PUBLIC NOTICE
AGENDA
LOCKHART CITY COUNCIL
TUESDAY, JANUARY 5, 2016
CLARK LIBRARY ANNEX-COUNCIL CHAMBERS
217 SOUTH MAIN STREET, 3RD FLOOR
LOCKHART, TEXAS

6:30 P.M.  WORK SESSION (No Action)
Work session will be held to receive briefings and to initially discuss all items contained on the Agenda posted for 7:30 p.m. Generally, this work session is to simplify issues as it relates to the agenda items. No vote will be taken on any issue discussed or reviewed during the work session.

DISCUSSION ONLY
A. Discuss minutes of the City Council meeting of December 15, 2015.  5-14
B. Discuss Ordinance 2016-01 authorizing the Lockhart Municipal Court to employ one or more Juvenile Case Managers and establishing a Juvenile Case Manager fee and fund.  15-26
C. Discuss Resolution 2016-01 adopting ethical and training standards for Juvenile Case Managers employed by the City, and providing for the implementation and review of the standards.  27-36
D. Discuss recommended fuels bid award to Schmidt & Sons, Inc. of Lockhart with a profit margin of 4 cents for gasoline and 5 cents for diesel over the Oil Price Information Services (OPIS) price from Austin, Texas, RACK, posted weekly.  37-43
E. Discuss the City Manager’s recommended step pay plan increases estimated at $144,909 for the Police and Fire Departments to help attract new hires and retain employees to be effective last payroll period in February, 2016.  44-57
F. Discuss Ordinance 2016-03 repealing un-codified Ordinance 2014-20 in its entirety and adopting this Ordinance regarding the City Personnel Policy Manual removing Performance or Merit Pay for Police and Fire Personnel and adopting a step pay plan for Police and Fire Departments under Civil Service with adjustments as approved by the City Council during the Fiscal Year 2015-2016 budget of the City of Lockhart.  58-62
G. Discuss formal request from the Lockhart Economic Development Corporation (LEDC) for the City Council to consider under Texas Local Government Code, Sec. 253.012 conveying Lots 12-A and 12-B in Block 1, Replat of Lot 12, of the Lockhart Industrial Park II (approx. 2.5 acres) to LEDC with a requirement that LEDC use the property to primarily promote a public purpose by benefiting economic development within the City or be subject to reversion back to the City, instructing the City Manager to work with the City Attorney to prepare the necessary conveyance legal documents that shall include the reversion language, and appointing the Mayor to sign all final legal documents.  63-67
H. Discuss Ordinance 2016-02 amending the Lockhart Code of Ordinances, Chapter 32, Article II, Caption "Eugene Clark Library" to create a quiet zone in the interest of a public purpose.  
I. Discussion regarding $200,000 in federal funds through Capital Area Metropolitan Organization (CAMPO) allocated by Caldwell County Commissioners' Court for engineering, design, and surveying costs involved with the reconstruction of City Line Road between SH 142 and Clearfork Street.
J. Discussion regarding City Manager's proposed policy prohibiting City employees from carrying guns, concealed or otherwise, while on duty or in a City vehicle or private vehicle used for City business, unless the employee is a certified licensed peace officer.
K. Discussion regarding a proposed 5-year contract with the Hill Country Cook-Off Association for use of City Park for its annual event to be held each 2nd weekend in October beginning in 2016.
L. Discussion after update report by City Manager regarding 2015 Certificates of Obligation projects.
M. Discussion regarding City cell phones for Mayor and Council.

7:30 P.M.  
REGULAR MEETING  

1. CALL TO ORDER  
Mayor Lew White

2. INVOCATION, PLEDGE OF ALLEGIANCE  
Invocation - Ministerial Alliance.  
Pledge of Allegiance to the United States and Texas flags.

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

4. CONSENT AGENDA  
A. Approve minutes of the City Council meeting of December 15, 2015.  

B. Approve Ordinance 2016-01 authorizing the Lockhart Municipal Court to employ one or more Juvenile Case Managers and establishing a Juvenile Case Manager fee and fund.

C. Approve Resolution 2016-01 adopting ethical and training standards for Juvenile Case Managers employed by the City, and providing for the implementation and review of the standards.

D. Approve recommended fuels bid award to Schmidt & Sons, Inc. of Lockhart with a profit margin of 4 cents for gasoline and 5 cents for diesel over the Oil Price Information Services (OPIS) price from Austin, Texas, RACK, posted weekly.
CONSENT AGENDA continued...

E. Approve the City Manager's recommended step pay plan increases estimated at $144,909 for the Police and Fire Departments to help attract new hires and retain employees to be effective last payroll period in February, 2016.

F. Approve Ordinance 2016-03 repealing un-codified Ordinance 2014-20 in its entirety and adopting this Ordinance regarding the City Personnel Policy Manual removing Performance or Merit Pay for Police and Fire Personnel and adopting a step pay plan for Police and Fire Departments under Civil Service with adjustments as approved by the City Council during the Fiscal Year 2015-2016 budget of the City of Lockhart.

G. Approve formal request from the Lockhart Economic Development Corporation (LEDC) for the City Council to consider under Texas Local Government Code, Sec. 253.012 conveying Lots 12-A and 12-B in Block 1, Replat of Lot 12, of the Lockhart Industrial Park II (approx. 2.5 acres) to LEDC with a requirement that LEDC use the property to primarily promote a public purpose by benefiting economic development within the City or be subject to reversion back to the City, instructing the City Manager to work with the City Attorney to prepare the necessary conveyance legal documents that shall include the reversion language, and appointing the Mayor to sign all final legal documents.

H. Approve Ordinance 2016-02 amending the Lockhart Code of Ordinances, Chapter 32, Article II, Caption "Eugene Clark Library" to create a quiet zone in the interest of a public purpose.

5. DISCUSSION/ACTION ITEMS

A. Discussion and/or action regarding $200,000 in federal funds through Capital Area Metropolitan Organization (CAMPO) allocated by Caldwell County Commissioners' Court for engineering, design, and surveying costs involved with the reconstruction of City Line Road between SH 142 and Clearfork Street.

B. Discussion and/or action regarding City Manager's proposed policy prohibiting City employees from carrying guns, concealed or otherwise, while on duty or in a City vehicle or private vehicle used for City business, unless the employee is a certified licensed peace officer.

C. Discussion and/or action regarding a proposed 5-year contract with the Hill Country Cook-Off Association for use of City Park for its annual event to be held each 2nd weekend in October beginning in 2016.

D. Discussion and/or action after update report by City Manager regarding 2015 Certificates of Obligation projects.

E. Discussion and/or action regarding City cell phones for Mayor and Council.

F. Discussion and/or action regarding appointments to various boards, commissions or committees.
6. **CITY MANAGER’S REPORT, PRESENTATION AND POSSIBLE DISCUSSION**
   - Update- US 183 widening project.
   - Update- Police Officer training regarding new firearm laws.

7. **COUNCIL AND STAFF COMMENTS – ITEMS OF COMMUNITY INTEREST**
   (**Items of Community Interest defined below**)

8. **ADJOURNMENT**

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

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

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

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

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

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

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

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

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

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

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

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

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

I certify that the above notice of meeting was posted on the bulletin board in the Municipal Building, 308 West San Antonio Street, Lockhart, Texas, on the 31st day of December, 2015 at 3:35pm. I further certify that the following News Media was properly notified of this meeting as stated above: Lockhart Post-Register

Connie Constancio, TRMC, City Secretary

City Council – January 5, 2016
LOCKHART CITY COUNCIL
REGULAR MEETING

DECEMBER 15, 2015
6:30 P.M.

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

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

Mayor Lew White
Councilmember John Castillo
Councilmember Benny Hilburn
Councilmember Brad Westmoreland

Staff present:
Vance Rodgers, City Manager
Peter Gruning, City Attorney
Dan Gibson, City Planner
Shane Mondin, Building Official

Connie Constancio, City Secretary
Jeff Hinson, Finance Director
John Roeschler, Police Captain
Julie Bowermon, Civil Service Director

Citizens/Visitors Addressing the Council: Gene Galbreath of the Southwest Museum of Clock and
Watches; and Citizens, Kei LaFleur, Jeremy McCord, Emilio Guardado, and Peter Moore.

Work Session  6:30 p.m.
Mayor White opened the work session and advised the Council, staff and the audience that staff would
provide information and explanations about the following items:

DISCUSSION ONLY
A. DISCUSS MINUTES OF THE CITY COUNCIL MEETING OF DECEMBER 1, 2015.
Mayor White requested corrections. There were none.

B. DISCUSS SITE PLAN FOR THE REMOVAL OF TWO PROTECTED TREES TO BUILD A
NEW COMMERCIAL BUILDING AT 700 SOUTH COLORADO STREET. [TABLED
DECEMBER 1, 2015]
Mr. Mondin stated that the Council tabled this agenda item on December 1, 2015 to allow a site plan to be
submitted providing the location of the two protected trees and the seven replacement trees. Advance Auto
Parts is requesting approval to remove two protected pecan trees to build a 6,800 square foot building and
associated parking lot and driveways. There was discussion about the site plan.

C. DISCUSS ORDINANCE 2015-29 REPEALING UNCODIFIED ORDINANCE 08-03 IN ITS
ENTIRETY AND ADOPTING THIS ORDINANCE ESTABLISHING THE PAYMENT OF A
MONETARY RECRUITMENT INCENTIVE FOR NEW POLICE OFFICER HIRES AND
SETTING FORTH CRITERIA FOR THE INCENTIVE.
Mr. Rodgers stated that the Police Department currently has three patrol officer vacancies, two are out on
possible extended injury leave and, two others have expressed intentions about leaving which would create
two more vacancies. The City of Austin is down about 200 officers and several surrounding cities are
down 30-50% for patrol officers. A test was held on November 7, 2015 for certified applicants of which
three applicants applied. Of the three applicants, two withdrew accepting police officer positions with
other entities and the 3rd applicant did not pass the Chief’s interview. Ordinance 08-03 was passed in 2008
to provide a hiring incentive to increase recruitment. The incentive was used for a short time during 2008-
2009 and was no longer used once the City began offering to sponsor non-certified cadets through a police
academy. Per Ordinance 08-03, the City Manager may reinstate the incentive as needed. Proposed
Ordinance 2015-29 raises the hiring incentive from $2,000 to $3,000. Employees will be required to sign an agreement to repay the incentive if leaving before two years after hire. The incentive would be paid out in two payments: $2,000 at the time of hire and $1,000 after successful completion of the departmental field training program. There was discussion.

D. DISCUSS RESOLUTION 2015-15 REGARDING THE INVESTMENT POLICY FOR THE CITY OF LOCKHART, TEXAS.
Mr. Hinson stated that the Investment Policy has no changes from the previous year because there were no legislative changes in the investment policy laws that required amendments.

Mr. Hinson stated that the changes in the ordinance would allow electric utility customers, who own private alternative electric generation systems and have a valid interconnect agreement, to receive a credit for the excess electric energy produced by their system. The ordinance provides that all customers participating in distributive generation, with a valid interconnect agreement, will receive a credit for the electrical output from their private generation system that exceeds the electric energy purchased by the customer from the City of Lockhart Utility System at 85% of the avoided cost rate. The avoided cost shall be the combined per KWH wholesale power cost of electric energy purchased by the City of Lockhart Utility System from its wholesale electric energy providers. There was discussion.

F. DISCUSS CITY MANAGER’S RECOMMENDATION TO USE STEINBOMER-BRANWELL-VRAZEL ARCHITECTS FOR DESIGN SERVICES OF A COMMUNITY PARK BUILDING, EXPANSION OF FIRE DEPARTMENT BUILDING AT 1914 WEST SAN ANTONIO STREET, AND AN ELEVATOR, RESTROOM, AND ACCESS IMPROVEMENTS AT CITY HALL AND FIRE STATION #1, AND IF A NEGOTIATED AGREEMENT WITH THIS FIRM CANNOT BE OBTAINED, THE CITY MANAGER WILL THEN BEGIN NEGOTIATIONS WITH THE SECOND BEST RANKED FIRM GIGNAC.
Mr. Rodgers stated that Requests for Qualifications (RFQ) were publicized in compliance with State law for professional design services of City public facility improvements as approved by Council in the 2015 Certificates of Obligation. Five companies submitted RFQ responses. Proposals were ranked according to the RFQ criteria and scoring was completed. Steinbomer-Branwell-Vrazel of Austin scored the highest with GIGNAC ranking second.

Mr. Rodgers stated that the public facility projects are as follows:
1) Construction of a small multipurpose community building in City Park.
2) Installation of a passenger elevator at City Hall and remodeling of restroom facilities (upstairs and downstairs) at 308 West San Antonio Street.
3) Installation of 2nd floor access (possible elevator) and remodeling at Fire Station at 201 West Market Street.
4) Construction of addition to existing fire truck storage building located at 1914 West San Antonio that will eventually be for sleeping quarters, meeting room, restroom facilities, and office.

There was discussion.
G. DISCUSS VERBAL REQUEST AT LAST COUNCIL MEETING FROM MS. KEI LAFLEUR TO APPEAL THE DECISION OF THE LOCKHART LIBRARY ADVISORY BOARD NOT TO ALLOW THE PLACEMENT OF A PORTRAIT OF HER SON CORPORAL JASON K. LAFLEUR IN THE DR. EUGENE CLARK LIBRARY; THE BOARD SUGGESTED SHE APPROACH THE VFW AND/OR THE AMERICAN LEGION FOR POSSIBLE PLACEMENT.

Mr. Rodgers stated that Ms. LaFleur’s request was considered by the Lockhart Library Advisory Board on November 2, 2015. The board voted to respectfully decline permission to display a portrait as requested by Ms. LaFleur but that she might consider approaching the VFW and/or the American Legion.

Mayor White requested Ms. LaFleur to address the Council:

Kei LaFleur, 598 Pearl Street, addressed the Council and requested that the Council authorize the portrait of her son to be displayed in the Library.

Councilmember Hilburn expressed words of respect to Corporal LaFleur and his family. He stated that he was not in favor of displaying the portrait in the Library because he believes that it would set a precedence of displaying many other portraits in the future.

Mayor White spoke in favor of the portrait being displayed in the Library. He suggested implementing rules about displays in the Library.

Councilmember Westmoreland spoke in favor of the portrait being displayed in the Library.

Councilmember Michelson suggested that rules and regulations be established prior to allowing the display of portraits in the Library.

Councilmember Castillo also expressed words of respect to Corporal LaFleur for his dedication to our Country. He spoke against the portrait being displayed in the Library and respectfully recommended that Mrs. LaFleur consider approaching another organization to display the portrait.

Councilmember Mendoza spoke in favor of the portrait being displayed in the Library. He suggested that the portrait be displayed in a section of the Library pertaining to history about war and the military.

Mayor Pro-Tem Sanchez spoke in favor of displaying the portrait in the Library.

Mayor White suggested that the Library staff meet with him to discuss rules and regulations of displaying portraits for Council’s consideration during the first meeting in January.

H. DISCUSS REQUEST BY SOUTHWEST MUSEUM OF CLOCKS AND WATCHES FOR HOTEL OCCUPANCY FUNDS IN 2016.

Mr. Hinson stated that Mr. Galbreath was unable to attend during the December 1, 2015 Council meeting.

Gene Galbreath, President of the Southwest Museum of Clocks and Watches provided information about how their organization promotes tourism to Lockhart. Mr. Galbreath stated that the organization is requesting hotel occupancy tax funds in the amount of $9,460 or an equivalent of percentage of the available funding.
I. DISCUSS ALLOCATION OF HOTEL OCCUPANCY TAXES TO ENTITIES REQUESTING DISTRIBUTIONS FOR 2016.
After brief discussion, Mayor White announced that the Council would take action about the distributions during the regular meeting.

J. DISCUSSION REGARDING CITY COUNCIL'S DECISION ABOUT HOW THE UNDISTRIBUTED AMOUNT OF $1,514.43 REMAINING IN THE HOTEL OCCUPANCY TAX FUND WILL BE UTILIZED.
Mr. Hinson stated that there is $1,514.43 undistributed funds remaining in the Hotel Occupancy Tax due to the budget limitations contained in the contract with the Caldwell County Hispanic Chamber of Commerce. He stated that the Council could do one of the following about the funds:
- Roll over the undistributed funds to next year and distribute according to the fiscal year 2016 distribution percentages;
- Retain it in the fund balance;
- Distribute this calendar year to an eligible entities (except Hispanic Chamber because they are not eligible); or,
- The City can spend that amount on qualified expenses.

Mayor Pro-Tem Sanchez asked if the funds could be used towards the City having a booth at the TML Annual Conference in Austin in October 2016. Mr. Hinson stated that if the booth at the conference advertises and promotes Lockhart, it would qualify as promoting tourism.

There was also discussion about possibly utilizing the funds on an upcoming event within the city limits.

K. DISCUSS APPOINTMENT TO THE CAPITAL AREA PLANNING COUNCIL OF GOVERNMENTS (CAPCOG) CLEAN AIR COALITION COMMITTEE.
Mayor White stated that he currently serves on the Committee yet offered the position to another Councilmember. There was brief discussion.

REGULAR MEETING

ITEM 1. CALL TO ORDER.
Mayor Lew White called the regular meeting of the Lockhart City Council to order on this date at 7:39 p.m.

ITEM 2. INVOCATION, PLEDGE OF ALLEGIANCE.
Invocation - Ministerial Alliance.
Pledge of Allegiance to the United States and Texas flags.

ITEM 3. CITIZENS/VISITORS COMMENTS.
Gene Galbreath requested that the Council place an item on the agenda to allow the Council to discuss and consider authorizing the placement of a street clock in the city right-of-way downtown.

Mayor White requested additional citizens to address the Council. There were none.
ITEM 4-A. HOLD A PUBLIC HEARING ON APPLICATION ZC-15-06 BY JEREMY MCCORD FOR A ZONING CHANGE FROM RMD RESIDENTIAL MEDIUM DENSITY DISTRICT TO CMB COMMERCIAL MEDIUM BUSINESS DISTRICT FOR LOT 6, BLOCK 1, SOUTH ADDITION, CONSISTING OF 0.55 ACRE LOCATED AT 1100 SOUTH COMMERCE STREET.

Mayor White opened the public hearing at 7:43 p.m. and requested the staff report.

Mr. Gibson stated that the applicant wishes to develop the subject lot for a use that is not allowed by the current residential zoning, and is allowed by-right in only the CMB and CHB districts. All of the surrounding area, except for two lots diagonally across the street to the northeast, is zoned RMD. The two lots to the northeast are zoned CHB, although the closest one actually contains two dwellings and the other is the rear of the Family Dollar store. The requested CMB zoning allows a wide variety of commercial businesses such as offices, retail stores, restaurants (including drive-up windows), auto sales and repair, gas stations, package sales of alcoholic beverages, and indoor recreation/entertainment/amusement facilities. More intense uses are allowed upon approval of a specific use permit. Any of these could increase traffic on a street that is still primarily a residential street, although it is technically classified on the thoroughfare plan map as an arterial street. In addition, there would be a potential for other non-residential impacts such as noise, parking lot and sign lighting, and the appearance of a parking lot adjacent to existing residences. The CLB zoning classification, which is sometimes used as a transition between residential and commercial zoning, is less intensive in terms of the possible commercial uses, but it would not allow the applicant's intended use of the property. The proposed CMB zoning classification is not consistent with the Lockhart 2020 Land Use Plan designation of Medium Density Residential for the east side of this block of South Commerce Street. Thus far, no support or opposition has been expressed by owners of other property in the area. The Planning and Zoning Commission and staff recommend denial of the requested zoning change.

Jeremy McCord, 609 Cottonwood, requested approval of the zoning change. He stated that he demolished a dilapidated mobile home after he purchased the property. He stated that he believes that the area has enough traffic to accommodate a business instead of a residence.

