

PUBLIC NOTICE
AGENDA
LOCKHART CITY COUNCIL

November 2, 2021

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

6:30 P.M. WORK SESSION (No Action)

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

DISCUSSION ONLY

- A. Discuss Resolution 2021-18 requiring approval by the City Council of the City of Lockhart for the 2021 Certified Property Tax Roll. *5-11*
- B. Discuss confirmation of Civil Service Commission member reappointment of Ms. Worlanda Neal for a three (3) year term as recommended by the City Manager. *12-14*
- C. Discuss a \$20,000 cost-share reimbursement grant for Lockhart Fire Rescue to purchase Personal Protective Equipment (PPE). The grant is administered by the Texas A&M Forest Service. *15-20*
- D. Discuss opting out of the Public Utility Commission (PUC) Securitization Process under HB 4492. *21-23*
- E. Discuss amendment of Section 10-5 of the City Code of Ordinances in regard to ownership of animals impounded at the Lockhart Animal Shelter as outlined in Ordinance 2021-38. *24-27*
- F. Discuss amendment of Section 10-19 of the City Code of Ordinances in regard to animal limitations within the city limits of Lockhart as outlined in Ordinance 2021-39. *28-31*
- G. Discussion regarding matters related to COVID-19. *32-51*

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 HEARING/COUNCIL ACTION**

- A. Continue a PUBLIC HEARING on application ZC-21-14 by Javier Barajas, P.E., on behalf of 900 Lockhart, LLC, and Anil Chaudhary, and discussion and/or action to consider Ordinance 2021-34 for a **Zoning Change** from *CLB Commercial Light Business District, RLD Residential Low Density District, and AO Agricultural--Open Space District* to 5.598 acres *RMD Residential Medium Density District* and 35.672 acres *RLD Residential Low Density District*, on a total of 41.27 acres in the Francis Berry Survey, Abstract No. 2, located at 900 State Park Road (FM 20). *TABLED 10-19-21* 52-71
- B. Hold a PUBLIC HEARING on application ZC-21-15 by David Mendoza, on behalf of American Legion, and discussion and/or action to consider Ordinance 2021-35 for a **Zoning Change** from *MH Manufactured Home District* to *CHB Commercial Heavy Business District* on 0.73 acre in the Byrd Lockhart survey, Abstract No. 17, located at 509 Silent Valley Road (FM 2001). 72-87
- C. Hold a PUBLIC HEARING on application ZC-21-16 by Jason Balser and Clayton Balser, and discussion and/or action to consider Ordinance 2021-36 for a **Zoning Change** from *AO Agricultural-Open Space District* and *RLD Residential Low Density District* to *RMD Residential Medium Density District* on 30.998 acres in the Cornelius Crenshaw Survey, Abstract No. 68, located at 1301 Silent Valley Road (FM 2001). 88-100
- D. Hold a PUBLIC HEARING on application ZC-21-17 by Alan Balser, and discussion and/or action to consider a **Zoning Change** from *AO Agricultural-Open Space District* and *RLD Residential Low Density District* to *RMD Residential Medium Density District* on 128.624 acres in the Byrd Lockhart Survey, Abstract No. 17 and the Cornelius Crenshaw Survey, Abstract No. 68, located at 1107 Silent Valley Road (FM 2001). *WITHDRAWN* 101-102
- E. Hold a PUBLIC HEARING on application ZC-21-18 by Alan Balser, and discussion and/or action to consider Ordinance 2021-37 for a **Zoning Change** from *AO Agricultural-Open Space District* to *RMD Residential Medium Density District* on 50.77 acres in the Cornelius Crenshaw Survey, Abstract No. 68, located at 1900 North Cesar Chavez Parkway - Northbound (SH 130). 103-115

4. **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. Comments are limited to three minutes per speaker.

5. CONSENT AGENDA

- A. Approve Resolution 2021-18 requiring approval by the City Council of the City of Lockhart for the 2021 Certified Property Tax Roll. 116-122
- B. Authorize confirmation of Civil Service Commission member reappointment of Ms. Worlanda Neal for a three (3) year term as recommended by the City Manager. 123-125
- C. Accept a \$20,000 cost-share reimbursement grant for Lockhart Fire Rescue to purchase Personal Protective Equipment (PPE). The grant is administered by the Texas A&M Forest Service. 126-131
- D. Approve opting out of the Public Utility Commission (PUC) Securitization Process under HB 4492. 132-134

6. DISCUSSION/ACTION ITEMS

- A. Discussion and/or action regarding amendment of Section 10-5 of the City Code of Ordinances in regard to ownership of animals impounded at the Lockhart Animal Shelter as outlined in Ordinance 2021-38. 135-138
- B. Discussion and/or action regarding amendment of Section 10-19 of the City Code of Ordinances in regard to animal limitations within the city limits of Lockhart as outlined in Ordinance 2021-39. 139-142
- C. Discussion regarding matters related to COVID-19. 143-162
- D. Discussion and/or action regarding appointments to various boards, commissions or committees. 163-172

7. CITY MANAGER'S REPORT, PRESENTATION AND POSSIBLE ACTION

- Fire Engineer promotional exam will be held November 2, 2021.
- Update regarding the new Pierce fire pumper.
- Library Updates.
- City of Lockhart Financial Focus for Fiscal Year ending September 30, 2021. 231-238
- Fire Department holding a "Push-In" ceremony on November 5th.
- Police Department awards lifesaving medals.
- Update on Lockhart's TxDOT grant application for improvements on SH 142 in downtown.
- Update on Lockhart's TxDOT grant application for improvements on SH 142 in downtown.

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

9. **EXECUTIVE SESSION IN ACCORDANCE WITH THE PROVISIONS OF THE GOVERNMENT CODE, TITLE 5, SUBCHAPTER D, SECTION 551.072 - TO DELIBERATE THE PURCHASE, EXCHANGE, LEASE OR VALUE OF REAL PROPERTY IF DELIBERATION IN AN OPEN MEETING WOULD HAVE A DETRIMENTAL EFFECT ON THE POSITION OF THE GOVERNMENTAL BODY IN NEGOTIATIONS WITH A THIRD PERSON.**
 - A. Discussion regarding possible land acquisition.

10. **OPEN SESSION**
 - A. Discussion and/or action regarding possible land acquisition.

11. **ADJOURNMENT**

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 29th day of October, 2021 at 7:05 p.m.

City of Lockhart, Texas

Council Agenda Item Cover Sheet

COUNCIL MEETING DATE: November 2, 2021

AGENDA ITEM CAPTION: Discuss Resolution 2021-18 requiring approval by the City Council of the City of Lockhart for the 2021 Certified Property Tax Roll.

ORIGINATING DEPARTMENT AND CONTACT: Finance - Pam Larison

ACTION REQUESTED: Resolution

BACKGROUND/SUMMARY/DISCUSSION: Section 26.09 of the Property Tax Code requires approval by the City Council of the City of Lockhart for the Certified Property Tax Roll, with the tax amount presented by the Caldwell County Appraisal District for 2021 tax year.

The 2021 Certified Property Tax Roll contains final amounts due totaling \$5,752,038.03 (\$956,833.88 for debt service).

PROJECT SCHEDULE (if applicable):

AMOUNT & SOURCE OF FUNDING:

Funds Required:

Account Number:

Funds Available:

Account Name:

FISCAL NOTE (if applicable):

PREVIOUS COUNCIL ACTION:

COMMITTEE/BOARD/COMMISSION ACTION:

STAFF RECOMMENDATION/REQUESTED MOTION: Staff respectfully request approval of Resolution 2021-18.

LIST OF SUPPORTING DOCUMENTS: Resolution 2021-18, 2021 Certified Tax Roll Letter

RESOLUTION 2021-18

A RESOLUTON OF THE CITY COUNCIL OF THE CITY OF LOCKHART, TEXAS, APPROVING THE CITY OF LOCKHART APPRAISAL ROLL WITH TAX AMOUNTS ENTERED BY THE ASSESSOR, FOR THE TAX YEAR 2021.

WHEREAS, Section 26.09 of the Property Tax Code requires approval of the City Council of the City of Lockhart appraisal roll with tax amounts entered by the assessor, for the tax year 2021, and

WHEREAS, such roll was presented to the City of Lockhart on November 2, 2021, and appears in all things correct as under the applicable laws of the State 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, TEXAS, that the appraisal roll with amounts due totaling \$5,752,038.03 for the year 2021 is approved and is the tax roll for the City of Lockhart for the year 2021.

PASSED, APPROVED, AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF LOCKHART, TEXAS, ON THIS THE 2nd DAY OF NOVEMBER 2021.

CITY OF LOCKHART

Lew White, Mayor

APPROVED AS TO FORM:

Attest:

Connie Constancio, TRMC, City Secretary

Monte Akers, City Attorney

Caldwell County Appraisal District

10/15/21

City of Lockhart
City Manager
PO Box 239
Lockhart TX 78644

RE: Resolution for 2021 tax roll

I have enclosed for your use a resolution to be used for approval of the 2021 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 2021 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 Buffkin 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

2021 LEVY TOTALS

CLH - City of Lockhart

Property Count: 6,256

10/12/2021

3:00:31 PM

Land		Value			
Homesite:		126,167,451			
Non Homesite:		171,109,322			
Ag Market:		46,226,431			
Timber Market:		0	Total Land	(+)	343,503,204
Improvement		Value			
Homesite:		384,944,532			
Non Homesite:		399,131,524	Total Improvements	(+)	784,076,056
Non Real		Count	Value		
Personal Property:	665		65,657,280		
Mineral Property:	13		17,930		
Autos:	0		0		
			Total Non Real	(+)	65,675,210
			Market Value	=	1,193,254,470
Ag		Non Exempt	Exempt		
Total Productivity Market:	46,226,431		0		
Ag Use:	688,601		0	Productivity Loss	(-) 45,537,830
Timber Use:	0		0	Appraised Value	= 1,147,716,640
Productivity Loss:	45,537,830		0	Homestead Cap	(-) 42,423,206
				Assessed Value	= 1,105,293,434
				Total Exemptions Amount	(-) 157,108,953
				<i>(Breakdown on Next Page)</i>	
				Net Taxable	= 948,184,481

Freeze	Assessed	Taxable	Actual Tax	Celling	Count		
DP	13,080,360	12,166,978	60,146.81	63,094.77	97		
OV65	162,743,743	148,732,099	689,307.16	700,260.48	931		
Total	175,824,103	160,899,077	749,453.97	763,355.25	1,028	Freeze Taxable	(-) 160,899,077
Tax Rate	0.6354000						
						Freeze Adjusted Taxable	= 787,285,404

Levy Info			
M&O Rate:	0.5297000	M&O Tax:	4,795,031.06
I&S Rate:	0.1057000	I&S Tax:	956,833.88
Protected I&S Rate:	0.0000000	Protected I&S Tax:	0.00
		Ag Penalty:	173.09
		PP Late Penalty:	0.00
		Late Correction	0.00
		Penalty:	
		Total Levy	5,752,038.03
Tax Increment Finance Value:			0
Tax Increment Finance Levy:			0.00

2021 LEVY TOTALS

CLH - City of Lockhart

Property Count: 6,256

10/12/2021

3:00:44PM

Exemption Breakdown

Exemption	Count	Local	State	Total
DP	101	0	0	0
DV1	26	0	223,000	223,000
DV2	23	0	174,000	174,000
DV3	24	0	236,000	236,000
DV4	68	0	532,700	532,700
DV4S	3	0	36,000	36,000
DVHS	51	0	10,283,987	10,283,987
DVHSS	1	0	168,900	168,900
EX	9	0	2,833,720	2,833,720
EX-XF	4	0	55,350	55,350
EX-XG	2	0	2,427,770	2,427,770
EX-XL	3	0	426,470	426,470
EX-XR	1	0	21,020	21,020
EX-XU	2	0	866,690	866,690
EX-XV	195	0	128,538,581	128,538,581
EX-XV (Prorated)	1	0	8,481	8,481
EX366	34	0	7,410	7,410
FR	2	616,010	0	616,010
OV65	974	9,386,024	0	9,386,024
OV65S	7	70,000	0	70,000
SO	13	196,840	0	196,840
Totals		10,268,874	146,840,079	157,108,953

2021 LEVY TOTALS

CLH - City of Lockhart
Grand Totals

Property Count: 6,256

10/12/2021 3:00:31PM

Land		Value			
Homesite:		126,167,451			
Non Homesite:		171,109,322			
Ag Market:		46,226,431			
Timber Market:		0		Total Land	(+) 343,503,204
Improvement		Value			
Homesite:		384,944,532			
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Non Real		Count	Value		
Personal Property:		665	65,657,280		
Mineral Property:		13	17,930		
Autos:		0	0	Total Non Real	(+) 65,675,210
				Market Value	= 1,193,254,470
Ag	Non Exempt	Exempt			
Total Productivity Market:	46,226,431	0			
Ag Use:	688,601	0	Productivity Loss	(-) 45,537,830	
Timber Use:	0	0	Appraised Value	= 1,147,716,640	
Productivity Loss:	45,537,830	0			
				Homestead Cap	(-) 42,423,206
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				Total Exemptions Amount (Breakdown on Next Page)	(-) 157,108,953
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Tax Rate	0.6354000							
						Freeze Adjusted Taxable	= 787,285,404	

Levy Info				
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I&S Rate:	0.1057000	I&S Tax:	956,833.88	
Protected I&S Rate:	0.0000000	Protected I&S Tax:	0.00	
		Ag Penalty:	173.09	
		PP Late Penalty:	0.00	
		Late Correction Penalty:	0.00	
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Tax Increment Finance Value:			0	
Tax Increment Finance Levy:			0.00	

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DVHSS	1	0	168,900	168,900
EX	9	0	2,833,720	2,833,720
EX-XF	4	0	55,350	55,350
EX-XG	2	0	2,427,770	2,427,770
EX-XL	3	0	426,470	426,470
EX-XR	1	0	21,020	21,020
EX-XU	2	0	866,690	866,690
EX-XV	195	0	128,538,581	128,538,581
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OV65S	7	70,000	0	70,000
SO	13	196,840	0	196,840
Totals		10,268,874	146,840,079	157,108,953

City of Lockhart, Texas

Council Agenda Item Cover Sheet

COUNCIL MEETING DATE: November 2, 2021

AGENDA ITEM CAPTION: Discuss confirmation of Civil Service Commission member reappointment of Ms. Worlanda Neal for a three (3) year term as recommended by the City Manager.

ORIGINATING DEPARTMENT AND CONTACT: Administration - Steven Lewis

ACTION REQUESTED: Other

BACKGROUND/SUMMARY/DISCUSSION: Ms. Neal has served on the commission for the past 15 years (five 3-year terms), and as the commission chairman since 2017. According to Civil Service regulations, she can be reappointed for additional terms (3 years long) if the appointment is confirmed by a two-thirds majority of the City Council. Ms. Neal has graciously agreed to continue serving on the commission. Both the City Manager and Civil Service Director concur that she has been, and will continue to be, an asset to the Civil Service Commission.

PROJECT SCHEDULE (if applicable): N/A

AMOUNT & SOURCE OF FUNDING:

Funds Required:

Account Number:

Funds Available:

Account Name:

FISCAL NOTE (if applicable): N/A

PREVIOUS COUNCIL ACTION: N/A

COMMITTEE/BOARD/COMMISSION ACTION: N/A

STAFF RECOMMENDATION/REQUESTED MOTION: Both the City Manager and Civil Service Director respectfully recommend that Council confirm, by vote, the reappointment of Ms. Worlanda Neal.

LIST OF SUPPORTING DOCUMENTS: History - November 6, 2018 City Council minutes

HISTORY

D. DISCUSS RESOLUTION 2018-20 APPROVING THE TAX ROLL FOR THE YEAR 2018 (FISCAL YEAR 2018-2019).

Ms. Larison stated that Section 26.09 of the Property Tax Code requires that the City Council of the City of Lockhart approves the appraisal roll with tax amounts entered by the assessor, for the year 2018. Approval of Resolution 2018-20 with the tax roll of \$4,608,370.79 would meet this requirement. There was brief discussion.

E. DISCUSS THE 4TH QUARTER FISCAL YEAR 2018 INVESTMENT REPORT.

Ms. Larison stated that the Texas Public Investment Act requires local governments to review and accept a Quarterly Investment Report, as presented, for each quarterly period of the year. The 4th Quarter 2018 report ended September 30, 2018.

F. DISCUSS ENGAGEMENT OF SERVICES WITH ROSS GANNAWAY, PLLC TO PROVIDE GENERAL LEGAL ADVICE AND COUNSEL TO THE CITY OF LOCKHART ON EMPLOYMENT AND CIVIL SERVICE MATTERS AND AUTHORIZING THE CITY MANAGER TO SIGN THE AGREEMENT IF APPROVED.

Ms. Bowermon stated that in the early 2000's, Austin based attorney Sheila Gladstone provided general legal advice and counsel to the City for some employment matters. In November 2006, following the election of Texas Local Government Code, Chapter 143, Civil Service Attorney Gladstone referred the City to the Fort Worth based law firm of Lynn, Ross & Gannaway. This firm specialized in employment law and civil service. Initially, Betty Lynn assisted the City throughout the implementation of civil service and advised on civil service matters. In 2009, the primary contact from the firm advising the City transitioned to Julia Gannaway. Recently, staff has been notified that Lynn, Ross & Gannaway has dissolved and become two separate firms: Lynn Law, PLLC and Ross Gannaway, PLLC. Staff recommends continuing with Attorney Julia Gannaway and the firm of Ross Gannaway, PLLC. There was discussion.

G. DISCUSS CONFIRMATION OF CIVIL SERVICE COMMISSION MEMBERS REAPPOINTMENT OF MS. WORLANDA NEAL FOR A THREE-YEAR TERM AS RECOMMENDED BY THE CITY MANAGER.

Mr. Lewis stated that Ms. Neal has served on the commission for the past 12 years (four 3-year terms) and since 2017, she has served as the Chair of the Commission. According to Civil Service regulations, she can be reappointed for additional terms (3 years long) if the appointment is confirmed by a two-thirds majority vote of the City Council. Ms. Neal has graciously agreed to continue serving on the commission. Both the City Manager and Civil Service Director concur that she has been an asset to the Civil Service Commission. Mr. Lewis recommended approval. There was brief discussion.

H. DISCUSS THE USAGE OF DOWNTOWN REVITALIZATION FUNDS/SPECIAL REVENUES FUNDS IN THE AMOUNT UP TO \$5,000 TO PURCHASE A CHRISTMAS TREE TO BE PLACED ON THE COURTHOUSE SQUARE.

Mr. Kelley stated that the Light Up Lockhart Committee has been holding annual events and fundraisers to purchase lighting displays and decorations throughout the community, which are very well attended. Last year, the committee raised \$7,300 of which all of those funds were used to purchase the lighting displays. The Downtown Revitalization Board has proposed to purchase a 25 or 30-foot Christmas Tree of Lights to be placed on the southwest corner of the Courthouse Square. A Tree Lighting event will be held on December 9, 2018. The cost of the Christmas Tree is approximately \$5,000. The Electric and Public Works Departments will work together to assemble the tree of lights. There was discussion.

HISTORY

Mayor Pro-Tem Sanchez made a motion to approve consent agenda items 5A, 5B, 5C, 5D, 5E, 5F, and 5G. Councilmember Michelson 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 meeting of October 16, 2018.
- 5B: Approve the completion of overhead three-phase power lines from the corner of West Clearfork and City Line Road going West on Lincoln Lane and the completion of overhead three-phase power lines on Maple Street beginning in front of the Jason K. LaFleur soccer field going east on Mockingbird Lane then north on Mockingbird Lane to tie lines together in front of the Bluebonnet Elementary School for an estimated cost of \$400,000.
- 5C: Approve Resolution 2018-20 approving the tax roll for the year 2018 (Fiscal Year 2018-2019).
- 5D: Accept the 4th Quarter Fiscal Year 2018 Investment Report.
- 5E: Approve engagement of services with Ross Gannaway, PLLC to provide general legal advice and counsel to the City of Lockhart on employment and civil service matters and authorizing the City Manager to sign the agreement if approved.
- 5F: Approve confirmation of Civil Service Commission members reappointment of Ms. Worlanda Neal for a three-year term as recommended by the City Manager.
- 5G: Approve the usage of Downtown Revitalization Funds/Special Revenues Funds in the amount of \$5,000 to purchase a Christmas Tree to be placed on the Courthouse Square.

ITEM 6-A. DISCUSSION AND/OR ACTION TO CONSIDER THE PROCESS TO PROCEED WITH REVIEWING A PROPOSED NEW CITY LOGO/BRANDING AND WAYFINDING.

Roy Watson provided additional information regarding the method that the Committee used to determine a proposed new logo. He explained that the Committee chose to use the courthouse outline as the new logo because it represents the historic feature of the community. There was discussion.

Mayor White stated that this was a starting point to begin the consideration process prior to taking the proposed new logo to the citizens during a public hearing. There was discussion.

Councilmember Michelson made a motion to hold a workshop on December 11, 2018 at 6:30 p.m. regarding the proposed new logo. Councilmember Castillo seconded. The motion passed by a vote of 7-0.

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

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

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

- Update from the Plum Creek Watershed Partnership – Keep Lockhart Beautiful cleanup held Nov. 3rd.
- Update: Contractors have nearly completed the new 18" water main on West Martin Luther King, Jr. Industrial Blvd. Rain delays have slowed down the finalization of this project. Bacteriological testing and tie-ins on Paton Road and State Park Road are being finalized.
- Update: Contractors will start the construction of the 18" water main on SH 130 this week. The project is estimated to take 120 days. This is the first phase on connecting water mains to the proposed new elevated water storage tank.
- Update: Downtown Square sidewalk expansion joint repairs to be completed by Thanksgiving.
- Report: Veteran's Day luncheon sponsored by the Lockhart Chamber of Commerce on Nov. 9th at the First Lockhart Baptist Church Connection Center.

City of Lockhart, Texas

Council Agenda Item Cover Sheet

COUNCIL MEETING DATE: November 2, 2021

AGENDA ITEM CAPTION: Discuss a \$20,000 cost-share reimbursement grant for Lockhart Fire Rescue to purchase Personal Protective Equipment (PPE). The grant is administered by the Texas A&M Forest Service.

ORIGINATING DEPARTMENT AND CONTACT: Fire - Randy Jenkins

ACTION REQUESTED: Other

BACKGROUND/SUMMARY/DISCUSSION: The Rural Volunteer Fire Department Assistance Program (HB2604) is a cost-share reimbursement grant administered by the Texas A&M Forest Service. The maximum reimbursement is \$20,000. The city portion to match is 10% (approximately \$2,000).

Funds budgeted in FY 21/22 in line item 100-5318-322 (Safety & Regulatory) will be used as the cost-share portion of the grant.

Items approved for purchase with the grant include; National Fire Protection Association (NFPA) approved structural firefighting and wildland firefighting personal protective equipment (PPE) to include helmets, coats, pants, boots, gloves, hoods, and accessories. PPE washer extractors and dryers are also eligible.

The grant will expire in April 13, 2022.

PROJECT SCHEDULE (if applicable): Accept grant. Evaluate fire department needs as it relates to ppe. Purchase items through normal purchasing procedures. Once ppe arrives, begin the reimbursement process. Complete the process by April 1, 2022.

AMOUNT & SOURCE OF FUNDING:

Funds Required: \$2,200

Account Number: 100-5318-322

Funds Available: \$15,868

Account Name: Safety & Regulatory

FISCAL NOTE (if applicable): N/A

PREVIOUS COUNCIL ACTION: Received Texas A&M Forest Service Rural Volunteer Fire Department Assistance Program (HB2604) Grant for fire equipment on November 20, 2018.

COMMITTEE/BOARD/COMMISSION ACTION: N/A

City of Lockhart, Texas

Council Agenda Item Cover Sheet

STAFF RECOMMENDATION/REQUESTED MOTION: Staff recommends approval of the Texas A&M Forest Service Rural Volunteer Fire Department Assistance Program (HB2604) Grant.

LIST OF SUPPORTING DOCUMENTS: A133 Audit, PPE



FEDERAL GRANT RECIPIENT CERTIFICATION
 OMB Circular A-133 Audit Requirements

Grant Recipient: _____

Please complete certification Section A or B, whichever applies to your organization.

Section A	Organizations that expended < \$500,000 in federal funds during their most recently completed fiscal year.
	<p>I certify that this organization did not expend \$500,000 or more during the fiscal year and thus, is not subject to the OMB Circular A-133 audit requirements.</p> <p>_____</p> <p>Authorized Representative (<i>signature</i>) _____ Date</p>

Section B	Organizations that expended ≥ \$500,000 in federal funds during their most recently completed fiscal year.
	<p>I certify the following (<i>please check the box that applies</i>):</p> <ul style="list-style-type: none"> <input type="checkbox"/> We have completed our OMB Circular A-133 audit. The financial statements received an unqualified opinion and there were no material instances of noncompliance with federal laws and regulations or reportable conditions. A copy of the audit report is attached or available at the following webpage: _____ <input type="checkbox"/> We have completed our OMB Circular A-133 audit. There were material instances of noncompliance with federal laws and regulations or reportable conditions noted. A copy of the audit report is attached or available at the following webpage: _____ <input type="checkbox"/> We have not completed our OMB Circular A-133 audit. We expect the audit to be completed by _____. Within 30 days of completion, we will provide an updated certification form. <p>_____</p> <p>Authorized Representative (<i>signature</i>) _____ Date</p>

Personal Protective Equipment (PPE) Guidelines

Complete List of Eligible Items

- Structural
- Bunker Coat
- Bunker Pant
- Structural Boots
- Structural Helmet
- Structural Goggles
- Structural Hood
- Structural Gloves
- Structural Suspenders
- Ear/Neck/Face Protectors (Shrouds)
- Visors
- Gear Bags
- Wildland
- Aramid Coveralls
- Aramid Pant
- Aramid Shirt
- Aramid Jacket
- Wildland Suspenders
- Wildland Gloves
- Wildland Hardhat
- Wildland Goggles
- Wildland Boots
- Ear/Neck/Face Protectors (Shrouds)
- Reflective Trim
- Fire Shelter
- Gear Bags

Other Equipment

- PPE Extractors and Dryers

Note:

- Only the items listed above are eligible for cost-share reimbursement
- Wildland PPE must meet the most current requirements of NFPA 1977 for wildland gear
- Structural PPE must meet the current NFPA requirements for structural gear



Personal Protective Equipment (PPE) Reimbursement Process

Upon receipt of the approval letter, grant recipients may purchase through the TFS Firesafe Program or a private vendor. TFS will reimburse 90% of the cost of Personal Protective Equipment (PPE) up to the specified amount shown on the approval letter.

Procedure for TFS Firesafe Purchases:

The Firesafe Program provides customers with the advantage of paying only 10% of the total, up to the award maximum.

Step 1. Complete the Firesafe Order Form (Please denote cost-share on the form)

Step 2. Submit a copy of the following:

- Grant Approval Letter
- Method of Payment (Check, Money Order, Purchase Order)
 - The department is responsible for paying 10% of the order total, including the shipping and handling and any amount the department owes over the 90% maximum cost share award.
 - If your department submits a purchase order, you will receive an invoice from TFS. Please send a copy of the invoice with your method of payment.

Note:

- Departments submitting an order for approved and non-approved items should submit two separate order forms.
- **The current catalog can be found at the link below:**
[Firesafe Catalog](#)

Procedure for Vendor Purchases:

Step 1. Purchase equipment after receiving notice of approval.

Step 2. Submit a copy of the following:

- Grant Approval Letter
- Proof of payment (copies of signed check(s), credit card receipt(s), or paid vendor invoice(s) showing the last four digits of the credit card used, and/or bank or credit card statements showing the purchase)

Please email to 2604@tfs.tamu.edu or fax to (979) 845-6160

City of Lockhart, Texas

Council Agenda Item Cover Sheet

COUNCIL MEETING DATE: November 2, 2021

AGENDA ITEM CAPTION: Discuss opting out of the Public Utility Commission (PUC) Securitization Process under HB 4492.

ORIGINATING DEPARTMENT AND CONTACT: Administration - Steven Lewis

ACTION REQUESTED: Direction

BACKGROUND/SUMMARY/DISCUSSION: Winter Storm Uri, of February 2021, caused many electric market participants to incur large, unanticipated costs. In response, the Legislature enacted HB 4492 to allow ERCOT to securitize portions of the exceptionally high market prices and to require the Public Utility Commission of Texas (PUC) to establish rules for accessing the securitized funds. On October 13, 2021, the PUC started the securitization process, a component of which is to allow “load serving entities” (LSEs), such as the City of Lockhart, to opt out.

A memo to the City dated October 27, 2021 from Steve Moffitt of Schneider Engineering is attached that provides more details. As stated therein, “Because of the City of Lockhart’s sound financial position, the City was able to issue payment on the ancillary services impact incurred by Winter Storm Uri in full and is currently not owing any uplift charges to the City’s wholesale energy suppliers.” Schneider recommended that the City opt out, and added that if the City participates in the securitization process, it may result in refinancing of those charges as much as \$64,000 annually in debt service payments at an interest rate of approximately 5.25%. Staff concurs in Schneider’s recommendation and has determined that Council action is appropriate and transparent even if not legally mandatory.

PROJECT SCHEDULE (if applicable):

AMOUNT & SOURCE OF FUNDING:

Funds Required:

Account Number:

Funds Available:

Account Name:

FISCAL NOTE (if applicable):

PREVIOUS COUNCIL ACTION:

COMMITTEE/BOARD/COMMISSION ACTION:

City of Lockhart, Texas

Council Agenda Item Cover Sheet

STAFF RECOMMENDATION/REQUESTED MOTION: Staff recommends consideration on the Consent Agenda and approval to opt out.

LIST OF SUPPORTING DOCUMENTS: Memo dated October 27, 2021 from Schneider Engineering to the City

DATE:	October 27, 2021
TO:	City of Lockhart
FROM:	Steve Moffitt
RE:	ERCOT Securitization for February 2021 Market Uplifts – Recommendation to Opt Out

Background

During February's Winter Storm Uri, ERCOT faced unprecedented market conditions. As many generators, were forced offline, many Load Serving Entities (LSEs) were required to shed load as supply failed to meet demand. To help ensure the stability of the grid, ERCOT relied heavily on generator provided Ancillary Services (AS). Given the already short generation supply available to provide energy to the market, the prices for AS exceeded any historical precedent as well as theoretical market limitations.

Recognizing that many market participants would not be able to pay the exceptionally high charges relating to the Storm, the State Legislature passed HB 4492 to allow ERCOT to securitize portions of the exceptionally high market prices and uplifts. The Legislature charged the Public Utility Commission of Texas (PUCT) with establishing the rules and guidelines for ERCOT and market participants to access the securitized funds. At the October 13, 2021, PUCT Open Meeting, the Commissioners approved the proposed securitization plan, starting a 45-day deadline for LSEs to opt-out from the securitization uplifts. This places the deadline for opt-out at the end of November.

The under HB 4492 Subchapter N, the securitization of the \$2.1 billion by ERCOT is to allow LSEs to mitigate the cost "during the period of emergency for reliability deployment price adder charges and ancillary services costs in excess of the commission's system-wide offer cap." *To be clear, the securitization is only for the \$2.1 billion in extraordinary ancillary service costs and market fees and specifically excludes the outstanding \$2.9 billion in short payments by Brazos Electric Cooperative and other market participants.*

Utility Impact

Because of the City of Lockhart's sound financial position, the City was able to issue payment on the ancillary services impact incurred by Winter Storm Uri in full and is currently not owing any uplift charges to the City's wholesale energy suppliers. However, if the City was inclined to participate in the securitization option offered through HB 4492, the resulting refinancing of those charges would result in as much as \$64,000 annually in debt service payments at an interest rate of approximately 5.25%.

Recommendation

It is SE's recommendation that the **City of Lockhart opt out** of participating in the securitization offered through HB 4492. To support this effort, SE will be reaching out shortly to request the information required to opt-out and will be working with your wholesale supplier, LCRA, to file the necessary paperwork to complete the opt out designation. It should be noted that the choice of opting out is not a required action by the City Council because it incurs no additional costs or contract changes.

City of Lockhart, Texas

Council Agenda Item Cover Sheet

COUNCIL MEETING DATE: November 2, 2021

AGENDA ITEM CAPTION: Discuss amendment of Section 10-5 of the City Code of Ordinances in regard to ownership of animals impounded at the Lockhart Animal Shelter as outlined in Ordinance 2021-38.

ORIGINATING DEPARTMENT AND CONTACT: Public Works - Sean Kelley

ACTION REQUESTED: Ordinance

BACKGROUND/SUMMARY/DISCUSSION: Per the Lockhart Code of Ordinances Section 10-5, amended on March 16, 2021:

"Any impounded cat, dog, or other domestic animal shall be kept for not fewer than three business days unless sooner reclaimed by its owner, except under quarantine. Upon expiration of such three business days, title to and ownership of any such animal not reclaimed shall pass to and vest in the City."

Animal Care and Control Academy (ACCA) was contracted in May of 2021 to evaluate programs, services and policies within Lockhart Animal Services. The ACCA felt that the current average hold time for strays is consistent with other animal agencies. Based on the recommendations of ACCA, the "stray" hold period should be three business days; for "owned" animals the recommendation is five business days. For impounded "owned" animals, identifiers such as licenses, microchips, rabies tags, personal ID tags, tattoos, known owner addresses, etc. should qualify the animal as "owner" not a stray. Any "owned" animal should be held a longer impound period than stray animals to give the owners adequate time to reclaim their animal. ACCA also recommend the impound periods for animals should begin at the exact time when the animal is impounded.

In addition, the hold period for Caldwell County animals impounded as the Lockhart Animal Shelter should mirror the City's legal hold period for continuity.

Draft Ordinance 2021-38 amending Section 10-5 of the Code of Ordinances reads as follows: Sec.10-5. Subsection (j)

(j) Any impounded cat, dog, or other domestic animal shall be kept as described below and for the following time periods:

- (i) Unowned animals shall be impounded for not less than three business days.
- (ii) Animals for which an owner has been identified shall be impounded for not less than five business days.
- (iii) Impoundment time shall begin and be calculated from the exact time of impoundment.
- (iv) Upon expiration of the applicable number of business days for each animal, title to and ownership of any such animal not reclaimed shall pass to and vest in the city.

City of Lockhart, Texas

Council Agenda Item Cover Sheet

PROJECT SCHEDULE (if applicable):

AMOUNT & SOURCE OF FUNDING:

Funds Required:

Account Number:

Funds Available:

Account Name:

FISCAL NOTE (if applicable):

PREVIOUS COUNCIL ACTION: March 16, 2021- Adoption of amendments to Section 10-5
May 2021- Lockhart Animal Services Program Evaluation
August 5, 2021-Presentation of Lockhart Animal Service Evaluation Report and
Recommendations

COMMITTEE/BOARD/COMMISSION ACTION:

STAFF RECOMMENDATION/REQUESTED MOTION: Ordinance 2021-39 contains ACCA
recommendations and is consistent with other animal control agencies.

LIST OF SUPPORTING DOCUMENTS: 2021-38 Lockhart animal impoundment time amend

ORDINANCE NO. 2021-38

AN ORDINANCE OF THE CITY OF LOCKHART AMENDING ARTICLE I OF CHAPTER 10 OF THE LOCKHART CODE OF ORDINANCES TO ESTABLISH REVISED LIMITS FOR HOLDING ANIMALS IN IMPOUNDMENT; PROVIDING CLAUSES FOR REPEALER, SEVERABILITY, SAVINGS, PUBLICATION, AND EFFECTIVE DATE

WHEREAS, the City of Lockhart is a home rule city acting under its charter pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and

WHEREAS, the City of Lockhart periodically impounds animals to protect the health and safety of the general public and the animal population; and

WHEREAS, the City Council now deems it necessary to establish revised time period for holding animals in impoundment;

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

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

SECTION 2: Amendment of Definitions. Section 10-1, “Definitions,” is amended by the addition of a definition for “Business Day,” which shall be inserted alphabetically and which shall read as follows:

Business Day shall mean a day when the animal shelter is regularly scheduled to be open to the public.

SECTION 3: Amendment of Section 10-5. Subsection (j) of Section 10-5 of Chapter 10 of the Lockhart Code of Ordinances is hereby amended so that it shall hereafter read as follows:

(j) Any impounded cat, dog, or other domestic animal shall be kept as described below and for the following time periods:

- (i) Unowned animals shall be impounded for not less than three business days.
- (ii) Animals for which an owner has been identified shall be impounded for not less than five business days.
- (iii) Impoundment time shall begin and be calculated from the exact time of impoundment.
- (iv) Upon expiration of the applicable number of business days for each animal, title to and ownership of any such animal not reclaimed shall pass to and vest in the city.

SECTION 4. Repealer. All provisions of the Code of Ordinances of the City of Lockhart in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict, and all other provisions of the Code of Ordinances of the City of Lockhart codified or uncodified, not in conflict with the provisions of this Ordinance shall remain in full force and effect.

SECTION 5. Severability. It is hereby declared to be the intention of the City Council that the components of this Ordinance are severable, and if any phrase, clause, sentence, or section of this Ordinance shall be declared unconstitutional or invalid by any court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any remaining component of this Ordinance.

SECTION 6. Publication. The City Secretary shall cause the caption of this ordinance to be published in a newspaper of general circulation according to law.

SECTION 7. Effective Date. This ordinance shall become effective and be in full force from the date of its passage.

PASSED AND ADOPTED on this the ___ day of _____, 2021.

CITY OF LOCKHART

Lew White, Mayor

ATTEST:

APPROVED AS TO FORM:

Connie Constancio, TRMC, City Secretary

Monte Akers, City Attorney

City of Lockhart, Texas

Council Agenda Item Cover Sheet

COUNCIL MEETING DATE: November 2, 2021

AGENDA ITEM CAPTION: Discuss amendment of Section 10-19 of the City Code of Ordinances in regard to animal limitations within the city limits of Lockhart as outlined in Ordinance 2021-39.

ORIGINATING DEPARTMENT AND CONTACT: Public Works -

ACTION REQUESTED: Ordinance

BACKGROUND/SUMMARY/DISCUSSION: The City currently has no limitation on the number of cats or dogs one can have. The Animal Care and Control Academy (ACCA) recommended an animal limitation ordinance during the presentation of the Lockhart Animal Services Evaluation Report on August 5, 2021. Animal limitations are a common practice among jurisdictions and are enacted as a means of curbing pet overpopulation, nuisance complaints, and to prevent animal hoarders. To work well, animal limitation laws should have a grandfather clause as well as allow ownership of a greater amount of animals through a special use permit - provided that zoning laws are obeyed and animal care standards are met. Caretakers of feral cat colonies or animal rescue organizations registered through Lockhart Animal Services could be exempt from the animal limitation requirement.

Draft Ordinance 2021-39 reads as follows:

Sec. 10-19 - Limitation on Number of Dogs and Cats.

- (a) Except as provided by this section, and except at an animal shelter, animal hospital, clinic or kennel, no more than a total of four dogs more than four months old or older, and no more than a total of seven dogs and cats four months old or older, may be harbored at any residence or single location in the city. The limitation on the number of dogs and cats shall apply prospectively from the date of adoption of this ordinance (November 2, 2021).
- (b) Any person desiring to keep more than four dogs or seven animals more than four months old or older at such a residence or location in the city may apply to the supervisor of animal control for a multi-pet permit.
- (c) The applicant for a multi-pet permit shall specify the number of animals to be kept at a residence or location and shall pay an application fee at the time of filing.
- (d) Based on the information provided in the application, together with any information in the possession of the city regarding enforcement actions for violation of Chapter 10 of the Code of Ordinances, the supervisor of animal control shall determine whether an inspection of the residence or location is necessary.
- (e) A permit may be issued by the supervisor of animal control for a specific number of animals in excess of that authorized in (a) above at a residence or location in the city in the event that he/she determines that the number of animals may be maintained at the residence or location in a healthy or sanitary environment, without creating noise or odor nuisances, and without otherwise being detrimental to the public health, safety and welfare.

City of Lockhart, Texas

Council Agenda Item Cover Sheet

(f) A multi-pet permit may be revoked by the supervisor of animal control for cause, including but not limited to violations of the provisions of Chapter 10 of the Code of Ordinances. the inability of the permit holder to keep the animals in a healthy or sanitary environment, the risk of creating noise or odor nuisances, or other potential detriment to the public health, safety, and welfare.

