

## PUBLIC NOTICE

### AGENDA

#### LOCKHART CITY COUNCIL

TUESDAY, APRIL 4, 2017

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

**6:30 P.M.**

#### **WORK SESSION (No Action)**

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

#### **PRESENTATION ONLY**

- A. Presentation of proclamations declaring April 2017 as *Child Abuse and Sexual Assault Awareness and Prevention Month*.
- B. Presentation of a Proclamation declaring April 4, 2017 as *National Service Recognition Day in Lockhart*.
- C. Reading of Proclamation acknowledging and declaring April 2017 as *Fair Housing Month*.

#### **DISCUSSION ONLY**

- A. Discuss minutes of the City Council meeting of March 21, 2017. 45-52
- B. Discuss proposed three year agreement between the City of Lockhart and the Texas Master Gardener Association, Inc. for use of the garden space on City Property on N. Medina Street just north of the Caldwell Ministerial Alliance Food Bank; the group would be responsible for the maintenance and upkeep of the area, providing some fresh vegetables to the Food Bank, educating local community groups and individuals and encouraging them to be involved with gardening, and appointing the Mayor to sign the agreement if approved. 53-67
- C. Discuss Change Order #3 for Qro-Mex Construction Company, Inc., to increase the current contract by an amount not to exceed \$30,000.00 for sidewalk and headwall changes on East Walnut Street near Greenhill Church of Christ to accommodate drainage work making the new potential contract amount \$2,185,000, and appointing the Mayor to sign the change order when prepared if approved. 68-70
- D. Discuss Ordinance 2017-09 amending Chapter 58, Utilities, Division 2, Harmful or Industrial Discharges, Section 58-241, Items Subject to Regulation-Designated, Subsection (13)(A) Materials which exert or cause (Harmful Discharges into the City's Wastewater System). 71-74
- E. Discuss Texas Department of Transportation (TxDOT) change orders 1, 6 and 7 totaling \$2,418,551.53 most of which was to place underground drainage in Phase II of the US 183 project between Blackjack and Walmart, and appointing the Mayor to sign the documents if approved. 75-97
- F. Discuss proposed increase of \$200.00 per month for Municipal Court Judge, Frank Coggins. 98-99



**7:30 P.M. REGULAR MEETING**

**1. CALL TO ORDER**

Mayor Lew White

**2. INVOCATION, PLEDGE OF ALLEGIANCE**

Invocation - Ministerial Alliance.

Pledge of Allegiance to the United States and Texas flags.

**3. CITIZENS/VISITORS COMMENTS**

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

**4. PUBLIC HEARING/COUNCIL ACTION**

A. Hold a public hearing on application ZC-17-04 by Esther Hernandez for a Zoning Change from IH Industrial Heavy District to CMB Commercial Medium Business District for 0.374 acre in the Byrd Lockhart Survey, Abstract No. 17, located at 308 North Colorado Street (US 183).

B. Discussion and/or action to consider Ordinance 2017-07 amending the Official Zoning Map of the City of Lockhart, Texas, to reclassify the property known as 0.374 acre in the Byrd Lockhart Survey, Abstract No. 17, located at 308 North Colorado Street (US 183), from IH Industrial Heavy District to CMB Commercial Medium Business District. <sup>5-13</sup>

C. Hold a public hearing regarding amending Chapter 31, Lockhart Code of Ordinances, adopting updated impact fee land use assumptions, updated water, wastewater, and roadway capital improvements plan, and updated impact fees for water, wastewater, and roadway facilities. <sup>14-44</sup>

D. Discussion and/or action to consider Ordinance 2017-08 amending Chapter 31 "Impact Fees" of the Code of Ordinances, incorporating updated Land Use Assumptions and updated Water, Wastewater, and Roadway Capital Improvements Plans as exhibits; amending the fees for Water, Wastewater, and Road Impact Fees as set forth in appendix I; amending affected sections referencing the updated appendices and exhibits; providing for severability; providing a repealer; and establishing an effective date.

**5. CONSENT AGENDA**

A. Approve minutes of the City Council meeting of March 21, 2017. <sup>45-52</sup>

B. Approve a proposed three year agreement between the City of Lockhart and the Texas Master Gardner Association, Inc. for use of the garden space on City Property on N. Medina Street just north of the Caldwell Ministerial Alliance Food Bank; the group would be responsible for the maintenance and upkeep of the area, providing some fresh vegetables to the Food Bank, educating local community groups and individuals and encouraging them to be involved with gardening, and appointing the Mayor to sign the agreement if approved. <sup>53-67</sup>

C. Approve Change Order #3 for Qro-Mex Construction Company, Inc., to increase the current contract by an amount not to exceed \$30,000.00 for sidewalk and headwall changes on East Walnut Street near Greenhill Church of Christ to accommodate drainage work making the new potential contract amount \$2,185,000, and appointing the Mayor to sign the change order when prepared if approved. <sup>68-70</sup>

D. Discuss Ordinance 2017-09 amending Chapter 58, Utilities, Division 2, Harmful or Industrial Discharges, Section 58-241, Items Subject to Regulation-Designated, Subsection (13)(A) Materials which exert or cause (Harmful Discharges into the City's Wastewater System). <sup>71-74</sup>

E. Approve Texas Department of Transportation (TxDOT) change orders 1, 6 and 7 totaling \$2,418,551.53 most of which was to place underground drainage in Phase II of the US 183 project between Blackjack and Walmart, and appointing the Mayor to sign the documents if approved. <sup>75-97</sup>

F. Approve proposed increase of \$200.00 per month for Municipal Court Judge, Frank Coggins. <sup>98-99</sup>



6. **DISCUSSION/ACTION ITEMS**

- A. Discussion and/or action regarding appointments to various boards, commissions or committees.

100-114

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

- Update: US Hwy 183 expansion project, Blackjack to Wal-Mart; the last design puts all drainage waters on the west side until it gets down to the ditch between Smith Supply and Walmart; West side almost complete.
- Update: Drainage work continues on Mesquite, Braden, Wichita, and Vega Street areas; detention ponds and other work complete with some minor clean up left.
- Update: E. Walnut Street Neighborhood Drainage Project, utility clearance work completed; contract putting down first course of base soon and then will start the curbing; rain has been a problem.
- Update: Bid advertisements for the Ash, Comal, and Pine Street Drainage Project are out. A neighborhood meeting has been set up for Tuesday, May 9, at 6:00 pm at City Hall. All people living on these streets will receive a letter of invitation the week before.
- Update: Wastewater main extension project along railroad is being advertised.
- Report: Spring Festival at the Lockhart Animal Shelter on Saturday, April 1.
- Report: Lockhart Cowtown Stroll, Saturday, April 1.
- Report: LCRA local community Spring Work day was Friday, March 31 with about 30 LCRA employees sprucing up City Park.
- Reminder: City Wide Residential Spring Clean Up is by area on Wednesdays in April.
- Reminder: Don't Mess with Texas Trash Off on Saturday, April 8<sup>th</sup>.
- Reminder: 11<sup>th</sup> Annual Lockhart Kiwanis 5K Stampede or 1K Fun Run/Walk, Saturday, April 15<sup>th</sup>.
- Reminder: The Texas Mustang Club will have about 300 Mustangs on display at the First Lockhart Baptist Church Parking lots on W. Prairie Lea Street starting at 1 pm Saturday, April 15, after the Kiwanis events.
- Reminder: Fiesta del Mariachi on April 29, 2017 from 6 p.m. to 10:00 pm at Clark Library.
- Reminder: Celebrating Dia de los Ninos on Wednesday, April 26, 2017 in the library. Library will have arts and crafts, story time readers that will include Mayor White, Chief of Police, and Mrs. Bohn. Poster and flyer will go out.
- Announcement: Taking City Pool Lifeguard Applications.
- Announcement: As a reminder Ms. Bonnie Townsend retired last Friday; I appointed Kristine Hayman as the Interim Municipal Court Administrator because of her tenure and past supervisory experience. Interviews are planned for the position within the next 30 days. Also, have a professional services agreement with Ms. Townsend in place to help out as needed.

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

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

9. **ADJOURNMENT**

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

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

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

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

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

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

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

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

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

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

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

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

**City Council shall have the right at 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 31<sup>st</sup> day of March 2017 at 3:48 pm. I further certify that the following News Media was properly notified of this meeting as stated above: Lockhart Post-Register



Connie Constancio, TRMC  
City Secretary





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

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

**CITY OF LOCKHART  
COUNCIL AGENDA ITEM**

<b>CITY SECRETARY'S USE ONLY</b> <input type="checkbox"/> Consent <input checked="" type="checkbox"/> Regular <input type="checkbox"/> Statutory		Reviewed by Finance <input type="checkbox"/> Yes <input type="checkbox"/> Not Applicable	
		Reviewed by Legal <input type="checkbox"/> Yes <input type="checkbox"/> Not Applicable	
<b>Council Meeting Date:</b> April 4, 2017			
Department: Planning		Initials	Date
Department Head: Dan Gibson		Asst. City Manager	
Dept. Signature: <i>Dan Gibson</i>		City Manager	<i>[Signature]</i> 3-31-2017
Agenda Coordinator/Contact (include phone #): Dan Gibson 398-3461, x236			
<b>ACTION REQUESTED:</b> <input checked="" type="checkbox"/> ORDINANCE <input type="checkbox"/> RESOLUTION <input type="checkbox"/> CHANGE ORDER <input type="checkbox"/> AGREEMENT <input type="checkbox"/> APPROVAL OF BID <input type="checkbox"/> AWARD OF CONTRACT <input type="checkbox"/> CONSENSUS <input type="checkbox"/> OTHER			
<b>CAPTION</b>			
Hold a PUBLIC HEARING on application ZC-17-04 by Esther Hernandez, and discussion and/or action to consider Ordinance 2017-07, for a Zoning Change from IH Industrial Heavy District to CMB Commercial Medium Business District for 0.374 acre in the Byrd Lockhart Survey, Abstract No. 17, located at 308 North Colorado Street (US 183).			
<b>FINANCIAL SUMMARY</b>			
X N/A <input type="checkbox"/> GRANT FUNDS <input type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input type="checkbox"/> C I P <input type="checkbox"/> BUDGETED <input type="checkbox"/> NON-BUDGETED			
<b>SUMMARY OF ITEM</b>			
<p>The building on the subject property was previously occupied by a bar, which was a nonconforming but grandfathered use in the current IH zoning. However, it has now been vacant longer than six months and, therefore, is no longer grandfathered for that use. The new owner desires to have a hair salon in the building, and a portable food establishment (trailer) outside. Such uses outside of the CCB district require a commercial zoning classification of either CMB or CHB. The requested CMB classification does not allow bars, so it would eliminate any chance of the use of the property resuming as a bar. The proposed change from IH to CMB represents a decrease in potential intensity. Considering that the closest land uses other than the City Park are commercial and industrial, and those uses will continue to have the IH industrial zoning classification, the requested zoning change should have no affect on the surrounding area. Because the existing building is small and is not designed for an industrial use, the CMB zoning classification would simply allow potential uses to be in compliance with the zoning of the property. The requested CMB zoning classification is not consistent with the Lockhart 2020 Future Land Use Plan map, which designates the subject tract as Medium Density Residential. However, considering that the immediate area is dominated by Livengood's Feeds and Lockhart Gin, which are both industrial uses, it is unlikely that the area will be suitable for residential uses of any type in the foreseeable future. No opposition to the zoning change has been expressed. More information is available in the attached staff report.</p>			
<b>STAFF RECOMMENDATION</b>			
Staff recommends APPROVAL of Ordinance 2017-07.			
<b>List of Supporting Documents:</b>  Ordinance, Legal description, Zoning and Future Land Use maps, Staff report, Application form.		<b>Other Board or Commission Recommendation:</b>  At their March 22 <sup>nd</sup> meeting, the Planning and Zoning Commission voted unanimously to recommend APPROVAL.  <i>5</i>	



## ORDINANCE 2017-07

AN ORDINANCE OF THE CITY OF LOCKHART, TEXAS, AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF LOCKHART, TEXAS, TO RECLASSIFY THE PROPERTY KNOWN AS 0.374 ACRE IN THE BYRD LOCKHART SURVEY, ABSTRACT NO. 17, LOCATED AT 308 NORTH COLORADO STREET (US 183), FROM IH INDUSTRIAL HEAVY DISTRICT TO CMB COMMERCIAL MEDIUM BUSINESS DISTRICT.

WHEREAS, on March 22, 2017, the Planning and Zoning Commission held a public hearing and voted unanimously to recommend approval of said change; and,

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

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

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

I. The above-referenced property described in Zoning Change request ZC-17-04 as 0.374 acre in the Byrd Lockhart Survey, Abstract No. 17, more particularly described in Exhibit A and located at 308 North Colorado Street (US 183), will be reclassified from IH Industrial Heavy District to CMB Commercial Medium Business District.

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

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

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

V. Effective Date: That this ordinance shall become effective and be in full force immediately upon and from the date of its passage.

**PASSED, APPROVED, AND ADOPTED AT A REGULAR MEETING OF THE LOCKHART CITY COUNCIL ON THIS THE 4<sup>th</sup> DAY OF APRIL, 2017.**

CITY OF LOCKHART

ATTEST:

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

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

6





All of a certain tract or parcel of land situated in the City of Lockhart, Caldwell County, Texas and being also a part of the Byrd Lockhart Survey A-17 and being also all of a tract of land conveyed to Richard Garza Moya et ux by deed recorded in Volume 408 Page 523 of the Deed Records of Caldwell County, Texas and being more particularly described as follows:

**BEGINNING** at a capped  $\frac{1}{2}$ " iron pin set in the East line of U.S. Highway #183 and in the SW corner of the above mentioned Moya tract and in the apparent North line of a tract of land designated as Tract Three and conveyed to Livengood Feeds Inc., by deed recorded in Volume 509 Page 634 of the said Deed Records for the SW corner this tract and from which point a  $\frac{5}{8}$ " iron pipe found used for basis of bearing bears S 80 degrees 00 minutes 00 seconds W 0.86 feet.

**THENCE** with the East line of U.S. Highway #183 and the West line of the above mentioned Moya tract for the following two (2) courses:

(1) With a curve turning to the right having a radius of 1834.86 feet and an arc length of 94.31 feet and a central angle of 02 degrees 56 minutes 42 seconds and the chord of which bears N 01 degrees 25 minutes 08 seconds W 94.30 feet to a TXDOT concrete monument found for the PT of the said curve.

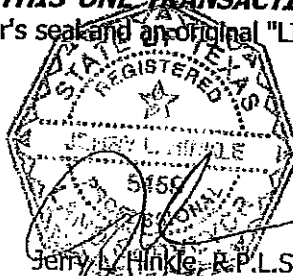
(2) N 00 degrees 03 minutes 13 seconds E 261.23 feet to a capped  $\frac{1}{2}$ " iron pin set in the NW corner of the said Moya tract and in the intersection of the East line of U.S. Highway #183 and the South line of the Union Pacific Railroad ROW for the NW corner this tract.

**THENCE** S 55 degrees 50 minutes 10 seconds E with the North line of the said Moya tract and the South line of the said Union Pacific Railroad ROW 22.22 feet to a capped  $\frac{1}{2}$ " iron pin set in the NE corner of the said Moya tract and the apparent NW corner of a tract of land designated as Second Tract and conveyed to Lockhart Gin Company by deed recorded in Volume 212 Page 354 of the said Deed Records for the NE corner this tract.

**THENCE** S 10 degrees 00 minutes 00 seconds E with the East line of the said Moya tract and the apparent West line of the above mentioned Gin tract 334.98 feet to a  $\frac{1}{2}$ " iron pin found in the SE corner of the said Garza tract and the apparent SW corner of the said Gin tract and in the apparent North line of the above mentioned Livengood tract for the SE corner this tract and from which point a  $\frac{1}{2}$ " iron pin found used for basis of bearing bears N 80 degrees 00 minutes 00 seconds E 103.82 feet.

**THENCE** S 80 degrees 00 minutes 00 seconds W with the South line of the said Moya tract and the apparent North line of the said Livengood tract 75.61 feet to the place of beginning containing 0.374 acres of land more or less.

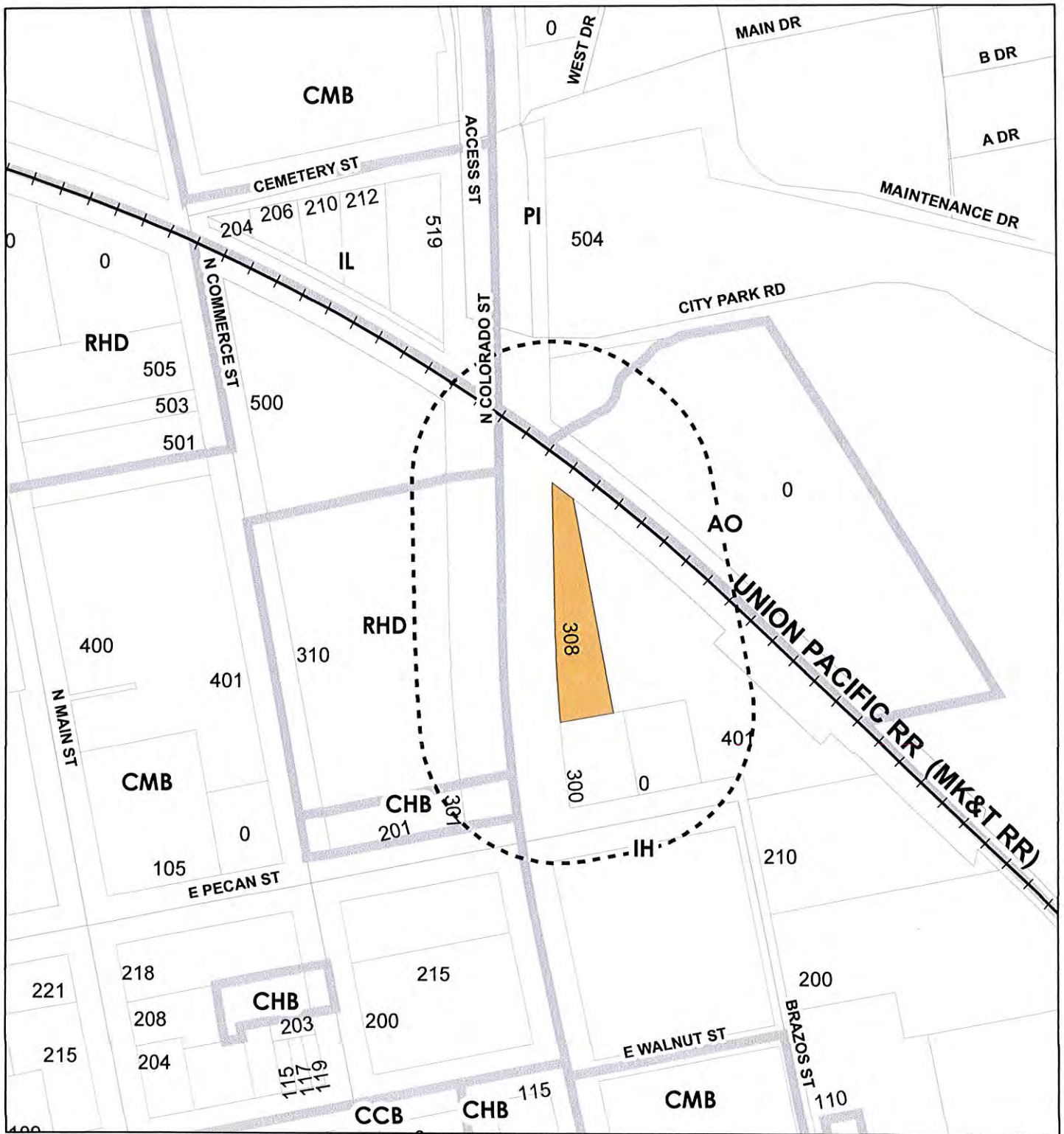
I hereby certify that the foregoing field notes are a true and correct description of a survey made under my direct supervision on December 17, 2008. **THESE FIELD NOTES ARE CERTIFIED AND ITS CONTENTS GUARANTEED FOR USE WITH THIS ONE TRANSACTION ONLY DATED THIS DATE.** Only those prints containing the raised Surveyor's seal and an official "LIVE" signature should be considered official and relied upon by the user.



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

©Claude Hinkle Surveyors, 2003

EXHIBIT **A**  
PAGE **1** OF **1**



**ZC-17-04**

IH TO CMB

308 NORTH COLORADO ST



scale 1" = 200'



Subject Property



Zoning Boundary

8







# PLANNING DEPARTMENT REPORT

# ZONING CHANGE

## CASE SUMMARY

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STAFF: Dan Gibson, City Planner

CASE NUMBER: ZC-17-04

REPORT DATE: March 16, 2017 [Updated 3-27-17]

PLANNING AND ZONING COMMISSION HEARING DATE: March 22, 2017

CITY COUNCIL HEARING DATE: April 4, 2017

REQUESTED CHANGE: IH to CMB

STAFF RECOMMENDATION: **Approval.**

PLANNING AND ZONING COMMISSION RECOMMENDATION: **Approval**

## BACKGROUND DATA

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APPLICANT(S): Esther Hernandez

OWNER(S): Same

SITE LOCATION: 308 N. Colorado Street

LEGAL DESCRIPTION: Metes and bounds

SIZE OF PROPERTY: 0.374 acre

EXISTING USE OF PROPERTY: Vacant commercial building

LAND USE PLAN DESIGNATION: Medium Density Residential

## ANALYSIS OF ISSUES

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REASON FOR REQUESTED CHANGE: The building on the subject property was previously occupied by a bar, which was a nonconforming but grandfathered use in the current IH (Industrial Heavy) zoning. However, it has now been vacant longer than six months and, therefore, is no longer grandfathered for that use. The applicant desires to have a hair salon in the building, and a portable food establishment (trailer) outside. Such uses outside of the CCB (Commercial Central Business) district require a commercial zoning classification of either CMB (Commercial Medium Business) or CHB (Commercial Heavy Business). The requested CMB classification does not allow bars, so it would eliminate any chance of the use of the property resuming as a bar. In addition, the small size of the property is not conducive to many of the more intense uses that are allowed in the CHB district.

### AREA CHARACTERISTICS:

	Existing Use	Zoning	Land Use Plan
<b>North</b>	Railroad, City Park	PI, AO	Parks and Open Space, Floodplain
<b>East</b>	Industrial	IH	Medium Density Residential
<b>South</b>	Office, Industrial	IH	Medium Density Residential, General-Heavy Commercial
<b>West</b>	Residential, Commercial	RHD, CMB, CHB	Light-Medium Commercial

TRANSITION OF ZONING DISTRICTS: There is no other commercial zoning district adjacent to the subject property, but there is CHB zoning to the southwest on the other side of the Colorado Street overpass, which is also where the nearest residential zoning is located. The subject property will remain bounded by the current IH zoning classification on the east and south sides, which is an acceptable transition.



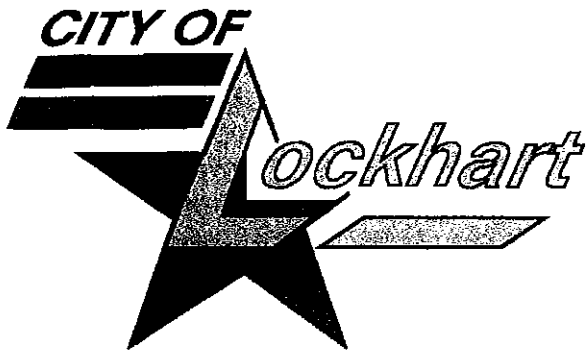
**ADEQUACY OF INFRASTRUCTURE:** Vehicular access is along a driveway from Pecan Street within the Colorado Street (US 183) right-of-way. The parking area in front of the building is actually in the right-of-way, as well, with the property line being adjacent to the front of the building. The parking lot on the north side is entirely within the private property. All necessary utilities are already available to the site.

**POTENTIAL NEIGHBORHOOD IMPACT:** The proposed change from IH to CMB represents a decrease in potential intensity. Considering that the closest land uses other than the City Park are commercial and industrial, and those uses will continue to have the IH industrial zoning classification, the requested zoning change should have no negative affect on the surrounding area. Because the existing building is small and is not designed for an industrial use, the CMB zoning classification would simply allow potential uses to be in compliance with the zoning of the property.

**CONSISTENCY WITH COMPREHENSIVE PLAN:** The requested CMB zoning classification is not consistent with the Lockhart 2020 Future Land Use Plan map, which designates the subject tract as Medium Density Residential. However, considering that the immediate area is dominated by Livengood's Feeds and Lockhart Gin which are both industrial uses, it is unlikely that the area will be suitable for residential uses of any type in the foreseeable future, especially adjacent to the highway overpass where the subject property is located.

**ALTERNATIVE CLASSIFICATIONS:** None more appropriate.

**RESPONSE TO NOTIFICATION:** Public hearing notices were mailed to the five owners of property (other than the City) within 200 feet, and no comments have been received as of the date of this report.



## ZONING CHANGE APPLICATION

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

### APPLICANT/OWNER

APPLICANT NAME Esther Hernandez A ADDRESS 1095 spake Hollow  
DAY-TIME TELEPHONE 512-299-3029 Lockhart TX 78644  
E-MAIL Estherbell64@gmail.com

<sup>owner</sup> OWNER NAME ~~Esther Hernandez A.~~ ADDRESS ~~Same AS Above~~  
DAY-TIME TELEPHONE ~~512-299-3029~~  
E-MAIL ~~Same AS Above~~

### PROPERTY

ADDRESS OR GENERAL LOCATION 308 W. Colorado St.  
LEGAL DESCRIPTION (IF PLATTED) Meters & bounds  
SIZE 0.374 ACRE(S) LAND USE PLAN DESIGNATION Salon & Rental  
EXISTING USE OF LAND AND/OR BUILDING(S) WAS. a BAR in the Past.  
PROPOSED NEW USE, IF ANY Salon and or Rental of Parking area space.

### REQUESTED CHANGE

FROM CURRENT ZONING CLASSIFICATION commercial property Ilt  
TO PROPOSED ZONING CLASSIFICATION commercial property, CMB  
REASON FOR REQUEST city said the property was in Demand  
for 6 months or more, have to Reapply for commercial  
zoning for property.