Mayor White requested citizens in favor of the zoning change to address the Council. There were none.

Mayor White requested the following citizens that indicated they were against the zoning change to address the Council:

Emilio Guardado, 1108 South Commerce spoke against the zoning change and requested that the zoning remain residential.

Peter Moore, 1018 South Commerce spoke against the zoning change and requested that the zoning remain residential.

Mayor White requested additional citizens to address the Council in regards to the zoning change. There were none. He closed the public hearing at 8:15 p.m.
ITEM 4-B. DISCUSSION AND/OR ACTION TO CONSIDER ORDINANCE 2015-27 AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF LOCKHART, TEXAS, TO RECLASSIFY THE PROPERTY KNOWN AS LOT 6, BLOCK 1, SOUTH ADDITION, CONSISTING OF 0.55 ACRE LOCATED AT 1100 SOUTH COMMERCE STREET, FROM RMD RESIDENTIAL MEDIUM DENSITY DISTRICT TO CMB COMMERCIAL MEDIUM BUSINESS DISTRICT.

Councilmember Mendoza stated that approximately 80% of the residents in the area oppose the spot rezoning and that he would uphold the majority of the neighborhood’s consensus.

Councilmember Mendoza made a motion to deny Ordinance 2015-27. Councilmember Castillo seconded. The motion passed by a vote of 6-1, with Mayor Pro-Tem Sanchez opposing. The zoning change was denied.

There was discussion about the zoning change notification process.

ITEM 4-C. HOLD A PUBLIC HEARING ON APPLICATION ZC-15-07 BY RAMASAMY KULANTHAIVELU FOR A ZONING CHANGE FROM CLB COMMERCIAL LIGHT BUSINESS DISTRICT TO CMB COMMERCIAL MEDIUM BUSINESS DISTRICT FOR 0.527 ACRE IN THE BYRD LOCKHART SURVEY, ABSTRACT NO. 17, LOCATED AT 730 SOUTH COLORADO STREET (US 183).

Mayor White opened the public hearing at 8:20 p.m. and requested the staff report.

Mr. Gibson stated that the existing convenience store has been nonconforming under its current CLB zoning because that district doesn’t allow retail without an SUP, and doesn’t allow vehicle fuel sales at all. It had been grandfathered, but was closed for repairs and unexpectedly wasn’t ready to reopen prior to the six-month expiration of the grandfathered status. The proposed CMB zoning would eliminate the nonconformity because it allows convenience stores by-right. The subject property abuts existing CMB zoning to the south, and only one parcel zoned CLB adjacent to the north separates it from another area of CMB zoning. The area across Colorado Street to the west is zoned CHB going north and CMB going south, with one lot zoned CLB in the middle. If the requested zoning change is approved, it would simply result in the expansion of the existing areas zoned CMB adjacent to the south and across the street, and would not be incompatible with the areas currently zoned CLB and CHB. The requested CMB zoning classification does allow a wider range of commercial uses than the existing CLB classification, but there will be no practical effect since the existing use is already considered to be fairly high intensity and it is not proposed to change at this time. The requested CMB zoning classification is consistent with the Lockhart 2020 Land Use Plan map designation of Light-Medium Commercial. Thus far, no support or opposition has been expressed by owners of other property in the area. Mr. Gibson stated that the Planning and Zoning Commission and staff recommend approval.

Mayor White requested citizens in favor of or against the zoning change to address the Council. There were none. He closed the public hearing at 8:25 p.m.
ITEM 4-D. DISCUSSION AND/OR ACTION TO CONSIDER ORDINANCE 2015-28 AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF LOCKHART, TEXAS, TO RECLASSIFY THE PROPERTY KNOWN AS 0.527 ACRE IN THE BYRD LOCKHART SURVEY, ABSTRACT NUMBER 17, LOCATED AT 730 SOUTH COLORADO STREET (US 183), FROM CLB COMMERCIAL LIGHT BUSINESS DISTRICT TO CMB COMMERCIAL MEDIUM BUSINESS DISTRICT.
Mayor Pro-Tem Sanchez made a motion to approve Ordinance 2015-28 amending the Official Zoning Map of the City of Lockhart, Texas, to reclassify the property known as 0.527 acre in the Byrd Lockhart Survey, Abstract Number 17, located at 730 South Colorado Street (US 183), from CLB Commercial Light Business District to CMB Commercial Medium Business District. Councilmember Michelson seconded. The motion passed by a vote of 7-0.

ITEM 5. CONSENT AGENDA.
Mayor Pro-Tem Sanchez made a motion to approve consent agenda items 5A, 5B, 5C, 5D, 5E, and 5F. Councilmember Hilburn 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 December 1, 2015.
5B: Approve site plan for the removal of two protected trees to build a new commercial building at 700 South Colorado Street. [Tabled December 1, 2015]
5C: Approve Ordinance 2015-29 repealing uncodified Ordinance 08-03 in its entirety and adopting this Ordinance establishing the payment of a monetary recruitment incentive for new police officer hires and setting forth criteria for the incentive.
5D: Approve Resolution 2015-15 approving the Investment Policy for the City of Lockhart, Texas.
5E: Approve Ordinance 2015-30 amending the Lockhart Code of Ordinances, Chapter 58, “Utilities”, Article II. “Deposit Rates, Charges, Collection Procedures, etc.,”, Division 2., “Electric Rates Computation” by adding Section 58-78, “Distributive Generation Credit” which provides for the calculation of such credit.
5F: Approve City Manager’s recommendation to use Steinbomer-Bramwell-Vrazel Architects for design services of a community park building, expansion of fire department building at 1914 West San Antonio Street, and an elevator, restroom, and access improvements at City Hall and Fire Station #1, and if a negotiated agreement with this firm cannot be obtained, the City Manager will then begin negotiations with the second best ranked firm GIGNAC.

ITEM 6-A. DISCUSSION AND/OR ACTION REGARDING VERBAL REQUEST AT LAST COUNCIL MEETING FROM MS. KEI LAFLEUR TO APPEAL THE DECISION OF THE LOCKHART LIBRARY ADVISORY BOARD NOT TO ALLOW THE PLACEMENT OF A PORTRAIT OF HER SON CORPORAL JASON K. LAFLEUR IN THE DR. EUGENE CLARK LIBRARY: THE BOARD SUGGESTED SHE APPROACH THE VFW AND/OR THE AMERICAN LEGION FOR POSSIBLE PLACEMENT.
Councilmember Castillo made a motion to table the item until the Library Advisory Board identifies rules and regulations about displaying portraits in the Library that is recommended to be presented to Council at the meeting on January 5, 2016. Councilmember Hilburn seconded. The motion passed by a vote of 7-0.

ITEM 6-B. DISCUSSION AND/OR ACTION TO CONSIDER A REQUEST BY SOUTHWEST MUSEUM OF CLOCKS AND WATCHES FOR HOTEL OCCUPANCY FUNDS IN 2016.
Mayor White announced that the presentation was made during the work session.
ITEM 6-C. DISCUSSION AND/OR ACTION REGARDING ALLOCATION OF HOTEL OCCUPANCY TAXES TO ENTITIES REQUESTING DISTRIBUTIONS FOR 2016.
Mayor Pro-Tem Sanchez made a motion that the hotel occupancy funds be placed in an escrow account to save for a future convention center and not to allocate to the requesting entities. The motion failed for the lack of a second vote.

There was discussion.

Councilmember Hilburn made a motion to allocate funds as listed below. Councilmember Michelson seconded. The motion passed by a vote of 6-1, with Mayor Pro-Tem Sanchez opposing.

Southwest Museum of Clocks & Watches 3.7%
Caldwell County Museum 3.7%
Gaslight Baker Theatre 14.6%
Greater Caldwell County Hispanic Chamber of Commerce 19%
Lockhart Chamber of Commerce 59%

ITEM 6-D. DISCUSSION AND/OR ACTION FOR CITY COUNCIL TO DECIDE HOW THE UNDISTRIBUTED AMOUNT OF $1,514.43 REMAINING IN THE HOTEL OCCUPANCY TAX FUND WILL BE UTILIZED.
Councilmember Michelson made a motion to leave the $1,514.43 in the fund balance with availability for the TML Conference in the future. Mayor Pro-Tem Sanchez seconded. There was discussion.

After discussion, Councilmember Michelson withdrew his motion and Mayor Pro-Tem Sanchez withdrew the second vote.

Councilmember Michelson made a motion to table the item to first meeting in January 2016. Mayor Pro-Tem Sanchez seconded. The motion passed by a vote of 7-0.

ITEM 6-E. DISCUSSION AND/OR ACTION REGARDING APPOINTMENT TO THE CAPITAL AREA PLANNING COUNCIL OF GOVERNMENTS (CAPCOG) CLEAN AIR COALITION COMMITTEE.
Councilmember Castillo made a motion to nominate Mayor White to the CAPCOG Clean Air Coalition Committee. Councilmember Hilburn seconded. The motion passed by a vote of 7-0.

ITEM 6-F. DISCUSSION AND/OR ACTION REGARDING APPOINTMENTS TO VARIOUS BOARDS, COMMISSIONS OR COMMITTEES.
Mayor White requested appointments to various boards, commissions or committees.

Councilmember Hilburn made a motion to nominate Nic Erwin as alternate to the Zoning Board of Adjustment. Councilmember Castillo seconded. The motion passed by a vote of 7-0.
ITEM 7. CITY MANAGER’S REPORT, PRESENTATION AND POSSIBLE DISCUSSION.
- Update: US Hwy 183 expansion project: Storm water contractor work, curbing, sidewalk, Section 1A, Pecan to Hickory 95% complete. Laying storm water pipe along east side for Section 1-B between Hickory and Blackjack. Update on paving first section.
- Update: Designs continue for the drainage project improvements. The last needed property for the drainage projects should be obtained in early January. Drainage construction bid packages will be ready.
- Update: Poles have been set and siren units ordered. Construction and installations should be completed in by February 1.
- Update: The new brush chipper has come.
- Report: Annual Dickens Parade and downtown event.
- Congratulations to Connie Constancio and crew for winning the best lighted entry in the Dickens Lighted Parade.
- Report: Lower Colorado River Authority Construction Crews will be setting the large pole on the east side of SH 130 at Maple Street within next 30 days, weather-permitting. This pole is for one of the main primary electric feeder lines coming out of the new electric substation that will eventually help the goal of dual feed from two substations.
- Congratulations to retirees: Warren Lay, Fire Marshal, 23 years in the Fire Department, and Joe Leal, Street/Sanitation Supervisor, with 35 years of service.

ITEM 8. COUNCIL AND STAFF COMMENTS – ITEMS OF COMMUNITY INTEREST.
Councilmember Westmoreland congratulated all involved in the successful Dickens’ Christmas event. Happy Holidays to all.

Councilmember Mendoza congratulated all involved in the very success Dickens’ Christmas event. He wished everyone a Merry Christmas and Happy New Year.

Mayor Pro-Tem Sanchez congratulated Library staff and all of the volunteers for the successful Dickens’ Christmas event. She congratulated Warren Lay and Joe Leal for retiring from the City of Lockhart and to Janie Wright who also announced retirement from the Lockhart Independent School District. She wished everyone a Merry Christmas and Happy New Year.

Councilmember Hilburn thanked all involved with Dickens’ Christmas event. He congratulated to Chief Joseph Gorman for setting up an educational EMT program at the Lockhart Fire Department. He also congratulated the Girl Scouts for working to clean up the park on Commerce Street. He wished everyone a Merry Christmas and Happy New Year.

Councilmember Castillo thanked Library and volunteers for the successful Dickens’ Christmas event. He thanked Warren Lay and Joe Leal for their dedication to the City of Lockhart and both Diane Delgado and Janie Wright for retiring from the Lockhart Independent School District. He wished everyone a safe and Happy Holidays and Happy New Year. He thanked staff for their hard work.
Councilmember Michelson congratulated the Library and Library Board for the successful Dickens’ Christmas event. He congratulated the Gaslight-Baker Theatre for a successful “Tuna Christmas” show. He wished everyone a Happy Holidays and a Happy New Year. He requested an update about economic development and about Pure Casting at an upcoming meeting. Mr. Rodgers recommended a meeting in February. He thanked the citizens for their patience during the Highway 183 renovation.

Mayor White thanked all involved with the successful Dickens’ Christmas event. He congratulated the 1st Grade Class of Stephanie Hinkle of Plum Creek Elementary for collecting the most canned foods (260 cans) for the food bank. That accomplishment won the class lunch with the Mayor this past Monday. He thanked members of the VAT who sponsor the Tree of Angels Remembrance Ceremony every year. He thanked Sandra Mauldin for her dedication and for working long hours to respond to new business prospects. He congratulated all that retired with the City and LISD. Merry Christmas and Happy Holidays!

Councilmember Castillo announced the tree lighting at the Courthouse at 4 pm this Saturday. Lilly’s toy distribution will be Sunday, December 20 at the Lions Club.

ITEM 9. ADJOURNMENT.
Mayor Pro-Tem Sanchez made a motion to adjourn the meeting. Councilmember Mendoza seconded. The motion passed by a vote of 7-0. The meeting was adjourned at 9:06 p.m.

PASSED and APPROVED this the 5th day of January 2016.

CITY OF LOCKHART

ATTEST:

______________________________
Lew White, Mayor

______________________________
Connie Constancio, TRMC
City Secretary
CITY OF LOCKHART
COUNCIL AGENDA ITEM

CITY SECRETARY’S USE ONLY
☐ Consent ☐ Regular ☐ Statutory
Reviewed by Finance X Yes ☐ Not Applicable
Reviewed by Legal X Yes ☐ Not Applicable

Council Meeting Date: January 5, 2016

Department: Municipal Court
Department Head: Townsend
Dept. Signature: Asst. City Manager
City Manager

Agenda Coordinator/Contact (include phone #): Bonnie Townsend, 376-9469

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

CAPTION
Discussion and/or action to consider Ordinance 2016-01 authorizing the Lockhart Municipal Court to employ one or more Juvenile Case Managers and establishing a Juvenile Case Manager fee and fund.

FINANCIAL SUMMARY
XN/A ☐ GRANT FUNDS ☐ OPERATING EXPENSE ☐ REVENUE ☐ CI P ☐ BUDGETED ☐ NON-BUDGETED

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FUND(S): N/A

SUMMARY OF ITEM

Article 45.056 of the Code of Criminal Procedure authorizes a municipality to employ a Juvenile Case Manager (JCM) and Article 102.0174 of the Code of Criminal Procedure (CCP) provides for an additional Court Cost of up to $5.00 to support funding for the JCM position. With new legislation being passed each session regarding juveniles, these cases are becoming increasingly complex in nature and require the court to monitor cases to their completion. The JCM provides services in juvenile cases consistent with the court’s statutory powers and reports information/recommendations to the judge in making decisions in the best interest of the child. The court’s juvenile caseload is increasing and an existing Deputy Clerk could be appointed as the part-time JCM as their primary position while still performing regular clerical duties.

STAFF RECOMMENDATION

Staff recommends that Council approve Ordinance 2016-01, authorizing the court to employ a Juvenile Case Manager and establishing a Juvenile Case Manager fee and fund to offset costs.

List of Supporting Documents:
Juvenile Case Manager Proposal
Art. 45.056 Code of Criminal Procedure
Art. 102.0174 Code of Criminal Procedure
Ordinance 2016-01

Other Departments, Boards, Commissions or Agencies:
SUBJECT: PROPOSAL TO CREATE A JUVENILE CASE MANAGER FUND BY ORDINANCE

BACKGROUND

Juvenile Case Management has been around for a number of years with funding generally going to large volume courts. The 79th Legislature created a means of funding the positions through dedicated fund fees levied by justice, county court, and municipal courts. The additional fees require authorization by respective governing bodies. The Juvenile Case Manager duties include monitoring juvenile cases, working criminal cases involving Parent Contributing to Nonattendance, and continuing to serve as a Deputy Court Clerk.

The court handles about 85-90 juvenile cases per year. In addition, the school district has expressed interest in filing their truancy cases and parent contributing to nonattendance cases in this court.

Based on the potential growth in juvenile and attendance related cases, this proposal is submitted for your consideration.

FUNDING

Article 45.056 of the Texas Code of Criminal Procedures authorizes a city council or commissioner's court to create a juvenile case manager fund for salaries and benefits of that position through an additional court cost of up to $5.00 on all convictions of fine-only misdemeanors. These dedicated funds are authorized to be used to pay, or supplement the pay of, the juvenile case manager. The JCM position would not entail adding any new positions. A common practice is to appoint an existing Deputy Court Clerk as the Juvenile Case Manager, so a portion of the existing Deputy Court Clerk salary and benefits would be offset by the dedicated JCM fund.

Also, the 83rd Legislature enacted the Truancy Prevention and Diversion Fund. This is a $2.00 court cost that we currently collect and send to the State Comptroller. If the court has a Juvenile Case Manager program, the city is authorized to retain 50% of the court cost to further help fund the JCM position.

Based on current case disposition of 1500-2000 cases, the estimated annual JCM fund would be $9,000-$12,000 annually.

REQUIREMENTS

The city council will need to pass a resolution adopting ethical and training standards for JCMs employed by the city.
Additionally, the council will need to enact an ordinance authorizing the JCM position and the collecting of the JCM fee by the municipal court.

The person appointed as Juvenile Case Manager would need to attend 8 hours position specific, continuing education annually. Those education hours would count toward the 12 hours continuing education required for Texas Court Clerk Association certification.

PROPOSAL

Recommend that the city council consider the establishment of a Juvenile Case Manager for the municipal court and have the Municipal Court Administrator designate an existing Deputy Court Clerk to perform those duties by fiscal year 2016-17.

The recommendation necessitates an ordinance which authorizes the position and the collection of the $5.00 dedicated funds and a resolution establishing and implementing proscribed ethical and training standards for the position.

Thank you for your consideration of this proposal and please let me know if I can answer any questions you may have.

Attachments:

Code of Criminal Procedure (CCP), Article 45.056. Juvenile Case Managers

Code of Criminal Procedure (CCP), Article 102.0174. Court Costs; Juvenile Case Manager Fund

Ordinance 2016-01
Art. 45.056 CCP JUVENILE CASE MANAGERS

(a) On approval of the commissioners court, city council, school district board of trustees, juvenile board, or other appropriate authority, a county court, justice court, municipal court, school district, juvenile probation department, or other appropriate governmental entity may:

(1) employ a case manager to provide services in cases involving juvenile offenders who are before a court consistent with the court’s statutory powers or referred to a court by a school administrator or designee for misconduct that would otherwise be within the court’s statutory powers prior to a case being filed, with the consent of the juvenile and the juvenile’s parents or guardians;

(2) employ one or more juvenile case managers who:

(A) shall assist the court in administering the court’s juvenile docket and in supervising the court’s orders in juvenile cases; and

(B) may provide:

(i) prevention services to a child considered at risk of entering the juvenile justice system; and

(ii) intervention services to juveniles engaged in misconduct before cases are filed, excluding traffic offenses; or

(3) agree in accordance with Chapter 791, Government Code, with any appropriate governmental entity to jointly employ a case manager or to jointly contribute to the costs of a case manager employed by one governmental entity to provide services described by Subsections (1) and (2).

(b) A local entity may apply or more than one local entity may jointly apply to the criminal justice division of the governor’s office for reimbursement of all or part of the costs of employing one or more juvenile case managers from funds appropriated to the governor’s office or otherwise available for that purpose. To be eligible for reimbursement, the entity applying must present to the governor’s office a comprehensive plan to reduce juvenile crimes in the entity’s jurisdiction that addresses the role of the case manager in that effort.