PROJECT SCHEDULE (if applicable):

AMOUNT & SOURCE OF FUNDING:

Funds Required:

Account Number:

Funds Available:

Account Name:

FISCAL NOTE (if applicable):

PREVIOUS COUNCIL ACTION: May 2021- Lockhart Animal Services Program Evaluation
August 5, 2021-Presentation of Lockhart Animal Service Evaluation Report and
Recommendations

COMMITTEE/BOARD/COMMISSION ACTION:

STAFF RECOMMENDATION/REQUESTED MOTION:

LIST OF SUPPORTING DOCUMENTS: Animal limitation ordinance 2021-39

ORDINANCE NO. 2021-39

AN ORDINANCE OF THE CITY OF LOCKHART AMENDING ARTICLE I OF CHAPTER 10 OF THE LOCKHART CODE OF ORDINANCES TO ESTABLISH LIMITATIONS ON THE NUMBER OF DOGS AND CATS THAT MAY BE HARBORED IN THE CITY; PROVIDING CLAUSES FOR REPEALER, SEVERABILITY, SAVINGS, PUBLICATION, AND EFFECTIVE DATE

WHEREAS, the City of Lockhart is a home rule city acting under its charter pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and

WHEREAS, the City of Lockhart currently has no limitation on the number of dogs and cats that may be kept or harbored at a location in the City; and

WHEREAS, the City Council of the City of Lockhart is of the opinion that placing a limitation on the number of animals that may be harbored at a location in the City will serve as a mean of curbing pet overpopulation and nuisance complaints and will help prevent the proliferation of animal hoarding;

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

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

SECTION 2: Amendment of Article I of Chapter 10: Article I of Chapter 10 of the Lockhart Code of Ordinances is hereby amended by the addition of a new Section 10-19, which shall read as follows:

Sec. 10-19 - Limitation on Number of Dogs and Cats.

- (a) Except as provided by this section, and except at an animal shelter, animal hospital, clinic or kennel, no more than a total of four dogs more than four months old or older, and no more than a total of seven dogs and cats four months old or older, may be harbored at any residence or single location in the city. The limitation on the number of dogs and cats shall apply prospectively from the date of adoption of this ordinance (November 2, 2021).
- (b) Any person desiring to keep more than four dogs or seven animals more than four months old or older at such a residence or location in the city may apply to the supervisor of animal control for a multi-pet permit.
- (c) The applicant for a multi-pet permit shall specify the number of animals to be kept at a residence or location and shall pay an application fee at the time of filing.
- (d) Based on the information provided in the application, together with any information in the possession of the city regarding enforcement actions for

violation of Chapter 10 of the Code of Ordinances, the supervisor of animal control shall determine whether an inspection of the residence or location is necessary.

- (e) A permit may be issued by the supervisor of animal control for a specific number of animals in excess of that authorized in (a) above at a residence or location in the city in the event that he/she determines that the number of animals may be maintained at the residence or location in a healthy or sanitary environment, without creating noise or odor nuisances, and without otherwise being detrimental to the public health, safety and welfare.
- (f) A multi-pet permit may be revoked by the supervisor of animal control for cause, including but not limited to violations of the provisions of Chapter 10 of the Code of Ordinances. the inability of the permit holder to keep the animals in a healthy or sanitary environment, the risk of creating noise or odor nuisances, or other potential detriment to the public health, safety, and welfare.

SECTION 3. Repealer. All provisions of the Code of Ordinances of the City of Lockhart in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict, and all other provisions of the Code of Ordinances of the City of Lockhart codified or uncodified, not in conflict with the provisions of this Ordinance shall remain in full force and effect.

SECTION 4. Severability. It is hereby declared to be the intention of the City Council that the components of this Ordinance are severable, and if any phrase, clause, sentence, or section of this Ordinance shall be declared unconstitutional or invalid by any court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any remaining component of this Ordinance.

SECTION 5. Publication. The City Secretary shall cause the caption of this ordinance to be published in a newspaper of general circulation according to law.

SECTION 6. Effective Date. This ordinance shall become effective and be in full force from the date of its passage.

PASSED AND ADOPTED on this the 2d day of November, 2021.

CITY OF LOCKHART

Lew White, Mayor

ATTEST:

APPROVED AS TO FORM:

Connie Constancio, TRMC, City Secretary

Monte Akers, City Attorney

City of Lockhart, Texas

Council Agenda Item Cover Sheet

COUNCIL MEETING DATE: November 2, 2021

AGENDA ITEM CAPTION: Discussion regarding matters related to COVID-19.

ORIGINATING DEPARTMENT AND CONTACT: Administration - Steven Lewis, Monte Akers

ACTION REQUESTED: Other

BACKGROUND/SUMMARY/DISCUSSION: On May 18, 2021, Governor Abbot issued GA-36 that prohibited governmental entities from mandating face coverings or restricting activities in response to the COVID-19 disaster. As a result, the Lockhart City Council rescinded the Mayor's Declaration to require face coverings and encouraged citizens to continue to follow the CDC guidelines in regard to COVID-19.

Also, as a result of the Governor opening Texas on March 2, 2021 (GA-34), community events are back on schedule such as the Chisholm Trail Roundup, Fireworks show, and City venues such as the city splash pad are open to the public. Face coverings are not required during the events or at city facilities.

An update of COVID-19 orders and Council actions is attached.

Open Meetings Act Suspensions Terminate effective September 1, 2021

In March 2020, Governor Abbott's office granted the Attorney General's request to suspend certain open meetings statutes. The temporary suspension allows for telephonic or videoconference meetings of governmental bodies that are accessible to the public in an effort to reduce in-person meetings, thereby allowing governmental bodies and/or board commissions to hold a meeting virtually without a quorum being present at the meeting location.

On June 30, 2021, the Governor's office approved a request by the Attorney General to lift the open meetings suspensions effective at 12:01 a.m. on September 1, 2021. All Texas governmental bodies subject to the OMA must thereafter conduct their meetings in full compliance with the OMA as written in state law.

The following are provisions in the OMA suspension that will no longer be allowed effective September 1, 2021:

- 1) Video conferencing capability will change in that a member of the governing body or board can meet virtually but there must be a quorum physically present at the meeting location.
- 2) Telephone conference meetings will not be allowed to continue and are only allowed in an emergency.

On **August 29, 2021**, Governor Abbott issued a Declaration renewing the declaration of disaster stating that COVID-19 poses an imminent threat of disaster for all counties in Texas.

City of Lockhart, Texas

Council Agenda Item Cover Sheet

On October 11, 2021, Governor Abbott issued GA-40 prohibiting vaccine mandates, subject to legislative action.

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

PROJECT SCHEDULE (if applicable): N/A

AMOUNT & SOURCE OF FUNDING:

Funds Required: N/A

Account Number: N/A

Funds Available: N/A

Account Name: N/A

FISCAL NOTE (if applicable): None.

PREVIOUS COUNCIL ACTION: N/A

COMMITTEE/BOARD/COMMISSION ACTION: N/A

STAFF RECOMMENDATION/REQUESTED MOTION: None.

LIST OF SUPPORTING DOCUMENTS: Update of COVID-19 orders and Council actions, GA-39, GA-38, Governor Abbott proclamation renewing the Declaration of Disaster, GA 40

HISTORY OF COVID-19 ORDERS/COUNCIL ACTIONS

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.

Mayor's statement on reduced business capacity in Caldwell County. At 12:01 a.m. on Wednesday, January 13, 2021 the provisions of Governor Greg Abbott's Executive Order GA-32 that suspend elective surgeries, close bars and reduce business capacity to 50 percent went into effect in Lockhart and Caldwell County. This was occurring because under GA-32, these specific provisions took effect when a Trauma Service Area had seven consecutive days in which the number of COVID-19 hospitalized patients as a percentage of total capacity exceeded 15 percent. This was the case in Trauma Service Area O, which included Caldwell County.

COVID Relief Fund update. On January 19, 2021, the Council voted to offer a six-month forbearance to businesses that received a COVID-19 Recovery Loan in 2020. Council re-opened the COVID Relief Grants to small businesses for \$5,000 per business that qualifies. Restaurants and bars that were affected by the Governor's order earned higher points on the application process.

During the February 23, 2021 meeting, Chief Jenkins provided an update of COVID compliance for local businesses.

On **March 2, 2021**, Governor Abbot issued GA-34 that was effective March 10, 2021. It provides that the State no longer requires face covering and it does not allow local jurisdictions to require face coverings. GA-34 supercedes all orders issued by local officials that conflict with regard to services or local orders and provides that businesses and other establishments may require customers and employees to wear face coverings. The consensus of the Council was to leave the Mayor's Declaration in effect and to encourage citizens to continue to wear face coverings and to maintain a six foot distance.

On **May 13, 2021**, the CDC announced that fully vaccinated individuals no longer need to mask up or social distance indoors and outdoors, including crowds. Attached is information from the CDC about how to stay safe around individuals that are or are not fully vaccinated.

On **June 15, 2021**, the consensus of the Council was to continue virtual attendance at meetings.

On **June 30, 2021**, the Governor's office approved a request by the Attorney General to lift the temporary Open Meetings Act suspensions, effective at 12:01 a.m. on September 1, 2021. The change in virtual meetings is that a member of the governing body or board member may attend a meeting virtually but there must be a quorum physically present at the meeting location.

On **July 29, 2021**, Governor Abbott issued Executive Order 38, that combined several existing COVID-19 executive orders to promote statewide uniformity and certainty in the state's COVID-19 response. Governor Abbott stated that "The new Executive Order emphasizes that the path forward relies on personal responsibility rather than government mandates".

On **August 13, 2021**, TML provided the following information regarding actions taken by governmental entities and the Attorney General in regards to face coverings:

- **Mask Mandate Update:** Tuesday afternoon, two state district court judges in Dallas and Bexar counties granted local authorities in those jurisdictions temporary restraining orders blocking Governor Abbott's ban on mask mandates. In response to the rulings, the City of San Antonio issued a requirement for face coverings inside city facilities, and the Dallas County Judge issued an emergency order on Wednesday related to face coverings. Temporary restraining orders are by definition temporary and require further court proceedings to become permanent. TML will continue to monitor these developments. In related news, Houston's Mayor Sylvester Turner is requiring masks in city facilities when physical distancing is not doable.

Additionally, a number of large school districts ("ISDs") across the state, including Dallas ISD, Houston ISD, Austin ISD, Fort Worth ISD, and San Antonio ISD, are requiring masks on school property.

- **Attorney General Issues Two COVID-related opinions:** On August 11, the Attorney General released two opinions related to mask mandates and vaccines.
 1. In Opinion KP-0379, the Attorney General was asked whether COVID-19 vaccines could be required as a condition to enter a government building. Citing the Governor's Executive Order No. 38 as well as the recently passed S.B. 968, the Attorney General opined that government entities may not require COVID-19 vaccines as a condition to enter a government facility.
 2. In Opinion No. KP-0380, the Attorney General was asked to opine on the effect of the Governor's executive orders on federal requirements related to face coverings on public transit. The AG ultimately opined that he is unconvinced that CDC and TSA rules as well as federal law preempt the Governor's orders prohibiting mask mandates.

Please remember that Attorney General opinion are just that: opinions. They are legal guidance but do not carry the force of law or court order.

- **Counties Across Texas Seeing Rise in COVID-19 Threat Levels:** Over the last few weeks, we have reported on the rise in COVID-19 threat levels in counties and cities across the state. That rise continues, with Travis, Harris, Dallas, and Williamson counties, among others, back at the highest threat levels as the Delta variant spreads across the state and ICU bed availability drops.

On **August 29, 2021**, Governor Abbott issued a proclamation renewing the declaration stating that COVID-19 poses an imminent threat of disease for all counties in Texas.

On **August 25, 2021**, Governor Abbott issued GA-39 (attached), prohibiting governmental entities from compelling an individual to receive a COVID-19 vaccine regardless of full FDA approval, among other things.

The Governor also issued the following call to the Special Session of the Legislature:

Legislation regarding whether any State or Local Governmental entities in Texas can mandate that an individual receive a COVID-19 vaccine and, if so, what exemption should apply to such mandate.

On **October 11, 2021**, Governor Abbott issued GA-40 relating to prohibiting all entities of compelling receipt of a COVID-19 vaccine until the issue has been considered through legislation.



GOVERNOR GREG ABBOTT

August 25, 2021

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

AUG 25 2021

[Handwritten Signature]
Secretary of State

Mr. Joe A. Esparza
Deputy Secretary of State
State Capitol Room 1E.8
Austin, Texas 78701

Dear Deputy Secretary Esparza:

Pursuant to his powers as Governor of the State of Texas, Greg Abbott has issued the following:

Executive Order No. GA-39 relating to prohibiting vaccine mandates and vaccine passports subject to legislative action.

The original executive order is attached to this letter of transmittal.

Respectfully submitted,

[Handwritten Signature: Gregory S. Davidson]
Gregory S. Davidson
Executive Clerk to the Governor
GSD/gsd

Attachment

Executive Order

BY THE
GOVERNOR OF THE STATE OF TEXAS

Executive Department
Austin, Texas
August 25, 2021

EXECUTIVE ORDER
GA 39

*Relating to prohibiting vaccine mandates and vaccine passports
subject to legislative action.*

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 Texas counties; and

WHEREAS, in each subsequent month effective through today, I have renewed the COVID-19 disaster declaration for all Texas counties; and

WHEREAS, I have issued a series of executive orders aimed at protecting the health and safety of Texans, ensuring uniformity throughout Texas, and achieving the least restrictive means of combatting the evolving threat to public health; and

WHEREAS, COVID-19 vaccines are strongly encouraged for those eligible to receive one, but have always been voluntary for Texans; and

WHEREAS, I issued Executive Orders GA-35 and GA-38, addressing COVID-19 vaccines administered under an "emergency use authorization" by prohibiting vaccine mandates from governmental entities and by prohibiting "vaccine passports" from governmental entities and certain others; and

WHEREAS, subsequently, on August 23, 2021, while the legislature was already convened in a special session, the U.S. Food and Drug Administration (FDA) approved one of the COVID-19 vaccines for certain age groups, such that this vaccine is no longer administered under an emergency use authorization for those age groups; and

WHEREAS, while this COVID-19 vaccine is now FDA-approved for certain age groups, others are not yet approved and still are administered under an emergency use authorization; and

WHEREAS, through Chapter 161 of the Texas Health and Safety Code, as well as other laws including Chapters 38 and 51 of the Texas Education Code, the legislature has established its primary role over immunizations, and all immunization laws and regulations in Texas stem from the laws established by the legislature; and

WHEREAS, in other contexts where the legislature has imposed immunization requirements, it has also taken care to provide exemptions that allow people to opt out of being forced to take a vaccine; and

WHEREAS, given the legislature's primacy and the need to avoid a patchwork of regulations with respect to vaccinations, it is appropriate to maintain the status quo of

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AUG 25 2021

prohibiting vaccine mandates through executive order while allowing the legislature to consider this issue while in session; and

WHEREAS, in this instance, given the legislature's prior actions, maintaining the status quo of prohibiting vaccine mandates and ensuring uniformity pending the legislature's consideration means extending the voluntariness of COVID-19 vaccinations to all COVID-19 vaccinations, regardless of regulatory status; and

WHEREAS, I am also adding this issue to the agenda for the Second Called Session of the legislature that is currently convened so that the legislature has the opportunity to consider this issue through legislation; and

WHEREAS, I will rescind this executive order upon the effective date of such legislation;

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 immediately:

1. No governmental entity can compel any individual to receive a COVID-19 vaccine. I hereby suspend Section 81.082(f)(1) of the Texas Health and Safety Code, and any other relevant statutes, to the extent necessary to ensure that no governmental entity can compel any individual to receive a COVID-19 vaccine.
2. State agencies and political subdivisions shall not adopt or enforce any order, ordinance, policy, regulation, rule, or similar measure that requires an individual to provide, as a condition of receiving any service or entering any place, documentation regarding the individual's vaccination status for any COVID-19 vaccine. I hereby suspend Section 81.085(i) of the Texas Health and Safety Code, and any other relevant statutes, to the extent necessary to enforce this prohibition. This paragraph does not apply to any documentation requirements necessary for the administration of a COVID-19 vaccine.
3. Any public or private entity that is receiving or will receive public funds through any means, including grants, contracts, loans, or other disbursements of taxpayer money, shall not require a consumer to provide, as a condition of receiving any service or entering any place, documentation regarding the consumer's vaccination status for any COVID-19 vaccine. No consumer may be denied entry to a facility financed in whole or in part by public funds for failure to provide documentation regarding the consumer's vaccination status for any COVID-19 vaccine.
4. Nothing in this executive order shall be construed to limit the ability of a nursing home, state supported living center, assisted living facility, or long-term care facility to require documentation of a resident's vaccination status for any COVID-19 vaccine.
5. This executive order shall supersede any conflicting order issued by local officials in response to the COVID-19 disaster. 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

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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.

This executive order supersedes only paragraph No. 2 of Executive Order GA-38, and does not supersede or otherwise affect the remaining paragraphs of Executive Order GA-38. 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 the 25th day of August, 2021.

Handwritten signature of Greg Abbott in black ink.

GREG ABBOTT
Governor

ATTESTED BY:

Handwritten signature of Joe A. Esparza in black ink.
JOE A. ESPARZA
Deputy Secretary of State

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AUG 25 2021



GOVERNOR GREG ABBOTT

July 29, 2021

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JUL 29 2021

A handwritten signature in black ink, appearing to be "John H. Whitaker", written over a horizontal line.

Secretary of State

Mr. Joe A. Esparza
Deputy Secretary of State
State Capitol Room 1E.8
Austin, Texas 78701

Dear Deputy Secretary Esparza:

Pursuant to his powers as Governor of the State of Texas, Greg Abbott has issued the following:

Executive Order No. GA-38 relating to the continued response to the COVID-19 disaster.

The original executive order is attached to this letter of transmittal.

Respectfully submitted,

A handwritten signature in blue ink, appearing to be "Gregory S. Davidson", written in a cursive style.

Gregory S. Davidson
Executive Clerk to the Governor

GSD/gsd

Attachment

Executive Order

BY THE
GOVERNOR OF THE STATE OF TEXAS

Executive Department
Austin, Texas
July 29, 2021

EXECUTIVE ORDER
GA 38

Relating to the continued response to 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 Texas counties; and

WHEREAS, in each subsequent month effective through today, I have renewed the COVID-19 disaster declaration for all Texas counties; and

WHEREAS, from March 2020 through May 2021, I issued a series of executive orders aimed at protecting the health and safety of Texans, ensuring uniformity throughout Texas, and achieving the least restrictive means of combatting the evolving threat to public health by adjusting social-distancing and other mitigation strategies; and

WHEREAS, combining into one executive order the requirements of several existing COVID-19 executive orders will further promote statewide uniformity and certainty; and

WHEREAS, as the COVID-19 pandemic continues, Texans are strongly encouraged as a matter of personal responsibility to consistently follow good hygiene, social-distancing, and other mitigation practices; and

WHEREAS, receiving a COVID-19 vaccine under an emergency use authorization is always voluntary in Texas and will never be mandated by the government, but it is strongly encouraged for those eligible to receive one; and

WHEREAS, state and local officials should continue to use every reasonable means to make the COVID-19 vaccine available for any eligible person who chooses to receive one; 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, under Section 418.016(a), the "governor may suspend the provisions of any regulatory statute prescribing the procedures for conduct of state business ... if strict compliance with the provisions ... would in any way prevent, hinder, or delay necessary action in coping with a disaster;" and

WHEREAS, under Section 418.018(c), the "governor may control ingress and egress to

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and from a disaster area and the movement of persons and the occupancy of premises in the area;" and

WHEREAS, under Section 418.173, the legislature authorized as "an offense," punishable by a fine up to \$1,000, any "failure to comply with the [state emergency management plan] or with a rule, order, or ordinance adopted under the plan;"

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 immediately:

1. To ensure the continued availability of timely information about COVID-19 testing and hospital bed capacity that is crucial to efforts to cope with the COVID-19 disaster, the following requirements apply:
 - a. All hospitals licensed under Chapter 241 of the Texas Health and Safety Code, and all Texas state-run hospitals, except for psychiatric hospitals, shall submit to the Texas Department of State Health Services (DSHS) daily reports of hospital bed capacity, in the manner prescribed by DSHS. DSHS shall promptly share this information with the Centers for Disease Control and Prevention (CDC).
 - b. Every public or private entity that is utilizing an FDA-approved test, including an emergency use authorization test, for human diagnostic purposes of COVID-19, shall submit to DSHS, as well as to the local health department, daily reports of all test results, both positive and negative. DSHS shall promptly share this information with the CDC.
2. To ensure that vaccines continue to be voluntary for all Texans and that Texans' private COVID-19-related health information continues to enjoy protection against compelled disclosure, in addition to new laws enacted by the legislature against so-called "vaccine passports," the following requirements apply:
 - a. No governmental entity can compel any individual to receive a COVID-19 vaccine administered under an emergency use authorization. I hereby suspend Section 81.082(f)(1) of the Texas Health and Safety Code to the extent necessary to ensure that no governmental entity can compel any individual to receive a COVID-19 vaccine administered under an emergency use authorization.
 - b. State agencies and political subdivisions shall not adopt or enforce any order, ordinance, policy, regulation, rule, or similar measure that requires an individual to provide, as a condition of receiving any service or entering any place, documentation regarding the individual's vaccination status for any COVID-19 vaccine administered under an emergency use authorization. I hereby suspend Section 81.085(i) of the Texas Health and Safety Code to the extent necessary to enforce this prohibition. This paragraph does not apply to any documentation requirements necessary for the administration of a COVID-19 vaccine.
 - c. Any public or private entity that is receiving or will receive public funds through any means, including grants, contracts, loans, or other disbursements of taxpayer money, shall not require a consumer to provide, as a condition of receiving any service or entering any place, documentation regarding the consumer's vaccination status for any COVID-19 vaccine administered under an emergency use authorization. No consumer may be denied entry to a facility financed

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JUL 29 2021

- in whole or in part by public funds for failure to provide documentation regarding the consumer's vaccination status for any COVID-19 vaccine administered under an emergency use authorization.
- d. Nothing in this executive order shall be construed to limit the ability of a nursing home, state supported living center, assisted living facility, or long-term care facility to require documentation of a resident's vaccination status for any COVID-19 vaccine.
 - e. This paragraph number 2 shall supersede any conflicting order issued by local officials in response to the COVID-19 disaster. 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.
3. To ensure the ability of Texans to preserve livelihoods while protecting lives, the following requirements apply:
- a. There are no COVID-19-related operating limits for any business or other establishment.
 - b. In areas where the COVID-19 transmission rate is high, individuals are encouraged to follow the safe practices they have already mastered, such as wearing face coverings over the nose and mouth wherever it is not feasible to maintain six feet of social distancing from another person not in the same household, but no person may be required by any jurisdiction to wear or to mandate the wearing of a face covering.
 - c. In providing or obtaining services, every person (including individuals, businesses, and other legal entities) is strongly encouraged to use good-faith efforts and available resources to follow the Texas Department of State Health Services (DSHS) health recommendations, found at www.dshs.texas.gov/coronavirus.
 - d. Nursing homes, state supported living centers, assisted living facilities, and long-term care facilities should follow guidance from the Texas Health and Human Services Commission (HHSC) regarding visitations, and should follow infection control policies and practices set forth by HHSC, including minimizing the movement of staff between facilities whenever possible.
 - e. Public schools may operate as provided by, and under the minimum standard health protocols found in, guidance issued by the Texas Education Agency. Private schools and institutions of higher education are encouraged to establish similar standards.
 - f. County and municipal jails should follow guidance from the Texas Commission on Jail Standards regarding visitations.
 - g. As stated above, business activities and legal proceedings are free to proceed without COVID-19-related limitations imposed by local governmental entities or officials. This paragraph number 3 supersedes any conflicting local order in response to the COVID-19 disaster, and all relevant laws are suspended to the extent necessary to preclude any such inconsistent local orders. Pursuant to the legislature's command in Section 418.173 of the Texas Government Code and the State's emergency management plan, the imposition of any conflicting or inconsistent limitation by a local governmental entity or official constitutes a "failure to comply with" this executive order that is subject to a fine up to \$1,000.

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JUL 29 2021

4. To further ensure that no governmental entity can mandate masks, the following requirements shall continue to apply:
 - a. No governmental entity, including a county, city, school district, and public health authority, and no governmental official may require any person to wear a face covering or to mandate that another person wear a face covering; provided, however, that:
 - i. state supported living centers, government-owned hospitals, and government-operated hospitals may continue to use appropriate policies regarding the wearing of face coverings; and
 - ii. the Texas Department of Criminal Justice, the Texas Juvenile Justice Department, and any county and municipal jails acting consistent with guidance by the Texas Commission on Jail Standards may continue to use appropriate policies regarding the wearing of face coverings.
 - b. This paragraph number 4 shall supersede any face-covering requirement imposed by any local governmental entity or official, except as explicitly provided in subparagraph number 4.a. To the extent necessary to ensure that local governmental entities or officials do not impose any such face-covering requirements, I hereby suspend the following:
 - i. Sections 418.1015(b) and 418.108 of the Texas Government Code;
 - ii. Chapter 81, Subchapter E of the Texas Health and Safety Code;
 - iii. Chapters 121, 122, and 341 of the Texas Health and Safety Code;
 - iv. Chapter 54 of the Texas Local Government Code; and
 - v. Any other statute invoked by any local governmental entity or official in support of a face-covering requirement.

Pursuant to the legislature's command in Section 418.173 of the Texas Government Code and the State's emergency management plan, the imposition of any such face-covering requirement by a local governmental entity or official constitutes a "failure to comply with" this executive order that is subject to a fine up to \$1,000.
 - c. Even though face coverings cannot be mandated by any governmental entity, that does not prevent individuals from wearing one if they choose.
5. To further ensure uniformity statewide:
 - a. 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 or allows gatherings restricted by 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

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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.

- b. Confinement in jail is not an available penalty for violating this executive order. 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 all pre-existing COVID-19-related executive orders and rescinds them in their entirety, except that it does not supersede or rescind Executive Orders GA-13 or GA-37. 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 the 29th
day of July, 2021.

Handwritten signature of Greg Abbott in black ink.

GREG ABBOTT
Governor

ATTESTED BY:

Handwritten signature of Joe A. Esparza in black ink.

JOE A. ESPARZA
Deputy Secretary of State

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SECRETARY OF STATE
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JUL 29 2021



GOVERNOR GREG ABBOTT

August 29, 2021

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SECRETARY OF STATE
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AUG 29 2021


Secretary of State

Mr. Joe A. Esparza
Deputy Secretary of State
State Capitol Room 1E.8
Austin, Texas 78701

Dear Mr. Deputy Secretary:

Pursuant to his powers as Governor of the State of Texas, Greg Abbott has issued the following:

A proclamation renewing the declaration stating the novel coronavirus (COVID-19) poses an imminent threat of disaster for all counties in Texas.

The original proclamation is attached to this letter of transmittal.

Respectfully submitted,


Gregory S. Davidson
Executive Clerk to the Governor

GSD/gsd

Attachment

PROCLAMATION
BY THE
Governor of the State of Texas

TO ALL TO WHOM THESE PRESENTS SHALL COME:

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 issued proclamations renewing 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, a state of disaster continues to exist in all counties due to COVID-19;

NOW, THEREFORE, in accordance with the authority vested in me by Section 418.014 of the Texas Government Code, I do hereby renew the disaster proclamation for all counties in Texas.

Pursuant to Section 418.017, I authorize the use of all available resources of state government and of political subdivisions that are reasonably necessary to cope with this disaster.

Pursuant to Section 418.016, any regulatory statute prescribing the procedures for conduct of state business or any order or rule of a state agency that would in any way prevent, hinder, or delay necessary action in coping with this disaster shall be suspended upon written approval of the Office of the Governor. However, to the extent that the enforcement of any state statute or administrative rule regarding contracting or procurement would impede any state agency's emergency response that is necessary to cope with this declared disaster, I hereby suspend such statutes and rules for the duration of this declared disaster for that limited purpose.

In accordance with the statutory requirements, copies of this proclamation shall be filed with the applicable authorities.



IN TESTIMONY WHEREOF, I have hereunto signed my name and have officially caused the Seal of State to be affixed at my office in the City of Austin, Texas, this the 29th day of August, 2021.

A handwritten signature in black ink that reads "Greg Abbott".

GREG ABBOTT
Governor

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ATTESTED BY:



JOE ESPARZA
Deputy Secretary of State

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GOVERNOR GREG ABBOTT

October 11, 2021

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OCT 11 2021

A handwritten signature in black ink, appearing to be "J. B. ..." with a long horizontal stroke extending to the right, written over the printed name "Secretary of State".

Secretary of State

Mr. Joe A. Esparza
Deputy Secretary of State
State Capitol Room 1E.8
Austin, Texas 78701

Dear Deputy Secretary Esparza:

Pursuant to his powers as Governor of the State of Texas, Greg Abbott has issued the following:

Executive Order No. GA-40 relating to prohibiting vaccine mandates, subject to legislative action.

The original executive order is attached to this letter of transmittal.

Respectfully submitted,

A handwritten signature in blue ink, appearing to be "G. Davidson" with a long horizontal stroke extending to the right, written over the printed name and title.

Gregory S. Davidson
Executive Clerk to the Governor
GSD/gsd

Attachment

Executive Order

BY THE
GOVERNOR OF THE STATE OF TEXAS

Executive Department
Austin, Texas
October 11, 2021

EXECUTIVE ORDER
GA 40

*Relating to prohibiting vaccine mandates,
subject to legislative action.*

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 Texas counties; and

WHEREAS, in each subsequent month effective through today, I have renewed the COVID-19 disaster declaration for all Texas counties; and

WHEREAS, I have issued a series of executive orders aimed at protecting the health and safety of Texans, ensuring uniformity throughout Texas, and achieving the least restrictive means of combatting the evolving threat to public health; and

WHEREAS, COVID-19 vaccines are strongly encouraged for those eligible to receive one, but must always be voluntary for Texans; and

WHEREAS, I issued Executive Orders GA-35, GA-38, and GA-39 to prohibit governmental entities and certain others from imposing COVID-19 vaccine mandates or requiring vaccine passports; and

WHEREAS, in yet another instance of federal overreach, the Biden Administration is now bullying many private entities into imposing COVID-19 vaccine mandates, causing workforce disruptions that threaten Texas's continued recovery from the COVID-19 disaster; and

WHEREAS, countless Texans fear losing their livelihoods because they object to receiving a COVID-19 vaccination for reasons of personal conscience, based on a religious belief, or for medical reasons, including prior recovery from COVID-19; and

WHEREAS, through Chapter 161 of the Texas Health and Safety Code, as well as other laws including Chapters 38 and 51 of the Texas Education Code, the legislature has established its primary role over immunizations, and all immunization laws and regulations in Texas stem from the laws established by the legislature; and

WHEREAS, the legislature has taken care to provide exemptions that allow people to opt out of being forced to take a vaccine for reasons of conscience or medical reasons; and

WHEREAS, I am adding this issue to the agenda for the Third Called Session of the legislature that is currently convened so that the legislature has the opportunity to consider this issue through legislation; and

WHEREAS, I will rescind this executive order upon the effective date of such legislation;

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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 immediately:

1. No entity in Texas can compel receipt of a COVID-19 vaccine by any individual, including an employee or a consumer, who objects to such vaccination for any reason of personal conscience, based on a religious belief, or for medical reasons, including prior recovery from COVID-19. I hereby suspend all relevant statutes to the extent necessary to enforce this prohibition.
2. The maximum fine allowed under Section 418.173 of the Texas Government Code and the State's emergency management plan shall apply to any "failure to comply with" this executive order. Confinement in jail is not an available penalty for violating this executive order.
3. This executive order shall supersede any conflicting order issued by local officials in response to the COVID-19 disaster. 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.

This executive order does not supersede Executive Orders GA-13, GA-37, GA-38, or GA-39. 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 the 11th
day of October, 2021.



GREG ABBOTT
Governor

ATTESTED BY:



JOE A. ESPARZA
Deputy Secretary of State

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SECRETARY OF STATE
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OCT 11 2021

City of Lockhart, Texas

Council Agenda Item Cover Sheet

COUNCIL MEETING DATE: November 2, 2021

AGENDA ITEM CAPTION: Continue a PUBLIC HEARING on application ZC-21-14 by Javier Barajas, P.E., on behalf of 900 Lockhart, LLC, and Anil Chaudhary, and discussion and/or action to consider Ordinance 2021-34 for a **Zoning Change** from *CLB Commercial Light Business District, RLD Residential Low Density District, and AO Agricultural--Open Space District* to 5.598 acres *RMD Residential Medium Density District* and 35.672 acres *RLD Residential Low Density District*, on a total of 41.27 acres in the Francis Berry Survey, Abstract No. 2, located at 900 State Park Road (FM 20). *TABLED 10-19-21*

ORIGINATING DEPARTMENT AND CONTACT: Development Services - Dan Gibson

ACTION REQUESTED: Ordinance

BACKGROUND/SUMMARY/DISCUSSION: The tract under contiguous ownership is currently zoned CLB at the north end, with the remainder currently zoned RLD and AO. The applicant proposes to leave a portion of the existing CLB-zoned area along State Park Road as CLB, so it is not included in the zoning change, but wishes to rezone the remainder of it to RMD and RLD. The larger area south of the proposed RMD zoning is already mostly zoned RLD, but because a small portion of the current CLB zoning extends into it and there is a strip of AO zoning along the south end, the easiest way to accomplish rezoning the piece is to simply rezone the south area from RLD, CLB, and AO to RLD. The end result will be a zoning pattern consisting of a strip of CLB at the north end along State Park Road, and a middle area zoned RMD for residential development that can include uses allowed in that district, including single-family dwellings, patio homes, and duplexes by-right, and other types of housing upon approval of a specific use permit. The larger south area will be entirely zoned RLD, which allows only single-family dwellings. Because all parts of the property being rezoned will be residential, it should be compatible with existing residential development on the east and west sides. As with all new development, the most significant impact will be additional traffic. A traffic impact analysis (TIA) for new street connections to State Park Road will be required as part of the plat approval process. The south portion of the property is already zoned mostly RLD, and will be zoned entirely RLD if the zoning change is approved. The RLD classification proposed for the south 35.672 acres is consistent with the *Low Density Residential* land use designation for that area on the Land Use Plan map. The 5.598-acre area proposed to be rezoned to RMD would not be strictly consistent with the *Low Density Residential* and *Light-Medium Commercial* land use designations on the Land use Plan map, but RMD would be a suitable transition between the abutting CHB, CLB, and RLD classifications. One letter of opposition is attached. In addition, the owners and residents of 1600 Sunrise Terrace, which abuts on the west side of the subject property, spoke at the Planning and Zoning Commission meeting to voice concerns about drainage and stated that they wanted to learn more about what types of development would be allowed in the requested RMD and RLD zoning classifications. See the attached staff report for more information.

City of Lockhart, Texas

Council Agenda Item Cover Sheet

PROJECT SCHEDULE (if applicable): Not applicable.

AMOUNT & SOURCE OF FUNDING:

Funds Required:

Account Number:

Funds Available:

Account Name:

FISCAL NOTE (if applicable): Not applicable.

PREVIOUS COUNCIL ACTION: Tabled at the October 19th meeting due to an error in the public hearing notification.

COMMITTEE/BOARD/COMMISSION ACTION: At their October 27th meeting the Planning and Zoning Commission voted unanimously to recommend APPROVAL.

STAFF RECOMMENDATION/REQUESTED MOTION: Staff recommends APPROVAL of Ordinance 2021-34.

LIST OF SUPPORTING DOCUMENTS: zc2114 ordinance, zc2114 Exhibits A & B, ZC2114 case map, ZC2114 zoning, ZC2114 future landuse, ZC2114 aerial, zc2114 staff report, zc2114 letter of concern, zc2114 application & owner's letter

ORDINANCE 2021-34

AN ORDINANCE OF THE CITY OF LOCKHART, TEXAS, AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF LOCKHART, TEXAS, TO RECLASSIFY THE PROPERTY KNOWN AS 41.27 ACRES IN THE FRANCIS BERRY SURVEY, ABSTRACT NO. 2, LOCATED AT 900 STATE PARK ROAD (FM 20), FROM CLB COMMERCIAL LIGHT BUSINESS DISTRICT, RLD RESIDENTIAL LOW DENSITY DISTRICT, AND AO AGRICULTURAL–OPEN SPACE DISTRICT TO 5.598 ACRES RMD RESIDENTIAL MEDIUM DENSITY DISTRICT AND 35.672 ACRES RLD RESIDENTIAL LOW DENSITY DISTRICT.

WHEREAS, on October 27, 2021, the Planning and Zoning Commission held a public hearing and voted to recommend approval of said change; and,

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

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

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

- I. The foregoing recitals are approved and adopted herein for all purposes.
- II. The above-referenced property described in Zoning Change request ZC-21-14 as 41.27 acres in the Francis Berry Survey, Abstract No. 2, more particularly described in Exhibit “A” and Exhibit “B” and located at 900 State Park Road (FM 20), will be reclassified from CLB Commercial Light Business District, RLD Residential Low Density District, and AO Agricultural Open–Space District to 5.598 acres RMD Residential Medium Density District and 35.672 acres RLD Residential Low Density District.
- III. Severability: If any provision, section, clause, sentence, or phrase of this ordinance is for any reason held to be unconstitutional, void, invalid, or unenforced, the validity of the remainder of this ordinance or its application shall not be affected, it being the intent of the City Council in adopting and of the Mayor in approving this ordinance that no portion, provision, or regulation contained herein shall become inoperative or fail by way of reasons of any unconstitutionality or invalidity of any other portion, provision or regulation.
- IV. Repealer: That all other ordinances, sections, or parts of ordinances heretofore adopted by the City of Lockhart in conflict with the provisions set out above in this ordinance are hereby repealed or amended as indicated.
- V. Publication: That the City Secretary is directed to cause this ordinance caption to be published in a newspaper of general circulation according to law.
- VI. Effective Date: That this ordinance shall become effective and be in full force immediately upon and from the date of its passage.

PASSED, APPROVED, AND ADOPTED AT A REGULAR MEETING OF THE LOCKHART CITY COUNCIL ON THIS THE 2nd DAY OF NOVEMBER, 2021.