## SUBMITTAL REQUIREMENTS

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

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

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

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

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

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

SIGNATURE

[Signature]

DATE

2-16-17

## OFFICE USE ONLY

ACCEPTED BY

[Signature]

RECEIPT NUMBER

718063

DATE SUBMITTED

2/21/2017

CASE NUMBER ZC -

17 - 04

DATE NOTICES MAILED

3-6-2017

DATE NOTICE PUBLISHED

3-9-2017

PLANNING AND ZONING COMMISSION MEETING DATE

3-22-2017

PLANNING AND ZONING COMMISSION RECOMMENDATION

CITY COUNCIL MEETING DATE

4-4-2017

DECISION



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

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

## CITY OF LOCKHART COUNCIL AGENDA ITEM

<b>CITY SECRETARY'S USE ONLY</b> <input type="checkbox"/> Consent <input checked="" type="checkbox"/> Regular <input type="checkbox"/> Statutory		Reviewed by Purchasing	<input type="checkbox"/> Yes <input type="checkbox"/> Not Applicable
		Reviewed by Budget	<input type="checkbox"/> Yes <input type="checkbox"/> Not Applicable
<b>Council Meeting Date:</b> April 4, 2017		Reviewed by Legal	<input type="checkbox"/> Yes <input type="checkbox"/> Not Applicable
Department: Planning		Initials	Date
Department Head: Dan Gibson		Asst. City Manager	
Dept. Signature: <u>Dan Gibson</u>		City Manager	<u>CC for VR</u> <u>3-31-2017</u>
Agenda Coordinator/Contact (include phone #): Dan Gibson 398-3461, x236			
<b>ACTION REQUESTED:</b> <input checked="" type="checkbox"/> ORDINANCE <input type="checkbox"/> RESOLUTION <input type="checkbox"/> CHANGE ORDER <input type="checkbox"/> AGREEMENT <input type="checkbox"/> APPROVAL OF BID <input type="checkbox"/> AWARD OF CONTRACT <input type="checkbox"/> OTHER <input type="checkbox"/> NONE			
<b>CAPTION</b>			
Hold a PUBLIC HEARING and discussion and/or action to consider Ordinance 2017-08 amending Chapter 31, Lockhart Code of Ordinances, adopting updated impact fee land use assumptions, updated water, wastewater, and roadway capital improvements plans, and updated impact fees for water, wastewater, and roadway facilities.			
<b>FINANCIAL SUMMARY</b>			
<input type="checkbox"/> NOT APPLICABLE <input type="checkbox"/> OPERATING EXPENSE <input checked="" type="checkbox"/> REVENUE <input type="checkbox"/> CIP <input type="checkbox"/> BUDGETED <input type="checkbox"/> NON-BUDGETED			
<b>SUMMARY OF ITEM</b>			
<p>On April 19, 2016, the Council determined that an update of the impact fee land use assumptions, capital improvement plans, and fees as provided in Chapter 395 of the Texas Local Government Code was necessary, and directed staff to hire consultants to assist in the process. The consultants have had multiple meetings with staff and the Impact Fee Advisory Committee to develop the updated documents and revised collection rates, and the Committee has prepared the attached letter of recommendation to the Council. Bound hard copies of three documents have been provided to the Council. The documents are the Land Use Assumptions for Impact Fees (referred to in the ordinance as Exhibit 1), the Water and Wastewater Impact Fee Analysis Capital Improvements Plan (referred to in the ordinance as Exhibit 2), and the Roadway Impact Fee Update Final Report (which contains the capital improvements plan and is referred to in the ordinance as Exhibit 3). The new fees to be charged are higher than the current fees, but are necessary for the needed infrastructure to accommodate growth. Also, the combined water, wastewater, and road impact fee collection rates for a single-family dwelling are still at the lower end compared to many other cities. A copy of the entire <b>current</b> Chapter 31 is attached for your reference. The consultants will present a slide show during the public hearing, and both the consultants and staff will be available to answer any questions you may have.</p>			
<b>STAFF RECOMMENDATION</b>			
Staff recommends APPROVAL of Ordinance 2017-08.			
<b>List of Supporting Documents:</b>  1) Ordinance 2017-08. 2) Letter of Recommendation. 3) The entire <b>current</b> version of Chapter 31.		<b>Other Departments, Boards, Commissions or Agencies:</b>  The Impact Fee Advisory Committee's recommendation is contained in the attached letter. <div style="text-align: right; font-size: 2em; margin-top: 20px;">14</div>	



## **ORDINANCE 2017-08**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LOCKHART, TEXAS, AMENDING CHAPTER 31 "IMPACT FEES" OF THE CODE OF ORDINANCES, INCORPORATING UPDATED LAND USE ASSUMPTIONS AND UPDATED WATER, WASTEWATER, AND ROADWAY CAPITAL IMPROVEMENTS PLANS AS EXHIBITS; AMENDING THE FEES FOR WATER, WASTEWATER, AND ROAD IMPACT FEES AS SET FORTH IN APPENDIX I; AMENDING AFFECTED SECTIONS REFERENCING THE UPDATED APPENDICES AND EXHIBITS; PROVIDING FOR SEVERABILITY; PROVIDING A REPEALER; AND ESTABLISHING AN EFFECTIVE DATE.**

**WHEREAS**, on January 15, 2002, the City Council adopted Ordinance 02-02 establishing a new Chapter 31 in the Lockhart Code of Ordinances providing for the establishment of water, wastewater, and road impact fees; and,

**WHEREAS**, Section 395.052 of the Texas Local Government Code requires that a political subdivision imposing impact fees shall update the land use assumptions and capital improvements plans at least every five years unless the city council determines that an update is not necessary; and,

**WHEREAS**, on March 20, 2007, the City Council adopted Ordinance 07-11 amending Chapter 31 by incorporating updated land use assumptions and updated water, wastewater, and roadway capital improvements plans as exhibits; amending the fees for water, wastewater, and roadway impact fees as set forth in Appendix I; and amending other sections referencing the updated appendices and exhibits; and,

**WHEREAS**, on April 5, 2011, upon the recommendation of the Impact Fee Advisory Committee, the City Council determined that a five-year update was not necessary due to only a modest increase in population, and very little change in project priorities and construction costs, since the previous update; and,

**WHEREAS**, on April 19, 2016, upon the recommendation of the Impact Fee Advisory Committee, the City Council determined that an update was necessary at the next five-year anniversary due to significant changes in project priorities and construction costs, and directed staff to employ consultants to assist with the necessary updates for adoption in 2017; and,

**WHEREAS**, the consulting firm of Freese and Nichols, Inc. was retained to assist in the update of the land use assumptions and roadway impact fee capital improvements plan and fees, and the consulting firm of TRC Engineers, Inc. was retained to assist in the update of the water and wastewater capital improvements plans and fees; and,

**WHEREAS**, the Impact Fee Advisory Committee has reviewed and recommended the results of the update studies, as reflected in their letter to the Council dated March 23, 2017;

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

I. Chapter 31 "Impact Fees", is hereby amended as follows, wherein all existing articles, sections, subsections, paragraphs and other provisions, or portions thereof, not listed shall remain unchanged:

## **ARTICLE II. WATER FACILITIES IMPACT FEES**

### **Section 31-23. Water service area.**

(a) There is hereby established a water service area, constituting land within the city limits and within the city's extraterritorial jurisdiction, as depicted on Figure 2 in Exhibit 1 attached to the ordinance from which this chapter derives and incorporated by reference herein.

### **Section 31-24. Water improvements plan.**

(a) The water improvements plan for the city is hereby adopted as Exhibit 2 attached to the ordinance from which this chapter derives and incorporated by reference herein.

## **ARTICLE III. WASTEWATER FACILITIES IMPACT FEES**

### **Section 31-26. Wastewater service area.**

(a) There is hereby established a wastewater service area, constituting land within the city limits and within the city's extraterritorial jurisdiction, as depicted on Figure 2 in Exhibit 1 attached to the ordinance from which this chapter derives and incorporated by reference herein.

### **Section 31-27. Wastewater improvements plan.**

(a) The wastewater improvements plan for the city is hereby adopted as Exhibit 2 attached to the ordinance from which this chapter derives and incorporated by reference herein.

## **ARTICLE IV. ROADWAY IMPACT FEES**

### **Section 31-29. Roadway service area.**

(a) There is hereby established a roadway service area, constituting land within the city limits, as depicted on Figure 1 in Exhibit 1 attached to the ordinance from which this chapter derives and incorporated by reference herein.

### **Section 31-30. Roadway improvements plan.**

(a) The roadway improvements plan for the city is hereby adopted as Exhibit 3 attached to the ordinance from which this chapter derives and incorporated by reference herein.

## **APPENDIX I**

### **SCHEDULE 1**

#### **IMPACT FEES TO BE ASSESSED**

Water impact fees:	\$1,700.07 per living unit equivalent
Wastewater impact fees:	\$1,345.87 per living unit equivalent
Roadway impact fees – Service area 1:	\$1,304.00 per vehicle mile
Roadway impact fees – Service area 2:	\$1,445.00 per vehicle mile



**SCHEDULE 2  
IMPACT FEES TO BE CHARGED**

Water impact fees:	\$1,700.07 per living unit equivalent
Wastewater impact fees:	\$1,345.87 per living unit equivalent
Roadway impact fees – Service area 1:	\$1,304.00 per vehicle mile
Roadway impact fees – Service area 2:	\$1,304.00 per vehicle mile

**TABLE 1  
LIVING UNIT EQUIVALENCIES (LUE's) FOR VARIOUS TYPES AND SIZES OF  
WATER METERS**

<b>METER TYPE</b>	<b>METER SIZE</b>	<b>CONTINUOUS DUTY MAXIMUM RATE (gpm)</b>	<b>RATIO TO 3/4" METER</b>
Simple	3/4"	15	1.000
Simple	1"	25	1.667
Simple	1-1/2"	50	3.333
Simple	2"	80	5.333
Compound	2"	80	5.333
Turbine	2"	100	6.667
Compound	3"	160	10.667
Turbine	3"	240	16.000
Compound	4"	250	16.667
Turbine	4"	420	28.000
Compound	6"	500	33.333
Turbine	6"	920	61.333
Compound	8"	800	53.333
Turbine	8"	1600	106.667
Compound	10"	1150	76.667
Turbine	10"	2500	166.667
Turbine	12"	3300	220.000

**TABLE 2**  
**LAND USE VEHICLE-MILE EQUIVALENCY TABLE**

ITE Land Use	ITE Code	Dev. Unit	Ave. Trip Rate w/ Deductions	Ave. Trip Length	Veh-MI per Dev. Unit
<b>Residential</b>					
* Single-Family Detached Housing	210	DU	1.00	1.16	<b>1.16</b>
Multi-Family	220	DU	0.62	1.16	<b>0.72</b>
Residential Condominium / Townhouse	230	DU	0.52	1.16	<b>0.60</b>
Retirement Housing	251	DU	0.27	1.00	<b>0.27</b>
<b>Office</b>					
* General Office	710	1000 sq. ft.	1.49	1.16	<b>1.73</b>
Medical-Dental Office	720	1000 sq. ft.	3.46	1.00	<b>3.46</b>
Research and Development Center	760	1000 sq. ft.	1.07	1.00	<b>1.07</b>
<b>Retail / Commercial</b>					
* Retail	820	1000 sq. ft.	1.48	1.00	<b>1.48</b>
Restaurant	932	1000 sq. ft.	3.11	1.00	<b>3.11</b>
Fast Food Restaurant	934	1000 sq. ft.	8.72	1.00	<b>8.72</b>
Drinking Place	925	1000 sq. ft.	3.58	1.00	<b>3.58</b>
Convenience Store/Gas Station	853	1000 sq. ft.	5.60	0.80	<b>4.48</b>
Super Market	850	1000 sq. ft.	2.48	1.00	<b>2.48</b>
Pharmacy/Drugstore with drive thru	881	1000 sq. ft.	3.77	1.00	<b>3.77</b>
Bank	912	1000 sq. ft.	6.64	1.00	<b>6.64</b>
Hotel	310	Rooms	0.60	1.00	<b>0.60</b>
Auto Service	942	1000 sq. ft.	3.11	1.00	<b>3.11</b>
Automobile Sales	841	1000 sq. ft.	1.57	1.00	<b>1.57</b>
Building Materials and Lumber Store	812	1000 sq. ft.	3.37	1.00	<b>3.37</b>
Home Improvement Superstore	862	1000 sq. ft.	0.65	1.00	<b>0.65</b>
Furniture Store	890	1000 sq. ft.	0.07	1.00	<b>0.07</b>
Golf Course	430	Holes	2.92	1.00	<b>2.92</b>
Golf Driving Range	432	Tees	1.25	1.00	<b>1.25</b>
Movie Theater with Matinee	444	Seats	0.06	1.00	<b>0.06</b>
Indoor Entertainment/Amusement	480	Acres	3.95	1.00	<b>3.95</b>
Outdoor Multipurpose Recreation Center	435	1000 sq. ft.	3.58	1.00	<b>3.58</b>
<b>Light Industrial</b>					
* General Light Industrial	110	1000 sq. ft.	0.97	1.19	<b>1.15</b>
Manufacturing	140	1000 sq. ft.	0.73	1.19	<b>0.87</b>
Warehousing	150	1000 sq. ft.	0.32	1.20	<b>0.38</b>
Self-Storage Facilities	151	1000 sq. ft.	0.26	1.00	<b>0.26</b>
<b>Institutional</b>					
Elementary School	520	Students	0.15	0.80	<b>0.12</b>
Junior High	522	Students	0.16	1.00	<b>0.16</b>
High School	530	Students	0.13	1.00	<b>0.13</b>
Community/Technical College	540	Students	0.12	1.00	<b>0.12</b>
Private School (K-8)	534	Students	0.60	1.00	<b>0.60</b>
Day Care Center	565	Students	0.19	0.80	<b>0.16</b>
Hospital	610	Beds	1.42	1.00	<b>1.42</b>
Assisted Living / Nursing Home	254/620	Beds	0.22	1.00	<b>0.22</b>
Place of Worship	560	1000 sq. ft.	0.55	1.00	<b>0.55</b>
Activity Center	495	1000 sq. ft.	2.74	1.00	<b>2.74</b>
U.S. Post Office	732	1000 sq. ft.	3.37	1.00	<b>3.37</b>
Detention Facility	571	Beds	0.05	1.20	<b>0.06</b>
* Others Not Specified		1000 sq. ft.	0.47	1.00	<b>0.47</b>

\* This category also represents service unit equivalency for land uses not specified in this category. Actual equivalency may vary and may be demonstrate by the property owner to be different pursuant to City guidelines.

DU = Dwelling Unit

GFA = Gross Floor Area



II. 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.

III. 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.

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

V. Effective Date: That this ordinance shall become effective and in full force immediately upon its passage.

**PASSED, APPROVED, AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF LOCKHART, TEXAS,  
ON THIS THE 4<sup>th</sup> DAY OF APRIL, 2017.**

CITY OF LOCKHART

ATTEST:

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Lew White, Mayor

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Connie A. Constancio, TRMC, City Secretary



(512) 398-3461 • FAX (512) 398-5103  
P. O. Box 239 • Lockhart, Texas 78644  
308 West San Antonio Street

## IMPACT FEE UPDATE RECOMMENDATION

On April 19, 2016, the Impact Fee Advisory Committee submitted their semi-annual report to the Council regarding the status of the impact fee accounts and implementation of the water, wastewater, and road impact fees capital improvements plans. The report recommended, in accordance with State law requiring that impact fee ordinances be updated on a five-year cycle, that the Council hire consultants for the purpose of updating our land use assumptions, capital improvements plans, and impact fees for water, wastewater, and roadway facilities. The Council accepted the Committee's report and its recommendations, and subsequently the consulting firm of Freese and Nichols, Inc. was retained to assist in the update of the land use assumptions and roadway impact fee capital improvements plan and fees, and the consulting firm of TRC Engineers, Inc. was retained to assist in the update of the water and wastewater capital improvements plans and fees.

During the period from November 2016 through February 2017, the Impact Fee Advisory Committee met four times with staff and the consultants to review and discuss the data collected and documents prepared for the update. UPON CAREFUL CONSIDERATION, THE COMMITTEE RECOMMENDS ADOPTION OF AN ORDINANCE AMENDING CHAPTER 31, LOCKHART CODE OF ORDINANCES, TO UPDATE THE FOLLOWING:

1. Impact Fee Land Use Assumptions, and Capital Improvement Plans for Water, Wastewater, and Roadway projects, which are referenced in Ordinance 2017-08 as Exhibits 1, 2, and 3.
2. Water Impact Fees, increasing the cost per service unit from \$1,223.96 to \$1,700.07. This is 50 percent of the maximum allowable fee.
3. Wastewater Impact Fees, increasing the cost per service unit from \$1,094.33 to \$1,345.87. This is 50 percent of the maximum allowable fee.
4. Roadway Impact Fees, increasing the cost per service unit from \$700 in the current single service area to \$1,304.00 in both of the new service areas. This is 50 percent of the maximum allowable fee in Service Area #1, and 45 percent of the maximum allowable fee in Service Area #2.

The Impact Fee Advisory Committee agreed that the impact fee increases described above are necessary to assist in the funding for critical water, wastewater, and roadway projects needed to accommodate future growth, while maintaining the character and quality of life envisioned by city residents in the Lockhart 2020 Comprehensive Plan. The recommended collection rates also rank favorably within the ranges charged by other communities.

Respectfully,

Philip McBride, Chair  
Impact Fee Advisory Committee  
March 23, 2017

## Chapter 31

### IMPACT FEES

#### Article I. General Provisions

- Sec. 31-1. Short title.
- Sec. 31-2. Purpose.
- Sec. 31-3. Authority.
- Sec. 31-4. Definitions.
- Sec. 31-4.5. Appendices and attachments.
- Sec. 31-5. Applicability.
- Sec. 31-6. Impact fee as condition of development approval.
- Sec. 31-7. Impact fees per service unit.
- Sec. 31-8. Assessment of impact fees.
- Sec. 31-9. Payment and collection of impact fees.
- Sec. 31-10. Offsets and credits against impact fees.
- Sec. 31-11. Establishment of accounts.
- Sec. 31-12. Use of proceeds of impact fee accounts.
- Sec. 31-13. Appeals.
- Sec. 31-14. Refunds.
- Sec. 31-15. Rebates.
- Sec. 31-16. Updates to plans and revision of fees.
- Sec. 31-17. Functions of capital improvements advisory committee.
- Sec. 31-18. Agreement for capital improvements.
- Sec. 31-19. Exceptions.
- Sec. 31-20. Use of other financing mechanisms.
- Sec. 31-21. Impact fee as additional and supplemental regulation.
- Sec. 31-22. Relief procedures.

#### Article II. Water Facilities Impact Fees

- Sec. 31-23. Water service area.
- Sec. 31-24. Water improvements plan.
- Sec. 31-25. Water facilities impact fees.

#### Article III. Wastewater Facilities Impact Fees

- Sec. 31-26. Wastewater service area.
- Sec. 31-27. Wastewater improvements plan.
- Sec. 31-28. Wastewater facilities impact fees.

#### Article IV. Roadway Impact Fees

- Sec. 31-29. Roadway service area.
- Sec. 31-30. Roadway improvements plan.
- Sec. 31-31. Roadway facilities impact fees.

#### Appendix I



**ARTICLE I. GENERAL PROVISIONS****Sec. 31-1. Short title.**

This chapter shall be known and cited as the Lockhart Impact Fee Regulations.  
(Ord. No. 02-02, § 1, 1-15-02)

**Sec. 31-2. Purpose.**

This chapter is intended to assure the provision of adequate public facilities to serve new development in the city by requiring each development to pay its share of the costs of such improvements necessitated by and attributable to such new development.  
(Ord. No. 02-02, § 1, 1-15-02)

**Sec. 31-3. Authority.**

This chapter is adopted pursuant to V.T.C.A., Local Government Code ch. 395 and the city Charter. The provisions of this chapter shall not be construed to limit the power of the city to utilize other methods authorized under state law or pursuant to other city powers to accomplish the purposes set forth herein, either in substitution or in conjunction with this chapter. Guidelines may be developed by ordinance, resolution, or otherwise to implement and administer this chapter.  
(Ord. No. 02-02, § 1, 1-15-02)

**Sec. 31-4. Definitions.**

*Assessment* means the determination of the amount of the maximum impact fee per service unit which can be imposed on new development pursuant to this chapter.

*Capital improvement* means either a water facility, a wastewater facility, or a roadway facility with a life expectancy of three or more years, to be owned and operated by or on behalf of the city.

*Capital improvement advisory committee*, also known as the *Impact fee advisory committee*, means the city's planning and zoning commission, together with such ad hoc representatives as may be appointed from time to time, to fulfill the composition mandated by V.T.C.A., Local Government Code § 395.058.

*City* means the City of Lockhart, Texas.

*Credit* means the amount of the reduction of an impact fee for fees, payments or charges for the same type of capital improvements for which the fee has been assessed.

*Facilities expansion* means either a water facility expansion, a wastewater facility expansion, or a roadway facility expansion.

*Final plat approval or approval of a final plat* means the point at which the applicant has complied with all conditions of approval and the plat has been released for filing with the county.

*Impact fee* means either a fee for water facilities, a fee for wastewater facilities or a fee for roadway imposed on new development by the city pursuant to this chapter in order to generate revenue to fund or recoup all or part of the costs of capital improvements or facility expansion necessitated by and attributable to such new development. Impact fees do not include the dedication of rights-of-way or easements for such facilities, or the construction of such improvements, imposed pursuant to the city's zoning or subdivision regulations, nor do impact fees include fees placed in trust funds for the purpose of reimbursing developers for oversizing or constructing water or wastewater mains, or pro rata fees for reimbursement of the city's costs for extending water or wastewater mains. Impact fees also do not include charges for water or wastewater services to a wholesale customer such as a water district, political subdivision of the state, or other wholesale utility customer.

*Impact fee capital improvements plan* means either a water improvements plan, a wastewater improvements plan or a roadway capital improvements plan adopted or revised pursuant to these impact fee regulations.

*Land use assumptions* means the projections of population and employment growth and associated changes in land uses, densities and intensities adopted by the city, as may be amended from time to time, upon which the impact fee capital improvements plans are based.

*Land use equivalency table* means a table converting the demands for roadway capital improvements generated by various land uses to numbers of service units, as may be amended from time to time, which table is named "Table 2" in appendix I and is located at the end of this chapter.

*Living unit equivalency table* means a table converting the demands for water and wastewater capital improvements generated by various water meter sizes to numbers of service units as may be amended from time to time, which table is named "Table 1" in appendix I and is located at the end of this chapter.

*New development* means a project involving the construction, reconstruction, redevelopment, conversion, structural alteration, relocation, or enlargement of any structure, or any use or extension of land, which has the effect of increasing the requirements for capital improvements or facility expansions, measured by the number of service units to be generated by such activity, and which requires either the approval and filing with the county of a plat pursuant to the city's subdivision regulations, the issuance of a building permit, or connection to the city's water or wastewater system, and which has not been exempted from these regulations by provisions herein.

*Offset* means the amount of the reduction of an impact fee designed to fairly reflect the value of system facilities pursuant to rules herein established or council-approved administrative guidelines, provided by a developer pursuant to the city's subdivision regulations or requirements.

*Plat* has the meaning given the term in the city's subdivision regulations. "Plat" includes replat.



*Property owner* means any person, corporation, legal entity or agent thereof having a legal or equitable interest in the land for which an impact fee becomes due. "Property owner" includes the developer for the new development.

*Recoupment* means the imposition of an impact fee to reimburse the city for capital improvements which the city has previously oversized to serve new development.

*Roadway* means any freeway, expressway, principal or minor arterial or collector roadways designated in the city's adopted thoroughfare plan, as may be amended from time to time. Roadway also includes any roadway designated as a numbered highway on the official federal or state highway system, to the extent that the city incurs capital improvement costs for such facility.

*Roadway facility* means an improvement or appurtenance to a roadway which includes, but is not limited to, rights-of-way, whether conveyed by deed or easement; intersection improvements; traffic signals; turn lanes; drainage facilities associated with the roadway; street lighting or curbs. "Roadway facility" also includes any improvement or appurtenance to an intersection with a roadway officially enumerated in the federal or state highway system, and to any improvements or appurtenances to such federal or state highway, to the extent that the city has incurred capital costs for such facilities, including without limitation local matching funds and costs related to utility line relocation and the establishment of curbs, gutters, sidewalks, drainage appurtenances and rights-of-way. "Roadway facility" excludes those improvements or appurtenances to any roadway which is a site-related facility.

*Roadway facility expansion* means the expansion of the capacity of an existing roadway in the city, but does not include the repair, maintenance, modernization, or expansion of an existing roadway to better serve existing development.

*Roadway improvements plan* means the adopted plan, as may be amended from time to time, which identifies the roadway facilities or roadway expansions and their costs for each road service area, which are necessitated by and which are attributable to new development, for a period not to exceed ten years, which are to be financed in whole or in part through the imposition of road facilities fees pursuant to this chapter.

*Service area* means either a water service area, a wastewater service area or a roadway service area within the city or (except for roadway services areas) within the city's extrajurisdictional jurisdiction, within which impact fees for capital improvements or facility expansion may be collected for new development occurring within such area and within which fees so collected will be expended for those types of improvements or expansions identified in the type of capital improvements plan applicable to the service area.

*Service unit* means, for water or wastewater facilities, a living unit equivalent based upon a five-eighths-inch by three-quarter-inch displacement type water meter, which serves as the standardized measure of consumption, use or generation attributable to the new unit of development; for roadway facilities, service unit means a vehicle mile.



*Site-related facility* means an improvement or facility which is for the primary use or benefit of a new development and/or which is for the primary purpose of safe and adequate provision of water or wastewater facilities to serve the new development, and which is not included in the impact fees capital improvements plan and for which the developer or property owner is solely responsible under subdivision or other applicable regulations.

*System facility* means a capital improvement or facility expansion which is designated in the impact fee capital improvements plan and which is not a site-related facility. System facility may include a capital improvement which is located offsite, or within or on the perimeter of the development site.

*Water facility* means a water transmission line or main, pump station, storage tank, water supply facility, treatment facility or other facility included within and comprising an integral component of the city's water storage or distribution system. Water facility includes land, easements or structures associated with such facilities. Water facility excludes site-related facilities.

*Water facility expansion* means the expansion of the capacity of any existing water facility for the purpose of serving new development, but does not include the repair, maintenance, modernization, or expansion of an existing water improvement to serve existing development.

*Water improvements plan* means the adopted plan, as may be amended from time to time, which identifies the water facilities or water expansions and their associated costs which are necessitated by and which are attributable to new development, for a period not to exceed ten years, and which are to be financed in whole or in part through the imposition of water facilities impact fees pursuant to this chapter.

*Water meter* means a device for measuring the flow of water to a development, whether for domestic or for irrigation purposes.

*Wastewater facility* means a wastewater interceptor or main, lift station, treatment facility or other facility included within and comprising an integral component of the city's collection and transmission system for wastewater. Wastewater facility includes land, easements or structures associated with such facilities. Wastewater facility excludes a site-related facility.

*Wastewater facility expansion* means the expansion of the capacity of any existing wastewater improvement for the purpose of serving new development, but does not include the repair, maintenance, modernization, or expansion of an existing sewer facility to serve existing development.

*Wastewater improvements plan* means the adopted plan, as may be amended from time to time, which identifies the wastewater facilities or wastewater expansions and their associated costs which are necessitated by and which are attributable to new development, for a period not to exceed ten years, and which are to be financed in whole or in part through the imposition of wastewater facilities fees pursuant to this chapter.

(Ord. No. 02-02, § 1, 1-15-02; Ord. No. 07-11, § I, 3-20-07)

**Sec. 31-4.5. Appendices and attachments.**

*Appendix I* contains schedules 1 and 2, and tables 1 and 2, as described below.

*Exhibit 1* is the land use assumptions, adopted by reference.

*Exhibit 2* is the water and wastewater capital improvements plan, adopted by reference.

*Exhibit 3* is the roadway capital improvements plan, adopted by reference.

*Schedule 1* is the list in Appendix I of impact fees to be assessed.

*Schedule 2* is the list in Appendix I of impact fees to be collected.

*Table 1* is the living unit equivalency table in Appendix I for water and wastewater facilities.

*Table 2* is the land use equivalency table in Appendix I for roadway facilities.

(Ord. No. 07-11, § I, 3-20-07; Ord. No. 07-50, § I, 10-2-07)

**Sec. 31-5. Applicability.**

The provisions of this chapter concerning water and wastewater impact fees apply to all new, non-exempt development within the corporate boundaries of the city and within its





extraterritorial jurisdiction. The provisions of this chapter concerning roadway impact fees apply to all new, non-exempt development within the corporate boundaries of the city. The provisions of this chapter apply uniformly within each service area.  
(Ord. No. 02-02, § 1, 1-15-02)

**Sec. 31-6. Impact fee as condition of development approval.**

No application for new development shall be approved within the city without assessment of an impact fee pursuant to this chapter, and no building permit shall be issued unless the applicant has paid the impact fee imposed by and calculated hereinunder, unless a different time and/or method of payment has been authorized by agreement between the city and the property owner.

(Ord. No. 02-02, § 1, 1-15-02)

**Sec. 31-7. Impact fees per service unit.**

(a) Maximum impact fees per service unit for each service area shall be established by category of capital improvements. The maximum impact fee per service unit for each service area for each category of capital improvement shall be computed in the following manner:

- (1) Calculate the total projected costs of capital improvements necessitated by and attributable to new development in the service area identified in the impact fee capital improvements plan for each category of capital improvements;
- (2) From such amount, subtract a credit equal to 50 percent of the such total projected costs; and
- (3) Divide the resultant amount by the total number of service units anticipated within the service area, based upon the land use assumptions for that service area.

(b) As an alternative to the 50 percent credit referenced in subsection (a)(2), the city may incorporate within the capital improvements plan for any category of capital improvements a discount against the total costs of capital improvements, in the amount of that portion of ad valorem tax and utility service revenues, if any, including the payment of debt, to be generated by new service units during the period the capital improvements plan is in effect, including the payment of debt, associated with the capital improvements in the plan.

(c) The impact fee per service unit which is to be paid by each new development within a service area shall be that established by ordinance by the city council, as such may be amended from time to time, and shall be an amount less than or equal to the maximum impact fee per service unit established in subsection (a).

(d) The amount of the impact fees to be assessed by water meter type and size or by vehicle mile shall be as set forth in schedule 1, located at the end of this chapter. The amount of the impact fees which are to be paid by water meter type and size or by vehicle mile shall be as set forth in schedule 2, located at the end of this chapter. Impact fee schedules 1 and 2 may be amended from time to time utilizing the amendment procedure set forth in section 31-16.