Text of subsection as amended by Acts 2013, 83rd Leg., R.S., Ch. 1213 (S.B. 1419), Sec. 1

(c) An entity that jointly employs a case manager under Subsection (a)(3) employs a juvenile case manager for purposes of Chapter 102 of this code and Chapter 102, Government Code.

Text of subsection as amended by Acts 2013, 83rd Leg., R.S., Ch. 1407 (S.B. 393), Sec. 7

(c) A county or justice court on approval of the commissioners court or a municipality or municipal court on approval of the city council may employ one or more juvenile case managers who:

(1) shall assist the court in administering the court’s juvenile docket and in supervising its court orders in juvenile cases; and

(2) may provide:

(A) prevention services to a child considered at-risk of entering the juvenile justice system; and

(B) intervention services to juveniles engaged in misconduct prior to cases being filed, excluding traffic offenses.

(d) Pursuant to Article 102.0174, the court or governing body may pay the salary and benefits of a juvenile case manager and the costs of training, travel, office supplies, and other necessary expenses relating to the position of the juvenile case manager from the juvenile case manager fund.
Without reference to the amendment of this subsection, this subsection was repealed by Acts 2011, 82nd Leg., R.S., Ch. 1098 (S.B. 1489), Sec. 16, eff. September 1, 2011.

(e) A juvenile case manager employed under Subsection (c) shall give priority to cases brought under Sections 25.093 and 25.094, Education Code.

(f) The governing body of the employing governmental entity under Subsection (a) shall adopt reasonable rules for juvenile case managers that provide:

1. a code of ethics, and for the enforcement of the code of ethics;
2. appropriate educational preservice and in-service training standards for juvenile case managers; and
3. training in:
   (A) the role of the juvenile case manager;
   (B) case planning and management;
   (C) applicable procedural and substantive law;
   (D) courtroom proceedings and presentation;
   (E) services to at-risk youth under Subchapter D, Chapter 264, Family Code;
   (F) local programs and services for juveniles and methods by which juveniles may access those programs and services; and
   (G) detecting and preventing abuse, exploitation, and neglect of juveniles.

(g) The employing court or governmental entity under this article shall implement the rules adopted under Subsection (f).

(h) The commissioners court or governing body of the municipality that administers a juvenile case manager fund under Article 102.0174 shall require periodic review of juvenile case managers to ensure the implementation of the rules adopted under Subsection (f).

(i) The juvenile case manager shall timely report to the judge who signed the order or judgment and, on request, to the judge assigned to the case or the presiding judge any information or recommendations relevant to assisting the judge in making decisions that are in the best interest of the child.

(j) The judge who is assigned to the case shall consult with the juvenile case manager who is supervising the case regarding:

1. the child's home environment;
2. the child's developmental, psychological, and educational status;
3. the child's previous interaction with the justice system; and
4. any sanctions available to the court that would be in the best interest of the child.

(k) Subsections (i) and (j) do not apply to:

1. a part-time judge; or
2. a county judge of a county court that has one or more appointed full-time magistrates under Section 54.1172, Government Code.

Amended by:

Acts 2005, 79th Leg., Ch. 949 (H.B. 1575), Sec. 34, eff. September 1, 2005.
Acts 2011, 82nd Leg., R.S., Ch. 868 (S.B. 61), Sec. 1, eff. June 17, 2011.
Acts 2011, 82nd Leg., R.S., Ch. 868 (S.B. 61), Sec. 2, eff. June 17, 2011.
Acts 2011, 82nd Leg., R.S., Ch. 1055 (S.B. 209), Sec. 1, eff. September 1, 2011.
Acts 2011, 82nd Leg., R.S., Ch. 1098 (S.B. 1489), Sec. 16, eff. September 1, 2011.
Acts 2013, 83rd Leg., R.S., Ch. 161 (S.B. 1093), Sec. 22.001(8), eff. September 1, 2013.
Acts 2013, 83rd Leg., R.S., Ch. 161 (S.B. 1093), Sec. 22.002(4), eff. September 1, 2013.
Acts 2013, 83rd Leg., R.S., Ch. 1213 (S.B. 1419), Sec. 1, eff. September 1, 2013.
Acts 2013, 83rd Leg., R.S., Ch. 1407 (S.B. 393), Sec. 7, eff. September 1, 2013.
Acts 2015, 84th Leg., R.S., Ch. 935 (H.B. 2398), Sec. 4, eff. September 1, 2015.
Code of Criminal Procedure, Article 102.0174. COURT COSTS; JUVENILE CASE MANAGER FUND.

(a) In this article, "fund" means a juvenile case manager fund.

(b) The governing body of a municipality by ordinance may create a juvenile case manager fund and may require a defendant convicted of a fine-only misdemeanor offense in a municipal court to pay a juvenile case manager fee not to exceed $5 as a cost of court if the municipality employs a juvenile case manager. A municipality that does not employ a juvenile case manager may not collect a fee under this subsection.

(c) The commissioners court of a county by order may create a juvenile case manager fund and may require a defendant convicted of a fine-only misdemeanor offense in a justice court, county court, or county court at law to pay a juvenile case manager fee not to exceed $5 as a cost of court if the court employs a juvenile case manager. A justice court, county court, or county court at law that does not employ a juvenile case manager may not collect a fee under this subsection.

(d) The ordinance or order must authorize the judge or justice to waive the fee required by Subsection (b) or (c) in a case of financial hardship.

(e) In this article, a defendant is considered convicted if:

(1) a sentence is imposed on the defendant;

(2) the defendant receives deferred disposition, including deferred proceedings under Article 45.052 or 45.053; or

(3) the defendant receives deferred adjudication in county court.

(f) The clerks of the respective courts shall collect the costs and pay them to the county or municipal treasurer, as applicable, or to any other official who discharges the duties commonly delegated to the county or municipal treasurer for deposit in the fund.

(g) A fund created under this section may be used only to finance the salary, benefits, training, travel expenses, office supplies, and other necessary expenses relating to the position of a juvenile case manager employed under Article 45.056. The fund may not be used to supplement the income of an employee whose primary role is not that of a juvenile case manager.

(h) A fund must be administered by or under the direction of the commissioners court or under the direction of the governing body of the municipality.

ORDINANCE NO. 2016-01

AN ORDINANCE OF THE COUNCIL OF THE CITY OF LOCKHART, TEXAS, AUTHORIZING THE LOCKHART MUNICIPAL COURT TO EMPLOY ONE OR MORE JUVENILE CASE MANAGERS; ESTABLISHING A JUVENILE CASE MANAGER FEE AND FUND; PROVIDING FOR SEVERABILITY; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the Lockhart City Council recognizes the changes in Texas laws regarding juveniles, the expansion of needed services for juvenile offenders, and the growing number of juvenile offenders who would benefit from services provided by one or more juvenile case officers in the Lockhart Municipal Court, and

WHEREAS, the Lockhart City Council finds it necessary and expedient to employ one or more juvenile case managers to provide such services in cases involving juvenile offenders before the Lockhart Municipal Court; and

WHEREAS, Section 102.0174 of the Code of Criminal Procedure authorizes municipalities, by ordinance, to create a juvenile case manager fund (the "Fund"), which requires a municipal court defendant convicted of a fine-only misdemeanor offense to pay a juvenile case manager fee not to exceed five dollars ($5.00) into the Fund as a cost of court, if the municipality employs a juvenile case manager, and providing the purposes for which the Fund may be used; and

WHEREAS, the Lockhart City Council finds that employing one or more juvenile case managers serves a public purpose by providing needed services for at-risk juvenile offenders in the City, with the goals of preventing further offensive behavior and providing needed support for the juveniles.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Lockhart, Texas, that:

1. The Lockhart Municipal Court is authorized to employ one or more full-time or part-time juvenile case managers to provide services in cases involving juvenile offenders before the Court, consistent with the Court's statutory powers and pursuant to Texas Code of Criminal Procedure, Article 45.056.

2. A Juvenile Case Manager Fee (the "Fee") is created pursuant to Articles 102.0174 and 45.056 of the Texas Code of Criminal Procedure. The Fee shall be in the amount of Five Dollars ($5.00).

3. Except as otherwise herein provided, a defendant who is convicted of a fine-only misdemeanor offense in the Lockhart Municipal Court will pay the Fee as a cost of court. A person is considered convicted of an offense if:

   (a) A judgment, sentence, or both are imposed on the person;
   (b) The person is placed on deferred disposition; or
   (c) The court defers final disposition or imposition of the judgment and sentence.

4. The Lockhart Municipal Judge and/or Associated Judge may waive the Fee in a case of financial hardship on the part of a convicted defendant.

5. All Fees will be collected by the Municipal Court Administrator and will be deposited into a Juvenile Case Manager Fund (the "Fund") established by the City. The Fund will be administered by the Lockhart City Manager under the direction of the Lockhart City Council.
6. The Fund may be used only to finance the salary, benefits, training, travel expenses, office supplies, and other necessary expenses relating to the position of a juvenile case manager who is employed by the Lockhart Municipal Court pursuant to Article 45.056(a) of the Texas Code of Criminal Procedure. If there is money in the Fund after those costs are paid, such money may only be expended as provided in Texas Code of Criminal Procedure, Article 102.0174. The Fund may not be used to supplement the income of an employee whose primary role is not that of a juvenile case manager.

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

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

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

Effective Date: This ordinance shall become effective immediately upon its passage.

PASSED, APPROVED, AND ADOPTED ON THIS ____ DAY OF JANUARY, 2016.

CITY OF LOCKHART, TEXAS

Lew White, Mayor

ATTEST:

APPROVED AS TO FORM:

Connie Constancio, TRMC
City Secretary

Peter Gruning
City Attorney
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For the purposes of assessing, imposing, and collecting most court costs and fees, a person is considered to have been convicted if, pursuant to Section 33.101 of the Local Government Code or the specific state authorizing the court cost, either: a judgment, sentence or both are imposed on the person; or the person receives a DISP, deferred disposition, or some other deferral (see Articles 45.051-45.053 of the Code of Criminal Procedure). In contrast, this expanded definition of conviction does not appear in the statute establishing the Joint Reimbursement Fee.

*1 Additional Child Safety Fund costs:
- $2-$5 court cost for all offenses except those offenses that are misdemeanors.

*2 MVP. Add another $10 court cost for all moving violations. Moving violations are defined in Title 27, Section 15.02(b) of the Texas Administrative Code. Moving violations are offenses that are defined by the Texas Administrative Code, Transportation Code, or any other code that applies to vehicles or traffic.

Next

24
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<th>Abbreviation</th>
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<td>CF</td>
<td>Consolidated Fee</td>
<td>Section 133.102, Local Government Code</td>
<td>All but parking and pedestrian offenses</td>
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<td>Judicial Support Fee</td>
<td>Section 133.105, Local Government Code</td>
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<td>IDF</td>
<td>Indigent Defense Fund</td>
<td>Section 133.107, Local Government Code</td>
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<td>JRF</td>
<td>Juror Reimbursement Fee</td>
<td>Article 102.0045, Code of Criminal Procedure</td>
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<td>Truancy Prevention and Diversion Fund</td>
<td>Article 102.015, Code of Criminal Procedure</td>
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<td>State Traffic Fine</td>
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<td>Rules of the Road offenses (Chapters 541-600, Transportation Code)</td>
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<td>TFC</td>
<td>Local Traffic Fee</td>
<td>Section 542.403, Transportation Code</td>
<td>Rules of the Road offenses (Chapters 541-600, Transportation Code)</td>
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<td>CS</td>
<td>Child Safety Fund</td>
<td>Article 102.014, Code of Criminal Procedure</td>
<td>Rules of the Road offenses occurring in a school crossing zone; passing a school bus; parent contributing to nonattendance; save city ordinance parking violations</td>
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<td>MVF</td>
<td>Moving Violation Fee</td>
<td>Article 102.022, Code of Criminal Procedure</td>
<td>Moving violations (Title 37, Section 15.89(b) of the Texas Administrative Code)</td>
<td>90% State, 10% City</td>
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FEES (add the following whenever they apply):

- The following fees are collected upon conviction for services performed by a peace officer (Article 102.011 of the Code of Criminal Procedure and Section 133.104 of the Local Government Code):
  - $5 arrest fee for issuing a written notice to appear in court following the defendant’s violation of a traffic law, municipal ordinance, penal law, or for making an arrest without a warrant; when service is performed by a peace officer employed by the State, 20% is sent to the State on the quarterly report.
  - $50 warrant fee for executing or processing an issued arrest warrant, capias, or capias pro fine; when service is performed by a peace officer employed by the State, 20% is sent to the State on the quarterly report; when service is performed by another agency, that agency can request the amount of the fee.
  - $5 for serving a subpoena.
  - $5 for summoning a jury.
  - $35 for serving any other writ (includes summon for a defendant or a child’s parent).
  - Other costs: costs for peace officer’s time testifying off duty or mileage for certain transports.

- Fees created by city ordinance:
  - Juvenile Case Manager Fee: up to $5 on every conviction if governing body has passed required ordinance establishing a juvenile case manager fund and has hired a juvenile case manager, to be used only to finance the salary, benefits, training, travel expenses, office supplies, and other necessary expenses of the juvenile case manager. (Article 102.0174 of the Code of Criminal Procedure).
  - Municipal Court Building Security Fund: $3 on every conviction if governing body has passed required ordinance establishing building security fund; to be used only for security personnel, services, and items related to buildings that house the operation of the municipal court. (Article 102.017 of the Code of Criminal Procedure).
  - Municipal Court Technology Fund: up to $4 on every conviction if governing body has passed required ordinance establishing the municipal court technology fund; to be used only to finance the purchase of or to maintain technological enhancements for the municipal court. (Article 102.0172 of the Code of Criminal Procedure).
  - Special Expense Fee: up to $25 for execution of a warrant for failure to appear or violation of conditions of release if governing body has passed required ordinance (Article 45.203 of the Code of Criminal Procedure).

- Jury Fees:
  - $3.00 fee collected upon conviction when a case is tried before a jury or when the defendant requested a jury trial and then withdrew the request within 24 hours of the trial setting. (Article 102.004 of the Code of Criminal Procedure).
  - Actual costs incurred for impanelling a jury when the defendant fails to appear for a jury trial. (Article 45.026 of the Code of Criminal Procedure).

- Time Payment Fee: $25 fee on conviction if defendant pays any part of the fine, court costs, fees, or restitution on or after the 31st day after the date judgment is entered; 50% is remitted to the State on the quarterly report; 30% stays with the city; $2.50 of that shall be used for the purpose of improving the efficiency of the administration of justice and the city shall prioritize the needs of the judicial officer who collected the fee (Section 133.103 of the Local Government Code).

- Restitution Fee: $12 optional fee if defendant pays restitution in installments; 50% remitted to the State for the crime victims’ compensation fund. (Article 42.037 of the Code of Criminal Procedure).

- Contractual enforcement options:
  - Omnibus Fee: $20 for failure to appear or failure to satisfy a judgment for any fine-only offense if city has contracted with the Department of Public Safety to deny renewal of driver’s license; 60% is sent to the State on the quarterly report; 33% is retained by the city out of which Omnibus is paid. (Sections 706.006 and 706.007 of the Transportation Code).
  - scofflaw Fee: $20 optional fee for failure to appear or satisfy a judgment on an outstanding warrant for violation of a traffic law if the city has contracted with the Department of Motor Vehicles to deny renewal of vehicle registration; entire fee goes to the county tax-asseressor. (Section 702.003 of the Transportation Code).
  - Third Party Collection Fee: 30% of the unpaid fines, fees, costs, restitution, or forfeited bonds if the city has a contract with a third party collections agency and the amount is more than 60 days past due or more than 60 days have elapsed since the defendant’s failure to appear. (Article 103.031 of the Code of Criminal Procedure).
CITY OF LOCKHART
COUNCIL AGENDA ITEM

CITY SECRETARY'S USE ONLY
☐ Consent  ☐ Regular  ☐ Statutory
  Reviewed by Finance  ☐ Yes  ☐ Not Applicable
  Reviewed by Legal  X Yes  ☐ Not Applicable

Council Meeting Date: January 5, 2016

Department: Municipal Court
Department Head: Townsend
Dept. Signature: Asst. City Manager
city Manager

Agenda Coordinator/Contact (include phone #): Bonnie Townsend, 376-9469

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

CAPTION
Discussion and/or action to consider Resolution 2016-01 adopting ethical and training standards for Juvenile Case Managers employed by the City, and providing for the implementation and review of the standards.

FINANCIAL SUMMARY

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FUND(S): N/A

SUMMARY OF ITEM

Article 45.056 of the Code of Criminal Procedure mandates that the governing body employing a Juvenile Case Manager (JCM) shall adopt reasonable rules that provide a code of ethics and appropriate educational preservice and in-service training standards. To ensure that a JCM is trained properly and is aware of what is expected the ethical rules and training standards will be reviewed annually with the JCM appointed to the court.

STAFF RECOMMENDATION

Staff recommends that Council approve Resolution 2016-01, providing ethical and training standards for Juvenile Case Managers employed by the City and providing for implementation and review.

List of Supporting Documents:
Juvenile Case Manager Proposal
Article 45.056 Code of Criminal Procedure
Resolution 2016-01 with Exhibits A & B

Other Departments, Boards, Commissions or Agencies:
SUBJECT: PROPOSAL TO CREATE A JUVENILE CASE MANAGER FUND BY ORDINANCE

BACKGROUND

Juvenile Case Management has been around for a number of years with funding generally going to large volume courts. The 79th Legislature created a means of funding the positions through dedicated fund fees levied by justice, county court, and municipal courts. The additional fees require authorization by respective governing bodies. The Juvenile Case Manager duties include monitoring juvenile cases, working criminal cases involving Parent Contributing to Nonattendance, and continuing to serve as a Deputy Court Clerk.

The court handles about 85-90 juvenile cases per year. In addition, the school district has expressed interest in filing their truancy cases and parent contributing to nonattendance cases in this court.

Based on the potential growth in juvenile and attendance related cases, this proposal is submitted for your consideration.

FUNDING

Article 45.056 of the Texas Code of Criminal Procedures authorizes a city council or commissioner’s court to create a juvenile case manager fund for salaries and benefits of that position through an additional court cost of up to $5.00 on all convictions of fine-only misdemeanors. These dedicated funds are authorized to be used to pay, or supplement the pay of, the juvenile case manager. The JCM position would not entail adding any new positions. A common practice is to appoint an existing Deputy Court Clerk as the Juvenile Case Manager, so a portion of the existing Deputy Court Clerk salary and benefits would be offset by the dedicated JCM fund.

Also, the 83rd Legislature enacted the Truancy Prevention and Diversion Fund. This is a $2.00 court cost that we currently collect and send to the State Comptroller. If the court has a Juvenile Case Manager program, the city is authorized to retain 50% of the court cost to further help fund the JCM position.

Based on current case disposition of 1500-2000 cases, the estimated annual JCM fund would be $9,000-$12,000 annually.

REQUIREMENTS

The city council will need to pass a resolution adopting ethical and training standards for JCMs employed by the city.
Additionally, the council will need to enact an ordinance authorizing the JCM position and the collecting of the JCM fee by the municipal court.

The person appointed as Juvenile Case Manager would need to attend 8 hours position specific, continuing education annually. Those education hours would count toward the 12 hours continuing education required for Texas Court Clerk Association certification.

PROPOSAL

Recommend that the city council consider the establishment of a Juvenile Case Manager for the municipal court and have the Municipal Court Administrator designate an existing Deputy Court Clerk to perform those duties by fiscal year 2016-17.

The recommendation necessitates an ordinance which authorizes the position and the collection of the $5.00 dedicated funds and a resolution establishing and implementing proscribed ethical and training standards for the position.

Thank you for your consideration of this proposal and please let me know if I can answer any questions you may have.