CITY OF LOCKHART

Lew White, Mayor

ATTEST:

APPROVED AS TO FORM:

Connie Constancio, TRMC, City Secretary

Monte Akers, City Attorney

**EXHIBIT A
METES AND BOUNDS
5.598 ACRES**

BEING 5.598 ACRES OF LAND OUT OF THE FRANCIS BERRY SURVEY, ABSTRACT No. 2, CALDWELL COUNTY, TEXAS, SAME BEING A PART OUT OF LOT 2, BLOCK B, PLANTATION PARK ESTATES RECORDED IN CABINET A, SLIDE 10, MAP RECORDS CALDWELL COUNTY, TEXAS, AND SAME BEING OUT OF A CALLED 44.575 ACRE TRACT CONVEYED TO 900 LOCKHART, LLC A TEXAS LIMITED LIABILITY COMPANY AND ANIL CHAUDHARY, DESCRIBED IN A GENERAL WARRANTY DEED DATED JUNE 11, 2011, RECORDED IN DOCUMENT No. 2021-004386, OFFICIAL PUBLIC RECORDS CALDWELL COUNTY, TEXAS, SAID 5.598 ACRES TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING AT AN IRON ROD FOUND THE NORTHEAST CORNER OF LOT 1 BLOCK 1, FOGLE-MILLER SUBDIVISION, RECORDED IN CABINET B, SLIDE 102, MAP RECORDS CALDWELL COUNTY, TEXAS, SAME BEING THE NORTHWEST CORNER OF LOT 2, BLOCK B, PLANTATION PARK ESTATES RECORDED IN CABINET A, SLIDE 10, MAP RECORDS CALDWELL COUNTY, TEXAS;

THENCE, S31°25'21"E, ALONG THE EAST LINE OF THE SAID FOGLE-MILLER SUBDIVISION, A DISTANCE OF 215.14 FEET TO A 1/2 INCH IRON ROD WITH A PINK CAP SET ON THE EAST LINE OF THE SAID FOGLE-MILLER SUBDIVISION, FOR THE NORTHWEST CORNER OF THE HEREIN DESCRIBED TRACT AND THE **POINT OF BEGINNING**;

THENCE, N59°09'05"E, ACROSS THE SAID LOT 2, A DISTANCE OF 654.21 FEET TO A 1/2 INCH IRON ROD WITH A PINK CAP SET ON THE WEST LINE OF PLANTATION PARK ESTATES, SECTION ONE, RECORDED IN CABINET C, SLIDE 61, MAP RECORDS CALDWELL COUNTY, TEXAS, FOR THE NORTHEAST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, S31°26'22"E, ALONG THE WEST LINE OF THE SAID PLANTATION PARK ESTATES, A DISTANCE OF 105.81 FEET TO A 1/2 INCH IRON ROD WITH A PINK CAP SET ON WEST LINE OF THE SAID PLANTATION PARK ESTATES, FOR AN ANGLE BREAK IN THE HEREIN DESCRIBE TRACT;

THENCE, S31°26'08"E, ALONG THE WEST LINE OF THE SAID PLANTATION PARK ESTATES, A DISTANCE OF 138.60 FEET TO AN IRON ROD FOUND ON THE NORTH RIGHT-OF-WAY LINE OF ROBERT E. LEE STREET, SAME BEING THE SOUTHWEST CORNER OF THE SAID PLANTATION PARK ESTATES, FOR AND INTERIOR CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, S76°39'28"E, ALONG THE WEST RIGHT-OF-WAY LINE OF ROBERT E. LEE STREET, A DISTANCE OF 70.48 FEET TO AN IRON ROD FOUND ON THE SOUTH RIGHT-OF-WAY LINE OF ROBERT E. LEE STREET, SAME BEING A POINT ON THE NORTH LINE OF A CALLED 1.4917 ACRE TRACT CONVEYED TO SPRINGS IN THE DESERT CHURCH

EXHIBIT B

BEING 5.598 ACRES OF LAND OUT OF THE FRANCIS BERRY SURVEY, ABSTRACT No. 2, CALDWELL COUNTY, TEXAS, SAME BEING A PART OUT OF LOT 2, BLOCK B, PLANTATION PARK ESTATES RECORDED IN CABINET A, SLIDE 10, MAP RECORDS CALDWELL COUNTY, TEXAS, AND SAME BEING OUT OF A CALLED 44.575 ACRE TRACT CONVEYED TO 900 LOCKHART, LLC A TEXAS LIMITED LIABILITY COMPANY AND ANIL CHAUDHARY, DESCRIBED IN A GENERAL WARRANTY DEED DATED JUNE 11, 2011, RECORDED IN DOCUMENT No. 2021-004386, OFFICIAL PUBLIC RECORDS CALDWELL COUNTY, TEXAS

N59°09'05"E 654.21'

LOT 4-B
LOT 4-A
LOT 5-B
LOT 5-A
LOT 6-A
LOT 6-B

PLANTATION PARK ESTATES PLAT SECTION ONE CAB. C SLIDE 10 MAP RECORDS

PLANTATION PARK EST. PART OF LOT 1 BLOCK C, CALLED 1.4917 ACRES SPRINGS IN THE DESERT CHURCH INC. VOLUME 389, PAGE 294 O.P.R.

PLANTATION PARK EST. PART OF LOT 1 BLOCK C, CALLED 1.4917 ACRES SPRINGS IN THE DESERT CHURCH INC. VOLUME 389, PAGE 294 O.P.R.

PLANTATION PARK EST. PART OF LOT 1 BLOCK C, CALLED 1.4917 ACRES SPRINGS IN THE DESERT CHURCH INC. VOLUME 389, PAGE 294 O.P.R.

PLANTATION PARK EST. PART OF LOT 1 BLOCK C, CALLED 1.4917 ACRES SPRINGS IN THE DESERT CHURCH INC. VOLUME 389, PAGE 294 O.P.R.

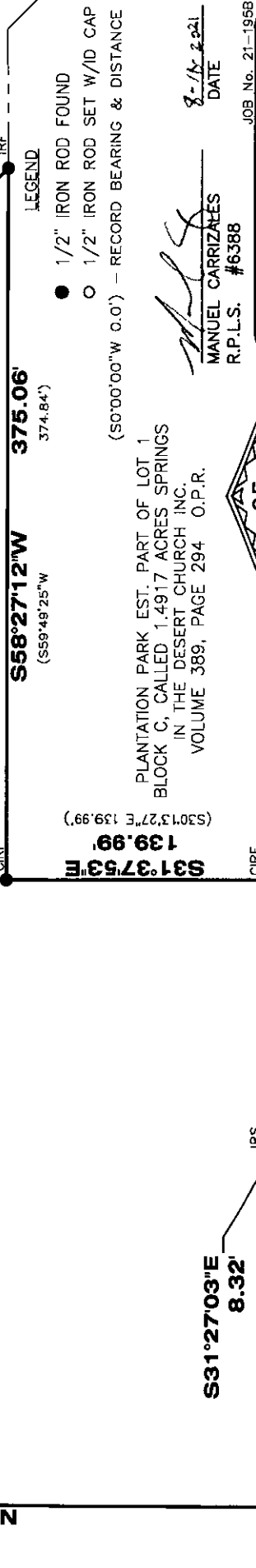
PLANTATION PARK EST. PART OF LOT 1 BLOCK C, CALLED 1.4917 ACRES SPRINGS IN THE DESERT CHURCH INC. VOLUME 389, PAGE 294 O.P.R.

PLANTATION PARK EST. PART OF LOT 1 BLOCK C, CALLED 1.4917 ACRES SPRINGS IN THE DESERT CHURCH INC. VOLUME 389, PAGE 294 O.P.R.

PLANTATION PARK EST. PART OF LOT 1 BLOCK C, CALLED 1.4917 ACRES SPRINGS IN THE DESERT CHURCH INC. VOLUME 389, PAGE 294 O.P.R.

OWNER: 900 LOCKHART, LLC, A TEXAS LIMITED LIABILITY COMPANY & ANIL CHAUDHARY CALLED 44.575 ACRES DOCUMENT No. 2021-004386 O.P.R.C.C.

OWNER: 900 LOCKHART, LLC, A TEXAS LIMITED LIABILITY COMPANY & ANIL CHAUDHARY CALLED 44.575 ACRES DOCUMENT No. 2021-004386 O.P.R.C.C.



LEGEND

- 1/2" IRON ROD FOUND
- 1/2" IRON ROD SET W/ID CAP

(50°00'00"W 0.0) - RECORD BEARING & DISTANCE

MANUEL CARRIZALES
R.P.L.S. #6388

DATE: 8-18-2021

JOB No. 21-1958

Carrizales Land Surveying, LLC

Texas Registered Surveying Firm
TPSLS FIRM No. 0194417
Office: 512-470-1489
Info: info@clsl.com

STATE OF TEXAS
REGISTERED PROFESSIONAL LAND SURVEYOR
MANUEL CARRIZALES
6388

OWNER: 900 LOCKHART, LLC, A TEXAS LIMITED LIABILITY COMPANY & ANIL CHAUDHARY CALLED 44.575 ACRES DOCUMENT No. 2021-004386 O.P.R.C.C.

BEARING BASIS-TEXAS STATE PLANE COORDINATE SYSTEM, TEXAS SOUTH ZONE 4205

0 80 160 Feet

SCALE 1" = 80'

P.O.C. (330°03'14"E) 449.92'

P.O.B. (S30°04'49"E) 105.81'

(S31°26'08"E) 138.60'

(S76°39'28"E) 70.48'

(S31°27'03"E) 8.32'

(S58°32'11"W) 185.28'

(S58°32'59"W) 144.46'

(S58°27'12"W) 375.06'

(S30°04'49"E) 105.81'

(S30°04'49"E) 105.81'

EXHIBIT B
METES AND BOUNDS
35.672 ACRES

BEING 35.672 ACRES OF LAND OUT OF THE FRANCIS BERRY SURVEY, ABSTRACT No. 2, CALDWELL COUNTY, TEXAS, SAME BEING A PART OUT OF LOT 2, BLOCK B, PLANTATION PARK ESTATES RECORDED IN CABINET A, SLIDE 10, MAP RECORDS CALDWELL COUNTY, TEXAS, AND SAME BEING OUT OF A CALLED 44.575 ACRE TRACT CONVEYED TO 900 LOCKHART, LLC A TEXAS LIMITED LIABILITY COMPANY AND ANIL CHAUDHARY, DESCRIBED IN A GENERAL WARRANTY DEED DATED JUNE 11, 2011, RECORDED IN DOCUMENT No. 2021-004386, OFFICIAL PUBLIC RECORDS CALDWELL COUNTY, TEXAS, SAID 35.672 ACRES TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING AT AN IRON ROD FOUND THE NORTHEAST CORNER OF LOT 1 BLOCK 1, FOGLE-MILLER SUBDIVISION, RECORDED IN CABINET B, SLIDE 102, MAP RECORDS CALDWELL COUNTY, TEXAS, SAME BEING THE NORTHWEST CORNER OF LOT 2, BLOCK B, PLANTATION PARK ESTATES RECORDED IN CABINET A, SLIDE 10, MAP RECORDS CALDWELL COUNTY, TEXAS;

THENCE, S31°25'21"E, ALONG THE EAST LINE OF THE SAID FOGLE-MILLER SUBDIVISION, A DISTANCE OF 665.06 FEET TO AN IRON ROD FOUND ON THE SOUTHEAST CORNER OF THE SAID FOGLE-MILLER SUBDIVISION, FOR A CORNER OF THE HEREIN DESCRIBED TRACT AND THE **POINT OF BEGINNING**;

THENCE, N58°32'11"E, ACROSS THE SAID 44.575 ACRE TRACT, A DISTANCE OF 185.28 FEET TO AN IRON ROD FOUND, FOR AN INTERIOR CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, N31°27'03"E, ACROSS THE SAID 44.575 ACRE TRACT, A DISTANCE OF 8.32 FEET TO AN IRON ROD FOUND, FOR AN EXTERIOR CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, N58°32'59"E, ACROSS THE SAID 44.575 ACRE TRACT, A DISTANCE OF 144.46 FEET TO A CAPPED IRON ROD FOUND ON THE WEST LINE OF A CALLED 1.4917 ACRE TRACT CONVEYED TO SPRINGS IN THE DESERT CHURCH INC., RECORDED IN VOLUME 389, PAGE 294, OFFICIAL PUBLIC RECORDS CALDWELL COUNTY, TEXAS, FOR AN EXTERIOR CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, N58°26'36"E, ALONG THE SOUTH LINE OF THE SAID 1.4917 ACRE TRACT, A DISTANCE OF 464.83 FEET TO AN IRON ROD FOUND ON THE SOUTHEAST CORNER OF THE SAID 1.4917 ACRE TRACT, FOR AN INTERIOR CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, N31°42'08"W, ALONG THE EAST LINE OF THE SAID 1.4917 ACRE TRACT, A DISTANCE OF 58.85 FEET TO AN IRON ROD FOUND ON THE EAST LINE OF THE SAID 1.4917 ACRE TRACT, SAME BEING THE WEST RIGHT-OF-WAY LINE OF McMILLEN BLVD., FOR AN EXTERIOR CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, N57°55'12"E, ALONG THE BOUNDARY LINE OF THE SAID RIGHT-OF-WAY LINE OF McMILLEN BLVD., A DISTANCE OF 64.55 FEET TO AN IRON ROD FOUND ON THE EAST RIGHT-OF-WAY LINE OF THE SAID McMILLEN BLVD., SAME BEING THE SOUTHWEST CORNER OF LOT 6 , PLANTATION PARK, BLOCK A, CABINET A, SLIDE 10, MAP RECORDS CALDWELL COUNTY, TEXAS, FOR AN ANGLE POINT OF THE HEREIN DESCRIBED TRACT;

THENCE, N58°29'50"E, ALONG THE SOUTH LINE OF THE SAID LOT 6, PLANTATION PARK, BLOCK A, A DISTANCE OF 140.35 FEET TO AN IRON ROD FOUND ALONG THE WEST LINE OF A CALLED 44.25 ACRE TRACT CONVEYED TO OPAL McGEE, RECORDED IN INSTRUMENT No. 132107, OFFICIAL PUBLIC RECORDS OF CALDWELL COUNTY, TEXAS, FOR THE NORTHEAST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, S31°12'29"E, ALONG THE WEST LINE OF THE SAID 44.25 ACRE OPAL McGEE TRACT, A DISTANCE OF 1282.15 FEET TO A 1/2 INCH IRON ROD WITH A PINK CAP SET ON THE NORTHEAST CORNER OF A CALLED 35.94 ACRE TRACT CONVEYED TO OPAL McGEE, RECORDED IN INSTRUMENT No. 132107, OFFICIAL PUBLIC RECORDS OF CALDWELL COUNTY, TEXAS, SAME BEING THE SOUTHEAST CORNER OF THE SAID 44.575 ACRE TRACT, FOR THE SOUTHEAST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, S58°36'03"W, ALONG THE SOUTH BOUNDARY LINE OF THE SAID 44.575 ACRE TRACT, SAME BEING THE NORTH LINE OF THE SAID 35.94 ACRE OPAL McGEE TRACT, A DISTANCE OF 1263.27 FEET TO A 1/2 INCH IRON ROD WITH A PINK CAP SET ALONG THE EAST LINE OF A CALLED 90.99 ACRE TRACT, CONVEYED TO KLUTTS LAND INC., RECORDED IN VOLUME 99, PAGE 570, OFFICIAL PUBLIC RECORDS OF CALDWELL COUNTY, TEXAS, FOR THE SOUTHWEST CORNER OF THE HEREIN DESCRIBED TRACT;

EXHIBIT B
 BEING 35.679 ACRES OF LAND OUT OF THE FRANCIS BERRY SURVEY, ABSTRACT NO. 2, CALDWELL COUNTY, TEXAS, SAME BEING A PART OUT OF LOT 2, BLOCK B, PLANTATION PARK ESTATES RECORDED IN CABINET A, SLIDE 10, MAP RECORDS CALDWELL COUNTY, TEXAS, AND SAME BEING OUT OF A CALLED 44.575 ACRE TRACT CONVEYED TO 900 LOCKHART, LLC A TEXAS LIMITED LIABILITY COMPANY AND ANIL CHAUDHARY, DESCRIBED IN A GENERAL WARRANTY DEED DATED JUNE 11, 2011, RECORDED IN DOCUMENT NO. 2021-004386, OFFICIAL PUBLIC RECORDS CALDWELL COUNTY, TEXAS



BEARING BASIS—TEXAS STATE PLANE
 COORDINATE SYSTEM,
 TEXAS SOUTH ZONE 4205

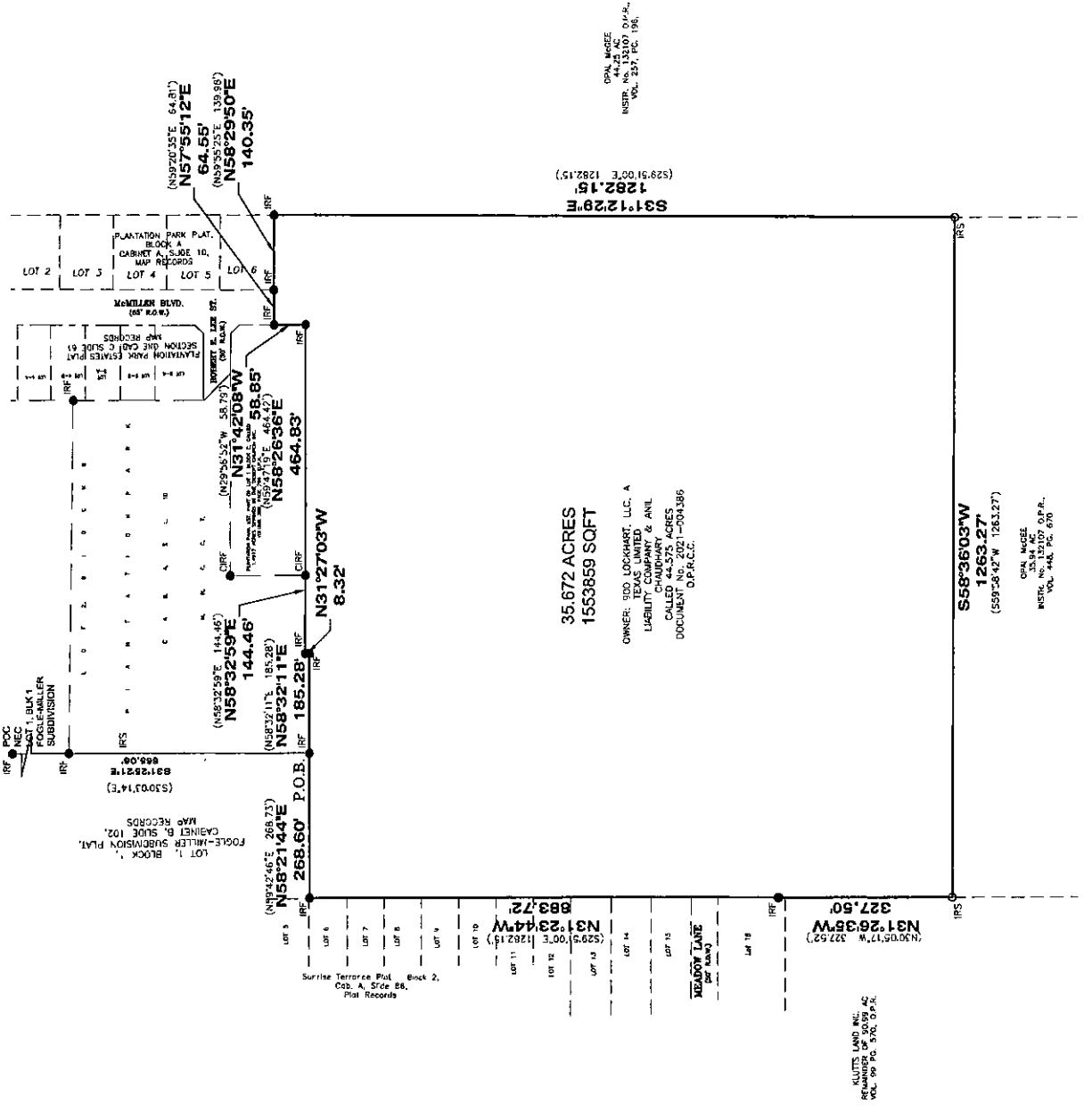


LEGEND

- 1/2" IRON ROD FOUND
 - 1/2" IRON ROD SET W/ID CAP
- (50'00'00" ± 0.0') - RECORD BEARING & DISTANCE

- NOTES:**
1. A METES AND BOUNDS DESCRIPTION OF EVEN DATE HEREBY ACCOMPANIES THIS SURVEY PLAT
 2. SURVEY DONE WITHOUT THE BENEFIT OF A TITLE COMMITMENT.
 3. NO ADDITIONAL EASEMENT RESEARCH WAS DONE BY THIS SURVEYOR.

M. S.
 MANUEL CARRIZALES
 R.P.L.S. #6388
 DATE 9-21-2021
 JOB No. 21-195C



35.672 ACRES
1553859 SQFT

OWNER: 900 LOCKHART, LLC, A TEXAS LIMITED LIABILITY COMPANY & ANIL CHAUDHARY ACRES CALLED 44.575 ACRE TRACT CONVEYED TO O.P.A.C.C.

327.90
1430517
327.90

OWNER: 900 LOCKHART, LLC, A TEXAS LIMITED LIABILITY COMPANY & ANIL CHAUDHARY ACRES CALLED 44.575 ACRE TRACT CONVEYED TO O.P.A.C.C.

LOT 1, BLOCK B, PLANTATION PARK ESTATES SECTION ONE (S1) SIDE C MAP RECORDS

LOT 2, BLOCK B, PLANTATION PARK ESTATES SECTION ONE (S1) SIDE C MAP RECORDS

LOT 3, BLOCK B, PLANTATION PARK ESTATES SECTION ONE (S1) SIDE C MAP RECORDS

LOT 4, BLOCK B, PLANTATION PARK ESTATES SECTION ONE (S1) SIDE C MAP RECORDS

LOT 5, BLOCK B, PLANTATION PARK ESTATES SECTION ONE (S1) SIDE C MAP RECORDS

LOT 6, BLOCK B, PLANTATION PARK ESTATES SECTION ONE (S1) SIDE C MAP RECORDS

LOT 7, BLOCK B, PLANTATION PARK ESTATES SECTION ONE (S1) SIDE C MAP RECORDS

LOT 8, BLOCK B, PLANTATION PARK ESTATES SECTION ONE (S1) SIDE C MAP RECORDS

LOT 9, BLOCK B, PLANTATION PARK ESTATES SECTION ONE (S1) SIDE C MAP RECORDS

LOT 10, BLOCK B, PLANTATION PARK ESTATES SECTION ONE (S1) SIDE C MAP RECORDS

LOT 11, BLOCK B, PLANTATION PARK ESTATES SECTION ONE (S1) SIDE C MAP RECORDS

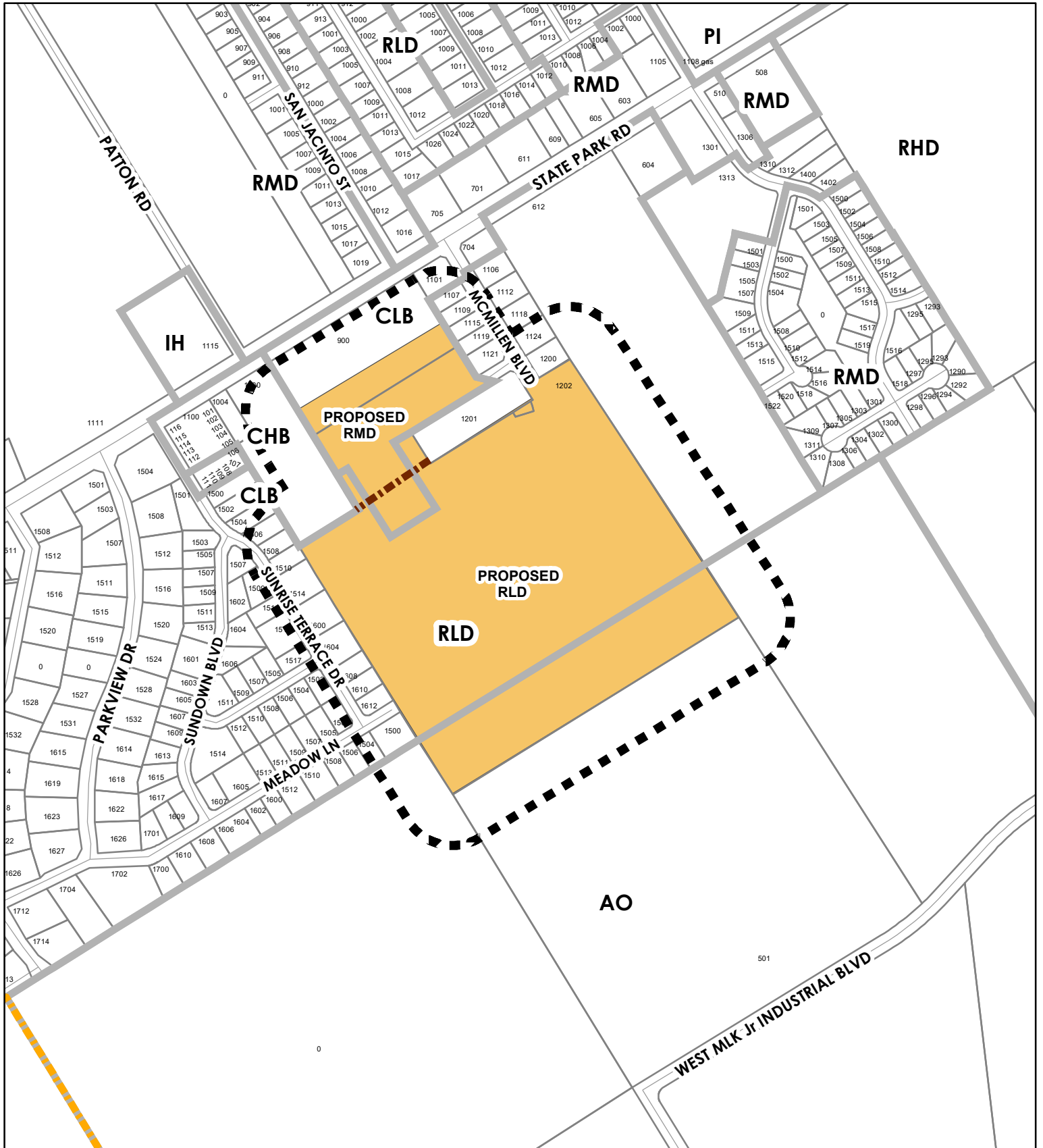
LOT 12, BLOCK B, PLANTATION PARK ESTATES SECTION ONE (S1) SIDE C MAP RECORDS

LOT 13, BLOCK B, PLANTATION PARK ESTATES SECTION ONE (S1) SIDE C MAP RECORDS

LOT 14, BLOCK B, PLANTATION PARK ESTATES SECTION ONE (S1) SIDE C MAP RECORDS

LOT 15, BLOCK B, PLANTATION PARK ESTATES SECTION ONE (S1) SIDE C MAP RECORDS

LOT 16, BLOCK B, PLANTATION PARK ESTATES SECTION ONE (S1) SIDE C MAP RECORDS



ZC-21-14

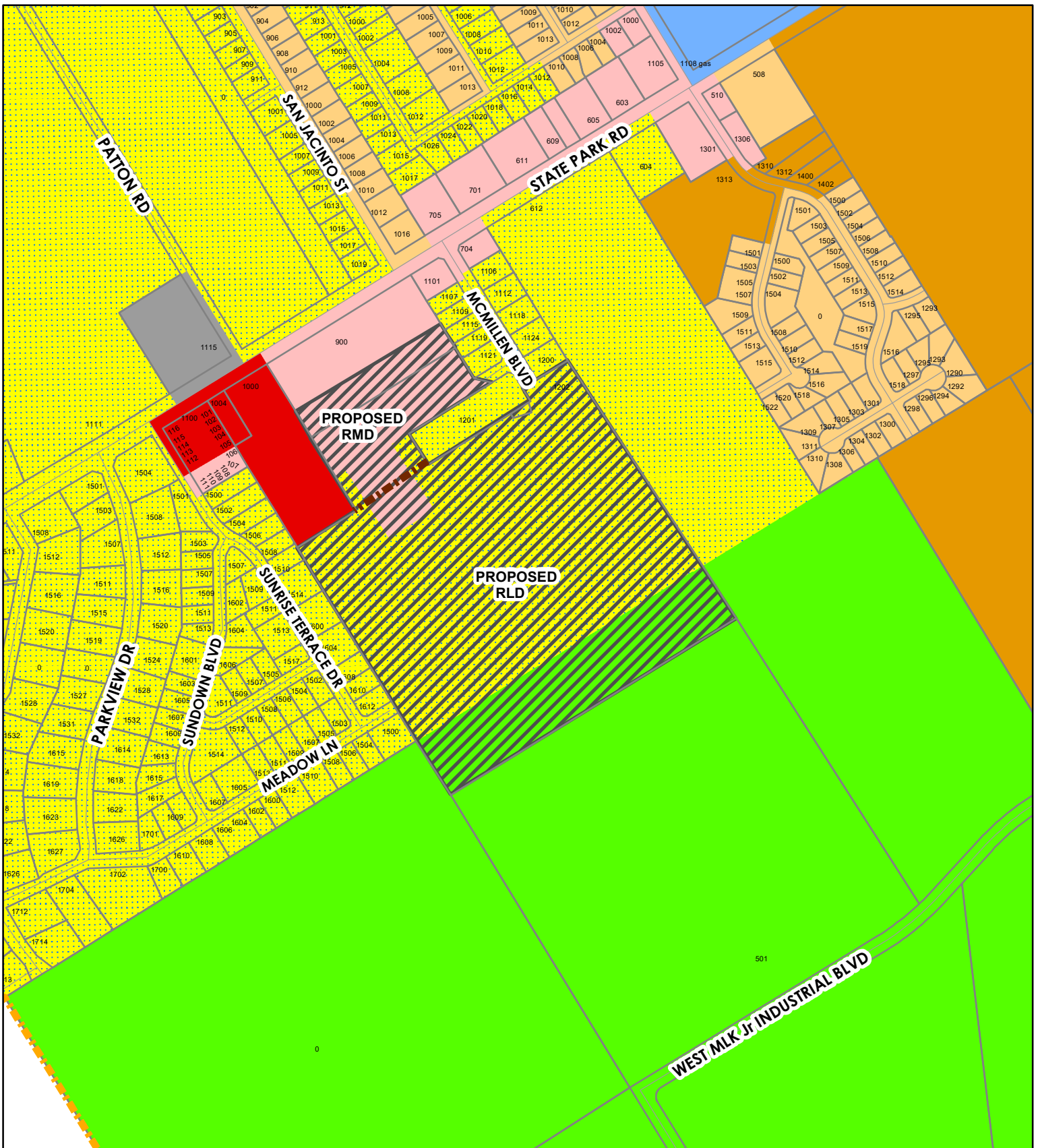
CLB & RLD & AO
TO
RMD & RLD

900 STATE PARK RD (FM 20)



scale 1" = 500'

- SUBJECT PROPERTY
- ZONING BOUNDARY
- 200 FT BUFFER
- CITY LIMITS



ZC-21-14

CLB & RLD & AO
TO
RMD & RLD

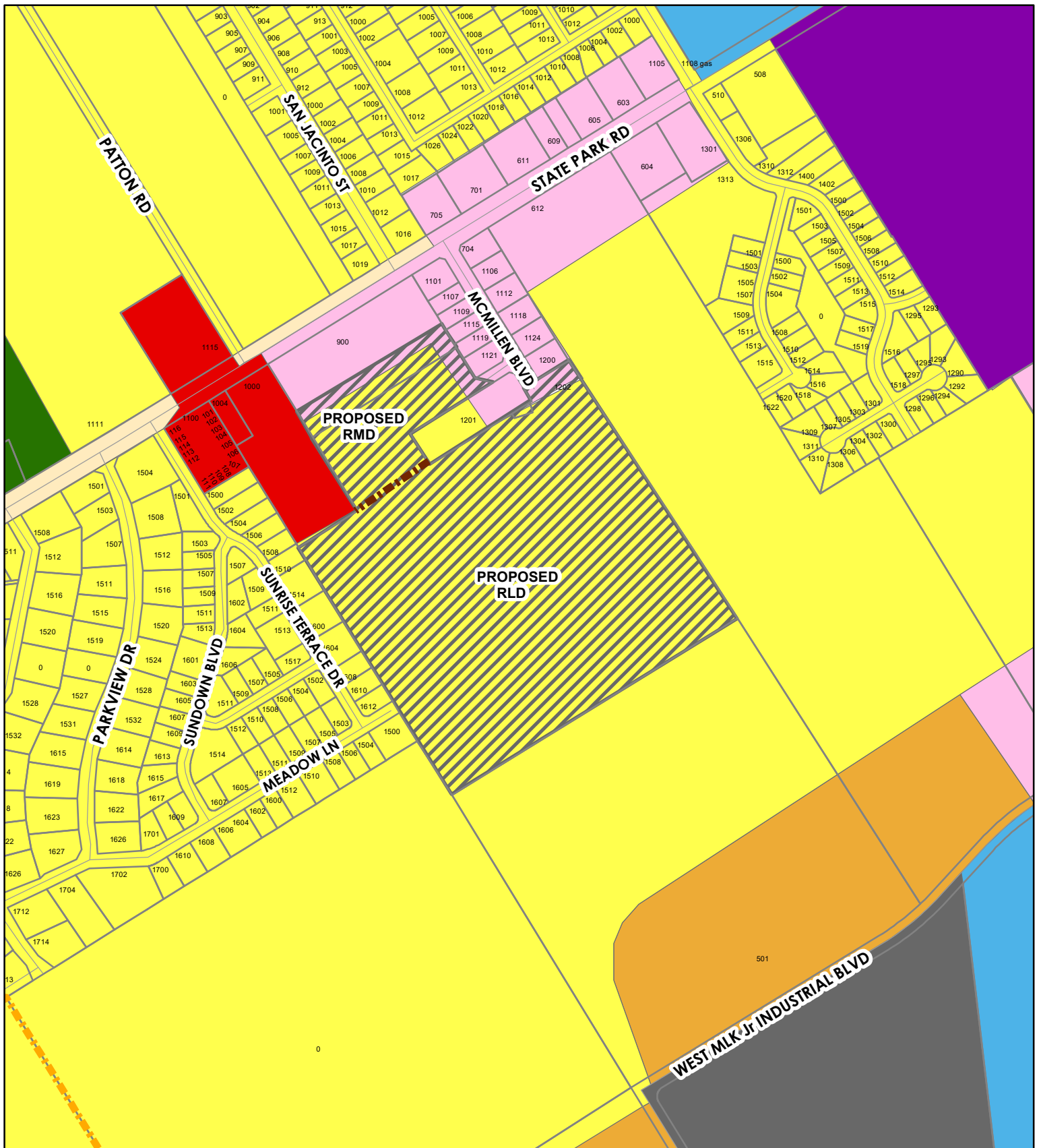
900 STATE PARK RD (FM 20)



scale 1" = 500'

ZONING DISTRICTS

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



FUTURE LANDUSE

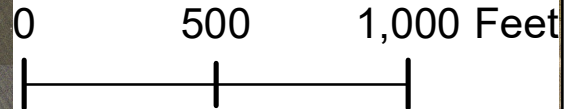
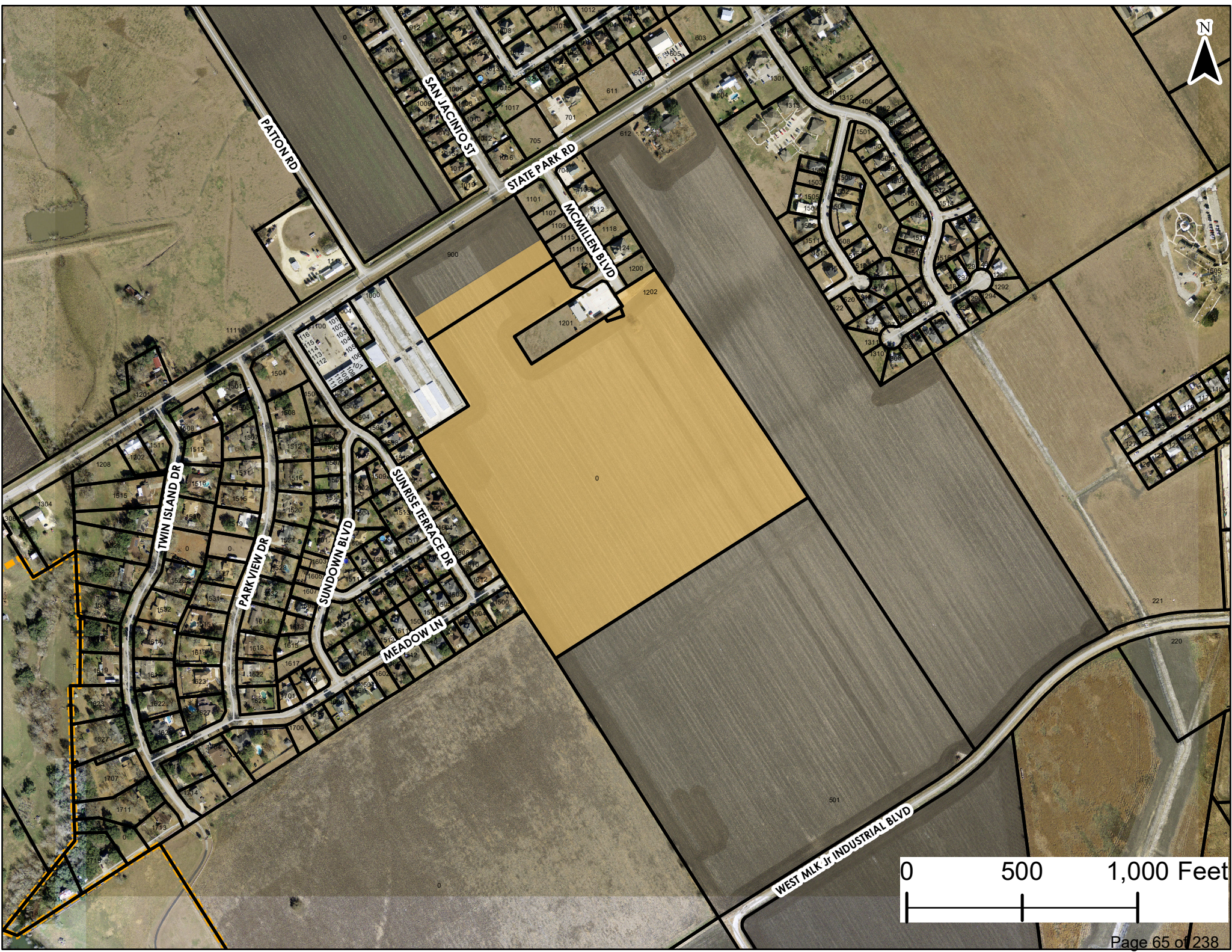
CLB & RLD & AO
TO
RMD & RLD

900 STATE PARK RD (FM 20)



scale 1" = 500'

- AGRICULTURE/RURAL DEVELOPMENT
- GENERAL-HEAVY COMMERCIAL
- INDUSTRY
- LIGHT-MEDIUM COMMERCIAL
- MIXED RETAIL, OFFICE, RESIDENTIAL
- PARKS AND OPEN SPACE
- PUBLIC AND INSTITUTIONAL
- RESIDENTIAL, LOW DENSITY
- RESIDENTIAL, MEDIUM DENSITY



CASE SUMMARY

STAFF: Dan Gibson, City Planner CASE NUMBER: ZC-21-14
 REPORT DATE: October 7, 2021 [Updated 10-20-21 and 10-28-21]
 PLANNING AND ZONING COMMISSION HEARING DATE: October 27, 2021
 CITY COUNCIL HEARING DATE: November 2, 2021 [Tabled 10-19-21]
 REQUESTED CHANGE: CLB, RLD, and AO to RMD and RLD
 STAFF RECOMMENDATION: **Approval**
 PLANNING AND ZONING COMMISSION RECOMMENDATION: **Approval**

BACKGROUND DATA

APPLICANT: Javier Barajas, P.E.
 OWNER: 900 Lockhart, LLC, and Anil Chaudhary
 SITE LOCATION: 900 State Park Rd.
 LEGAL DESCRIPTION: Metes and bounds
 SIZE OF PROPERTY: 41.27 acres
 EXISTING USE OF PROPERTY: Vacant
 LAND USE PLAN DESIGNATION: *Light-Medium Commercial and Low Density Residential*

ANALYSIS OF ISSUES

REASON FOR REQUESTED ZONING CHANGE: The tract under contiguous ownership is currently zoned CLB at the north end, with the remainder currently zoned RLD and AO. The applicant proposes to leave a portion of the existing CLB-zoned area along State Park Road as CLB, so it is not included in the zoning change, but wishes to rezone the remainder of it to RMD and RLD. The larger area south of the proposed RMD zoning is already mostly zoned RLD, but because a small portion of the current CLB zoning extends into it and there is a strip of AO zoning along the south end, the easiest way to accomplish rezoning the piece is to simply rezone the south area from RLD, CLB, and AO to RLD. The end result will be a zoning pattern consisting of a strip of CLB at the north end along State Park Road, and a middle area zoned RMD for residential development that can include uses allowed in that district, including single-family dwellings and duplexes by-right, and other types of housing upon approval of a specific use permit. The larger south area will be entirely zoned RLD, which allows only single-family dwellings.

AREA CHARACTERISTICS:

	Existing Use	Zoning	Future Land Use Plan
North	Vacant land, Single-family homes on north side of State Park Road	CLB, RMD	<i>Light-Medium Commercial, Low Density Residential</i>
East	Vacant land, Single-family homes	RLD	<i>Light-Medium Commercial, Low Density Residential</i>
South	Vacant land	AO	<i>Low Density Residential, Medium Density Residential</i>
West	Self-storage warehouse, Single-family neighborhood	CHB, RLD	<i>General-Heavy Commercial, Low Density Residential</i>

TRANSITION OF ZONING DISTRICTS: The only significant change is for the 5.598 acres to be rezoned to RMD, where it will abut CLB zoning to the north, RLD zoning to the east and south, and CHB zoning to the west. Since the RMD district is one step up in intensity from RLD, but steps down in intensity from the commercial districts, it would be an appropriate transition between the CHB and CLB commercial districts to the west and north, and the RLD residential district to the east and south.

ADEQUACY OF INFRASTRUCTURE: City utilities are available, although sanitary sewer service may require one or more off-site extensions to achieve an adequate capacity. Vehicular access is available along State Park Road as well as from existing stub-outs of Meadow Lane and Red Tail Lane.

POTENTIAL NEIGHBORHOOD IMPACT: Because all parts of the property being rezoned will be residential, it should be compatible with existing residential development on the east and west sides. As with all new development, the most significant impact will be additional traffic. A traffic impact analysis (TIA) for new street connections to State Park Road will be required as part of the plat approval process.