(Ord. No. 02-02, § 1, 1-15-02)

**Sec. 31-8. Assessment of impact fees.**

- (a) Assessment of the impact fee for any new development shall be made as follows:
  - (1) For land which is unplatted at the time of application for a building permit or utility connection, or for a new development which received final plat approval prior to the effective date of this chapter, and for which no replatting is necessary pursuant to the city's subdivision regulations prior to development, assessment of impact fees shall occur at the time application is made for the building permit or utility connection, whichever first occurs, and shall be the amount of the maximum impact fee per service unit as set forth in schedule 1 then in effect.
  - (2) For a new development which is submitted for approval pursuant to the city's subdivision regulations on or after the effective date of the ordinance from which this section derives, or for which replatting results in an increase in the number of service units after such date, assessment of impact fees shall be at the time of final plat approval, and shall be the amount of the maximum impact fee per service unit as set forth in schedule 1 then in effect.
- (b) Following assessment of the impact fee pursuant to subsection (a), the amount of the impact fee assessment per service unit for that development cannot be increased, unless the owner proposes to change the approved development by the submission of a new application for final plat approval or other development application that results in approval of additional service units, in which case a new assessment shall occur at the schedule 1 rate then in effect for such additional service units.
- (c) Following the vacating of any plat or submittal of any replat, a new assessment must be made in accordance with subsection 8(a)(2).
- (d) Approval of an amended plat pursuant to Tex. Loc. Gov't Code, section 212.016 and the city's subdivision regulations is not subject to reassessment for an impact fee.  
(Ord. No. 02-02, § 1, 1-15-02)

**Sec. 31-9. Payment and collection of impact fees.**

- (a) Impact fees shall be collected at the time the city issues a building permit for land within the corporate limits, or at the time an application for an individual water meter connection to the city's water or wastewater system is filed, for land located outside the corporate limits of the city.

(b) The impact fees to be paid and collected by water meter size or by vehicle mile shall be the amount listed in schedule 2. The city may enter into an agreement with a developer for a different time and manner of payment of impact fees, in which case the agreement shall determine the time and manner of payment.

(c) The city shall compute the impact fees for the new development in the following manner:

- (1) The amount of each impact fee shall be determined by multiplying the number of service units generated by the new development by the impact fee per service unit for the service area using schedule 2. The number of service units shall be determined by using table 1 or table 2, as applicable.
- (2) The amount of each impact fee shall be reduced by any allowable offsets or credits for that category of capital improvements, in the manner provided in section 31-10.
- (3) The total amount of the impact fees for the new development shall be calculated and attached to the development application or request for connection as a condition of approval.

(d) The amount of each impact fee for a new development shall not exceed an amount computed by multiplying the fee assessed per service unit pursuant to section 31-8 by the number of service units generated by the development.

(e) If the building permit for which an impact fee has been paid has expired, and a new application is thereafter filed, the impact fees shall be computed using schedule 2 then in effect, with credits for previous payment of fees being applied against the new fees due.

(f) Whenever the property owner proposes to increase the number of service units for a development, the additional impact fees collected for such new service units shall be determined by using schedule 2 then in effect, and such additional fee shall be collected at the times prescribed by this section.

(g) Notwithstanding other provisions of this section 31-9, no impact fee may be collected for a new development which was platted prior to the effective date of these regulations and for which a building permit was issued prior to such effective date or within one year thereof; provided that a building permit that expires or is withdrawn for such development shall be subject to collection of impact fees in accordance with this section 31-9.

(Ord. No. 02-02, § 1, 1-15-02; Ord. No. 07-11, § I, 3-20-07)

#### **Sec. 31-10. Offsets and credits against impact fees.**

(a) The city shall offset or credit the present value of any system facility, pursuant to rules established in this section or pursuant to administrative guidelines promulgated by the city, which has been dedicated or contributed to and received by the city, including the value of rights-of-ways or capital improvements constructed pursuant to an agreement with the city, against the amount of the impact fee due for that category of capital improvement. The offset or credit shall be associated with the plat of the property that is to be served by the capital improvement constructed.



(b) All offsets or credits against impact fees shall be based upon standards promulgated by the city, which may be adopted as administrative guidelines, including the following standards:

- (1) No offset or credit shall be given for the dedication or construction of site-related facilities.
- (2) No offset shall exceed an amount equal to the eligible costs of the improvement multiplied by a fraction, the numerator of which is the impact fee per service unit due for the new development as computed using schedule 2 and the denominator of which is the maximum impact fee per service unit for the new development as computed using schedule 1.
- (3) The unit costs used to calculate offsets and credits shall not exceed those assumed for the capital improvements included in the impact fees capital improvements plan for the category of facility for which the impact fee is imposed.
- (4) No offset or credit shall be given for an oversized facility which is not identified within the applicable impact fees capital improvements plan, unless the city agrees that such improvement supplies capacity to new developments other than the development paying the impact fee and provisions for offsets or credits are incorporated in an agreement for capital improvements pursuant to section 31-18.
- (5) In no event will the city reimburse the property owner or developer for an offset or credit when no impact fees for the new development can be collected pursuant to these impact fee regulations or for any amount exceeding the total impact fees due for the development for that category of capital improvements, unless expressly agreed to by the city in writing.
- (6) Offsets or credits for system facilities dedicated to and accepted by the city for a development prior to the effective date of this chapter shall be prorated among the total number of service units within such development and reduced by an amount equivalent to the number of existing service units within such development and shall be further reduced by the amount of any participation funds received from the city and by any payments received from other developments who utilize the system facility.
- (7) The city may participate in the costs of a system improvement to be dedicated to the city, including costs that exceed the amount of the impact fees due for the development under schedule 1 for that category of capital improvements, in accordance with policies and rules established under the city's subdivision regulations. The amount of any offset shall not include the amount of the city's participation.

(c) Offsets or credits created after the effective date of this chapter shall expire within ten years from the date the offset or credit was created. Offsets or credits arising prior to such effective date shall expire ten years from such effective date.

(d) Unless an agreement for capital improvements is executed providing for a different manner of offsetting or crediting impact fees due, an offset or credit associated with a plat shall be applied to reduce an impact fee at the time of application for the first building permit or at

the time of application for the first utility connection for the property, in the case of land located within the city's extraterritorial jurisdiction, and, thereafter, to reduce impact fees subsequently to be collected, until the offset or credit is exhausted.

(Ord. No. 02-02, § 1, 1-15-02)

**Sec. 31-11. Establishment of accounts.**

(a) The city's finance department shall establish an account to which interest is allocated for each service area for each category of capital facility for which an impact fee is imposed pursuant to this chapter. Each impact fee collected within the service area shall be deposited in such account.

(b) Interest earned on the account into which the impact fees are deposited shall be considered funds of the account and shall be used solely for the purposes authorized in section 31-12.

(c) The city's finance department shall establish adequate financial and accounting controls to ensure that impact fees disbursed from the account are utilized solely for the purposes authorized in section 31-12. Disbursement of funds shall be authorized by the city at such times as are reasonably necessary to carry out the purposes and intent of this chapter; provided, however, that any fee paid shall be expended within a reasonable period of time, but not to exceed ten years from the date the fee is deposited into the account.

(d) The city's finance department shall maintain and keep financial records for impact fees, which shall show the source and disbursement of all fees collected in or expended from each service area. The records of the account into which impact fees are deposited shall be open for public inspection and copying during ordinary business hours. The city may establish a fee for copying services.

(e) The finance department shall maintain and keep adequate financial records for said account which shall show the source and disbursement of all funds placed in or expended by such account.

(Ord. No. 02-02, § 1, 1-15-02)

**Sec. 31-12. Use of proceeds of impact fee accounts.**

(a) The impact fees collected for each service area pursuant to these regulations may be used to finance or to recoup the costs of any capital improvements or facility expansion identified in the applicable capital improvements plan for the service area, including but not limited to the construction contract price, surveying and engineering fees, land acquisition costs (including land purchases, court awards and costs, attorney's fees, and expert witness fees). Impact fees may also be used to pay the principal sum and interest and other finance costs on bonds, notes or other obligations issued by or on behalf of the city to finance such capital improvements or facility expansions. Impact fees also may be used to pay fees actually contracted to be paid to an independent qualified engineer or financial consultant for preparation of or updating the impact fee capital improvements plan.

(b) Impact fees collected pursuant to this chapter shall not be used to pay for any of the following expenses:

- (1) Construction, acquisition or expansion of capital improvements or assets other than those identified in the applicable capital improvements plan;
- (2) Repair, operation, or maintenance of existing or new capital improvements or facility expansion;
- (3) Upgrade, expansion or replacement of existing capital improvements to serve existing development in order to meet stricter safety, efficiency, environmental or regulatory standards;
- (4) Upgrade, expansion, or replacement of existing capital improvements to provide better service to existing development; provided, however, that impact fees may be used to pay the costs of upgrading, expanding or replacing existing capital improvements in order to meet the need for new capital improvements generated by new development; or

- (5) Administrative and operating costs of the city.

(Ord. No. 02-02, § 1, 1-15-02)

#### **Sec. 31-13. Appeals.**

(a) The property owner or applicant for new development may appeal the following administrative decisions to the city council:

- (1) The applicability of an impact fee to the development;
- (2) The amount of the impact fee due;
- (3) The availability of, the amount of, or the expiration of an offset or credit;
- (4) The application of an offset or credit against an impact fee due;
- (5) The amount of the impact fee in proportion to the benefit received by the new development; or
- (6) The amount of a refund due, if any.

(b) The burden of proof shall be on the appellant to demonstrate that the amount of the fee or the amount of the offset or credit was not calculated according to the applicable schedule of impact fees or the guidelines established for determining offsets or credits.

(c) The appellant must file a written notice of appeal with the city within 30 days following the decision. If the notice of appeal is accompanied by a payment or other security satisfactory to the city attorney in an amount equal to the original determination of the impact fee due, the development application may be processed while the appeal is pending.

(Ord. No. 02-02, § 1, 1-15-02)



**Sec. 31-14. Refunds.**

(a) Upon application, any impact fee or portion thereof collected pursuant to these regulations, which has not been expended within the service area within ten years from the date of payment, shall be refunded to the record owner of the property for which the impact fee was paid or, if the impact fee was paid by another governmental entity, to such governmental entity, together with interest calculated from the date of collection to the date of refund at the statutory rate as set forth in chapter 1.03, title 79, Revised Statutes (chapter 5069-1.03, Vernon's Texas Civil Statutes), or its successor statute. The application for refund pursuant to this section shall be submitted within 60 days after the expiration of the ten-year period for expenditure of the fee. An impact fee shall be considered expended on a first-in, first out basis.

(b) An impact fee collected pursuant to these regulations shall also be considered expended if the total expenditures for capital improvements or facility expansion authorized in section 31-12 within the service area within ten years following the date of payment exceeds the total fees collected within the service area for such improvements or expansions during such period.

(c) Upon application, any impact fee or portion thereof collected pursuant to these regulations shall be refunded if:

- (1) Existing service is available and service is denied;
- (2) Service was not available when the fee was collected and the city has failed to commence construction of facilities to provide service within two years of fee payment; or
- (3) Service was not available when the fee was collected and has not subsequently been made available within a reasonable period of time considering the type of capital improvement or facility expansion to be constructed, but in any event later than five years from the date of fee payment.

(d) If a refund is due pursuant to subsections (a), (b) or (c), the city shall divide the difference between the amount of expenditures and the amount of the fees collected by the total number of service units assumed within the service area for the period to determine the refund due per service unit. The refund to the record owner shall be calculated by multiplying the refund due per service unit by the number of service units for the development for which the fee was paid, and interest due shall be calculated upon that amount.  
(Ord. No. 02-02, § 1, 1-15-02)

**Sec. 31-15. Rebates.**

(a) If a tract of land for which an impact fee has been paid is replatted, resulting in a reduction in the number of service units, and the new impact fee to be collected is less than that paid, the city shall rebate the difference, provided that water meters to serve the development have not been installed.

(b) If the building permit for a new development for which an impact fee has been paid has expired, no tap purchases for that category of capital improvements have been made to the development, and a modified or new application has not been filed within six months of such expiration, the city shall, upon written application, rebate the amount of the impact fee to the record owner of the property for which the impact fee was paid. If no application for rebate pursuant to this subsection has been filed within this period, no rebate shall become due. (Ord. No. 02-02, § 1, 1-15-02)

**Sec. 31-16. Updates to plans and revision of fees.**

(a) The city shall update its land use assumptions and capital improvements plans at least every five years, commencing from the date of adoption of such plans, and shall recalculate the impact fees based thereon in accordance with the procedures set forth in V.T.C.A., Local Government Code ch. 395, or in any successor statute.

(b) The city may review its land use assumptions, impact fees, capital improvements plans and other factors such as market conditions more frequently than provided in subsection (a) to determine whether the land use assumptions and capital improvements plans should be updated and the impact fee recalculated accordingly, or whether schedules 1 or 2 should be changed. Schedule 2 may be amended without revising land use assumptions and capital improvements plans at any time prior to the update provided for in subsection (a), provided that the impact fees to be collected under schedule 2 do not exceed the impact fees assessed under schedule 1.

(c) If, at the time an update is required pursuant to subsection (a), the city council determines that no change to the land use assumptions, capital improvements plan or impact fee is needed, it may dispense with such update by following the procedures in V.T.C.A., Local Government Code § 395.0575.

(d) The city may amend by resolution table 1 or table 2 at any time prior to the update provided for in subsection (a), provided that the number of service units associated with a particular use shall not be increased.

(Ord. No. 02-02, § 1, 1-15-02; Ord. No. 07-11, § I, 3-20-07)

**Sec. 31-17. Functions of capital improvements advisory committee.**

(a) The capital improvements advisory committee shall perform the following functions:

- (1) Advise and assist the city in adopting land use assumptions;
- (2) Review the capital improvements plans and file written comments on impact fees;
- (3) Monitor and evaluate implementation of the capital improvements plans;
- (4) Advise the city of the need to update or revise the land use assumptions, capital improvements plans and impact fees; and

- (5) File a semiannual report evaluating the progress of the capital improvements plans and identifying perceived inequities in implementing the plans or administering the impact fees.

(b) The city shall make available to the capital improvements advisory committee any professional reports prepared in the development or implementation of the capital improvements plans.

(c) The city council shall adopt procedural rules for the capital improvements advisory committee to follow in carrying out its duties.

(Ord. No. 02-02, § 1, 1-15-02)

**Sec. 31-18. Agreement for capital improvements.**

(a) An owner of a new development may construct or finance a capital improvement or facility expansion designated in the impact fee capital improvements plan, if required or authorized by the city, by entering into an agreement with the city prior to the issuance of any building permit for the development. The agreement shall identify the estimated cost of the improvement or expansion, the schedule for initiation and completion of the improvement or expansion, a requirement that the improvement be designed and completed to city standards and such other terms and conditions as deemed necessary by the city. The agreement shall provide for the method to be used to determine the amount of the offset or credit to be given against impact fees due for the development.

(b) The city and such owner either may agree that the costs incurred or funds advanced will be offset or credited against the impact fees otherwise due from the new development, or they may agree that the city shall reimburse the owner for such costs from impact fees paid from other new developments which will use such capital improvements or facility expansions, or from other funding sources. In the event that the city elects to reimburse an owner for the dedication, construction or financing of a capital improvement or facility expansion designated in the capital improvements plan, the terms of reimbursement shall be incorporated in the agreement required by subsection (a). Reimbursement agreements shall further be based on the availability of city funds from all sources including current and projected impact fee fund accounts.

(Ord. No. 02-02, § 1, 1-15-02)

**Sec. 31-19. Exceptions.**

(a) To encourage affordable housing, 80 percent of all impact fees shall be waived or refunded based upon the prospective owner's total recurring household income, as set forth below:

- (1) Where the city has applied for and received a state or federal housing infrastructure grant for the purpose of supporting low and moderate income housing, 80 percent of the impact fees shall be waived at the normal time of collection of such fees for lots in



a subdivision that are developed and occupied in accordance with grant requirements. A certificate of occupancy shall not be issued for a dwelling until either of the following is submitted to the city:

- a. A written application and proof of the prospective homeowner's qualification for low and moderate income housing, as defined by the infrastructure grant program requirements; or
  - b. Payment of the remaining 80 percent of all impact fees.
- (2) For lots or parcels that are not located in a subdivision receiving a state or federal housing infrastructure grant, the prospective owner of a new single-family dwelling may submit a written application and qualifying documentation of an annual income of 80 percent or less of the median household income for Caldwell County for the purpose of obtaining a reduction in impact fees in accordance with the following:
- a. When the owner's household income is documented at the normal time of collection of impact fees, 80 percent of the impact fees shall be waived, resulting in a payment of 20 percent of the total amount.
  - b. When the owner is not known at the normal time of collection of impact fees, the full amount of all impact fees shall be paid. If the owner's household is later determined to meet the eligibility requirements, 80 percent of the amount of impact fees already paid shall be refunded directly to the homeowner, regardless of who originally paid the fees. If there is a mortgage closing, the refund shall be paid at any time before the closing date. If there is no mortgage closing, the refund shall be paid after issuance of a certificate of occupancy for the new dwelling.
- (b) Reserved.
- (c) No water or wastewater impact fee shall be charged for a water meter on a line used exclusively for emergency fire suppression.
- (d) No wastewater impact fee shall be charged for a water meter on a line used exclusively for landscape irrigation.
- (e) To encourage infill development of vacant parcels in the older residential subdivisions, no impact fees shall be charged for construction of new single-family or duplex dwellings on property in the original Town of Lockhart as recorded in 1875 in Volume Q, Page 507, Caldwell County Deed Records, or on lots in subsequent named subdivisions recorded prior to January 1, 1970, that have frontage on an adequate paved street, and that have existing direct access to water and wastewater utilities without requiring off-site extensions or improvements. (Ord. No. 02-10, § I, 3-5-02; Ord. No. 02-24, § I, 6-18-02; Ord. No. 03-18, § I, 8-19-03; Ord. No. 04-04, § I, 2-17-04; Ord. No. 04-05, § I, 3-2-04; Ord. No. 04-21, § I, 8-17-04; Ord. No. 05-05, § I, 2-15-05; Ord. No. 05-18, § I, 8-16-05; Ord. No. 06-12, § I, 2-21-06; Ord. No. 06-16, § I, 3-7-06; Ord. No. 07-11, § I, 3-20-07; Ord. No. 07-51, § I, 10-2-07; Ord. No. 08-07, § I, 4-15-08; Ord. No.

08-21, § I, 10-21-08; Ord. No. 2009-15, § I, 4-21-09; Ord. No. 2009-29, § I, 10-7-09; Ord. No. 2010-13, § I, 4-20-10; Ord. No. 2010-34, § I, 10-19-10; Ord. No. 2011-04, § I, 4-19-11; Ord. No. 2011-23, § I, 10-18-11)

**Sec. 31-20. Use of other financing mechanisms.**

(a) The city may finance capital improvements or facility expansions designated in the capital improvements plan through the issuance of bonds, through the formation of public utility districts or other assessment districts, or through any other authorized mechanism, in such manner and subject to such limitations as may be provided by law, in addition to the use of impact fees.

(b) Except as herein otherwise provided, the assessment and collection of an impact fee shall be additional and supplemental to, and not in substitution of, any other tax, fee, charge or assessment which is lawfully imposed on and due against the property.

(c) The city council may decide that the city shall pay all or a part of impact fees due for a new development pursuant to duly adopted criteria.  
(Ord. No. 02-02, § 1, 1-15-02)

**Sec. 31-21. Impact fee as additional and supplemental regulation.**

(a) Impact fees established by these regulations are additional and supplemental to, and not in substitution of, any other requirements imposed by the city on the development of land or the issuance of building permits, the sale of water or wastewater taps, or certificates of occupancy. Such fee is intended to be consistent with and to further the policies of city's comprehensive land use plan, the capital improvements plan, the zoning ordinance, subdivision regulations and other city policies, ordinances and resolutions by which the city seeks to ensure the provision of adequate public facilities in conjunction with the development of land.

(b) This chapter shall not affect, in any manner, the permissible use of property, density of development, design, and improvement standards and requirements, or any other aspect of the development of land or provision of public improvements subject to the zoning and subdivision regulations or other regulations of the city, which shall be operative and remain in full force and effect without limitation with respect to all such development.  
(Ord. No. 02-02, § 1, 1-15-02)

**Sec. 31-22. Relief procedures.**

(a) Any person who has paid an impact fee or an owner of land upon which an impact fee has been paid may petition the city council to determine whether any duty required by this chapter has not been performed within the time so prescribed. The petition shall be in writing and shall state the nature of the unperformed duty and request that the duty be performed within 60 days of the request. If the city council determines that the duty is required pursuant to the ordinance and is late in being performed, it shall cause the duty to commence within 60 days of the date of the request and to continue until completion. This subsection is not applicable to matters which may be appealed pursuant to section 31-13.

(b) The city council may grant a variance from any requirement of this chapter, upon written request by a developer or owner of property subject to the ordinance, following a public hearing, and only upon finding that a strict application of such requirement would, when regarded as a whole, result in confiscation of the property.

(c) If the city council grants a variance to the amount of the impact fee due for a new development under this section, it may cause to be appropriated from other city funds the amount of the reduction in the impact fee to the account for the service area in which the property is located.

(Ord. No. 02-02, § 1, 1-15-02)

## **ARTICLE II. WATER FACILITIES IMPACT FEES**

### **Sec. 31-23. Water service area.**

(a) There is hereby established a water service area, constituting land within the city limits and within the city's extraterritorial jurisdiction, as depicted on plate 1 in exhibit 1, attached to the ordinance from which this chapter derives and incorporated by reference herein.

(b) The boundaries of the water service area may be amended from time to time, or new water benefit areas may be delineated, pursuant to the procedures in section 31-16.

(Ord. No. 02-02, § 1, 1-15-02; Ord. No. 07-11, § I, 3-20-07)

### **Sec. 31-24. Water improvements plan.**

(a) The water improvements plan for the city is hereby adopted as exhibit 2 attached to the ordinance from which this chapter derives and incorporated by reference herein.

(b) The water improvements plan may be amended from time to time, pursuant to the procedures in section 31-16.

(Ord. No. 02-02, § 1, 1-15-02; Ord. No. 07-11, § I, 3-20-07)

### **Sec. 31-25. Water facilities impact fees.**

(a) The maximum impact fees per service unit for water facilities are hereby adopted and incorporated in schedule 1, located at the end of this chapter.

(b) The impact fees per service unit for water facilities, which are to be paid by each new development, are hereby adopted and incorporated in schedule 2, located at the end of this chapter.

(c) The impact fees per service unit for water facilities may be amended from time to time, pursuant to the procedures in section 31-16.

(Ord. No. 02-02, § 1, 1-15-02)



**ARTICLE III. WASTEWATER FACILITIES IMPACT FEES****Sec. 31-26. Wastewater service area.**

(a) There is hereby established a wastewater service area, constituting land within the city limits and within the city's extraterritorial jurisdiction, as depicted on plate 2 in exhibit 1 attached to the ordinance from which this chapter derives and incorporated by reference herein.

(b) The boundaries of the wastewater service area may be amended from time to time, or new wastewater service areas may be delineated, pursuant to the procedures in section 31-16. (Ord. No. 02-02, § 1, 1-15-02; Ord. No. 07-11, § I, 3-20-07)

**Sec. 31-27. Wastewater improvements plan.**

(a) The wastewater improvements plan for the city is hereby adopted as exhibit 2 attached to the ordinance from which this chapter derives and incorporated by reference herein.

(b) The wastewater improvements plan may be amended from time to time, pursuant to the procedures in section 31-16.

(Ord. No. 02-02, § 1, 1-15-02; Ord. No. 07-11, § I, 3-20-07)

**Sec. 31-28. Wastewater facilities impact fees.**

(a) The maximum impact fees per service unit for wastewater facilities are hereby adopted and incorporated in schedule 1, located at the end of this chapter.

(b) The impact fees per service unit for wastewater facilities, which are to be paid by each new development, are hereby adopted and incorporated in schedule 2, located at the end of this chapter.

(c) The impact fees per service unit for wastewater facilities may be amended from time to time, pursuant to the procedures in section 31-16.

**ARTICLE IV. ROADWAY IMPACT FEES****Sec. 31-29. Roadway service area.**

(a) There is hereby established a roadway service area, constituting land within the city limits, as depicted on plate 3 in exhibit 1 attached to the ordinance from which this chapter derives and incorporated by reference herein.

(b) The boundaries of the roadway service areas may be amended from time to time, or new roadway service areas may be delineated, pursuant to the procedures in section 31-16.

(Ord. No. 02-02, § 1, 1-15-02; Ord. No. 07-11, § I, 3-20-07)

**Sec. 31-30. Roadway improvements plan.**

(a) The roadway improvements plan for the city is hereby adopted as exhibit 3 attached to the ordinance from which this chapter derives and incorporated by reference herein.

(b) The roadway improvements plan may be amended from time to time, pursuant to the procedures in section 31-16.

(Ord. No. 02-02, § 1, 1-15-02; Ord. No. 07-11, § I, 3-20-07)

**Sec. 31-31. Roadway facilities impact fees.**

(a) The maximum impact fees per service unit for roadway facilities are hereby adopted and incorporated in schedule 1, located at the end of this chapter.

(b) The impact fees per service unit for roadway facilities, which are to be paid by each new development, are hereby adopted and incorporated in schedule 2, located at the end of this chapter.

(c) The impact fees per service unit for roadway facilities may be amended from time to time, pursuant to the procedures in section 31-16.

(Ord. No. 02-02, § 1, 1-15-02)

**APPENDIX I SCHEDULE 1  
IMPACT FEES TO BE ASSESSED**

Water impact fees:	\$1,223.96 per living unit equivalent
Wastewater impact fees:	\$1,094.33 per living unit equivalent
Roadway impact fees:	\$700.00 per vehicle mile

**SCHEDULE 2  
IMPACT FEES TO BE CHARGED**

Water impact fees:	\$1,223.96 per living unit equivalent
Wastewater impact fees:	\$1,094.33 per living unit equivalent
Roadway impact fees:	\$700.00 per vehicle mile

**TABLE 1  
LIVING UNIT EQUIVALENCIES (LUE's)  
FOR VARIOUS TYPES AND SIZES OF WATER METERS**

<i>Meter Type</i>	<i>Meter Size</i>	<i>Continuous Duty Maximum Rate (gpm)</i>	<i>Ratio to 3/4 Meter</i>
Simple	3/4"	15	1.000
Simple	1"	25	1.667
Simple	1 1/2"	50	3.333
Simple	2"	80	5.333
Compound	2"	80	5.333
Turbine	2"	100	6.667
Compound	3"	160	10.667
Turbine	3"	240	16.000
Compound	4"	250	16.667
Turbine	4"	420	28.000
Compound	6"	500	33.333
Turbine	6"	920	61.333
Compound	8"	800	53.333
Turbine	8"	1600	106.667
Compound	10"	1150	76.667
Turbine	10"	2500	166.667
Turbine	12"	3300	220.000



**TABLE 2**  
**LAND USE VEHICLE-MILE EQUIVALENCY TABLE**

<i>Category</i>	<i>Land Use</i>	<i>Develop- ment Units (X)</i>	<i>Peak Hour Trip Rate</i>	<i>Trip Length (mi)</i>	<i>Total Service Units (Veh-Mi/ Dev. Unit)</i>
<b>Residential</b>					
	Single-family detached*	D.U.	1.01(X)	1.2	1.17
	Multi-family	D.U.	.62(X)	1.2	0.72
	Townhome	D.U.	.78(X)	1.2	0.90
	Retirement housing	D.U.	.27(X)	1.0	0.27
<b>Office</b>					
	General office bldg*	1000 GFA	1.49(X)	1.2	1.73
	Medical office bldg	1000 GFA	3.72(X)	1.0	3.72
<b>Commercial</b>					
	Retail*	1000 GFA	2.875(X)	1.0	2.875
	Restaurant	1000 GFA	5.19(X)	1.0	5.19
	Fast-food restaurant	1000 GFA	10.34(X)	1.0	10.34
	Convenience store/gas stations	1000 GFA	12.21(X)	0.8	9.70
	Video rental store	1000 GFA	5.19(X)	1.0	5.19
	Bank	1000 GFA	12.35(X)	1.0	12.35
	Hotel	Rooms	.53(X)	1.0	0.53
	Automotive care	1000 GFA	2.51(X)	1.0	2.51
	Furniture store	1000 GFA	.46(X)	1.0	0.46
	Golf course	Hole	2.74(X)	1.0	2.74
	Golf driving range	Tee position	1.25(X)	1.0	1.25
	Theater	Seat	.11(X)	1.0	0.11
	Indoor entertainment/amusement	1000 GFA	3.54(X)	1.0	3.54
	Outdoor multipurpose recreation center	1000 GFA	3.35(X)	1.0	3.35
<b>Industrial</b>					
	General industrial*	1000 GFA	.72(X)	1.2	0.86
	Manufacturing	1000 GFA	.74(X)	1.2	0.88
	Warehousing	1000 GFA	.47(X)	1.2	0.56
	Self-storage facilities	1000 GFA	.26(X)	1.0	0.26
<b>Institutional</b>					
	Elementary school	Students	.015(X)	0.8	0.012
	Junior high	Students	.14(X)	1.0	0.14
	High school	Students	.15(X)	1.0	0.15
	Junior college	Students	.17(X)	1.0	0.17
	Private school(K—12)	Students	.17(X)	1.0	0.17
	Day care center	Students	.21(X)	0.8	0.16
	Hospital	Beds	1.22(X)	1.0	1.22
	Nursing home	Beds	.22(X)	1.0	0.22
	Place of worship	1000 GFA	.66(X)	1.0	0.66
	Activity center	1000 GFA	1.75(X)	1.0	1.75
	U.S. Post Office	1000 GFA	9.71(X)	1.0	9.71
	Detention facility	Beds	.17(X)	1.2	0.20
	Others not specified*	1000 GFA	.47(X)	1.0	0.47

# IMPACT FEES

Ch. 31, App. I

Category	Land Use	Development Units (X)	Peak Hour Trip Rate	Trip Length (mi)	Total Service Units (Veh-Mi / Dev. Unit)
*This category also represents service unit equivalency for land uses not specified in this category. Actual equivalency may vary and may be demonstrated by property owner to be different pursuant to city guidelines.				DU = Dwelling Unit GFA = Gross Floor Area	

*Note:* The following exhibits referenced herein are not included, but may be found with Ordinance 07-11 on file in the city secretary's office.