Attachments:

Code of Criminal Procedure (CCP), Article 45.056. Juvenile Case Managers

Resolution 2016-01 with Exhibits “A & B”
(a) On approval of the commissioners court, city council, school district board of trustees, juvenile board, or other appropriate authority, a county court, justice court, municipal court, school district, juvenile probation department, or other appropriate governmental entity may:

(1) employ a case manager to provide services in cases involving juvenile offenders who are before a court consistent with the court's statutory powers or referred to a court by a school administrator or designee for misconduct that would otherwise be within the court's statutory powers prior to a case being filed, with the consent of the juvenile and the juvenile's parents or guardians;

(2) employ one or more juvenile case managers who:

(A) shall assist the court in administering the court's juvenile docket and in supervising the court's orders in juvenile cases; and

(B) may provide:

(i) prevention services to a child considered at risk of entering the juvenile justice system; and

(ii) intervention services to juveniles engaged in misconduct before cases are filed, excluding traffic offenses; or

(3) agree in accordance with Chapter 791, Government Code, with any appropriate governmental entity to jointly employ a case manager or to jointly contribute to the costs of a case manager employed by one governmental entity to provide services described by Subdivisions (1) and (2).

(b) A local entity may apply or more than one local entity may jointly apply to the criminal justice division of the governor's office for reimbursement of all or part of the costs of employing one or more juvenile case managers from funds appropriated to the governor's office or otherwise available for that purpose. To be eligible for reimbursement, the entity applying must present to the governor's office a comprehensive plan to reduce juvenile crimes in the entity's jurisdiction that addresses the role of the case manager in that effort.

Text of subsection as amended by Acts 2013, 83rd Leg., R.S., Ch. 1213 (S.B. 1419), Sec. 1

(c) An entity that jointly employs a case manager under Subsection (a)(3) employs a juvenile case manager for purposes of Chapter 102 of this code and Chapter 102, Government Code.

Text of subsection as amended by Acts 2013, 83rd Leg., R.S., Ch. 1407 (S.B. 393), Sec. 7

(c) A county or justice court on approval of the commissioners court or a municipality or municipal court on approval of the city council may employ one or more juvenile case managers who:

(1) shall assist the court in administering the court's juvenile docket and in supervising its court orders in juvenile cases; and

(2) may provide:

(A) prevention services to a child considered at-risk of entering the juvenile justice system; and

(B) intervention services to juveniles engaged in misconduct prior to cases being filed, excluding traffic offenses.

(d) Pursuant to Article 102.0174, the court or governing body may pay the salary and benefits of a juvenile case manager and the costs of training, travel, office supplies, and other necessary expenses relating to the position of the juvenile case manager from the juvenile case manager fund.
Without reference to the amendment of this subsection, this subsection was repealed by Acts 2011, 82nd Leg., R.S., Ch. 1098 (S.B. 1489), Sec. 16, eff. September 1, 2011.

(e) A juvenile case manager employed under Subsection (c) shall give priority to cases brought under Sections 25.093 and 25.094, Education Code.

(f) The governing body of the employing governmental entity under Subsection (a) shall adopt reasonable rules for juvenile case managers that provide:

(1) a code of ethics, and for the enforcement of the code of ethics;
(2) appropriate educational preservice and in-service training standards for juvenile case managers; and
(3) training in:

(A) the role of the juvenile case manager;
(B) case planning and management;
(C) applicable procedural and substantive law;
(D) courtroom proceedings and presentation;
(E) services to at-risk youth under Subchapter D, Chapter 264, Family Code;
(F) local programs and services for juveniles and methods by which juveniles may access those programs and services; and
(G) detecting and preventing abuse, exploitation, and neglect of juveniles.

(g) The employing court or governmental entity under this article shall implement the rules adopted under Subsection (f).

(h) The commissioners court or governing body of the municipality that administers a juvenile case manager fund under Article 102.0174 shall require periodic review of juvenile case managers to ensure the implementation of the rules adopted under Subsection (f).

(i) The juvenile case manager shall timely report to the judge who signed the order or judgment and, on request, to the judge assigned to the case or the presiding judge any information or recommendations relevant to assisting the judge in making decisions that are in the best interest of the child.

(j) The judge who is assigned to the case shall consult with the juvenile case manager who is supervising the case regarding:

(1) the child's home environment;
(2) the child's developmental, psychological, and educational status;
(3) the child's previous interaction with the justice system; and
(4) any sanctions available to the court that would be in the best interest of the child.

(k) Subsections (i) and (j) do not apply to:

(1) a part-time judge; or
(2) a county judge of a county court that has one or more appointed full-time magistrates under Section 54.1172, Government Code.

Amended by:

Acts 2005, 79th Leg., Ch. 949 (H.B. 1575), Sec. 34, eff. September 1, 2005.

Acts 2011, 82nd Leg., R.S., Ch. 868 (S.B. 61), Sec. 1, eff. June 17, 2011.

Acts 2011, 82nd Leg., R.S., Ch. 868 (S.B. 61), Sec. 2, eff. June 17, 2011.

Acts 2011, 82nd Leg., R.S., Ch. 1055 (S.B. 209), Sec. 1, eff. September 1, 2011.

Acts 2011, 82nd Leg., R.S., Ch. 1098 (S.B. 1489), Sec. 16, eff. September 1, 2011.

Acts 2013, 83rd Leg., R.S., Ch. 161 (S.B. 1093), Sec. 22.001(8), eff. September 1, 2013.

Acts 2013, 83rd Leg., R.S., Ch. 161 (S.B. 1093), Sec. 22.002(4), eff. September 1, 2013.

Acts 2013, 83rd Leg., R.S., Ch. 1213 (S.B. 1419), Sec. 1, eff. September 1, 2013.

Acts 2013, 83rd Leg., R.S., Ch. 1407 (S.B. 393), Sec. 7, eff. September 1, 2013.

Acts 2015, 84th Leg., R.S., Ch. 935 (H.B. 2398), Sec. 4, eff. September 1, 2015.
RESOLUTION NO. 2016-01

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOCKHART, TEXAS, ADOPTING ETHICAL AND TRAINING STANDARDS FOR JUVENILE CASE MANAGERS EMPLOYED BY THE CITY, AND PROVIDING FOR THE IMPLEMENTATION AND PERIODIC REVIEW OF THE STANDARDS.

WHEREAS, pursuant to Texas Code of Criminal Procedure, Art. 102.0174, the City Council of the City of Lockhart has authorized a juvenile case manager fund supported by additional costs assessed and collected in the Lockhart Municipal Court; and

WHEREAS, pursuant to Texas Code of Criminal Procedure, Art. 45.056, the City has employed a juvenile case manager to provide services in cases involving juvenile offenders before the Court; and

WHEREAS, Texas law requires a municipality employing a juvenile case manager to adopt reasonable rules for juvenile case managers that provide for a code of ethics, educational pre-service and in-service training standards, and training in relevant substantive areas; and

WHEREAS, the City of Lockhart wishes to ensure that its juvenile case managers receive the requisite training to properly perform their duties.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lockhart, Texas, that:

1. The Juvenile Case Manager Code of Ethics, attached as Exhibit "A", is adopted as the ethical standard to which the City's juvenile case managers are held.

2. The Pre-Employment, Pre-service and In-service Training Standards of the Juvenile Case Manager, attached as Exhibit "B", are adopted to provide for proper training standards of juvenile case managers. The training standards include, but are not limited to, training in the role of the juvenile case manager, case planning and management, applicable procedural and substantive law, courtroom proceedings and presentation, services to at-risk youth, local programs for juveniles, and the detection and prevention of abuse, exploitation, and neglect of juveniles, as set forth in the attached Exhibit.

3. The Code and Standards adopted herein will be implemented by the court administrator of the Lockhart Municipal Court.

4. An annual review of the Lockhart juvenile case managers will be conducted to ensure the proper implementation of the Codes and Standards adopted herein. The review will be a part of each juvenile case manager's annual performance evaluation, conducted in accordance with the City of Lockhart Employee Policies and Procedures, and the Lockhart Municipal Court Policies and Procedures.

PASSED AND APPROVED this ___ day of ________________, 2016.

CITY OF LOCKHART

Lew White, Mayor

APPROVED AS TO FORM:

Connie Constancio, City Secretary

Peter Gruning, City Attorney
LOCKHART MUNICIPAL COURT

CODE OF ETHICS

JUVENILE CASE MANAGER

PREAMBLE:

The goal of the juvenile case manager is to assist the Court in administering the Court’s juvenile docket and in supervising its court orders in juvenile cases. The mission of the juvenile case manager is to assist judges in providing juveniles the resources to shape their futures, connect with the community, and become law abiding citizens.

STANDARDS:

Confidentiality. A juvenile case manager shall not disclose to any unauthorized person any confidential information acquired in the course of employment. A juvenile case manager shall not violate the confidentiality of juvenile clients, unless it is to seek consultation services from within the case management program and/or a school campus, or the juvenile has threatened to harm himself, herself or others, or to provide details of any criminal activity or enterprise.

Conflicts of Interest. A juvenile case manager shall be alert to and avoid conflicts of interest that interfere with the exercise of professional discretion and impartial judgment. In order to maintain the community’s trust in the judicial system, a juvenile case manager should avoid soliciting or accepting improper gifts, gratuities, or loans, and should avoid engaging in business relationships that give rise to an appearance of impropriety.

Competence. A juvenile case manager shall endeavor at all times to perform official duties properly and with courtesy and diligence. A juvenile case manager shall fulfill his or her duty and represent himself or herself only within the boundaries of their education, training, license, certification, consultation received, supervised experience, and/or other relevant professional experience.

Respect for the Law. A juvenile case manager shall abide by all federal, state, county, and municipal laws, guidelines, ordinances and rules. A juvenile case manager shall be familiar with the Texas Code of Judicial Conduct and the basic standards to which members of the judiciary are held.

Abuse of Position. A juvenile case manager shall not use or attempt to use his or her official position to secure unwarranted privileges or exemptions for himself, herself, or any other person. A juvenile case manager shall always maintain an appropriate relationship with juveniles coming under the jurisdiction of the Court. A juvenile case manager shall not discriminate against any person on the basis of age, sex, creed, sexual preference, disability, or national origin.

ENFORCEMENT:

Any alleged violation of applicable ethical standards shall be subject to investigation and discipline, up to and including termination of employment, as provided in the Lockhart Personnel Policies and Procedures Handbook and the Lockhart Municipal Court Personnel Policies and Procedures Handbook.
LOCKHART MUNICIPAL COURT

JUVENILE CASE MANAGER
TRAINING STANDARDS

Pre-Employment Experience and Training Requirements:

A Juvenile Case Manager applicant will possess the following:

a) High School diploma/GED.
b) Valid Texas driver’s license with an acceptable driving record as determined by the Court Administrator.
c) Minimum of one (1) year of money handling/receipting experience.
d) Minimum of two (2) years of customer service experience.
e) Minimum of two (2) years of clerical experience.
f) Minimum of one (1) year of data entry experience.
g) Successful completion of Level I of the Municipal Court Clerk Certification Program within eighteen (18) months of hire.
h) One to three (1-3) years of experience in a municipal or justice court setting preferred.
i) Two (2) years of professional experience in juvenile court programs, juvenile case management, or related juvenile social services work preferred.
j) Ability to type 40 wpm preferred (documentation/testing required).

Definitions:

Pre-service Training refers to those skills, training, or certifications possessed at the time of hire or prior to the commencement of the juvenile case manager duties at the Municipal Court.

In-Service Training refers to additional skills, training, or certification hours obtained after commencement of juvenile case manager’s full duties.

Pre-Service Training Requirements:

Within one (1) year from the date of hire, and prior to the commencement of duties as a juvenile case manager, the Juvenile Case Manager must obtain a minimum of twenty-four (24) hours of education and training that covers any or all of the following areas:

a) The role of the juvenile case manager
b) Ethics
c) Juvenile law & introduction to court procedure
d) Case planning and management
e) Interagency collaboration
f) Risk assessment
g) Juvenile mental health
h) Child psychology
i) Report writing
**In-Service Training Requirements:**

The Juvenile Case Manager must obtain a minimum of twelve (12) hours of municipal court related education and training each fiscal year. Eight (8) of those hours must be in any one or a combination of juvenile related areas, including but not limited to the following:

a) The role of the juvenile case manager  
b) Case planning and management  
c) Procedural and substantive law  
d) Courtroom proceedings and presentation  
e) Legislative updates  
f) Juvenile mental health  
g) Services to At-Risk Youth (Ch. 264, Subch. D, Texas Family Code)  
h) Local programs and services for juveniles  
i) Detecting and preventing abuse, exploitation, and neglect of juveniles  
j) Substance Abuse  
k) Special Topics  
l) Juvenile Gangs/Family Violence/Bullying  
m) Sex offenders  
n) Juveniles with learning, psychological, and/or physical disabilities  
o) Upgrades in documentation and technology  
p) How to be an expert witness
CITY OF LOCKHART
COUNCIL AGENDA ITEM

CITY SECRETARY'S USE ONLY
☑ Consent ☐ Regular ☐ Statutory

Reviewed by Finance ☑ Yes ☐ Not Applicable
Reviewed by Legal ☑ Yes ☐ Not Applicable

Council Meeting Dates: January 5, 2016

Department: City Manager
Initials Date

Department Head: Vance Rodgers
Asst. City Manager
City Manager

Dept. Signature Initials Date

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

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

CAPTION
Discussion and/or action regarding recommended fuels bid award to Schmidt & Sons, Inc. of Lockhart with a profit margin of 4 cents for gasoline and 5 cents for diesel over the Oil Price Information Services (OPIS) price from Austin, Texas, RACK, posted weekly

FINANCIAL SUMMARY

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FUND(S): FY 15-16 Budget

SUMMARY OF ITEM
Fuel bids were sought in compliance with State Law. The City uses about 40,000 gallons of gasoline and 26,000 gallons of diesel per year. Bids were received from Johnson Oil of Gonzales, Texas, and Schmidt & Sons, Inc., of Lockhart. The attached synopsis shows the overall better bid was submitted by Schmidt & Sons, Inc, of Lockhart. Local companies are also allowed an additional 5% consideration in their bid submittals. Besides being a local company, Schmidt & Sons have a long history of timely deliveries when the fuel is needed by the City. The company also provides 24 hour emergency fuel supplies from their facility on Patton Road when the City fuel systems are down due to maintenance or repairs.

STAFF RECOMMENDATION
City Manager and Public Works Director both recommend approval of the bids submitted by Schmidt & Sons, Inc., of Lockhart for fuel supplies

List of Supporting Documents:
Bid information and Bid Synopsis

Other Departments, Boards, Commissions or Agencies:
CITY OF LOCKHART
PUBLIC BID FOR FUELS

The City of Lockhart is accepting annual supply bids for approximately 40,000 gallons of unleaded plus gasoline and 26,000 gallons of No. 2 dyed diesel fuel. A minimum of two-thousand five hundred (2,500) gallons would be ordered at any given time. The price of fuels may increase or decrease based on the weekly average Oil Price Information Service (OPIS) price published each Thursday from the Austin, Texas, Rack. The amount designated as the supplier’s profit margin per gallon must include delivery and must remain the same during the term of the contract. The contract term will be from one year from the date of approval by the City Council. Bid award may be separate for each fuel. Required forms for bid submittal are available from the Public Works Office at 705 Wichita Street during normal business hours.

Bids must be received by 2 pm, Friday, December 18, 2015 at City Hall, 308 W. San Antonio Street, Lockhart, Texas 78644. Bids not received by this time and date will be rejected. Bid envelopes should be externally marked to indicate “Fuel Bids”.

The City of Lockhart reserves the right to reject any and all fuel bids.
# Fuel Bids Synopsis

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<td>$0.032</td>
<td>$1,280.00</td>
</tr>
<tr>
<td>Average Loads per year</td>
<td>20</td>
<td>$7.50</td>
<td>$150.00</td>
</tr>
<tr>
<td>Diesel</td>
<td>26000</td>
<td>$0.057</td>
<td>$1,482.00</td>
</tr>
<tr>
<td>Average Loads</td>
<td>13</td>
<td>$7.50</td>
<td>$97.50</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td></td>
<td></td>
<td>$3,009.50</td>
</tr>
</tbody>
</table>

| Schmidt & Sons           |        |           |           |
| Gasoline                 | 40,000 | $0.040    | $1,600.00 |
| Average Loads per year   | 20     |           |           |
| Diesel                   | 26000  | $0.050    | $1,300.00 |
| Average Loads            | 13     |           |           |
| **Total**                |        |           | $2,900.00 |

Schmidt & Sons has the best overall bid.

Schmidt & Sons is also a local company provides timely fuel delivery and provides fuel services when City’s pumps are down for service or maintenance.
City of Lockhart  
2015-16 Fuel Bids  

To be received no later than 2:00PM, Friday, December 18, 2015

<table>
<thead>
<tr>
<th>Company Name</th>
<th>Time of Receipt</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Schmidt &amp; Son Inc.</td>
<td>9:34 AM</td>
<td>12-17-2015</td>
</tr>
<tr>
<td>Johnson Oil Company</td>
<td>1:20 PM</td>
<td>12-18-2015</td>
</tr>
</tbody>
</table>

Schmidt
Johnson
CITY OF LOCKHART
PUBLIC WORKS DEPARTMENT

Annual Fuel Bid Package

Unleaded Plus Gasoline
No. 2 Dyed Diesel

Bid Opening Information:

Date: December 18, 2015
Time: 2:00 pm
Place: Lockhart City Hall
       308 W. San Antonio Street
       Lockhart, Texas 78644

Bid

2,500 gallon Min. Delivery

<table>
<thead>
<tr>
<th>Fuel Type</th>
<th>Profit Margin Per Gallon</th>
</tr>
</thead>
<tbody>
<tr>
<td>SPEC UNL</td>
<td>$0.04 per gal. over OPIS Austin</td>
</tr>
<tr>
<td>Unleaded Plus</td>
<td></td>
</tr>
<tr>
<td>No. 2 Dyed Diesel</td>
<td>$0.05 per gal. over OPIS Austin</td>
</tr>
</tbody>
</table>

All deliveries to be made to 705 Wichita Street during normal business hours unless otherwise specified. During the term of the contract, fuel price may increase or decrease based on the weekly Oil Price Information Service (OPIS) Price from Austin, TX, RACK. The amount designated by the supplier's profit margin per gallon will remain constant for the term of the contract which is for one year from the date of award by the Lockhart City Council.

Schmidt & Son's
Supplier Firm (Printed)

[Signature]
Date 12/10/15

Approved by City Council 1-5-2016 per submitted bid.

Lew White, Mayor
Date
CITY OF LOCKHART
PUBLIC WORKS DEPARTMENT

Annual Fuel Bid Package

Unleaded Plus Gasoline
No. 2 Dyed Diesel

Bid Opening Information:

Date: December 18, 2015
Time: 2:00 pm
Place: Lockhart City Hall
308 W. San Antonio Street
Lockhart, Texas 78644

Bid

2,500 gallon Min. Delivery

<table>
<thead>
<tr>
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</thead>
<tbody>
<tr>
<td>SPEC UNL</td>
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<td>Unleaded Plus</td>
<td></td>
</tr>
<tr>
<td>No. 2 Dyed Diesel</td>
<td>$0.05 per gal. over OPIS Austin</td>
</tr>
</tbody>
</table>

All deliveries to be made to 705 Wichita Street during normal business hours unless otherwise specified. During the term of the contract, fuel price may increase or decrease based on the weekly Oil Price Information Service (OPIS) Price from Austin, TX, RACK. The amount designated by the supplier's profit margin per gallon will remain constant for the term of the contract which is for one year from the date of award by the Lockhart City Council.