CONSISTENCY WITH COMPREHENSIVE PLAN: The south portion of the property is already zoned mostly RLD, and will be zoned entirely RLD if the zoning change is approved. The RLD classification proposed for the south 35.672 acres is consistent with the *Low Density Residential* land use designation for that area on the Land Use Plan map. The 5.598-acre area proposed to be rezoned to RMD would not be strictly consistent with the *Low Density Residential* and *Light-Medium Commercial* land use designations on the Land use Plan map, but RMD would be a suitable transition between the abutting CHB, CLB, and RLD classifications.

ALTERNATIVE CLASSIFICATIONS: There are probably several different zoning scenarios that could work, given the existing mixture of zoning classifications around the subject property. However, the proposed configuration makes sense, and actually doesn't add to the potential overall land use intensity since it trades an area of existing CLB zoning for the proposed RMD zoning.

RESPONSE TO NOTIFICATION: The attached letter was received from the owners of the residence at 1506 Sunrise Terrace, which is within 200 feet of the subject property, but does not abut it. I spoke to them on the phone and they are not necessarily opposed to the zoning change because they understand that a large vacant area is bound to be developed at some point, but because they have experienced drainage problems in their back yard and they wanted assurances that it won't be made worse by the proposed development. I explained that City ordinances require that stormwater detention be provided that can control runoff from the site, but the new development is not responsible for correcting existing off-site drainage problems. Nevertheless, the City's director of Public Works and the city engineer will work with the design engineer to look for ways that the new development might be able to relieve some of the current flooding near the northwest corner of the subject site. Also, the owners and residents of 1600 Sunrise Terrace, which abuts on the west side of the subject property, spoke at both the October 13th and October 27th Planning and Zoning Commission meetings seeking assurances that any development of the subject property would not create additional drainage problems in that area, and stated that they just wanted to learn more about what types of development would be allowed in the requested RMD and RLD zoning classifications.

STAFF RECOMMENDATION: Approval. This item was tabled at staff's request by the Planning and Zoning Commission on October 13th, and by the City Council on October 19th, due to an incorrect public hearing notice and the need to readvertise new Commission and Council meeting dates. The Planning and Zoning Commission continued the public hearing at their October 27th meeting, and voted to recommend approval.

Craig & Shea Thompson
1506 Sunrise Terrace, Lockhart, Texas 78644
(512) 636-4772

October 5, 2021

Mr. Dan Gibson, AICP
City Planner
City of Lockhart
P.O. Box 239
Lockhart, Texas 78644

Re: Submission of written statement to the City Planner for presentation to the Planning and Zoning Commission at the Public Hearing regarding ZC-21-14 on Wednesday, October 13, 2021, at 7:00 P.M.

Dear Mr. Gibson:

We moved into this house on May 2, 1998, and didn't have any drainage issues for twenty years. Even when Lockhart received 16 inches of rain within a few days in October of 1998, there were no drainage issues.

When Fogle Store & Lock was allowed to build additional storage buildings behind our property, we suddenly had drainage issues in the backyard with every downpour Lockhart received. After talking with the City of Lockhart, these drainage issues remain unresolved and affect the properties behind the commercial building expansion.

The question is by changing the zoning and building new homes behind Sunrise Terrace and Fogle Store & Lock, will this increase the flooding potential for these existing properties? As it is right now, a couple of inches of rain can mean standing water in our backyard up to our ankles requiring it to be pumped out to the street per recommendations by the City Engineer.

If this is an opportunity to fix the drainage issues, then we have no concerns with this zoning change. If this has the potential to cause further drainage issues, then we are opposed to the zoning changes based upon past experience.

We appreciate your attention to this matter.

Sincerely,



Craig & Shea Thompson

CITY OF
Lockhart
TEXAS

ZONING CHANGE APPLICATION

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

APPLICANT/OWNER

APPLICANT NAME Javier Barajas, P.E.
DAY-TIME TELEPHONE (512) 913-5080
E-MAIL amargulhane@gmail.com

ADDRESS 5307 W. Highway 290
Bldg. B, Suite 6
Austin, TX 78735

OWNER NAME Amar Gulhane
DAY-TIME TELEPHONE (512) 698-5161
E-MAIL amargulhane@gmail.com

ADDRESS 3016 Paseo De Charros
Cedar Park, TX 78641

PROPERTY

ADDRESS OR GENERAL LOCATION 900 State Park Road
LEGAL DESCRIPTION (IF PLATTED) Metes and Bounds attached
SIZE 41.270 ACRE(S) LAND USE PLAN DESIGNATION Low Density Residential
EXISTING USE OF LAND AND/OR BUILDING(S) Undeveloped
PROPOSED NEW USE, IF ANY Residential Medium Density (3 and 4-plexes) and Residential Low Density

REQUESTED CHANGE

FROM CURRENT ZONING CLASSIFICATION Agricultural-Open Space District (AO), Commercial Light Business (CLB) and Residential Low Density (RLD)
TO PROPOSED ZONING CLASSIFICATION Residential Low Density (RLD) and Residential Medium Density (RMD)
REASON FOR REQUEST To rezone for proposed new residential uses.

SUBMITTAL REQUIREMENTS

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


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

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

APPLICATION FEE OF \$ 975.40 PAYABLE TO THE CITY OF LOCKHART AS FOLLOWS:

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

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

SIGNATURE 

DATE 9/24/2021

OFFICE USE ONLY

ACCEPTED BY Dan Gibson

RECEIPT NUMBER 01032298

DATE SUBMITTED 9-23-21

CASE NUMBER ZC - 21 - 14

DATE NOTICES MAILED 9-28-2021

DATE NOTICE PUBLISHED 9-30-2021

PLANNING AND ZONING COMMISSION MEETING DATE ~~10-13-21~~ Rescheduled to 10-27

PLANNING AND ZONING COMMISSION RECOMMENDATION Tabled 5-0 Approval

CITY COUNCIL MEETING DATE ~~10-19-21~~ Rescheduled to 11-2-21

DECISION Tabled to 11-2-21

June 24, 2021

City of Lockhart Texas
308 West San Antonio Street
Lockhart, TX 78644

RE: Zoning Application Certification, Authorization and Lien-holder Letter

To whom it may concern:

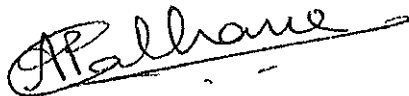
This letter is to Certify Ownership of 44.575-acres tract of land out of the Francis Berry Survey A-2 and being part of Lot 1 in Block C and Lot 2 in Block A, Slide 10 of the Plat Records of Caldwell County, Texas in the City of Lockhart, Caldwell County, Texas.

We 900 Lockhart LLC .& Anil Chaudhary are Owners of the 44.575-acre tract of land as described above.

This letter is for the purpose of Authorizing the Applicant in the Zoning Change Application, Javier Barajas, P.E., Trine Engineering, PLLC to represent the Owner as described above.

There is no lien-holder, please refer to attached document (warranty deed)

Sincerely,

A handwritten signature in black ink, appearing to read "A. Gulhane", with a horizontal line drawn through it.

Amar Gulhane
Manager

City of Lockhart, Texas

Council Agenda Item Cover Sheet

COUNCIL MEETING DATE: November 2, 2021

AGENDA ITEM CAPTION: Hold a PUBLIC HEARING on application ZC-21-15 by David Mendoza, on behalf of American Legion, and discussion and/or action to consider Ordinance 2021-35 for a **Zoning Change** from *MH Manufactured Home District* to *CHB Commercial Heavy Business District* on 0.73 acre in the Byrd Lockhart survey, Abstract No. 17, located at 509 Silent Valley Road (FM 2001).

ORIGINATING DEPARTMENT AND CONTACT: Development Services - Dan Gibson

ACTION REQUESTED: Ordinance

BACKGROUND/SUMMARY/DISCUSSION: The applicant would like to develop commercial businesses such as retail and restaurants on the subject parcel, and those are allowed by-right (outside of the CCB district) only in the CMB and CHB districts. Retail and restaurants, excluding “drive-in” restaurants, would also be allowed in the CLB district upon approval of a Specific Use Permit by the Planning and Zoning Commission. The subject parcel does not meet the five-acre minimum size for the current MH zoning. Therefore, it could never be developed with a conforming use under its current classification. Because there is residential zoning and/or existing residential development (including manufactured homes) in the surrounding area, the higher-intensity commercial zoning classifications such as CMB or CHB would allow uses that could potentially have adverse impacts on the neighborhood. In terms of land use intensity, the proposed CHB zoning is just about as opposite as you can get from the *Low Density Residential* future land use designation shown on the Land Use Plan map. In fact, no commercial district would be considered consistent with the Land Use Plan for this location. If the Council supports rezoning for commercial development on the subject site, the most restrictive classification would be CLB. The CLB district allows a variety of low intensity office and commercial land uses by-right, but would require approval of a Specific Use Permit (SUP) for retail or eating establishments. Rezoning to CMB or CLB instead of the requested CHB classification would not require a new application or public hearing notification. The specific use permit process provides an opportunity for public participation in a hearing, and the Planning and Zoning Commission has the option of attaching conditions to their approval of an SUP. One owner of nearby property attending the Planning and Zoning Commission hearing expressed concerns about the potential effect of development on the subject property creating additional drainage problems in the area. See the attached staff report for more information.

PROJECT SCHEDULE (if applicable): Not applicable.

AMOUNT & SOURCE OF FUNDING:

Funds Required:

Account Number:

City of Lockhart, Texas

Council Agenda Item Cover Sheet

Funds Available:

Account Name:

FISCAL NOTE (if applicable): Not applicable.

PREVIOUS COUNCIL ACTION: None.

COMMITTEE/BOARD/COMMISSION ACTION: At their October 27th meeting the Planning and Zoning Commission voted unanimously to recommend APPROVAL of the **CLB Commercial Light Business District** classification instead of the requested CHB Commercial Heavy Business District classification.

STAFF RECOMMENDATION/REQUESTED MOTION: There are three versions of Ordinance 2021-35 attached. The first is for rezoning to *CHB Commercial Heavy Business District* as requested by the applicant, the second is for rezoning to *CMB Commercial Medium Business District* as an alternative, and the third is for rezoning to *CLB Commercial Light Business District* as an alternative recommended by the Planning and Zoning Commission. Staff recommends APPROVAL of Ordinance 2021-35 for rezoning to **CLB**.

LIST OF SUPPORTING DOCUMENTS: zc2115 ordinance - CHB, zc2115 ordinance - CMB, zc2115 ordinance - CLB, zc2115 Exhibit A, ZC2115 case map, ZC2115 zoning, ZC2115 future landuse, ZC2115 aerial, zc2115 staff report, zc2115 application & owner's letter

ORDINANCE 2021-35

AN ORDINANCE OF THE CITY OF LOCKHART, TEXAS, AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF LOCKHART, TEXAS, TO RECLASSIFY THE PROPERTY KNOWN AS 0.73 ACRE IN THE BYRD LOCKHART SURVEY, ABSTRACT NO. 17, LOCATED AT 509 SILENT VALLEY ROAD (FM 2001), FROM MH MANUFACTURED HOME DISTRICT TO CHB COMMERCIAL HEAVY BUSINESS DISTRICT.

WHEREAS, on October 27, 2021, the Planning and Zoning Commission held a public hearing and voted to recommend approval of said change to CLB Commercial Light Business District instead of the requested CHB Commercial Heavy Business District; and,

WHEREAS, the zoning may be changed to CLB Commercial Light Business District or CMB Commercial Medium Business District instead of the requested CHB Commercial Heavy Business District without a new application or public hearing; and,

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

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

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

- I. The foregoing recitals are approved and adopted herein for all purposes.
- II. The above-referenced property described in Zoning Change request ZC-21-15 as 0.73 acre in the Byrd Lockhart Survey, Abstract No. 17, more particularly described in Exhibit "A" and located at 509 Silent Valley Road (FM 2001), will be reclassified from MH Manufactured Home District to ***CHB Commercial Heavy Business District***.
- III. Severability: If any provision, section, clause, sentence, or phrase of this ordinance is for any reason held to be unconstitutional, void, invalid, or unenforced, the validity of the remainder of this ordinance or its application shall not be affected, it being the intent of the City Council in adopting and of the Mayor in approving this ordinance that no portion, provision, or regulation contained herein shall become inoperative or fail by way of reasons of any unconstitutionality or invalidity of any other portion, provision or regulation.
- IV. Repealer: That all other ordinances, sections, or parts of ordinances heretofore adopted by the City of Lockhart in conflict with the provisions set out above in this ordinance are hereby repealed or amended as indicated.
- V. Publication: That the City Secretary is directed to cause this ordinance caption to be published in a newspaper of general circulation according to law.
- VI. Effective Date: That this ordinance shall become effective and be in full force immediately upon and from the date of its passage.

PASSED, APPROVED, AND ADOPTED AT A REGULAR MEETING OF THE LOCKHART CITY COUNCIL ON THIS THE 2nd DAY OF NOVEMBER, 2021.

CITY OF LOCKHART

Lew White, Mayor

ATTEST:

APPROVED AS TO FORM:

Connie Constancio, TRMC, City Secretary

Monte Akers, City Attorney

ORDINANCE 2021-35

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WHEREAS, on October 27, 2021, the Planning and Zoning Commission held a public hearing and voted to recommend approval of said change to CLB Commercial Light Business District instead of the requested CHB Commercial Heavy Business District; and,

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WHEREAS, on October 27, 2021, the Planning and Zoning Commission held a public hearing and voted to recommend approval of said change to CLB Commercial Light Business District instead of the requested CHB Commercial Heavy Business District; and,

WHEREAS, the zoning may be changed to CLB Commercial Light Business District or CMB Commercial Medium Business District instead of the requested CHB Commercial Heavy Business District without a new application or public hearing; and,

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CITY OF LOCKHART

Lew White, Mayor

ATTEST:

APPROVED AS TO FORM:

Connie Constancio, TRMC, City Secretary

Monte Akers, City Attorney

EXHIBIT "A"

HAYES SURVEYING LLC

202 SUNFLOWER DRIVE
KYLE, TEXAS 78640
512-738-0511

METES & BOUNDS DESCRIPTION FOR 0.730 ACRES OF LAND

A tract of land containing 0.730 acres out of and part of the Byrd Lockhart League, Abstract No. 17 in Caldwell County, Texas, and also being out of a called 50.0 acre tract as conveyed to the Henry T. Rainey American Legion Post # 41 as recorded and described in Volume 200, Page 345 of the Caldwell County Deed Records, said 0.730 acres being more particularly described as follows;

BEGINNING at an iron rod with a cap set at the intersection of the north right-of-way of Silent Valley Road, F. M. # 2001, with the northeast right-of-way of North Pecos Street for the southwest corner of this tract, from which for reference a concrete highway monument found bears S 78° 12' 39" W, a distance of 1,168.99 feet;

THENCE N 19° 57' 21" W, along the North Pecos Street right-of-way, a distance of 120.91 feet to a ½" iron rod found for the northwest corner of this tract and the southeast corner of the BPCH LLC Tract as described in Document # 005520 of the Official Records of Caldwell County, from which for reference a fence post found for the northwest corner of the BPCH LLC Tract bears N 19° 57' 21" W, a distance of 697.20 feet;

THENCE N 78° 18' 29" E, leaving the North Pecos Street right-of-way, a distance of 277.92 feet to a ½" iron rod found in the west property line of the TXLO OAK MHP LLC Tract as described in Document # 003909 of the Official Records of Caldwell County for the northeast corner of this tract and the southeast corner of the BPCH LLC Tract;

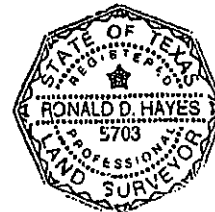
THENCE S 08° 53' 20" E, a distance of 119.36 feet to a 5/8" iron rod found in the north right-of-way of Silent Valley Road for the southeast corner of this tract and the southwest corner of the TXLO OAK MHP LLC Tract;

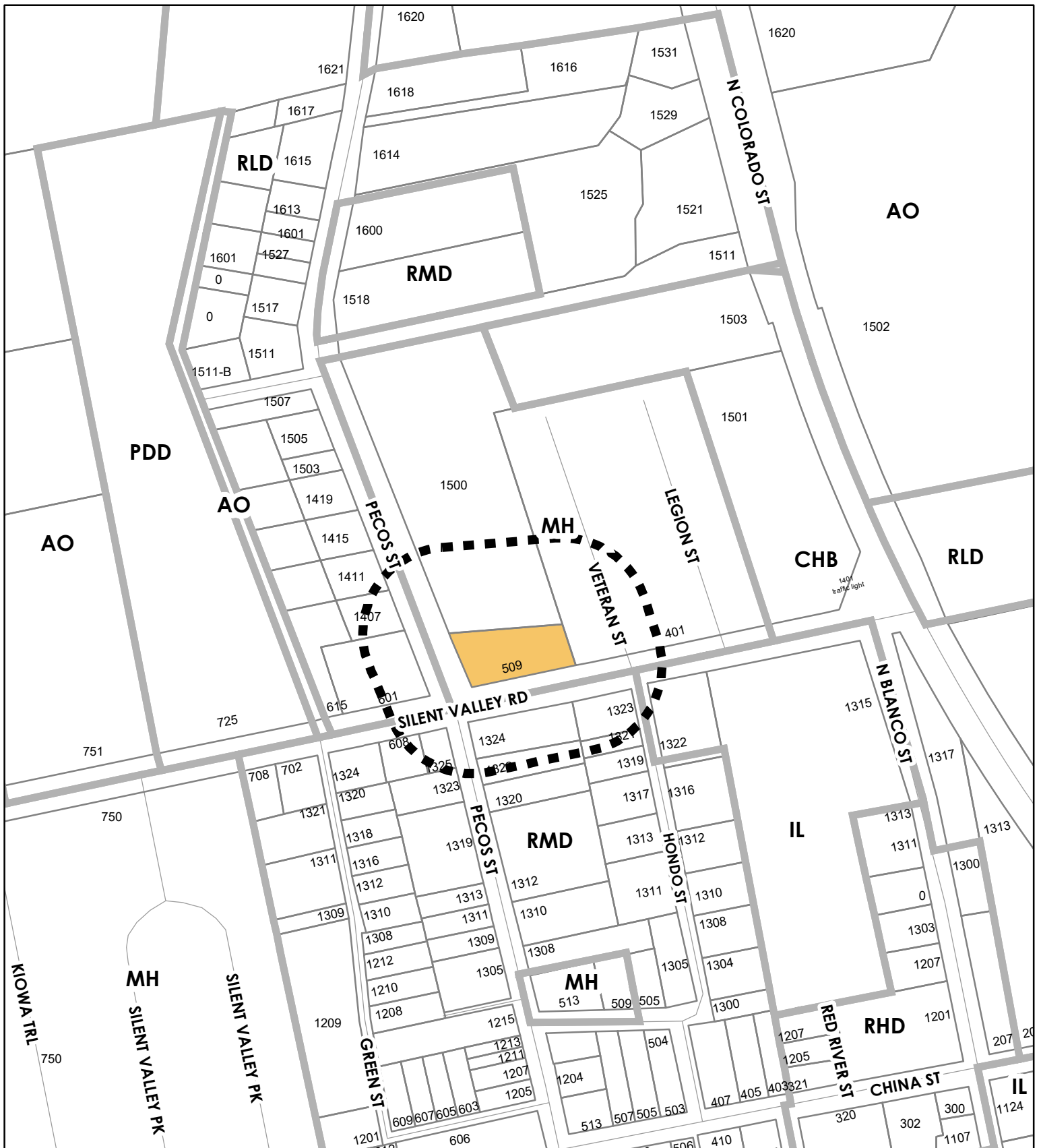
THENCE S 78° 12' 39" W, along the Silent Valley Road right-of-way, a distance of 254.70 feet to the **POINT OF BEGINNING**, containing 0.730 acres.

All bearings and distances are based upon Texas State Plane Coordinate System, Texas South Central Zone, NAD 1983 datum.

This is to certify that this description of land represents an actual survey made on the ground under my supervision in April of 2021. Only those documents with a red surveyor's signature and an accompanying red surveyor's seal shall be deemed reliable and authentic. Reference the sketch marked File # SLNTVL03.


Ronald D. Hayes, Registered Professional Land Surveyor, No. 5703





ZC-21-15

MH TO CHB

509 SILENT VALLEY RD

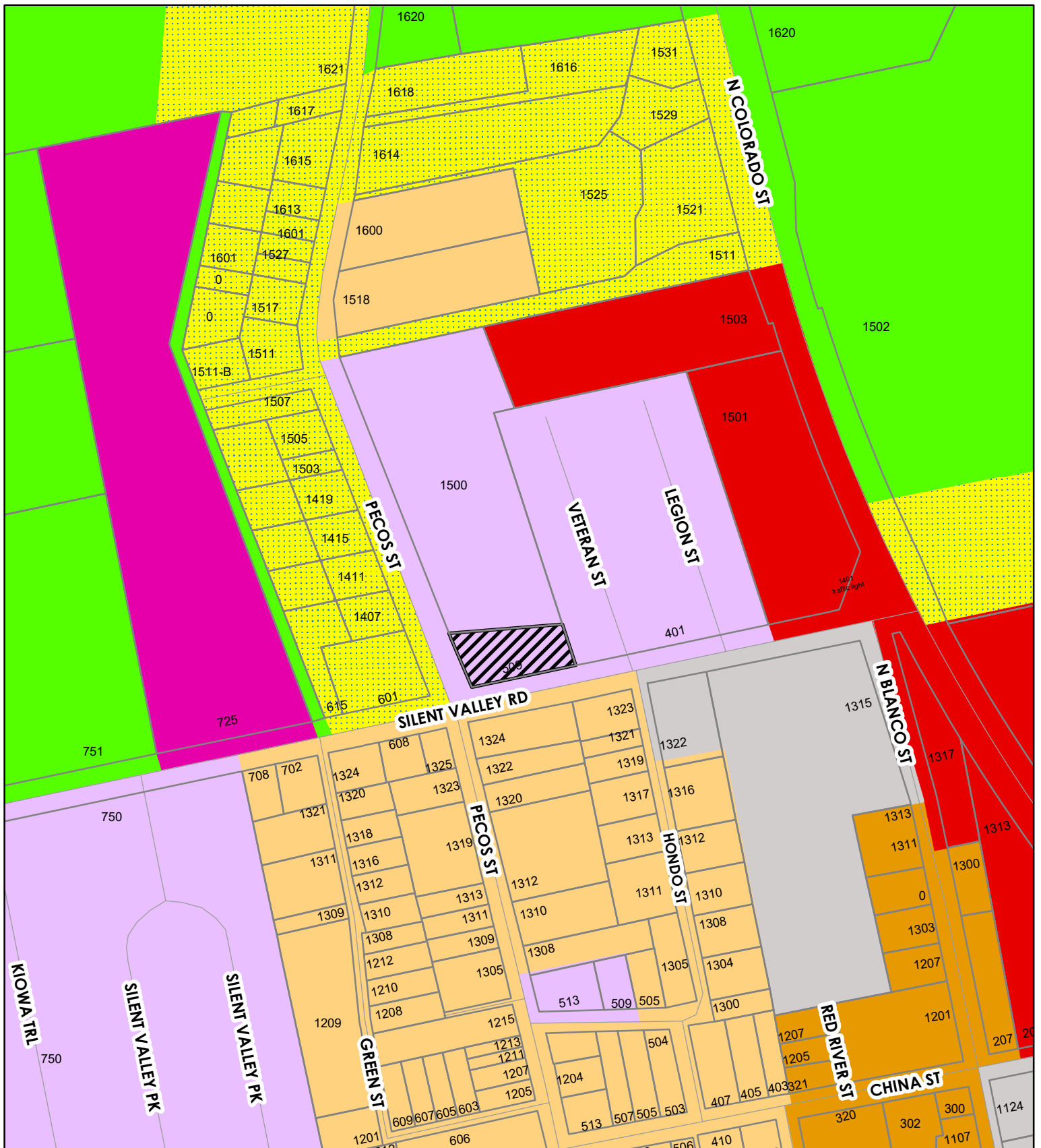


scale 1" = 300'

 SUBJECT PROPERTY

 ZONING BOUNDARY

 200 FT BUFFER



ZC-21-15

MH TO CHB

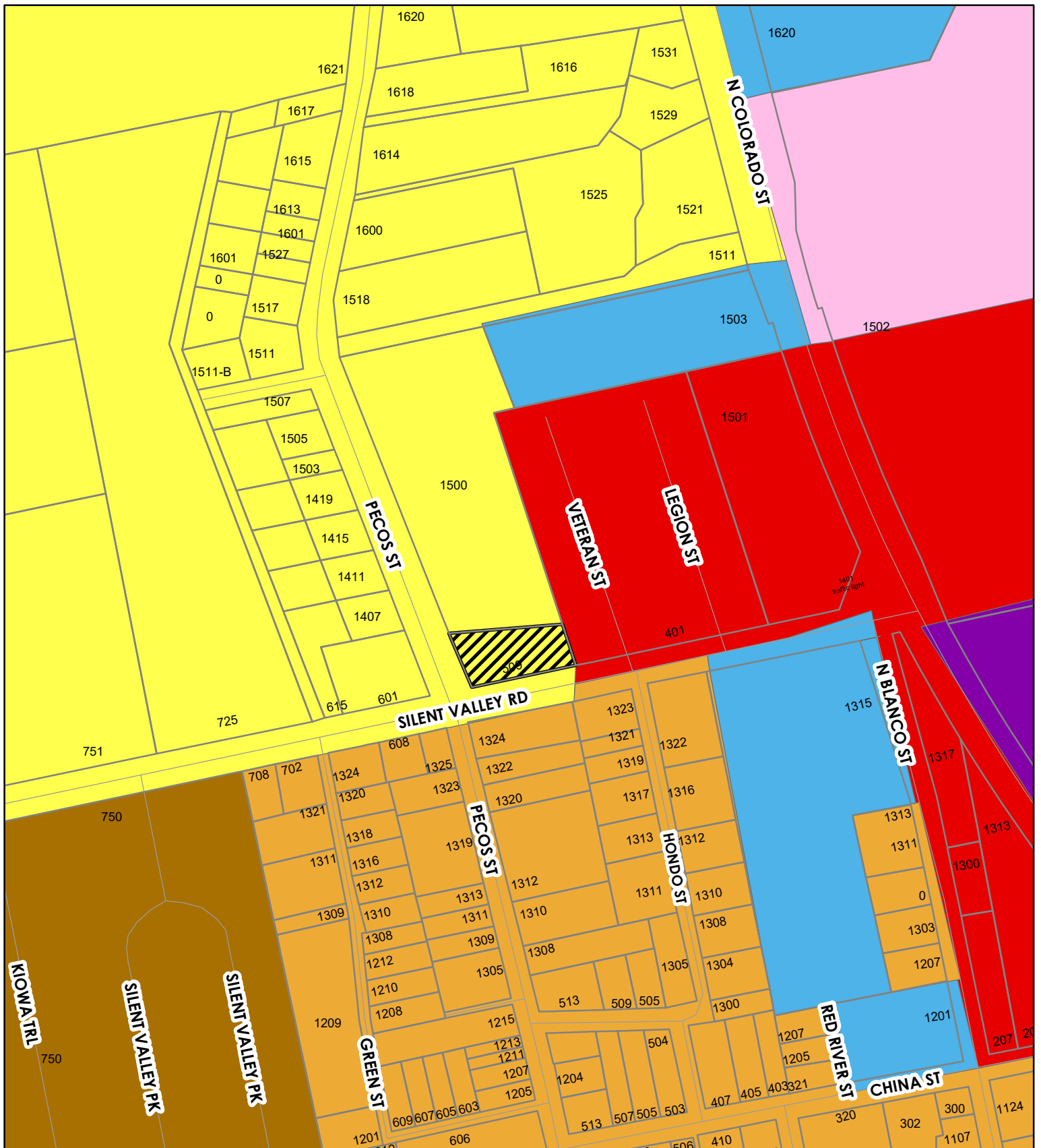
509 SILENT VALLEY RD



scale 1" = 300'

ZONING DISTRICTS

- AGRICULTURAL-OPEN SPACE
- COMMERCIAL HEAVY BUSINESS
- INDUSTRIAL LIGHT
- MANUFACTURED HOME
- PLANNED DEVELOPMENT
- RESIDENTIAL HIGH DENSITY
- RESIDENTIAL LOW DENSITY
- RESIDENTIAL MEDIUM DENSITY



FUTURE LANDUSE

MH TO CHB

509 SILENT VALLEY RD



scale 1" = 300'

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



CASE SUMMARY

STAFF: Dan Gibson, City Planner CASE NUMBER: ZC-21-15
 REPORT DATE: October 20, 2021 [Updated 10-28-21]
 PLANNING AND ZONING COMMISSION HEARING DATE: October 27, 2021
 CITY COUNCIL HEARING DATE: November 2, 2021
 REQUESTED CHANGE: MH to CHB
 STAFF RECOMMENDATION: **Denial, or approval of CLB instead of CHB**
 PLANNING AND ZONING COMMISSION RECOMMENDATION: **Approval of CLB instead of CHB**

BACKGROUND DATA

APPLICANT: David Mendoza
 OWNER: American Legion
 SITE LOCATION: 509 Silent Valley Road (FM 2001)
 LEGAL DESCRIPTION: Metes and bounds
 SIZE OF PROPERTY: 0.73 acre
 EXISTING USE OF PROPERTY: Parking lot
 LAND USE PLAN DESIGNATION: *Low Density Residential*

ANALYSIS OF ISSUES

REASON FOR REQUESTED ZONING CHANGE: The applicant would like to develop commercial businesses such as retail and restaurants on the subject parcel, and those are allowed by-right (outside of the CCB district) only in the CMB and CHB districts. Retail and restaurants, excluding “drive-in” restaurants, would also be allowed in the CLB district upon approval of a Specific Use Permit by the Planning and Zoning Commission. The subject parcel does not meet the five-acre minimum size for the current MH zoning. Therefore, it could never be developed with a conforming use under its current classification. It does meet the minimum size as measured either way for the CMB and CHB districts, but meets the minimum lot standards for the CLB district only if the lot depth is measured perpendicular to North Pecos Street.

AREA CHARACTERISTICS:

	Existing Use	Zoning	Future Land Use Plan
North	Vacant land	MH	<i>Low Density Residential</i>
East	Manufactured home park	MH, CHB	<i>General-Heavy Commercial</i>
South	Single-family residential neighborhood	RMD	<i>Medium Density Residential</i>
West	Church, single-family residential	RLD	<i>Low Density Residential</i>

TRANSITION OF ZONING DISTRICTS: There is no other commercial zoning abutting or in the near vicinity of the subject property except for further to the east where the main American Legion property along Colorado Street is zoned CHB. CHB is appropriate along a highway and is consistent with the Land Use Plan map in that location. However, the zoning classifications immediately surrounding the subject site are all low to medium residential, including the MH district for which a manufactured home park would be considered medium density. Commercial zoning on the subject property would create a rather abrupt transition, especially the CMB or CHB classifications, which are the most intense commercial districts.

ADEQUACY OF INFRASTRUCTURE: Adequate City utilities are available and, in fact, a City wastewater line crosses through the property and will need to be either rerouted or protected by a utility easement. Vehicular access is available from North Pecos Street and Silent Valley Road.

POTENTIAL NEIGHBORHOOD IMPACT: Because there is residential zoning and/or existing residential development (including manufactured homes) in the surrounding area, the higher-intensity commercial zoning classifications such as CMB or CHB would allow uses that could potentially have significant adverse impacts on the neighborhood.

CONSISTENCY WITH COMPREHENSIVE PLAN: In terms of land use intensity, the proposed CHB zoning is just about as opposite as you can get from the *Low Density Residential* future land use designation shown on the Land Use Plan map. In fact, no commercial district would be considered consistent with the Land Use Plan for this location.

ALTERNATIVE CLASSIFICATIONS: The Low Density Residential future land use designation of the subject property may not be the most appropriate, but a less intense commercial zoning classification such as CLB Commercial Light Business District would be a better option than CHB. The CLB district allows a variety of low intensity office and commercial land uses by-right, but would require approval of a Specific Use Permit (SUP) for retail or eating establishments. The specific use permit process provides an opportunity for public participation in a hearing, and the Planning and Zoning Commission has the option of attaching conditions to their approval of an SUP.

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

STAFF RECOMMENDATION: If the Council supports rezoning for commercial development on the subject site, staff recommends that it be limited to CLB, which is the most restrictive commercial classification, instead of the requested CHB classification. Rezoning to CMB or CLB instead of the requested CHB classification would not require a new application or public hearing notification.



ZONING CHANGE APPLICATION

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

APPLICANT/OWNER

APPLICANT NAME DAVID MENDOZA ADDRESS 2401 E 6th Street
DAY-TIME TELEPHONE 512-656-5289 3037-112
E-MAIL Davidleemendoza@gmail.com Austin, TX 78702
OWNER NAME AMERICAN LEGION ADDRESS PO BOX 973
DAY-TIME TELEPHONE _____ LOCKHART, TX 78644
E-MAIL F_T_islas@yahoo.com _____

PROPERTY 509

ADDRESS OR GENERAL LOCATION SILENT VALLEY ROAD, LOCKHART, TX 78644
LEGAL DESCRIPTION (IF PLATTED) A017 LOCKHART BYRD ACRES 0.674**PARK&RIDE AREA*
SIZE 0.73 ACRE(S) LAND USE PLAN DESIGNATION Low Density Residential
EXISTING USE OF LAND AND/OR BUILDING(S) **Parking Lot**
PROPOSED NEW USE, IF ANY Retail and Restaurant

REQUESTED CHANGE

FROM CURRENT ZONING CLASSIFICATION MH-MANUFACTURED HOME
TO PROPOSED ZONING CLASSIFICATION CHB-COMMERCIAL HEAVY BUSINESS
REASON FOR REQUEST A zoning change is requested to make a better use of a parcel that is not functional at current zoning and can potentially service its adjacent community and the growing Silent Valley neighborhood and thoroughfare with retail/cafe/restaurant services. The current MH zoning only allows development over 5 acres so is rendered unusable. CHB zoning would make use of its existing 60+ parking spaces and compliment neighbors future land use

SUBMITTAL REQUIREMENTS

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

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

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

APPLICATION FEE OF \$ 150.00 PAYABLE TO THE CITY OF LOCKHART AS FOLLOWS:

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

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

SIGNATURE 

DATE 9-30-21

OFFICE USE ONLY

ACCEPTED BY 

RECEIPT NUMBER 01033611

DATE SUBMITTED 10-5-2021

CASE NUMBER ZC - 21 - 15

DATE NOTICES MAILED 10-11-2021

DATE NOTICE PUBLISHED 10-14-2021

PLANNING AND ZONING COMMISSION MEETING DATE 10-27-2021

PLANNING AND ZONING COMMISSION RECOMMENDATION CLB

CITY COUNCIL MEETING DATE 11-2-2021

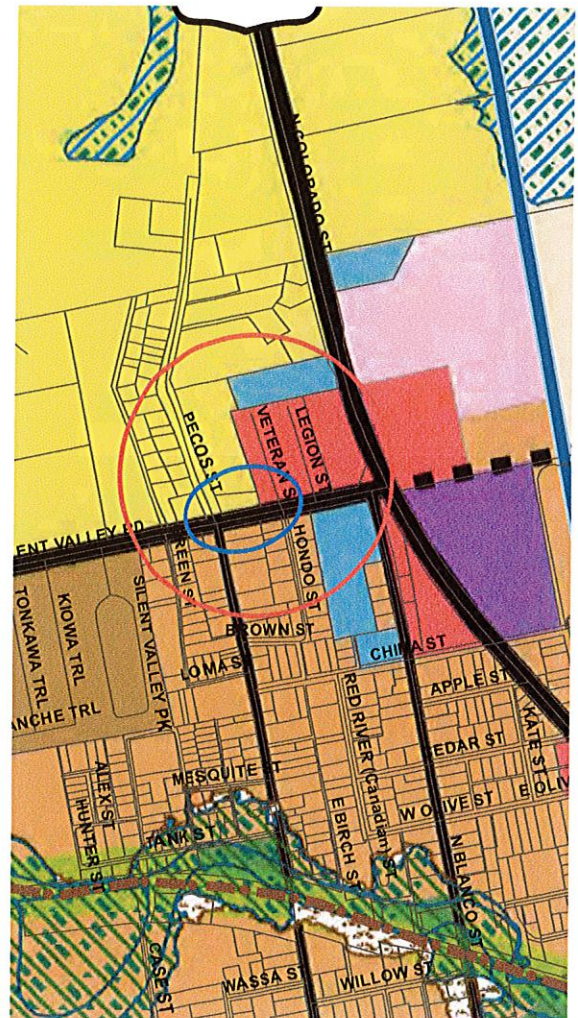
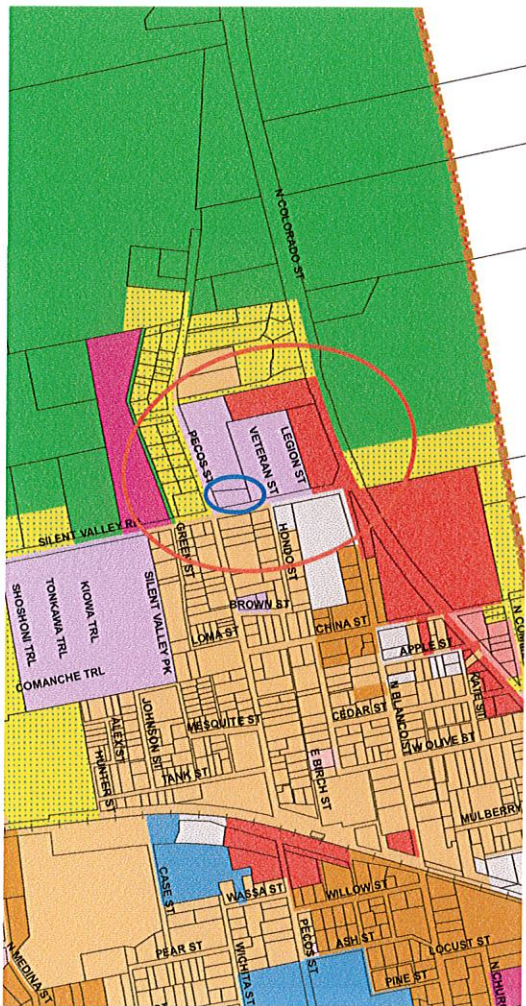
DECISION _____

REQUESTED CHANGE CONTINUED....

The future land use of the large neighboring property on Silent Valley (Parcel ID 18183) is CHB per the official Lockhart maps; it is also currently zoned MH but can be utilized as such due to its large size. The parcel seeking the zoning change (Parcel ID 86612) is less than 5 acres and cannot be utilized per its MH zoning. I feel strongly that its highest and best use is to offer the growing Silent Valley neighborhood a space for services and commerce as it is paved frontage is ideally situated at the intersection of Silent Valley Road and what will become a commercial intersection with 183. I also plan on adding much needed shade trees to frontage of property to beautify this part of Silent Valley Road. Thank you.

CURRENT ZONING (Parcel 86612 in BLUE)

FUTURE ZONING (Parcel 86612 in BLUE)



August 31, 2021

Christine Banda
Planning / GIS Technician
512-398-3461

Dear Planning Division Members,

This letter is an authorization on behalf of the American Legion, current owners of Property ID 86612, address "Silent Valley RD, Lockhart TX 78644," granting permission to the new owner, David Mendoza, to apply for a zoning change with the City of Lockhart Planning Division. *ALL COST INCURRED BY BUYER.*

Sincerely yours,



AMERICAN LEGION REPRESENTATIVE

Sept 7, 2021

DATE

AMERICAN LEGION
PO BOX 973
Lockhart TX 78644-0973

City of Lockhart, Texas

Council Agenda Item Cover Sheet

COUNCIL MEETING DATE: November 2, 2021

AGENDA ITEM CAPTION: Hold a PUBLIC HEARING on application ZC-21-16 by Jason Balser and Clayton Balser, and discussion and/or action to consider Ordinance 2021-36 for a **Zoning Change** from *AO Agricultural-Open Space District* and *RLD Residential Low Density District* to *RMD Residential Medium Density District* on 30.998 acres in the Cornelius Crenshaw Survey, Abstract No. 68, located at 1301 Silent Valley Road (FM 2001).