Exhibit 1 Land Use Assumptions for Impact Fees.

Exhibit 2 Water and Wastewater Impact Fee Analysis Capital Improvements Plan.

Exhibit 3 System Update for Roadway Impact Fees and Capital Improvements Plan.  
(Ord. No. 07-07, § I, 3-6-07; Ord. No. 07-11, § I, 3-20-07; Ord. No. 07-50, § II, 10-2-07)

**LOCKHART CITY COUNCIL  
REGULAR MEETING**

**MARCH 21, 2017**

**6:30 P.M.**

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

Connie Constancio, City Secretary  
Robert Tobias, Economic Development Director

**Citizens/Visitors Addressing the Council:** Amy Limas of the Lockhart Youth Soccer Association (LYSA).

**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 MARCH 7, 2017.**

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

**B. DISCUSS FIVE YEAR AGREEMENT WITH THE LOCKHART YOUTH SOCCER ASSOCIATION (LYSA) FOR USE OF THE CPL. JASON K. LAFLEUR SPORTS COMPLEX WHEREBY LYSA WOULD TAKE OVER CERTAIN MAINTENANCE AND OPERATIONAL RESPONSIBILITIES IN EXCHANGE FOR DEFINED CONTROL OF THE FIELDS AND CONCESSION STAND, AND APPOINTING THE CITY MANAGER TO SIGN THE AGREEMENT, IF APPROVED BY COUNCIL.**

Mr. Rodgers stated that staff has been working with LYSA on a five year agreement whereby LYSA would take over certain maintenance and operational responsibilities of the Cpl. Jason K. LaFleur Sports Complex in exchange for defined control of the fields similar to the agreement the City has had with the Lockhart Little League Association for several years. LYSA would take over mowing and maintenance of the fields, cleaning and general maintenance of the concessions stand and restrooms, empty trash barrels, and perform litter pick up. The City Parks crew would still mow the areas outside the fields. LYSA would have the authority to rent out the fields under certain conditions to other non-profit organizations and groups and keep the revenues from such rentals. LYSA reviewed and approved the agreement before it was taken to the Parks Advisory Board which approved it with very minor suggested changes. Mr. Rodgers recommended approval. There was discussion.

Amy Limas of the LYSA provided information and there was discussion about their scheduled maintenance at the Sports Complex.



**C. DISCUSS IMPLEMENTING THE NEW WEBSITE OF THE CITY OF LOCKHART, TEXAS AND AUTHORIZING STAFF TO PROCEED WITH ALL ASPECTS INVOLVED IN THE TRANSITION.**

Ms. Constancio provided information and there was discussion regarding the new website.

**D. DISCUSS ORDINANCE 2017-05 SUSPENDING UNTIL JUNE 16, 2017, THE PROPOSED GAS RELIABILITY INFRASTRUCTURE PROGRAM (GRIP) INTERIM RATE ADJUSTMENT OF THE TEXAS GAS SERVICE COMPANY, A DIVISION OF ONE GAS, FILED MARCH 3, 2017.**

Mr. Rodgers stated that the ordinance delays until June 16, 2017 temporary gas rate increases referred to as Gas Reliability Infrastructure Program (GRIP) increases which are allowed by the Railroad Commission to recover gas system capital expenditures from the previous year. The increases, averaging \$1.33 per month for residents and \$5.79 for businesses, would begin on May 2, 2017 without passage of this ordinance. The requested increases appear to be valid because of the amount of funds that were spent on gas infrastructure improvements during the past year. Mr. Rodgers recommended approval. There was discussion.

**E. DISCUSS ORDINANCE 2017-06 AMENDING PORTIONS OF CHAPTER 58, ARTICLE III, WATER, SEWER, ELECTRIC EXTENSIONS, DIVISION 1, GENERALLY, CHAPTER 58, SECTIONS 58-171 THROUGH 58-174 OF THE CODE OF ORDINANCES PROVIDING FOR A UTILITY MAIN EXTENSION APPLICATION AND A PRO-RATA REIMBURSEMENT APPLICATION AND PROCESS.**

Mr. Rodgers stated that the ordinance makes minor changes to the existing utility extension policy and sets in place an application and process for possible pro-rata reimbursement of water, wastewater, and electric main line extensions initially paid for by an owner/developer. Currently the process for possible pro-rata reimbursement of expenses involved with main line extensions to the owner/developer is not clear. The City retains the right not to participate in such agreements. An example would be when the extensions would only benefit the owner/developer or City funds. Another example would be when a larger sewer main line extension is installed than is needed by the owner/developer demand only because a flatter grade can be used to achieve the distance to the owner/developer property. Mr. Rodgers recommended approval. There was discussion.

**F. DISCUSS CHANGE ORDER #2 FOR QRO-MEX CONSTRUCTION COMPANY, INC., TO INCREASE THE CURRENT CONTRACT BY \$45,950 MAKING THE NEW CONTRACT AMOUNT \$2,154,615 FOR UTILITY WORK ON LOCUST STREET TO ACCOMMODATE DRAINAGE WORK TO BE PERFORMED ON PINE, COMAL, ASH STREETS, AND FOR OTHER INCREASED QUANTITIES IN THE CURRENT CONTRACT, AND APPOINTING THE MAYOR TO SIGN THE CHANGE ORDER, IF APPROVED.**

Mr. Rodgers stated that Qro-Mex Construction Company, Inc., has the current contract to perform utility, drainage, and street improvements on the Richland Drive project and on the Mesquite-Braden-Vega-Wichita Street project; the unit prices for the work were very good. The contractor has agreed to extend the same unit prices for the proposed change order. The total current contract including Change Order #1 is \$2,108,665. The proposed Change Order #2 would add \$45,950 to the current contract to extend a deep wastewater line on Locust Street to accommodate the drainage project on Pine, Comal, and Ash Streets and allows for increased quantities in the approved contract. The new line will be very deep and is mostly in solid rock for which the contractor has special equipment. The percentage increase in the original contract, if approved, would be 23%; State law allows up to a 25% increase without re-bidding. The new contract amount, if Change Order #2 is approved, will be \$2,154,615. Mr. Rodgers recommended approval. There was discussion.



**G. DISCUSSION REGARDING RESOLUTION 2017-06 RESCINDING RESOLUTION 2016-12 WHICH APPROVED THE 4B ECONOMIC DEVELOPMENT PROJECT BY HILL COUNTRY FOODWORKS, LLC AT 215 E. MLK, JR. INDUSTRIAL BLVD. IN ORDER TO ESTABLISH 4B PROJECTS WITH THE SAME COMPANY.**

Mr. Tobias stated that the Lockhart Economic Development Corporation (LEDC) rescinded LEDC Resolution 2016-03 which is the previous 4B economic development project proposed by Hill Country Foodworks, LLC. in order to consider a new 4B project with a larger scope. This resolution rescinds the previous City Council Resolution 2016-02 for the original Hill Country Foodworks, LLC. project so that a new project can be considered for approval by the City Council. There was discussion.

**H. DISCUSSION REGARDING RESOLUTION 2017-07 APPROVING A 4A TYPE PROJECT UNDER SECTION 4B OF THE TEXAS ECONOMIC DEVELOPMENT CORPORATION ACT OF 1979, AS AMENDED, FOR FUNDING OF HILL COUNTRY FOODWORKS, LLC, IN AN AMOUNT NOT TO EXCEED \$186,000 TO EMPLOY A MINIMUM OF 20 FULL TIME EQUIVALENT EMPLOYEES WITH AN AVERAGE ANNUAL WAGE OF \$30,250 AND AN ESTIMATED CAPITAL INVESTMENT OF \$1.475 MILLION OVER THE THREE-YEAR CONTRACTUAL PERIOD FOR LAND/BUILDING LOCATED AT 215 E. MLK, JR. INDUSTRIAL BLVD. IMPROVEMENTS AND PROFESSIONAL SERVICES.**

Mr. Tobias stated that the Lockhart Economic Development Corporation (LEDC) unanimously voted to approve LEDC Resolution 2017-04 at its recent board meeting on March 13, 2017, after receiving input from Jacob Cathey one of the owners of Hill Country Foodworks, conducting a public hearing, receiving input from staff, and reviewing the Economic Development Impact Data sheet. Mr. Tobias provided brief information about the new scope of the project and recommended approval. There was discussion.

**I. DISCUSSION REGARDING AN AMENDED CHAPTER 380 ECONOMIC DEVELOPMENT INCENTIVE AGREEMENT WITH HILL COUNTRY FOODWORKS, LLC WHICH REFLECTS A NEW SCOPE OF DEVELOPMENT INCLUDING A 5,000 SQUARE FOOT ADDITION TO THE BUILDING AT 215 E. MLK JR. INDUSTRIAL BLVD. WHICH SIGNIFICANTLY INCREASES THE PROJECT INVESTMENT FOR THE PROJECT FROM \$450,000 TO \$920,000 OVER THE THREE- YEAR AGREEMENT PERIOD WHICH INCLUDES A MINIMUM OF 20 JOBS MAKING A MINIMUM ANNUAL WAGE OF \$30,250.**

Mr. Tobias stated that Council approved a 380 Economic Development Incentive Agreement with Hill Country Foodworks, LLC. on October 13, 2016. The previous project resolution with Hill Country Foodworks has been rescinded. An amended 380 Agreement is needed to reflect the significant investment increase (from \$450,000 to \$920,000 not including the existing land and building) in the project by Hill Country Foodworks, LLC. The new agreement reflects possible higher property tax rebates because of the higher investment by the company as long as it maintains a minimum of 20 jobs at an average minimum annual wage of \$30,250 for three years. Mr. Tobias recommended approval.

There was discussion. Mr. Rodgers stated that he recommends offering tax rebates instead of tax abatements to enable businesses to show proof of abiding by and fulfilling the requirements as outlined in the incentive agreement.

**J. DISCUSSION AFTER FISCAL YEAR 2016-2017 CITY COUNCIL GOALS UPDATE BY THE CITY MANAGER.**

Mr. Rodgers stated that the goals provide a six-month update and invited comments or additional explanation about the goals. There was discussion.

Mr. Rodgers suggested that a goals workshop be held in April prior to beginning the budget workshop process.

RECESS: Mayor White announced that the Council would recess for a break at 7:30 p.m.

**REGULAR MEETING****ITEM 1. CALL TO ORDER.**

Mayor Lew White called the regular meeting of the Lockhart City Council to order on this date at 7:45 p.m.

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

Invocation – Mayor Pro-Tem Angie Gonzales-Sanchez

Pledge of Allegiance to the United States and Texas flags.

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

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

**ITEM 4-A. DISCUSSION AND/OR ACTION REGARDING RESOLUTION 2017-06 RESCINDING RESOLUTION 2016-12 WHICH APPROVED THE 4B ECONOMIC DEVELOPMENT PROJECT BY HILL COUNTRY FOODWORKS, LLC AT 215 E. MLK, JR. INDUSTRIAL BLVD. IN ORDER TO ESTABLISH 4B PROJECTS WITH THE SAME COMPANY.**

Councilmember Castillo made a motion to approve Resolution 2017-06 rescinding Resolution 2016-12 which approved the 4B Economic Development project by Hill Country Foodworks, LLC. at 215 E. MLK, Jr. Industrial Blvd. in order to establish 4B projects with the same company. Councilmember Michelson seconded. The motion passed by a vote of 7-0.

**ITEM 4-B. CONDUCT THE FIRST OF TWO REQUIRED READINGS AND DISCUSSION OF RESOLUTION 2017-07 APPROVING A 4A TYPE PROJECT UNDER SECTION 4B OF THE TEXAS ECONOMIC DEVELOPMENT CORPORATION ACT OF 1979, AS AMENDED, FOR FUNDING OF HILL COUNTRY FOODWORKS, LLC, IN AN AMOUNT NOT TO EXCEED \$186,000 TO EMPLOY A MINIMUM OF 20 FULL TIME EQUIVALENT EMPLOYEES WITH AN AVERAGE ANNUAL WAGE OF \$30,250 AND AN ESTIMATED CAPITAL INVESTMENT OF \$1.475 MILLION OVER THE THREE-YEAR CONTRACTUAL PERIOD FOR LAND/BUILDING LOCATED AT 215 E. MLK, JR. INDUSTRIAL BLVD. IMPROVEMENTS AND PROFESSIONAL SERVICES.**

Mr. Tobias read Resolution 2017-07 in its entirety.



**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 March 7, 2017.
- 5B: Approve five year agreement with the Lockhart Youth Soccer Association (LYSA) for use of the Cpl. Jason K. LaFleur Sports Complex whereby LYSA would take over certain maintenance and operational responsibilities in exchange for defined control of the fields and concession stand, and appointing the City Manager to sign the agreement, if approved by Council.
- 5C: Approve implementing the new website of the City of Lockhart, Texas and authorizing staff to proceed with all aspects involved in the transition.
- 5D: Approve Ordinance 2017-05 suspending until June 16, 2017, the proposed Gas Reliability Infrastructure Program (GRIP) interim rate adjustment of the Texas Gas Service Company, a division of One Gas, filed March 3, 2017.
- 5E: Approve Ordinance 2017-06 amending portions of Chapter 58, Article III, Water, Sewer, Electric Extensions, Division 1, Generally, Chapter 58, Sections 58-171 through 58-174 of the Code of Ordinances providing for a utility main extension application and a pro-rata reimbursement application and process.
- 5F: Approve Change Order #2 for Qro-Mex Construction Company, Inc., to increase the current contract by \$45,950 making the new contract amount \$2,154,615 for utility work on Locust Street to accommodate drainage work to be performed on Pine, Comal, Ash Streets, and for other increased quantities in the current contract, and appointing the Mayor to sign the change order, if approved.

**ITEM 6-A. CONDUCT THE SECOND OF TWO REQUIRED READINGS AND DISCUSSION AND/OR ACTION REGARDING RESOLUTION 2017-07 APPROVING A 4A TYPE PROJECT UNDER SECTION 4B OF THE TEXAS ECONOMIC DEVELOPMENT CORPORATION ACT OF 1979, AS AMENDED, FOR FUNDING OF HILL COUNTRY FOODWORKS, LLC, IN AN AMOUNT NOT TO EXCEED \$186,000 TO EMPLOY A MINIMUM OF 20 FULL TIME EQUIVALENT EMPLOYEES WITH AN AVERAGE ANNUAL WAGE OF \$30,250 AND AN ESTIMATED CAPITAL INVESTMENT OF \$1.475 MILLION OVER THE THREE-YEAR CONTRACTUAL PERIOD FOR LAND/BUILDING LOCATED AT 215 E. MLK, JR. INDUSTRIAL BLVD. IMPROVEMENTS AND PROFESSIONAL SERVICES.**

Mr. Tobias read Resolution 2017-07 in its entirety.

Councilmember Michelson made a motion to approve Resolution 2017-07, as presented. Mayor Pro-Tem Sanchez seconded. The motion passed by a vote of 7-0.



**ITEM 6-B. DISCUSSION AND/OR ACTION REGARDING AN AMENDED CHAPTER 380 ECONOMIC DEVELOPMENT INCENTIVE AGREEMENT WITH HILL COUNTRY FOODWORKS, LLC WHICH REFLECTS A NEW SCOPE OF DEVELOPMENT INCLUDING A 5,000 SQUARE FOOT ADDITION TO THE BUILDING AT 215 E. MLK JR. INDUSTRIAL BLVD. WHICH SIGNIFICANTLY INCREASES THE PROJECT INVESTMENT FOR THE PROJECT FROM \$450,000 TO \$920,000 OVER THE THREE- YEAR AGREEMENT PERIOD WHICH INCLUDES A MINIMUM OF 20 JOBS MAKING A MINIMUM ANNUAL WAGE OF \$30,250.**

There was brief discussion.

Councilmember Hilburn made a motion to approve the amended Chapter 380 Economic Development Incentive Agreement with Hill Country Foodworks, LLC., as presented. Mayor Pro-Tem Sanchez seconded. The motion passed by a vote of 7-0.

**ITEM 6-C. DISCUSSION AND/OR ACTION AFTER FISCAL YEAR 2016-2017 CITY COUNCIL GOALS UPDATE BY THE CITY MANAGER.**

Mr. Rodgers encouraged the Council to submit comments.

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

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

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

- Update: US Hwy 183 expansion project, Blackjack to Wal-Mart; the last design puts all drainage waters on the west side until it gets down to the ditch between Smith Supply and Walmart; West side almost complete.
- Update: Drainage work continues on Mesquite, Braden, Wichita, and Vega Street areas; detention ponds and other work about 98% complete; patching and paving of streets should be completed within the next 10 days, weather-permitting. Rain has delayed paving yet paving was completed on that project today.
- Update: E. Walnut Street Neighborhood Drainage Project, utility clearance work completed; contract putting down first course of base soon and then will start the curbing; rain has been a problem.
- Update: Bid advertisements for the Ash, Comal, and Pine Street Drainage Project are now planned within the next 30 days; utility clearances are taking longer than anticipated. We will wait on bidding out to conflict with City crews working on water/sewer clearances; a neighborhood meeting will be set up after the bidding but before the project starts.
- Update: Utility main extension projects in western corridor are being designed and will be ready for bid in about 60 days.
- Report: Welcome Spring Day Event in City Park held on Saturday, March 18 with Kid Fish, Bouncy House, Free Hot Dogs, Petting Zoo, and Chamber Chili Cook-off.
- Report: Greater Caldwell County Hispanic Chamber of Commerce Banquet held Saturday, March 18.
- Reminder: Spring Festival at the Lockhart Animal Shelter on Saturday, April 1, starting at 11 am with kids show, food, and prizes showcasing the improvements recently completed at the shelter.
- Reminder: Lockhart Cowtown Stroll, Saturday, April 1, Downtown starting at 4 pm.
- Reminder: City Wide Residential Spring Clean Up starts first Wednesday in April.
- Reminder: Don't Mess with Texas Trash Off on Saturday, April 8<sup>th</sup>.



- Reminder: 11<sup>th</sup> Annual Lockhart Kiwanis 5K Stampede or 1K Fun Run/Walk, Saturday, April 15<sup>th</sup>.
- Reminder: The Texas Mustang Club will have about 300 Mustangs on display at the First Lockhart Baptist Church Parking lots on W. Prairie Lea Street starting at 1 pm Saturday, April 15, after the Kiwanis events.
- Announcement: Taking City Pool Lifeguard Applications.
- Announcement: City of Lockhart has received the LCRA Community Grant in the amount of \$25,000 to help with lighting at the Cpl. Jason K. LaFleur Sports Complex.
- Spectrum Cable is scheduled to complete repairs of the Channel 10 interruptions by May 2017.
- Update about the emergency siren.

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

Councilmember Westmoreland commented about how well the downtown square is maintained.

Councilmember Mendoza expressed condolences to all that have lost a loved one. He congratulated the Greater Caldwell County Hispanic Chamber of Commerce for a successful annual banquet.

Mayor Pro-Tem Sanchez expressed condolences to the families of Raymond Mireles, Peggy and Kenneth Hoffman, Helen Harris and Richard Huggins for their loss. She thanked all involved with the successful KidFish/Welcome Spring Day event. She also congratulated the recipients of awards at the Greater Caldwell County Hispanic Chamber of Commerce banquet.

Councilmember Hilburn expressed condolences to those that have lost a loved one or were injured. He thanked the Greater Caldwell County Hispanic Chamber of Commerce for a successful banquet. He also thanked the citizens of Lockhart and Caldwell County for voting him as the “2017 Friendliest Person” in Caldwell County.

Councilmember Castillo thanked the Greater Caldwell County Hispanic Chamber of Commerce for a successful banquet and to those that received awards. He expressed condolences to those that have lost a loved one. He thanked all involved with the successful KidFish/Welcome Spring Day and Chili Cookoff events. He thanked the city crews for their work.

Councilmember Michelson thanked all involved with the successful KidFish/Welcome Spring Day event. He congratulated the recipients of awards at the Greater Caldwell County Hispanic Chamber of Commerce banquet.

Mayor White thanked the community for supporting those that were injured and lost in the tragic accident in Mississippi. He thanked the Greater Caldwell County Hispanic Chamber of Commerce for a successful banquet and congratulated those that received awards. He thanked all that participated in the successful KidFish/Welcome Spring Day event. Little League opening day is Saturday, March 25 and he encouraged citizens to support the youth during the baseball season. He also congratulated Councilman Hilburn for receiving the “2017 Friendliest Person” award. Sip n Stroll event will be held downtown on April 1, 2017 beginning at 4 pm.

**ITEM 9. ADJOURNMENT.**

Mayor Pro-Tem Sanchez made a motion to adjourn the meeting. Councilmember Mendoza seconded.  
The motion passed by a vote of 7-0. The meeting was adjourned at 8:30 p.m.

PASSED and APPROVED this the 4<sup>th</sup> day of April 2017.

**CITY OF LOCKHART**

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

ATTEST:

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





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

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

## CITY OF LOCKHART COUNCIL AGENDA ITEM

<b>CITY SECRETARY'S USE ONLY</b>		Reviewed by Finance	<input type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable
<input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory		Reviewed by Legal	<input type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable
Council Meeting Dates: April 4, 2017				
Department: City Manager		Initials	Date	
Department Head: Vance Rodgers		Asst. City Manager		
Dept. Signature: <i>Vance Rodgers</i>		City Manager	<i>[Signature]</i>	3-28-2017
Agenda Item Coordinator/Contact (include phone #): Vance Rodgers				
<b>ACTION REQUESTED:</b> <input type="checkbox"/> ORDINANCE <input type="checkbox"/> RESOLUTION <input type="checkbox"/> CHANGE ORDER <input checked="" type="checkbox"/> AGREEMENT <input type="checkbox"/> APPROVAL OF BID <input type="checkbox"/> AWARD OF CONTRACT <input type="checkbox"/> CONSENSUS <input type="checkbox"/> OTHER				
<b>CAPTION</b>				
Discussion and/or action regarding proposed three (3) year agreement between the City of Lockhart and the Texas Master Gardener Association, Inc. for use of the garden space on City Property on N Medina Street just north of the Caldwell Ministerial Alliance Food Bank; the group would be responsible for the maintenance and upkeep of the area, providing some fresh vegetables to the Food Bank, educating local community groups and individuals and encouraging them to be involved with gardening, and appointing the Mayor to sign the agreement if approved.				
<b>FINANCIAL SUMMARY</b>				
<input type="checkbox"/> N/A <input type="checkbox"/> GRANT FUNDS <input type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input type="checkbox"/> CIP <input type="checkbox"/> BUDGETED <input type="checkbox"/> NON-BUDGETED				
FISCAL YEAR:	PRIOR YEAR (CIP ONLY)	CURRENT YEAR	FUTURE YEARS	TOTALS
Budget				\$0.00
Budget Amendment Amount				\$0.00
Encumbered/Expended Amount				\$0.00
This Item				\$0.00
BALANCE	\$0.00	\$0.00	\$0.00	\$0.00
<b>FUND(S):</b>				
<b>SUMMARY OF ITEM</b>				
The Texas Master Gardener Association, Inc. approached the Mayor and City Manager about the possibility of an agreement for use of the gardening area. The organization is a 501 (C) (3) entity. Members have been working the gardening space for more than a year. They would like to make several improvements at the site that involve a lot of sweat equity and some funds but they do not want to do this without some type of agreement to protect their investment. Much of the garden produce would be donated to the Food Bank. They encourage LISD at Risk Students and Key Club members to be involved. Gardening education will be an integral part of the program. The agreement would be for three (3) years with automatic renewals of one (1) year unless a thirty (30) day notice is provided by either agreement party. The City shall have the right to terminate the agreement at any time for justifiable cause.				
<b>STAFF RECOMMENDATION</b>				
City Manager recommends approval of the agreement as presented.				
List of Supporting Documents:		Other Departments, Boards, Commissions or Agencies:		
501 C-3 Information about Texas Master Gardener Association Inc., Map showing the gardening area		<i>53</i>		





## **AGREEMENT**

### **CITY OF LOCKHART, TEXAS (CITY) AND TEXAS MASTER GARDENERS ASSOCIATION (TMGA)**

The purpose of the agreement is to set forth agreed conditions for use of the garden area located on City of Lockhart property on the West side of North Medina Street just north of the Caldwell County Ministerial Alliance Food Bank located at 901 Bois D Arc Street herein referred to as "the garden area", and more specifically described as that area generally bounded by a chain link fence to the north, west by the Medina Street west curb line, south by the north curb line of the parking lot and to the east by the helicopter pad area. No buildings or fences can be placed within 75' of the outer edge of helicopter pad.

#### **TMGA Agrees:**

1. To maintain the garden area in an acceptable condition free of tall weeds, grass, and trash
2. To use the garden area for the purpose of gardening, teaching gardening, encouraging groups and individuals to be involved in gardening
3. To work with Lockhart Independent School District programs such as the Students at Risk and the Key Club to encourage participation in gardening
4. That produce from the garden will be mostly used to help supplement supplies at the Food Bank
5. Not to use the garden area for any commercial purposes
6. To keep all tools and equipment in a safe operable condition and keep such items in secure areas
7. To be responsible for the safety of members and participants in any TMGA gardening events and programs
8. Not to increase the size of the gardening area without prior written approval from the City
9. To ensure that water and/or electric utilities are not excessively used or abused
10. To keep City informed about any major improvements such as but not limited to adding water lines, removing structures or adding structures
11. That this agreement shall be enforce except as provided herein for three (3) years from the date of approval by the Lockhart City Council, and that the agreement will thereafter automatically renew for one (1) year for each successive year unless a 30 day written notice is provided by either agreement party
12. That the City has the right to void this agreement for justifiable cause as determined by the Lockhart City Council. A justifiable cause may include, but not limited to, failure by TMGA to adhere to the provisions in this agreement or the City Council determines that the garden area is needed for a City project
13. That all Federal and State Laws regarding discrimination are complied with in regards to operation and use of the garden area
14. Official notices from the City are to be sent to:

Texas Master Gardener Association  
P O Box 447  
Lockhart, Texas 78644



**The City agrees to:**

1. Provide water for the garden project with the understanding that there must be strict adherence to any water conservation restrictions and that water use is not abused
2. That the City will keep areas mowed outside the garden area as described in detail above
3. Will assist with mulch as needed and other City services as materials and time are available
4. Official notices from TMGA are to be sent to:

City of Lockhart  
City Manager  
P O Box 239  
Lockhart, Texas 78644

**CITY OF LOCKHART**

**TEXAS MASTER  
GARDENER ASSOCIATION**

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

\_\_\_\_\_  
Date

\_\_\_\_\_  
Donna Hagar  
President

\_\_\_\_\_  
Date

**ATTEST:**

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

March 13, 2018

Lockhart Mayor - Lew White

### **Lockhart Community Garden Site**

**Proposal:** Establish a land use agreement between the City of Lockhart, Texas A&M AgriLife Extension Service/Caldwell County and the Texas Sage Master Gardener Association (501c3) to assume management of the current "Lockhart Community Garden" site. Texas Sage Master Gardeners will serve as garden mentors, volunteers and volunteer activity coordinators with other groups currently using the garden site. Support from the City of Lockhart will remain "as is" with regard to water and mowing services. If at all possible we would like to have access to electrical service.

Such an agreement is beneficial to both parties: initial grant support for the creation of the community garden has ended as has much of the citizen volunteer effort to support it. Master Gardeners are in search of a demonstration/teaching garden site in lieu of plans (which are on indefinite hold) to establish such at the AgriLife Extension Office.

Note: Texas Master Gardeners are trained and certified under the supervision of the Texas A&M AgriLife Extension Service; we are a non-profit volunteer group that supports AgriLife's educational and outreach goals as specified in the "Texas Master Gardener Management Guide". Funding for projects is dependent on grants, donations and Texas Sage Master Gardeners of Caldwell County fund raising efforts.