Schmidt & Son's

Henry Schmidt

Signature

Date 12/10/15
CITY OF LOCKHART
PUBLIC WORKS DEPARTMENT

Annual Fuel Bid Package

Unleaded Plus Gasoline
No. 2 Dyed Diesel

Bid Opening Information:
Date: December 18, 2015
Time: 2:00 pm
Place: Lockhart City Hall
308 W. San Antonio Street
Lockhart, Texas 78644

Bid
2,500 gallon Min. Delivery

<table>
<thead>
<tr>
<th>Fuel Type</th>
<th>Profit Margin Per Gallon</th>
</tr>
</thead>
<tbody>
<tr>
<td>Unleaded Plus</td>
<td>$0.032 per gal. over OPIS</td>
</tr>
<tr>
<td>No. 2 Dyed Diesel</td>
<td>$0.051 per gal. over OPIS</td>
</tr>
</tbody>
</table>

The Bid is less all taxes & fees.

All deliveries to be made to 705 Wichita Street during normal business hours unless otherwise specified. During the term of the contract, fuel price may increase or decrease based on the weekly Oil Price Information Service (OPIS) Price from Austin, TX, RACK. The amount designated by the supplier's profit margin per gallon will remain constant for the term of the contract which is for one year from the date of award by the Lockhart City Council.

Don Arceneaux, Commercial Sale Rep.

Signature: 12/18/2015
CITY OF LOCKHART
COUNCIL AGENDA ITEM

CITY SECRETARY'S USE ONLY
[ ] Consent  [ ] Regular  [ ] Statutory

Reviewed by Finance  [ ] Yes  [ ] Not Applicable
Reviewed by Legal  [ ] Yes  [ ] Not Applicable

Council Meeting Dates: January 5, 2016

Department: City Manager
Initials  Date

Department Head: Vance Rodgers
Asst. City Manager

Dept. Signature  City Manager  12-24-2015

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

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

CAPTION
Discussion and/or action regarding City Manager’s recommended step pay plan increases estimated at $144,909 for the Police and Fire Departments to help attract new hires and retain employees to be effective last payroll period in February, 2016

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

FISCAL YEAR:
Prior Year (CIP ONLY)  Current Year  Future Years  Totals

Budget
Budget Amendment Amount
Encumbered/Expended Amount
This Item

BALANCE
$0.00  $0.00  $0.00  $0.00

FUND(S): Reducing expenses and savings in other departments and within the Police and Fire Departments by $144,909 to cover estimated costs of adjustments

SUMMARY OF ITEM
The Step Pay Plan for police and fire departments needs to be increased to help attract new employees and to help retain employees. We are losing officers to Buda, San Marcos, and other cities. The proposed adjustments will raise starting wages by $1 per hour and also adjust and extend the pay steps. The tenure steps in the current Step Pay Plan have not been adjusted since Civil Service was passed by voters almost 10 years ago. The Step Pay Plans have been COLA adjusted over the past four years when granted by Council.

STAFF RECOMMENDATION
City Manager, Police Chief Lummus, and Fire Chief Gorman, all respectfully request approval.

List of Supporting Documents:
Proposed Step Pay Plan Adjustments; estimated costs and funding plan; estimated FY 16-17 costs

Other Departments, Boards, Commissions or Agencies:

44
City of Lockhart

City Manager Recommended Step Pay Adjustments

Police and Fire Departments

Jan. 5, 2016

(Effective 1st Payroll Check in March, 2016)
Police Officer Salary Comparison
Entry Level Officer
(As of 12/11/15)

<table>
<thead>
<tr>
<th></th>
<th>Hourly Rate</th>
<th>Est Annual</th>
</tr>
</thead>
<tbody>
<tr>
<td>Buda</td>
<td>$22.88</td>
<td>$47,596</td>
</tr>
<tr>
<td>Kyle</td>
<td>$21.32</td>
<td>$44,338</td>
</tr>
<tr>
<td>San Marcos</td>
<td>$24.04</td>
<td>$50,000</td>
</tr>
<tr>
<td>Lockhart</td>
<td>$19.97</td>
<td>$41,538</td>
</tr>
</tbody>
</table>

Now

Lockhart $20.97 $43,618 Proposed with $3,000 hiring incentive and two year commitment for licensed certified officers.
### Current Step Pay Plan

<table>
<thead>
<tr>
<th>Tenure Yrs</th>
<th>10/01/2014</th>
</tr>
</thead>
<tbody>
<tr>
<td>Police Cadet</td>
<td>$ 16.00</td>
</tr>
<tr>
<td>Tenure Yrs</td>
<td>Police Officer</td>
</tr>
<tr>
<td>0</td>
<td>$ 19.97</td>
</tr>
<tr>
<td>1</td>
<td>$ 20.52</td>
</tr>
<tr>
<td>2</td>
<td>$ 21.07</td>
</tr>
<tr>
<td>4+</td>
<td>$ 21.63</td>
</tr>
<tr>
<td>Tenure Yrs</td>
<td>Sergeant</td>
</tr>
<tr>
<td>2</td>
<td>$ 24.96</td>
</tr>
<tr>
<td>4+</td>
<td>$ 25.51</td>
</tr>
<tr>
<td>Tenure Yrs</td>
<td>Lieutenant</td>
</tr>
<tr>
<td>4+</td>
<td>$ 28.56</td>
</tr>
<tr>
<td>Tenure Yrs</td>
<td>Captain</td>
</tr>
<tr>
<td>4+</td>
<td>$ 30.77</td>
</tr>
</tbody>
</table>

### Proposed Step Pay Plan

<table>
<thead>
<tr>
<th>Tenure</th>
<th>0</th>
</tr>
</thead>
<tbody>
<tr>
<td>Police Cadet</td>
<td>$ 16.00</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
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<tr>
<td>0</td>
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</tr>
<tr>
<td>2</td>
<td>$ 22.07</td>
</tr>
<tr>
<td>4</td>
<td>$ 22.53</td>
</tr>
<tr>
<td>6</td>
<td>$ 23.01</td>
</tr>
<tr>
<td>8</td>
<td>$ 23.31</td>
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<tr>
<td>10</td>
<td>$ 24.01</td>
</tr>
<tr>
<td>12+</td>
<td>$ 24.73</td>
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</table>

<table>
<thead>
<tr>
<th># of Officers</th>
<th>5</th>
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</table>

<table>
<thead>
<tr>
<th>Extra Costs this FY</th>
<th>$ 7,280</th>
</tr>
</thead>
<tbody>
<tr>
<td>19</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Tenure</th>
<th>Sergeant</th>
</tr>
</thead>
<tbody>
<tr>
<td>2</td>
<td>$ 25.96</td>
</tr>
<tr>
<td>4</td>
<td>$ 26.51</td>
</tr>
<tr>
<td>6</td>
<td>$ 27.37</td>
</tr>
<tr>
<td>8</td>
<td>$ 28.26</td>
</tr>
<tr>
<td>10+</td>
<td>$ 29.18</td>
</tr>
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</table>

<table>
<thead>
<tr>
<th># of Officers</th>
<th>0</th>
</tr>
</thead>
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<table>
<thead>
<tr>
<th>Extra Costs this FY</th>
<th>$ 5,099</th>
</tr>
</thead>
<tbody>
<tr>
<td>4</td>
<td></td>
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</tbody>
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<table>
<thead>
<tr>
<th>Tenure</th>
<th>Lieutenant</th>
</tr>
</thead>
<tbody>
<tr>
<td>4</td>
<td>$ 29.56</td>
</tr>
<tr>
<td>6</td>
<td>$ 30.59</td>
</tr>
<tr>
<td>8+</td>
<td>$ 31.67</td>
</tr>
</tbody>
</table>

| # of Officers | 1 |

<table>
<thead>
<tr>
<th>Extra Costs this FY</th>
<th>$ 1,506</th>
</tr>
</thead>
<tbody>
<tr>
<td>2</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Tenure</th>
<th>Captain</th>
</tr>
</thead>
<tbody>
<tr>
<td>4</td>
<td>$ 31.77</td>
</tr>
<tr>
<td>6+</td>
<td>$ 33.68</td>
</tr>
</tbody>
</table>

| # of Officers | 1 |

<table>
<thead>
<tr>
<th>Extra Costs this FY</th>
<th>$ 2,775</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td></td>
</tr>
</tbody>
</table>

<table>
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<tr>
<td>10+</td>
<td>$ 29.18</td>
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<table>
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<th>$ 5,099</th>
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<tbody>
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</tr>
</tbody>
</table>

| 26 |
| $ 49,536 |
| $ 64,397 |

| OT Extra | $ 24,768 |
| Benefits | $ 11,889 |
| $ 15,455.4 |

| Total | $ 86,193 |
| $ 112,051 |
Fire Fighter Salary Comparison
Entry Level Fire Fighter
(As of 12/29/15)

<table>
<thead>
<tr>
<th></th>
<th>Hourly Rate</th>
<th>Est Annual</th>
</tr>
</thead>
<tbody>
<tr>
<td>Buda</td>
<td>$14.40</td>
<td>$43,056</td>
</tr>
<tr>
<td>Kyle</td>
<td>$13.57</td>
<td>$38,457</td>
</tr>
<tr>
<td>San Marcos</td>
<td>$16.12</td>
<td>$44,440</td>
</tr>
<tr>
<td>Lockhart</td>
<td>$11.93</td>
<td>$35,814</td>
</tr>
<tr>
<td>Lockhart</td>
<td>$12.93</td>
<td>$38,816</td>
</tr>
</tbody>
</table>
### CURRENT STEP PAY PLAN

<table>
<thead>
<tr>
<th>Tenure Yrs</th>
<th>0</th>
<th>1 to 3</th>
<th>4+</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fire Fighter/EMT</td>
<td>$11.93</td>
<td>$12.20</td>
<td>$12.76</td>
</tr>
<tr>
<td>Tenure Yrs</td>
<td>1</td>
<td>2 to 3</td>
<td>4+</td>
</tr>
<tr>
<td>Fire Engineer</td>
<td>$13.04</td>
<td>$13.30</td>
<td>$13.87</td>
</tr>
<tr>
<td>Tenure Yrs</td>
<td>2</td>
<td>3 to 6</td>
<td>7+</td>
</tr>
<tr>
<td>Captain</td>
<td>$15.26</td>
<td>$15.80</td>
<td>$16.36</td>
</tr>
<tr>
<td>Tenure Yrs</td>
<td>2</td>
<td>3 to 6</td>
<td>7+</td>
</tr>
<tr>
<td>Fire Marshall</td>
<td>$22.37</td>
<td>$22.94</td>
<td>$23.48</td>
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</table>

### PROPOSED STEP PAY PLAN

<table>
<thead>
<tr>
<th>Tenure</th>
<th>0</th>
<th>2</th>
<th>4</th>
<th>6</th>
<th>8</th>
<th>10+</th>
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<tbody>
<tr>
<td># of Positions</td>
<td>9</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Extra Costs this FY</td>
<td>$17,363</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Tenure</th>
<th>1</th>
<th>2</th>
<th>4</th>
<th>6</th>
<th>8+</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fire Engineer</td>
<td>$14.04</td>
<td>$14.30</td>
<td>$14.87</td>
<td>$15.35</td>
<td>$15.85</td>
</tr>
<tr>
<td># of Positions</td>
<td>2</td>
<td>1</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Extra Costs this FY</td>
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<td></td>
<td></td>
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<table>
<thead>
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<th>Tenure</th>
<th>2</th>
<th>4</th>
<th>6+</th>
</tr>
</thead>
<tbody>
<tr>
<td>Captain</td>
<td>$16.26</td>
<td>$16.80</td>
<td>$17.36</td>
</tr>
<tr>
<td># of Officers</td>
<td>1</td>
<td>2</td>
<td></td>
</tr>
<tr>
<td>Extra Costs this FY</td>
<td>$1,929</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Tenure</th>
<th>2</th>
<th>6</th>
<th>8+</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fire Marshall</td>
<td>$24.37</td>
<td>$24.94</td>
<td>$25.48</td>
</tr>
<tr>
<td># of Officers</td>
<td>1</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Extra Costs this FY</td>
<td>$2,912</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

#### # Positions

<table>
<thead>
<tr>
<th>FY 15-16</th>
<th>FY 16-17</th>
</tr>
</thead>
<tbody>
<tr>
<td>9</td>
<td>$17,363</td>
</tr>
<tr>
<td>3</td>
<td>$7,683</td>
</tr>
<tr>
<td>3</td>
<td>$5,788</td>
</tr>
<tr>
<td>1</td>
<td>$2,912</td>
</tr>
</tbody>
</table>

#### Totals

<table>
<thead>
<tr>
<th>FY 15-16</th>
<th>FY 16-17</th>
</tr>
</thead>
<tbody>
<tr>
<td>$33,745</td>
<td>$45,410</td>
</tr>
<tr>
<td>$16,872</td>
<td>$22,705</td>
</tr>
<tr>
<td>$8,099</td>
<td>$10,898</td>
</tr>
<tr>
<td>$58,716</td>
<td>$79,014</td>
</tr>
</tbody>
</table>
**CONSIDERATION BY COUNCIL JAN 5 2016**

**Police and Fire Departments**

<table>
<thead>
<tr>
<th>Estimated Costs for Proposed Step Pay Plan Adjustment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Police Dept</td>
</tr>
<tr>
<td>Fire Dept</td>
</tr>
<tr>
<td><strong>Estimated Total Wages and Benefits</strong></td>
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**Estimated Budget Savings To Cover Proposed Increases**

<table>
<thead>
<tr>
<th>Police Dept</th>
<th>Estimated Savings</th>
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</thead>
<tbody>
<tr>
<td>Wage savings from unfilled positons/vacancies</td>
<td>$ 50,000</td>
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<tr>
<td>Fuel, Uniforms, Health Insurance</td>
<td>$ 6,000</td>
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<table>
<thead>
<tr>
<th>Fire Dept</th>
<th>Estimated Savings</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wage savings from unfilled positons/vacancies</td>
<td>$ 10,000</td>
</tr>
<tr>
<td>Fuel, Uniforms, Health Insurance</td>
<td>$ 3,000</td>
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<tr>
<td>Sub-total Police and Fire</td>
<td>$ 69,000</td>
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<table>
<thead>
<tr>
<th>Other Savings</th>
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<tbody>
<tr>
<td>Fuel Savings from Gen Fund Departments (9 months)</td>
<td>$ 18,000</td>
</tr>
<tr>
<td>Building Inspections Asst Bldg Official (104) (3 months)</td>
<td>$ 12,000</td>
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<tr>
<td>Planning Vacancy (3 months)</td>
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<tr>
<td>Streets (433) ($80,000 remaining)</td>
<td>$ 12,501</td>
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<tr>
<td>Planning Dept Mapping (299) Defer until FY 16-17</td>
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<tr>
<td>Health Insurance Savings from Vacancies</td>
<td>$ 9,408</td>
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<td>Subtotal Other Savings</td>
<td>$ 75,909</td>
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**Total Estimated Savings**

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<tbody>
<tr>
<td>$ 144,909</td>
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MEMORANDUM

TO: Vance Rodgers, City Manager
FROM: Michael Lummus, Chief of Police
SUBJECT: Police Pay Increase Proposal
DATE: December 17, 2015

Sir:

Per our discussions I am writing you this memo to express my support of this proposal as the first step of other discussions to take place in the future concerning the best approach to reduce personnel loss. I believe this approach is a good start to looking for and identifying plans for the future to help with retention of police officers.

I look forward to having these discussions with you. Thank you for your continued support of not only the police department employees but all city employees.

Respectfully,

[Signature]

Michael Lummus
Chief of Police
Dear Mr. Rodgers,

As my time approaches 1 yr. as Fire Chief I offer my perspective and recommendation to recruit and retain our allotted staffing of 15 shift personnel. Prior to my arrival the average yearly turnover was 2.5 members per year. During 2015, 6 members resigned to take positions in other fire departments. Two of the 6 accepted positions that required rank demotions.

Research confirms this is not the first time Lockhart Fire & Rescue has experienced similar departure numbers of career members. Recruiting and retaining quality individuals is the foundation to provide services the community expects.

Our Current staffing is 11 members and their tenure Lockhart F & Rescue is;

3 – Captains 7, 7, 1.75 years
3 - Engineers 8, 1.75 years (1 vacancy)
9 – firefighters 1 wk., 1-mo., 3 mo., 7 mo., 8 mo., 8 mo. (3 vacancies)

I have visited and listened to members regarding their decision to leave Lockhart F&R and seek employment in other fire departments. Their most stated reasons were:

1. **Wages**, are low when compare to comparable regional fire departments
2. **Step-pay program**, only provides increases for the first - 4 years.
3. **Benefits & costs**, limited and expensive for family/dependents
4. **Commute distance to Lockhart.**

The small force of fire employees, turnover, the arduous Civil Service hiring/promotion process and the list of 4 reasons above are internal factors that affect the communities’ ability to recruit and retain a quality pool of applicants. Firefighter positions are coveted, highly competitive with many applicants. Lockhart’s recent recruiting process yielded 18 applications. 4-were no shows, 1-failed written, 1-failed physical agility, 3-failed Chief’s interview. This redundant process stifles our ability to thrive.

My recommendation is to increase **Wages**, expand the **Step - pay program** to more than the current 4 yrs. and increase the step amount. Knowing “pay” is a short term motivator I see this as the first and key step to recruit and retain quality individuals. Building relationships, celebrating members success, provide more training and enhancing the work environment have begun and are key to recruit and retain employees.

I am available to discuss this with you at your convenience.

Regards,

Fire Chief Joseph A. Gorman
<table>
<thead>
<tr>
<th>Effective Date</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>10/01/2015</td>
<td>No Increase</td>
</tr>
<tr>
<td>10/01/2014</td>
<td>4% across the board</td>
</tr>
<tr>
<td>10/01/2013</td>
<td>2.5% across the board</td>
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<tr>
<td>10/01/2012</td>
<td>3% across the board</td>
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Averg last 4 years is 1.7%
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<tr>
<th>Tenure</th>
<th>Fire Fighter/EMT</th>
<th>Per Hour</th>
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<tbody>
<tr>
<td>0</td>
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<td>$ 11.93</td>
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<tr>
<td>1 to 3</td>
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<td>$ 12.20</td>
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<td>4+</td>
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<table>
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<td>$ 13.04</td>
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<tr>
<td>2 to 3</td>
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<table>
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<th>Captain</th>
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<td>2</td>
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<td>7+</td>
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<th>Fire Marshal</th>
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<tr>
<td>3 to 6</td>
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<td>$ 22.94</td>
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EXHIBIT “A”
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<td></td>
<td>Sergeant</td>
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<td>Per Hour</td>
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<td></td>
<td>Captain</td>
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EXHIBIT "B"
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<th>COLA Part-time Payroll</th>
<th>COLA Overtime Payroll</th>
<th>COLA Total Payroll</th>
<th>FICA Medicare</th>
<th>TMRS</th>
<th>Total Insurance Premium</th>
<th>Worker's Comp.</th>
<th>Total COLA Payroll</th>
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<td>397</td>
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<td>18,501</td>
<td>1,415</td>
<td>2,237</td>
<td>72</td>
<td>398</td>
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<td>18,501</td>
<td>1,415</td>
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<td>72</td>
<td>398</td>
<td>22,623</td>
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<tr>
<td>Total</td>
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<table>
<thead>
<tr>
<th>Fund</th>
<th>COLA Base Payroll</th>
<th>COLA Part-time Payroll</th>
<th>COLA Overtime Payroll</th>
<th>COLA Total Payroll</th>
<th>FICA Medicare</th>
<th>TMRS</th>
<th>Total Insurance Premium</th>
<th>Worker's Comp.</th>
<th>Total COLA Payroll</th>
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<tbody>
<tr>
<td>General Fund - Non Civil Service</td>
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<td>791</td>
<td>60,638</td>
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<td>223</td>
<td>7</td>
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<th>COLA Base Payroll</th>
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<tr>
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<td>3,367</td>
<td>55,519</td>
<td>4,247</td>
<td>6,712</td>
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CITY OF LOCKHART
COUNCIL AGENDA ITEM

CITY SECRETARY’S USE ONLY

Consent □ Regular □ Statutory

Reviewed by Finance □ Yes □ Not Applicable

Reviewed by Legal □ Yes □ Not Applicable

Council Meeting Date: December 15, 2015

Department: City Manager

Initials

Department Head: Vance Rodgers

Date

Asst. City Manager

Dept. Signature: City Manager

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

ACTION REQUESTED: X ORDINANCE □ RESOLUTION □ CHANGE ORDER □ AGREEMENT

□ APPROVAL OF BID □ AWARD OF CONTRACT □ CONSENSUS □ OTHER

CAPTION

DISCUSSION AND/OR ACTION TO CONSIDER APPROVAL OF ORDINANCE 2015-29 OF THE CITY OF LOCKHART, TEXAS REPEALING UNCODIFIED ORDINANCE 08-03 IN ITS ENTIRETY AND ADOPTING THIS ORDINANCE ESTABLISHING THE PAYMENT OF A MONETARY RECRUITMENT INCENTIVE FOR NEW POLICE OFFICER HIRES, SETTING FORTH CRITERIA FOR THE INCENTIVE; PROVIDING FOR SEVERABILITY; PROVIDING FOR PENALTY; PROVIDING FOR PUBLICATION AND PROVIDING AN EFFECTIVE DATE.