ORIGINATING DEPARTMENT AND CONTACT: Development Services - Dan Gibson

ACTION REQUESTED: Ordinance

BACKGROUND/SUMMARY/DISCUSSION: The applicants would like to construct a single family and duplex residential development on the subject property. Duplexes are not allowed by the current AO and RLD zoning classifications of the property, but would be allowed in the requested RMD district. There is no other RMD zoning in the vicinity. However, the tract adjacent to the north boundary of the subject property is also proposed to be rezoned to RMD in zoning case ZC-21-18 on this agenda, and both are in an area that is designated as future *Medium Density Residential* on the Land Use Plan map. The tract adjacent to the east boundary of the subject property was proposed to be rezoned to entirely RLD in zoning case ZC-21-17 on this agenda. However, that application has been withdrawn and the applicant plans to resubmit a revised application that will still retain the RLD zoning for the south portion of the property. The vacant tract on the south side of Silent Valley Road is zoned RHD, which is a step higher in intensity than the RMD classification proposed for the subject property. Overall, the transition of zoning districts reflected in the zoning pattern after the proposed zoning changes will be appropriate. The proposed RMD zoning is consistent with the *Medium Density Residential* designation for the property on the Land Use Plan map. There has been no opposition to this rezoning expressed either in writing or in person. See the attached staff report for additional information.

PROJECT SCHEDULE (if applicable): Not applicable.

AMOUNT & SOURCE OF FUNDING:

Funds Required:

Account Number:

Funds Available:

Account Name:

FISCAL NOTE (if applicable): Not applicable.

PREVIOUS COUNCIL ACTION: None.

City of Lockhart, Texas

Council Agenda Item Cover Sheet

COMMITTEE/BOARD/COMMISSION ACTION: At their October 27th meeting the Planning and Zoning Commission voted unanimously to recommend APPROVAL.

STAFF RECOMMENDATION/REQUESTED MOTION: Staff recommends APPROVAL of Ordinance 2021-36.

LIST OF SUPPORTING DOCUMENTS: zc2116 ordinance, zc2116 Exhibit A, ZC2116 case map, ZC2116 zoning, ZC2116 future landuse, ZC2116 aerial, zc2116 staff report, zc2116 application

ORDINANCE 2021-36

AN ORDINANCE OF THE CITY OF LOCKHART, TEXAS, AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF LOCKHART, TEXAS, TO RECLASSIFY THE PROPERTY KNOWN AS 39.998 ACRES IN THE CORNELIUS CRENSHAW SURVEY, ABSTRACT NO. 68, LOCATED AT 1301 SILENT VALLEY ROAD (FM 2001), FROM AO AGRICULTURAL–OPEN SPACE DISTRICT AND RLD RESIDENTIAL LOW DENSITY DISTRICT TO RMD RESIDENTIAL MEDIUM DENSITY DISTRICT.

WHEREAS, on October 27, 2021, the Planning and Zoning Commission held a public hearing and voted to recommend approval of said change; and,

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

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

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

- I. The foregoing recitals are approved and adopted herein for all purposes.
- II. The above-referenced property described in Zoning Change request ZC-21-16 as 39.998 acres in the Cornelius Crenshaw Survey, Abstract No. 68, more particularly described in Exhibit "A" and located at 1301 Silent Valley Road (FM 2001), will be reclassified from AO Agricultural–Open Space District and RLD Residential Low Density District to RMD Residential Medium Density District.
- III. Severability: If any provision, section, clause, sentence, or phrase of this ordinance is for any reason held to be unconstitutional, void, invalid, or unenforced, the validity of the remainder of this ordinance or its application shall not be affected, it being the intent of the City Council in adopting and of the Mayor in approving this ordinance that no portion, provision, or regulation contained herein shall become inoperative or fail by way of reasons of any unconstitutionality or invalidity of any other portion, provision or regulation.
- IV. Repealer: That all other ordinances, sections, or parts of ordinances heretofore adopted by the City of Lockhart in conflict with the provisions set out above in this ordinance are hereby repealed or amended as indicated.
- V. Publication: That the City Secretary is directed to cause this ordinance caption to be published in a newspaper of general circulation according to law.
- VI. Effective Date: That this ordinance shall become effective and be in full force immediately upon and from the date of its passage.

PASSED, APPROVED, AND ADOPTED AT A REGULAR MEETING OF THE LOCKHART CITY COUNCIL ON THIS THE 2nd DAY OF NOVEMBER, 2021.

CITY OF LOCKHART

Lew White, Mayor

ATTEST:

APPROVED AS TO FORM:

Connie Constancio, TRMC, City Secretary

Monte Akers, City Attorney

EXHIBIT "A"



Page 1 of 2
Job #20172411-
Rezone 39.998ac.docx

All of a certain tract or parcel of land situated in the City of Lockhart, Caldwell County, Texas and being a part of the Cornelius Crenshaw Survey A-68 and being also a part of a tract of land called 61.058 acres and all of a tract of land called 40.039 acres (residue of the 61.058 acre tract) and conveyed to Jason Balsler et al by deed recorded in Instrument #2018-001814 of the Official Public Records of Caldwell County, Texas and being more particularly described as follows:

BEGINNING at a capped iron pin found stamped "HINKLE SURVEYORS" used for basis of bearing in the SE corner of the said 61.058 acre tract and the SE corner of the above mentioned 40.039 acre residue tract In an exterior corner of a tract of land called 228.120 acres conveyed to Alan Wayne Balsler et ux by deed recorded in Instrument #2017-005439 of the said Official Public Records and in the North line of Silent Valley Road (F.M. #2001) for the SE corner this tract.

THENCE with the North line of Silent Valley Road and the South line of the said 61.058 acre tract and the South line of the said 40.039 acre tract for the following three (3) courses:

(1) South 67 degrees 34 minutes 18 seconds W 262.03 feet to a concrete highway monument found in the PC of a curve. **(2) with a curve turning to the right having a radius of 2824.79 feet in an arc distance of 571.08 feet and the court of which bears South 73 degrees 29 minutes 29 seconds W 570.11 feet** to a concrete highway monument found for the PT of the said curve. **(3) South 79 degrees 16 minutes 22 seconds W 447.72 feet** to a capped iron pin found stamped "HINKLE SURVEYORS" in the SW corner of the said 61.05 acre tract and the SW corner of the said 40.039 acre tract in an exterior corner of the above mentioned 228.120 acre tract for the SW corner this tract.

THENCE North 10 degrees 44 minutes 43 seconds W with the West line of the said 61.058 acre tract and the West line the said 40.039 acre tract and the East line of the said 220.128 acre tract **1384.65 feet** to a capped iron pin found stamped "HINKLE SURVEYORS" in the apparent SW corner of a tract of land called 21.019 acres and conveyed to Alan Baltzer et ux by deed recorded in Instrument number 2018-000542 of the said Official Public Records for the NW corner this tract.

THENCE over and across the said 61.058 acre tract and with the North line of the said 40.039 acre tract for the following three courses:

(1) North 80 degrees 46 minutes 12 seconds E 884.27 feet two a capped iron pin found stamped "HINKLE SURVEYORS" an exterior corner of the said 21.019 acre tract for an ell corner this tract. **(2) North 07 degrees 35 minutes**

©Hinkle Surveyors 2021 Firm Registration No. 100866-00

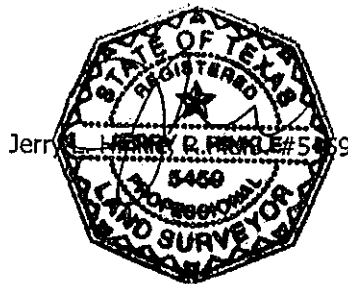
**P.O. BOX 1027 LOCKHART, TEXAS 78644 PHONE (512) 398-2000
FAX (512) 398-7683 EMAIL: CONTACT@HINKLESURVEYORS.COM**

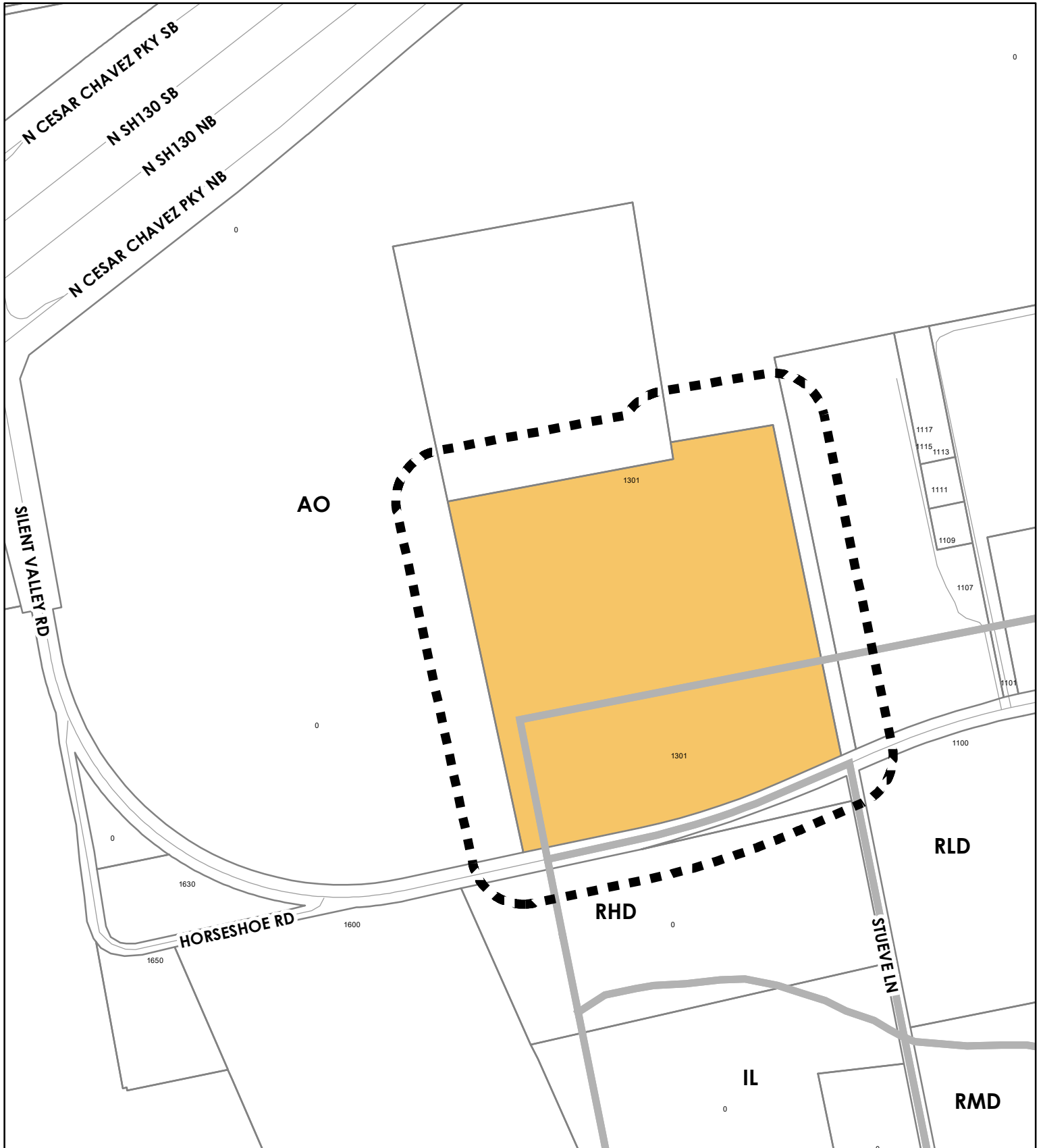


56 seconds W 65.68 feet to a capped iron pin found stamped "HINKLE SURVEYORS" in an ell corner of the said 21.019 acre tract for an exterior corner this tract. **(3) North 81 degrees 50 minutes 44 seconds E 401.67 feet** to a 3/8" iron pin found used for basis of bearing in the NE corner of the said 40.039 acre tract and the SE corner of the said 21.019 acre tract and a West line of the said 220.128 acre tract for the NE corner this tract.

THENCE S 09 degrees 59 minutes 00 seconds E with the East line of the said 40.039 acre tract and the East line of the said 61.058 acre tract and the West line of the said 220.128 acre tract **1298.63 feet** to the place of beginning containing **39.998 acres** of land more or less.

I hereby certify, that the foregoing field notes are a true and correct description of a survey made from public records (and not intended to be used for title conveyance) under my direct supervision on October 5, 2021. **THESE FIELD NOTES ARE CERTIFIED AND ITS CONTENTS GUARANTEED FOR USE WITH THIS ONE TRANSACTION ONLY DATED THIS DATE.** Only those prints containing the raised Surveyor's seal and an original "LIVE" signature should be considered official and relied upon by the user.





ZC-21-16

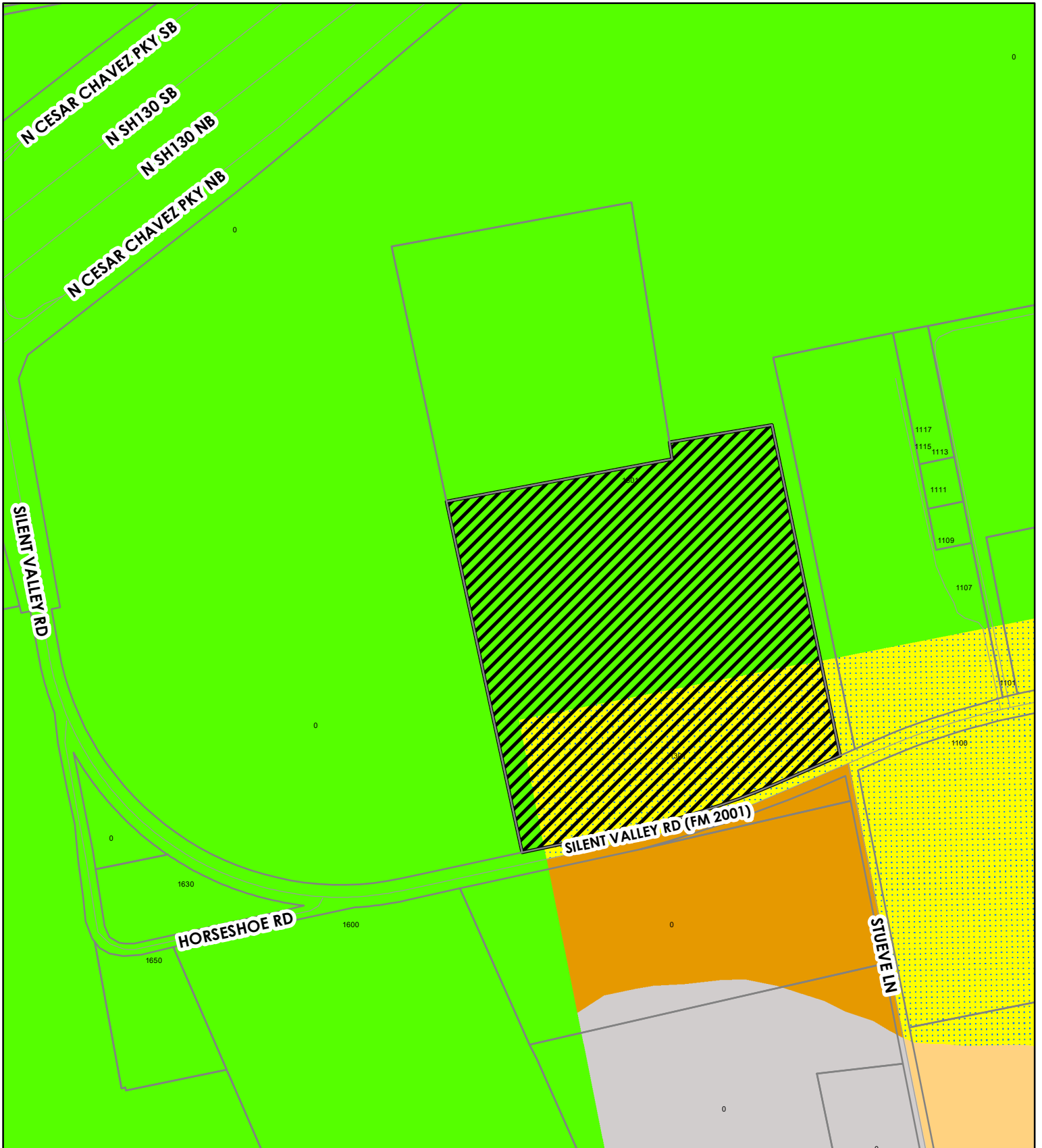
AO & RLD TO RMD

1301 SILENT VALLEY RD



scale 1" = 500'

- SUBJECT PROPERTY
- ZONING BOUNDARY
- 200 FT BUFFER



ZC-21-16

AO & RLD TO RMD

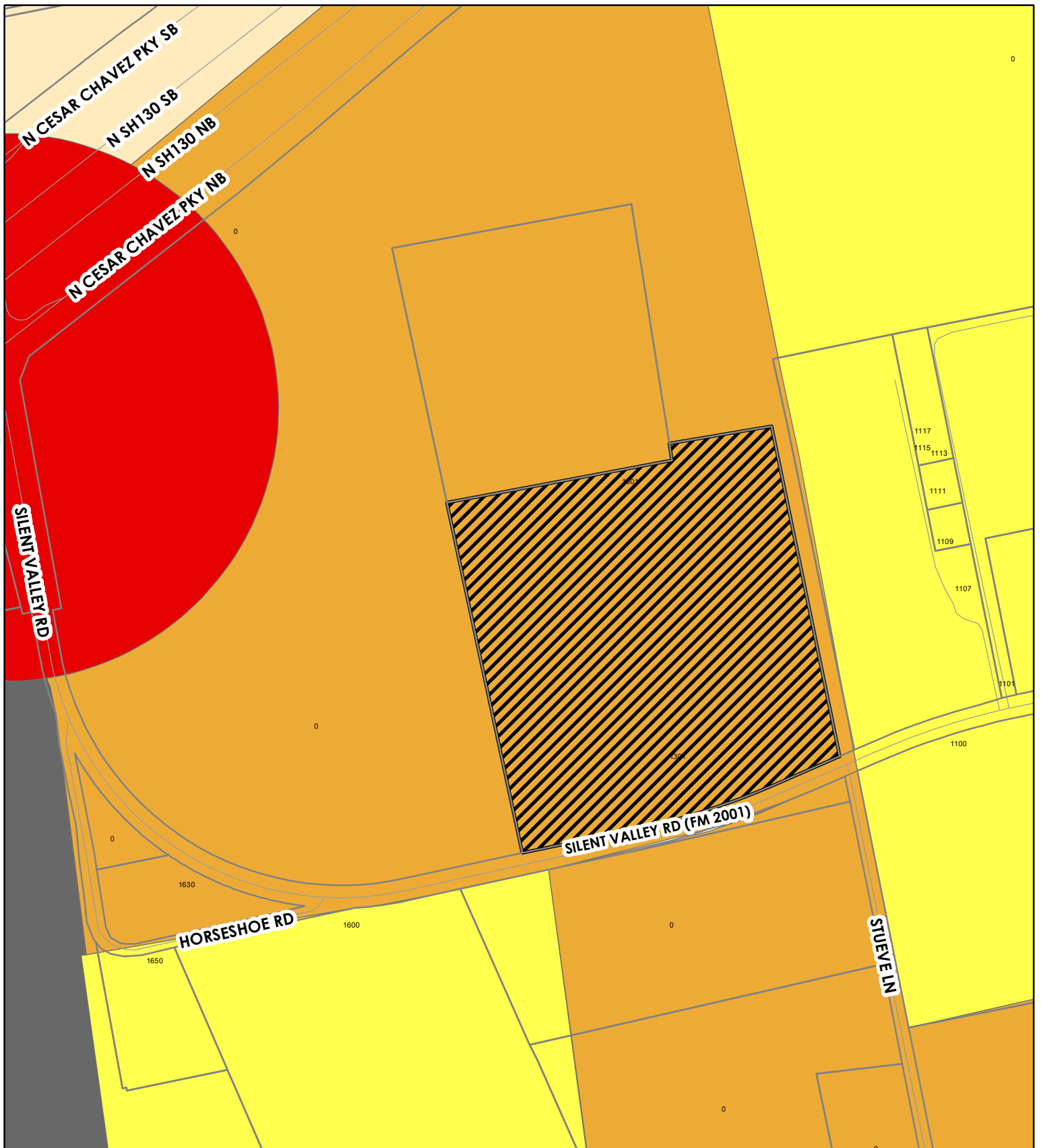
1301 SILENT VALLEY RD



scale 1" = 500'

ZONING DISTRICTS

- AGRICULTURAL-OPEN SPACE
- INDUSTRIAL LIGHT
- RESIDENTIAL HIGH DENSITY
- RESIDENTIAL LOW DENSITY
- RESIDENTIAL MEDIUM DENSITY



FUTURE LANDUSE

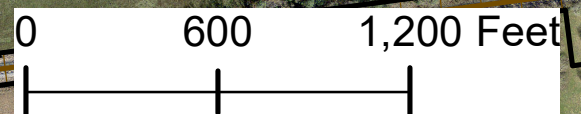
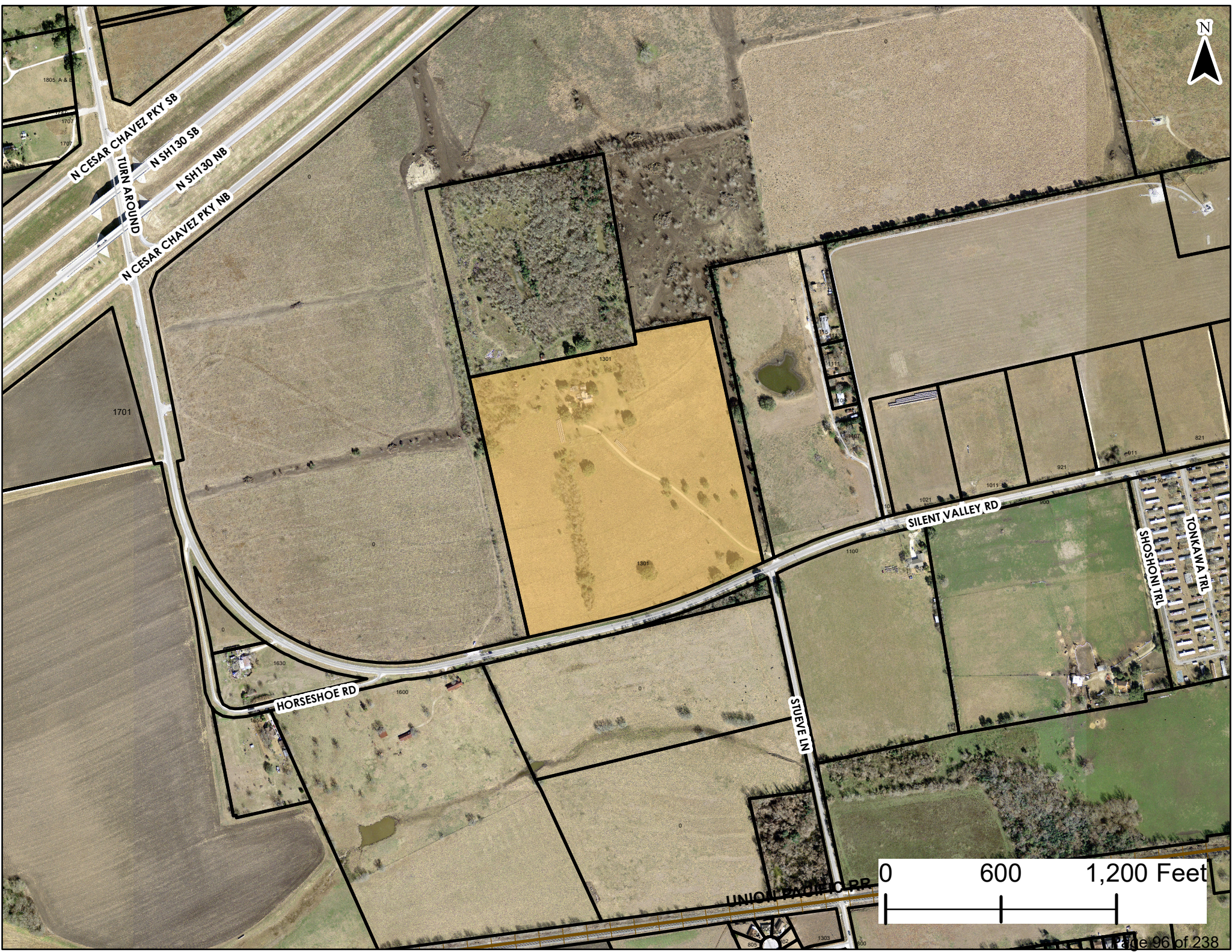
AO & RLD TO RMD

1301 SILENT VALLEY RD



scale 1" = 500'

- AGRICULTURE/RURAL DEVELOPMENT
- GENERAL-HEAVY COMMERCIAL
- INDUSTRY
- RESIDENTIAL, LOW DENSITY
- RESIDENTIAL, MEDIUM DENSITY



UNION PACIFIC CORP

CASE SUMMARY

STAFF: Dan Gibson, City Planner CASE NUMBER: ZC-21-16
 REPORT DATE: October 21, 2021 [Updated 10-28-21]
 PLANNING AND ZONING COMMISSION HEARING DATE: October 27, 2021
 CITY COUNCIL HEARING DATE: November 2, 2021
 REQUESTED CHANGE: AO and RLD to RMD
 STAFF RECOMMENDATION: **Approval**
 PLANNING AND ZONING COMMISSION RECOMMENDATION: **Approval**

BACKGROUND DATA

APPLICANT: Jason Balsler & Clayton Balsler
 OWNER: Same
 SITE LOCATION: 1301 Silent Valley Road (FM 2001)
 LEGAL DESCRIPTION: Metes and bounds
 SIZE OF PROPERTY: 39.998 acres
 EXISTING USE OF PROPERTY: One single-family dwelling
 LAND USE PLAN DESIGNATION: *Medium Density Residential*

ANALYSIS OF ISSUES

REASON FOR REQUESTED ZONING CHANGE: The applicants would like to construct a single family and duplex residential development on the subject property. Duplexes are not allowed by the current AO and RLD zoning classifications of the property, but would be allowed in the requested RMD district.

AREA CHARACTERISTICS:

	Existing Use	Zoning	Future Land Use Plan
North	Vacant land	AO	<i>Low Density Residential</i>
East	Vacant land, three single-family dwellings and one duplex with detached third unit	AO, RLD	<i>General-Heavy Commercial</i>
South	Vacant land	RHD	<i>Medium Density Residential</i>
West	Vacant land	AO	<i>Low Density Residential</i>

TRANSITION OF ZONING DISTRICTS: There is no other RMD zoning in the vicinity. However, the tract adjacent to the north boundary of the subject property is also proposed to be rezoned to RMD in zoning case ZC-21-18 on this agenda, and both are in an area that is designated as future *Medium Density Residential* on the Land Use Plan map. The tract adjacent to the east boundary of the subject property was proposed to be rezoned to entirely RLD in zoning case ZC-21-17 on this agenda. However, that application has been withdrawn and the applicant plans to resubmit a revised application that will still retain the RLD zoning for the south portion of the property. The vacant tract on the south side of Silent Valley Road is zoned RHD, which is a step higher in intensity than the RMD classification proposed for the subject property. Overall, the transition of zoning districts reflected in the zoning pattern after the proposed zoning changes will be appropriate.

ADEQUACY OF INFRASTRUCTURE: Adequate City water service is available at the southeast corner of the subject property. City wastewater service will require a lengthy off-site extension along the railroad track and northward along Stueve Lane. Any subdivision of the property will require internal public streets, and a northward extension of Stueve lane.

POTENTIAL NEIGHBORHOOD IMPACT: Because this is still a sparsely populated area, any adverse impact will likely be limited to increased traffic on Stueve Lane and Silent Valley Road, especially as adjacent tracts are also developed and Stueve Lane is extended. TxDOT will require a traffic impact analysis for all new street intersections along Silent Valley Road, and can require safety improvements (center left-turn lane, right-turn transition lanes, traffic signals, etc.) that would be the responsibility of the developer to provide.

CONSISTENCY WITH COMPREHENSIVE PLAN: The proposed RMD zoning is consistent with the *Medium Density Residential* designation for the property on the Land Use Plan map.

ALTERNATIVE CLASSIFICATIONS: None more appropriate. The RMD zoning classification allows single-family dwellings, patio homes, and duplexes by-right, and three/four-plexes, condominiums, and townhouses as specific uses.

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

STAFF RECOMMENDATION: Approval.

CITY OF

Lockhart

TEXAS

ZONING CHANGE APPLICATION

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

APPLICANT/OWNER

APPLICANT NAME Jason & Clayton Balser
DAY-TIME TELEPHONE 903-752-3837
E-MAIL Balserhomes1@ suddenlink.net

ADDRESS P.O. Box 7012
Tyler, TX. 75711

OWNER NAME Jason & Clayton Balser
DAY-TIME TELEPHONE 903-752-3837
E-MAIL Balserhomes1@ suddenlink.net

ADDRESS P.O. Box 7012
Tyler, TX. 75711

PROPERTY

ADDRESS OR GENERAL LOCATION 1301 Silent Valley Rd., Lockhart, TX.

LEGAL DESCRIPTION (IF PLATTED) Ad108 Crenshaw, Cornelius

SIZE 39.998 .CRE(S) LAND USE PLAN DESIGNATION MEDIUM DENSITY RESID

EXISTING USE OF LAND AND/OR BUILDING(S) AGRICULTURAL FIELDS

PROPOSED NEW USE, IF ANY COMBO OF DUPLEXES/SINGLE FAMILIES

REQUESTED CHANGE

FROM CURRENT ZONING CLASSIFICATION AO and RLD

TO PROPOSED ZONING CLASSIFICATION RMD (Residential Medium Density)

REASON FOR REQUEST Future Use

SUBMITTAL REQUIREMENTS

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

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

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

APPLICATION FEE OF \$950.78 PAYABLE TO THE CITY OF LOCKHART AS FOLLOWS:

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

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

SIGNATURE _____

DATE 10-4-21

OFFICE USE ONLY

ACCEPTED BY _____

Dan Gibson

RECEIPT NUMBER _____

1033772

DATE SUBMITTED _____

10-6-21

CASE NUMBER ZC - _____

21 - 16

DATE NOTICES MAILED _____

10-11-2021

DATE NOTICE PUBLISHED _____

10-14-2021

PLANNING AND ZONING COMMISSION MEETING DATE _____

10-27-21

PLANNING AND ZONING COMMISSION RECOMMENDATION _____

Approval

CITY COUNCIL MEETING DATE _____

11-2-21

DECISION _____

City of Lockhart, Texas

Council Agenda Item Cover Sheet

COUNCIL MEETING DATE: November 2, 2021

AGENDA ITEM CAPTION: Hold a PUBLIC HEARING on application ZC-21-17 by Alan Balsler, and discussion and/or action to consider a **Zoning Change** from *AO Agricultural-Open Space District* and *RLD Residential Low Density District* to *RMD Residential Medium District* on 128.624 acres in the Byrd Lockhart Survey, Abstract No. 17 and the Cornelius Crenshaw Survey, Abstract No. 68, located at 1107 Silent Valley Road (FM 2001). *WITHDRAWN*

ORIGINATING DEPARTMENT AND CONTACT: Development Services - Dan Gibson

ACTION REQUESTED: Other

BACKGROUND/SUMMARY/DISCUSSION: This item was withdrawn by the applicant after the public hearing notices were published in the newspaper and mailed to owners of property within 200 feet. Therefore, it must be on the agenda, but there is no ordinance listed for it in the caption. The Mayor can simply announce that it has been withdrawn, with no further discussion or action. The applicant plans to submit a revised zoning change application for the subject property at a later date. An e-mail from the applicant requesting withdrawal is attached.

PROJECT SCHEDULE (if applicable): Not applicable.

AMOUNT & SOURCE OF FUNDING:

Funds Required:

Account Number:

Funds Available:

Account Name:

FISCAL NOTE (if applicable): Not applicable.

PREVIOUS COUNCIL ACTION: None.

COMMITTEE/BOARD/COMMISSION ACTION: None.

STAFF RECOMMENDATION/REQUESTED MOTION: WITHDRAWN by applicant. No action required.

LIST OF SUPPORTING DOCUMENTS: ZC2117 withdrawal e-mail

Dan Gibson

From: Alan Balser <awb@palaura.com>
Sent: Monday, October 25, 2021 11:03 AM
To: Dan Gibson
Subject: 1 Balser Zoning Request Withdrawal

Mr. Gibson,

Due to a change in plans, I request that my application for zoning request ZC-21-17 for 128.624 acres at Silent Valley Road be withdrawn.

Thank you,

Alan Balser
11166 Lawnhaven Rd.
Dallas, TX 75230
214-368-8025

City of Lockhart, Texas

Council Agenda Item Cover Sheet

COUNCIL MEETING DATE: November 2, 2021

AGENDA ITEM CAPTION: Hold a PUBLIC HEARING on application ZC-21-18 by Alan Balsler, and discussion and/or action to consider Ordinance 2021-37 for a **Zoning Change** from *AO Agricultural-Open Space District* to *RMD Residential Medium Density District* on 50.77 acres in the Cornelius Crenshaw Survey, Abstract No. 68, located at 1900 North Cesar Chavez Parkway - Northbound (SH 130).

ORIGINATING DEPARTMENT AND CONTACT: Development Services - Dan Gibson

ACTION REQUESTED: Ordinance

BACKGROUND/SUMMARY/DISCUSSION: The applicant proposes to rezone the subject property to allow uses listed in the RMD district. Those include single-family dwellings, patio homes, and duplexes by-right, and combined-family (three/four plex), condominiums, and townhouses upon approval of a Specific Use Permit by the Commission. The current AO zoning allows single-family dwellings, but only on lots of one acre or larger. There currently is no RMD zoning in the area. However, the abutting 39.998-acre tract to the south is also proposed to be rezoned to RMD (ZC-21-16). A concurrent application (ZC-21-17) to rezone the area to the east of both this tract and the abutting tract to the south to RLD was withdrawn, and the applicant plans to submit a new application with a combination of proposed zoning classifications. There is a potential for additional RMD zoning on the vacant land adjacent to the west. Given that the abutting zoning classifications will be the same as, or just one step down in land use intensity from, the RMD classification proposed in this application, the transition of zoning districts reflected in the zoning pattern after the proposed zoning changes will be appropriate. The proposed RMD zoning is consistent with the *Medium Density Residential* designation for the property on the Land Use Plan map. There has been no opposition to this rezoning expressed either in writing or in person. See the attached staff report for additional information.

PROJECT SCHEDULE (if applicable): Not applicable.

AMOUNT & SOURCE OF FUNDING:

Funds Required:

Account Number:

Funds Available:

Account Name:

FISCAL NOTE (if applicable): Not applicable.

PREVIOUS COUNCIL ACTION: None.

City of Lockhart, Texas

Council Agenda Item Cover Sheet

COMMITTEE/BOARD/COMMISSION ACTION: At their October 27th meeting the Planning and Zoning Commission voted unanimously to recommend APPROVAL.

STAFF RECOMMENDATION/REQUESTED MOTION: Staff recommends APPROVAL of Ordinance 2021-37.

LIST OF SUPPORTING DOCUMENTS: zc2118 ordinance, zc2118 Exhibit A, ZC2118 case map, ZC2118 zoning, ZC2118 future landuse, ZC2118 aerial, zc2118 staff report, zc2118 application

ORDINANCE 2021-37

AN ORDINANCE OF THE CITY OF LOCKHART, TEXAS, AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF LOCKHART, TEXAS, TO RECLASSIFY THE PROPERTY KNOWN AS 50.77 ACRES IN THE CORNELIUS CRENSHAW SURVEY, ABSTRACT NO. 68, LOCATED AT 1900 NORTH CESAR CHAVEZ PARKWAY - NORTHBOUND (SH 130), FROM AO AGRICULTURAL–OPEN SPACE DISTRICT TO RMD RESIDENTIAL MEDIUM DENSITY DISTRICT.

WHEREAS, on October 27, 2021, the Planning and Zoning Commission held a public hearing and voted to recommend approval of said change; and,

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

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

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

- I. The foregoing recitals are approved and adopted herein for all purposes.
- II. The above-referenced property described in Zoning Change request ZC-21-18 as 50.77 acres in the Cornelius Crenshaw Survey, Abstract No. 68, more particularly described in Exhibit "A" and located at 1900 Cesar Chavez Parkway (SH 130), will be reclassified from AO Agricultural–Open Space District to RMD Residential Medium Density District.
- III. Severability: If any provision, section, clause, sentence, or phrase of this ordinance is for any reason held to be unconstitutional, void, invalid, or unenforced, the validity of the remainder of this ordinance or its application shall not be affected, it being the intent of the City Council in adopting and of the Mayor in approving this ordinance that no portion, provision, or regulation contained herein shall become inoperative or fail by way of reasons of any unconstitutionality or invalidity of any other portion, provision or regulation.
- IV. Repealer: That all other ordinances, sections, or parts of ordinances heretofore adopted by the City of Lockhart in conflict with the provisions set out above in this ordinance are hereby repealed or amended as indicated.
- V. Publication: That the City Secretary is directed to cause this ordinance caption to be published in a newspaper of general circulation according to law.
- VI. Effective Date: That this ordinance shall become effective and be in full force immediately upon and from the date of its passage.

PASSED, APPROVED, AND ADOPTED AT A REGULAR MEETING OF THE LOCKHART CITY COUNCIL ON THIS THE 2nd DAY OF NOVEMBER, 2021.

CITY OF LOCKHART

Lew White, Mayor

ATTEST:

APPROVED AS TO FORM:

Connie Constancio, TRMC, City Secretary

Monte Akers, City Attorney

EXHIBIT "A"



Page 1 of 2
Job #20172411-
Rezone-North.docx

All of a certain tract or parcel of land situated in the City of Lockhart, Caldwell County, Texas and being a part of the Cornelius Crenshaw Survey A-68 and being also a part of a tract of land called 228.120 acres and conveyed to Alan Balsler et ux by deed recorded in Instrument #2017-005439 of the Official Public Records of Caldwell County, Texas and being also all of a tract of land called 21.019 acres and conveyed to Alan Balsler et ux by deed recorded in Instrument #2018-000542 of the said Official Public Records and being more particularly described as follows:

BEGINNING at a capped iron pin found stamped "HINKLE SURVEYORS" in the SW corner of the above mentioned 21.019 acre tract and the NW corner of a Residue tract called 40.039 acres and conveyed to Jason Balsler et al by deed recorded in Instrument #2018-006381 of the said Official Public Records and in an East line of the above mentioned 228.120 acre tract for the SW corner this tract.

THENCE N 10 degrees 44 minutes 45 seconds W partially along the West line of the said 21.019 acre tract and over and across the said 228.120 acre tract **1622.02 feet** to a calculated point in the NW line of the said 228.120 acre tract and the SE line of North Cesar Chavez Parkway (a.k.a. State Highway #130) for the NW corner this tract.

THENCE with the NW line of the said 228.120 acre tract and the SE line of North Cesar Chavez Parkway for the following three courses:

(1) N 51 degrees 05 minutes 15 seconds E 251.28 feet to a calculated point in the PC of a curve. **(2)** With a curve turning to the left having a radius of **11917.43 feet** and an arc length of **509.20 feet** and the chord of which bears **N 52 degrees 18 minutes 42 seconds E 509.16 feet** to a calculated point for the PT of the said curve. **(3) N 53 degrees 31 minutes 04 seconds E 141.72 feet** to a calculated point for the North corner this tract.

THENCE over and across the said 228.120 acre tract for the following four (4) courses:

(1) S 36 degrees 28 minutes 55 seconds E 1032.18 feet to a calculated point in the PC of a curve. **(2)** With a curve turning to the right having a radius of **420.00 feet** and an arc length of **192.24 feet** and the chord of which **S 23 degrees 22 minutes 11 seconds E 190.56 feet** to a calculated point for the PT of the said curve. **(3) S 10 degrees 14 minutes 59 seconds E 638.91 feet** to a calculated point for an angle point this tract. **(4) S 11 degrees 04 minutes 04 seconds E 254.20 feet** to a 3/8" iron pin found in an exterior corner of the above mentioned 40.039 acre tract and an ell corner of the said 228.120 acre tract for the SE corner this tract.

THENCE S 81 degrees 50 minutes 44 seconds W with a South line of the said 228.120 acre tract and a North line of the said 40.039 acre tract **401.67 feet** to a capped iron pin found stamped "HINKLE SURVEYORS" in the East line of the said 21.019 acre tract and an exterior corner of the said 40.039 acre tract for an ell corner this tract.

