes a one lane street. I have witnessed a different angled parking arrangement, and it provides more room and is much safer for the drivers and pedestrians.	Estimate to black out existing thermoplastic markings, redefine layout, and apply new thermoplastic markings with angle parking = \$ 12,000; will probably lose 4 spaces per block. 2 on each side
4	White	Branding and wayfinding—may be included in #1	Initial required funds up to \$40,000 if City Crew does the work; total cost could be more than \$70,000
5	Castillo	Parks	Estimate: \$ 400,000 annually over next 4 years based on input from Parks Board Advisory Board
5	Gonzales-Sanchez	Subdivision development to attract more businesses to Lockhart	Working with 6 more subdivisions, either new or expanding, and possibly one more very large one northwest.
5	Hilburn	Improve tourism in Lockhart - City Council continue to work with and encourage Chambers of Commerce to be more involved	Council can make this directive to Chambers when dividing out HOT funds
5	Mendoza	Finding more funding for Retail Market Study. Zip code demographics with reports. Funding LEDC	LEDC could fund another report but the company says our numbers still should be good. Costs estimated \$22,500 for updating data and recruitment.

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

Priority	Council Person	Goals Submitted	City Manager Comments
5	Michelson	Work with LEDC or someone equivalent to build a building to help attract business	Need more 12-15,000 sf of retail spaces with reasonable lease per sf. Most softgood retailers want 12-15,000 on Hwy 183 at a reasonable price and increased traffic volumes
5	White	Sidewalks to include lighting	Funding required; for example San Jacinto to Jr High estimate is \$130,000 just for materials along Maple walkway
6	Gonzales-Sanchez	More Events to Attract Tourism in Lockhart and Include Way Finding Signage (Hotels and Restaurants)	Initial required funds up to \$40,000 if City Crew does the work; total cost could be more than \$70,000. Chambers could use HOT for more tourism.
6	Michelson	Continue to work on City Park improvements	Estimate: \$ 400,000 annually over next 4 years based on input from Parks Board Advisory Board
6	White	Pursue possible ESD-EMS district	Legal issue with participation by County and City of Luling preferable
7	Gonzales-Sanchez	Parks Improvemens: Purchase more park equipment to provide safe and fun filled parks for all to use.	Estimate: \$ 400,000 annually over next 4 years based on input from Parks Board Advisory Board
7	Mendoza	Start Talks With YMCA Austin again. Seek sponsors funding if necessary	Our population hurt in previous discussions, Will pursue again. They usually want commitment for a minimum number of individuals and families depending on population of not only City but its metro area
7	Michelson	Work on building a civic center/ recreation center	\$ 9 million plus land \$ 2.5 million for about 20,000 sf plus about \$240,000 annual maintenance costs and minimum of \$60,000 for utilities; estimated revenues offset is about \$60,000; take out recreation center and cost go down about 20%. It has been reported that Bastrop is spending over \$500,000 per year to operate its civic center. Revenues not covering costs.
7	White	Cemetery maintenance	Cemetery Tax up to 5 cents allowed by State Law
8	Gonzales-Sanchez	City Hall: Refurbish with Improvements and/or Upgrades	Elevator and improvements to restrooms planned; better offices for Connie and Sandra planned also.
9	Gonzales-Sanchez	Convention Center	\$ 9 million plus land \$ 2.5 million for about 20,000 sf plus about \$240,000 annual maintenance costs and minimum of \$60,000 for utilities; estimated revenues offset is about \$60,000; take out recreation center and cost go down about 20%. It has been reported that Bastrop is spending over \$500,000 per year to operate its civic center. Revenues not covering costs.
10	Gonzales-Sanchez	Employee: Possible additional Employee Holiday Time off-Alternating system	City employees now have 12 holidays and 1 personal holiday; time off is granted by seniority with department head responsible for keeping sufficient personnel to serve the public needs. Employees also receive at least 2 weeks of vacation time. Those employees required to work on holidays receive their normal pay plus holiday pay.

City of Lockhart
Future Debt Payments as of 9/30/18

Description		Paid Debt	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	TOTAL DEBT
General Government																					
Hotel Tax Fund																					
2016 GO Refunding			40,000	40,000	40,000	40,000	40,000	40,000	40,000	40,000	40,000	40,000	40,000								400,000
Total Hotel Tax Fund P & I			-	40,000	40,000	40,000	40,000	40,000	40,000	40,000	40,000	40,000	40,000	-	-	-	-	-	-	-	400,000
LEDC																					
2015 Tax & Revenue	100.00%		48,093	48,044	48,103	48,152	63,645	63,670	63,513	63,543	63,555	63,643	63,687	65,647	65,544	65,575	65,482	65,579	65,538	65,676	1,048,596
Total LEDC Fund P & I			48,093	48,044	48,103	48,152	63,645	63,670	63,513	63,543	63,555	63,643	63,687	65,647	65,544	65,575	65,482	65,579	65,538	65,676	1,048,596
2015 Capital Projects Fund																					
2015 Tax & Revenue																					-
Total 2015 Capital Projects Fund Fund P & I			-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Drainage																					
2015 Tax & Revenue			100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	1,700,000
Total Drainage Fund P & I			100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	1,700,000
General Fund																					
2015 Tax & Revenue																					-
Total General Fund P & I			-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Debt Service Fund																					
2006 Tax & Rev CO's	100.00%		47,175	50,535	48,690	46,845															146,070
2006-A Tax & Rev CO's	93.00%		267,890	267,803	267,332	271,128															806,264
2015 Tax & Revenue	TRNSF		186,594	186,302	186,653	186,945	279,275	279,421	278,487	278,662	278,735	279,261	279,523	291,203	290,590	290,773	290,222	290,798	290,554	291,374	4,548,778
2015 Tax & Revenue	12.00%		117,779	117,659	117,803	117,923	155,867	155,927	155,543	155,615	155,645	155,861	155,969	160,769	160,517	160,592	160,365	160,602	160,502	160,831	2,567,990
2016 GO Refunding	74.84%		171,056	346,930	361,150	353,161	656,899	666,927	661,698	666,974	673,111	670,566	678,350	-	-	-	-	-	-	-	5,735,766
Total Debt Service Fund P & I			790,494	969,229	981,628	976,002	1,092,041	1,102,275	1,095,728	1,101,251	1,107,491	1,105,688	1,113,842	451,972	451,107	451,365	450,587	451,400	451,056	452,205	13,804,868
Total General Government			938,587	1,157,273	1,169,731	1,164,154	1,295,686	1,305,945	1,299,241	1,304,794	1,311,046	1,309,331	1,317,529	617,619	616,651	616,940	616,069	616,979	616,594	617,881	16,953,464