FINANCIAL SUMMARY

XN/A □ GRANT FUNDS □ OPERATING EXPENSE □ REVENUE □ CLP □ BUDGETED □ NON-BUDGETED

FISCAL YEAR:

PRIOR YEAR (IF ONLY) CURRENT YEAR FUTURE YEARS TOTALS

Budget

Budget Amendment Amount

$0.00

Encumbered/Expended Amount

$0.00

This Item

$0.00

BALANCE

$0.00

$0.00

$0.00

$0.00

FUND(S):

SUMMARY OF ITEM

The Police Department currently has 3 patrol officer vacancies. A test was held on November 7, 2015 for certified applicants. 4 applicants applied. Of the 4 applicants, 2 withdrew accepting police officer positions with other entities, and the 3rd did not pass with Chief’s interview. Ordinance 08-03 was passed in 2008 to provide a hiring incentive to increase recruitment. The incentive was used for a short time during 2008-2009 and was no longer used once the City began offering to sponsor non-certified cadets through a policy academy. Per Ordinance 08-03 the City Manager may reinstate the incentive as needed. Proposed Ordinance 2015-29 raises the hiring incentive from $2,000 to $3,000. The incentive would be paid out in 2 payments: $2,000 at the time of hire and $1,000 after successful completion of the departmental field training program.

STAFF RECOMMENDATION

Staff recommends approval of Ordinance 2015-29.

List of Supporting Documents: Ordinance 08-03, Employee Acknowledgement Form

Other Departments, Boards, Commissions or Agencies:
CITY OF LOCKHART
COUNCIL AGENDA ITEM

CITY SECRETARY’S USE ONLY
Reviewed by Finance □ Yes □ Not Applicable
□ Consent □ Regular □ Statutory
Reviewed by Legal □ Yes □ Not Applicable

Council Meeting Date: January 5, 2016
Department: City Manager
Department Head: Vance Rodgers
Dept. Signature: ◆ City Manager
Agenda Item Coordinator/Contact (include phone #): Vance Rodgers
Initials Date
12-30-15

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

CAPTION
DISCUSSION AND/OR ACTION TO CONSIDER APPROVAL OF ORDINANCE 2016-03 OF THE CITY COUNCIL OF THE CITY OF LOCKHART, TEXAS REPEALING UN-CODIFIED ORDINANCE 2014-20 IN ITS ENTIRETY AND ADOPTING THIS ORDINANCE REGARDING THE CITY PERSONNEL POLICY MANUAL REMOVING PERFORMANCE OR MERIT PAY FOR POLICE AND FIRE PERSONNEL AND ADOPTING A STEP PAY PLAN FOR POLICE AND FIRE DEPARTMENTS UNDER CIVIL SERVICE WITH ADJUSTMENTS AS APPROVED BY THE CITY COUNCIL DURING THE FISCAL YEAR 2015-2016 BUDGET OF THE CITY OF LOCKHART; PROVIDING FOR SEVERABILITY; PROVIDING A REPEALER; PROVIDING FOR PUBLICATION; AND ESTABLISHING AN EFFECTIVE DATE.

FINANCIAL SUMMARY

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<th>OPERATING EXPENSE</th>
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FUND(S):

SUMMARY OF ITEM
This item was placed on the agenda to be considered following a discussion of the agenda item regarding a need to adjust the current Fire and Police Departments step pay plans to enhance hiring and retention of qualified fire and police personnel.

STAFF RECOMMENDATION
The Police Chief, Fire Chief, and City Manager respectfully recommend approval of Ordinance 2016-03.

List of Supporting Documents: Ordinance 2014-20, proposed Ordinance 2016-03

Other Departments, Boards, Commissions or Agencies:
ORDINANCE NO. 2016-03

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LOCKHART, TEXAS REPEALING UN-CODIFIED ORDINANCE 2014-20 IN ITS ENTIRETY AND ADOPTING THIS ORDINANCE REGARDING THE CITY PERSONNEL POLICY MANUAL REMOVING PERFORMANCE OR MERIT PAY FOR POLICE AND FIRE PERSONNEL AND ADOPTING A STEP PAY PLAN FOR POLICE AND FIRE DEPARTMENTS UNDER CIVIL SERVICE WITH ADJUSTMENTS AS APPROVED BY THE CITY COUNCIL DURING THE FISCAL YEAR 2015-2016 BUDGET OF THE CITY OF LOCKHART; PROVIDING FOR SEVERABILITY; PROVIDING A REPEALER; PROVIDING FOR PUBLICATION; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City of Lockhart adopted a personnel policy manual on April 8, 1986; and

WHEREAS, certain sections address pay issues; and

WHEREAS, due to the implementation of Chapter 143 of the Texas Local Government Code for the Police Officers and Fire Fighters, "merit" pay for classified police officers and fire fighters must be abolished; and

WHEREAS, due to the implementation of Chapter 143 of the Texas Local Government Code for the Police Officers and Fire Fighters, classified police officers and fire fighters are going to be paid according to a “Step Plan”; and

WHEREAS, due to consideration of police and fire salaries and a need to enhance hiring and retention of qualified personnel, the step pay plans for police and fire classified personnel must be adjusted; and

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

I. That the matters and facts set forth in the preamble are hereby found to be true.

II. That the following Step Pay Plans for the Fire Department (Exhibit “A”) and Police Department (Exhibit “B”) are expressly incorporated by reference and adopted for classified members of the Lockhart Fire Department and Lockhart Police Department.

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

IV. Repealer: That all other ordinances, section, or parts of ordinances heretofore adopted by the City of Lockhart in conflict with the provisions set out above in this ordinance are hereby repealed or amended as indicated.
V. **Publication**: That the City Secretary is directed to cause the caption of this ordinance to be published in a newspaper of general circulation according to law.

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

VII. **Effective Date**: That this ordinance shall become effective and be in full force on February 13, 2016 beginning with work shifts starting after 12:00 A.M. on February 13, 2016.

**PASSED, APPROVED, AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF LOCKHART, TEXAS, ON THIS THE 5th DAY OF JANUARY, 2016.**

---

**CITY OF LOCKHART**

---

Lew White, Mayor

---

**ATTEST:**

---

Connie Constancio, TRMC, City Secretary

---

**APPROVED AS TO FORM:**

---

Peter Gruning, City Attorney
# Fire Department Step Pay Plan

## Civil Service Personnel

## Rate Per Hour

*Effective February 13, 2016*

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**EXHIBIT “A”**
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**EXHIBIT “B”**
CITY OF LOCKHART
COUNCIL AGENDA ITEM

CITY SECRETARY’S USE ONLY
☐ Consent ☐ Regular ☐ Statutory
Reviewed by Finance ☐ Yes ☐ Not Applicable
Reviewed by Legal ☐ Yes ☐ Not Applicable

Council Meeting Dates: January 5, 2016
Department: City Manager
Department Head: Vance Rodgers
Dept. Signature:  
Asst. City Manager
City Manager

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

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

CAPTION
Discussion and/or action regarding formal request from the Lockhart Economic Development Corporation (LEDC) for the City Council to consider under Texas Local Government Code, Sec. 253.012 conveying Lots 12-A and 12-B in Block 1, Replat of Lot12, of the Lockhart Industrial Park II (approx. 2.5 acres) to LEDC with a requirement that LEDC use the property to primarily promote a public purpose by benefiting economic development within the City or be subject to reversion back to the City, instructing the City Manager to work with the City Attorney to prepare the necessary conveyance legal documents that shall include the reversion language, and appointing the Mayor to sign all final legal documents.

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

FISCAL YEAR:

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FUND(S):

SUMMARY OF ITEM
A formal letter expected to be approved by LEDC on Monday, January 4, 2016, requests that the City Council consider transferring to LEDC with reversion rights Lots 12-A and 12-B, Block 1, Replat of Lot 12, in the industrial park. LEDC would sell or lease the property in the interest of a public purpose that primarily promotes economic development within the City. This can be done with the approval of the Council according to the Texas Local Government Code, Sec 253.012. If LEDC fails to ensure that a sale or lease does not promote economic development, the property will revert back to the City. LEDC, being a non-profit corporation, can more efficiently market the property by offering it at reduced costs as long as the buyer or lessee provides job creation and/or other verifiable economic development that benefits the City. Council has previously done this for other lots in the Industrial Park which helped to attract a large business.

STAFF RECOMMENDATION
City Manager respectfully concurs with the request by LEDC and recommends approval

List of Supporting Documents: LEDC Letter, Texas Local Govt. Code, Property Plat.

Other Departments, Boards, Commissions or Agencies:
January 4, 2016

Mayor Lew White
City of Lockhart
308 W. San Antonio Street
Lockhart, Texas 78644

Re: Request by LEDC-Transfer by City of Lots 12A and 12B, Block I

Dear Mayor White:

The City of Lockhart owns Lots 12A and 12B, in Block 1, (approx. 2.5 acres) of Lockhart Industrial Park II, Replat of Lot 12 Block 1 of the Amending Plat for Resubdivision Plat of Lockhart Industrial Park II Revision No. 2, City of Lockhart, Caldwell County, Texas, as recorded in Plat Cabinet (Volume) B Slide (Page) 108, Caldwell County Plat Records of the Lockhart Industrial Park II that the Lockhart Economic Development Department desires to market for purposes of creating jobs and benefiting the Lockhart economy. The Lockhart Economic Development Corporation (LEDC) assists with market materials and retail recruitment at the International Conference of Shopping Centers.

In an effort to efficiently market these properties and simplify the process of selling or leasing them, the LEDC respectfully asks the Lockhart City Council to consider conveying the real property to the LEDC. This would effectively free the City from being in the business of real property sales, and it would streamline the LEDC’s marketing of the property.

Texas Local Government Code, Sec. 253.012 provides for a city with a population of 20,000 or less to transfer real property to an economic development corporation without notice and bidding requirements. The consideration for the transfer is an agreement that requires the LEDC to use the property in a manner that primarily promotes a public purpose of the city. If the LEDC fails to do so, the property reverts to the city. These conditions are made part of the deed(s) to the LEDC.

If the Lockhart City Council agrees to the real property conveyance to the LEDC, then as part of any sale or lease of the real property, the LEDC will assure the City, and make a specific finding, that the property being sold or leased will primarily promote a public purpose of the City. As part of this assurance, the LEDC will require an agreement with the purchaser or lessee that assures job creation and/or other concrete and verifiable economic development that benefits the City.

Thank you for kindly considering the LEDC’s request. If you have questions or wish to further discuss this proposal, the LEDC is pleased to meet with you and the City Council. This letter was approved by the LEDC at its January 4, 2016, meeting.

Sincerely,

Fermin T. Islas
Chairperson
Lockhart Economic Development Corporation
Texas Local Government Code 253.012

Conveyance to Economic Development Corporation by Certain Municipalities

(a)

In this section, "economic development corporation" means a Type A corporation governed by Chapter 504 or a Type B corporation governed by Chapter 505.

(b)

This section applies only to a municipality with a population of 20,000 or less.

(c)

A municipality may transfer to an economic development corporation, for consideration described by this section, real property or an interest in real property without complying with the notice and bidding requirements of Section 272.001(a) or other law.

(d)

Consideration for a transfer authorized by this section is in the form of an agreement between the parties that requires the economic development corporation to use the property in a manner that primarily promotes a public purpose of the municipality. If the economic development corporation at any time fails to use the property in that manner, ownership of the property automatically reverts to the municipality.

(e)

The municipality shall transfer the property by an appropriate instrument of transfer. The instrument must include a provision that:

(1)

requires the economic development corporation to use the property in a manner that primarily promotes a public purpose of the municipality; and

(2)
indicates that ownership of the property automatically reverts to the municipality if the nonprofit organization at any time fails to use the property in that manner.

(f)

A municipality may not transfer property to an economic development corporation under this section if the municipality acquired the property through eminent domain.

Added by Acts 2009, 81st Leg., R.S., Ch. 1158, Sec. 1, eff. June 19, 2009.
CITY OF LOCKHART
COUNCIL AGENDA ITEM

CITY SECRETARY’S USE ONLY
☐ Consent   ☐ Regular   ☐ Statutory

Reviewed by Finance □ Yes □ Not Applicable
Reviewed by Legal  X Yes □ Not Applicable

Council Meeting Dates: January 5, 2016

Department: City Manager
Initials

Department Head: Vance Rodgers
Asst. City Manager

Dept. Signature: [Signature]
City Manager 12-24-2015

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

ACTION REQUESTED: [X] ORDINANCE  ☐ RESOLUTION  ☐ CHANGE ORDER  ☐ AGREEMENT
☐ APPROVAL OF BID   ☐ AWARD OF CONTRACT  ☐ CONSENSUS   ☐ OTHER

CAPTION
Discussion and/or action regarding Ordinance 2016-02 amending the Lockhart Code of Ordinances Chapter 32, Article II, Captioned “Eugene Clark Library” to create a quiet zone in the interest of a public purpose

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

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

FUND(S):

SUMMARY OF ITEM
The purpose of this ordinance is to help control unwanted noise in and around the library so that library patrons and those attending meetings can use and enjoy the library in quiet and peace. It will also help staff in performing their normal library duties because it will reduce the amount of time spent dealing with patrons and/or visitors creating noise which unreasonably interferes with persons properly using the library.

STAFF RECOMMENDATION
City Manager, City Attorney and Director of Libraries respectfully recommend approval of the ordinance as presented

List of Supporting Documents:
Ordinance 16-02

Other Departments, Boards, Commissions or Agencies:
ORDINANCE NO. 2016-02

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LOCKHART, TEXAS AMENDING THE LOCKHART CODE OF ORDINANCES, CHAPTER 32, ARTICLE II, Captioned "EUGENE CLARK LIBRARY," TO CREATE A QUIET ZONE; MAKING UNLAWFUL CERTAIN INTERFERENCE WITH THE USE OF THE LIBRARY; PROVIDING FOR PENALTY; PROVIDING FOR SEVERABILITY; PROVIDING FOR PUBLICATION; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Lockhart, Texas recognizes that the Eugene Public Library is an historical institution that provides a great public service to citizens of the City, residents of Caldwell County, and visitors to the City; and

WHEREAS, the City Council understands that the library is open to the public and is constantly used by students, families, small children, researchers, readers and writers of all ages; and

WHEREAS, the City Council has determined that the need exists for controlling noise in and around the library so that library patrons can use and enjoy the library in quiet and peace; and

WHEREAS, the City Council has determined that free, unobstructed passage on library property, and the unmolested use of the library, are necessary in order for the public to use and enjoy the library; and

WHEREAS, the enactment of this ordinance is in the public interest and serves a public purpose by providing for the public’s safe and undisturbed use of the library, and it is necessary for the protection of the public health, safety and welfare.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LOCKHART, TEXAS, that the Code of Ordinances, City of Lockhart, Texas, is hereby amended by adding sections to be numbered Sec. 32-27. - Library quiet zone, and Sec. 32-28. - Interfering in use of library, which said sections read as follows:

1.

Sec. 32-27. – Library quiet zone.

(a) The Eugene Clark Library, including its grounds, is designated as a quiet zone.

(b) It is unlawful for any person to create any noise which unreasonably interferes with persons using the library, or which unreasonably disturbs or annoys persons in the library. "Unreasonably" means unreasonable to a reasonable person of normal sensibilities.
(c) The city shall place signs conspicuously on the library premises to give notice to the public that the library is designated as a quiet zone.

(d) The provisions of this ordinance do not apply to:

(1) Sounds emitted to alert persons to an emergency;

(2) Sounds emitted by an authorized emergency vehicle;

(3) Sounds generated by a governmental entity in the performance of its governmental functions;

(4) Public utility or emergency work;

(5) City-approved parades, races, festivals, concerts, and other public entertainment;

(6) Activities pre-empted by state or federal law;

(7) City activities such as fireworks displays;

(8) Maintenance of the library;

(9) Lawful activities that constitute protected expression and/or protected assembly pursuant to the 1st Amendment of the U.S. Constitution. The rights of protected expression and assembly retain the responsibility to exercise such expression and/or assembly with regard to the rights and sensibilities of others, and within reasonable time and place limitations imposed by law.

(e) This ordinance is in addition to, and does not replace or amend, any other city ordinance regulating noise or sound.

Sec. 32-28. – Interfering in use of library.

(a) It is unlawful for any person to willfully or maliciously obstruct or molest the free passage of another person in or upon library buildings or grounds.

(b) It is unlawful for any person to willfully annoy, molest, threaten, insult, obstruct, or interfere with another person legally using the library.

II. Penalty: Any person who violates any provision of this ordinance shall commit a misdemeanor offense and, upon conviction, shall be subject to a fine imposed for such offense under Section 1-8 of the Lockhart Code of Ordinances.

III. Severability: If any provision, section, clause, sentence, or phrase of this ordinance is for any reason held to be unconstitutional, void, invalid or unenforceable, 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 be inoperative or fail by way of reason of unconstitutionality or invalidity of any other portion, provision, or regulation.

IV. Repealer: All ordinances, or parts thereof, that are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters regulated, herein.

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

V. Effective Date: That this ordinance shall become effective 10 days after the date of its passage.

PASSED, APPROVED, AND ADOPTED this the _____ day of ____________, 2016.

CITY OF LOCKHART, TEXAS

LEW WHITE, MAYOR

ATTEST:  

APPROVED AS TO FORM:

Connie Constancio, City Secretary  Peter Gruning, City Attorney
CITY OF LOCKHART
COUNCIL AGENDA ITEM

CITY SECRETARY’S USE ONLY
☐ Consent  ☐ Regular  ☐ Statutory Reviewed by Finance  ☐ Yes  ☐ Not Applicable
Reviewed by Legal  ☐ Yes  ☐ Not Applicable

Council Meeting Dates: January 5, 2016

Department: City Manager
Department Head: Vance Rodgers
Dept. Signature:

Initials  Date
Asst. City Manager
City Manager  12-28-2015

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

ACTION REQUESTED: [] ORDINANCE  ☐ RESOLUTION  ☐ CHANGE ORDER  ☐ AGREEMENT
☐ APPROVAL OF BID  [] AWARD OF CONTRACT  ☐ CONSENSUS  [x] OTHER

CAPTION
Discussion and/or action regarding $200,000 in federal funds through Capital Area Metropolitan Organization (CAMPO) allocated by Caldwell County Commissioners’ Court for engineering, design, and surveying costs involved with the reconstruction of City Line Road between SH 142 and Clearfork Street.