### **Texas Sage Master Gardener Objectives for the Lockhart Community Garden**

Create an AgriLife Extension/Master Gardener "Demonstration & Teaching Garden" comprised of a:

- **Vegetable Garden** – Recommended varieties, variety trials (produce harvested by MGs will be donated to the Food Pantry)
- **Pollinator Garden** – Support beneficial insects that pollinate crops
- **Herb & Edible Flower Garden** – Promote culinary and decorative uses

- **Compost Bins** – Recycle plant material on site
- **Greenhouse** – 8'x20' kit installation pending approval.
- **Drip Irrigation** – Future project efficient water management.

### **Texas Sage MG Public Outreach/Educational Objectives**

The Demonstration/Teaching Garden will serve as the basis for Texas Master Gardener presentations to the public (free and some fee based) covering topics such as:

- Basic Gardening Methods – “How to Garden” series covering the basics
- Drip Irrigation – Efficient Watering Techniques for Gardens
- Vegetable Gardening – Warm Season & Cool Season; From Transplant to Harvest
- Garden Projects – Cold Frames, Hoop Frames, Raised Beds, Tool Care
- Composting – Great Gardens begin with Compost, Using Compost Tea
- Vermiculture – Composting with Worms
- Plant Propagation – Seed Starting, Seed Saving, Vegetative Propagation Methods
- Preserving the Harvest – Freezing, Water Bath Canning, Pressure Canning
- Herbs – Growing and Using Easy Herbs
- Youth Gardening – Junior Master Gardener program support
- Teaching Garden for Texas Master Gardener Students/Interns

### **3 Year Garden Plan**

#### **Year 1 – Remainder of 2017**

1. Harvest, weigh and track existing produce, donate to Food Pantry. (In progress)
2. Research budgeting needs – fertilizer, amendments, pest control, compost, mulch, plants, seeds, misc. (In Progress)
3. Grant search and applications for funding. (Pending)
4. Reach out to local suppliers for donations to build compost bins. (Pending)
5. Schedule regular MG volunteer work days (In Progress)

6. Review and inventory materials/supplies on-site (purchased previous community garden grant funds) (Completed)
7. Review garden bed layout, adjust to maximize planting space. ( Completed)
8. Develop seasonal vegetable garden planting and rotation schedule – secure seeds/plant sources. (In Progress)
9. Secure wholesale source for compost & transplants. (Completed)
10. Allocate vegetable garden space to mentor school students on the art and science of gardening. (In progress – several grade levels participating)
11. Pegasus School kids help with garden projects on weekends. (Ongoing)

## **Year 2 – 2018**

1. Establish team to handle various on-going task – tool & equipment maintenance
2. Establish drip irrigation system – possible rainwater collection system
3. “Garden Open House Days” – invite Lockhart area residents to tour the garden with MG garden mentors
4. Continue with planting schemes include TAMU trial varieties
5. Install hobby greenhouse on-site for seasonal seed starting

## **Year 3 – 2019**

1. Review results – adjust accordingly
2. Seek funding for outdoor covered teaching pavilion

Thank you for considering our proposal, your support and input are appreciated and necessary to the success of this Texas Sage Master Gardener project.

President – Texas Sage Master Gardener Association

Tommie Clayton

[tjcgrc@hotmail.com](mailto:tjcgrc@hotmail.com) / 512-601-3200

Texas AgriLife Extension Service – MG Program Coordinators:

Julie Zimmerman

County Extension Agent – ANR (Caldwell County)

[jzimmerman@ag.tamu.edu](mailto:jzimmerman@ag.tamu.edu) / 512-398-3122



TEXAS A&M  
AGRI LIFE  
EXTENSION



*Texas Master Gardener Association*

---

225 Horticulture/Forestry Sciences Bldg.  
Mail Stop 2134, Texas A&M University  
College Station, TX 77843-2134

January 24, 2015

Internal Revenue Service Center  
Mail Stop 6273  
Ogden, UT 84201

Re: Texas Master Gardener Association – EIN Number 74-2652354  
Group Exemption Number – 5415

Dear Sir or Madam:

This letter is written to provide information to add a new subordinate, Texas Sage Master Gardener Association, to Group Exemption Number 5415 under section 501 (c) (3) of the Internal Revenue Code. The new subordinate has asked to be included in the group exemption and has furnished documents required to be included. Please add this Subordinate County to our Group Exemption 5415. The information for this subordinate is:

Texas Sage Master Gardeners (Caldwell and Bastrop Counties) – EIN 47-2850252  
1403 Blackjack Street Ste. B  
Lockhart, TX 78644

If there are any questions, please contact Wayne Rhoden at 512-869-8016.

Donna Hagar  
President – Texas Master Gardener Association



## *Texas Master Gardener Association*

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225 Horticulture/Forestry Sciences Bldg.  
Mail Stop 2134, Texas A&M University  
College Station, TX 77843-2134

September 6, 2016

Department of Treasury  
Internal Revenue Service  
Ogden, UT 84201-0023

Re: Texas Master Gardener Association – EIN Number 74-2652354  
Group Exemption Number – 5415

Dear Sir or Madam:

We are returning the forms required for our annual update of subordinate members for Texas Master Gardener Association, Group Exemption 5415. As requested, changes have been marked on the forms.

If there are any questions, please contact Wayne Rhoden at 512-869-8016, email [mgardener@suddenlink.net](mailto:mgardener@suddenlink.net).

A handwritten signature in cursive script that reads "Mary Means".

Mary Means  
President  
Texas Master Gardener Association

001172



SUBSIDIARY ORGANIZATION OF TEXAS MASTER GARDENER ASSOCIATION INC  
GEN NUMBER 5415

CYCLE 201626 PAGE 1

742652354	PARENT	TEXAS MASTER GARDENER ASSOCIATION INC 225 HFA BUILDING MS 2134	COLLEGE STATION	TX	77843-0001253	% JAYLA FRY 12
043669842	SUB	TEXAS MASTER GARDENER ASSOCIATION INC 410 N 13TH AVE HIDALGO CNTY MASTER GARDENERS ASSN	EDINBURG	TX	78541-3582999	12
141914327	SUB	TEXAS MASTER GARDENER ASSOCIATION INC 325 RESOURCE DR COMAL COUNTY MASTER GARDENER ASSN	NEW BRAUNFELS	TX	78132-3775250	% COMAL MASTER GARDENER ASSOCIATIO 12
141986512	SUB	TEXAS MASTER GARDENER ASSOCIATION INC PO BOX 163 RED RIVER MASTER GARDENERS	MONTAGUE	TX	76251-0163630	% ROBIN BOWLING 12
200709735	SUB	TEXAS MASTER GARDENER ASSOCIATION INC 165 E 6TH ST STE 104 CHEROKEE COUNTY MASTER GARDENERS	RUSK	TX	75785-1282294	% KIM BENTON 12
201034101	SUB	TEXAS MASTER GARDENER ASSOCIATION INC 114 W MAIN ST CENTRAL TEXAS MASTER GARDENERS	BRADY	TX	76825-4527149	% SHEILA VAN ZANT 12
201635866	SUB	TEXAS MASTER GARDENER ASSOCIATION INC 203 VETERANS DR GRIMES COUNTY MASTER GARDENER ASSOC	NAVASOTA	TX	77868-0000000	12
201878485	SUB	TEXAS MASTER GARDENER ASSOCIATION INC 301 MANNY MARTINEZ SR DRIVE EL PASO MASTER GARDENERS	EL PASO	TX	79905-0000000	% AGRILIFE EXTENSION SERVICE 12
201927260	SUB	TEXAS MASTER GARDENER ASSOCIATION INC 101 E OAK ST ANDERSON COUNTY	PALESTINE	TX	75801-2820016	% SUNNY BROYLES 12
201930950	SUB	TEXAS MASTER GARDENER ASSOCIATION INC 501 PALMER ST LIBERTY COUNTY MASTER GARDENER ASSC	LIBERTY	TX	77575-5541013	12
203790612	SUB	MASTER GARDENER FUND GRAYSON COUNTY COURTHOUSE GRAYSON COUNTY MASTER GARDENERS	SHERMAN	TX	75990-0000000	% GRAYSON COUNTY MASTER GARDENERS 12
204088302	SUB	TEXAS MASTER GARDENER ASSOCIATION INC 113 W BEAURECARD AVE CONCHO COUNTY MASTER GARDENER ASSN	SAN ANGELO	TX	76903-5834131	% CONCHO VALLEY MASTER GARDENERS 12
204243066	SUB	TEXAS MASTER GARDENER ASSOCIATION INC 100 E 1ST ST LITTLE RIVER BASIN MASTER GARDENER	CAMERON	TX	76520-3341009	% SUSAN HUMBLE 12
208001436	SUB	TEXAS MASTER GARDENER ASSOCIATION INC 2217 WASHINGTON ST HUNT COUNTY MASTER GARDENER ASSOC	GREENVILLE	TX	75401-4328178	% HUNT COUNTY OFFICE 12

101



262400368	SUB	TEXAS MASTER GARDENER ASSOCIATION INC PO BOX 522 ROLLING PLAINS MASTER GARDENER ASSN	CHILLICOTHE	TX	79225-0522222	% SUZANNE BUTLER PRESIDENT 12
264072865	SUB	TEXAS MASTER GARDENER ASSN INC PO BOX 472 HAMILTON CNTY MASTER GARDENER ASSN	HAMILTON	TX	76531-0472726	% HAMILTON COUNTY MASTER GARDENERS 12
271617582	SUB	TEXAS MASTER GARDENER ASSOCIATION INC 271 EAST LAMAR SUITE 101 JASPER MASTER GARDENERS	JASPER	TX	75951-4189993	% JOHN SMITH 12 % SCOTT ANDERSON
271689739	SUB	TEXAS MASTER GARDENER ASSOCIATION 605 FISK AVE BROWN COUNTY MASTER GARDENER ASSN	BROWNWOOD	TX	76801-2840059	12
272792935	SUB	TEXAS MASTER GARDENER ASSOCIATION INC 3301 SE 10TH AVE POTTER COUNTY MASTER GARDENER ASSOC	AMARILLO	TX	79104-2603017	% POTTER COUNTY MASTER GARDENERS 12
273278314	SUB	TEXAS MASTER GARDENER ASSOCIATION INC 1709 E SARAH DEWITT DR GONZALES MASTER GARDENERS INC	GONZALES	TX	78629-2613097	% DWIGHT A SEXTON 12
300616382	SUB	TEXAS MASTER GARDENER ASSOCIATION INC 716 WELLS ST DAVY CROCKETT MASTER GARDENERS	CROCKETT	TX	75835-2946164	% DIANA HOLMAN 12
331105372	SUB	TEXAS MASTER GARDENER ASSOCIATION INC PO BOX 895 SOMERVELL COUNTY MASTER ASSN	GLEN ROSE	TX	76043-0895954	% DONNA HAGAR 12
364665682	SUB	TEXAS MASTER GARDENER ASSOCIATION INC PO BOX 130 PALO PINTO MASTER GARDENER ASSOC	PALO PINTO	TX	76484-0130304	12
371495247	SUB	TEXAS MASTER GARDENER ASSOCIATION INC 1982 LYLTE WAY BIG COUNTRY MASTER GARDENER ASSN	ABILENE	TX	79602-0000000	% BIG COUNTRY MASTER GARDENER ASSO 12
421653517	SUB	TEXAS MASTER GARDENER ASSOCIATION INC 420 N 6TH ST MCLENNAN CNTY MASTER GARDENERS	WACO		76701-1315207	% ANDREA MOORE 12
462282692	SUB	TEXAS MASTER GARDENER ASSOCIATION INC 440 LCR 799 LIMESTONE COUNTY MASTER GARDENER	GROESBECK	TX	76642-2423400	% JANE SCHLITT 12
462862159	SUB	TEXAS MASTER GARDENER ASSOCIATION INC PO BOX 712 FREE STATE MASTER GARDENER ASSOCIAT	CANTON	TX	75103-0712121	% FREE STATE MASTER GARDENERS 12
464443660	SUB	TEXAS MASTER GARDENER ASSOCIATION INC 846 6TH ST WALLER COUNTY MASTER GARDENER ASSOC	HEMPSTEAD	TX	77445-5402462	% STACIE VILLAREAL 12

LJ

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PAGE 3

Account Number	Sub	Organization	TX	Phone Number	Extension
470883 177	SUB	TEXAS MASTER GARDENER ASSOCIATION INC 3775 HIGHWAY 27 HILL COUNTY MASTER GARDENER ASSOC	TX	78028-0000000	12
472786795	SUB	TEXAS MASTER GARDENER ASSOCIATION INC PO BOX 318 HILL COUNTY MASTER GARDENER ASSOCIA	TX	76645-0318181	12
472850252	SUB	TEXAS MASTER GARDENER ASSOCIATION INC PO BOX 447 LOCKHART	TX	78644-0447475	12
522414220	SUB	TEXAS MASTER GARDENER ASSOCIATION INC 102 TAM RD WALKER COUNTY MASTER GARDENER ASSN	TX	77320-1918020	12
611534594	SUB	TEXAS MASTER GARDENER ASSOCIATION INC 3151 SE INNER LOOP STE A WILLIAMSON CNTY MASTER GARDENER ASS	TX	78626-6343735	12
731722295	SUB	TEXAS MASTER GARDENER ASSOCIATION INC 2471 N STATE HIGHWAY 34 KAUFMAN COUNTY MASTER GARDENER ASSN	TX	75142-5561716	12
742656661	SUB	TEXAS MASTER GARDENER ASSOCIATION INC 1253 CIVIC CENTER LOOP HAYS COUNTY MASTER GARDENER ASSOC	TX	78666-9590536	12
742662991	SUB	TEXAS MASTER GARDENER ASSOCIATION INC 210 E LIVE OAK ST GUADALUPE CNTY MASTER GARDENER ASSN	TX	78155-6421100	12
742863061	SUB	TEXAS MASTER GARDENER ASSN 892 AIRPORT RD ARANSAS SAN PATICIA MASTER GARDENER	TX	78382-7600928	12
743025535	SUB	TEXAS MASTER GARDENER ASSOCIATION INC 1390 W EXPRESSWAY 83 CAMERON COUNTY MASTER GARDENER ASSN	TX	78586-7633908	12
752548484	SUB	TEXAS MASTER GARDENER ASSOCIATION INC 1710 NORWICH AVE LUBBOCK COUNTY MASTER GARDENER ASSN	TX	79416-6906101	12
7525623 19	SUB	TEXAS MASTER GARDENER ASSOCIATION INC 200 N BROWN RD RANDALL COUNTY MASTER GARDENER ASSO	TX	79015-7300008	12
752641675	SUB	TEXAS MASTER GARDENER ASSOCIATION INC 203 W MAIN ST NACOGDOCHES COUNTY MASTER GARDENERS	TX	75961-4828992	12
752709939	SUB	TEXAS MASTER GARDENER ASSOCIATION INC 4315 BONHAM ST LAMAR COUNTY MASTER GARDENER ASSN	TX	75460-5213151	12

CHANGE

TEXAS

63

752778666	SUB	TEXAS MASTER GARDENER ASSOCIATION INC 1708 INDUSTRIAL RD CYPRESS BASIN MASTER GARDENERS	MT PLEASANT	% KENNY ROLLINS EXTENSION AGENT	TX	75455-2234085	12
752897936	SUB	TEXAS MASTER GARDENER ASSOCIATION INC PO BOX 327 FANNIN MASTER GARDENER	BONHAM	% FANNIN COUNTY EXTENSION SERVICE	TX	75418-0327274	12
752924157	SUB	TEXAS MASTER GARDENER ASSOCIATION INC 150 LOWE DR HENDERSON CNTY MASTER GARDENER ASSN	MABANK	% SUSAN STOKES	TX	75156-8926506	12
752953818	SUB	TEXAS MASTER GARDENER ASSOCIATION INC NORTH MAIN STREET SUITE 309 JOHNSON COUNTY MASTER GARDENER ASSN	CLEBURNE	% TEXAS A&M AGRILIFE EXTENSION	TX	76033-5543013	12
760686016	SUB	TEXAS MASTER GARDENER ASSOCIATION INC E MAIN ST BLUEBONNET MASTER GARDENER ASSN	BELLVILLE	% TRAVIS GONZALES	TX	77418-1521013	12
770668478	SUB	TEXAS MASTER GARDENER ASSOCIATION INC 113 WEST MAIN 3RD FLOOR LONE RANGER MASTER GARDENERS	CENTERVILLE	% MELINDA WILSON	TX	75833-0000000	12
770718801	SUB	TEXAS MASTER GARDENER ASSOCIATION INC PO BOX 1216 BLANCO COUNTY	JOHNSON CITY	% BARBARA COUNTS	TX	78636-1216163	12
800665484	SUB	TEXAS MASTER GARDENER ASSOCIATION INC PO BOX 1086 SJC MASTER GARDENERS	SHEPHERD	% JANICE CHAMBLEE	TX	77371-1086866	12
870734066	SUB	TEXAS MASTER GARDENER ASSOCIATION INC 604 N MAIN ST STE 200 PARKER COUNTY MASTER GARDENER ASSN	WEATHERFORD	% KATE LAKE	TX	76086-2436503	12
800123400	SUB	TEXAS MASTER GARDENER ASSOCIATION INC 2108 WEST HOUSTON ST HOPKINS COUNTY MASTER GARDENER ASSOC	SULFUR SPRINGS		TX	75482	

ADD  
COUNTY

64



## Vance Rodgers

---

**From:** Lew White  
**Sent:** Thursday, March 23, 2017 8:20 AM  
**To:** Vance Rodgers  
**Subject:** FW: Texas Sage (Caldwell County) Master Gardener Association - 501c3 Verification - Lockhart Demonstration Garden/City of Lockhart Agreement  
**Attachments:** TSMGA\_501c3\_Group\_Exempt\_Ltr\_2015.pdf; TXMG\_Annual\_IRS\_Rept\_TSMGA\_2016.pdf

FYI. Lew

---

**From:** tommie clayton [tjcgrc@hotmail.com]  
**Sent:** Thursday, March 23, 2017 7:32 AM  
**To:** Lew White  
**Cc:** Julie Zimmerman  
**Subject:** Texas Sage (Caldwell County) Master Gardener Association - 501c3 Verification - Lockhart Demonstration Garden/City of Lockhart Agreement

Mayor White,

Per your request at our meeting on March 13, 2017, attached is proof of our 501c3 status. The first is the initial request for inclusion and the second is the latest printout of exempt counties under the state umbrella - we're listed on page 4; 2017's printout will be available in July. If you need anything else please let me know.

Thank you so much for your support of our demonstration and educational goals for the community garden site.

Tommie Clayton  
President - TSMGA  
(512) 601-3200

TSMGA 2017 Officers:  
President - Tommie Clayton  
Vice-President - Cindy Martin  
Treasurer - Molly Brown  
Secretary - Susan Jung

Texas A&M AgriLife Extension Service Agent A&R - Julie Zimmerman (Texas Master Gardener County Program Sponsor)



Garden Area North Medina Street West Side

66





Garden Area W of North Medina Street

167





# CITY OF LOCKHART COUNCIL AGENDA ITEM

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

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

<b>CITY SECRETARY'S USE ONLY</b>		Reviewed by Finance	<input type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable
<input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory		Reviewed by Legal	<input type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable
Council Meeting Dates: April 4, 2017				
Department: City Manager		Initials	Date	
Department Head: Vance Rodgers		Asst. City Manager		
Dept. Signature: <i>[Signature]</i>		City Manager <i>[Signature]</i> 3-31-2017		
Agenda Item Coordinator/Contact (include phone #): Vance Rodgers				
<b>ACTION REQUESTED:</b> <input type="checkbox"/> ORDINANCE <input type="checkbox"/> RESOLUTION <input checked="" type="checkbox"/> CHANGE ORDER <input type="checkbox"/> AGREEMENT <input type="checkbox"/> APPROVAL OF BID <input type="checkbox"/> AWARD OF CONTRACT <input type="checkbox"/> CONSENSUS <input type="checkbox"/> OTHER				
<b>CAPTION</b>				
Discussion and/or action regarding Change Order # 3 for Qro-Mex Construction Company, Inc., to increase the current contract by an amount not to exceed \$30,000.00 for sidewalk and headwall changes on East Walnut Street near Greenhill Church of Christ to accommodate drainage work making the new potential contract amount \$2,185,000, and appointing the Mayor to sign the change order when prepared if approved.				
<b>FINANCIAL SUMMARY</b>				
<input type="checkbox"/> N/A <input type="checkbox"/> GRANT FUNDS <input type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input type="checkbox"/> CIP <input type="checkbox"/> BUDGETED <input type="checkbox"/> NON-BUDGETED				
FISCAL YEAR:	PRIOR YEAR (CIP ONLY)	CURRENT YEAR	FUTURE YEARS	TOTALS
Budget				\$0.00
Budget Amendment Amount				\$0.00
Encumbered/Expended Amount				\$0.00
This Item				\$0.00
BALANCE	\$0.00	\$0.00	\$0.00	\$0.00
<b>FUND(S): 2015 CO Funds</b>				
<b>SUMMARY OF ITEM</b>				
Qro-Mex Construction Company, Inc., has the current contract to perform utility, drainage, and street improvements on the Richland Drive project and on the Mesquite-Braden-Vega-Wichita Street project and East Walnut Streets; the unit prices for the work were very good. The contractor has agreed to construct a redesign of the sidewalk and headwall appurtenances on East Walnut Street to more efficiently serve the Greenhill Church of Christ. The total current contract including the two previous change orders is \$2,154,616. The proposed Change Order # 3 up to \$30,000.00 if approved would make the total contract \$2,185,000. The percentage increase of the original contract, if approved, is still less than the 25% allowable.				
<b>STAFF RECOMMENDATION</b>				
City Manager respectfully recommends approval of the Change Order #3 increase not to exceed a net amount of \$30,000 for the existing contract with Qro-Mex Construction Company, Inc. making the new contract value \$2,185,000.				
List of Supporting Documents: Change Order # 3 Information, Current Contract Amount stated in Engineer letter as approved by Council		Other Departments, Boards, Commissions or Agencies:		







T.B.P.E. #F-8632

505 East Huntland Drive  
Suite 250  
Austin, TX 78752

512.454.8716 PHONE  
512.454.2433 FAX

www.TRCsolutions.com

February 24, 2016

Mr. Vance Rodgers, City Manager  
City of Lockhart  
P.O. Box 239  
Lockhart, Texas 78644

RE: 2015 Drainage Improvements Contract 1, Richland Drive and Wichita Street  
Bid Award Consideration

Dear Vance:

Three (3) sealed bids were received at Lockhart City Hall on February 23, 2016 at 11:00 A.M. for the above-referenced project. The project bids range from \$1,749,253.00 to \$2,052,017.75.00. A detailed bid tabulation is attached for your reference.

The low bidder, QroMex Construction Co. Inc., has completed many projects for the City in the past and is well known to TRC.

The project consists of the installation of approximately 4,200 feet of various size storm sewers, three storm water detention ponds, 23 storm water inlets, 4,300 feet of street paving, and 1,300 feet of water main. The purpose of the project is to improve drainage conditions in the Richland Drive and Wichita Street areas.

With the above items considered it is recommended that the City award a contract to QroMex Construction Company, Inc. in the amount of \$1,749,253.00 for the 2015 Drainage Improvements Contract 1 project. The contractor has provided a bid bond and will be required to furnish a Performance Bond and Payment Bond to the City.

If you have any questions regarding this information, please feel free to contact this office.

Sincerely,  
**TRC Engineers, Inc.**

Charles W. Scheler, P.E.  
Senior Project Manager

Enclosures Bid Tab





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

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

## CITY OF LOCKHART COUNCIL AGENDA ITEM

<b>CITY SECRETARY'S USE ONLY</b>		Reviewed by Finance	<input type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable
<input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory		Reviewed by Legal	<input type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable
<b>Council Meeting Dates:</b> April 4, 2017				
Department: City Manager			Initials	Date
Department Head: Vance Rodgers		Asst. City Manager		
Dept. Signature: <i>Vance Rodgers</i>		City Manager		
		<i>[Signature]</i>	3-28-2017	
Agenda Item Coordinator/Contact (include phone #): Vance Rodgers				
<b>ACTION REQUESTED:</b> <input checked="" type="checkbox"/> ORDINANCE <input type="checkbox"/> RESOLUTION <input type="checkbox"/> CHANGE ORDER <input type="checkbox"/> AGREEMENT <input type="checkbox"/> APPROVAL OF BID <input type="checkbox"/> AWARD OF CONTRACT <input type="checkbox"/> CONSENSUS <input type="checkbox"/> OTHER				
<b>CAPTION</b>				
<b>DISCUSSION AND/OR ACTION REGARDING ORDINANCE 2017-09 OF THE CITY COUNCIL OF THE CITY OF LOCKHART, TEXAS, AMENDING CHAPTER 58-UTILITIES, DIVISION 2-HARMFUL OR INDUSTRIAL DISCHARGES, SECTION 58-241.-ITEMS SUBJECT TO REGULATION-DESIGNATED, SUBSECTION (13)(A) MATERIALS WHICH EXERT OR CAUSE (HARMFUL DISCHARGES INTO THE CITY'S WASTEWATER SYSTEM)</b>				
<b>FINANCIAL SUMMARY</b>				
<input type="checkbox"/> N/A <input type="checkbox"/> GRANT FUNDS <input type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input type="checkbox"/> CIP <input type="checkbox"/> BUDGETED <input type="checkbox"/> NON-BUDGETED				
FISCAL YEAR:	PRIOR YEAR (CIP ONLY)	CURRENT YEAR	FUTURE YEARS	TOTALS
Budget				\$0.00
Budget Amendment Amount				\$0.00
Encumbered/Expended Amount				\$0.00
This Item				\$0.00
BALANCE	\$0.00	\$0.00	\$0.00	\$0.00
<b>FUND(S):</b>				
<b>SUMMARY OF ITEM</b>				
<p>This ordinance amends the amount of allowable total suspended dissolved solids for wastewater discharges for such as, but not limited to, sodium chloride and sodium sulfate. The existing ordinance allows only up to 500 milligrams per liter which is unreasonable and detrimental to business and industrial development. Staff suspects that when the ordinance was originally written the number should have been 5,000 milligrams per liter instead of the 500. For consideration, Lockhart's approved drinking water averages about 500 milligrams per liter of total suspended dissolved solids. Many cities do not place a limit on total suspended dissolved solids, but staff believes the 5,000 would be needed as a cap to avoid large amounts of sodium chloride and sulfates (salts) from being dumped directly into the wastewater system which may not cause problems at the treatment plant but could cause corrosive problems for clay wastewater pipes and concrete manholes. If a business produces excessive amounts, then a pre-filtration process would be required.</p>				
<b>STAFF RECOMMENDATION</b>				
City Manager and Wastewater Superintendent recommend approval of the ordinance as presented.				
List of Supporting Documents:		Other Departments, Boards, Commissions or Agencies:		
Proposed Ordinance, existing ordinance		<i>71</i>		

## ORDINANCE 2017-09

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LOCKHART, TEXAS, AMENDING CHAPTER 58-UTILITIES, DIVISION 2-HARMFUL OR INDUSTRIAL DISCHARGES, SECTION 58-241.-ITEMS SUBJECT TO REGULATION-DESIGNATED, SUBSECTION (13)(A) MATERIALS WHICH EXERT OR CAUSE:, OF THE CODE OF ORDINANCES, PROVIDING FOR A REPEALER; PROVIDING FOR SEVERABILITY; PROVIDING FOR A PENALTY; PROVIDING FOR PUBLICATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Lockhart City Council recognizes that existing ordinances from time to time must be amended because of new requirements and/or errors; and

**WHEREAS**, the Lockhart City Council recognizes that the current ordinance in the section stated herein above misrepresented the intent of the ordinance at the time it was passed due to an incorrect stated milligrams number per liter

**WHEREAS**, upon the recommendation of City staff the Lockhart City Council finds it is necessary to amend the current ordinance as herein above described to appropriately address limits of total dissolved solids such as, but not limited to sodium chloride and sodium sulfate; and

**THEREFORE**, be ordained by the Lockhart City Council that Chapter 58, Division 2, Section 58-241, Subsection (13) a is hereby amended to read:

**I. Sec. 58.241. Items subject to regulation-Designated**  
(13)

Materials which exert or cause:

- (a) Unusual concentration of inert suspended solids greater than 250 milligrams per liter (such as but not limited to fuller's earth, lime slurries, and lime residues) or total dissolved suspended solids greater than 5,000 milligrams per liter (such as, but not limited to sodium chloride and sodium sulfate).

*(All other sections remain as adopted)*

**II. 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.

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

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

**V. Penalty:** Any person who violates any provision of this ordinance shall be guilty of a misdemeanor, and upon conviction shall be fined as provided in Section 1-8 of the City Code. Nothing in this ordinance will limit the ability of the city to pursue any and all claims and remedies available to it in law or equity in regard to the subject matter of this ordinance.