Future Debt Payments as of 9/30/18

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

City of Lockhart
2015 BOND PROGRAM

Cost	Notes	Task Name	Duration	Start	Finish	2015												2016												2017											
						Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan
\$14,124,890.00		TOTAL PROJECT COST				[Gantt chart showing total project duration from Feb 2015 to Jan 2017]																																			
\$2,068,024.00	1	DRAINING IMPROVEMENTS CONTRACT 1 - Mesquite/Wichita Street & Richland Drive				[Gantt chart for Contract 1: Feb 2015 to Mar 2016]																																			
		Surveying Proposal	17 days	Fri 3/6/15	Sun 3/22/15	[Task bar]																																			
		Survey	30 days	Mon 3/23/15	Tue 4/21/15	[Task bar]																																			
		Acquisition	120 days	Wed 4/22/15	Wed 8/19/15	[Task bar]																																			
		Engineering Design	90 days	Wed 4/22/15	Mon 7/20/15	[Task bar]																																			
		Bid Ad/NTP	60 days	Tue 7/21/15	Fri 9/18/15	[Task bar]																																			
		Construction	180 days	Sat 9/19/15	Wed 3/16/16	[Task bar]																																			
\$1,999,200.00	2	DRAINAGE IMPROVEMENTS CONTRACT 2 - Century Oaks/Market Street, & Ash/Comal Streets				[Gantt chart for Contract 2: Mar 2015 to May 2016]																																			
		Surveying Proposal	17 days	Fri 3/6/15	Sun 3/22/15	[Task bar]																																			
		Survey	30 days	Sat 4/25/15	Sun 5/24/15	[Task bar]																																			
		Acquisition	150 days	Mon 5/25/15	Wed 10/21/15	[Task bar]																																			
		Engineering Design	120 days	Mon 5/25/15	Mon 9/21/15	[Task bar]																																			
		Bid Ad/NTP	60 days	Tue 9/22/15	Fri 11/20/15	[Task bar]																																			
		Construction	180 days	Sat 11/21/15	Wed 5/18/16	[Task bar]																																			
\$3,394,038.00	3	DRAINAGE IMPROVEMENTS CONTRACT 3 - Downtown Improvements Project				[Gantt chart for Contract 3: Aug 2015 to May 2017]																																			
		Surveying Proposal	15 days	Sun 8/2/15	Sun 8/16/15	[Task bar]																																			
		Survey	45 days	Mon 8/17/15	Wed 9/30/15	[Task bar]																																			
		Engineering Design	180 days	Thu 10/1/15	Mon 3/28/16	[Task bar]																																			
		Bid Ad/NTP	60 days	Tue 3/29/16	Fri 5/27/16	[Task bar]																																			
		Construction	365 days	Sat 5/28/16	Sat 5/27/17	[Task bar]																																			
\$323,400.00	4	DRAINAGE IMPROVEMENTS CONTRACT 4 - Medina & US183 Project				[Gantt chart for Contract 4: Nov 2015 to Jun 2016]																																			
		Surveying Proposal	15 days	Sun 11/1/15	Sun 11/15/15	[Task bar]																																			
		Survey	7 days	Mon 11/16/15	Sun 11/22/15	[Task bar]																																			
		Acquisition	90 days	Mon 11/23/15	Sat 2/20/16	[Task bar]																																			
		Engineering Design	60 days	Mon 11/23/15	Thu 1/21/16	[Task bar]																																			
		Bid Ad/NTP	60 days	Fri 1/22/16	Mon 3/21/16	[Task bar]																																			
		Construction	90 days	Tue 3/22/16	Sun 6/19/16	[Task bar]																																			
\$1,764,000.00	5	FM 2001 ELEVATED TANK PROJECT				[Gantt chart for Contract 5: Jan 2016 to Jun 2016]																																			
		Surveying Proposal	15 days	Sat 1/2/16	Sat 1/16/16	[Task bar]																																			
		Survey	15 days	Sun 1/17/16	Sun 1/31/16	[Task bar]																																			
		Acquisition	120 days	Mon 2/1/16	Mon 5/30/16	[Task bar]																																			
		Engineering Design	90 days	Mon 2/1/16	Sat 4/30/16	[Task bar]																																			
		Bid Ad/NTP	60 days	Sun 5/1/16	Wed 6/29/16	[Task bar]																																			