FINANCIAL SUMMARY
☐ INIA  ☐ GRANT FUNDS  ☐ OPERATING EXPENSE  ☐ REVENUE  ☐ CIP  ☐ BUDGETED  ☐ NON-BUDGETED

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FUND(S):$ 200,000 STMP MM Federal Transportation Funds through CAMPO

SUMMARY OF ITEM
Mayor White visited with Judge Schawne about this project. City Manager requested on behalf of the City Council that the Commissioners’ Court consider allocating $200,000 toward the engineering, design, and surveying costs associated with reconstruction of City Line Road between SH 142 and Clearfork. This allocation was graciously and unanimously approved by the Commissioners’ Court at the Monday, December 28, 2015, meeting. There is a 20% match required for these STMP MM transportation funds through CAMPO. Match can be cash or toll road credits based on volumes which we will explore. These funds will help Lockhart to have a “shovel ready project” should additional funding become available to reconstruct City Line Road.

STAFF RECOMMENDATION
City Manager recommends sending the attached letter of appreciation signed by the Mayor and Councilmembers to the Commissioners’ Court for their approval of the requested allocation by the City.

List of Supporting Documents:
Emails and Commissioners’ Court Agenda

Other Departments, Boards, Commissions or Agencies:

12
Vance Rodgers

From: Vance Rodgers
Sent: Wednesday, December 23, 2015 5:21 PM
To: Judge Ken Schawe; Alfredo Munoz
Cc: Charles Scheler; Lew White; 'Michael Aulick'
Subject: City Line Rd. (County Rd. 219) from SH 142 to Clearfork Street- Reconstruct to at least 4 lanes

Tracking:

Recipient
Judge Ken Schawe
Alfredo Munoz
Charles Scheler
Lew White
'Michael Aulick'

Read

Judge Schawe and Commissioner Munoz:

I understand from Michael Aulick that allocation of over $900,000 in available funds are going to be considered on Monday, December 28, by the Commissioners' Court.

I have visited with Michael Aulick about City Line Road between SH 142 and Clearfork Street as a project. Eventually, the road would be extended south and east to FM 20 West and then to US 183 South.

The current estimate to reconstruct this roadway is $1.85 million.

Any consideration given to allocating $200,000 towards design, engineering, and surveying would be much appreciated as it would benefit Lockhart and Caldwell County residents that attend the Junior High School and participate on the athletic fields on Maple Street.

This would allow the City of Lockhart to have a "shovel ready project" should a funding source become available.

Respectfully,

Vance Rodgers
City Manager
(512) 398-3461, ext 224
Cell (512) 376-8149
Fax (512) 398-5103

The information transmitted in this message is intended only for the person or entity to which it is addressed and may contain confidential and/or privileged material. If the reader of this message is not the intended recipient, you are hereby notified that your access is unauthorized, and any review, dissemination, distribution or copying of this message including any attachments is strictly prohibited. If you are not the intended recipient, please contact the sender and delete the material from any computer.

Please note that any correspondence, such as e-mails or letters, sent to the City of Lockhart staff or public officials is public record and may be made available for Public/media review.

C. Approve payment to Rucker Ohlendorf Insurance for renewal of bond #14938679 for the Unit Road Supervisor, Dwight Jeffrey, in the amount of $50.00.

D. Approve payment to Rucker Ohlendorf Insurance for renewal of bond #18263303 for the County Clerk, Carol Holcomb, in the amount of $350.00.

E. Approve payment to Rucker Ohlendorf Insurance for renewal of bond #15530866 for Court Clerk for Justice of the Peace #2, Shanna Conley, in the amount of $50.00

(ALL OTHER AGENDA ITEMS)

2015.12.28.06 Discussion/Action to adopt the decrease in IRS 2016 standard mileage rates for business, medical and moving purposes. Cost: TBD. None. Speaker: Debra French/Judge Schawe. Backup: 1


2015.12.28.08 Discussion/Action to approve the appointment of Judge Schawe to the CAPCOG Clean Air Coalition Advisory Committee. Cost: None. Speakers: Judge Schawe. Backup: None.


2015.12.28.10 Discussion/Action to authorize the County Judge to sign a Telephone Maintenance and Support Agreement with North American Communications Resource (NACR). Cost: TBD. None. Speaker: Judge Schawe. Backup: 1

2015.12.28.11 Discussion/Action to select and approve projects including low water crossings in Caldwell County for allocated federal STP MM transportation funding and authorize the County Judge to submit the list of projects to the CAMPO Transportation Policy Board. Cost: TBD. Speakers: Commissioner Munoz/Michael Aulick/Dwight Jeffrey. Backup: 1.

2015.12.28.12 Executive Session pursuant to Sections 551.071 and 551.072 of the Texas Government Code: consultation with counsel and deliberation regarding the purchase, exchange, lease, or value of County-owned real property located at 100 E. Market Street. Possible action may follow in open court. Speaker: Judge Schawe.
January 5, 2016

Honorable County Judge and Commissioners
Caldwell County
101 S. Main Street
Lockhart, Texas 78644

Re: Appreciation for Support: STMP MM Transportation Funds

Dear Judge and Commissioners:

The Lockhart City Council greatly appreciates the support of each of you in approving $200,000 in STMP Transportation Funds for engineering, design, and surveying of City Line Road (formerly CR 219) between SH 142 and Clearfork Street. Because of your help, the City of Lockhart will have a “shovel ready project” when additional funds are made available to reconstruct this heavily used roadway to City standards.

Again, thank you.

Sincerely,

Lew White, Mayor

Angie Gonzales-Sanchez
Mayor Pro-tem

Brad Westmoreland
Councilmember at Large

Juan Mendoza
District 1

John Castillo
District 2

Benny Hilburn
District 3

Jeffry Michelson
District 4
CITY OF LOCKHART
COUNCIL AGENDA ITEM

CITY SECRETARY’S USE ONLY
☐ Consent ☐ Regular ☐ Statutory

Reviewed by Finance ☐ Yes ☐ Not Applicable
Reviewed by Legal X Yes ☐ Not Applicable

Council Meeting Dates: January 5, 2016

Department: City Manager

Department Head: Vance Rodgers Asst. City Manager

Dept. Signature: [Signature] City Manager 12-25-2015

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

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

CAPTION
Discussion and/or action regarding City Manager’s proposed policy prohibiting City employees from carrying guns, concealed or otherwise, while on duty or in a City vehicle or private vehicle used for City business, unless the employee is a certified licensed peace officer.

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

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FUND(S):

SUMMARY OF ITEM
Attached is a City Manager proposed policy that prohibits City employees from carrying guns, concealed or otherwise, while on duty or while in a City vehicle or private vehicle used for City business, unless the employee is a certified licensed peace officer.

STAFF RECOMMENDATION
City Manager seeks comments from Council before policy is put in place.

List of Supporting Documents: Proposed Policy, City Attorney comments
Other Departments, Boards, Commissions or Agencies:
Policy: Prohibited Firearms in the Workplace

Issued by: City Manager

City of Lockhart

Effective Date: January 11, 2016

Purpose:

To help ensure safety and well-being of City of Lockhart employees and citizens

Policy:

All City of Lockhart employees are prohibited from being in possession of concealed or open carry firearms as defined by State Law while on duty working for the City of Lockhart and while driving or operating City vehicles or equipment unless the employee is a licensed peace officer.

City of Lockhart employees may have in compliance with State Law secured firearms in their person vehicles on City property provided the vehicle is not used to conduct City business.
Hi Vance,

My suggestion is that we use the policy but keep a close eye on what happens state-wide as the new firearms laws are implemented and then interpreted by the courts. Texas Govt. Code, Sec. 411.203 allows us to prohibit employees from carrying firearms on city premises, but ‘premises’ is defined in Penal Code, Sec. 46.035(f)(3) as a building or portion of a building. Texas Labor Code Sec. 52.061 says employees legally possessing a firearm may possess them in a locked, privately-owned vehicle in a city parking lot, garage, or other parking area. Labor Code Sec. 52.062(b) is essentially the same as Govt. Code, Sec. 411.203 and says we can prohibit employees from carrying firearms in a city building or part of a building. I haven’t found any statutory language dealing with employees who use their private vehicles for public business, and the issue of whether they can carry a firearm in the vehicle under those circumstances. It seems reasonable that a city can restrict them as noted in the policy, but I’m afraid it’s a wait and see situation.

Thanks, Peter

Peter Gruning
Attorney at Law
P.O. Box 314
San Marcos, Texas 78667-0314
512/396-2051

This message is intended only for the person or entity to which it is addressed and may be confidential or privileged. If you are not the intended recipient, please IMMEDIATELY contact the sender and delete the message and all attachments from your computer(s).

Hello Peter:

Please see above draft policy which want to take to Council. I have visited with several City Managers about the steps they are taking. Comments, recommendations?

What is the status of the property at 800 Stueve Lane which Council approved purchase of from the Greater Round Rock Community Group?

thanks

Vance Rodgers
City Manager
(512) 398-3461, ext 224
Cell (512) 376-8149
Fax (512) 398-5103
Weapons at Work

1. Regarding the legality of a policy barring weapons at work, preventing possession of weapons while in company vehicles or on company business, or even restricting an employee from carrying a concealed weapon during work hours in his or her own car that is used for company business, the considerations below may be relevant.

2. The Constitutional protection afforded to U.S. citizens in the Second Amendment does not apply to disputes or controversies between private citizens, so a company would not be constrained under the U.S. Constitution from enforcing such a policy.

3. The Texas Constitution would also not apply in such a way.

4. There is no federal or Texas law that would prohibit a company from enforcing such a policy and insisting that employees follow it as a condition of employment.

5. A weapons policy should be specific enough to cover the general categories that include the usual implements of combat, mayhem, and personal violence (firearms; clubs; sharp and/or pointed objects; explosive or incendiary devices; and noxious, caustic, or toxic chemicals, for example), and may prohibit anything that the employer believes could be used by someone to inflict harm upon another.

6. The policy may also cover ordinary objects that are used as weapons against others.

7. In most cases, the property right of an owner or custodian of business premises to control who and what comes onto the property overrides the right of a person to carry a weapon onto the premises - that applies even to a holder of a "concealed carry" license.

8. A new Texas statute (Labor Code Section 52.061) allows CCL holders and those who legally possess firearms to have such firearms and ammunition inside their own locked vehicles parked on their employer’s property, but that does not extend to vehicles parked somewhere else. The Texas Attorney General's Office has explained that statute in Opinion No. GA-0972.

9. It would be best, from the standpoint of enforceability, public relations, and morale, to restrict the policy's coverage to the minimum extent needed for safety and other business considerations. However, if the employee violates a weapons law, even while off-duty, in such a way that it damages the company's reputation, goodwill, or business standing in the community, or causes his work to suffer (absences due to answering the charge), such a violation could legitimately be the basis for appropriate corrective action.
CITY OF LOCKHART
COUNCIL AGENDA ITEM

CITY SECRETARY’S USE ONLY
□ Consent □ Regular □ Statutory
Reviewed by Finance □ Yes □ Not Applicable
Reviewed by Legal □ Yes □ Not Applicable

Council Meeting Dates: January 5, 2016

Department: City Manager
Initials

Department Head: Vance Rodgers
Asst. City Manager

Dept. Signature: [Signature]
City Manager

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

ACTION REQUESTED: □ ORDINANCE □ RESOLUTION □ CHANGE ORDER □ AGREEMENT
□ APPROVAL OF BID □ AWARD OF CONTRACT □ CONSENSUS [X] OTHER

CAPTION
Discussion and/or action regarding a proposed 5 year contract with the Hill Country Cook-Off Association for use of City Park for its annual event to be held each 2nd weekend in October beginning in 2016

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

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

FUND(S): None; In-kind services will be provided.

SUMMARY OF ITEM
Councilmember Castillo requested that City Manager meet with Mr. Richard Anzaldua and others with the Hill Country Cook-Off Association last week to discuss an annual use agreement of City Park for their cook-off event. The last one held in the park was very well planned, well attended, and economically beneficial to Lockhart area residents and businesses. This group provides all insurance requirements. The event holders did a fantastic job cleaning up after the event. The HCCO has requested a 5 year agreement for use of City Park the 2nd weekend in October beginning in 2016.

STAFF RECOMMENDATION
City Manager respectfully requests approval to prepare and sign the agreement under basic same terms as the last event.

List of Supporting Documents: Other Departments, Boards, Commissions or Agencies:
History, Outline of agreement
Basic Outline

With approval of the Lockhart City Council, this event is approved for the next 3 years and the park will be reserved for use by The Hill County Cook-Off Association for 2nd weekend in October beginning October 8th and 9th 2016.

Basic Outline from Last Event:

Because HCCO is a 501 non-profit and since the City of Lockhart will be a co-sponsor, the City Park fee of $1,000 is waived.

It is City’s understanding that:

1. No electric power will be needed
2. No special water needs

HCCO will provide:

1. detailed event map showing cook areas and parking areas
2. general liability policy naming the City of Lockhart as an additional insured
3. all required beer permits and liability insurance naming City of Lockhart as an additional insured.
4. assurance that all cook participants have fire extinguishers and follow all current Texas Establishment Food Handler Regulations (TFER)
5. provide sufficient portable restrooms to supplement existing park facilities
6. children activity events
7. possible music entertainment in the Amphitheater area
8. trash pickup and disposal in area park dumpsters
9. barricades as necessary
10. advertisement of the event with Lockhart logo as a co-sponsor and as “BBQ Capital of Texas”.
11. security during the event
12. complete cleanup of area during event and after event
13. restoration of event and parking surfaces if damaged
14. a complete financial statement
15. proof of non-profit status and where profits will be donated
$13,000 In Cash & Prizes

“11th Annual” Hill Country State Championship BBQ Cook-Off
OCTOBER 9TH & 10TH 2015
BBQ CAPITOL OF TEXAS * LOCKHART, TEXAS
LOCKHART CITY PARK

*1, 2, 3 place’s on sanctioned meats qualify for Meridian National Championship *

$2,500 First Place Brisket
Along with “BIG BERTHA” 8 FOOT Trophy

$2,500 Pork Ribs * $2,500 Chicken

Cook’s can set up on Thursday 8th, 2015 at 10:00am
Competition starts on Friday – RV’s, Campers, Buses are welcomed.
No Power (Bring Generators) Limited water, Golf Cars Welcome

Entry Fees:
LSBS Sanctioned 3 Meats - $200.00
(Includes: Brisket, (2) ½ Chicken, Pork Spare Ribs)

ADDITIONAL ENTRIES

<table>
<thead>
<tr>
<th></th>
<th>Brisket</th>
<th>Chicken</th>
<th>Pork Ribs</th>
<th>Pulled Pork</th>
<th>Fajitas</th>
<th>Beans</th>
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<tbody>
<tr>
<td>1st</td>
<td>$2,500.00</td>
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<tr>
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<tr>
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</table>

> Pulled pork does count towards points for Grand Champ and Res Champion <

80% PAYBACK ON CHILI AND COOKS CHOICE: 1ST – 2ND PLACE
Trohphies and Ribbons awarded to tenth place on all categories
*Trophies will be given for Grand Champion and Reserved Grand Champion*
Grand Champ Qualifies for the American Royal in Kansas City, Missouri
Grand Champ Qualifies to get their name in the drawing for the Jack Daniels
Friday Turn-in’s will be called Friday night.

Proceeds will benefit The Hill Country Cook-Off Association Community Projects.
CONTACT PERSON: RICHARD ANZALDUA 512-644-0881 or richanza@yahoo.com
For Apps & Rules go to www.facebook.com/hcco san marcos
Dear Sponsor/Supporter:

On behalf of (HCCO) Hill Country Cook-Off Association we would like to thank you for your support and sponsorship on the 11th Annual Hill Country State Championship BBQ Cook-Off. Proceeds of this year’s event will go out to support families coping with cancer and to support The Make-A-Wish Foundation in memory of our grandson, Elijah Lee Deleon who lost his battle to Leukemia in 2014. With the Grace of God and hard work the Hill Country State Championship BBQ Cook-Off is now the third largest BBQ competition in the state of Texas. We are proud to have you as a great supporter in our efforts that someday cancer will not harm our loved ones.

In being a sponsor, we would like to show our appreciation by inviting you and your guest to our cook-off. Please accept these wristbands to enter our VIP area which will be located at the covered pavilion, for some cold drinks, live music and Texas Bar-B-Que. The menu will be sliced/chopped brisket, pulled pork and sausage wrap/on a stick. We hope you enjoy this years cook-off and hope to see you for the years to follow.

Thank You & God Bless,

Richard Anzaldua

Richard Anzaldua
HCCO Founder & CEO

VIP Hours:

Friday, October 9th    7:00pm – 10:00pm

Saturday, October 10th  11:00am – 4:00pm
CITY OF LOCKHART
COUNCIL AGENDA ITEM

CITY SECRETARY'S USE ONLY

□ Consent  □ Regular  □ Statutory

Reviewed by Finance  □ Yes  □ Not Applicable
Reviewed by Legal  □ Yes  □ Not Applicable

Council Meeting Dates: January 5, 2016

Department: City Manager
Initials  Date

Department Head: Vance Rodgers
Asst. City Manager

Dept. Signature:  City Manager  12-25-2015

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

ACTION REQUESTED:  [ ] ORDINANCE  □ RESOLUTION  □ CHANGE ORDER  □ AGREEMENT
□ APPROVAL OF BID  [ ] AWARD OF CONTRACT  □ CONSENSUS  [X] OTHER

CAPTION
Discussion and/or action after update report by City Manager regarding 2015 Certificates of Obligation projects

FINANCIAL SUMMARY

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

FISCAL YEAR:  PRIOR YEAR (CIP ONLY)  CURRENT YEAR  FUTURE YEARS  TOTALS

Budget  $0.00

Budget Amendment Amount  $0.00

Encumbered/Expended Amount  $0.00

This Item  $0.00

BALANCE  $0.00  $0.00  $0.00  $0.00

FUND(S):

SUMMARY OF ITEM
City Manager to provide update regarding 2015 Certificates of Obligation projects

STAFF RECOMMENDATION

N/A

List of Supporting Documents:  Other Departments, Boards, Commissions or Agencies:
List of projects and status
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<tr>
<th>Project Names (Partial List)</th>
<th>Notes - Challenges</th>
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<tbody>
<tr>
<td>Mesquite-Braden-Vega-Wichita</td>
<td>Obtaining properties for detention ponds has been difficult. Hope to bid out in 2016.</td>
</tr>
<tr>
<td>Richland Drive</td>
<td>Obtaining drainage easements and detention pond was a challenge. Hope to bid out in 2016.</td>
</tr>
<tr>
<td>Century Oaks</td>
<td>Will send notices to residents before construction starts.</td>
</tr>
<tr>
<td>Ash-Colal</td>
<td>Will send notices to residents before construction starts.</td>
</tr>
<tr>
<td>Siren Early Warning System</td>
<td>Poles set, radios ordered, and siren system ordered.</td>
</tr>
<tr>
<td>Wastewater Main - SH 130/SH 142</td>
<td>Permits from TXDOT to bore SH 142 and from Union Pacific Railroad to bore under the tracks</td>
</tr>
<tr>
<td>Water Transmission Main East of FM 132 westerly to FM 20 West</td>
<td>Obtaining properties information and identifying needed easements</td>
</tr>
<tr>
<td>Water Tower Near FM 2001 and SH 142</td>
<td>Obtaining properties information and identifying needed easements</td>
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<table>
<thead>
<tr>
<th>% of Design</th>
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<td>Safety</td>
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<td>Wastewater</td>
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<td>Water</td>
<td>25%</td>
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<tr>
<td>Water Transmission Main East of FM 132 westerly to FM 20 West</td>
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<tr>
<td>Water Tower Near FM 2001 and SH 142</td>
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CITY OF LOCKHART
COUNCIL AGENDA ITEM