**VI. 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.

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

**PASSED, APPROVED, AND ADOPTED ON THIS THE 4th DAY OF APRIL, 2017.**

CITY OF LOCKHART

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Lew White  
Mayor

ATTEST:

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Connie Constancio, TRMC  
City Secretary



Current

CITY OF LOCKHART

CURRENT ORDINANCE

Chapter 58-UTILITIES

• DIVISION 2. - HARMFUL OR INDUSTRIAL DISCHARGES

• Sec. 58-241. - Items subject to regulation—Designated.

(13)

Materials which exert or cause:

a.

Unusual concentration of inert suspended solids greater than 250 milligrams per liter (such as, but not limited to fuller's earth, lime slurries, and lime residues) or of dissolved solids greater than 500 milligrams per liter (such as, but not limited to, sodium chloride and sodium sulfate).

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

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

## CITY OF LOCKHART COUNCIL AGENDA ITEM

<b>CITY SECRETARY'S USE ONLY</b>		Reviewed by Finance	<input type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable
<input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory		Reviewed by Legal	<input type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable
Council Meeting Dates: April 4, 2017				
Department: City Manager		Initials	Date	
Department Head: Vance Rodgers		Asst. City Manager		
Dept. Signature: <i>[Signature]</i>		City Manager <i>[Signature]</i>		
Agenda Item Coordinator/Contact (include phone #): Vance Rodgers		3-29-2017		
<b>ACTION REQUESTED:</b> <input type="checkbox"/> ORDINANCE <input type="checkbox"/> RESOLUTION <input checked="" type="checkbox"/> CHANGE ORDER <input type="checkbox"/> AGREEMENT <input type="checkbox"/> APPROVAL OF BID <input type="checkbox"/> AWARD OF CONTRACT <input type="checkbox"/> CONSENSUS <input type="checkbox"/> OTHER				
<b>CAPTION</b>				
DISCUSSION AND/OR ACTION REGARDING TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT) CHANGE ORDERS 1, 6, AND 7 TOTALING \$2,418,551.53 MOST OF WHICH WAS TO PLACE UNDERGROUND DRAINAGE IN PHASE II OF THE US 183 PROJECT BETWEEN BLACKJACK AND WALMART, AND APPOINTING THE MAYOR TO SIGN THE DOCUMENTS IF APPROVED.				
<b>FINANCIAL SUMMARY</b>				
<input type="checkbox"/> N/A <input type="checkbox"/> GRANT FUNDS <input type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input type="checkbox"/> CIP <input type="checkbox"/> BUDGETED <input type="checkbox"/> NON-BUDGETED				
FISCAL YEAR:	PRIOR YEAR (CIP ONLY)	CURRENT YEAR	FUTURE YEARS	TOTALS
Budget				\$0.00
Budget Amendment Amount				\$0.00
Encumbered/Expended Amount				\$0.00
This Item				\$0.00
BALANCE	\$0.00	\$0.00	\$0.00	\$0.00
<b>FUND(S): CAMPO AND TXDOT FUNDS</b>				
<b>SUMMARY OF ITEM</b>				
TxDOT has provided Change Orders 1, 6, and 7 totaling \$2,418,551.53 the vast majority of which was for placing underground drainage between Blackjack and Walmart on US 183 south in Phase II of the project. The Capital Area Metropolitan Planning Organization (CAMPO) and TxDOT provided additional funding to help cover these costs.				
<b>STAFF RECOMMENDATION</b>				
City Manager recommends approval of Change Orders 1, 6, and 7 for Phase II of the US 183 Widening Project totaling \$2,148,551.53				
List of Supporting Documents:		Other Departments, Boards, Commissions or Agencies:		
Change Orders and Original Approval by Council				

## TXDOT CHANGE ORDERS APRIL 4 2017

### US 183 PHASE II # 1, 6, AND 7 SYNOPSIS

# 1	\$	2,108,145.91
# 6	\$	234,452.82
# 7	\$	75,952.80
	\$	2,418,551.53

The vast majority of these involve adding underground drainage between Blackjack and Walmart on US 183



# TEXAS DEPARTMENT OF TRANSPORTATION

CONSTRUCTION CONTRACT CHANGE ORDER NUMBER: 1

## Third Party Funding Notification Sheet

This form is used when the subject change order involves funding by a source other than TxDOT/U.S. DOT, and involves third parties who are providing funding under an Advance Funding Agreement or Donation Agreement.

1. Outside funding provided by:

City of Lockhart

(Outside Entity's Legal Name)

2. Type of outside funding agreement for this change:

☒ Existing ☐ Amended ☐ New  
[ Check one ]

3. Indicate the type and amount of funding:

☐ Fixed Price (Lump Sum) (Estimated Amount 2,108,145.91 )  
☒ Actual Cost

(a) Contract Items (Bid Items):			2,108,145.91
(b) E&C*:	(a) x	0 enter %	= 0.00
(c) Indirect Cost**:	(a + b) x	0 enter %	= 0.00
<b>TOTAL</b>			2,108,145.91

### Use as needed:

I hereby acknowledge notification of the modifications covered by this Change Order.

Date \_\_\_\_\_

By \_\_\_\_\_

Typed/Printed Name \_\_\_\_\_

Typed/Printed Title \_\_\_\_\_

\* The percentage (%) for E&C (Engineering and Contingencies) charges varies from project to project depending on the contract amount of the project. Projects with a higher contract amount will have a lower rate of E&C charge. For a specific project, E&C rate (%) can be derived from the cost of "Engineering and Contingencies" in the "Estimated Cost" of the project.

\*\* Use the statewide district rate as established by Finance Division each year. This line 3(c) is for Service Project only, unless otherwise specified in the Advance Funding Agreement. See Stand Alone Manual Notice 98-2 for instructions.

Funding for this Change Order has been arranged:

TxDOT Representative

Date

Typed/Printed Name: \_\_\_\_\_

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CHANGE ORDER NBR.

1

REPORT DATE: 2/15/2017 11:05:34AM

CONTRACT ID: 015202070  
PROJECT: C 152-2-70  
CONTRACT: 11133003  
AWARD AMOUNT: \$11,698,918.92  
PROJECTED AMOUNT: \$12,032,271.84  
ADJ PROJECTED AMT: \$12,090,123.23  
PEND ADJ PROJ AMT: \$12,090,123.23  
CONTRACTOR: DEAN WORD COMPANY, LTD.  
CO AMOUNT: \$2,108,145.91  
CO TYPE: NON-PARTICIPATING  
3RD PARTY AMOUNT: \$2,108,145.91  
APPRV LEVEL: OVERRIDE

HIGHWAY: US 183  
DISTRICT: 14  
COUNTY: CALDWELL  
AREA ENGINEER: Diana Schulze, P.E.  
AREA NUMBER: 050

DESCRIPTION: Phase 3 Add storm sewer system and time  
REASON: 4B - 4B-3RD PARTY REQUEST FOR ADDITIONAL WORK  
SECONDARY REASON(S): 003O - 3O-TIME EXTENSION

TIME EXT.#: 1 and Days adjusted on the C. O. 60

## Functions:

- |  |  |
|--|--|
| <input checked="" type="checkbox"/> Extra Work       | <input type="checkbox"/> Force Account         |
| <input type="checkbox"/> Zero Dollar                 | <input type="checkbox"/> Final Quantity        |
| <input checked="" type="checkbox"/> Overrun/Underrun | <input type="checkbox"/> Change Project Limits |
| <input checked="" type="checkbox"/> Time Adjustment  | <input type="checkbox"/> Delete/Add CSJ        |
| <input type="checkbox"/> Stock Account               |  |

## DESCRIBE THE REASON FOR THE CHANGE ORDER AND WHAT IS BEING CHANGED. WHEN NECESSARY, INCLUDE EXCEPTIONS TO THIS AGREEMENT:

This CO adjusts/adds line items and time due to the City of Lockhart requesting a storm sewer system instead of an open ditch system from FM20 East to the south end of the project.

This CO adds 60 days to complete the work. The total number of 120 days required to perform the added work has been reduced due to the time suspension during negotiations of this CO. Work was ongoing in Phase 3 during these negotiations. The time was suspended beginning November 1, 2016 through January 25, 2017 for a total of 60 days. November time suspension credits 20 days. December time suspension credits 20 days. January time suspension credits 20 days.

This CO also increases Item 0502-2001 BARRICADES, SIGNS AND TRAFFIC HANDLING by six months due to this time extension (120 days/20 days per month = six months).

This CO adds overhead cost for the total number of working days for the added work at a rate of \$1,581.42 per day. A unique item line number 2086 has been added to compensate for additional overhead based on the total 120 days to perform the work.

Over and under run of the existing bid items is not feasible due to the unit cost provided at bid was for all phases of work. The revised cost for the added work should be adjusted based on type of work. Phase 3 is now an urban section with revised methods.

Phase 3 roadway excavation item 1360 will be reduced to zero. A new item 1362 for the new quantity of 5,187 will be added. The unit cost reflects the actual cost used to compensate for the overage in Phase 1 and 2 in CO 6.

Phase 3 embankment item 1365 will be reduced to zero. A new item 1366 for the new quantity of 9,533 will be added. The unit cost reflects the actual cost for place and borrow material for the work in Phase 1 and 2.

This CO adds plans sheets 2B, 5C, 6A, 7B, 7C, 9A, 10A, 10B, 20A through 22A, 23B, 52B through 64B, 65A, 66A, 69A-B, 69B-B, 69C-B, 116A through 120A, 125A, 125B, 135, 140A, 144A through 146A, 163A, 169A through 174A, 174B, 175A, 176A, 176B, 178B, 178C, 184A through 188A, 191A, 192A, 192C through 192G, 198A, 202A, 204A through 204E, 211A, 212A, 215A, 215B, 222A, 241B, 247A through 247I, 305A, 306A, 310A through 312A, 358A through 360A, 360B.

This CO represents all cost associated with Phase 3 at time of this change order.

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TIME ADJUSTMENTS	ADJUSTED DAYS	EXPLANATION
CONTRACT	60	This CO adds 60 days to complete the work. The total number of 120 days required to perform the added work has been reduced due to the time suspension during negotiations of this CO. Work was ongoing in Phase 3 during these negotiations. The time was suspended beginning November 1, 2016 through January 25, 2017 for a total of 60 days. November time suspension credits 20 days. December time suspension credits 20 days. January time suspension credits 20 days.

"By signing this change order, the contractor agrees to waive any and all claims for additional compensation due to any and all other expenses; additional changes for time, overhead and profit; or loss of compensation as a result of this change and that this agreement is made in accordance Item 4 and the Contract. Exceptions should be noted in explanation above."

**THE CONTRACTOR**

BY: \_\_\_\_\_  
DATE

TYPED/PRINTED NAME: \_\_\_\_\_  
DATE

TYPED/PRINTED TITLE: \_\_\_\_\_  
DATE

AREA ENGINEER: \_\_\_\_\_  
DATE

AREA ENGINEER'S SEAL:

DISTRICT ENGINEER: \_\_\_\_\_  
DATE

DIRECTOR, CONSTRUCTION DIVISION: \_\_\_\_\_  
DATE

DEPUTY EXECUTIVE DIRECTOR: \_\_\_\_\_  
DATE

FHWA: \_\_\_\_\_  
DATE

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CONTRACT ID 015202070

CHANGE ORDER NBR. 1

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## CONTRACT ITEMS

PROJECT NBR 015202070 (C 152-2-70 NOT ELIGIBLE FOR FEDERAL PARTICIPATION)

CATG NBR	LINE ITEM	ITEM CODE	SP NBR	DESCRIPTION	UNIT	UNIT PRICE	ORIG + PREV REV QTY	QTY THIS CO	NEW QTY	AMOUNT THIS CO
001	0225	04502025 CO DESCR	001	RAIL (TY PR1) CO #1 deletes this item	LF	62.83000	390.000	-390.000	0.000	-\$24,503.70
001	0226	04502025 CO DESCR		RAIL (TY PR1) CO #1 adds this item	LF	96.18000	0.000	390.000	390.000	\$37,510.20
001	0449	05292094 CO DESCR		CONC CURB (TY F3) CO #1 adds this item.	LF	126.50000	0.000	2,155.000	2,155.000	\$272,607.50
001	0450	05292094 CO DESCR	000	CONC CURB (TY F3) CO #1 deletes this item.	LF	110.00000	2,141.000	-2,141.000	0.000	-\$235,510.00

PROJECT NBR 015203057 (C 152-3-57 NOT ELIGIBLE FOR FEDERAL PARTICIPATION)

CATG NBR	LINE ITEM	ITEM CODE	SP NBR	DESCRIPTION	UNIT	UNIT PRICE	ORIG + PREV REV QTY	QTY THIS CO	NEW QTY	AMOUNT THIS CO
001	1336	01002002 CO DESCR ADDTL CO DESCR 1		PREPARING ROW CO #1 adds this item Channel Prep ROW	STA	1,806.38100	0.000	15.350	15.350	\$27,727.95
001	1360	01102001 CO DESCR	000	EXCAVATION (ROADWAY) CO #1 deletes this item.	CY	11.42900	7,215.000	-7,215.000	0.000	-\$82,460.24
001	1361	01102002 CO DESCR		EXCAVATION (CHANNEL) CO #1 adds this item.	CY	35.58000	0.000	5,596.000	5,596.000	\$199,105.68
001	1362	01102001 CO DESCR		EXCAVATION (ROADWAY) CO #1 adds this item.	CY	31.85000	0.000	5,187.000	5,187.000	\$165,205.95
001	1365	01322003 CO DESCR	011	EMBANKMENT (FINAL)(ORD COMP)(TY B) CO #1 deletes this item.	CY	9.21800	6,511.000	-6,511.000	0.000	-\$60,018.40
001	1366	01322003 CO DESCR		EMBANKMENT (FINAL)(ORD COMP)(TY B) CO #1 adds this item.	CY	34.53000	0.000	9,533.000	9,533.000	\$329,174.49
001	1370	01602003 CO DESCR	000	FURNISHING AND PLACING TOPSOIL (4") CO #1 adjusts this item.	SY	1.78200	13,936.000	11,370.000	25,306.000	\$20,261.34
001	1371	01602003 CO DESCR ADDTL CO DESCR 1		FURNISHING AND PLACING TOPSOIL (4") CO #1 adds this item. Salvage and Replace Topsoil (Channel)	SY	2.84000	0.000	6,786.000	6,786.000	\$19,272.24
001	1375	01642007 CO DESCR	002	BROADCAST SEED (PERM) (URBAN) (CLAY) CO #1 adjusts this item.	SY	0.10300	13,936.000	11,370.000	25,306.000	\$1,171.11
001	1380	01642009 CO DESCR	002	BROADCAST SEED (TEMP) (WARM) CO #1 adjusts this item.	SY	0.09300	6,968.000	5,685.000	12,653.000	\$528.71
001	1385	01642011	002	BROADCAST SEED (TEMP) (COOL)	SY	0.09300	6,968.000	5,685.000	12,653.000	\$528.71

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		CO DESCR	CO #1 adjusts this item.							
001	1390	01682001 CO DESCR	000	VEGETATIVE WATERING CO #1 adjusts this item.	MG	24.20000	557.000	455.000	1,012.000	\$11,011.00
001	1395	01692001 CO DESCR	002	SOIL RETENTION BLANKETS (CL 1) (TY A) CO #1 adjusts this item.	SY	1.13300	6,968.000	5,685.000	12,653.000	\$6,441.11
001	1415	04002006 CO DESCR	004	CUT & RESTORING PAV CO #1 deletes this item.	SY	103.00000	65.000	-65.000	0.000	-\$6,695.00
001	1416	04002006 CO DESCR		CUT & RESTORING PAV CO #1 adds this item.	SY	127.05000	0.000	563.000	563.000	\$71,529.15
001	1417	04016001 CO DESCR		FLOWABLE BACKFILL CO #1 adds this item.	CY	127.26000	0.000	750.000	750.000	\$95,445.00
001	1420	04022001 CO DESCR	000	TRENCH EXCAVATION PROTECTION CO #1 adjusts this item.	LF	4.12000	40.000	5,741.000	5,781.000	\$23,652.92
001	1435	04322002 CO DESCR	000	RIPRAP (CONC)(5 IN) CO #1 adjusts this item.	CY	396.00000	252.400	-131.300	121.100	-\$51,994.80
001	1445	04322030 CO DESCR	000	RIPRAP (CONC)(CL C) CO #1 adjusts this item.	CY	407.00000	409.000	-385.000	24.000	-\$156,695.00
001	1450	04502025 CO DESCR	001	RAIL (TY PR1) CO #1 deletes this item.	LF	62.83000	3,126.000	-3,126.000	0.000	-\$196,406.58
001	1455	04622001 CO DESCR	015	CONC BOX CULV (3 FT X 2 FT) CO #1 deletes this item.	LF	164.80000	10.000	-10.000	0.000	-\$1,648.00
001	1460	04622002 CO DESCR	015	CONC BOX CULV (3 FT X 3 FT) CO #1 deletes this item.	LF	170.98000	64.000	-64.000	0.000	-\$10,942.72
001	1465	04622003 CO DESCR	015	CONC BOX CULV (4 FT X 2 FT) CO #1 deletes this item.	LF	191.58000	84.000	-84.000	0.000	-\$16,092.72
001	1466	04622003 CO DESCR		CONC BOX CULV (4 FT X 2 FT) CO #1 adds this item.	LF	364.81200	0.000	772.000	772.000	\$281,634.86
001	1470	04622004 CO DESCR	015	CONC BOX CULV (4 FT X 3 FT) CO #1 deletes this item.	LF	218.36000	250.000	-250.000	0.000	-\$54,590.00
001	1471	04622004 CO DESCR		CONC BOX CULV (4 FT X 3 FT) CO #1 adds this item.	LF	373.29600	0.000	2,319.000	2,319.000	\$865,673.42
001	1475	04622006 CO DESCR	015	CONC BOX CULV (5 FT X 2 FT) CO #1 deletes this item.	LF	267.80000	18.000	-18.000	0.000	-\$4,820.40
001	1481	04622007 CO DESCR		CONC BOX CULV (5 FT X 3 FT) CO #1 adds this item.	LF	398.74800	0.000	1,208.000	1,208.000	\$481,687.58
001	1485	04642003 CO DESCR	006	RC PIPE (CL III)(18 IN) CO #1 deletes this item.	LF	51.50000	48.000	-48.000	0.000	-\$2,472.00
001	1486	04642003 CO DESCR		RC PIPE (CL III)(18 IN) CO #1 adds this item.	LF	120.89700	0.000	1,463.000	1,463.000	\$176,872.31
001	1490	04642005	006	RC PIPE (CL III)(24 IN)	LF	63.86000	1,330.000	-1,330.000	0.000	-\$84,933.80

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		CO DESCR	CO #1 deletes this item.						
001	1491	04642005 CO DESCR		RC PIPE (CL III)(24 IN) CO #1 adds this item.	LF	131.50200	0.000	718.000	\$94,418.44
001	1495	04642007 CO DESCR	006	RC PIPE (CL III)(30 IN) CO #1 deletes this item.	LF	76.22000	208.000	-208.000	-\$15,853.76
001	1496	04642007 CO DESCR		RC PIPE (CL III)(30 IN) CO #1 adds this item.	LF	131.50200	0.000	9.000	\$1,183.52
001	1500	04642080 CO DESCR	006	RC PIPE (ELLIP)(CL III)(DES 1) CO #1 deletes this item.	LF	103.00000	101.000	-101.000	-\$10,403.00
001	1505	04642100 CO DESCR	006	RC PIPE (ARCH)(CL IV)(DES 3) CO #1 deletes this item.	LF	119.48000	364.000	-364.000	-\$43,490.72
001	1510	04652004 CO DESCR	001	INLET (COMPL)(TY S) CO #1 deletes this item.	EA	3,708.00000	2.000	-2.000	-\$7,416.00
001	1511	04652004 CO DESCR		INLET (COMPL)(TY S) CO #1 adds this item.	EA	4,051.11000	0.000	17.000	\$68,868.87
001	1512	04656002 CO DESCR		MANH (COMPL)(PRM)(48IN) CO #1 adds this item.	EA	5,726.70000	0.000	2.000	\$11,453.40
001	1513	04656004 CO DESCR		MANH (COMPL)(PRM)(72IN) CO #1 adds this item.	EA	9,332.40000	0.000	1.000	\$9,332.40
001	1514	04656030 CO DESCR		INLET (COMPL)(PCU)(3FT)(LEFT) CO #1 adds this item.	EA	6,596.31000	0.000	13.000	\$85,752.03
001	1515	04652133 CO DESCR	001	INLET (COMPL)(TY IIR)(10') CO #1 deletes this item.	EA	5,356.00000	13.000	-13.000	-\$69,628.00
001	1516	04656031 CO DESCR		INLET (COMPL)(PCU)(3FT)(RIGHT) CO #1 adds this item.	EA	6,596.31000	0.000	14.000	\$92,348.34
001	1517	04656071 CO DESCR		INLET (COMPL)(PSL)(RC)(4FTX4FT) CO #1 adds this item.	EA	5,334.31600	0.000	5.000	\$26,671.58
001	1518	04656073 CO DESCR		INLET (COMPL)(PSL)(RC)(4FTX5FT) CO #1 adds this item.	EA	5,673.68000	0.000	1.000	\$5,673.68
001	1519	04656153 CO DESCR		INLET (COMPL)(PAZD)(RC)(4FTX4FT) CO #1 adds this item.	EA	6,384.21000	0.000	14.000	\$89,378.94
001	1525	04672101 CO DESCR	000	SET (TY I)(S= 3 FT)(HW= 3 FT)(4:1)(C) CO #1 deletes this item.	EA	3,296.00000	1.000	-1.000	-\$3,296.00
001	1530	04672114 CO DESCR	000	SET (TY I)(S= 5 FT)(HW= 4 FT)(4:1)(C) CO #1 deletes this item.	EA	4,532.00000	1.000	-1.000	-\$4,532.00
001	1535	04672172 CO DESCR	000	SET (TY I)(S= 3 FT)(HW= 3 FT)(6:1)(P) CO #1 deletes this item.	EA	3,914.00000	1.000	-1.000	-\$3,914.00
001	1540	04672173 CO DESCR	000	SET (TY I)(S= 3 FT)(HW= 4 FT)(6:1)(P) CO #1 deletes this item.	EA	4,326.00000	2.000	-2.000	-\$8,652.00
001	1545	04672177	000	SET (TY I)(S= 4 FT)(HW= 3 FT)(6:1)(P)	EA	4,738.00000	2.000	-2.000	-\$9,476.00

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		CO DESCR	CO #1 deletes this item.							
001	1550	04672178 CO DESCR	000	SET (TY I)(S= 4 FT)(HW= 4 FT)(6:1)(P) CO #1 deletes this item.	EA	5,356.00000	8.000	-8.000	0.000	-\$42,848.00
001	1555	04672182 CO DESCR	000	SET (TY I)(S= 5 FT)(HW= 3 FT)(6:1)(P) CO #1 deletes this item.	EA	5,356.00000	3.000	-3.000	0.000	-\$16,068.00
001	1560	04672211 CO DESCR	000	SET (TY II)(24 IN)(RCP)(3:1)(C) CO #1 deletes this item.	EA	3,090.00000	3.000	-3.000	0.000	-\$9,270.00
001	1565	04672290 CO DESCR	000	SET (TY II)(30 IN)(RCP)(6:1)(P) CO #1 deletes this item.	EA	3,708.00000	6.000	-6.000	0.000	-\$22,248.00
001	1570	04672452 CO DESCR	000	SET (TY II)(24 IN)(RCP)(2:1)(C) CO #1 deletes this item.	EA	3,090.00000	2.000	-2.000	0.000	-\$6,180.00
001	1575	04672361 CO DESCR	000	SET (TY II)(DES 3)(RCP)(6:1)(P) CO #1 deletes this item.	EA	2,678.00000	46.000	-46.000	0.000	-\$123,188.00
001	1600	05022001 CO DESCR	033	BARRICADES, SIGNS AND TRAFFIC HANDLING CO #1 adjusts this item.	MO	9,935.37900	6.000	6.000	12.000	\$59,612.27
001	1605	05292004 CO DESCR	000	CONC CURB & GUTTER (TY II) CO #1 adjusts this item.	LF	18.15000	11,800.000	-1,669.000	10,131.000	-\$30,292.35
001	1610	05292094 CO DESCR	000	CONC CURB (TY F3) CO #1 deletes this item.	LF	110.00000	3,784.000	-3,784.000	0.000	-\$416,240.00
001	1611	05292094 CO DESCR		CONC CURB (TY F3) CO #1 adds this item.	LF	126.50000	0.000	357.000	357.000	\$45,160.50
001	1630	05312024 CO DESCR	000	CONC SIDEWALK (5") CO #1 adjusts this item.	SY	37.40000	6,602.000	-139.000	6,463.000	-\$5,198.60
001	1635	05312118 CO DESCR	000	CONC SIDEWALK (8")(6")(BRIDGE) CO #1 adjusts this item.	LF	869.00000	150.000	-136.000	14.000	-\$118,184.00
001	2010	11222002 CO DESCR	001	ROCK FILTER DAMS (INSTALL) (TY 2) CO #1 adjusts this item.	LF	19.31300	265.000	-115.000	150.000	-\$2,221.00
001	2015	11222009 CO DESCR	001	ROCK FILTER DAMS (REMOVE) CO #1 adjusts this item.	LF	6.18000	265.000	-115.000	150.000	-\$710.70
001	2029	11222037 CO DESCR		TEMPORARY SEDIMENT CONTROL FENCE INSTLL CO #1 adds this item.	LF	2.21500	0.000	800.000	800.000	\$1,772.00
001	2034	11222057 CO DESCR		TEMPORARY SEDIMENT CONTROL FENCE REMOVE CO #1 adds this item.	LF	0.15500	0.000	1,220.000	1,220.000	\$189.10
001	2040	32682008 CO DESCR	000	D-GR HMA TY-B PG64-22 CO #1 deletes this item.	TON	65.71600	9,237.000	-9,237.000	0.000	-\$807,018.89
001	2041	32682008 CO DESCR		D-GR HMA TY-B PG64-22 CO #1 adds this item.	TON	84.11000	0.000	9,259.000	9,259.000	\$778,774.49
001	2045	32672122 CO DESCR	000	D-GR HMA(SQ) TY-D PG70-22 CO #1 adjusts this item.	TON	90.09200	952.000	-16.000	936.000	-\$1,441.47
001	2050	32682047	000	D-GR HMA TY-D SAC-A PG76-22	TON	73.80800	3,738.000	-15.000	3,723.000	-\$1,107.12

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CO DESCR			CO #1 adjusts this item.							
001	2086	96082003		UNIQUE CHANGE ORDER ITEM 3	DOL	1.00000	0.000	189,770.400	189,770.400	\$189,770.40
CO DESCR			CO #1 adds this item.							
ADDTL CO DESCR 1			Overhead compensation 120 days/\$1,581.42 per day							
002	2145	04322041	000	RIPRAP (STONE COMMON)(DRY)(18 IN)	CY	104.50000	63.000	6.000	69.000	\$627.00
CO DESCR			CO #1 adjusts this item.							
002	2150	04322050	000	RIPRAP (CONC)(CL B)(5 IN)	CY	467.50000	14.000	3.000	17.000	\$1,402.50
CO DESCR			CO #1 adjusts this item.							
002	2154	04502025		RAIL (TY PR1)	LF	96.18000	0.000	134.000	134.000	\$12,888.12
CO DESCR			CO #1 adds this item.							
002	2155	04502025	001	RAIL (TY PR1)	LF	62.83000	125.000	-125.000	0.000	-\$7,853.75
CO DESCR			CO #1 deletes this item.							
002	2160	04622006	015	CONC BOX CULV (5 FT X 2 FT)	LF	267.80000	52.000	-52.000	0.000	-\$13,925.60
CO DESCR			CO #1 deletes this item.							
002	2161	04622006		CONC BOX CULV (5 FT X 2 FT)	LF	531.56000	0.000	32.000	32.000	\$17,009.92
CO DESCR			CO #1 adds this item.							
002	2164	04662004		WINGWALL (PW)	SF	93.86000	0.000	555.000	555.000	\$52,092.30
CO DESCR			CO #1 adds this item.							
002	2165	04662004	000	WINGWALL (PW)	SF	55.00000	597.000	-597.000	0.000	-\$32,835.00
CO DESCR			CO #1 deletes this item.							
CHANGE ORDER AMOUNT									\$2,108,145.91	

b8

CONTRACT ID 015202070

CHANGE ORDER NBR. 1

Page 8 of 8

FUNDING SOURCES

1. Work Program:	Local	Work Category:	3	Amount:	\$2,108,145.91
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ADDITIONAL TIME NOT NEEDED

"By signing this change order, the contractor agrees to waive any and all claims for additional compensation due to any and all other expenses; additional changes for time, overhead and profit; or loss of compensation as a result of this change and that this agreement is made in accordance Item 4 and the Contract. Exceptions should be noted in explanation above."