©Hinkle Surveyors 2021 Firm Registration No. 100866-00

**P.O. Box 1027 Lockhart, Texas 78644 Phone (512) 398-2000
Fax (512) 398-7683 Email: contact@hinklesurveyors.com**



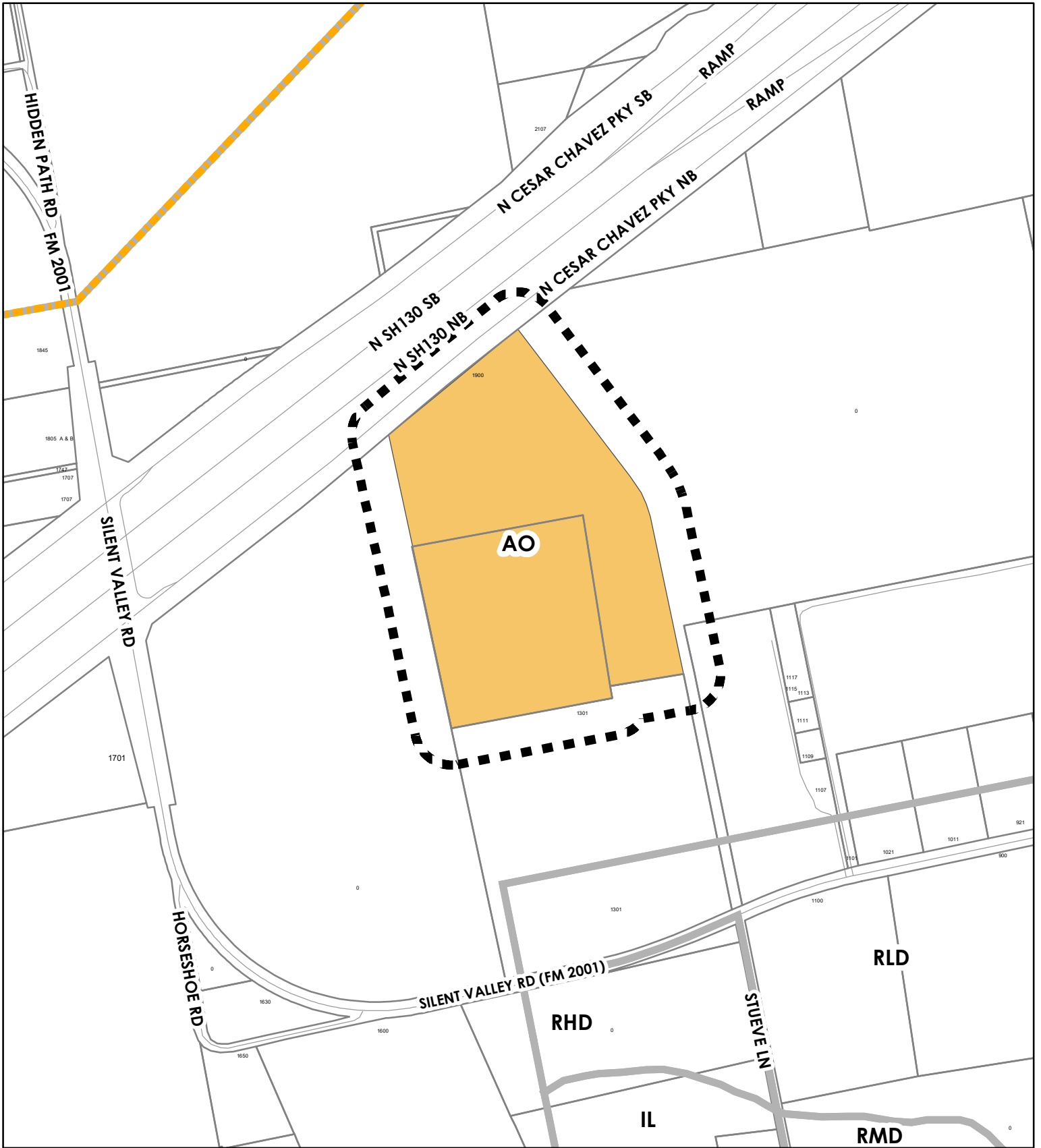
THENCE with the East and South line of the said 21.019 acre tract and the North and West lines of the said 40.039 acre tract for the following two (2) courses:

(1) S 07 degrees 35 minutes 56 seconds E 65.68 feet to a capped iron pin found stamped "HINKLE SURVEYORS" for an exterior corner this tract. **(2) S 80 degrees 46 minutes 12 seconds W 884.27 feet** to the place of beginning containing **50.770 acres** of land more or less.

I hereby certify, that the foregoing field notes are a true and correct description of a survey made from public records (and not intended to be used for title conveyance) under my direct supervision on October 5, 2021. **THESE FIELD NOTES ARE CERTIFIED AND ITS CONTENTS GUARANTEED FOR USE WITH THIS ONE TRANSACTION ONLY DATED THIS DATE.** Only those prints containing the raised Surveyor's seal and an original "LIVE" signature should be considered official and relied upon by the user.



Jerry L. Hinkle, R.P.L.S. #5459



ZC-21-18

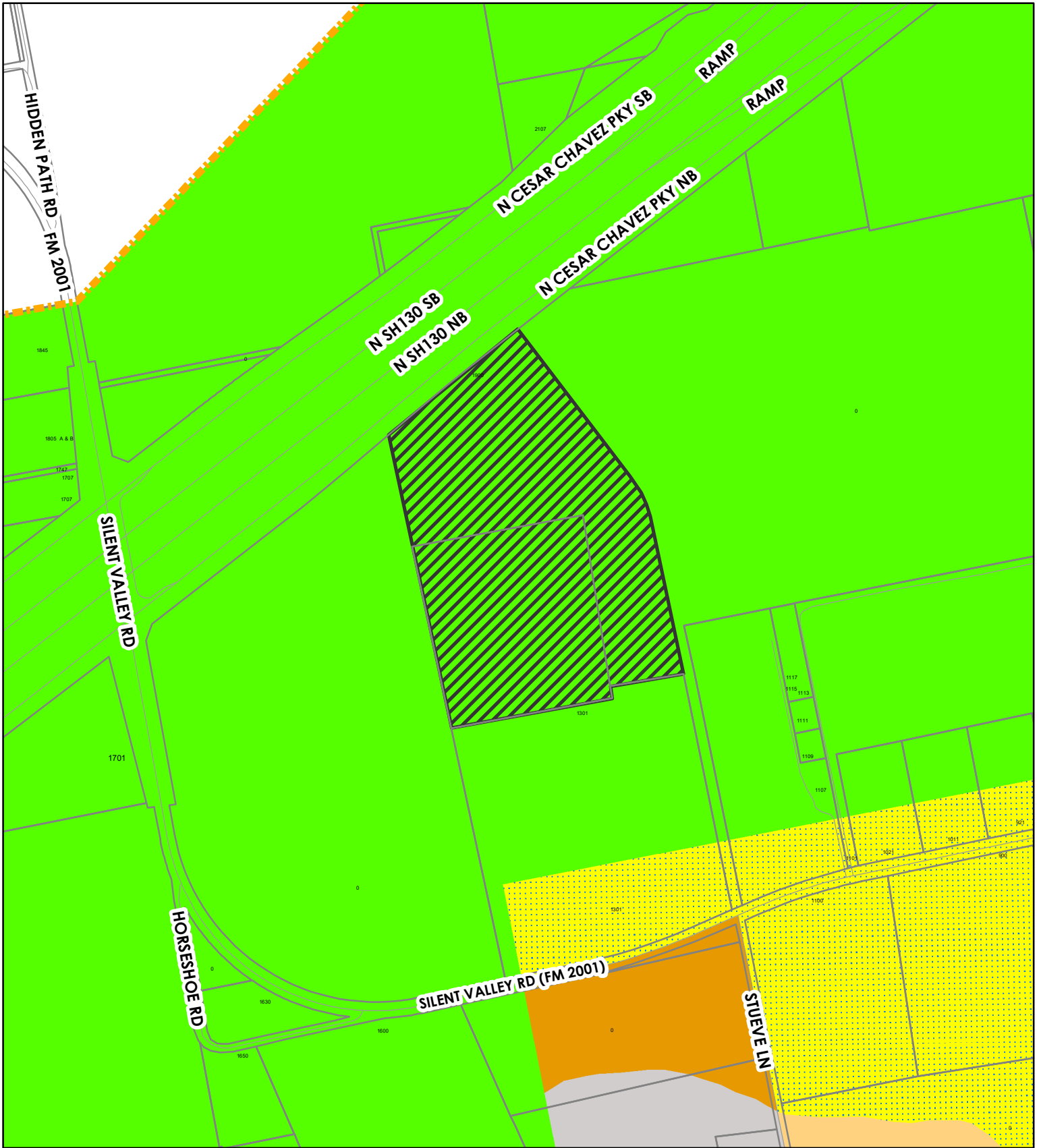
AO TO RMD

1900 N CESAR CHAVEZ PKY NB



scale 1" = 700'

- SUBJECT PROPERTY
- ZONING BOUNDARY
- CITY LIMITS
- 200 FT BUFFER



ZC-21-18

AO TO RMD

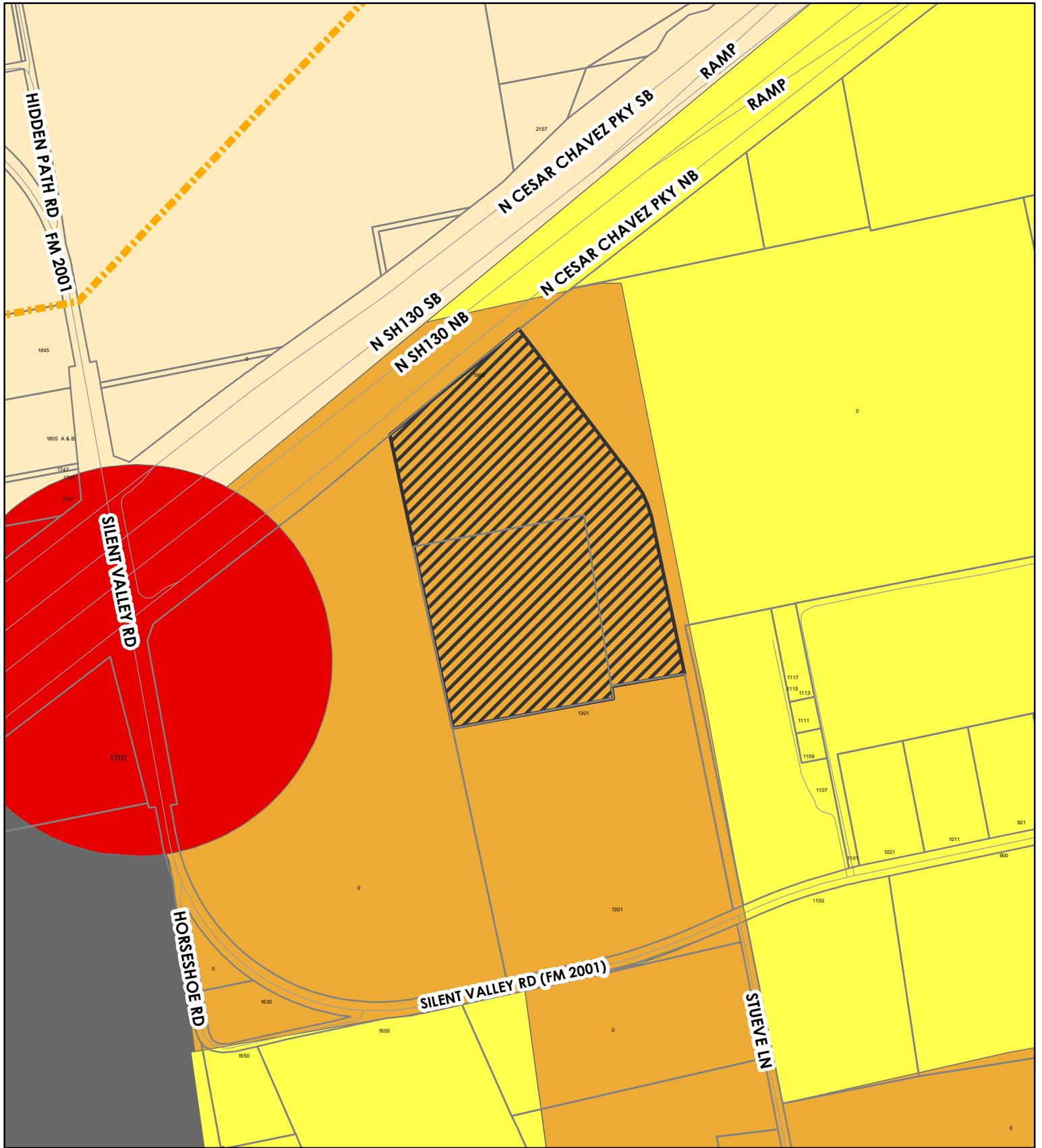
1900 N CESAR CHAVEZ PKY NB



scale 1" = 700'

ZONING DISTRICTS

- AGRICULTURAL-OPEN SPACE
- INDUSTRIAL LIGHT
- RESIDENTIAL HIGH DENSITY
- RESIDENTIAL LOW DENSITY
- RESIDENTIAL MEDIUM DENSITY



FUTURE LANDUSE

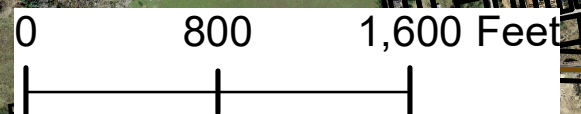
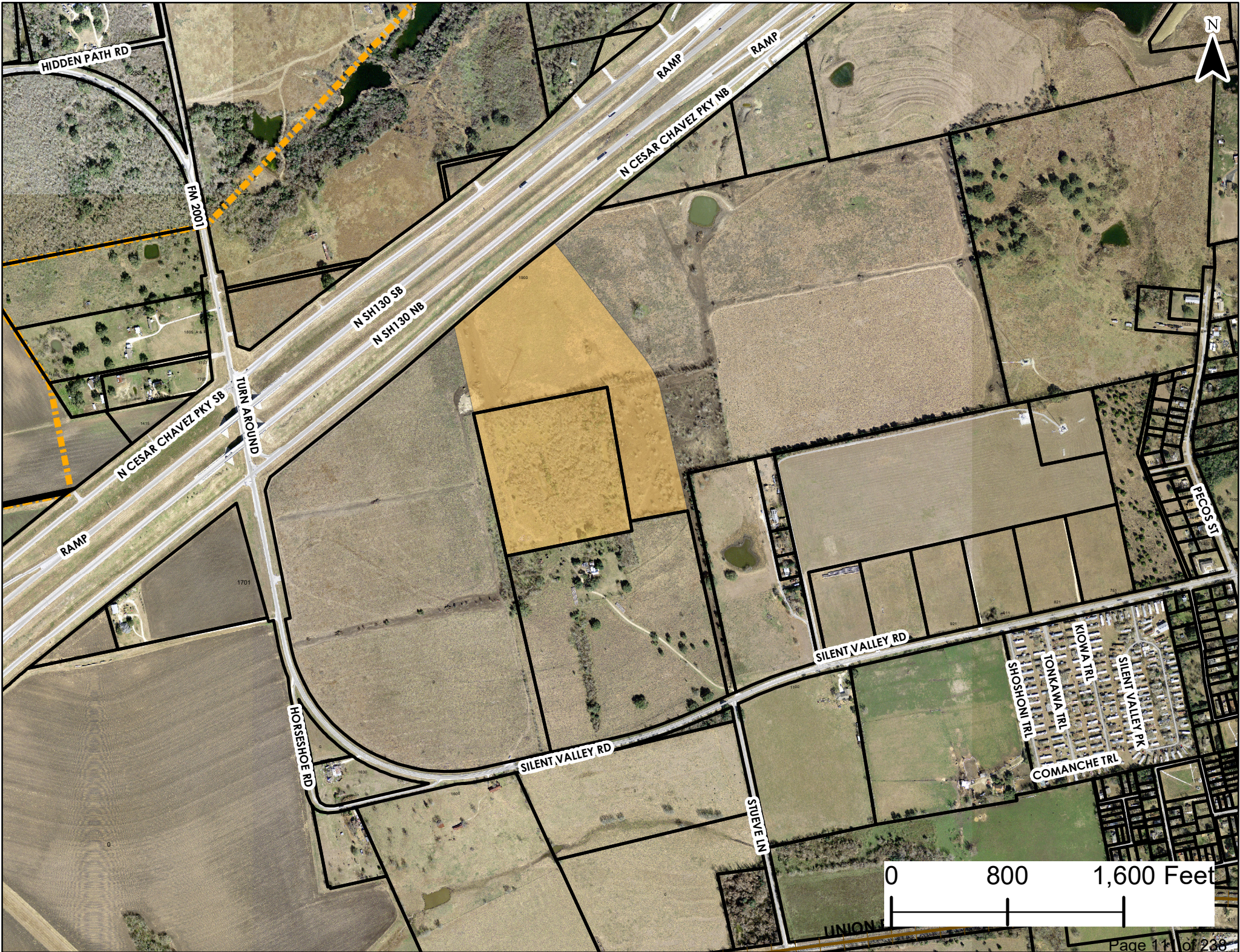
AO TO RMD

1900 N CESAR CHAVEZ PKY NB



scale 1" = 700'

- AGRICULTURE/RURAL DEVELOPMENT
- GENERAL-HEAVY COMMERCIAL
- INDUSTRY
- RESIDENTIAL, LOW DENSITY
- RESIDENTIAL, MEDIUM DENSITY



CASE SUMMARY

STAFF: Dan Gibson, City Planner CASE NUMBER: ZC-21-18
 REPORT DATE: October 22, 2021 [Updated 10-28-21]
 PLANNING AND ZONING COMMISSION HEARING DATE: October 27, 2021
 CITY COUNCIL HEARING DATE: November 2, 2021
 REQUESTED CHANGE: AO to RMD
 STAFF RECOMMENDATION: **Approval**
 PLANNING AND ZONING COMMISSION RECOMMENDATION: **Approval**

BACKGROUND DATA

APPLICANT: Alan Balser
 OWNER: Same
 SITE LOCATION: 1900 North Cesar Chavez Parkway - Northbound (SH 130)
 LEGAL DESCRIPTION: Metes and bounds
 SIZE OF PROPERTY: 50.77 acres
 EXISTING USE OF PROPERTY: Vacant land
 LAND USE PLAN DESIGNATION: *Medium Density Residential*

ANALYSIS OF ISSUES

REASON FOR REQUESTED ZONING CHANGE: The applicant proposes to rezone the subject property to allow uses listed in the RMD district. Those include single-family dwellings, patio homes, and duplexes by-right, and combined-family (three/four plex), condominiums, and townhouses upon approval of a Specific Use Permit by the Commission. The current AO zoning allows single-family dwellings, but only on lots of one acre or larger.

AREA CHARACTERISTICS:

	Existing Use	Zoning	Future Land Use Plan
North	SH 130	AO	<i>Agricultural/Rural Development</i>
East	Vacant land	AO	<i>Low Density Residential</i>
South	One single-family dwelling on a large tract	AO	<i>Medium Density Residential</i>
West	Vacant land	AO	<i>Medium Density Residential, General-Heavy Commercial</i>

TRANSITION OF ZONING DISTRICTS: There currently is no RMD zoning in the area. However, the abutting 39.998-acre tract to the south is also proposed to be rezoned to RMD (ZC-21-16). A concurrent application (ZC-21-17) to rezone the area to the east of both this tract and the abutting tract to the south to RLD was withdrawn, and the applicant plans to submit a new application with a combination of proposed zoning classifications. There is a potential for additional RMD zoning on the vacant land adjacent to the west. Given that the abutting zoning classifications will be the same as, or just one step down in land use intensity from, the RMD classification proposed in this application, the transition of zoning districts reflected in the zoning pattern after the proposed zoning changes will be appropriate.

ADEQUACY OF INFRASTRUCTURE: Adequate City water service is currently available only by a future extension from the intersection of Silent Valley Road and Stueve Lane, or an extension under SH 130 and along Cesar Chavez Parkway from a water main at the City elevated water storage tank near the northwest corner of the intersection of Silent Valley Road and Cesar Chavez Parkway (SH 130 frontage road). City wastewater service will require a lengthy off-site extension along the railroad track and northward along Stueve Lane to serve all of the tracts proposed to be rezoned in this area. Any subdivision of the property will require internal public streets, and a northward extension of Stueve lane.

POTENTIAL NEIGHBORHOOD IMPACT: Because this is still a sparsely populated area, any adverse impact will likely be limited to increased traffic on Stueve Lane and Silent Valley Road, especially as adjacent tracts are also developed and Stueve Lane is extended. TxDOT will require a traffic impact analysis for all new street intersections along Silent Valley Road and Cesar Chavez Parkway, and can require safety improvements (center left-turn lane, right-turn transition lanes, traffic signals, etc.) that would be the responsibility of the developer to provide.

CONSISTENCY WITH COMPREHENSIVE PLAN: The proposed RMD zoning is consistent with the *Medium Density Residential* designation for the property on the Land Use Plan map.

ALTERNATIVE CLASSIFICATIONS: None more appropriate.

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

STAFF RECOMMENDATION: Approval.

CITY OF

Lockhart

TEXAS

ZONING CHANGE APPLICATION

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

APPLICANT/OWNER

APPLICANT NAME Alan Balser
DAY-TIME TELEPHONE 214-368-8025
E-MAIL awb@palaura.com

ADDRESS 11166 Lawnhaven Rd.
Dallas, TX 75230

OWNER NAME Alan Balser
DAY-TIME TELEPHONE 214-368-8025
E-MAIL awb@palaura.com

ADDRESS 11166 Lawnhaven Rd.
Dallas, TX 75230

PROPERTY

1900 N Cesar Chavez PKY NB

ADDRESS OR GENERAL LOCATION Between 1301 Silent Valley Rd. & the Toll Road 130, Lockhart, TX 78644

LEGAL DESCRIPTION (IF PLATTED) See attached metes & bounds description

SIZE 50.770 ACRE(S) LAND USE PLAN DESIGNATION Medium Density Residential

EXISTING USE OF LAND AND/OR BUILDING(S) Agriculture

PROPOSED NEW USE, IF ANY Medium density housing

REQUESTED CHANGE

FROM CURRENT ZONING CLASSIFICATION Agriculture AO

TO PROPOSED ZONING CLASSIFICATION Medium Density Residential RMD

REASON FOR REQUEST Medium density housing such as patio homes, town homes, duplexes.

SUBMITTAL REQUIREMENTS

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

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

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

APPLICATION FEE OF \$ 1,165.40 PAYABLE TO THE CITY OF LOCKHART AS FOLLOWS:

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

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

SIGNATURE Alan Balsen

DATE 10/06/2021

OFFICE USE ONLY

ACCEPTED BY Dan Gibson

RECEIPT NUMBER 1033786

DATE SUBMITTED 10-6-21

CASE NUMBER ZC - 21 - 18

DATE NOTICES MAILED 10-11-2021

DATE NOTICE PUBLISHED 10-14-2021

PLANNING AND ZONING COMMISSION MEETING DATE 10-27-21

PLANNING AND ZONING COMMISSION RECOMMENDATION Approval

CITY COUNCIL MEETING DATE 11-2-21

DECISION _____

City of Lockhart, Texas

Council Agenda Item Cover Sheet

COUNCIL MEETING DATE: November 2, 2021

AGENDA ITEM CAPTION: Approve Resolution 2021-18 requiring approval by the City Council of the City of Lockhart for the 2021 Certified Property Tax Roll.

ORIGINATING DEPARTMENT AND CONTACT: Finance - Pam Larison

ACTION REQUESTED: Resolution

BACKGROUND/SUMMARY/DISCUSSION: Section 26.09 of the Property Tax Code requires approval by the City Council of the City of Lockhart for the Certified Property Tax Roll, with the tax amount presented by the Caldwell County Appraisal District for 2021 tax year.

The 2021 Certified Property Tax Roll contains final amounts due totaling \$5,752,038.03 (\$956,833.88 for debt service).

PROJECT SCHEDULE (if applicable):

AMOUNT & SOURCE OF FUNDING:

Funds Required:

Account Number:

Funds Available:

Account Name:

FISCAL NOTE (if applicable):

PREVIOUS COUNCIL ACTION:

COMMITTEE/BOARD/COMMISSION ACTION:

STAFF RECOMMENDATION/REQUESTED MOTION: Staff respectfully request approval of Resolution 2021-18.

LIST OF SUPPORTING DOCUMENTS: Resolution 2021-18, 2021 Certified Tax Roll Letter

RESOLUTION 2021-18

A RESOLUTON OF THE CITY COUNCIL OF THE CITY OF LOCKHART, TEXAS, APPROVING THE CITY OF LOCKHART APPRAISAL ROLL WITH TAX AMOUNTS ENTERED BY THE ASSESSOR, FOR THE TAX YEAR 2021.

WHEREAS, Section 26.09 of the Property Tax Code requires approval of the City Council of the City of Lockhart appraisal roll with tax amounts entered by the assessor, for the tax year 2021, and

WHEREAS, such roll was presented to the City of Lockhart on November 2, 2021, and appears in all things correct as under the applicable laws of the State 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, TEXAS, that the appraisal roll with amounts due totaling \$5,752,038.03 for the year 2021 is approved and is the tax roll for the City of Lockhart for the year 2021.

PASSED, APPROVED, AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF LOCKHART, TEXAS, ON THIS THE 2nd DAY OF NOVEMBER 2021.

CITY OF LOCKHART

Lew White, Mayor

APPROVED AS TO FORM:

Attest:

Connie Constancio, TRMC, City Secretary

Monte Akers, City Attorney

Caldwell County Appraisal District

10/15/21

City of Lockhart
City Manager
PO Box 239
Lockhart TX 78644

RE: Resolution for 2021 tax roll

I have enclosed for your use a resolution to be used for approval of the 2021 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 2021 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 Buffkin 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

2021 LEVY TOTALS

CLH - City of Lockhart

Property Count: 6,256

10/12/2021

3:00:31 PM

Land		Value			
Homesite:		126,167,451			
Non Homesite:		171,109,322			
Ag Market:		46,226,431			
Timber Market:		0	Total Land	(+)	
				343,503,204	
Improvement		Value			
Homesite:		384,944,532			
Non Homesite:		399,131,524	Total Improvements	(+)	
				784,076,056	
Non Real		Count	Value		
Personal Property:	665		65,657,280		
Mineral Property:	13		17,930		
Autos:	0		0	Total Non Real	(+)
					65,675,210
				Market Value	=
					1,193,254,470
Ag		Non Exempt	Exempt		
Total Productivity Market:		46,226,431	0		
Ag Use:		688,601	0	Productivity Loss	(-)
Timber Use:		0	0	Appraised Value	=
Productivity Loss:		45,537,830	0		1,147,716,640
				Homestead Cap	(-)
					42,423,206
				Assessed Value	=
					1,105,293,434
				Total Exemptions Amount	(-)
				(Breakdown on Next Page)	157,108,953
				Net Taxable	=
					948,184,481

Freeze	Assessed	Taxable	Actual Tax	Celling	Count		
DP	13,080,360	12,166,978	60,146.81	63,094.77	97		
OV65	162,743,743	148,732,099	689,307.16	700,260.48	931		
Total	175,824,103	160,899,077	749,453.97	763,355.25	1,028	Freeze Taxable	(-)
Tax Rate	0.6354000						160,899,077
						Freeze Adjusted Taxable	=
							787,285,404

Levy Info				
M&O Rate:	0.5297000	M&O Tax:	4,795,031.06	
I&S Rate:	0.1057000	I&S Tax:	956,833.88	
Protected I&S Rate:	0.0000000	Protected I&S Tax:	0.00	
		Ag Penalty:	173.09	
		PP Late Penalty:	0.00	
		Late Correction Penalty:	0.00	
			Total Levy	5,752,038.03
Tax Increment Finance Value:			0	
Tax Increment Finance Levy:			0.00	

2021 LEVY TOTALS

CLH - City of Lockhart

Property Count: 6,256

10/12/2021

3:00:44PM

Exemption Breakdown

Exemption	Count	Local	State	Total
DP	101	0	0	0
DV1	26	0	223,000	223,000
DV2	23	0	174,000	174,000
DV3	24	0	236,000	236,000
DV4	68	0	532,700	532,700
DV4S	3	0	36,000	36,000
DVHS	51	0	10,283,987	10,283,987
DVHSS	1	0	168,900	168,900
EX	9	0	2,833,720	2,833,720
EX-XF	4	0	55,350	55,350
EX-XG	2	0	2,427,770	2,427,770
EX-XL	3	0	426,470	426,470
EX-XR	1	0	21,020	21,020
EX-XU	2	0	866,690	866,690
EX-XV	195	0	128,538,581	128,538,581
EX-XV (Prorated)	1	0	8,481	8,481
EX366	34	0	7,410	7,410
FR	2	616,010	0	616,010
OV65	974	9,386,024	0	9,386,024
OV65S	7	70,000	0	70,000
SO	13	196,840	0	196,840
Totals		10,268,874	146,840,079	157,108,953

2021 LEVY TOTALS

CLH - City of Lockhart
Grand Totals

Property Count: 6,256

10/12/2021 3:00:31PM

Land		Value			
Homesite:		126,167,451			
Non Homesite:		171,109,322			
Ag Market:		46,226,431			
Timber Market:		0	Total Land	(+)	
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Improvement		Value			
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Non Real		Count	Value		
Personal Property:	665		65,657,280		
Mineral Property:	13		17,930		
Autos:	0		0	Total Non Real	(+)
					65,675,210
			Market Value	=	1,193,254,470
Ag		Non Exempt	Exempt		
Total Productivity Market:		46,226,431	0		
Ag Use:		688,601	0	Productivity Loss	(-)
Timber Use:		0	0		=
Productivity Loss:		45,537,830	0		1,147,716,640
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Tax Increment Finance Value:			0
Tax Increment Finance Levy:			0.00

2021 LEVY TOTALS**Exemption Breakdown**

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Totals		10,268,874	146,840,079	157,108,953

City of Lockhart, Texas

Council Agenda Item Cover Sheet

COUNCIL MEETING DATE: November 2, 2021

AGENDA ITEM CAPTION: Authorize confirmation of Civil Service Commission member reappointment of Ms. Worlanda Neal for a three (3) year term as recommended by the City Manager.

ORIGINATING DEPARTMENT AND CONTACT: Administration - Steven Lewis

ACTION REQUESTED: Other

BACKGROUND/SUMMARY/DISCUSSION: Ms. Neal has served on the commission for the past 15 years (five 3-year terms), and as the commission chairman since 2017. According to Civil Service regulations, she can be reappointed for additional terms (3 years long) if the appointment is confirmed by a two-thirds majority of the City Council. Ms. Neal has graciously agreed to continue serving on the commission. Both the City Manager and Civil Service Director concur that she has been, and will continue to be, an asset to the Civil Service Commission.

PROJECT SCHEDULE (if applicable): N/A

AMOUNT & SOURCE OF FUNDING:

Funds Required:

Account Number:

Funds Available:

Account Name:

FISCAL NOTE (if applicable): N/A

PREVIOUS COUNCIL ACTION: N/A

COMMITTEE/BOARD/COMMISSION ACTION: N/A

STAFF RECOMMENDATION/REQUESTED MOTION: Both the City Manager and Civil Service Director respectfully recommend that Council confirm, by vote, the reappointment of Ms. Worlanda Neal.

LIST OF SUPPORTING DOCUMENTS: History - November 6, 2018 City Council minutes

HISTORY

D. DISCUSS RESOLUTION 2018-20 APPROVING THE TAX ROLL FOR THE YEAR 2018 (FISCAL YEAR 2018-2019).

Ms. Larison stated that Section 26.09 of the Property Tax Code requires that the City Council of the City of Lockhart approves the appraisal roll with tax amounts entered by the assessor, for the year 2018. Approval of Resolution 2018-20 with the tax roll of \$4,608,370.79 would meet this requirement. There was brief discussion.

E. DISCUSS THE 4TH QUARTER FISCAL YEAR 2018 INVESTMENT REPORT.

Ms. Larison stated that the Texas Public Investment Act requires local governments to review and accept a Quarterly Investment Report, as presented, for each quarterly period of the year. The 4th Quarter 2018 report ended September 30, 2018.

F. DISCUSS ENGAGEMENT OF SERVICES WITH ROSS GANNAWAY, PLLC TO PROVIDE GENERAL LEGAL ADVICE AND COUNSEL TO THE CITY OF LOCKHART ON EMPLOYMENT AND CIVIL SERVICE MATTERS AND AUTHORIZING THE CITY MANAGER TO SIGN THE AGREEMENT IF APPROVED.

Ms. Bowermon stated that in the early 2000's, Austin based attorney Sheila Gladstone provided general legal advice and counsel to the City for some employment matters. In November 2006, following the election of Texas Local Government Code, Chapter 143, Civil Service Attorney Gladstone referred the City to the Fort Worth based law firm of Lynn, Ross & Gannaway. This firm specialized in employment law and civil service. Initially, Betty Lynn assisted the City throughout the implementation of civil service and advised on civil service matters. In 2009, the primary contact from the firm advising the City transitioned to Julia Gannaway. Recently, staff has been notified that Lynn, Ross & Gannaway has dissolved and become two separate firms: Lynn Law, PLLC and Ross Gannaway, PLLC. Staff recommends continuing with Attorney Julia Gannaway and the firm of Ross Gannaway, PLLC. There was discussion.

G. DISCUSS CONFIRMATION OF CIVIL SERVICE COMMISSION MEMBERS REAPPOINTMENT OF MS. WORLANDA NEAL FOR A THREE-YEAR TERM AS RECOMMENDED BY THE CITY MANAGER.

Mr. Lewis stated that Ms. Neal has served on the commission for the past 12 years (four 3-year terms) and since 2017, she has served as the Chair of the Commission. According to Civil Service regulations, she can be reappointed for additional terms (3 years long) if the appointment is confirmed by a two-thirds majority vote of the City Council. Ms. Neal has graciously agreed to continue serving on the commission. Both the City Manager and Civil Service Director concur that she has been an asset to the Civil Service Commission. Mr. Lewis recommended approval. There was brief discussion.

H. DISCUSS THE USAGE OF DOWNTOWN REVITALIZATION FUNDS/SPECIAL REVENUES FUNDS IN THE AMOUNT UP TO \$5,000 TO PURCHASE A CHRISTMAS TREE TO BE PLACED ON THE COURTHOUSE SQUARE.

Mr. Kelley stated that the Light Up Lockhart Committee has been holding annual events and fundraisers to purchase lighting displays and decorations throughout the community, which are very well attended. Last year, the committee raised \$7,300 of which all of those funds were used to purchase the lighting displays. The Downtown Revitalization Board has proposed to purchase a 25 or 30-foot Christmas Tree of Lights to be placed on the southwest corner of the Courthouse Square. A Tree Lighting event will be held on December 9, 2018. The cost of the Christmas Tree is approximately \$5,000. The Electric and Public Works Departments will work together to assemble the tree of lights. There was discussion.

HISTORY

Mayor Pro-Tem Sanchez made a motion to approve consent agenda items 5A, 5B, 5C, 5D, 5E, 5F, and 5G. Councilmember Michelson 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 meeting of October 16, 2018.
- 5B: Approve the completion of overhead three-phase power lines from the corner of West Clearfork and City Line Road going West on Lincoln Lane and the completion of overhead three-phase power lines on Maple Street beginning in front of the Jason K. LaFleur soccer field going east on Mockingbird Lane then north on Mockingbird Lane to tie lines together in front of the Bluebonnet Elementary School for an estimated cost of \$400,000.
- 5C: Approve Resolution 2018-20 approving the tax roll for the year 2018 (Fiscal Year 2018-2019).
- 5D: Accept the 4th Quarter Fiscal Year 2018 Investment Report.
- 5E: Approve engagement of services with Ross Gannaway, PLLC to provide general legal advice and counsel to the City of Lockhart on employment and civil service matters and authorizing the City Manager to sign the agreement if approved.
- 5F: Approve confirmation of Civil Service Commission members reappointment of Ms. Worlanda Neal for a three-year term as recommended by the City Manager.
- 5G: Approve the usage of Downtown Revitalization Funds/Special Revenues Funds in the amount of \$5,000 to purchase a Christmas Tree to be placed on the Courthouse Square.

ITEM 6-A. DISCUSSION AND/OR ACTION TO CONSIDER THE PROCESS TO PROCEED WITH REVIEWING A PROPOSED NEW CITY LOGO/BRANDING AND WAYFINDING.

Roy Watson provided additional information regarding the method that the Committee used to determine a proposed new logo. He explained that the Committee chose to use the courthouse outline as the new logo because it represents the historic feature of the community. There was discussion.

Mayor White stated that this was a starting point to begin the consideration process prior to taking the proposed new logo to the citizens during a public hearing. There was discussion.

Councilmember Michelson made a motion to hold a workshop on December 11, 2018 at 6:30 p.m. regarding the proposed new logo. Councilmember Castillo seconded. The motion passed by a vote of 7-0.

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

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

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

- Update from the Plum Creek Watershed Partnership – Keep Lockhart Beautiful cleanup held Nov. 3rd.
- Update: Contractors have nearly completed the new 18" water main on West Martin Luther King, Jr. Industrial Blvd. Rain delays have slowed down the finalization of this project. Bacteriological testing and tie-ins on Paton Road and State Park Road are being finalized.
- Update: Contractors will start the construction of the 18" water main on SH 130 this week. The project is estimated to take 120 days. This is the first phase on connecting water mains to the proposed new elevated water storage tank.
- Update: Downtown Square sidewalk expansion joint repairs to be completed by Thanksgiving.
- Report: Veteran's Day luncheon sponsored by the Lockhart Chamber of Commerce on Nov. 9th at the First Lockhart Baptist Church Connection Center.

City of Lockhart, Texas

Council Agenda Item Cover Sheet

COUNCIL MEETING DATE: November 2, 2021

AGENDA ITEM CAPTION: Accept a \$20,000 cost-share reimbursement grant for Lockhart Fire Rescue to purchase Personal Protective Equipment (PPE). The grant is administered by the Texas A&M Forest Service.

ORIGINATING DEPARTMENT AND CONTACT: Fire - Randy Jenkins

ACTION REQUESTED: Other

BACKGROUND/SUMMARY/DISCUSSION: The Rural Volunteer Fire Department Assistance Program (HB2604) is a cost-share reimbursement grant administered by the Texas A&M Forest Service. The maximum reimbursement is \$20,000. The city portion to match is 10% (approximately \$2,000).

Funds budgeted in FY 21/22 in line item 100-5318-322 (Safety & Regulatory) will be used as the cost-share portion of the grant.

Items approved for purchase with the grant include; National Fire Protection Association (NFPA) approved structural firefighting and wildland firefighting personal protective equipment (PPE) to include helmets, coats, pants, boots, gloves, hoods, and accessories. PPE washer extractors and dryers are also eligible.

The grant will expire in April 13, 2022.

PROJECT SCHEDULE (if applicable): Accept grant. Evaluate fire department needs as it relates to ppe. Purchase items through normal purchasing procedures. Once ppe arrives, begin the reimbursement process. Complete the process by April 1, 2022.

AMOUNT & SOURCE OF FUNDING:

Funds Required: \$2,200

Account Number: 100-5318-322

Funds Available: \$15,868

Account Name: Safety & Regulatory

FISCAL NOTE (if applicable): N/A

PREVIOUS COUNCIL ACTION: Received Texas A&M Forest Service Rural Volunteer Fire Department Assistance Program (HB2604) Grant for fire equipment on November 20, 2018.

COMMITTEE/BOARD/COMMISSION ACTION: N/A

City of Lockhart, Texas

Council Agenda Item Cover Sheet

STAFF RECOMMENDATION/REQUESTED MOTION: Staff recommends approval of the Texas A&M Forest Service Rural Volunteer Fire Department Assistance Program (HB2604) Grant.

LIST OF SUPPORTING DOCUMENTS: A133 Audit, PPE



FEDERAL GRANT RECIPIENT CERTIFICATION
OMB Circular A-133 Audit Requirements

Grant Recipient: [Redacted]

Please complete certification Section A or B, whichever applies to your organization.