CITY SECRETARY’S USE ONLY
□ Consent □ Regular □ Statutory
Reviewed by Finance □ Yes □ Not Applicable
Reviewed by Legal □ Yes □ Not Applicable

Council Meeting Dates: January 5, 2016

Department: City Manager
Initials
Department Head: Vance Rodgers
Asst. City Manager

Dept. Signature: [Signature]
City Manager 12-25-2015

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

ACTION REQUESTED:
[] ORDINANCE □ RESOLUTION □ CHANGE ORDER □ AGREEMENT
□ APPROVAL OF BID [] AWARD OF CONTRACT □ CONSENSUS [X] OTHER

CAPTION
Discussion and/or action regarding City cell phones for Mayor and Council

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

<table>
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FUND(S):

SUMMARY OF ITEM
Mayor White asked that this item be placed on the agenda for discussion and/action by the Council. The estimated annual costs for phone service, texting, and email service is estimated at $6,300

STAFF RECOMMENDATION

NA

List of Supporting Documents: Other Departments, Boards, Commissions or Agencies:
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<tr>
<th>DISTRICT</th>
<th>DATE</th>
<th>RESIDENCE</th>
<th>BOARD REQUESTED</th>
<th>APPLICANT</th>
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<tr>
<td>District 3</td>
<td>December 31, 2015</td>
<td>Historic Preservation Commission</td>
<td>Ron Fulschen</td>
<td>NEW APPLICANT</td>
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<tr>
<td>District 3</td>
<td>December 22, 2015</td>
<td>Historic Preservation Commission</td>
<td>John Lassen</td>
<td>NEW APPLICANT</td>
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<tr>
<td>District 4</td>
<td>February 4, 2015</td>
<td>Wayne Reedet</td>
<td>(community services on Board of Adjustment yet</td>
<td>Planning &amp; Zoning Commission</td>
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**Applications Received To Be On A Board/Commission**

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<th>Mayor (Replaces 11/19/2013)</th>
<th>Vacant - Replaces 11/11/2013</th>
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<tr>
<td>Vacant - Replaces 12/17/2015</td>
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**Vacancies**

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<tr>
<th>Councilmember</th>
<th>Board of Adjustment</th>
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<tbody>
<tr>
<td>Vacant - Replaces 08/8/2015</td>
<td>Vacant - Replaces 08/8/2015</td>
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</table>

**Vacancies**

<table>
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<tr>
<th>Reappointments/Vacancies</th>
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</thead>
<tbody>
<tr>
<td>Board of Adjustment</td>
</tr>
</tbody>
</table>
CITY OF LOCKHART

ADVISORY BOARD/COMMISSION QUESTIONNAIRE/APPLICATION

NAME: John A. Laursen  
E-mail: Laursen1@gmail.com

ADDRESS: 701 Campbell Street  
Lockhart, TX 78644

HOME#: 512-618-0700  
WORK#: 512-396-7446

OCCUPATION: GM Tanger Outlets San Marcos/Terreil  
CELL#: 512-618-0700

EDUCATION (optional): TXSU

How long have you been a resident of Lockhart?  9 years

Are you a qualified voter of the City?  Yes [✓]  No [ ]  VOTER REG. #: Will provide

PROFESSIONAL AND/OR COMMUNITY ACTIVITIES: President Gaslight-Baker Theatre, LEPC Committee Hays/Caldwell, San Marcos CVB Board,

ADDITIONAL PERTINENT INFORMATION/REFERENCES: Lew White

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

Do you serve on any other board/commission/committee at this time?  If so, please list: Former Board of Construction Adjustments and Appeals, resignation date 12/22/15

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

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

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

Signature of Applicant: John Laursen  
(Date): 10/02/15

Return application to:
City of Lockhart
City Secretary's Office
PO Box 239
Lockhart, TX 78644

If you have any questions, please contact the City Secretary's Office at 512/398-3461

RECEIVED  DEC  22  2015
CITY OF LOCKHART
CITY SECRETARY'S OFFICE
Connie Constancio

From: John Lairsen <John.Lairsen@tangeroutlets.com>
Sent: Tuesday, December 22, 2015 7:03 AM
To: Connie Constancio
Cc: Lew White; Vance Rodgers
Subject: Re: Historical Preservation Commission

Lairsen's Resignation to Construction Board

Yes, I would like to resign from the Const Board and serve on the Historic Committee.
Thank you
John

Sent from my iPhone

> On Dec 22, 2015, at 6:59 AM, Connie Constancio <cconstancio@lockhart-tx.org> wrote:
> Hi John,
> I appreciate your willing to serve on another board.
> I show that you are a current member of Construction Board. Unfortunately, you may only serve on one board.
> Please let me know if you want to resign from Const Bd to be eligible to serve on Historic Committee.
> Have a good day!
>
> From: John Lairsen [John.Lairsen@tangeroutlets.com]
> Sent: Monday, December 21, 2015 10:33 AM
> To: Connie Constancio
> Cc: Lew White
> Subject: Historical Preservation Commission
>
> Hi Connie,
> Lew asked me to contact you regarding the Vacant At Large open position on the Historical Preservation Commission. Lew has asked that I serve on this commission and I have accepted. Please let me know what you need from me, I currently Chair the Construction Board of Adjustments & Appeals so all applicable required public service/training forms should be on file.
> Thank you
> John
CITY OF LOCKHART

ADVISORY BOARD/COMMISSION QUESTIONNAIRE/APPLICATION

NAME: Ron Faulstich
E-mail: ron@pslockhart.com

ADDRESS: 121 Nueces St.
Lockhart TX 78644

HOME#: WORK#: 512-398-5352

OCCUPATION: Printer
CELL#: 512-785-4331

EDUCATION (optional): USAF

How long have you been a resident of Lockhart? 15 years

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

PROFESSIONAL AND/OR COMMUNITY ACTIVITIES: Past Chairman of the Lockhart Chamber of Commerce.
Secretary CTTCG (chili group) have served on numerous Lockhart city committees.

ADDITIONAL PERTINENT INFORMATION/REFERENCES: Owner of 2 buildings with 1 my business on the Lockhart Square both built in 1910. My home also built in 1890. My References Mayor White Mayor Sanders and numerous leaders in Lockhart

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

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

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

Signature of Applicant

Return application to:
City of Lockhart
City Secretary's Office
PO Box 239
Lockhart, TX 78644

12-31-15 (Date)

If you have any questions, please contact the City Secretary's Office at 512/398-3461.
Gibeaux Resignation

From: jgibeaux@outlook.com [mailto:jgibeaux@outlook.com] On Behalf Of Jeff Gibeaux
Sent: Wednesday, December 16, 2015 12:11 PM
To: Lew White
Cc: Shane Mondin; Dan Gibson; Ronda Reagan; Richard Mendez; Yvette Aguado; terencegahan@gmail.com; kkm@austin.rr.com; viccorpus23@gmail.com
Subject: RE: Historical Preservation Commission meeting

Mayor:
As we recently discussed, I travel frequently these days and am less available to attend meetings. I would therefore like to tender my resignation from the Historic Preservation Board and allow a more active participant to join. I sincerely have enjoyed the opportunity to participate over the past few years, and I will continue to work to make the downtown the best it can be. Best wishes and happy holidays to ya'll!

Sincerely,

Jeff W. Gibeaux, PE
Principal

US Construction Consultants, LLC
107 N. Main Street
P O Box 68
Lockhart, Texas 78644
(512) 923-5961
uscctx.com

From: vaguado@lockhart-tx.org
To: kkm@austin.rr.com; jwg@usconstructionconsultants.com; terencegahan@gmail.com; viccorpus23@gmail.com; jrmendez21@yahoo.com; rreagan2@austin.rr.com
CC: smondin@lockhart-tx.org; dgbison@lockhart-tx.org
Subject: RE: Historical Preservation Commission meeting
Date: Wed, 16 Dec 2015 14:41:46 +0000

Good morning all,

Please confirm if you will be attending the LHPC meeting at 5:30 this afternoon. I will be contacting those I do not receive response from via phone beginning at 9:30am.
(1) **Board and the Commission Board of Appeals.**

The Board and the Commission Board of Appeals are established by the League of Cities to ensure the fair and impartial consideration of appeals involving the decisions of the Commission. The Board consists of five members, appointed by the Mayor of the City or the Board of Commissioners, representing various interests and backgrounds.

(2) **Selection of Commission and Committee Members.**

The Commission and committee members are selected by the Mayor to ensure the representation of the diverse needs of the community. The Mayor appoints new members to replace those who resign, retire, or are removed for reasons of inactivity or incapacity.

(3) **Removal and Reinstatement of Members.**

The Mayor may remove members for cause and may reinstate them upon recommendation of the Commission. The Commission may also remove members for cause, and may reinstate them upon recommendation of the Mayor.

(4) **Qualifications of Members.**

All members of the Commission and committee members must meet certain qualifications, including residency in the City, being a registered voter, and having no financial interest in any business or activity that would conflict with their duties.

(5) **Meetings of the Commission.**

The Commission meets on the first Wednesday of each month, at 7:30 PM, at the City Hall. Special meetings may be called by the Mayor or the Commission for the purpose of conducting business.

(6) **President and Secretary.**

The President of the Commission is elected by the members at the first meeting of the Commission in each year. The Secretary records all proceedings of the Commission and maintains a record of all actions taken.

(7) **Powers and Duties.**

The Commission has the power to investigate, hear, and determine appeals and to make recommendations to the Board of Appeals. The Commission also has the authority to adopt rules and regulations necessary for the proper administration of its duties.

(8) **Annual Report.**

The Commission is required to submit an annual report to the Mayor, the City Council, and the public, summarizing its activities, accomplishments, and recommendations for improvements.

(9) **Budget and Expenditures.**

The Commission's budget is prepared and submitted to the City Council for approval. The Commission is responsible for the prudent management of its funds and the efficient expenditure of public funds.
<table>
<thead>
<tr>
<th>Date</th>
<th>Appointee</th>
<th>Board/Commission</th>
</tr>
</thead>
<tbody>
<tr>
<td>11/03/50</td>
<td>Manuel Oliva</td>
<td>Planning &amp; Zoning</td>
</tr>
<tr>
<td>11/03/50</td>
<td>Rob Ornes, Attorney</td>
<td>Parks and Recreation</td>
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<tr>
<td>11/03/50</td>
<td>James R. Thomas</td>
<td>Library Board</td>
</tr>
<tr>
<td>11/06/10</td>
<td>John Wilson</td>
<td>Historical Preservation</td>
</tr>
<tr>
<td>11/10/20</td>
<td>Richard Crochet, Chair</td>
<td>Electric Board</td>
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<tr>
<td>11/06/50</td>
<td>James Briscoe</td>
<td>Eco Drive Corp % Cen Sales Tax</td>
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<tr>
<td>11/03/10</td>
<td>Fernanda Flores, Chair</td>
<td>Eco Drive, Revolving Loan</td>
</tr>
<tr>
<td>11/07/07</td>
<td>Dr. Philip Wiles</td>
<td>Construction Board</td>
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<tr>
<td>11/17/10</td>
<td>Israel Zepher</td>
<td>Board of Adjustment</td>
</tr>
<tr>
<td></td>
<td>VACANT (5) Remaining resulted 8/5/2017</td>
<td>Airport Board</td>
</tr>
<tr>
<td>11/17/12</td>
<td>Reed Carse</td>
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<tr>
<td>11/04/12</td>
<td>Adam Rodriquez</td>
<td>Planning &amp; Zoning</td>
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<tr>
<td>11/06/12</td>
<td>Linda Thompson-Bennett</td>
<td>Parks and Recreation</td>
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<tr>
<td>11/07/12</td>
<td>Shelly Williams</td>
<td>Library Board</td>
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<td>11/05/70</td>
<td>Victor Alvarado</td>
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<td>11/03/12</td>
<td>Thomas Herrera</td>
<td>Electric Board</td>
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<td>Brian Laszlo</td>
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<td>Tom Basilt</td>
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<td>11/03/14</td>
<td>Bili Paul</td>
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<td>11/07/12</td>
<td>Alber Villalpando, Chair</td>
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<td>11/03/12</td>
<td>Stephanie Allende</td>
<td>Library Board</td>
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<td>11/07/12</td>
<td>VACANT 1: Chair, intersect 11/1/15</td>
<td>Historical Preservation</td>
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<td>11/07/12</td>
<td>Joe Colley, Chair</td>
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<td>Alber Holders, Vice-Chair</td>
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<td>Ralph Gilde</td>
<td>Construction Board</td>
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<td>VACANT - Alternate</td>
<td>Board of Adjustment</td>
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<tr>
<td>11/07/12</td>
<td>Mike Harvard</td>
<td>Airport Board</td>
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<tr>
<td>11/07/12</td>
<td>John Himmelman</td>
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District 2 - John Castillo

District 1 - Juan Mendosa

Mayor - Law White

Council Member Board/Commission Appointments
<table>
<thead>
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<tr>
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<td>Juan Alarcon, Jr.</td>
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<td>Board of Adjustment</td>
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<td>Laura Cline, Chair</td>
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<td>Mayor Pro-Team (s-large)</td>
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<td>Date</td>
<td>Member Name</td>
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<tr>
<td>03/17/15</td>
<td>Tim Clark</td>
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<tr>
<td>03/17/15</td>
<td>Johnny Barton</td>
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<tr>
<td>03/17/15</td>
<td>Ken Meador</td>
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<td>03/17/15</td>
<td>Terry Black</td>
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<tr>
<td>03/17/15</td>
<td>Nancy Madden</td>
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<tr>
<td>03/17/15</td>
<td>Marisol Pro-Tam Sanchez</td>
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<tr>
<td>Vacant(2)</td>
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<tr>
<td>03/07/12</td>
<td>Ray Sanders</td>
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<tr>
<td>03/07/12</td>
<td>Alan Fields</td>
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<td>Christian Black</td>
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<td>Rebecca Lockhart</td>
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<td>Terrance Cotton</td>
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<td>Frank Estudillo</td>
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<td>Gary Shriver</td>
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<td>12/10/11</td>
<td>Harvey Casillo</td>
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<tr>
<td>12/10/11</td>
<td>Jayson &quot;Tex&quot; Cordera</td>
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*Updated 1/29/2015*
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<thead>
<tr>
<th>Priority</th>
<th>Councilmember</th>
<th>Goals</th>
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<tbody>
<tr>
<td>1</td>
<td>Gonzales-Sanchez, Angie</td>
<td>Infrastructure: Drainage, Street Repairs, Completion of Curbing, Brighter Lighting in neighborhoods</td>
</tr>
<tr>
<td>1</td>
<td>Hilburn, Benny</td>
<td>Continue to improve City infrastructure</td>
</tr>
<tr>
<td>1</td>
<td>Mendoza, Juan</td>
<td>Work with or Hire Retail Recruiting Agency to help attract more retail to Lockhart</td>
</tr>
<tr>
<td>1</td>
<td>Michelson, Jeffry</td>
<td>Improve streets all over town: curbs and overlays</td>
</tr>
<tr>
<td>1</td>
<td>Roland, Kenny</td>
<td>Drainage projects to give relief to residents</td>
</tr>
<tr>
<td>1</td>
<td>White, Lew</td>
<td>Drainage projects</td>
</tr>
<tr>
<td>1</td>
<td>Castillo, John</td>
<td>Improve streets and drainage</td>
</tr>
<tr>
<td></td>
<td>Gonzales-Sanchez, Angie</td>
<td>Economic Development: Recruit more businesses especially retail; contact existing and vacant bidg 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</td>
</tr>
<tr>
<td>2</td>
<td>Hilburn, Benny</td>
<td>Continue to look for ways to attract businesses to Lockhart</td>
</tr>
<tr>
<td>2</td>
<td>Mendoza, Juan</td>
<td>Start strategizing a plan with LEDC on ways to sell Lockhart</td>
</tr>
<tr>
<td>2</td>
<td>Michelson, Jeffry</td>
<td>Continue to improve city parks</td>
</tr>
<tr>
<td>2</td>
<td>Roland, Kenny</td>
<td>Fix bad curbs causing drainage problems and street damages in existing neighborhoods</td>
</tr>
<tr>
<td>2</td>
<td>White, Lew</td>
<td>Partner with LEDC for land, utility extensions, and more economic development staffing</td>
</tr>
<tr>
<td>2</td>
<td>Castillo, John</td>
<td>Eco Dev: Look into purchasing more property to development another Industrial Park</td>
</tr>
<tr>
<td></td>
<td>Gonzales-Sanchez, Angie</td>
<td>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</td>
</tr>
<tr>
<td>3</td>
<td>Hilburn, Benny</td>
<td>Improve City Park for better interest and usage by citizens</td>
</tr>
<tr>
<td>3</td>
<td>Mendoza, Juan</td>
<td>Work with City Engineer and Planning Dept for new sidewalks within District 1 and other Districts</td>
</tr>
<tr>
<td>3</td>
<td>Michelson, Jeffry</td>
<td>Improve Economic Development to draw more businesses to town</td>
</tr>
<tr>
<td>3</td>
<td>Roland, Kenny</td>
<td>Work on TxDOT to fix drainage on Blackjack</td>
</tr>
<tr>
<td>3</td>
<td>White, Lew</td>
<td>Park Improvements</td>
</tr>
<tr>
<td>3</td>
<td>Castillo, John</td>
<td>Research recruiting a 24-hour emergency clinic</td>
</tr>
<tr>
<td>4</td>
<td>Gonzales-Sanchez, Angie</td>
<td>Parks Improvements: Purchase more park equipment to provide safe and fun filled parks for all to use</td>
</tr>
<tr>
<td>4</td>
<td>Hilburn, Benny</td>
<td>Continue to work on retaining City employees</td>
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<tr>
<td>4</td>
<td>Mendoza, Juan</td>
<td>Start to work with GBRA and finding funds to take part in the mid-basin water project</td>
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<tr>
<td>4</td>
<td>Michelson, Jeffry</td>
<td>Convention Center of some type</td>
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<tr>
<td>4</td>
<td>Roland, Kenny</td>
<td>More subdivision development so more businesses will come to Lockhart</td>
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<tr>
<td>4</td>
<td>White, Lew</td>
<td>Streets</td>
</tr>
<tr>
<td>4</td>
<td>Castillo, John</td>
<td>Replace or upgrade park equipment</td>
</tr>
<tr>
<td>5</td>
<td>Gonzales-Sanchez, Angie</td>
<td>Employee: Possible additional Employee Holiday Time off-Alternating system. Possibly implementing a bad weather policy</td>
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<tr>
<td>5</td>
<td>Hilburn, Benny</td>
<td>Continue to look for ways to attract tourism</td>
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<tr>
<td>5</td>
<td>Mendoza, Juan</td>
<td>Updated Parks Equipment in all parks; plan fundraisers for more parks equipment</td>
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<td>5</td>
<td>Michelson, Jeffry</td>
<td>City Hall: Refurbish</td>
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<tr>
<td>5</td>
<td>Roland, Kenny</td>
<td>Work with LEDC and Lockhart Industrial Foundation to get more land for big job employers</td>
</tr>
<tr>
<td>5</td>
<td>White, Lew</td>
<td>Branding and Way Finding Signage</td>
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<tr>
<td>5</td>
<td>Castillo, John</td>
<td>Expansion of Lockhart's extraterritorial jurisdiction</td>
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DEBT
SERVICE
INFORMATION

Presented to Council
on January 11, 2014
<table>
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Total Project Cost: $4,234,880