THE CONTRACTOR

BY: \_\_\_\_\_  
DATE

TYPED/PRINTED NAME: \_\_\_\_\_  
DATE

TYPED/PRINTED TITLE: \_\_\_\_\_  
DATE

AREA ENGINEER: \_\_\_\_\_  
DATE

AREA ENGINEER'S SEAL:

DISTRICT ENGINEER: \_\_\_\_\_  
DATE

DIRECTOR, CONSTRUCTION DIVISION: \_\_\_\_\_  
DATE

DEPUTY EXECUTIVE DIRECTOR: \_\_\_\_\_  
DATE

FHWA: \_\_\_\_\_  
DATE

# TEXAS DEPARTMENT OF TRANSPORTATION

CONSTRUCTION CONTRACT CHANGE ORDER NUMBER: 6

## Third Party Funding Notification Sheet

This form is used when the subject change order involves funding by a source other than TxDOT/U.S. DOT, and involves third parties who are providing funding under an Advance Funding Agreement or Donation Agreement.

1. Outside funding provided by:

City of Lockhart

(Outside Entity's Legal Name)

2. Type of outside funding agreement for this change:

☒ Existing ☐ Amended ☐ New  
[ Check one ]

3. Indicate the type and amount of funding:

☐ Fixed Price (Lump Sum) (Estimated Amount 234,452.82 )

☒ Actual Cost

(a) Contract Items (Bid Items): 234,452.82

(b) E&C\*: (a) x enter % = 0.00

(c) Indirect Cost\*\*: (a + b) x enter % = 0.00

**TOTAL** 234,452.82

CCSJ: 0152-02-070

Project: C 152-2-70

Highway: US183

County: Caldwell

District: Austin

Contract  
Number: 11133003

### Use as needed:

I hereby acknowledge notification of the modifications covered by this Change Order.

Date \_\_\_\_\_

By \_\_\_\_\_

Typed/Printed Name \_\_\_\_\_

Typed/Printed Title \_\_\_\_\_

\* The percentage (%) for E&C (Engineering and Contingencies) charges varies from project to project depending on the contract amount of the project. Projects with a higher contract amount will have a lower rate of E&C charge. For a specific project, E&C rate (%) can be derived from the cost of "Engineering and Contingencies" in the "Estimated Cost" of the project.

\*\* Use the statewide district rate as established by Finance Division each year. This line 3(c) is for Service Project only, unless otherwise specified in the Advance Funding Agreement. See Stand Alone Manual Notice 98-2 for instructions.

Funding for this Change Order has been arranged:

TxDOT Representative \_\_\_\_\_

Date \_\_\_\_\_

Typed/Printed Name: \_\_\_\_\_



CHANGE ORDER NBR.

6

REPORT DATE: 2/14/2017 4:56:35PM

CONTRACT ID: 015202070  
PROJECT: C 152-2-70  
CONTRACT: 11133003  
AWARD AMOUNT: \$11,698,918.92  
PROJECTED AMOUNT: \$12,032,271.84  
ADJ PROJECTED AMT: \$12,090,123.23  
PEND ADJ PROJ AMT: \$12,090,123.23  
CONTRACTOR: DEAN WORD COMPANY, LTD.  
CO AMOUNT: \$234,452.82  
CO TYPE: NON-PARTICIPATING  
3RD PARTY AMOUNT: \$234,452.82  
APPRV LEVEL: OVERRIDE

HIGHWAY: US 183  
DISTRICT: 14  
COUNTY: CALDWELL  
AREA ENGINEER: Diana Schutze, P.E.  
AREA NUMBER: 050

DESCRIPTION: Phase 1 and 2 Added Earthwork  
REASON: 4B - 4B-3RD PARTY REQUEST FOR ADDITIONAL WORK  
SECONDARY REASON(S):

## Functions:

- |  |  |
|--|--|
| <input checked="" type="checkbox"/> Extra Work       | <input type="checkbox"/> Force Account         |
| <input type="checkbox"/> Zero Dollar                 | <input type="checkbox"/> Final Quantity        |
| <input checked="" type="checkbox"/> Overrun/Underrun | <input type="checkbox"/> Change Project Limits |
| <input type="checkbox"/> Time Adjustment             | <input type="checkbox"/> Delete/Add CSJ        |
| <input type="checkbox"/> Stock Account               |  |

## DESCRIBE THE REASON FOR THE CHANGE ORDER AND WHAT IS BEING CHANGED. WHEN NECESSARY, INCLUDE EXCEPTIONS TO THIS AGREEMENT:

As a result of CO #1 where the City of Lockhart requested a storm sewer system instead of an open ditch system, this change order adjusts the earthwork quantities and unit cost for the revised work performed in Phase 1 and 2. This is shown on the revised sheet 5C revision 7. Excavation new quantity is 6,122 and embankment new quantity is 1,513.

Over and underrun of the existing bid items at existing bid prices is not feasible due to the unit cost provided at bid was for all phases of work. The revised cost for the added work should be adjusted based on type of work in Phase 1 and 2 being urban work and Phase 3 was rural work. The level of effort for the different type of work areas creates a different unit cost but overrun of a single bid item does not reflect the different unit cost. There is also an increased cost due to a creation of 3,864 CY of waste when at bid time it was borrow with Phase 1 and 2 needing 155 CY.

Phase 1 and 2 excavation original bid line number 0105 with quantity 2,258 will be reduced to zero. Add a new line item 0106 for the 125 percent of the original quantity ( $2,258 \times 1.25 = 2,822$  CY) to be compensated at the contractor's original estimated cost to perform the work. This is the estimated cost at bid time once the Phase 3 cost was removed from the average cost provided at bid time. This is reflected in a letter from the Contractor dated 9/15/16.

A new line item 0107 for 3,300 CY (6122 CY - 2822 CY) will be added at actual cost plus profit for the excavation beyond the 125 percent of the original bid quantity. Another new item 0108 for the same quantity CY will be added to compensate for the cost to dispose of the additional waste due to the revised quantities. The contractor provided information of actual cost based on labor, equipment, etc. for this work.

Phase 1 and 2 embankment original bid line number 0110 with quantity of 2,413 will be reduced to zero. A new line item 0111 for a quantity of 1,513 will be added at a unit cost equal to the contractor's original estimated cost to perform the work for Phase 1 and 2.

These prices and quantities are final and will not be adjusted for escalation, etc. The work is complete and these are the final quantities and final cost. Any future revisions to quantities will not be compensable.

It is recognized that this revision will require additional time to be added to the project and milestones. TxDOT and Contractor are in negotiations for the amount of the added time and the associated overhead with this revision. Time and overhead will be added in change order 7.

This CO includes SP 000-384. This SP is a revised notification of the requirement for submitting a Certificate of Interested Parties Disclosure form 1295. This SP replaces SP 000-249.



CONTRACT ID 015202070

CHANGE ORDER NBR. 6

Page 3 of 4

## CONTRACT ITEMS

PROJECT NBR 015202070 (C 152-2-70 NOT ELIGIBLE FOR FEDERAL PARTICIPATION)

CATG NBR	LINE ITEM	ITEM CODE	SP NBR	DESCRIPTION	UNIT	UNIT PRICE	ORIG + PREV REV QTY	QTY THIS CO	NEW QTY	AMOUNT THIS CO
001	0105	01102001 CO DESCR	000	EXCAVATION (ROADWAY) CO #6 deletes this item	CY	11.42900	2,258.000	-2,258.000	0.000	-\$25,806.68
001	0106	01102001 CO DESCR		EXCAVATION (ROADWAY) CO #6 adds this item	CY	24.96000	0.000	2,822.000	2,822.000	\$70,437.12
001	0107	01102001 CO DESCR ADDTL CO DESCR 1		EXCAVATION (ROADWAY) CO#6 adds this item excavation over 125% original qty	CY	31.85000	0.000	3,300.000	3,300.000	\$105,105.00
001	0108	96082004 CO DESCR ADDTL CO DESCR 1		UNIQUE CHANGE ORDER ITEM 4 CO #6 adds this item Disposal of additional waste due to revised excavation qtys	DOL	1.00000	0.000	79,212.000	79,212.000	\$79,212.00
001	0110	01322003 CO DESCR	011	EMBANKMENT (FINAL)(ORD COMP)(TY B) CO #6 deletes this item	CY	9.21800	2,413.000	-2,413.000	0.000	-\$22,243.03
001	0111	01322003 CO DESCR		EMBANKMENT (FINAL)(ORD COMP)(TY B) CO #6 adds this item	CY	18.34000	0.000	1,513.000	1,513.000	\$27,748.42
CHANGE ORDER AMOUNT										\$234,452.82

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CONTRACT ID        015202070

CHANGE ORDER NBR.        6

FUNDING SOURCES

1. Work Program:	Local	Work Category:	3	Amount:	\$234,452.82
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**ADDITIONAL TIME NOT NEEDED**

"By signing this change order, the contractor agrees to waive any and all claims for additional compensation due to any and all other expenses; additional changes for time, overhead and profit; or loss of compensation as a result of this change and that this agreement is made in accordance Item 4 and the Contract. Exceptions should be noted in explanation above."

**THE CONTRACTOR**

BY: \_\_\_\_\_  
DATE

TYPED/PRINTED NAME: \_\_\_\_\_  
DATE

TYPED/PRINTED TITLE: \_\_\_\_\_  
DATE

AREA ENGINEER: \_\_\_\_\_  
DATE

AREA ENGINEER'S SEAL:

DISTRICT ENGINEER: \_\_\_\_\_  
DATE

DIRECTOR, CONSTRUCTION DIVISION: \_\_\_\_\_  
DATE

DEPUTY EXECUTIVE DIRECTOR: \_\_\_\_\_  
DATE

FHWA: \_\_\_\_\_  
DATE

# TEXAS DEPARTMENT OF TRANSPORTATION

CONSTRUCTION CONTRACT CHANGE ORDER NUMBER: 7

## Third Party Funding Notification Sheet

This form is used when the subject change order involves funding by a source other than TxDOT/U.S. DOT, and involves third parties who are providing funding under an Advance Funding Agreement or Donation Agreement.

1. Outside funding provided by:

City of Lockhart

(Outside Entity's Legal Name)

2. Type of outside funding agreement for this change:

☒ Existing ☐ Amended ☐ New  
[ Check one ]

3. Indicate the type and amount of funding:

☐ Fixed Price (Lump Sum) (Estimated Amount 75,952.80 )

☒ Actual Cost

(a) Contract Items (Bid Items): 75,952.80

(b) E&C\*: (a) x 0 = 0.00  
enter %

(c) Indirect Cost\*\*: (a + b) x 0 = 0.00  
enter %

**TOTAL** 75,952.80

CCSJ: 0152-02-070

Project: C 152-2-70

Highway: US183

County: Caldwell

District: Austin

Contract  
Number: 11133003

### Use as needed:

I hereby acknowledge notification of the modifications covered by this Change Order.

Date

By

Typed/Printed Name

Typed/Printed Title

\* The percentage (%) for E&C (Engineering and Contingencies) charges varies from project to project depending on the contract amount of the project. Projects with a higher contract amount will have a lower rate of E&C charge. For a specific project, E&C rate (%) can be derived from the cost of "Engineering and Contingencies" in the "Estimated Cost" of the project.

\*\* Use the statewide district rate as established by Finance Division each year. This line 3(c) is for Service Project only, unless otherwise specified in the Advance Funding Agreement. See Stand Alone Manual Notice 98-2 for instructions.

Funding for this Change Order has been arranged:

TxDOT Representative

Date

Typed/Printed Name:





CHANGE ORDER NBR.

7

REPORT DATE: 2/21/2017 2:17:29PM

CONTRACT ID: 015202070  
PROJECT: C 152-2-70  
CONTRACT: 11133003  
AWARD AMOUNT: \$11,698,918.92  
PROJECTED AMOUNT: \$12,032,271.84  
ADJ PROJECTED AMT: \$12,090,123.23  
PEND ADJ PROJ AMT: \$12,090,123.23  
CONTRACTOR: DEAN WORD COMPANY, LTD.  
CO AMOUNT: \$151,905.60  
CO TYPE: NON-PARTICIPATING  
3RD PARTY AMOUNT: \$75,952.80  
APPRV LEVEL: OVERRIDE

HIGHWAY: US 183  
DISTRICT: 14  
COUNTY: CALDWELL  
AREA ENGINEER: Diana Schulze, P.E.  
AREA NUMBER: 050

DESCRIPTION: Phase 1 and 2 Added Time and Overhead  
REASON: 30 - 30-TIME EXTENSION  
SECONDARY REASON(S): 001E - 1E-DES ERR RESLT DELAY,REWK,INEFF-CONSLT  
004B - 4B-3RD PARTY REQUEST FOR ADDITIONAL WORK  
and Days adjusted on the C. O. 100

## Functions:

- |   |  |
|---|--|
| <input checked="" type="checkbox"/> Extra Work      | <input type="checkbox"/> Force Account         |
| <input type="checkbox"/> Zero Dollar                | <input type="checkbox"/> Final Quantity        |
| <input type="checkbox"/> Overrun/Underrun           | <input type="checkbox"/> Change Project Limits |
| <input checked="" type="checkbox"/> Time Adjustment | <input type="checkbox"/> Delete/Add CSJ        |
| <input type="checkbox"/> Stock Account              |  |

## DESCRIBE THE REASON FOR THE CHANGE ORDER AND WHAT IS BEING CHANGED. WHEN NECESSARY, INCLUDE EXCEPTIONS TO THIS AGREEMENT:

This CO adds time and overhead for Phase 1 and 2 due to the following issues: slotted drains listed in CO #4; revised earthwork quantities listed in CO #6; box culvert conflict; and wet weather in May 2016 during Milestone 4. May 2016 weather event adds 20 days due to weather beginning May 26, 2016.

The below time added to the milestones will also be added to the total contract time.

Milestone 1: add 10 days due to CO #6

Milestone 2: add 10 days due to CO #6

Milestone 3: add 20 days for CO #4 work; add 10 days due to CO #6

Milestone 4: add 20 days due to conflict with 6x2 box culvert at State Park Road; add 20 days due to wet weather in May caused by flooding disaster declared by the governor; and add 10 days due to CO #6.

This CO adds overhead at a rate of \$1,898.82 per day. A unique item line number 1082 has been added to compensate for additional overhead based on the overall project time added. A total of 80 days are compensable for overhead. Of these 80 days, 40 days can be attributed to consultant design errors and omissions. The remaining 40 days are associated with CO #6 and are the responsibility of the City of Lockhart. The weather events have been deducted and are not compensable for overhead.

This CO represents all cost related to Phase 1 and 2 time and overhead. Additional items such as price escalation due to start time of contract will not be considered.

TIME ADJUSTMENTS	ADJUSTED DAYS	EXPLANATION
CONTRACT	100	20 days added for CO #4 40 days added for CO #6 20 days due to conflict with 6X2 box at State Park Rd. 20 days due to wet weather from May 2016 Flooding Disaster

99

CONTRACT ID 015202070

CHANGE ORDER NBR. 7

Page 3 of 4

CONTRACT ITEMS

PROJECT NBR 015202070 (C 152-2-70 NOT ELIGIBLE FOR FEDERAL PARTICIPATION)

CATG NBR	LINE ITEM	ITEM CODE	SP NBR	DESCRIPTION	UNIT	UNIT PRICE	ORIG + PREV REV QTY	QTY THIS CO	NEW QTY	AMOUNT THIS CO
001	1082	96082005		UNIQUE CHANGE ORDER ITEM 5	DOL	1.00000	0.000	151,905.600	151,905.600	\$151,905.60
		CO DESCR		CO #7 adds this item						
		ADDTL CO DESCR 1		Additional overhead						
CHANGE ORDER AMOUNT										\$151,905.60

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CONTRACT ID 015202070

CHANGE ORDER NBR. 7

Page 4 of 4

FUNDING SOURCES

1. Work Program: Local Work Category: 3 Amount: \$151,905.60

MILESTONE	ADJUSTED DAYS	EXPLANATION
02	10	Days due to CO #6
01	10	Days due to CO #6
03	30	20 days due to CO #4 10 days due to CO #6
04	50	20 days due to conflict with 6X2 box culvert at State Park Rd. 20 days due to wet weather from May 2016 Flooding Disaster 10 days due to CO #6.

"By signing this change order, the contractor agrees to waive any and all claims for additional compensation due to any and all other expenses; additional changes for time, overhead and profit; or loss of compensation as a result of this change and that this agreement is made in accordance Item 4 and the Contract. Exceptions should be noted in explanation above."

**THE CONTRACTOR**

BY: \_\_\_\_\_ DATE

TYPED/PRINTED NAME: \_\_\_\_\_ DATE

TYPED/PRINTED TITLE: \_\_\_\_\_ DATE

AREA ENGINEER: \_\_\_\_\_ DATE

AREA ENGINEER'S SEAL:

DISTRICT ENGINEER: \_\_\_\_\_ DATE

DIRECTOR, CONSTRUCTION DIVISION: \_\_\_\_\_ DATE

DEPUTY EXECUTIVE DIRECTOR: \_\_\_\_\_ DATE

FHWA: \_\_\_\_\_ DATE





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

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

## CITY OF LOCKHART COUNCIL AGENDA ITEM

<b>CITY SECRETARY'S USE ONLY</b>		Reviewed by Finance	<input type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable
<input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory		Reviewed by Legal	<input type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable
<b>Council Meeting Date:</b> March 20, 2012				
Department: City Manager			Initials	Date
Department Head: Vance Rodgers		Asst. City Manager		
Dept. Signature:		City Manager		
Agenda Item Coordinator/Contact (include phone #): Vance Rodgers				
<b>ACTION REQUESTED:</b> <input type="checkbox"/> ORDINANCE <input type="checkbox"/> RESOLUTION <input type="checkbox"/> CHANGE ORDER <input checked="" type="checkbox"/> AGREEMENT <input type="checkbox"/> APPROVAL OF BID <input type="checkbox"/> AWARD OF CONTRACT <input type="checkbox"/> CONSENSUS <input type="checkbox"/> OTHER				
<b>CAPTION</b>				
DISCUSSION AND/OR ACTION REGARDING THE REVISED TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT) ADVANCED FUNDING AGREEMENT (AFA) FOR PROPOSITION 12 FUNDED US 183 IMPROVEMENTS WITH ADDED LANGUAGE IN SECTION 10, 2 <sup>ND</sup> PARAGRAPH, THAT HELPS CONTROL POSSIBLE COST OVER-RUNS WITH MODIFICATIONS TO THE PROJECT SCOPE PRIOR TO 60% PROJECT COMPLETION				
<b>FINANCIAL SUMMARY</b>				
<input type="checkbox"/> N/A <input type="checkbox"/> GRANT FUNDS <input type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input type="checkbox"/> CIP <input type="checkbox"/> BUDGETED <input type="checkbox"/> NON-BUDGETED				
FISCAL YEAR:	PRIOR YEAR (CIP ONLY)	CURRENT YEAR	FUTURE YEARS	TOTALS
Budget				\$0.00
Budget Amendment Amount				\$0.00
Encumbered/Expended Amount				\$0.00
This Item				\$0.00
BALANCE	\$0.00	\$0.00	\$0.00	\$0.00
<b>FUND(S):</b>				
<b>SUMMARY OF ITEM</b>				
The previous Advanced Funding Agreement (AFA) did not contain any language to help control cost overruns. The addition of language in Section 10, paragraph 2, provides that there will be monthly preliminary estimates during project development. If substantial over-runs or other constraints are identified prior to 60% project completion, TxDOT will develop and implement scope modifications that meet all criteria, accomplish project objects and realign estimates costs to a reasonable level.				
<b>STAFF RECOMMENDATION</b>				
City Manager recommends approval of revised Advanced Funding Agreement with the understanding that if there are cost over-runs that cannot be avoided, then additional revenues will need to be identified.				
List of Supporting Documents: Amended Advanced Funding Agreement, History Information		Other Departments, Boards, Commissions or Agencies:		





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

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

## CITY OF LOCKHART COUNCIL AGENDA ITEM

<b>CITY SECRETARY'S USE ONLY</b>		Reviewed by Finance		<input type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable
<input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory		Reviewed by Legal		<input type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable
<b>Council Meeting Dates:</b> April 4, 2017					
Department: City Manager				Initials	Date
Department Head: Vance Rodgers		Asst. City Manager			
Dept. Signature: <i>Vance Rodgers</i>		City Manager		<i>VR</i>	3-28-2017
Agenda Item Coordinator/Contact (include phone #): Vance Rodgers					
<b>ACTION REQUESTED:</b> <input type="checkbox"/> ORDINANCE <input type="checkbox"/> RESOLUTION <input type="checkbox"/> CHANGE ORDER <input type="checkbox"/> AGREEMENT <input type="checkbox"/> APPROVAL OF BID <input type="checkbox"/> AWARD OF CONTRACT <input type="checkbox"/> CONSENSUS <input checked="" type="checkbox"/> OTHER					
<b>CAPTION</b>					
Discussion and/or action regarding proposed increase of \$200.00 per month for Municipal Court Judge Frank Coggins					
<b>FINANCIAL SUMMARY</b>					
<input type="checkbox"/> N/A <input type="checkbox"/> GRANT FUNDS <input type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input type="checkbox"/> CIP <input type="checkbox"/> BUDGETED <input type="checkbox"/> NON-BUDGETED					
FISCAL YEAR:	PRIOR YEAR (CIP ONLY)	CURRENT YEAR	FUTURE YEARS	TOTALS	
Budget				\$0.00	
Budget Amendment Amount				\$0.00	
Encumbered/Expended Amount				\$0.00	
This Item				\$0.00	
BALANCE	\$0.00	\$0.00	\$0.00	\$0.00	
<b>FUND(S):</b>					
<b>SUMMARY OF ITEM</b>					
Mayor Lew White asked this item be placed on the agenda for consideration by the Council. Judge Coggins is a contract employee of the City. He has not received a pay increase since starting in April, 2014. A \$200.00 per month increase is recommended for consideration by the Council. His current salary is \$2,300 per month. He is usually in the office on Monday through Thursday from 9 am to noon, and often stays late for large dockets. He is on a rotation list as a Magistrate for a week at a time every 7 weeks.					
<b>STAFF RECOMMENDATION</b>					
City Manager recommends approval to the City Council.					
List of Supporting Documents: History			Other Departments, Boards, Commissions or Agencies:		

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

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

## CITY OF LOCKHART COUNCIL AGENDA ITEM

<b>CITY SECRETARY'S USE ONLY</b> <input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory		Reviewed by Finance <input type="checkbox"/> Yes <input type="checkbox"/> Not Applicable	Reviewed by Legal <input type="checkbox"/> Yes <input type="checkbox"/> Not Applicable
<b>Council Meeting Dates:</b> April 1, 2014			
Department: City Manager		Initials	Date
Department Head: Vance Rodgers	Asst. City Manager		
Dept. Signature:	City Manager		
Agenda Item Coordinator/Contact (include phone #): Vance Rodgers			
<b>ACTION REQUESTED:</b> <input type="checkbox"/> ORDINANCE <input type="checkbox"/> RESOLUTION <input type="checkbox"/> CHANGE ORDER <input type="checkbox"/> AGREEMENT <input type="checkbox"/> APPROVAL OF BID <input type="checkbox"/> AWARD OF CONTRACT <input type="checkbox"/> CONSENSUS <input checked="" type="checkbox"/> OTHER			
<b>CAPTION</b>			
Discussion and/or action regarding consideration of candidates for Presiding Municipal Court Judge to replace Judge Jim Gillis who has tendered his retirement resignation			
<b>FINANCIAL SUMMARY</b>			
<input type="checkbox"/> N/A <input type="checkbox"/> GRANT FUNDS <input type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input type="checkbox"/> CIP <input type="checkbox"/> BUDGETED <input type="checkbox"/> NON-BUDGETED			
FISCAL YEAR:	PRIOR YEAR (CIP ONLY)	CURRENT YEAR	FUTURE YEARS
Budget			TOTALS \$0.00
Budget Amendment Amount			\$0.00
Encumbered/Expended Amount			\$0.00
This Item			\$0.00
BALANCE	\$0.00	\$0.00	\$0.00
<b>FUND(S):</b>			
<b>SUMMARY OF ITEM</b>			
Presiding Municipal Court Judge Jim Gillis has tendered his retirement resignation effective March 31, 2014. He has commendably serviced in this position since 2003. The appointment of this position is the prerogative of the City Council. Qualifications regarding this appointment are attached. The current associate judge and Municipal Court Administrator, Ms. Bonnie Townsend is not interested in the position but will help in the interim until an appointment is made. Mr. Frank Coggins has expressed an interest in the position. He commendably served in the position in 2002-2003 before becoming Chief of Police. The current monthly salary is \$2,300.			
<b>STAFF RECOMMENDATION</b>			
City Council decision			
List of Supporting Documents: Resignation, Municipal Court Judge appointment information, Current Judge Gills contract, Letter of interest from Mr. Frank Coggins		Other Departments, Boards, Commissions or Agencies:	

**LIST OF BOARD/COMMISSION VACANCIES**

*Updated: March 8, 2017*

<b>Board Name</b>	<b>Reappointments/Vacancies</b>	<b>Council member</b>
NO VACANCIES		

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

<b>APPLICANT</b>	<b>BOARD REQUESTED</b>	<b>DATE RECEIVED</b>	<b>RESIDENCE DISTRICT</b>
Paul Buckner	Parks & Recreation Advisory Board	April 1, 2016	District 2
Kobe Hurt	Airport Advisory Board	February 3, 2017	County resident



<p>The following are NOTES regarding appointments to several boards that have certain criteria that should be met, such as qualifications or number to serve on the board. Boards that are not listed below have a seven member board and are open to any citizen without qualifications.</p>	
<p><b>NOTES:</b> AIRPORT ADVISORY BOARD</p>	<p><b>Sec. 4-26. Membership; appointments.</b> The Lockhart Airport Advisory Board shall be composed of seven members to be appointed in accordance with section 2-210. At least five members must currently be or have been flight rated, and two members may be appointed as at-large members. Members shall serve three-year terms, such terms coinciding with the council position making the appointment.</p> <p><b>Sec. 4-28. Eligibility for board membership.</b> No person having a financial interest in any commercial carrier by air, or in any concession, right or privilege to conduct any business or render any service for compensation upon the premises of the Lockhart Municipal Airport shall be eligible for membership on the Lockhart Airport Advisory Board.</p> <p><b>Sec. 4-32. Limitations of authority.</b> The Lockhart Municipal Airport Advisory Board shall not have authority to incur or create any debt in connection with airport operations; nor shall the board be empowered to enter into any contract, leases, or other legal obligations binding upon the City of Lockhart; nor shall the board have authority to hire airport personnel or direct airport personnel in the execution of their duties.</p>
<p><b>NOTES:</b> CONSTRUCTION BOARD APPOINTMENTS</p>	<p><i>Section B101.4, Board Decision, is amended to read as follows:</i> The construction board of adjustments and appeals shall have the power, as further defined in Appendix B, to hear appeals of decisions and interpretations of the building official and consider variances of the technical codes; and to conduct hearings on determinations of the building official regarding unsafe or dangerous buildings, structures and/or service systems, and to issue orders in accordance with the procedures beginning with section 12-442 of this Code [of Ordinances].</p> <p><i>Section B101.2, Membership of Board, is amended to read as follows:</i> Each District Council member and the Mayor shall appoint one member to the Construction Board of Appeals making it a five (5) member board and each Councilmember at Large shall appoint an alternate. The term of office of the board members shall be three (3) years, such terms coinciding with the council position making the appointment. The two (2) alternates shall also serve the term coinciding with the council position making the appointments. Vacancies shall be filled for an unexpired term in the manner in which the original appointments are required to be made. Board members shall consist of members who are qualified by experience and/or training to pass on matters pertaining to building construction and are not employees of the City of Lockhart.</p>
<p><b>NOTES:</b> ELECTRIC BOARD APPOINTMENTS</p>	<p><b>Sec. 12-132. Members.</b> (a) Appointments to the examining and supervisory board of electricians and appeals shall conform to section 2-210 except that the board shall consist of five persons with one being appointed by each district council member and one by the mayor. Each member shall serve three-year terms with such terms to coincide with the council position making the appointment. (b) Each board member shall reside within the county and such board shall include one member who shall be a building contractor; one layman; two members shall be master electricians who are currently licensed by the city; and one member shall be either a building contractor or master electrician licensed by the city. There shall be two ex-officio members, one who shall be the city electrical inspector, and one shall be the fire marshal.</p> <p><b>Sec. 12-133. Officers and quorum.</b> The members of the examining and supervising board of electricians and appeals shall select a chairman and secretary. A quorum shall consist of three members.</p>
<p><b>NOTES:</b> HISTORIC PRESERVATION COMMISSION</p>	<p><b>Sec. 28-3. Historical preservation commission.</b> (b) The commission shall consist of seven members, appointed by the city council in accordance with section 2-210, who shall whenever possible meet one or more of the following qualities: (1) A registered architect, planner or representative of a design profession, (2) A registered professional engineer in the State of Texas, (3) A member of a nonprofit historical organization of Caldwell County, (4) A local licensed real estate broker or member of the financial community, (5) An owner of an historic landmark residential building, (6) An owner or tenant of a business property that is an historic landmark or in an historic district, (7) A member of the Caldwell County Historical Commission.</p>
<p><b>NOTES:</b> PARKS ADVISORY BOARD</p>	<p><b>Sec. 40-133. Members.</b> (a) The board shall consist of seven members appointed in accordance with section 2-210 to serve three years terms, such terms to coincide with the council position making the appointment and two alternates shall also be appointed by the mayor and mayor pro-term, one each. The two alternates shall also serve the term coinciding with the council position making the appointments. Vacancies shall be filled for an unexpired term in the manner in which the original appointments are required to be made. (Ordinance 06-08, adopted February 7, 2006)</p>

NOTES:  
ORDINANCE  
RE: ALL  
BOARD,  
COMMISSION  
APPOINTMENTS

**Sec. 2-209. - Rules for appointment.**

The city council hereby sets the following rules:

- (1) Except as may be established by existing city ordinances/resolutions the process for selecting members shall be open to all Lockhart citizens, who must apply for appointment, to include those applying for reappointment. Reappointment shall not be deemed automatic.
- (2) Council shall seek to appoint the most qualified or best persons available, while also respecting the need for diverse community opinions.
- (3) No member of any appointed body shall serve on more than one quasi-judicial or advisory board or commission.
- (4) No appointed body shall deviate from its charge, deliberate items not on its agendas, or speak for the council or City of Lockhart without council authorization.
- (5) Subject to other qualifications as specifically required for membership on the below boards and commissions, the city council shall have the right (but not the duty) to appoint up to two members who are not Lockhart citizens but who are residents of Caldwell County to the Lockhart Airport Advisory Board, the Eugene Clark Library Board, and the construction board of appeals.
- (6) Subject to other qualifications as specifically required for membership on the below boards and commissions, the city council shall have the right (but not the duty) to appoint up to two members who are not Lockhart citizens but who are residents of Caldwell County, to the Lockhart Airport Advisory Board, the Eugene Clark Library Board, and the construction board of appeals.