Section A: Organizations that expended < \$500,000 in federal funds during their most recently completed fiscal year. I certify that this organization did not expend \$500,000 or more during the fiscal year and thus, is not subject to the OMB Circular A-133 audit requirements. Authorized Representative (signature) Date

Section B: Organizations that expended >= \$500,000 in federal funds during their most recently completed fiscal year. I certify the following (please check the box that applies): [List of options regarding OMB Circular A-133 audit completion]. Authorized Representative (signature) Date

Personal Protective Equipment (PPE) Guidelines

Complete List of Eligible Items

- Structural
- Bunker Coat
- Bunker Pant
- Structural Boots
- Structural Helmet
- Structural Goggles
- Structural Hood
- Structural Gloves
- Structural Suspenders
- Ear/Neck/Face Protectors (Shrouds)
- Visors
- Gear Bags
- Wildland
- Aramid Coveralls
- Aramid Pant
- Aramid Shirt
- Aramid Jacket
- Wildland Suspenders
- Wildland Gloves
- Wildland Hardhat
- Wildland Goggles
- Wildland Boots
- Ear/Neck/Face Protectors (Shrouds)
- Reflective Trim
- Fire Shelter
- Gear Bags

Other Equipment

- PPE Extractors and Dryers

Note:

- Only the items listed above are eligible for cost-share reimbursement
- Wildland PPE must meet the most current requirements of NFPA 1977 for wildland gear
- Structural PPE must meet the current NFPA requirements for structural gear



Personal Protective Equipment (PPE) Reimbursement Process

Upon receipt of the approval letter, grant recipients may purchase through the TFS Firesafe Program or a private vendor. TFS will reimburse 90% of the cost of Personal Protective Equipment (PPE) up to the specified amount shown on the approval letter.

Procedure for TFS Firesafe Purchases:

The Firesafe Program provides customers with the advantage of paying only 10% of the total, up to the award maximum.

Step 1. Complete the Firesafe Order Form (Please denote cost-share on the form)

Step 2. Submit a copy of the following:

- Grant Approval Letter
- Method of Payment (Check, Money Order, Purchase Order)
 - The department is responsible for paying 10% of the order total, including the shipping and handling and any amount the department owes over the 90% maximum cost share award.
 - If your department submits a purchase order, you will receive an invoice from TFS. Please send a copy of the invoice with your method of payment.

Note:

- Departments submitting an order for approved and non-approved items should submit two separate order forms.
- **The current catalog can be found at the link below:**
[Firesafe Catalog](#)

Procedure for Vendor Purchases:

Step 1. Purchase equipment after receiving notice of approval.

Step 2. Submit a copy of the following:

- Grant Approval Letter
- Proof of payment (copies of signed check(s), credit card receipt(s), or paid vendor invoice(s) showing the last four digits of the credit card used, and/or bank or credit card statements showing the purchase)

Please email to 2604@tfs.tamu.edu or fax to (979) 845-6160

City of Lockhart, Texas

Council Agenda Item Cover Sheet

COUNCIL MEETING DATE: November 2, 2021

AGENDA ITEM CAPTION: Approve opting out of the Public Utility Commission (PUC) Securitization Process under HB 4492.

ORIGINATING DEPARTMENT AND CONTACT: Administration - Steven Lewis

ACTION REQUESTED: Direction

BACKGROUND/SUMMARY/DISCUSSION: Winter Storm Uri, of February 2021, caused many electric market participants to incur large, unanticipated costs. In response, the Legislature enacted HB 4492 to allow ERCOT to securitize portions of the exceptionally high market prices and to require the Public Utility Commission of Texas (PUC) to establish rules for accessing the securitized funds. On October 13, 2021, the PUC started the securitization process, a component of which is to allow “load serving entities” (LSEs), such as the City of Lockhart, to opt out.

A memo to the City dated October 27, 2021 from Steve Moffitt of Schneider Engineering is attached that provides more details. As stated therein, “Because of the City of Lockhart’s sound financial position, the City was able to issue payment on the ancillary services impact incurred by Winter Storm Uri in full and is currently not owing any uplift charges to the City’s wholesale energy suppliers.” Schneider recommended that the City opt out, and added that if the City participates in the securitization process, it may result in refinancing of those charges as much as \$64,000 annually in debt service payments at an interest rate of approximately 5.25%. Staff concurs in Schneider’s recommendation and has determined that Council action is appropriate and transparent even if not legally mandatory.

PROJECT SCHEDULE (if applicable):

AMOUNT & SOURCE OF FUNDING:

Funds Required:

Account Number:

Funds Available:

Account Name:

FISCAL NOTE (if applicable):

PREVIOUS COUNCIL ACTION:

COMMITTEE/BOARD/COMMISSION ACTION:

City of Lockhart, Texas

Council Agenda Item Cover Sheet

STAFF RECOMMENDATION/REQUESTED MOTION: Staff recommends consideration on the Consent Agenda and approval to opt out.

LIST OF SUPPORTING DOCUMENTS: Memo dated October 27, 2021 from Schneider Engineering to the City

DATE:	October 27, 2021
TO:	City of Lockhart
FROM:	Steve Moffitt
RE:	ERCOT Securitization for February 2021 Market Uplifts – Recommendation to Opt Out

Background

During February's Winter Storm Uri, ERCOT faced unprecedented market conditions. As many generators, were forced offline, many Load Serving Entities (LSEs) were required to shed load as supply failed to meet demand. To help ensure the stability of the grid, ERCOT relied heavily on generator provided Ancillary Services (AS). Given the already short generation supply available to provide energy to the market, the prices for AS exceeded any historical precedent as well as theoretical market limitations.

Recognizing that many market participants would not be able to pay the exceptionally high charges relating to the Storm, the State Legislature passed HB 4492 to allow ERCOT to securitize portions of the exceptionally high market prices and uplifts. The Legislature charged the Public Utility Commission of Texas (PUCT) with establishing the rules and guidelines for ERCOT and market participants to access the securitized funds. At the October 13, 2021, PUCT Open Meeting, the Commissioners approved the proposed securitization plan, starting a 45-day deadline for LSEs to opt-out from the securitization uplifts. This places the deadline for opt-out at the end of November.

The under HB 4492 Subchapter N, the securitization of the \$2.1 billion by ERCOT is to allow LSEs to mitigate the cost "during the period of emergency for reliability deployment price adder charges and ancillary services costs in excess of the commission's system-wide offer cap." *To be clear, the securitization is only for the \$2.1 billion in extraordinary ancillary service costs and market fees and specifically excludes the outstanding \$2.9 billion in short payments by Brazos Electric Cooperative and other market participants.*

Utility Impact

Because of the City of Lockhart's sound financial position, the City was able to issue payment on the ancillary services impact incurred by Winter Storm Uri in full and is currently not owing any uplift charges to the City's wholesale energy suppliers. However, if the City was inclined to participate in the securitization option offered through HB 4492, the resulting refinancing of those charges would result in as much as \$64,000 annually in debt service payments at an interest rate of approximately 5.25%.

Recommendation

It is SE's recommendation that the **City of Lockhart opt out** of participating in the securitization offered through HB 4492. To support this effort, SE will be reaching out shortly to request the information required to opt-out and will be working with your wholesale supplier, LCRA, to file the necessary paperwork to complete the opt out designation. It should be noted that the choice of opting out is not a required action by the City Council because it incurs no additional costs or contract changes.

City of Lockhart, Texas

Council Agenda Item Cover Sheet

COUNCIL MEETING DATE: November 2, 2021

AGENDA ITEM CAPTION: Discussion and/or action regarding amendment of Section 10-5 of the City Code of Ordinances in regard to ownership of animals impounded at the Lockhart Animal Shelter as outlined in Ordinance 2021-38.

ORIGINATING DEPARTMENT AND CONTACT: Public Works - Sean Kelley

ACTION REQUESTED: Ordinance

BACKGROUND/SUMMARY/DISCUSSION: Per the Lockhart Code of Ordinances Section 10-5, amended on March 16, 2021:

"Any impounded cat, dog, or other domestic animal shall be kept for not fewer than three business days unless sooner reclaimed by its owner, except under quarantine. Upon expiration of such three business days, title to and ownership of any such animal not reclaimed shall pass to and vest in the City."

Animal Care and Control Academy (ACCA) was contracted in May of 2021 to evaluate programs, services and policies within Lockhart Animal Services. The ACCA felt that the current average hold time for strays is consistent with other animal agencies. Based on the recommendations of ACCA, the "stray" hold period should be three business days; for "owned" animals the recommendation is five business days. For impounded "owned" animals, identifiers such as licenses, microchips, rabies tags, personal ID tags, tattoos, known owner addresses, etc. should qualify the animal as "owner" not a stray. Any "owned" animal should be held a longer impound period than stray animals to give the owners adequate time to reclaim their animal. ACCA also recommend the impound periods for animals should begin at the exact time when the animal is impounded.

In addition, the hold period for Caldwell County animals impounded as the Lockhart Animal Shelter should mirror the City's legal hold period for continuity.

Draft Ordinance 2021-38 amending Section 10-5 of the Code of Ordinances reads as follows: Sec.10-5. Subsection (j)

(j) Any impounded cat, dog, or other domestic animal shall be kept as described below and for the following time periods:

- (i) Unowned animals shall be impounded for not less than three business days.
- (ii) Animals for which an owner has been identified shall be impounded for not less than five business days.
- (iii) Impoundment time shall begin and be calculated from the exact time of impoundment.
- (iv) Upon expiration of the applicable number of business days for each animal, title to and ownership of any such animal not reclaimed shall pass to and vest in the city.

City of Lockhart, Texas

Council Agenda Item Cover Sheet

PROJECT SCHEDULE (if applicable):

AMOUNT & SOURCE OF FUNDING:

Funds Required:

Account Number:

Funds Available:

Account Name:

FISCAL NOTE (if applicable):

PREVIOUS COUNCIL ACTION: March 16, 2021- Adoption of amendments to Section 10-5
May 2021- Lockhart Animal Services Program Evaluation
August 5, 2021-Presentation of Lockhart Animal Service Evaluation Report and
Recommendations

COMMITTEE/BOARD/COMMISSION ACTION:

STAFF RECOMMENDATION/REQUESTED MOTION: Ordinance 2021-39 contains ACCA
recommendations and is consistent with other animal control agencies.

LIST OF SUPPORTING DOCUMENTS: Lockhart animal impoundment time amendment
ordinance 2021-38

ORDINANCE NO. 2021-38

AN ORDINANCE OF THE CITY OF LOCKHART AMENDING ARTICLE I OF CHAPTER 10 OF THE LOCKHART CODE OF ORDINANCES TO ESTABLISH REVISED LIMITS FOR HOLDING ANIMALS IN IMPOUNDMENT; PROVIDING CLAUSES FOR REPEALER, SEVERABILITY, SAVINGS, PUBLICATION, AND EFFECTIVE DATE

WHEREAS, the City of Lockhart is a home rule city acting under its charter pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and

WHEREAS, the City of Lockhart periodically impounds animals to protect the health and safety of the general public and the animal population; and

WHEREAS, the City Council now deems it necessary to establish revised time period for holding animals in impoundment;

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

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

SECTION 2: Amendment of Definitions. Section 10-1, “Definitions,” is amended by the addition of a definition for “Business Day,” which shall be inserted alphabetically and which shall read as follows:

Business Day shall mean a day when the animal shelter is regularly scheduled to be open to the public.

SECTION 3: Amendment of Section 10-5. Subsection (j) of Section 10-5 of Chapter 10 of the Lockhart Code of Ordinances is hereby amended so that it shall hereafter read as follows:

- (j) Any impounded cat, dog, or other domestic animal shall be kept as described below and for the following time periods:
 - (i) Unowned animals shall be impounded for not less than three business days.
 - (ii) Animals for which an owner has been identified shall be impounded for not less than five business days.
 - (iii) Impoundment time shall begin and be calculated from the exact time of impoundment.
 - (iv) Upon expiration of the applicable number of business days for each animal, title to and ownership of any such animal not reclaimed shall pass to and vest in the city.

SECTION 4. Repealer. All provisions of the Code of Ordinances of the City of Lockhart in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict, and all other provisions of the Code of Ordinances of the City of Lockhart codified or uncodified, not in conflict with the provisions of this Ordinance shall remain in full force and effect.

SECTION 5. Severability. It is hereby declared to be the intention of the City Council that the components of this Ordinance are severable, and if any phrase, clause, sentence, or section of this Ordinance shall be declared unconstitutional or invalid by any court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any remaining component of this Ordinance.

SECTION 6. Publication. The City Secretary shall cause the caption of this ordinance to be published in a newspaper of general circulation according to law.

SECTION 7. Effective Date. This ordinance shall become effective and be in full force from the date of its passage.

PASSED AND ADOPTED on this the ___ day of _____, 2021.

CITY OF LOCKHART

Lew White, Mayor

ATTEST:

APPROVED AS TO FORM:

Connie Constancio, TRMC, City Secretary

Monte Akers, City Attorney

City of Lockhart, Texas

Council Agenda Item Cover Sheet

COUNCIL MEETING DATE: November 2, 2021

AGENDA ITEM CAPTION: Discussion and/or action regarding amendment of Section 10-19 of the City Code of Ordinances in regard to animal limitations within the city limits of Lockhart as outlined in Ordinance 2021-39.

ORIGINATING DEPARTMENT AND CONTACT: Public Works -

ACTION REQUESTED: Ordinance

BACKGROUND/SUMMARY/DISCUSSION: The City currently has no limitation on the number of cats or dogs one can have. The Animal Care and Control Academy (ACCA) recommended an animal limitation ordinance during the presentation of the Lockhart Animal Services Evaluation Report on August 5, 2021. Animal limitations are a common practice among jurisdictions and are enacted as a means of curbing pet overpopulation, nuisance complaints, and to prevent animal hoarders. To work well, animal limitation laws should have a grandfather clause as well as allow ownership of a greater amount of animals through a special use permit - provided that zoning laws are obeyed and animal care standards are met. Caretakers of feral cat colonies or animal rescue organizations registered through Lockhart Animal Services could be exempt from the animal limitation requirement.

Draft Ordinance 2021-39 reads as follows:

Sec. 10-19 - Limitation on Number of Dogs and Cats.

- (a) Except as provided by this section, and except at an animal shelter, animal hospital, clinic or kennel, no more than a total of four dogs more than four months old or older, and no more than a total of seven dogs and cats four months old or older, may be harbored at any residence or single location in the city. The limitation on the number of dogs and cats shall apply prospectively from the date of adoption of this ordinance (November 2, 2021).
- (b) Any person desiring to keep more than four dogs or seven animals more than four months old or older at such a residence or location in the city may apply to the supervisor of animal control for a multi-pet permit.
- (c) The applicant for a multi-pet permit shall specify the number of animals to be kept at a residence or location and shall pay an application fee at the time of filing.
- (d) Based on the information provided in the application, together with any information in the possession of the city regarding enforcement actions for violation of Chapter 10 of the Code of Ordinances, the supervisor of animal control shall determine whether an inspection of the residence or location is necessary.
- (e) A permit may be issued by the supervisor of animal control for a specific number of animals in excess of that authorized in (a) above at a residence or location in the city in the event that he/she determines that the number of animals may be maintained at the residence or location in a healthy or sanitary environment, without creating noise or odor nuisances, and without otherwise being detrimental to the public health, safety and welfare.

City of Lockhart, Texas

Council Agenda Item Cover Sheet

(f) A multi-pet permit may be revoked by the supervisor of animal control for cause, including but not limited to violations of the provisions of Chapter 10 of the Code of Ordinances. the inability of the permit holder to keep the animals in a healthy or sanitary environment, the risk of creating noise or odor nuisances, or other potential detriment to the public health, safety, and welfare.

PROJECT SCHEDULE (if applicable):

AMOUNT & SOURCE OF FUNDING:

Funds Required:

Account Number:

Funds Available:

Account Name:

FISCAL NOTE (if applicable):

PREVIOUS COUNCIL ACTION: May 2021- Lockhart Animal Services Program Evaluation
August 5, 2021-Presentation of Lockhart Animal Service Evaluation Report and
Recommendations

COMMITTEE/BOARD/COMMISSION ACTION:

STAFF RECOMMENDATION/REQUESTED MOTION:

LIST OF SUPPORTING DOCUMENTS: Lockhart animal limitation Ordinance 2021-39

ORDINANCE NO. 2021-39

AN ORDINANCE OF THE CITY OF LOCKHART AMENDING ARTICLE I OF CHAPTER 10 OF THE LOCKHART CODE OF ORDINANCES TO ESTABLISH LIMITATIONS ON THE NUMBER OF DOGS AND CATS THAT MAY BE HARBORED IN THE CITY; PROVIDING CLAUSES FOR REPEALER, SEVERABILITY, SAVINGS, PUBLICATION, AND EFFECTIVE DATE

WHEREAS, the City of Lockhart is a home rule city acting under its charter pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and

WHEREAS, the City of Lockhart currently has no limitation on the number of dogs and cats that may be kept or harbored at a location in the City; and

WHEREAS, the City Council of the City of Lockhart is of the opinion that placing a limitation on the number of animals that may be harbored at a location in the City will serve as a mean of curbing pet overpopulation and nuisance complaints and will help prevent the proliferation of animal hoarding;

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

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

SECTION 2: Amendment of Article I of Chapter 10: Article I of Chapter 10 of the Lockhart Code of Ordinances is hereby amended by the addition of a new Section 10-19, which shall read as follows:

Sec. 10-19 - Limitation on Number of Dogs and Cats.

- (a) Except as provided by this section, and except at an animal shelter, animal hospital, clinic or kennel, no more than a total of four dogs more than four months old or older, and no more than a total of seven dogs and cats four months old or older, may be harbored at any residence or single location in the city. The limitation on the number of dogs and cats shall apply prospectively from the date of adoption of this ordinance (November 2, 2021).
- (b) Any person desiring to keep more than four dogs or seven animals more than four months old or older at such a residence or location in the city may apply to the supervisor of animal control for a multi-pet permit.
- (c) The applicant for a multi-pet permit shall specify the number of animals to be kept at a residence or location and shall pay an application fee at the time of filing.
- (d) Based on the information provided in the application, together with any information in the possession of the city regarding enforcement actions for

violation of Chapter 10 of the Code of Ordinances, the supervisor of animal control shall determine whether an inspection of the residence or location is necessary.

- (e) A permit may be issued by the supervisor of animal control for a specific number of animals in excess of that authorized in (a) above at a residence or location in the city in the event that he/she determines that the number of animals may be maintained at the residence or location in a healthy or sanitary environment, without creating noise or odor nuisances, and without otherwise being detrimental to the public health, safety and welfare.
- (f) A multi-pet permit may be revoked by the supervisor of animal control for cause, including but not limited to violations of the provisions of Chapter 10 of the Code of Ordinances. the inability of the permit holder to keep the animals in a healthy or sanitary environment, the risk of creating noise or odor nuisances, or other potential detriment to the public health, safety, and welfare.

SECTION 3. Repealer. All provisions of the Code of Ordinances of the City of Lockhart in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict, and all other provisions of the Code of Ordinances of the City of Lockhart codified or uncodified, not in conflict with the provisions of this Ordinance shall remain in full force and effect.

SECTION 4. Severability. It is hereby declared to be the intention of the City Council that the components of this Ordinance are severable, and if any phrase, clause, sentence, or section of this Ordinance shall be declared unconstitutional or invalid by any court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any remaining component of this Ordinance.

SECTION 5. Publication. The City Secretary shall cause the caption of this ordinance to be published in a newspaper of general circulation according to law.

SECTION 6. Effective Date. This ordinance shall become effective and be in full force from the date of its passage.

PASSED AND ADOPTED on this the 2d day of November, 2021.

CITY OF LOCKHART

Lew White, Mayor

ATTEST:

APPROVED AS TO FORM:

Connie Constancio, TRMC, City Secretary

Monte Akers, City Attorney

City of Lockhart, Texas

Council Agenda Item Cover Sheet

COUNCIL MEETING DATE: November 2, 2021

AGENDA ITEM CAPTION: Discussion regarding matters related to COVID-19.

ORIGINATING DEPARTMENT AND CONTACT: Administration - Steven Lewis, Monte Akers

ACTION REQUESTED: Other

BACKGROUND/SUMMARY/DISCUSSION: On May 18, 2021, Governor Abbot issued GA-36 that prohibited governmental entities from mandating face coverings or restricting activities in response to the COVID-19 disaster. As a result, the Lockhart City Council rescinded the Mayor's Declaration to require face coverings and encouraged citizens to continue to follow the CDC guidelines in regard to COVID-19.

Also, as a result of the Governor opening Texas on March 2, 2021 (GA-34), community events are back on schedule such as the Chisholm Trail Roundup, Fireworks show, and City venues such as the city splash pad are open to the public. Face coverings are not required during the events or at city facilities.

An update of COVID-19 orders and Council actions is attached.

Open Meetings Act Suspensions Terminate effective September 1, 2021

In March 2020, Governor Abbott's office granted the Attorney General's request to suspend certain open meetings statutes. The temporary suspension allows for telephonic or videoconference meetings of governmental bodies that are accessible to the public in an effort to reduce in-person meetings, thereby allowing governmental bodies and/or board commissions to hold a meeting virtually without a quorum being present at the meeting location.

On June 30, 2021, the Governor's office approved a request by the Attorney General to lift the open meetings suspensions effective at 12:01 a.m. on September 1, 2021. All Texas governmental bodies subject to the OMA must thereafter conduct their meetings in full compliance with the OMA as written in state law.

The following are provisions in the OMA suspension that will no longer be allowed effective September 1, 2021:

- 1) Video conferencing capability will change in that a member of the governing body or board can meet virtually but there must be a quorum physically present at the meeting location.
- 2) Telephone conference meetings will not be allowed to continue and are only allowed in an emergency.

On **August 29, 2021**, Governor Abbott issued a Declaration renewing the declaration of disaster stating that COVID-19 poses an imminent threat of disaster for all counties in Texas.

City of Lockhart, Texas

Council Agenda Item Cover Sheet

On October 11, 2021, Governor Abbott issued GA-40 prohibiting vaccine mandates, subject to legislative action.

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

PROJECT SCHEDULE (if applicable): N/A

AMOUNT & SOURCE OF FUNDING:

Funds Required: N/A

Account Number: N/A

Funds Available: N/A

Account Name: N/A

FISCAL NOTE (if applicable): None.

PREVIOUS COUNCIL ACTION: N/A

COMMITTEE/BOARD/COMMISSION ACTION: N/A

STAFF RECOMMENDATION/REQUESTED MOTION: None.

LIST OF SUPPORTING DOCUMENTS: Update of COVID-19 orders and Council actions, GA-39, GA-38, Governor Abbott proclamation renewing the Declaration of Disaster, GA 40

HISTORY OF COVID-19 ORDERS/COUNCIL ACTIONS

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.

Mayor's statement on reduced business capacity in Caldwell County. At 12:01 a.m. on Wednesday, January 13, 2021 the provisions of Governor Greg Abbott's Executive Order GA-32 that suspend elective surgeries, close bars and reduce business capacity to 50 percent went into effect in Lockhart and Caldwell County. This was occurring because under GA-32, these specific provisions took effect when a Trauma Service Area had seven consecutive days in which the number of COVID-19 hospitalized patients as a percentage of total capacity exceeded 15 percent. This was the case in Trauma Service Area O, which included Caldwell County.

COVID Relief Fund update. On January 19, 2021, the Council voted to offer a six-month forbearance to businesses that received a COVID-19 Recovery Loan in 2020. Council re-opened the COVID Relief Grants to small businesses for \$5,000 per business that qualifies. Restaurants and bars that were affected by the Governor's order earned higher points on the application process.

During the February 23, 2021 meeting, Chief Jenkins provided an update of COVID compliance for local businesses.

On **March 2, 2021**, Governor Abbot issued GA-34 that was effective March 10, 2021. It provides that the State no longer requires face covering and it does not allow local jurisdictions to require face coverings. GA-34 supercedes all orders issued by local officials that conflict with regard to services or local orders and provides that businesses and other establishments may require customers and employees to wear face coverings. The consensus of the Council was to leave the Mayor's Declaration in effect and to encourage citizens to continue to wear face coverings and to maintain a six foot distance.

On **May 13, 2021**, the CDC announced that fully vaccinated individuals no longer need to mask up or social distance indoors and outdoors, including crowds. Attached is information from the CDC about how to stay safe around individuals that are or are not fully vaccinated.

On **June 15, 2021**, the consensus of the Council was to continue virtual attendance at meetings.

On **June 30, 2021**, the Governor's office approved a request by the Attorney General to lift the temporary Open Meetings Act suspensions, effective at 12:01 a.m. on September 1, 2021. The change in virtual meetings is that a member of the governing body or board member may attend a meeting virtually but there must be a quorum physically present at the meeting location.

On **July 29, 2021**, Governor Abbott issued Executive Order 38, that combined several existing COVID-19 executive orders to promote statewide uniformity and certainty in the state's COVID-19 response. Governor Abbott stated that "The new Executive Order emphasizes that the path forward relies on personal responsibility rather than government mandates".

On **August 13, 2021**, TML provided the following information regarding actions taken by governmental entities and the Attorney General in regards to face coverings:

- **Mask Mandate Update:** Tuesday afternoon, two state district court judges in Dallas and Bexar counties granted local authorities in those jurisdictions temporary restraining orders blocking Governor Abbott's ban on mask mandates. In response to the rulings, the City of San Antonio issued a requirement for face coverings inside city facilities, and the Dallas County Judge issued an emergency order on Wednesday related to face coverings. Temporary restraining orders are by definition temporary and require further court proceedings to become permanent. TML will continue to monitor these developments. In related news, Houston's Mayor Sylvester Turner is requiring masks in city facilities when physical distancing is not doable.

Additionally, a number of large school districts ("ISDs") across the state, including Dallas ISD, Houston ISD, Austin ISD, Fort Worth ISD, and San Antonio ISD, are requiring masks on school property.

- **Attorney General Issues Two COVID-related opinions:** On August 11, the Attorney General released two opinions related to mask mandates and vaccines.
 1. In Opinion KP-0379, the Attorney General was asked whether COVID-19 vaccines could be required as a condition to enter a government building. Citing the Governor's Executive Order No. 38 as well as the recently passed S.B. 968, the Attorney General opined that government entities may not require COVID-19 vaccines as a condition to enter a government facility.
 2. In Opinion No. KP-0380, the Attorney General was asked to opine on the effect of the Governor's executive orders on federal requirements related to face coverings on public transit. The AG ultimately opined that he is unconvinced that CDC and TSA rules as well as federal law preempt the Governor's orders prohibiting mask mandates.

Please remember that Attorney General opinion are just that: opinions. They are legal guidance but do not carry the force of law or court order.

- **Counties Across Texas Seeing Rise in COVID-19 Threat Levels:** Over the last few weeks, we have reported on the rise in COVID-19 threat levels in counties and cities across the state. That rise continues, with Travis, Harris, Dallas, and Williamson counties, among others, back at the highest threat levels as the Delta variant spreads across the state and ICU bed availability drops.

On **August 29, 2021**, Governor Abbott issued a proclamation renewing the declaration stating that COVID-19 poses an imminent threat of disease for all counties in Texas.

On **August 25, 2021**, Governor Abbott issued GA-39 (attached), prohibiting governmental entities from compelling an individual to receive a COVID-19 vaccine regardless of full FDA approval, among other things.

The Governor also issued the following call to the Special Session of the Legislature:

Legislation regarding whether any State or Local Governmental entities in Texas can mandate that an individual receive a COVID-19 vaccine and, if so, what exemption should apply to such mandate.

On **October 11, 2021**, Governor Abbott issued GA-40 relating to prohibiting all entities of compelling receipt of a COVID-19 vaccine until the issue has been considered through legislation.



GOVERNOR GREG ABBOTT

August 25, 2021

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

AUG 25 2021

A handwritten signature in black ink, appearing to be "John H. Hargrett", written over a horizontal line. Below the line is the printed text "Secretary of State".

Mr. Joe A. Esparza
Deputy Secretary of State
State Capitol Room 1E.8
Austin, Texas 78701

Dear Deputy Secretary Esparza:

Pursuant to his powers as Governor of the State of Texas, Greg Abbott has issued the following:

Executive Order No. GA-39 relating to prohibiting vaccine mandates and vaccine passports subject to legislative action.

The original executive order is attached to this letter of transmittal.

Respectfully submitted,

A handwritten signature in blue ink, appearing to be "Gregory S. Davidson", written in a cursive style.

Gregory S. Davidson
Executive Clerk to the Governor

GSD/gsd

Attachment

Executive Order

BY THE
GOVERNOR OF THE STATE OF TEXAS

Executive Department
Austin, Texas
August 25, 2021

EXECUTIVE ORDER
GA 39

*Relating to prohibiting vaccine mandates and vaccine passports
subject to legislative action.*

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 Texas counties; and

WHEREAS, in each subsequent month effective through today, I have renewed the COVID-19 disaster declaration for all Texas counties; and

WHEREAS, I have issued a series of executive orders aimed at protecting the health and safety of Texans, ensuring uniformity throughout Texas, and achieving the least restrictive means of combatting the evolving threat to public health; and

WHEREAS, COVID-19 vaccines are strongly encouraged for those eligible to receive one, but have always been voluntary for Texans; and

WHEREAS, I issued Executive Orders GA-35 and GA-38, addressing COVID-19 vaccines administered under an "emergency use authorization" by prohibiting vaccine mandates from governmental entities and by prohibiting "vaccine passports" from governmental entities and certain others; and

WHEREAS, subsequently, on August 23, 2021, while the legislature was already convened in a special session, the U.S. Food and Drug Administration (FDA) approved one of the COVID-19 vaccines for certain age groups, such that this vaccine is no longer administered under an emergency use authorization for those age groups; and

WHEREAS, while this COVID-19 vaccine is now FDA-approved for certain age groups, others are not yet approved and still are administered under an emergency use authorization; and

WHEREAS, through Chapter 161 of the Texas Health and Safety Code, as well as other laws including Chapters 38 and 51 of the Texas Education Code, the legislature has established its primary role over immunizations, and all immunization laws and regulations in Texas stem from the laws established by the legislature; and

WHEREAS, in other contexts where the legislature has imposed immunization requirements, it has also taken care to provide exemptions that allow people to opt out of being forced to take a vaccine; and

WHEREAS, given the legislature's primacy and the need to avoid a patchwork of regulations with respect to vaccinations, it is appropriate to maintain the status quo of

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

AUG 25 2021

prohibiting vaccine mandates through executive order while allowing the legislature to consider this issue while in session; and

WHEREAS, in this instance, given the legislature's prior actions, maintaining the status quo of prohibiting vaccine mandates and ensuring uniformity pending the legislature's consideration means extending the voluntariness of COVID-19 vaccinations to all COVID-19 vaccinations, regardless of regulatory status; and

WHEREAS, I am also adding this issue to the agenda for the Second Called Session of the legislature that is currently convened so that the legislature has the opportunity to consider this issue through legislation; and

WHEREAS, I will rescind this executive order upon the effective date of such legislation;

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 immediately:

1. No governmental entity can compel any individual to receive a COVID-19 vaccine. I hereby suspend Section 81.082(f)(1) of the Texas Health and Safety Code, and any other relevant statutes, to the extent necessary to ensure that no governmental entity can compel any individual to receive a COVID-19 vaccine.
2. State agencies and political subdivisions shall not adopt or enforce any order, ordinance, policy, regulation, rule, or similar measure that requires an individual to provide, as a condition of receiving any service or entering any place, documentation regarding the individual's vaccination status for any COVID-19 vaccine. I hereby suspend Section 81.085(i) of the Texas Health and Safety Code, and any other relevant statutes, to the extent necessary to enforce this prohibition. This paragraph does not apply to any documentation requirements necessary for the administration of a COVID-19 vaccine.
3. Any public or private entity that is receiving or will receive public funds through any means, including grants, contracts, loans, or other disbursements of taxpayer money, shall not require a consumer to provide, as a condition of receiving any service or entering any place, documentation regarding the consumer's vaccination status for any COVID-19 vaccine. No consumer may be denied entry to a facility financed in whole or in part by public funds for failure to provide documentation regarding the consumer's vaccination status for any COVID-19 vaccine.
4. Nothing in this executive order shall be construed to limit the ability of a nursing home, state supported living center, assisted living facility, or long-term care facility to require documentation of a resident's vaccination status for any COVID-19 vaccine.
5. This executive order shall supersede any conflicting order issued by local officials in response to the COVID-19 disaster. 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

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SECRETARY OF STATE
2:45 P.M. O'CLOCK

AUG 25 2021

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.

This executive order supersedes only paragraph No. 2 of Executive Order GA-38, and does not supersede or otherwise affect the remaining paragraphs of Executive Order GA-38. 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 the 25th
day of August, 2021.

Handwritten signature of Greg Abbott in black ink.

GREG ABBOTT
Governor

ATTESTED BY:

Handwritten signature of Joe A. Esparza in black ink.

JOE A. ESPARZA
Deputy Secretary of State

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

AUG 25 2021

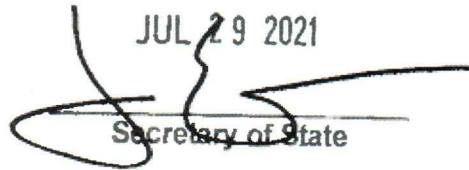


GOVERNOR GREG ABBOTT

July 29, 2021

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
3:15 PM O'CLOCK

JUL 29 2021


Secretary of State

Mr. Joe A. Esparza
Deputy Secretary of State
State Capitol Room 1E.8
Austin, Texas 78701

Dear Deputy Secretary Esparza:

Pursuant to his powers as Governor of the State of Texas, Greg Abbott has issued the following:

Executive Order No. GA-38 relating to the continued response to the COVID-19 disaster.

The original executive order is attached to this letter of transmittal.

Respectfully submitted,



Gregory S. Davidson
Executive Clerk to the Governor

GSD/gsd

Attachment

Executive Order

BY THE
GOVERNOR OF THE STATE OF TEXAS

Executive Department
Austin, Texas
July 29, 2021

EXECUTIVE ORDER
GA 38

Relating to the continued response to 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 Texas counties; and

WHEREAS, in each subsequent month effective through today, I have renewed the COVID-19 disaster declaration for all Texas counties; and

WHEREAS, from March 2020 through May 2021, I issued a series of executive orders aimed at protecting the health and safety of Texans, ensuring uniformity throughout Texas, and achieving the least restrictive means of combatting the evolving threat to public health by adjusting social-distancing and other mitigation strategies; and

WHEREAS, combining into one executive order the requirements of several existing COVID-19 executive orders will further promote statewide uniformity and certainty; and

WHEREAS, as the COVID-19 pandemic continues, Texans are strongly encouraged as a matter of personal responsibility to consistently follow good hygiene, social-distancing, and other mitigation practices; and

WHEREAS, receiving a COVID-19 vaccine under an emergency use authorization is always voluntary in Texas and will never be mandated by the government, but it is strongly encouraged for those eligible to receive one; and

WHEREAS, state and local officials should continue to use every reasonable means to make the COVID-19 vaccine available for any eligible person who chooses to receive one; 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, under Section 418.016(a), the "governor may suspend the provisions of any regulatory statute prescribing the procedures for conduct of state business ... if strict compliance with the provisions ... would in any way prevent, hinder, or delay necessary action in coping with a disaster;" and

WHEREAS, under Section 418.018(c), the "governor may control ingress and egress to

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JUL 29 2021

and from a disaster area and the movement of persons and the occupancy of premises in the area;" and

WHEREAS, under Section 418.173, the legislature authorized as "an offense," punishable by a fine up to \$1,000, any "failure to comply with the [state emergency management plan] or with a rule, order, or ordinance adopted under the plan;"

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 immediately:

1. To ensure the continued availability of timely information about COVID-19 testing and hospital bed capacity that is crucial to efforts to cope with the COVID-19 disaster, the following requirements apply:
 - a. All hospitals licensed under Chapter 241 of the Texas Health and Safety Code, and all Texas state-run hospitals, except for psychiatric hospitals, shall submit to the Texas Department of State Health Services (DSHS) daily reports of hospital bed capacity, in the manner prescribed by DSHS. DSHS shall promptly share this information with the Centers for Disease Control and Prevention (CDC).
 - b. Every public or private entity that is utilizing an FDA-approved test, including an emergency use authorization test, for human diagnostic purposes of COVID-19, shall submit to DSHS, as well as to the local health department, daily reports of all test results, both positive and negative. DSHS shall promptly share this information with the CDC.
2. To ensure that vaccines continue to be voluntary for all Texans and that Texans' private COVID-19-related health information continues to enjoy protection against compelled disclosure, in addition to new laws enacted by the legislature against so-called "vaccine passports," the following requirements apply:
 - a. No governmental entity can compel any individual to receive a COVID-19 vaccine administered under an emergency use authorization. I hereby suspend Section 81.082(f)(1) of the Texas Health and Safety Code to the extent necessary to ensure that no governmental entity can compel any individual to receive a COVID-19 vaccine administered under an emergency use authorization.
 - b. State agencies and political subdivisions shall not adopt or enforce any order, ordinance, policy, regulation, rule, or similar measure that requires an individual to provide, as a condition of receiving any service or entering any place, documentation regarding the individual's vaccination status for any COVID-19 vaccine administered under an emergency use authorization. I hereby suspend Section 81.085(i) of the Texas Health and Safety Code to the extent necessary to enforce this prohibition. This paragraph does not apply to any documentation requirements necessary for the administration of a COVID-19 vaccine.
 - c. Any public or private entity that is receiving or will receive public funds through any means, including grants, contracts, loans, or other disbursements of taxpayer money, shall not require a consumer to provide, as a condition of receiving any service or entering any place, documentation regarding the consumer's vaccination status for any COVID-19 vaccine administered under an emergency use authorization. No consumer may be denied entry to a facility financed

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SECRETARY OF STATE
3:15 PM O'CLOCK

JUL 29 2021

- in whole or in part by public funds for failure to provide documentation regarding the consumer's vaccination status for any COVID-19 vaccine administered under an emergency use authorization.
- d. Nothing in this executive order shall be construed to limit the ability of a nursing home, state supported living center, assisted living facility, or long-term care facility to require documentation of a resident's vaccination status for any COVID-19 vaccine.
 - e. This paragraph number 2 shall supersede any conflicting order issued by local officials in response to the COVID-19 disaster. 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.
3. To ensure the ability of Texans to preserve livelihoods while protecting lives, the following requirements apply:
- a. There are no COVID-19-related operating limits for any business or other establishment.
 - b. In areas where the COVID-19 transmission rate is high, individuals are encouraged to follow the safe practices they have already mastered, such as wearing face coverings over the nose and mouth wherever it is not feasible to maintain six feet of social distancing from another person not in the same household, but no person may be required by any jurisdiction to wear or to mandate the wearing of a face covering.
 - c. In providing or obtaining services, every person (including individuals, businesses, and other legal entities) is strongly encouraged to use good-faith efforts and available resources to follow the Texas Department of State Health Services (DSHS) health recommendations, found at www.dshs.texas.gov/coronavirus.
 - d. Nursing homes, state supported living centers, assisted living facilities, and long-term care facilities should follow guidance from the Texas Health and Human Services Commission (HHSC) regarding visitations, and should follow infection control policies and practices set forth by HHSC, including minimizing the movement of staff between facilities whenever possible.
 - e. Public schools may operate as provided by, and under the minimum standard health protocols found in, guidance issued by the Texas Education Agency. Private schools and institutions of higher education are encouraged to establish similar standards.
 - f. County and municipal jails should follow guidance from the Texas Commission on Jail Standards regarding visitations.
 - g. As stated above, business activities and legal proceedings are free to proceed without COVID-19-related limitations imposed by local governmental entities or officials. This paragraph number 3 supersedes any conflicting local order in response to the COVID-19 disaster, and all relevant laws are suspended to the extent necessary to preclude any such inconsistent local orders. Pursuant to the legislature's command in Section 418.173 of the Texas Government Code and the State's emergency management plan, the imposition of any conflicting or inconsistent limitation by a local governmental entity or official constitutes a "failure to comply with" this executive order that is subject to a fine up to \$1,000.

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SECRETARY OF STATE
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JUL 29 2021

4. To further ensure that no governmental entity can mandate masks, the following requirements shall continue to apply:
 - a. No governmental entity, including a county, city, school district, and public health authority, and no governmental official may require any person to wear a face covering or to mandate that another person wear a face covering; provided, however, that:
 - i. state supported living centers, government-owned hospitals, and government-operated hospitals may continue to use appropriate policies regarding the wearing of face coverings; and
 - ii. the Texas Department of Criminal Justice, the Texas Juvenile Justice Department, and any county and municipal jails acting consistent with guidance by the Texas Commission on Jail Standards may continue to use appropriate policies regarding the wearing of face coverings.
 - b. This paragraph number 4 shall supersede any face-covering requirement imposed by any local governmental entity or official, except as explicitly provided in subparagraph number 4.a. To the extent necessary to ensure that local governmental entities or officials do not impose any such face-covering requirements, I hereby suspend the following:
 - i. Sections 418.1015(b) and 418.108 of the Texas Government Code;
 - ii. Chapter 81, Subchapter E of the Texas Health and Safety Code;
 - iii. Chapters 121, 122, and 341 of the Texas Health and Safety Code;
 - iv. Chapter 54 of the Texas Local Government Code; and
 - v. Any other statute invoked by any local governmental entity or official in support of a face-covering requirement.