**Section 2-210. Method of selection; number of members; terms.**

- (a) The mayor and city councilmembers shall nominate individuals to serve on boards and commissions. Each nomination shall then be confirmed by a simple majority of the entire city council.
- (b) Except as provided herein, there shall be seven members appointed to each board or commission corresponding with the seven members or places of the city council. Each city councilmember, except at provided herein, shall nominate a qualified person to serve in a place on an appointed body corresponding to their place on the council. At-large councilmembers shall be designated as places 5 and 6, and the mayor's position as place 7, for the purpose of this section. Nominations shall be made to fill vacant positions and/or positions whose terms have expired within 90 days of the event, such as a resignation or an election. Should any city councilmember fail to name an appointee to one of his/her corresponding places on any body within the above described 90 days, another councilmember shall then have the privilege to nominate a person to fill that same position, as described in subsection (a). However, once that position becomes vacant again for any reason, the appointment shall revert to the place corresponding with the original city council seat/place number for nominations.
- (c) Beginning with the election in May, 1998, the council shall nominate and confirm four members to serve in places 1, 2, 5, 6 on each board and commission in accordance with subsections (a) and (b) above, and with the standards set in Ordinance Number 97-09, Governance Policies. With the election of May, 1999, the remaining three places shall be filled following the same procedure as above.
- (d) Terms of service on appointed bodies shall be the same three-year terms as the councilmember who nominates a person to serve. However, a person may be appointed to complete the unexpired term of a vacant position, due to a resignation, for example.
- (e) When a person has completed a term, or terms, of service and will be vacating a place, that person may continue to serve until a replacement is nominated and confirmed by the city council.
- (f) At the discretion of the majority of the city council, one Caldwell County resident who is also an owner of real property within any local historic district may be appointed as a full member to the historical preservation commission.
- (g) Exceptions to the above regulations shall be all volunteer/special purpose/ad hoc committees appointed from time to time by the city council and the zoning board of adjustments, whose members shall serve two-year terms in accordance with V.T.C.A., Local Government Code § 211.008. All other provisions of this section, and ordinance number 97-09 which do not conflict with the chapters establishing these bodies shall be applicable.

**Sec. 2-212. Removal and resignation of members.**

- (a) All board, commission and committee members serve at the pleasure of the city council and may be removed from office with or without cause at the discretion of the city council.
- (b) Board, commission and committee members may resign from office at any time by filing a written resignation, dated and signed by the member, with the City Secretary. Such resignation shall take effect upon receipt by the City Secretary without further action by the city council. If the city council appoints a new member to replace the resigned member, the new member shall be appointed to serve out the remainder of the resigned member's term.

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# COUNCILMEMBER BOARD/COMMISSION APPOINTMENTS

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Updated 03/08/2017

Councilmember	Board/Commission	Appointee	Date Appointed
Mayor – Lew White	Airport Board	John Hinnekamp	03/07/17
	Board of Adjustment	Mike Annas	03/07/17
	Construction Board	Ralph Gerald	03/07/17
	Ec Dev. Revolving Loan	Barbara Gilmer	03/07/17
	Ec Dev. Corp. ½ Cent Sales Tax	Alan Fielder, Vice-Chair	03/07/17
	Electric Board	Joe Colley, Chair	03/07/17
	Historical Preservation	John Lairsen	03/07/17
	Library Board	Stephanie Riggins	03/07/17
	Parks and Recreation	Albert Villalpando, Chair	03/07/17
	Planning & Zoning	Bill Faust	03/07/17
	ETJ Rep-Impact Fee Adv Comm	Larry Metzler	03/07/17
			03/07/17
District 1 – Juan Mendoza	Airport Board	Larry Burrier	03/07/17
	Board of Adjustment	Lori Rangel	03/07/17
	Construction Board	Mike Votee	03/07/17
	Eco Dev. Revolving Loan	Ryan Lozano	03/07/17
	Eco Dev. Corp, ½ Cent Sales Tax	Dyral Thomas	03/07/17
	Electric Board	Thomas Herrera	03/07/17
	Historical Preservation	Victor Corpus	03/07/17
	Library Board	Shirley Williams	03/07/17
	Parks and Recreation	Linda Thompson-Bennett	03/07/17
	Planning & Zoning	Marcos Villalobos	03/07/17
District 2– John Castillo	Airport Board	Reed Coats	03/07/17
	Board of Adjustment	Juan Juarez	03/07/17
	Construction Board	Israel Zapien	03/07/17
	EcoDev. Revolving Loan	Rudy Ruiz	03/07/17
	Eco Dev. Corp. ½ Cent Sales Tax	Fermin Islas, Chair	03/07/17
	Electric Board	James Briceno	03/07/17
	Historical Preservation	Ron Faulstich	03/07/17
	Library Board	Donnie Wilson	03/07/17
	Parks and Recreation	James Torres	03/07/17
		Rob Ortiz, Alternate	03/07/17
	Planning & Zoning	Manuel Oliva	03/07/17

# COUNCILMEMBER BOARD/COMMISSION APPOINTMENTS

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Updated 03/08/2017

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



# COUNCILMEMBER BOARD/COMMISSION APPOINTMENTS

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Updated 03/08/2017

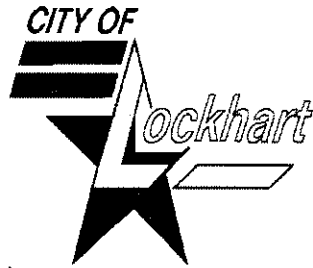
At-Large - Brad Westmoreland	Airport Board	Jayson "Tex" Cordova	03/07/17
	Board of Adjustment	Severo Castillo	03/07/17
	Construction Board (Alternate)	Gary Shafer	03/07/17
	Eco Dev. Revolving Loan	Edward Strayer	03/07/17
	Eco Dev. Corp. ½ Cent Sales Tax	Frank Estrada	03/07/17
	Historical Preservation	Terrance Gahan	03/07/17
	Library Board	Rebecca Lockhart	03/07/17
	Parks and Recreation	Dennis Placke	03/07/17
	Planning & Zoning	Christina Black	03/07/17
	Charter Review Commission (Five member commission) Term – 24 months after appointment	Ray Sanders	03/01/16 – Michelson
		Bill Hernandez	03/01/16 – Michelson
		Roland Velvin	03/01/16 – Michelson
		Elizabeth Raxter	03/01/16 – Hilburn
		Alan Fielder	03/15/16 – Hilburn
	Sign Review Committee (no longer meeting)	Gabe Medina	03/17/15 - Mayor Pro-Tem Sanchez
		Neto Madrigal	04/21/15 – Councilmember Mendoza
		Terry Black	03/17/15 – Councilmember Hilburn
		Kenneth Sneed	03/17/15 – Mayor White
		Johnny Barron, Jr.	03/17/15 – Councilmember Castillo
		Tim Clark	03/17/15 – Councilmember Michelson




**City of Lockhart 2017 Board of Adjustment  
Attendance for a 12-Month Period**

Meeting Date:	Chair Cline	Vice-Chair Clark	Annas	Castillo	Reeder	Rangel	Juarez	Irwin Alternate	Smith Alternate
January 9, 2017 - No Meeting									
February 6, 2017	<i>Present</i>	<i>Present</i>	<i>Present</i>	<i>Absent</i>	<i>Present</i>	<i>Absent</i>	<i>Present</i>	<i>Present</i>	<i>Present</i>
March 6, 2017	<i>Present</i>	<i>Present</i>	<i>Present</i>	<i>Present</i>	<i>Present</i>	<i>Absent</i>	<i>Present</i>	<i>Present</i>	<i>Present</i>
April 3, 2017									

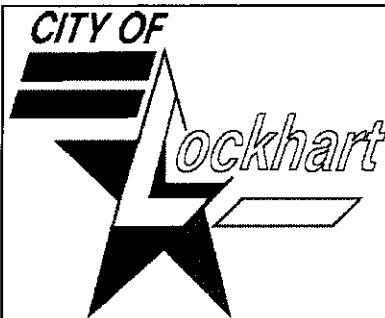
Number of meetings:	2	2	2	2	2	2	2	2	2
Present:	2	2	2	1	2	0	2	2	2
% Absent:	100%	100%	100%	50%	100%	0%	100%	100%	100%



CITY OF LOCKHART						
CONSTRUCTION BOARD OF APPEALS						
BOARD ATTENDANCE REPORT - 2017						
APPOINTING COUNCIL MEMBER						
Member Title:						
	County Resident			Alternate		
Meeting Date:	JERRY WEST (12/03/13) CHAIR (01/05/2017)	RALPH GERALD (01/17/12)	RICK WINNETT, JR. (04/19/2016) VICE CHAIR (01/05/2017)	GARY SHAFER (08/18/15)	MICHAEL VOETEE 10/04/2016	ISRAEL ZAPIEN (01/17/12)
	P	P	P	P	P	P
	NO MTG	NO MTG	NO MTG	NO MTG	NO MTG	NO MTG
	NO MTG	NO MTG	NO MTG	NO MTG	NO MTG	NO MTG
	P	P	P	P	P	P
	NO MTG	NO MTG	NO MTG	NO MTG	NO MTG	NO MTG
Total # Meetings:	2	2	2	2	2	2
Present:	2	2	2	2	2	2
Absent:	0	0	0	0	0	0
Absenteeism %:	0%	0%	0%	0%	0%	0%
LEGEND:	PRESENT:		P UNEXCUSED ABSENCE:			U
	EXCUSED ABSENCE:		EA NO MEETING HELD:			NO MTG
COMMENTS:						

	CITY OF LOCKHART LOCKHART ECONOMIC DEVELOPMENT CORPORATION ATTENDANCE REPORT - 2017 APPOINTING COUNCIL MEMBER						
	ANGIE GONZALES-SANCHEZ	BRAD WESTMORELAND	BENNY HILBURN	JUAN MENDOZA	JOHN CASTILLO	MAYOR WHITE	JEFFRY MICHELSON
	Bernie Rangel	Frank Estrada	Ken Doran	Dyral Thomas	Fermin Islas	Alan Fielder	Morris Alexander
Meeting Date:	Appt. - March 2017	Appt. - March 2017	Appt. - March 2017	Appt. - March 2017	Appt. - March 2017	Appt. - March 2017	Appt. - March 2017
January 11, 2017 February - No Meeting March 13, 2017	P	P	A	P	P	P	P
	P	P	P	P	P	A	P
LEGEND:	PRESENT:		P	UNEXCUSED ABSENCE:		U	
	EXCUSED ABSENCE:		A	NO MEETING HELD:		No Meeting	
COMMENTS:				APPOINTMENT MODIFICATION:			





**CITY OF LOCKHART  
ELECTRIC BOARD OF REVIEW  
BOARD ATTENDANCE REPORT - 2017  
APPOINTING COUNCIL MEMBER**

	Joe Colley (6/17/08)	James Paul Denny (01/20/15)	Thomas Herrera (07/17/12)	Tom Stephens (12/03/13)	James Briceno (05/03/11)
	Chair	Vice-Chair			
<b>Meeting Date:</b>					
January 5, 2017	NO MTG	NO MTG	NO MTG	NO MTG	NO MTG
January 19, 2017	NO MTG	NO MTG	NO MTG	NO MTG	NO MTG
February 2, 2017	NO MTG	NO MTG	NO MTG	NO MTG	NO MTG
February 16, 2017	NO MTG	NO MTG	NO MTG	NO MTG	NO MTG
March 2, 2017	NO MTG	NO MTG	NO MTG	NO MTG	NO MTG
March 16, 2017	NO MTG	NO MTG	NO MTG	NO MTG	NO MTG
April 6, 2017					
April 20, 2017					
May 4, 2017					
May 18, 2017					
June 1, 2017					
June 15, 2017					
July 6, 2017					
July 20, 2017					
August 3, 2017					
August 17, 2017					
September 7, 2017					
September 21, 2017					
October 5, 2017					
October 19, 2017					
November 2, 2017					
November 16, 2017					
December 7, 2017					
December 21, 2017					
<b>Total # Meetings:</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>



**City of Lockhart 2017 -LHPC  
Attendance for a 12-Month Period**

Meeting Date:	CORPUS	LAIRSEN	ALVAREZ	FAULSTICH	REAGAN	GAHAN	McCORMICK
		CHAIR			VICE-CHAIR		
January 4, 2017	NO MTG	NO MTG	NO MTG	NO MTG	NO MTG	NO MTG	NO MTG
January 18, 2017	NO MTG	NO MTG	NO MTG	NO MTG	NO MTG	NO MTG	NO MTG
February 1, 2017	A	P	A	P	P	P	P
February 15, 2017	NO MTG	NO MTG	NO MTG	NO MTG	NO MTG	NO MTG	NO MTG
March 1, 2017	A	P	P	P	P	A	A
March 15, 2017	P	P	A	A	P	P	P
April 5, 2017							
April 19, 2017							
May 3, 2017							
May 17, 2017							
June 7, 2017							
June 21, 2017							
July 5, 2017							
July 19, 2017							
August 2, 2017							
August 16, 2017							
September 6, 2017							
September 20, 2017							
October 4, 2017							
October 18, 2017							
November 1, 2017							
November 15, 2017							
December 6, 2017							
December 20, 2017							
<b>Number of meetings:</b>	1	1	1	1	1	1	1
<b>Present:</b>	0	1	0	1	1	1	1
<b>Absent:</b>	1	0	1	0	0	0	0
<b>% Absent:</b>	100%	0%	100%	0%	0%	0%	0%



**CITY OF LOCKHART**  
**Library Advisory Board**  
**ATTENDANCE REPORT - 2017**  
**APPOINTING COUNCIL MEMBER**

Angie Gonzales Sanchez	Brad Westmoreland	MAYOR WHITE	Juan Mendoza	John Castillo	Benny Hilburn	Jeffry Michelson
Jody King (01/04/13)	Rebecca Lockhart (11/19/13)	Stephanie Wilson Riggin (06-17-2011)	Shirley Williams (06-15-2007)	Donnie Wilson (10- 02-2010)	Jeannie Fox (12-03-2013)	Donaly Brice (7-05-2008)

January  
 February  
 March  
 April  
 May  
 June  
 July  
 August  
 September  
 October  
 November  
 December

NO MEETING  
 NO MEETING  
 NO MEETING

**LEGEND:**

**COMMENTS:**

**PRESENT:**

**P**

**UNEXCUSED ABSENCE:**

**U**

**EXCUSED ABSENCE:**

**E**

**NO MEETING HELD:**

To revise library policy and procedures.




# **CITY OF LOCKHART PARKS & RECREATION ADVISORY BOARD**

## **APPOINTING COUNCIL MEMBER**

								ALTERNATE (Mayor Pro-Tem)
	ANGIE SANCHEZ	KENNY ROLAND	BENNY HILBURN	JUAN MENDOZA	JOHN CASTILLO	LEW WHITE	Jeffry Michelson	
	Jeff Johnson (12/17/13)/ Chris Schexnayder	Frankie Estrada (12/17/13)/ Denise Placke	Warren Burnett (12/04/12)	Linda Thompson- Bennett (12/07/04)	James Torres (12/18/07)	Albert Villalpando (09/05/06)	Linda Barron (11/14/13)/ Russell Wheeler	Rob Ortiz (05/06/08)
Meeting Date:								
January 26,2017	P	U	P	P	P	P	P	
February 23, 2017	U	P	P	P	E	P	E	
March 23, 2017	No Meeting							





	<b>CITY OF LOCKHART</b> <b>REVOLVING LOAN FUND COMMITTEE</b> <b>ATTENDANCE REPORT - 2017</b> <b>APPOINTING COUNCIL MEMBER</b>						
	ANGIE GONZALES-SANCHEZ	BRAD WESTMORELAND	BENNY HILBURN	JUAN MENDOZA, JR.	JOHN CASTILLO	MAYOR WHITE	JEFFRY MICHELSON
	Irene Yanez	Ed Strayer	Mayor Lew White - Chairperson	Ryan Lozano	Rudy Ruiz	Barbara Gilmer	Frank Coggins
<b>Meeting Date:</b>  January - No Meeting February - No Meeting March 14, 2017	Appt - March 2017	Appt - March 2017	Appt - March 2017	Appt - March 2017	Appt - March 2017	Appt - March 2017	Appt - March 2017
	A	P	P	P		WR Cline resigned 2/2016	
					P	A	P
<b>LEGEND:</b> PRESENT: P EXCUSED ABSENCE: E UNEXCUSED ABSENCE: U NO MEETING HELD:							
<b>COMMENTS:</b>							
<b>Total Meetings:</b> % Present: % Excused: % Unexcused: Absenteeism %:							

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

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

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

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



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

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

City of Lockhart Future Debt Payments as of 9/30/15																						
Description		2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	TOTAL DEBT
General Government																						
Hotel Tax Fund																						
2009 Tax & Revenue		40,000	40,000	40,000	40,000	40,000	40,000	40,000	40,000	40,000	40,000	40,000	40,000	40,000								520,000
Total Hotel Tax Fund P & I		40,000	40,000	40,000	40,000	40,000	40,000	40,000	40,000	40,000	40,000	40,000	40,000	40,000								520,000
LEDC																						
2008 GO Refunding	300,000																					300,000
2015 Tax & Revenue		37,357	48,093	48,093	48,044	48,103	48,152	63,645	63,670	63,513	63,543	63,555	63,643	63,687	65,647	65,544	65,575	65,482	65,579	65,538	65,676	1,182,139
Total LEDC Fund P & I		337,357	48,093	48,093	48,044	48,103	48,152	63,645	63,670	63,513	63,543	63,555	63,643	63,687	65,647	65,544	65,575	65,482	65,579	65,538	65,676	1,482,139
2015 Capital Projects Fund																						
2015 Tax & Revenue	122,620																					122,620
Total 2015 Capital Projects Fund	122,620	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	122,620
Drainage																						
2008 GO Refunding	31.00%	100,000																				100,000
2015 Tax & Revenue	100,000	116,289	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	2,016,289
Total Drainage Fund P & I	200,000	116,289	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	2,116,289
General Fund																						
2008 GO Refunding	91,210																					91,210
2015 Tax & Revenue	-																					-
Total General Fund P & I	91,210	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	91,210
Debt Service Fund																						
2009 Tax & Rev CO's	100.00%	333,210	331,060	328,972	327,883	336,575	329,615	737,655	742,642	741,325	743,920	750,210	749,978	753,440								7,206,485
2006 Tax & Rev CO's	100.00%	50,455	48,815	47,175	50,535	48,690	46,845															292,515
2006-A Tax & Rev CO's	93.00%	266,916	267,594	267,890	267,803	267,332	271,128															1,608,664
2015 Tax & Revenue	12.00%	91,487	117,779	117,779	117,659	117,803	117,923	155,867	155,927	155,543	155,615	155,645	155,861	155,969	160,769	160,517	160,592	160,365	160,602	160,502	160,831	2,895,035
Total Debt Service Fund P & I	742,068	765,248	761,816	763,880	770,400	765,511	893,522	898,569	896,868	899,535	905,855	905,839	909,409	160,769	160,517	160,592	160,365	160,602	160,502	160,831	12,002,699	
Total General Government	1,533,255	969,630	949,909	951,924	958,503	953,663	1,097,167	1,102,239	1,100,381	1,103,078	1,109,410	1,109,482	1,113,096	326,416	326,061	326,167	325,847	326,181	326,040	326,507	16,334,957	

City of Lockhart Future Debt Payments as of 9/30/15																						
Description		2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	TOTAL DEBT
Proprietary																						
Electric Fund																						
2008 GO Refunding	3.59%	40,379																				40,379
2013 SIB Loan	30.81%	71,151	71,151	71,151	71,152	71,151	71,151	71,151	71,151	71,151	71,152	71,151	71,151	71,151	71,151	71,151	71,151	71,151	71,152			1,280,721
																						-
Total Electric Fund P & I		111,530	71,151	71,151	71,152	71,151	71,151	71,151	71,151	71,151	71,152	71,151	71,151	71,151	71,151	71,151	71,151	71,151	71,152	-	-	1,321,100
Water Fund																						
2006A Tax & Rev CO's	7.00%	20,090	20,142	20,164	20,157	20,122	20,408															121,082
2008 GO Refunding	36.38%	409,192																				409,192
2009 GO Refunding	86.69%	165,829	165,775	165,656	165,477	169,357	168,625	167,709	170,852	169,384	171,937	174,082	171,534	177,194								2,203,410
2015 Tax & Revenue	49.60%	378,148	486,818	486,818	486,322	486,917	487,413	644,248	644,496	642,909	643,207	643,331	644,223	644,670	664,510	663,468	663,778	662,842	663,822	663,406	664,800	11,966,146
2013 SIB Loan	35.80%	82,676	82,676	82,676	82,676	82,676	82,676	82,676	82,676	82,676	82,676	82,676	82,676	82,676	82,676	82,676	82,676	82,676	82,676			1,488,169
Total Water Fund P & I		1,055,935	755,411	755,314	754,632	759,071	759,122	894,633	898,024	894,969	897,820	900,089	898,433	904,540	747,186	746,144	746,454	745,518	746,498	663,406	664,800	16,187,999
Sewer Fund																						
2008 GO Refunding	16.36%	183,990																				183,990
2009 GO Refunding	13.31%	25,461	25,452	25,434	25,407	26,002	25,890	25,749	26,232	26,006	26,398	26,728	26,336	27,206								338,302
2015 Tax & Revenue	4.30%	32,783	42,204	42,204	42,161	42,213	42,256	55,852	55,874	55,736	55,752	55,773	55,850	55,889	57,609	57,518	57,545	57,464	57,549	57,513	57,643	1,037,388
2015 Tax & Revenue	TRNSF		170,305	186,594	186,302	186,653	186,945	279,275	279,421	278,487	278,662	278,735	279,261	279,523	291,203	290,590	290,773	290,222	290,798	290,554	291,374	4,905,677
2013 SIB Loan	33.39%	77,102	77,102	77,102	77,103	77,102	77,102	77,103	77,102	77,102	77,103	77,102	77,102	77,103	77,102	77,102	77,103	77,102	77,102			1,387,844
Total Sewer Fund P & I		319,336	315,064	331,334	330,973	331,971	332,193	437,979	438,629	437,331	437,915	438,338	438,549	439,721	425,914	425,210	425,421	424,788	425,449	348,067	349,017	7,853,201
Airport Fund																						
2000 Airport	100.00%																					-
Total Airport Fund P & I		-	-	-	-	-	-	-														-
Total Proprietary Fund P & I		1,486,801	1,141,626	1,157,799	1,156,757	1,162,193	1,162,466	1,403,764	1,407,804	1,403,451	1,406,887	1,409,579	1,408,133	1,415,412	1,244,252	1,242,505	1,243,026	1,241,458	1,243,099	1,011,473	1,013,817	25,362,300
Grand Total		3,020,056	2,111,256	2,107,708	2,108,681	2,120,696	2,116,129	2,500,931	2,510,043	2,503,832	2,509,965	2,518,989	2,517,615	2,528,508	1,570,668	1,568,566	1,569,193	1,567,305	1,569,280	1,337,513	1,340,324	41,697,257

City of Lockhart  
2015 BOND PROGRAM

Cost	Notes	Task Name	Duration	Start	Finish	2015	2016	2017
						FebMarAprMayJunJulAugSepOctNovDecJanFebMarAprMayJunJulAugSepOctNovDecJanFebMarAprMayJunJulAugSepOctNovDecJan		
\$14,124,890.00		<b>TOTAL PROJECT COST</b>						
\$2,068,024.00	1	<b>DRAINAGE IMPROVEMENTS CONTRACT 1 - Mesquite/Wichita Street &amp; Richland Drive</b>						
		Surveying Proposal	17 days	Fri 3/6/15	Sun 3/22/15			
		Survey	30 days	Mon 3/23/15	Tue 4/21/15			
		Acquisition	120 days	Wed 4/22/15	Wed 8/19/15			
		Engineering Design	90 days	Wed 4/22/15	Mon 7/20/15			
		Bid Ad/NTP	60 days	Tue 7/21/15	Fri 9/18/15			
		Construction	180 days	Sat 9/19/15	Wed 3/16/16			
\$1,999,200.00	2	<b>DRAINAGE IMPROVEMENTS CONTRACT 2 - Century Oaks/Market Street, &amp; Ash/Comal Streets</b>						
		Surveying Proposal	17 days	Fri 3/6/15	Sun 3/22/15			
		Survey	30 days	Sat 4/25/15	Sun 5/24/15			
		Acquisition	150 days	Mon 5/25/15	Wed 10/21/15			
		Engineering Design	120 days	Mon 5/25/15	Mon 9/21/15			
		Bid Ad/NTP	60 days	Tue 9/22/15	Fri 11/20/15			
		Construction	180 days	Sat 11/21/15	Wed 5/18/16			
\$3,394,038.00	3	<b>DRAINAGE IMPROVEMENTS CONTRACT 3 - Downtown Improvements Project</b>						
		Surveying Proposal	15 days	Sun 8/2/15	Sun 8/16/15			
		Survey	45 days	Mon 8/17/15	Wed 9/30/15			
		Engineering Design	180 days	Thu 10/1/15	Mon 3/28/16			
		Bid Ad/NTP	60 days	Tue 3/29/16	Fri 5/27/16			
		Construction	365 days	Sat 5/28/16	Sat 5/27/17			
\$323,400.00	4	<b>DRAINAGE IMPROVEMENTS CONTRACT 4 - Medina &amp; US183 Project</b>						
		Surveying Proposal	15 days	Sun 11/1/15	Sun 11/15/15			
		Survey	7 days	Mon 11/16/15	Sun 11/22/15			
		Acquisition	90 days	Mon 11/23/15	Sat 2/20/16			
		Engineering Design	60 days	Mon 11/23/15	Thu 1/21/16			
		Bid Ad/NTP	60 days	Fri 1/22/16	Mon 3/21/16			
		Construction	90 days	Tue 3/22/16	Sun 6/19/16			
\$1,764,000.00	5	<b>FM 2001 ELEVATED TANK PROJECT</b>						
		Surveying Proposal	15 days	Sat 1/2/16	Sat 1/16/16			
		Survey	15 days	Sun 1/17/16	Sun 1/31/16			
		Acquisition	120 days	Mon 2/1/16	Mon 5/30/16			
		Engineering Design	90 days	Mon 2/1/16	Sat 4/30/16			
		Bid Ad/NTP	60 days	Sun 5/1/16	Wed 6/29/16			



City of Lockhart  
2015 BOND PROGRAM

Cost	Notes	Task Name	Duration	Start	Finish	2015												2016												2017																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																								
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