Pursuant to the legislature's command in Section 418.173 of the Texas Government Code and the State's emergency management plan, the imposition of any such face-covering requirement by a local governmental entity or official constitutes a "failure to comply with" this executive order that is subject to a fine up to \$1,000.
 - c. Even though face coverings cannot be mandated by any governmental entity, that does not prevent individuals from wearing one if they choose.
5. To further ensure uniformity statewide:
 - a. 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 or allows gatherings restricted by 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

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JUL 29 2021

- 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.
- b. Confinement in jail is not an available penalty for violating this executive order. 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 all pre-existing COVID-19-related executive orders and rescinds them in their entirety, except that it does not supersede or rescind Executive Orders GA-13 or GA-37. 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 the 29th
day of July, 2021.

Handwritten signature of Greg Abbott in black ink.

GREG ABBOTT
Governor

ATTESTED BY:

Handwritten signature of Joe A. Esparza in black ink.

JOE A. ESPARZA
Deputy Secretary of State

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
3:15 PM O'CLOCK

JUL 29 2021

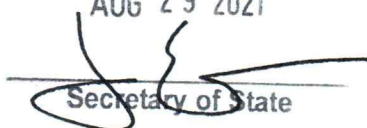


GOVERNOR GREG ABBOTT

August 29, 2021

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
3:30 PM CLOCK

AUG 29 2021


Secretary of State

Mr. Joe A. Esparza
Deputy Secretary of State
State Capitol Room 1E.8
Austin, Texas 78701

Dear Mr. Deputy Secretary:

Pursuant to his powers as Governor of the State of Texas, Greg Abbott has issued the following:

A proclamation renewing the declaration stating the novel coronavirus (COVID-19) poses an imminent threat of disaster for all counties in Texas.

The original proclamation is attached to this letter of transmittal.

Respectfully submitted,


Gregory S. Davidson
Executive Clerk to the Governor

GSD/gsd

Attachment

PROCLAMATION
BY THE
Governor of the State of Texas

TO ALL TO WHOM THESE PRESENTS SHALL COME:

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 issued proclamations renewing 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, a state of disaster continues to exist in all counties due to COVID-19;

NOW, THEREFORE, in accordance with the authority vested in me by Section 418.014 of the Texas Government Code, I do hereby renew the disaster proclamation for all counties in Texas.

Pursuant to Section 418.017, I authorize the use of all available resources of state government and of political subdivisions that are reasonably necessary to cope with this disaster.

Pursuant to Section 418.016, any regulatory statute prescribing the procedures for conduct of state business or any order or rule of a state agency that would in any way prevent, hinder, or delay necessary action in coping with this disaster shall be suspended upon written approval of the Office of the Governor. However, to the extent that the enforcement of any state statute or administrative rule regarding contracting or procurement would impede any state agency's emergency response that is necessary to cope with this declared disaster, I hereby suspend such statutes and rules for the duration of this declared disaster for that limited purpose.

In accordance with the statutory requirements, copies of this proclamation shall be filed with the applicable authorities.



IN TESTIMONY WHEREOF, I have hereunto signed my name and have officially caused the Seal of State to be affixed at my office in the City of Austin, Texas, this the 29th day of August, 2021.

A handwritten signature in black ink that reads "Greg Abbott".

GREG ABBOTT
Governor

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
3:30pm O'CLOCK

AUG 29 2021

ATTESTED BY:



JOE ESPARZA
Deputy Secretary of State

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GOVERNOR GREG ABBOTT

October 11, 2021

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
4:30 PM 'CLOCK

OCT 11 2021

A handwritten signature in black ink, appearing to be "J. B. ..." with a long horizontal stroke extending to the right, written over the printed name "Secretary of State".

Secretary of State

Mr. Joe A. Esparza
Deputy Secretary of State
State Capitol Room 1E.8
Austin, Texas 78701

Dear Deputy Secretary Esparza:

Pursuant to his powers as Governor of the State of Texas, Greg Abbott has issued the following:

Executive Order No. GA-40 relating to prohibiting vaccine mandates, subject to legislative action.

The original executive order is attached to this letter of transmittal.

Respectfully submitted,

A handwritten signature in blue ink, appearing to be "G. Davidson" with a long horizontal stroke extending to the right, written over the printed name and title.

Gregory S. Davidson
Executive Clerk to the Governor
GSD/gsd

Attachment

Executive Order

BY THE
GOVERNOR OF THE STATE OF TEXAS

Executive Department
Austin, Texas
October 11, 2021

EXECUTIVE ORDER
GA 40

*Relating to prohibiting vaccine mandates,
subject to legislative action.*

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 Texas counties; and

WHEREAS, in each subsequent month effective through today, I have renewed the COVID-19 disaster declaration for all Texas counties; and

WHEREAS, I have issued a series of executive orders aimed at protecting the health and safety of Texans, ensuring uniformity throughout Texas, and achieving the least restrictive means of combatting the evolving threat to public health; and

WHEREAS, COVID-19 vaccines are strongly encouraged for those eligible to receive one, but must always be voluntary for Texans; and

WHEREAS, I issued Executive Orders GA-35, GA-38, and GA-39 to prohibit governmental entities and certain others from imposing COVID-19 vaccine mandates or requiring vaccine passports; and

WHEREAS, in yet another instance of federal overreach, the Biden Administration is now bullying many private entities into imposing COVID-19 vaccine mandates, causing workforce disruptions that threaten Texas's continued recovery from the COVID-19 disaster; and

WHEREAS, countless Texans fear losing their livelihoods because they object to receiving a COVID-19 vaccination for reasons of personal conscience, based on a religious belief, or for medical reasons, including prior recovery from COVID-19; and

WHEREAS, through Chapter 161 of the Texas Health and Safety Code, as well as other laws including Chapters 38 and 51 of the Texas Education Code, the legislature has established its primary role over immunizations, and all immunization laws and regulations in Texas stem from the laws established by the legislature; and

WHEREAS, the legislature has taken care to provide exemptions that allow people to opt out of being forced to take a vaccine for reasons of conscience or medical reasons; and

WHEREAS, I am adding this issue to the agenda for the Third Called Session of the legislature that is currently convened so that the legislature has the opportunity to consider this issue through legislation; and

WHEREAS, I will rescind this executive order upon the effective date of such legislation;

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SECRETARY OF STATE
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OCT 11 2021

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 immediately:

1. No entity in Texas can compel receipt of a COVID-19 vaccine by any individual, including an employee or a consumer, who objects to such vaccination for any reason of personal conscience, based on a religious belief, or for medical reasons, including prior recovery from COVID-19. I hereby suspend all relevant statutes to the extent necessary to enforce this prohibition.
2. The maximum fine allowed under Section 418.173 of the Texas Government Code and the State's emergency management plan shall apply to any "failure to comply with" this executive order. Confinement in jail is not an available penalty for violating this executive order.
3. This executive order shall supersede any conflicting order issued by local officials in response to the COVID-19 disaster. 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.

This executive order does not supersede Executive Orders GA-13, GA-37, GA-38, or GA-39. 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 the 11th
day of October, 2021.



GREG ABBOTT
Governor

ATTESTED BY:



JOE A. ESPARZA
Deputy Secretary of State

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
4:30 PM O'CLOCK

OCT 11 2021

LIST OF BOARD/COMMISSION VACANCIES

Updated: 10/25/2021

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
Adella Fernandez	1 st - LEDC 2 nd - Planning & Zoning 3 rd – Parks & Recreation	July 21, 2021	District 3
Lue Edward D. Baker	1 st – Historic Preservation Comm. 2 nd – Parks & Recreation 3 rd – Planning & Zoning	August 18, 2021	District 4
Dennis McCown	Historic Preservation Commission	October 21, 2021	District 2

CITY OF LOCKHART

ADVISORY BOARD/COMMISSION QUESTIONNAIRE/APPLICATION

NAME: Dennis McCown E-mail: dennis.mccown@g.austincc.edu

ADDRESS: 703 Wichita Street HOME#: 512-668-3026 (message)

WORK#: _____

OCCUPATION: retired CELL# 512-227-6543

EDUCATION (optional): BA, MA, MS, PhD and more

How long have you been a resident of Lockhart? nine years (in and out of county 35 years)

Are you a qualified voter of the City? Yes [X] No [] VOTER REG. #: _____

PROFESSIONAL AND/OR COMMUNITY ACTIVITIES: Member of SASS, WWHA. Was on advisory committee to Caldwell county, volunteer for OEM vaccine clinics

ADDITIONAL PERTINENT INFORMATION/REFERENCES: Historical researcher and writer, have published six books

I AM INTERESTED IN SERVING ON THE FOLLOWING BOARDS, COMMISSIONS, OR COMMITTEES:

(Please limit your selection to no more than three. List in order of preference: 1,2,3)

- _____ Airport Advisory Board
_____ Board of Adjustments & Appeals
_____ Construction Board of Appeals
_____ Economic Development Revolving Loan
_____ Economic Development Corp (1/2 Cent Sales Tax)
_____ Electric Board
[X] _____ Historic Preservation Commission
_____ Library Board Advisory Bd.
_____ Parks and Recreation Advisory Bd.
_____ Planning & Zoning Commission

Do you serve on any other board/commission/committee at this time? If so, please list:

Do you have any relative working for the City of Lockhart? Yes [] No [X]

Do you receive any direct compensation or gain from the City of Lockhart? Yes [] No [X]

Do you receive any direct compensation or gain from any other governmental body? Yes [] No [X] If yes, what type? _____

(Signature of Applicant) [Handwritten Signature]

(Date) 17 Oct 2021

Return application to: City of Lockhart City Secretary's Office PO Box 239 Lockhart, TX 78644 cconstancio@lockhart-tx.org

RECEIVED

OCT 21 2021

CITY OF LOCKHART CITY SECRETARY'S OFFICE

If you have any questions, please contact the City Secretary's Office at 512-958-9346

<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,</i> is amended to read as follows: 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,</i> is amended to read as follows: 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>

<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. Section 2-210. Method of selection; number of members; terms. (a) The mayor and city councilmembers shall nominate individuals to serve on boards and commissions. Each nomination shall then be confirmed by a simple majority of the entire city council. (b) Except as provided herein, there shall be seven members appointed to each board or commission corresponding with the seven members or places of the city council. Each city councilmember, except as provided herein, shall nominate a qualified person to serve in a place on an appointed body corresponding to their place on the council. At-large councilmembers shall be designated as places 5 and 6, and the mayor's position as place 7, for the purpose of this section. Nominations shall be made to fill vacant positions and/or positions whose terms have expired within 90 days of the event, such as a resignation or an election. Should any city councilmember fail to name an appointee to one of his/her corresponding places on any body within the above described 90 days, another councilmember shall then have the privilege to nominate a person to fill that same position, as described in subsection (a). However, once that position becomes vacant again for any reason, the appointment shall revert to the place corresponding with the original city council seat/place number for nominations. (c) Beginning with the election in May, 1998, the council shall nominate and confirm four members to serve in places 1, 2, 5, 6 on each board and commission in accordance with subsections (a) and (b) above, and with the standards set in Ordinance Number 97-09, Governance Policies. With the election of May, 1999, the remaining three places shall be filled following the same procedure as above. (d) Terms of service on appointed bodies shall be the same three-year terms as the councilmember who nominates a person to serve. However, a person may be appointed to complete the unexpired term of a vacant position, due to a resignation, for example. (e) When a person has completed a term, or terms, of service and will be vacating a place, that person may continue to serve until a replacement is nominated and confirmed by the city council. (f) At the discretion of the majority of the city council, one Caldwell County resident who is also an owner of real property within any local historic district may be appointed as a full member to the historical preservation commission. (g) Exceptions to the above regulations shall be all volunteer/special purpose/ad hoc committees appointed from time to time by the city council and the zoning board of adjustments, whose members shall serve two-year terms in accordance with V.T.C.A., Local Government Code § 211.008. All other provisions of this section, and ordinance number 97-09 which do not conflict with the chapters establishing these bodies shall be applicable. Sec. 2-212. Removal and resignation of members. (a) All board, commission and committee members serve at the pleasure of the city council and may be removed from office with or without cause at the discretion of the city council. (b) Board, commission and committee members may resign from office at any time by filing a written resignation, dated and signed by the member, with the City Secretary. Such resignation shall take effect upon receipt by the City Secretary without further action by the city council. If the city council appoints a new member to replace the resigned member, the new member shall be appointed to serve out the remainder of the resigned member's term.</p>

<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>

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 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.

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 Karla Tate Ron Peterson Larry Metzler	01/19/21 01/19/21 01/19/21 01/19/21 01/19/21 01/19/21 01/19/21 02/02/21 01/19/21 01/19/21
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 Dyrall 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 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 Shawn Martinez Oscar Torres David Bryant James Briceno Ron Faulstich Quartermetra Hughes Lonnie Jones Manuel Oliva	05/05/20 03/17/21 10/20/20 09/21/21 10/20/20 10/20/20 10/20/20 10/20/20 04/06/21 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 02/23/21 12/05/17 01/19/21 01/05/21 01/19/21 01/19/21 01/19/21 01/19/21 01/19/21
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 Doug Foster Ian Stowe Michel Royal Donaly Brice Russell Wheeler Rick Arnic	03/07/17 12/15/20 12/05/17 11/17/20 12/15/20 07/07/20 12/15/20 12/15/20 12/15/20
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 Lee Parra Philip Ruiz, Vice-Chair	01/07/20 01/07/20 01/07/20 01/07/20 07/07/20 01/07/20 08/17/21 01/07/20

COUNCILMEMBER BOARD/COMMISSION APPOINTMENTS

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

	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 09/1917 – 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



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

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

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

Goal #5 KPIs / Metrics:

of new law enforcement officers hired in 2019? _____

of new law enforcement officers hired in 2020? _____

of new law enforcement officers hired in 2021? _____

% law enforcement officers retained? _____%

of new firefighters hired in 2019? _____

of new firefighters hired in 2020? _____

of new firefighters hired in 2021? _____

% firefighters retained? _____%

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

Conclusion

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

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



City of Lockhart

2019-2020 Strategic Priorities

Prepared by:



City of Lockhart

Summary

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

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

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

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

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

The following are the results.

Management Team Expectations for the Day's Discussion Topics

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

City Council Expectations for the Day's Discussion Topics

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

SWOT Analysis

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

Strengths

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

Weaknesses / Challenges

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

Opportunities

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

Threats

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

Start/Stop/Continue

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

Start

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

Stop

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

Continue

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

Goal 1: Economic Development / Planning

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

Goal #1 KPIs / Metrics:

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

Goal 2: Quality of Life / Quality of Facilities

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

Goal #2 KPIs / Metrics:

- \$ amount invested in streets in 2019 and 2020? \$ _____
- \$ amount invested in parks in 2019 and 2020? \$ _____
- \$ amount invested in gateway entry signs in 2019 and 2020? \$ _____
- # of City facilities we improved the appearance of? _____
- Which facilities did we improve the image of?
- Did we implement elements of the Parks Master Plan?
- Did we secure quotes on a Space Study of City buildings including City Hall?
- How many City-owned buildings did we renovate or retrofit?
- Did we conduct a citywide quality of life citizen survey?
- Did we address levels of service based on the citizen responses we received?
- Did we address levels of satisfaction based on the citizen responses we received?
- Did we address areas for improvement based on the citizen responses we received?

Goal 3: Staffing / Personnel

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

Goal #3 KPIs / Metrics:

of new positions in 2019 and 2020? _____

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

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

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

Goal 4: Procedures / IT / Software and Hardware

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

Goal #4 KPIs / Metrics:

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

Goal 5: Public Safety

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

Goal #5 KPIs / Metrics:

of new law enforcement officers hired in 2019?

of new law enforcement officers hired in 2020?

% law enforcement officers retained?

of new firefighters hired in 2019?

of new firefighters hired in 2020?

% firefighters retained?

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

Did we develop a public safety equipment replacement schedule?

Did we implement that new replacement schedule?

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

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

Did we explore and evaluate Accreditation opportunities?

Conclusion

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

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

CITY COUNCIL FY 18-19 GOALS (FINAL COMBINED)

PRIORITY ORDER

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

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CITY COUNCIL FY 18-19 GOALS (FINAL COMBINED)

PRIORITY ORDER

COUNCILMEMBER	PRIORITY	FY 18-19 GOALS
MICHELSON	4	Refurbish City Hall inside (making it more inviting)
WESTMORELAND	4	Move forward with St Paul property project
WHITE	4	Park improvements- consider medium to long range plan for Town Branch development
CASTILLO	5	Affordable housing Police Task Force: Budget extra funds for a Police Task Force, a Narcotics Officer and a Mental Health Officer to address any drug and gang related problems and mental issues our city is being faced not only on the East side of our city but citywide. Budget for updated training for our police officers. There is a lot of training that is free but a lot additional money for registration fees and course material.
GONZALES-SANCHEZ	5	
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

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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	GF	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 sqare.	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 alatenating 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

CM INITIALS	PRIORITY #	GOALS IDENTIFIED BY COUNCIL FOR FY 18-19: SORTED BY CATEGORY FINAL LIST BY COUNCIL PRIORITIZED BY CATEGORY: SUBMIT TO CITY MGR BY MARCH 1 PLEASE	SUGGESTED FUNDING SOURCE BY COUNCILMEMBER	SORTED BY CATEGORY
		Access to Municipal Court for Utility Payments	In-House	Utility Customers
		Free public wifi on the square as part of the redevelopment on the North side (ECONOMIC DEV/DOWNTOWN)	CAPCOG Grant?	Wifi
		Free public wifi on the square as part of the redevelopment on the North side	GF	Wifi

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Future Debt Payments as of 9/30/18

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

City of Lockhart
2015 BOND PROGRAM

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

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
\$1,355,516.00	6	Construction	365 days	Thu 6/30/16	Thu 6/29/17																																				
		Surveying Proposal	15 days	Mon 1/18/16	Mon 2/1/16																																				
		Survey	30 days	Tue 2/2/16	Wed 3/2/16																																				
		Acquisition	150 days	Thu 3/3/16	Sat 7/30/16																																				
		Engineering Design	120 days	Thu 3/3/16	Thu 6/30/16																																				
		Bid Ad/NTP	60 days	Fri 7/1/16	Mon 8/29/16																																				
		Construction	300 days	Fri 9/2/16	Wed 6/28/17																																				
\$470,400.00	7	SH130 PUMP STATION PROJECT	7 days	Mon 4/25/16	Sun 5/1/16																																				
		Survey	90 days	Mon 5/2/16	Sat 7/30/16																																				
		Bid Ad/NTP	60 days	Sun 7/31/16	Wed 9/28/16																																				
		Construction	270 days	Sun 10/2/16	Wed 6/28/17																																				
\$859,186.00	8	SH130/TOWN BRANCH SEWER PROJECT	15 days	Fri 5/20/16	Fri 6/3/16																																				
		Surveying Proposal	30 days	Sat 6/4/16	Sun 7/3/16																																				
		Acquisition	120 days	Mon 7/4/16	Mon 10/31/16																																				
		Engineering Design	90 days	Mon 7/4/16	Sat 10/1/16																																				
		Bid Ad/NTP	60 days	Sun 10/2/16	Wed 11/30/16																																				
		Construction	240 days	Mon 12/5/16	Tue 8/1/17																																				
\$1,891,126.00	9	WATER TRANSMISSION MAIN PROJECT - Water Plant Transmission Main, MLK to FM 20 West Transmission Main	17 days	Wed 11/16/16	Fri 12/2/16																																				
		Surveying Proposal	30 days	Sat 12/3/16	Sun 1/1/17																																				
		Acquisition	120 days	Mon 1/2/17	Mon 5/1/17																																				
		Engineering Design	90 days	Mon 1/2/17	Sat 4/1/17																																				
		Bid Ad/NTP	60 days	Sun 4/2/17	Wed 5/31/17																																				
		Construction	180 days	Mon 6/5/17	Fri 12/1/17																																				



City of Lockhart Financial Focus

(unaudited end of year report 09/30/2021)



CITY OF
Lockhart
FINANCE

Fund Balance Analysis

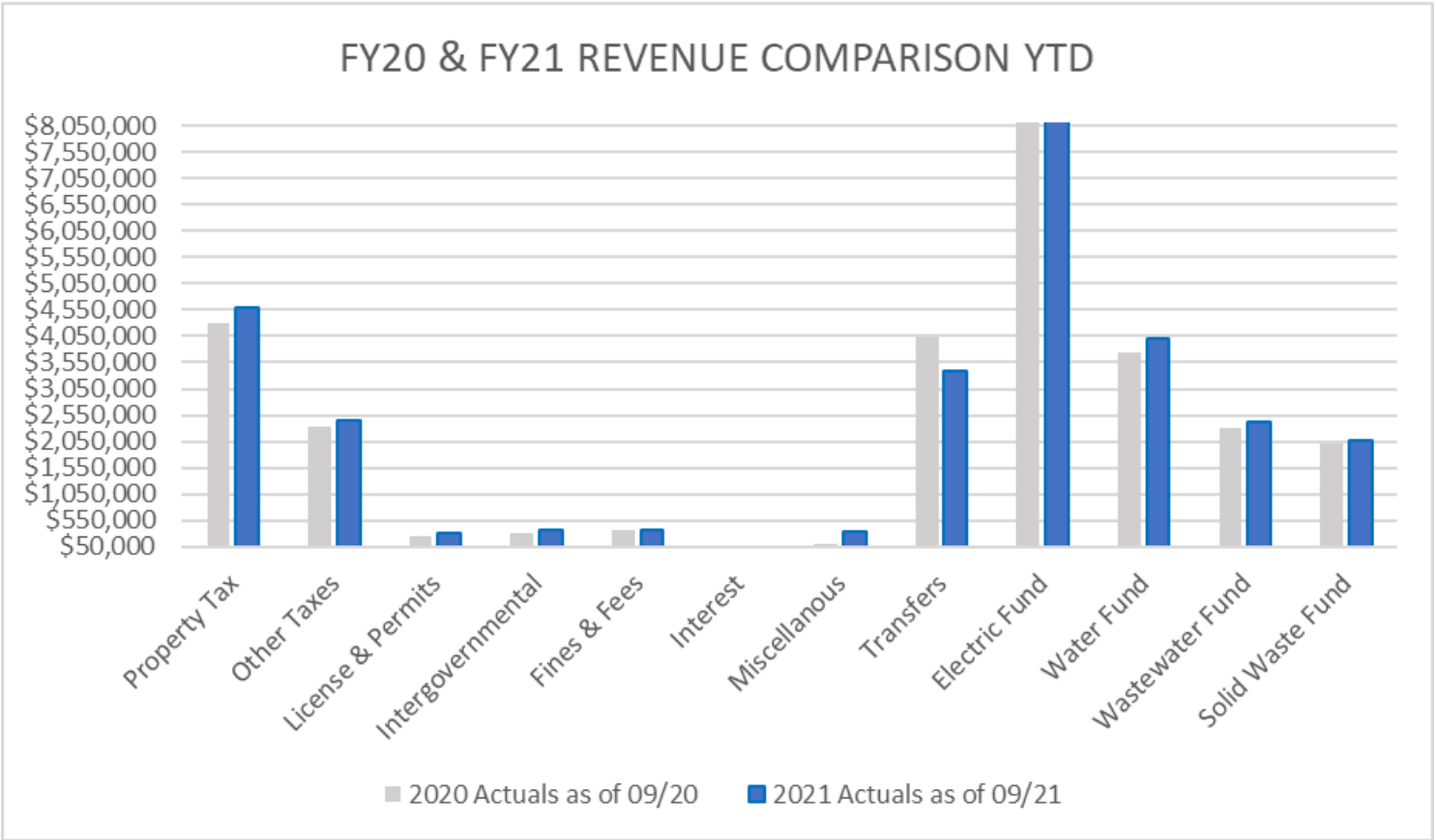
Major Funds FY2021

	General Fund	Electric Fund	Water Fund	Wastewater Fund	Sanitation Fund
2019-20 Ending Audited Fund Balance	\$ 6,673,086	\$ 3,967,112	\$ 4,531,627	\$ 2,544,157	\$ 938,506
Required Fund Balance by Policy* (restricted)	\$ 2,669,733	\$ 2,819,658	\$ 1,179,330	\$ 459,166	\$ 525,496
Available Unrestricted Fund Balances @ 09/30/2020	\$ 4,003,354	\$ 1,147,454	\$ 3,352,297	\$ 2,084,991	\$ 413,010
2020-21 Unaudited Revenues	11,824,189	11,294,152	3,993,157	2,420,573	2,056,367
2020-21 Unaudited Expenses	11,200,188	12,111,656	4,214,641	2,496,612	1,949,178
	624,001	(817,504)	(221,484)	(76,039)	107,189
FY2020-21 Projected Ending Fund Balance (unassigned & unrestricted)	\$ 4,627,355	\$ 329,950	\$ 3,130,813	\$ 2,008,952	\$ 520,199

* The City of Lockhart's Fund Balance Policy requires that the City maintain a percentage of each funds' operating expenditures. The General Fund is 25% or 3 months and the Utility Funds are 33% or 4 months.

These fund balances are presented prior to adjusting entries from the Finance department and BrooksWatson, LLC, the City's auditing firm. The unassigned and unrestricted fund balance totals are representative of actual revenues and expenditures, prior to accruals and combining special revenue funds.

General Fund Revenue Chart for FY 2020-2021



REVENUES IN THE END OF FISCAL YEAR 2021

General fund revenues – Property tax revenues are at 98% at the end of the fiscal year with delinquent collections at 157% and penalties and interest collections at 214%. Sales tax revenues were at 130% collections for the fiscal year end with one more month of collections due to process year end accruals (sales tax analysis located on page 5). License and permits were all above 100% due to increased activity from new residential and business activities. Building permit revenues were 46% above budgeted revenues with equal or more percentages in electrical, HVAC, and plumbing permits. Court fines and fees were above the conservative budgeted revenues by 25% and law enforcement security fees doubled at \$32,000 total revenues. Parks and recreation fees met budgeted revenues for the fiscal year and cemetery and internment fees nearly doubled. Interest revenues continues to see the biggest decline in revenues in the last two years by 50%.

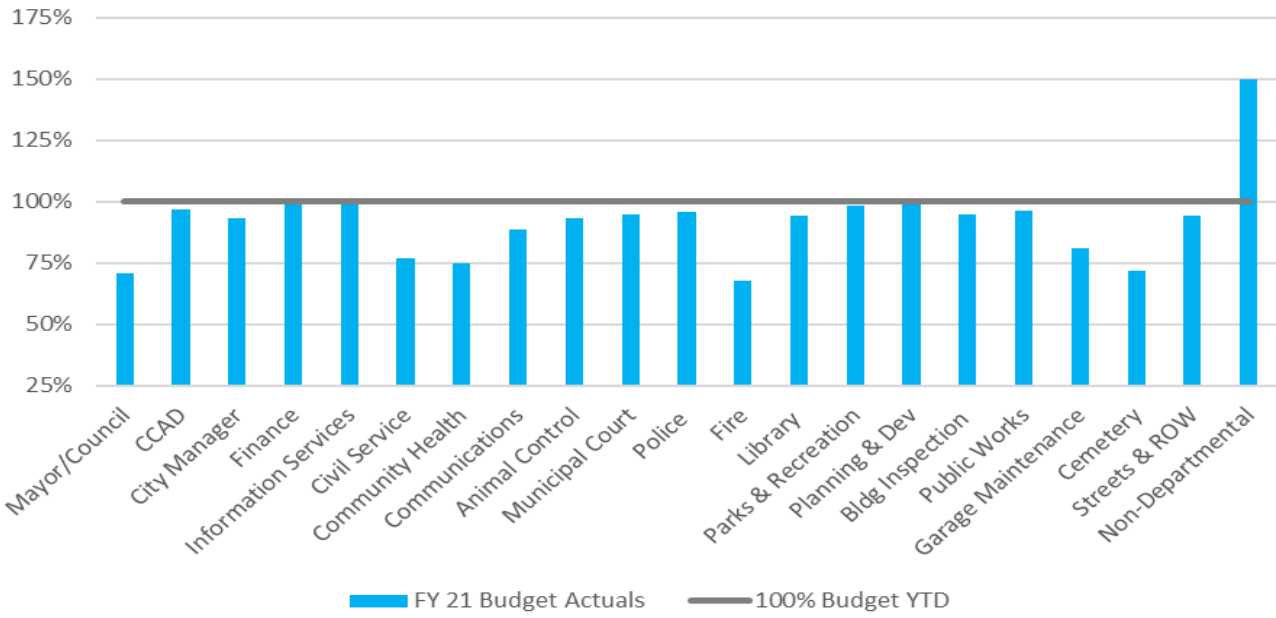
Electric revenues – fuel and local sales were in line with the budgeted revenues for fiscal year 2020-21, but unexpected

Water revenues ended with 102% in local sales, but the water department saw an increase in plant operations and maintenance expenses.

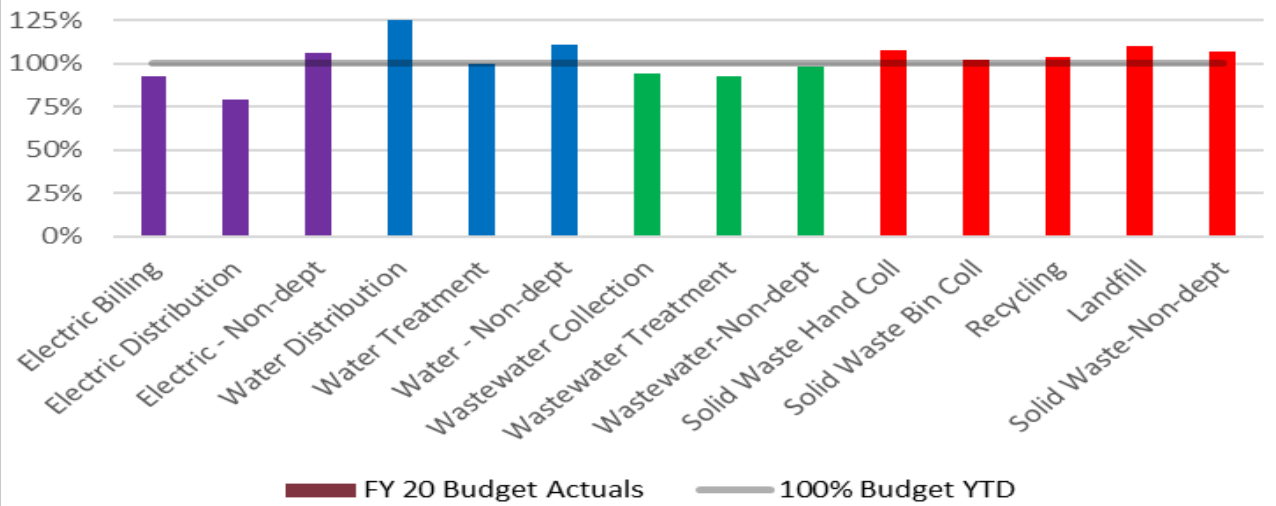
Wastewater revenues finished the fiscal year with 104% of its budgeted revenues met but saw an increase in plant operations and maintenance.

Solid Waste revenues are above budgeted revenues of 117%.

General Fund Expenditures



Utility Expenditures



The unaudited totals for the General Fund ended with \$641,374 revenues over expenditures. The following departments with higher than 100% of their budgeted expenditures were the following:

Community Facilities (125%) – was over budget by \$4,113 due to price increases to telecom services for community facilities.

Animal Control (107%) – was over budget by \$27,038. Expenses in animal care and veterinary services increased along with contract personnel services.

Planning & Development (115%) - is over their budget by \$58,827 for increase in architectural design and engineering costs associated with developer plan reviews by TRC.

Non-departmental (149%) – was over budget by \$139,284. There was an increase in legal fees (\$61,200) this fiscal year due to multiple open records requests and \$78,000 had to be transferred from prior year revenues to the drainage fund.

- **The Utility Funds (unaudited):** The Electric Fund ended the fiscal year with a deficit of \$837,263 expenses over revenues. This was due to the unexpected winter storm Uri that caused a severe financial impact to municipally owned utilities across the State of Texas. The City of Lockhart was financially stable enough to withstand the financial impact due to a healthy fund balance and the use of the rate mitigation fund. The restricted reserves were not used, and no debt had to be issued to pay for ancillary services. The Water and Wastewater funds saw increased costs in plant operations and maintenance in this current fiscal year. Due to these increased costs in both funds, a water and wastewater rate study was performed in fiscal year 2020-21. Solid waste expenses were at 102% overall and solid waste rates were lowered due to newly negotiated rates with contracted services.

SALES TAX REVENUE ANALYSIS

Sales Tax Revenue collections represent 15.97% of General Fund Revenues
(amount shown in chart represents the City of Lockhart's 1% of sales tax revenue)

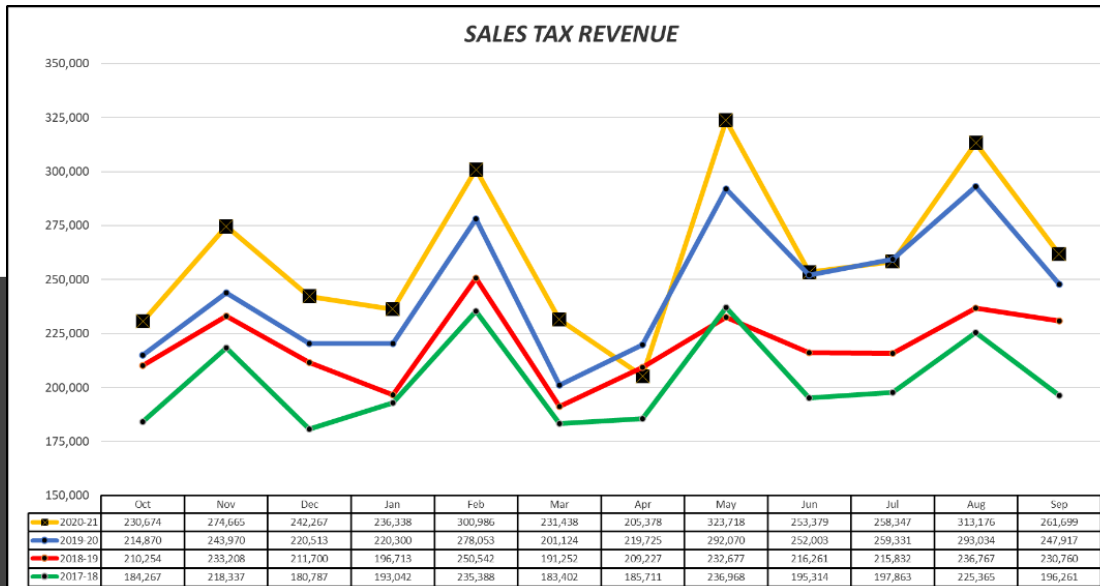
At the end of the fiscal year, September 2021 collectibles were 5.56% higher than September 2020 collections. Total collections to date for both the City of Lockhart and the Lockhart Economic Development Corporation were \$3,132,065. This reflects a 6.45% increase from FY 19-20 year-to-date.

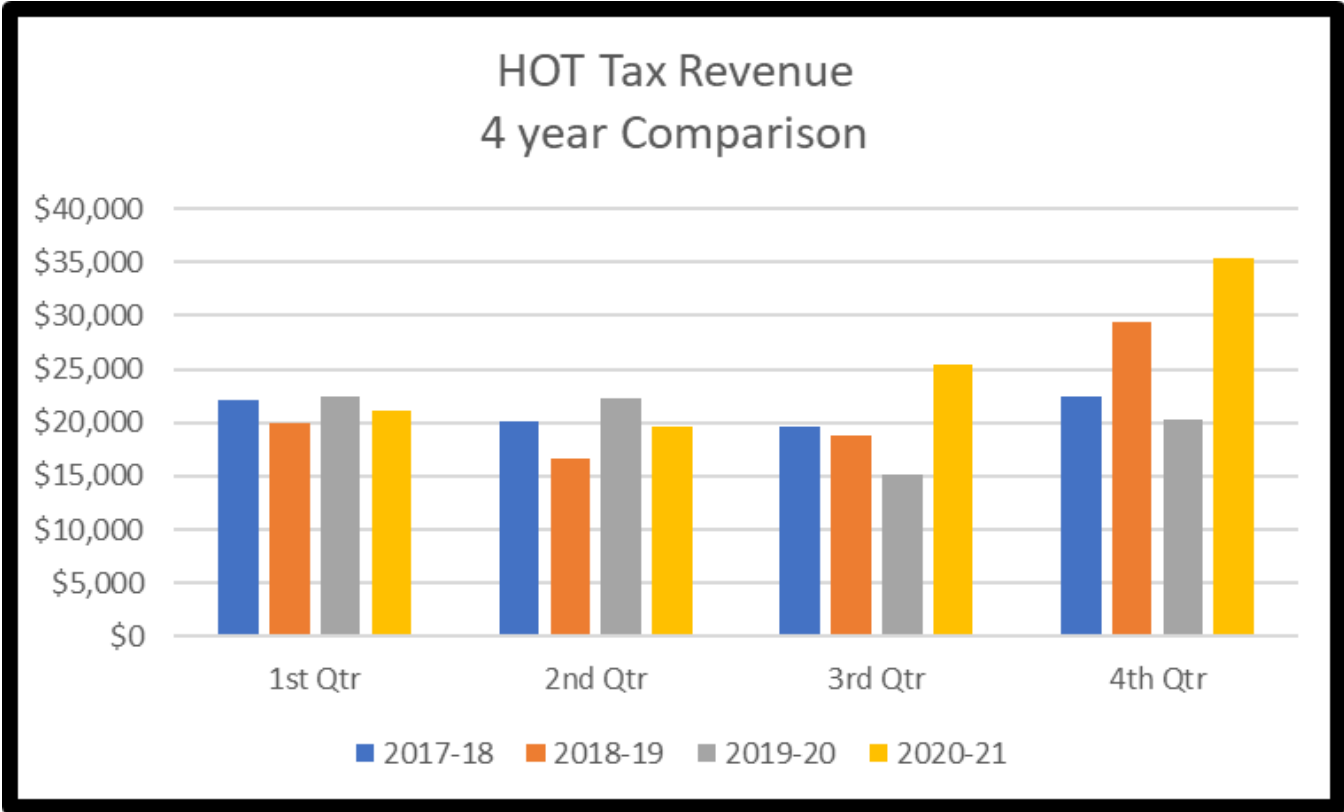
This sales tax revenue as of September 30, 2021, was 130.16% of budgeted revenues for the current fiscal year.

	FY 2019-20		FY 2020-21		% Change
	% of total budget	Monthly Revenue	% of total budget	Monthly Revenue	
October (August Sales)	9.66%	\$143,247	9.59%	\$153,783	7.36%
November ** (September Sales)	10.94%	162,246	11.41%	183,110	12.86%
December (October Sales)	9.91%	147,009	10.07%	161,511	9.86%
January (November Sales)	9.90%	146,867	9.82%	157,559	7.28%
February ** (December Sales)	12.50%	185,368	12.51%	200,657	8.25%
March (January Sales)	9.04%	134,083	9.62%	154,292	15.07%
April (February Sales)	9.88%	146,484	8.53%	136,918	-6.53%
May ** (March Sales)	13.13%	194,713	13.45%	215,812	10.84%
June (April Sales)	11.33%	168,002	10.53%	168,920	0.55%
July (May Sales)	11.66%	172,888	10.74%	172,232	-0.38%
August ** (June Sales)	13.17%	195,356	13.01%	208,784	6.87%
September (July Sales)	11.14%	165,278	10.88%	174,466	5.56%
End of year adjustment	2.09%	31,029	0.00%	0	0.00%

ACTUAL 134.36% 1,992,570 130.16% 2,088,044

**Amounts in November, February, May and August reflect receipts from quarterly payers.





HOT revenues for the first two quarters of fiscal year 2020-21 each saw a decrease in revenues from the prior year by approximately -5.6%. While in the 3rd and 4th quarters revenues increased total collections to 26.8% above the prior year's fiscal total. Total collections for the 4th quarter of FY2020-21 were the highest collection of revenues for the City of Lockhart in HOT funds - \$35,358.